The State of New Jersey
Department of Environmental Protection

State Implementation Plan (SIP) Revisions

75 ppb 8-Hour Ozone National Ambient Air Quality Standard Reasonably Available Control Technology (RACT) Determination,

2011 Periodic Emission Inventory,

and

8-Hour Carbon Monoxide National Ambient Air Quality Standard Maintenance and Monitoring Plan

Appendix IV
Public Participation and Response to Comment

A public hearing on this proposed State Implementation Plan (SIP) revision was held on Thursday, September 11, 2014 at 10:00 a.m. at the New Jersey Department of Environmental Protection (NJDEP), 401 E. State St., 6th Floor, Large Conference Room, Trenton, New Jersey. This hearing was held in accordance with the provisions of Section 110(a)(2) of the Clean Air Act, 42 U.S.C. §7410; 40 C.F.R. §51.102(a)(1), the Air Pollution Control Act (1954), N.J.S.A. 26:2C-1 et seq., and the Administrative Procedure Act, N.J.S.A. 52:14 B-1 et seq. Written comments relevant to the proposal were accepted until the close of business, Thursday, September 18, 2012.

Notice of the proposed SIP and the public hearing was issued on several NJDEP air quality listservs. Approximately 1,796 interested parties on the listservs were emailed. In addition, 85 interested parties not on the NJDEP's listservs were emailed the notice, along with 83 air quality contacts from other states and air quality regional organizations and nine contacts at the United States Environmental Protection Agency (USEPA). Notice was also published on the NJDEP's website and mailed to 10 interested parties. Additional notification consisted of faxing notice to 13 newspapers at the New Jersey State House; emailing notice to one State House newspaper; and emailing notice to 254 contacts at public libraries throughout the State and to the NJDEP's three regional Compliance and Enforcement offices. These notices were all issued at least 30 days prior to the public hearing and close of comment period. In addition, notice of the proposed SIP and hearing appeared in the August 18, 2014 edition of the New Jersey Register (46 N.J.R. 1825 (b)). Attachment 1 contains the notice announcing the availability of the proposed SIP revision and the public hearing and the confirmation of hearing notice. Attachment 2 contains documentation of the notices and the New Jersey Register.

During the hearing and comment period, comments were received on the proposed SIP revision. The following persons submitted written comments or made oral comments at the public hearing:

1. Jeff Tittel, New Jersey Chapter of the Sierra Club (NJ Sierra Club)
2. Kate Millsaps, New Jersey Chapter of the Sierra Club (NJ Sierra Club)
3. Joseph Della Fave and Molly Greenburg, Ironbound Community Corporation (ICC)
4. Ali Mirzakhalili, Delaware Department of Natural Resources & Environmental Control (DEDNREC)
5. Michael Callegari and Ray Terrazas, Williams Transco Pipeline (Williams-Transco)

The submitted comments and the State's responses are summarized below. The general comments are presented first, followed by comments relating to specific aspects of the proposal. In some instances like comments have been grouped together. After each comment is the name of the commenter(s).

General Statements

1. **Comment:** The State of New Jersey's air pollution control program is to be commended for its fine work and progress in improving air quality over the years. New Jersey is truly a leader in addressing regional air pollution concerns. DEDNREC

   Response: The NJDEP thanks the commenter.

Monitoring Network

2. **Comment:** We have concerns first and foremost that we're not as sure the area is cleaned up as much as you say it is. Part of it is that our monitoring network is not as complete as it should be. Some stations have been moved or closed, like the one up in Skylands Manor which gave a good baseline data for clean air. We're measuring ground level ozone on a measuring station on top of a firehouse which is more than 30 feet above the ground. And

we've been picking years for measuring the data that have been wetter-than-normal summers and in the middle of recession. And the reason we raise those issues is because if the science isn't right, then the decisions we make could be wrong. NJ Sierra Club

Response: In order to determine compliance with the National Ambient Air Quality Standards (NAAQS) for ozone, the USEPA established criteria for the monitoring of ambient concentrations of ozone at 40 CFR 58 Appendix D - Network Design Criteria for Ambient Air Quality Monitoring. New Jersey has established monitors that meet and are better than these criteria at 16 locations. New Jersey's ozone monitoring network meets federal requirements and provides data on a broad range of locations from urban to rural. The current network is adequate to determine compliance with the current NAAQS for ozone and other pollutants and was approved by the USEPA (per letters from the USEPA to the NJDEP dated 9/7/2007, 9/30/2008, 9/8/2009, 11/8/2010, 10/27/2011, 3/29/2013 and 5/6/2014).

The air monitoring network is not intended, nor required, to measure air quality in every community. It measures air quality that reasonably represents what the public is being exposed to in all areas of the State. Sites have never been removed or added for reasons other than good practice, such as meeting Federal siting requirements, legal issues regarding property access, security issues, and loss of access to a site.

Comments regarding the air monitoring network can be submitted to the NJDEP each year when the annual monitoring network plan is posted on the NJDEP's website for review and comment.

New Jersey did not have an ozone monitor at Skylands Manor that was closed down. There was a PM10 monitor there that was shutdown June 16, 1998, which is not relevant to this SIP or any nonattainment areas in New Jersey. New Jersey does not have any monitors on top of a firehouse. Regarding monitors 30 feet above the ground, according to 40 CFR 58, Appendix E.2. Horizontal and Vertical Placement, " The probe or at least 80 percent of the monitoring path must be located between 2 and 15 meters above ground level for all ozone and SO_2 monitoring sites, and for neighborhood or larger spatial scale Pb, PM10, PM10-2.5, PM2.5, NO_2, and CO sites." The probes for all New Jersey ozone monitoring stations, except Monmouth University, are at about 4-5 meters above ground, or 13-16 feet. At Monmouth University, the probe height is about 13-14 meters above ground.

New Jersey is not picking years, the data is measured every year. A discussion on weather and economy impacts on ozone data can be found in the response to comment # 3.

Progress/Future Emissions

3. **Comment:** We have some of the worst air quality in the nation, and we have too many children that are impacted by asthma and too many elderly people that are impacted with pollution because of being elderly or respiratory problems. I don't think we're making the progress we say we're making. We think that if you don't base your SIP on good data, then you're going to be making mistakes that I think will end up hurting us long term. New Jersey's air pollution in some ways has gotten better, but in a lot of ways we have a long way to go.

We also believe that in New Jersey we still have a tremendous amount of hot spots, especially in northeastern New Jersey, and we're really not addressing that. And unfortunately, we're not looking at cumulative impacts when it comes to hot spots. We're seeing a new power plant going online in Newark next to two other power plants and an incinerator, and everything is fine. Well, it's not.

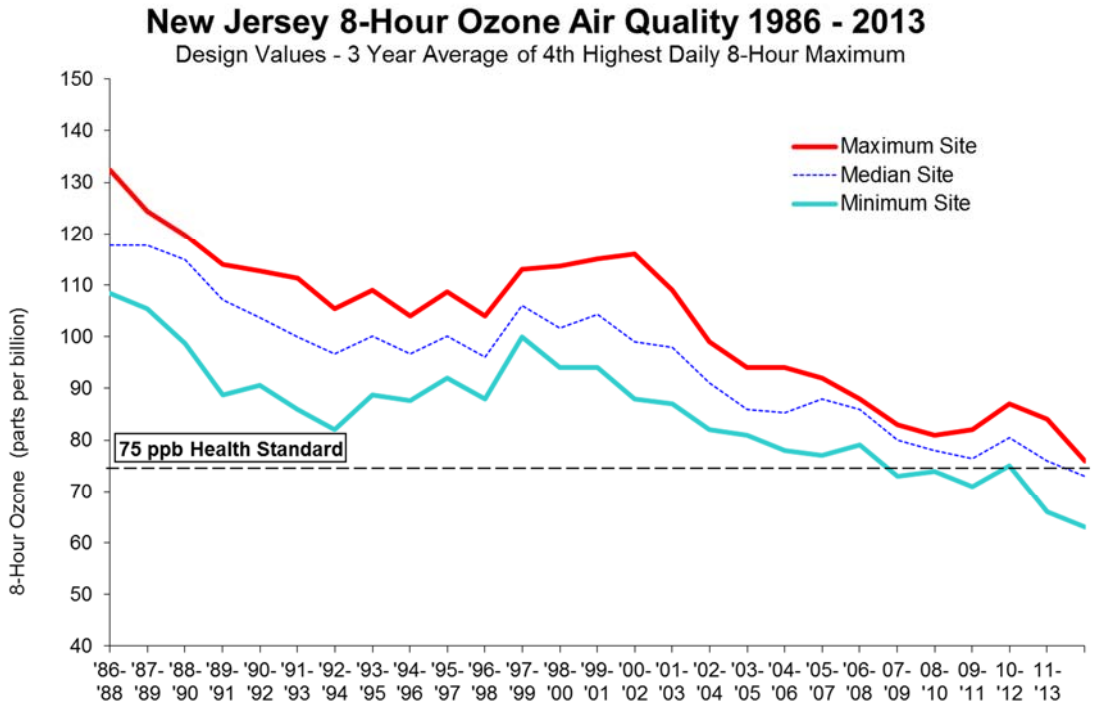
The concern that we have is that as the economy improves or we get another hot and dry summer with a lot of conversions that our air pollution may actually be significantly higher. We are also seeing new sources of potential pollution coming online with at least three new power plants, possibly a fourth, the delay of keeping BL England open. And so we have real concerns that given new sources coming online, given there's an improvement in the economy, given changes in weather pattern conditions of going back to more normal that we're actually going to see big spikes in air pollution and we have not taken the steps to really address that. NJ Sierra Club

Response: The NJDEP disagrees. There is clear and significant improvement in New Jersey's air quality due to permanent and enforceable control measures, and significant reductions in criteria pollutants are projected to continue in the future. Following are specific responses to each issue raised in the comment.

Progress

The New Jersey Annual Air Quality Reports can be found at the following NJDEP website: http://www.njaginow.net/. Air quality trends are shown in these reports for ozone, fine particulate matter (PM2.5), sulfur dioxide (SO_2), carbon monoxide and other air quality pollutants. An ozone air quality design value trends graph has been included below as Figure 1. Significant decreasing trends in these criteria pollutants can be seen in these reports and in Figure 1.

Figure 1



The declining trend in these pollutants is due to permanent and enforceable control measures, not just meteorological changes or economy. While the economic recession may have played a part in short term emission decline, the decrease in emissions from control measures far

surpasses the economic recession decline as discussed in more detail in the New Jersey State Implementation Plan (SIP) Revision for the Attainment and Maintenance of the Fine Particulate Matter (PM2.5) National Ambient Air Quality Standards, Final Redesignation Request and Maintenance Plan, Annual 15 µg/m3 and Daily 35 µg/m3 PM2.5 National Ambient Air Quality Standards, December 2012 (PM Redesignation SIP), Appendix XI.

New Jersey has attained the current annual and 24-hr NAAQS for PM2.5 (12 ug/m^3 and 35 ug/m^3 respectively). Effective September 4, 2013, the USEPA re-designated New Jersey's 13 former nonattainment counties to attainment for the annual 15 ug/m3 and the 24-hour 35 ug/m^3 PM2.5 standards. On December 18, 2014, the USEPA issued final area designations for the 2012 annual national air quality standard for PM2.5 (12 ug/m^3). USEPA has designated New Jersey as "unclassifiable/ attainment" indicating that no area within New Jersey violates the 2012 standard or contributes to a nearby violation of the standard.

Figures III-13 through III-18 in this SIP show New Jersey's emission inventory trends from 2002 to 2011 for volatile organic compounds (VOCs), nitrogen oxides (NO_x), carbon monoxide, particulate matter less than 2.5 micrometers and 10 micrometers in diameter (PM2.5 and PM10), sulfur dioxide (SO_2) and ammonia (NH_3) in the outdoor air.

As discussed in the SIP, Figures III-14 through III-19 show estimated human-made emissions of VOCs have decreased from 2002-2011 by about 40%, NO_x has decreased by about 40%, PM2.5 has decreased by about 20%, SO_2 has decreased by about 80%, carbon monoxide has decreased by about 50%, and ammonia has decreased by about 35%.

Decreases were achieved due control measures such as new engine standards for onroad and off road vehicles and equipment, the National and State low emission vehicle programs, the NO_x budget program for power plants, power plant and refinery consent decrees, New Jersey's high electric demand day (HEDD) and multi-pollutant power plant rules, the acid rain program, area source rules such as those for consumer products, portable fuel containers, paints, autobody refinishing, asphalt paving applications, and solvent cleaning operations, in the area source sector a decline in the use of distillate oil for heating, and in the onroad and nonroad sectors, federal rules that reduced sulfur levels in diesel fuel.

A detailed summary of New Jersey's Control Measures that have provided emission reductions since 2002 and will continue to provide emission reductions in the future can be found in the PM Redesignation SIP, Appendix XI, Attachment 3.

Electric Generating Units (EGUs or Power Plants)

The NJDEP's statewide efforts to control power plant emissions have resulted in the installation of modern pollution control equipment at the PSEG Hudson power plant coal-burning unit in Jersey City. Since 2005, actual emissions from this unit have been reduced as follows: particles emissions are approximately 98% lower, SO_2 is approximately 95% lower, and NO_x is approximately 90% lower. Similar controls were installed and emission reductions experienced at the PSE&G Mercer power plant.

A two phase (2009 and 2015) NO_x emission reduction rule for high electric demand day power plants (HEDD) is reducing NO_x emissions from existing peaking power plants now, and will further reduce emissions in 2015. Based on currently available information provided to the NJDEP by owners and operators of peaking power plants, over 3700 MW of peaking power plants are expected to shut down by the May 1, 2015 compliance date. Many of these shutdown plants are located in Essex County. This shutdown power would be replaced by

new, low-emitting, gas-fired power plants like the Newark Energy Center, which has about 1% of the NO_x emissions as the highest emitting turbines used for peaking.

New, gas-fired power plants emit a small fraction of the air pollutant emissions of existing coal-fired power plants that are expected to be retired in the same timeframe that the new gas-fired power plants start operation. This results in significantly less air pollution from electric generation. The demand for electricity is expected to remain flat, even if there is an increase in economic output in the next decade. This is primarily due to improved efficiency in the household and industrial sector. Even if demand increased significantly, this would not cause higher air pollution than the decreases from the new units, replacing old electric capacity.

Any proposed new power plant, must meet all permitting/regulatory requirements, including those related to air quality impacts. The air quality modeling for any approved facilities must predict that the impact from their pollutant emissions will not cause significant deterioration of air quality, and will not cause or contribute to a violation of the air quality standards in the nearby communities.

A comparison of emissions between a new natural gas-fired power plant and a poorly controlled coal-fired power plant is shown below in Tables 1 and 2:

Table 1
Comparison of Allowable Short-Term Emissions between the 400 MW Coal-Fired Portland Power Plant and the Proposed 655 MW Natural Gas Fired Newark Energy Center

Pollutant	Max. Allowable Emissions (lbs/hr)		Normalized Max. Allowable Emissions (lbs/MWhr)	
	Portland Coal Units	NEC Gas Turbines	Portland Coal Units	NEC Gas Turbines
Sulfur Dioxide	14,720	5.6	36.8	0.009
Nitrogen Oxides	2,070	33.6	5.18	0.051
Particulate (TSP)	416.9	15.8	1.04	0.024

Table 2
Comparison of Annual Emissions between the 400 MW Coal-Fired Portland Power Plant and the Proposed 655 MW Natural Gas Fired Newark Energy Center

Pollutant	Portland Coal Units 2007-2010 Actual Annual Emissions (tons per year)	NEC Gas Turbines Allowable (tons per year)
Sulfur Dioxide	29,067	19.7
Nitrogen Oxides	3,321	136.9
Particulate (TSP)	295.5	57.27

In accordance with a consent decree, BL England Unit 1 has shut down, and Unit 2 will shut down by May 1, 2017, and Unit 3 is expected to convert to natural gas and operate at a limit of 1 lb/MW-hour (approximately 0.09 lb/MMBTU) by May 1, 2017. There will be no emission increase associated with the BL England time extension.

Hot Spots/Cumulative Impacts

The NJDEP disagrees with the statement that New Jersey is not looking at cumulative impacts or hot spots, especially in Newark and northeastern New Jersey. Reducing impacts from existing sources of air pollution is a goal of the NJDEP. Newark is an area where the NJDEP has recognized there are disproportionate impacts from multiple sources of air pollution. The NJDEP has been focusing on reducing air pollutant emissions from existing sources that affect Newark and other urban communities.

Actions focused in these areas include: installation of baghouses at the Covanta Essex RRF (2014/2016), installation of controls at New Jersey coal burning power plants (PSEG Mercer 2004/2008, PSEG Hudson 2012), adoption of power plant and high electric demand day controls (2009), reduction of diesel particulate emissions at Ports Newark and Elizabeth (2009 and ongoing).

The Port Authority of New York and New Jersey is implementing a plan to reduce particulate emissions from diesel engines associated with the movement of goods at Ports Newark and Elizabeth (http://www.panynj.gov/about/port-initiatives.html). This is in addition to the NJDEP's efforts to reduce diesel particulate emissions statewide, with special emphasis on urban areas. Under the Mandatory Diesel Emission Reduction Act (N.J.S.A. 26:2C-8), school buses, garbage trucks and most transit and commercial buses have been retrofitted with devices to control harmful diesel exhaust. The last phase of this program is underway for retrofitting other public diesel vehicles, both onroad and offroad. The NJDEP also completed implementation of the Governor's Executive Order 60 to retrofit privately-owned off road construction equipment used in the performance of public contracts, again with an emphasis on projects in urban and densely-populated areas.

New significant sources are subject to New Jersey's State of the Art (SOTA) regulations pursuant to N.J.A.C. 7:27-22.35 and N.J.A.C. 7:27-8.12. Major sources and their major modifications of attainment air pollutant must comply with USEPA's Best Available Control Technology (BACT) pursuant to 40 CFR 52.21, if those sources are located in EPA designated attainment area of a pollutant being emitted . New major sources and their modifications in nonattainment areas are required to offset emission increases and install Lowest Achievable Emission Rate (LAER) controls pursuant to N.J.A.C. 7:27-18.2. New sources minimize emissions and enable the shutdown of older much higher emitting sources, such as the 3700 MW of HEDD units that are expected to shut down as a result of New Jersey's 2009 HEDD rule.

Future Emissions

Estimates of potential growth in emissions are included in future projection air pollutant emission inventories. Even with growth in emission source activity included, pollutant emissions in New Jersey are projected to decrease significantly in the future due to existing control measures that will continue to reduce emissions in the future. See future emission estimates in the PM Redesignation SIP, the USEPA 2018 emission inventory at http://www.epa.gov/ttn/chief/emch/index.html and the MARAMA 2020 emission inventory at http://www.marama.org/technical-center/emissions-inventory/2007-emissions-and-projections/future-year-inventory-version-3.

The State expects additional emission reductions of ozone and PM precursors in the future due to existing State and federal controls that have been adopted and will be implemented in the future. These controls include new engine standards for motor vehicle and off-road equipment, New Jersey power plant controls for HEDD units and the Federal Tier 3 motor

vehicle standards. The Federal Mercury and Air Toxics Standards (MATS) rule aimed at reducing toxic pollutants from power plants and changes in the electric power industry to natural gas will also have NO_x benefits.

Based on a comparison of USEPA's future 2018 emission inventories for New Jersey, New Jersey's regional 2020 inventory and New Jersey's 2011 actual emission inventory, it is estimated that human-made emissions of VOCs will decrease from 2011-2020 by about 15%, NO_x will decrease by about 30%, PM2.5 will decrease by about 10%, SO_2 will decrease by about 28% and carbon monoxide will decrease by about 20%.

Meteorology

The NJDEP agrees that meteorological conditions do influence ambient ozone concentrations. In order to account for year to year variability in weather patterns, emissions rates and other factors, compliance with the air quality standards is based on three years of data. This lessens the influence of any period of time during which weather anomalies skew the ambient ozone concentrations high or low.

Summary

In summary, New Jersey has made significant progress in air pollution reduction and improved air quality due to permanent and enforceable control measures. Future projected inventories indicate continuation of a decreasing statewide trend in VOC, NO_x, $PM_{2.5}$, SO_2 and carbon monoxide emissions due to existing control measures that will continue to reduce emissions in the future, even after accounting for potential increases in emissions.

Transport of Ozone Pollution

4. **Comment:** Like New Jersey, Delaware has endured unhealthy air quality relative to the pollutant ozone for more than 40 years. Delaware has controlled its emission sources at considerable expense, yet it is still monitoring nonattainment for the most recent 2008 75 ppb ozone NAAQS. Much of Delaware's ozone problems are due to emissions from outside of Delaware. In fact, based on USEPA modeling as much as 90% of Delaware's ozone problems are attributable to emissions from outside of Delaware. The control of New Jersey's emission sources is very important to Delaware because all major modeling efforts conducted to date, including modeling that the USEPA has conducted in connection with its Cross State Air Pollution Rule (CSAPR), have demonstrated that emissions of VOC and NO_x from sources in New Jersey significantly contribute to unhealthy air quality in Delaware. USEPA's CSAPR 2012 base case modeling indicates that emissions from New Jersey contribute more than 13 ppb to ozone concentrations in Delaware. USEPA has determined that any impact greater than 1% of the standard is significant, so based on CSAPR modeling, emissions from New Jersey significantly impact Delaware (i.e., 13 ppb is greater than 0.75 ppb). DEDNREC

Response: The NJDEP agrees with Delaware that the USEPA CSAPR modeling, as well as the modeling for the November 25, 2014 ozone NAAQS proposal, and the Transport Rule modeling for the 2008 NAAQS, as documented in the January 2015 report has estimated that New Jersey's impact on Delaware is greater than 1% of the standard. Both of these modeling evaluations also estimate that Delaware's impact on New Jersey is greater than 1% of the standard.

New Jersey has taken many actions to address its contribution to downwind areas. Discussion on New Jersey's progress and actions can be found in the response to comment #

3. New Jersey emissions from power plants are below CSAPR caps. The HEDD portion of New Jersey's Ozone Reasonably Available Control Technology (RACT) rules reduced and will further reduce NO_x in New Jersey from power plants during high temperature days that usually coincide with high ozone days.

The air quality in Delaware currently meets the ozone NAAQS of 75 ppb based on 2014 preliminary values. Therefore, New Jersey has satisfied its "good neighbor" duty to Delaware for the current ozone health standard by reducing our emissions through our adopted rules and helping Delaware monitors meet the ozone NAAQS.

5. **Comment:** Delaware strongly agrees with New Jersey that the USEPA should focus its resources on reducing ozone transport from upwind states, to include addressing daily emissions of NO_x. Delaware also strongly agrees with New Jersey that the USEPA should ensure that more stringent RACT emission limits already on the books and achieved in practice in downwind states become presumptive RACT in all states in and outside the ozone transport region (OTR), as well as all states significantly affecting a nonattainment area. In addition, many of the Ozone Transport Commission (OTC) model rule based requirements, like those that regulate Consumer Products and Architectural and Industrial Maintenance Coatings, should be adopted by the USEPA as national rules. DEDNREC

Response: The NJDEP acknowledges the commenter's statements.

Electric Generating Units (EGU's or Power Plants)

6. **Comment:** In 2006 Delaware promulgated 7 DE Admin. Code 1146, which required all coal-fueled and residual oil-fueled electric generating units (EGU's) with nameplate ratings of 25 Megawatts (MW) or greater to meet a NO_x emissions rate of no greater than 0.125 lb/MMBTU. This requirement became effective on January 1, 2012 and compliance is on a rolling 24-hour basis. Delaware established this coal-fueled and residual oil-fueled EGU performance standard based on the capabilities of proven, commercially available NO_x controls applicable to these types of EGUs. It is Delaware's opinion that NO_x RACT control regulations should reflect NO_x emission rate standards no less stringent than 0.125 lb/MMBTU, on a rolling 24-hour basis. USEPA emission data indicates the following New Jersey coal and residual oil fired EGUs had average ozone season NO_x emission rates greater than 0.125 lb/MMBTU during the 2013 ozone season: BL England Units 1 through 3, Carney's Point 1001 and 1002, and Logan 1001. Delaware notes that BL England Unit 1 has been deactivated, and that Carney's Point 1001 and 1002, and Logan 1001 are all equipped with selective catalytic reduction (SCR) that are operated at all times the units operate. Given the high 2013 emission rates of the BL England units (0.38 for Unit 2 and 0.23 for Unit 3) Delaware requests that New Jersey take action to require additional control on these units as quickly as possible, and prior to the 2015 ozone season. DEDNREC

Response: In the New Jersey rule for EGUs at N.J.A.C. 7:27-19.4, operative on December 15, 2012, the maximum allowable NO_x RACT limits for boilers serving EGUs combusting coal and residual fuel oil are 1.5 lb/MW-hr (which is approximately equivalent to 0.14 lb/MMBtu) and 2.00 lb/MW-hr (about 0.18 lb/MMBtu), respectively, averaged over 24 hours. The limits require the use of SCR, which continues to be RACT for the 75 ppb ozone NAAQS. Unlike DE's applicability threshold of 25 MW, New Jersey's rule applies to any boiler serving an EGU. Regarding BL England's NO_x emission rates, under a consent decree, Unit 1 (coal unit) has shut down, Unit 2 (coal unit) will shut down by May 1, 2017, and Unit 3 (residual oil unit) will convert to natural gas and operate at a limit of 1 lb/MW-hour (approximately 0.09 lb/MMBTU) by May 1, 2017. BL England Unit 3 is New Jersey's only residual oil fueled EGU.

7. **Comment:** Another concern that we have is right now some of our major polluters, the two big coal plants in the northern and central part of the state, the Hudson and Mercer plants, are running on gas most of the time. That's because of market conditions which will change. They are still permitted to burn coal most of the time. Also, the Sierra Club just won a challenge against USEPA on startups, which aren't being addressed here. When the plants like Mercer or Hudson turn over to coal, the pollution will come up and spike. We believe that the State of New Jersey needs to be doing a lot more in reducing air pollution, especially from these two major plants. NJ Sierra Club

Response: PSEG Hudson (PI# 12202) and PSEG Mercer (PI# 61057) are among the best controlled coal-fired units in the nation. Both PSEG Hudson and PSEG Mercer are equipped with SCR for NO_x control, which allow them to attain the New Jersey NO_x RACT limit of 1.5 lb per megawatt-hour averaged over 24 hours, and less than 0.100 lb/MMBtu over 30 days. With advanced controls, certain emission rates of the units running on coal are comparable to those running on natural gas. For example, the actual NO_x emission rates after controls for Hudson Unit 2 are 0.072 lb/MMbtu for coal combustion and 0.077 lb/MMbtu for natural gas combustion averaged over three years (2011, 2012, and 2013) and the actual carbon monoxide emission rates are 0.014 lb/MMBTU for coal combustion and 0.015 lb/MMBTU for natural gas combustion. These units are required to meet all applicable state and Federal regulations and permit limits, regardless of fuel combusted. Fuel diversity is important, especially on cold days where supply of natural gas may be insufficient.

Regarding the Sierra Club's objection to USEPA's Startup, Shutdown, and Malfunction (SSM) policy [78 FR 12460, 12484, 12494 (Feb. 22, 2013)], New Jersey is developing a rule revision that would remove an outdated provision from the N.J.A.C. 7:27-7 sulfur rule (N.J.A.C. 7:27-7.2(k)(2)), that provides an exemption for excess sulfur compounds during abnormal emergency conditions.

Stationary Generators

8. **Comment:** The proposal indicates commitment from New Jersey to consider adoption of more stringent NO_x limits based on two NO_x ACT categories for natural gas compressor station engines and turbines. Currently, NJAC 7:27-19.8 includes specific NO_x standards for engines used to generate electricity (i.e., generators). These current standards are higher than those proposed in an OTC model rule for stationary generators and those covered in Delaware's stationary generator regulation (i.e., 7 DE Admin. Code1144). For example, New Jersey's lowest NO_x standard for a generator installed/modified after 3/7/2007 is 0.9 g/hp-hour, which is equivalent to 2.66 lb/MW- hour. As a comparison, the recommended NO_x standard for new, non-emergency generators is 0.88 lb/MW-hour in the 2009 Ozone Transport Commission (OTC) model rule for stationary generators, and the current NOx standard for new non-emergency generators installed in Delaware is only 0.6 lb/MW-hour. Delaware requests that New Jersey consider adopting more stringent NO_x limits applicable to all stationary generators. DEDNREC

Response: New Jersey is preparing amendments to N.J.A.C. 7:27-19.8 that, if proposed and adopted after public comment, will require tighter NO_x emission limits for natural gas-fired engines and turbines that compress gaseous fuels.

Regarding existing stationary generators at N.J.A.C. 7:27-19.8 (which are not included in the natural gas amendments), there are six engines located at three facilities, Vineland (PI#75482), BL England (PI#73242), and Veolia (PI#612015), that are permitted with the potential to emit over 25 tons per year (tpy) of NO_x (the CAA definition of RACT applicability for New Jersey). Actual NO_x emissions from these engines are significantly less than 25 tpy

ranging from 0.04 to 4 tpy. Based on available stack test results, Veolia and BL England's engines emit NO_x at levels that are approximately 15% to 40% less than 4.0 lbs/MW-h, the limit for existing distributed generators in the DE rule. Vineland's Title V permit is being modified to limit emissions to less than 25 tpy.

Any new or modified engine powered generator with the potential to emit over 5 tpy of NO_x is addressed through the Federal New Source Performance Standards (NSPS) and New Jersey's State of the Art (SOTA). The SOTA emission performance level for all new or modified stationary reciprocating internal combustion engines less than 100 MMBtu/hr combusting commercial fuel is 0.5 lbs/MW-h which is more stringent than Delaware's rule, and the OTC model rule.

Autobody Refinishing

9. **Comment:** In Table II-2-b, on Page 9, in #6 under "Post 1990 ACT Documents," the RACT SIP revision indicates that New Jersey's automobile refinishing rule meets the current RACT requirements under the 75 ppb ozone NAAQS. We have reviewed this rule as shown in N.J.A.C. 7:27-16.12 and believe it is based on a 2001 OTC Model Rule. Note that the OTC adopted an updated model rule for "Motor Vehicle and Mobile Equipment Non- Assembly Line Coating Operations" in 2011, based on a 2005 California Air Resources Board (CARB) Suggested Control Measure for Automotive Coatings. To date this CARB rule has been adopted by 12 California districts, and the OTC model rule has been adopted by Delaware and Maryland. Delaware recommends that New Jersey consider adopting this updated OTC model rule. DEDNREC

Response: New Jersey has satisfied its RACT obligation for autobody refinishing for the current 75 ppb ozone standard. There are no major sources of emissions in this category in New Jersey (sources over 25 tpy). A rule revision was adopted on June 2, 2003, which reflects the most current paint application and cleaning methodologies, which have not changed. The VOC content of the paints is regulated by a federal rule. New Jersey will reconsider adoption of the OTC model rule in our SIP for the 2015 ozone standard revision.

CTGs

10. **Comment:** The proposal indicates commitment from New Jersey to adopt, if determined to be more effective than current New Jersey requirements, the requirements of the following four CTGs:

    1) Industrial Cleaning Solvents (2006 CTG);
    2) Paper, Film, and Foil Coatings (2007 CTG);
    3) Fiberglass Boat Manufacturing Materials (2008 CTG);
    4) Miscellaneous Metal and Plastic Parts Coatings (2008 CTG).

Delaware requests that New Jersey takes action on this commitment as quickly as possible, and implements any relevant standards prior to the 2015 ozone season. DEDNREC

Response: The NJDEP anticipates proposal of the CTGs in 2015. Most sources already comply with the CTGs or will not be subject to the CTG VOC control limitations.

Natural Gas Compressors

11. **Comment:** Current regulations continue to be RACT for natural gas compressor engines. A new regulation will not result in material NO_x emission reductions or help New Jersey move toward attainment of the 75 ppb ozone standard because natural gas compressor engines are not a major contributor to the overall NO_x emissions, in particular during the ozone season. With regard to the number of natural gas compression engines to regulate, the NJDEP has identified only 16 engines in total. Of those, 13 largely meet the target emission levels set forth by OTC. The NJDEP is proposing spending significant resources on developing rules for sources that do not materially affect New Jersey's ozone attainment status. The NJDEP has recently proposed increases in its air permitting program fees to cover program costs which include rulemaking efforts. Neither the NJDEP nor the regulated community should bear the costs of a rulemaking that provides no environmental benefit. Low Emission Combustion (LEC) Retrofit technology is not technically feasible and reasonable for the three Transco engines. Given the small number of compressor engines, the current emission levels from those engines and the low operating hours, especially during ozone season, the commenter urges the NJDEP to continue its focus on regionally consistent emission limits from upwind states and not further strain resources of New Jersey facilities.

    If the NJDEP proceeds with a rulemaking, any proposed rule should wait for Pennsylvania to finish to ensure economic competiveness, seek only to memorialize control efforts currently in place at existing sources, allow previous stack testing results for compliance, include avenues for compliance flexibility such as facility averaging and include an applicability at 500 hp. A proposed rule should allow ample time to implement retrofits (three years or longer) or should allow replacement to occur over longer timeframes. Williams-Transco

    Response: Rule revisions may be proposed and adopted, subject to public notice and comment, with respect to three categories of equipment operating at New Jersey's major NO_x facilities: 1. Simple cycle combustion turbine combusting natural gas and compressing gaseous fuel; 2. Two stroke lean burn engine capable of producing an output of 200 brake horse power (bhp) or more, but less than 500 bhp, combusting natural gas and compressing gaseous fuel, and; 3. Four stroke lean burn and four stroke rich burn engines, each capable of producing an output of 200 bhp or more, but less than 500 bhp, combusting natural gas and compressing gaseous fuel.

    RACT applies to any facility with NO_x emissions over 25 tpy. The fact that other gas compressors have much lower emissions than the compressors being evaluated for revised RACT limits indicates that it is likely reasonable for the high emitting facilities to also lower their NO_x emissions with either equipment replacement or add on controls.

    Regarding the technical details of any rulemaking for these categories of equipment, comments will be addressed in the rule proposal, which will go out for public comment.

Mobile Sources

12. **Comment:** We think the State when it comes to dealing with carbon monoxide in mobile sources is lagging behind. New Jersey is falling way behind on the California Emissions Program. We are not developing a network for plug-ins. We're not offering sale of certain cars in the State. I think that we are not only hurting our state environmentally, but economically. NJ Sierra Club

    Response: Regarding carbon monoxide, no additional mobile source measures are required to maintain carbon monoxide levels below the NAAQS throughout the maintenance period.

New Jersey is in compliance with the carbon monoxide standard by a significant margin. Carbon monoxide concentrations in the ambient air have improved dramatically in New Jersey over the past thirty years and are currently less than half that of the standard. Carbon monoxide concentrations in New Jersey have not exceeded the 1-hour standard of 35 ppm since the late 1970s. The last exceedance of the 8-hour carbon monoxide standard of 9 ppm was in 1995. Typical 8-hour carbon monoxide levels are less than 2 ppm.

Regarding mobile sources, New Jersey has taken a number of steps in support of electric cars. These include a state sales tax exemption for new electric vehicles and a streamlined permitting process for residential automobile charging stations. In addition, New Jersey participates in the Transportation and Climate Initiative, which is a 10 state partnership that promotes regional approaches to promoting cleaner vehicles. New Jersey also requires California certified vehicles be available for sale in New Jersey.

Public Hearing

13. **Comment:** We are formally requesting that the DEP hold a public hearing on the SIP revisions on September 11, 2014. We believe the public has a right to have this hearing. There are serious concerns raised in the proposal and we believe those concerns have not been addressed. Other organizations have also raised concerns over the SIP revision and deserve to publically have their concerns addressed as well. NJ Sierra Club

Response: As requested by the commenter, a public hearing concerning the NJDEP's proposed SIP revision was conducted on September 11, 2014. There were two participants at the hearing, and one participant chose to speak at the hearing

14. **Comment:** On behalf of the New Jersey Environmental Justice Alliance and Ironbound Community Corporation, we request the NJDEP grant a 45 extension to the original comment period regarding the above reference matter. We further request that the public hearing for the comment period be held approximately two weeks from the end of the comment period. Several factors justify the request for the extension and the hearing:

    1) Because it is summer many members of our organization, concerned Newark residents and concerned members of the general public were on vacations during the summer;
    2) A short comment period is difficult time to prepare meaningful comments, especially in the summer months regarding a complex document like the SIP;
    3) 90 days is a reasonable comment period for a major plan that has the impacts the entire state.

We believe the requests made in this letter should be granted since they are consistent with New Jersey Department of Environmental Protection (NDEP) public statements that cumulative impacts, protecting public health and community engagement are NJDEP priorities. ICC

Response: As stated in the letter sent to the ICC, signed by NJDEP Assistant Commissioner Jane Herndon, dated September 10, 2014, the NJDEP denied the request for an extension to the public comment period. In establishing the public comment period, the NJDEP considered comments that were made by the ICC and other stakeholders pertaining to a previous SIP revision public comment period. The NJDEP specifically provided a comment period greater than the required 30 days, in order to avoid conflicts such as summer vacations, the Labor Day holiday and the start of school. The public was given 50 days' notice on the date of the public hearing and 57 days' notice to submit written comments on the SIP. The NJDEP

posted notice on the NJDEP's website and provided notice via its air rule and SIP email listservs. The NJDEP also reached out via email directly to members of the public that have identified themselves as interested parties, including members of the ICC.

As described in the public notices posted on the NJDEPs website, a public hearing concerning the NJDEP's proposed SIP revision was conducted on September 11, 2014.

Miscellaneous

15. **Comment:** Delaware recommends that Figure I-1 on Page 2 of the proposal be updated to reflect that Kent County and Sussex County Delaware are not part of the area described as "Southern NJ-PA-DE-MD NAA." The USEPA has designated Kent County as attainment and Sussex County as an independent, standalone nonattainment area. DEDNREC

Response: As suggested, figure I-1 on Page 2 on the final SIP document has been updated to reflect that Kent County and Sussex County Delaware are no longer part of the area described as "Southern NJ-PA-DE-MD NAA."

NJDEP-Initiated Changes

In addition to the changes discussed above in the response to comment, the NJDEP made the following NJDEP-initiated changes when finalizing the document. Those changes are described here.

1. Figure III-5, 2011 New Jersey Fine Particulate Matter Emissions, Tons Per Year, was updated with a revised chart. The same chart was replaced in Appendix II, Attachment 14.

2. Annual onroad carbon monoxide, nonroad ammonia, biogenic VOCs, NOx and carbon monoxide emissions were updated throughout the SIP due to the release of the USEPA National Emissions Inventory (NEI) version 2, dated February 2015. Tables that were updated include: Table III-2, Table III-3, Table III-4 and Figure III-18 in the SIP Document, and Table 2, Table 3, and Table 20 in Appendix 2.

3. New Jersey's Plan to Implement RACT, Section II.B.iii, was updated to include NJDEP's evaluation of the Paper, Film and Foil CTG.

4. Section II.B.v was updated to reflect USEPA's adoption of the 75 ppb Ozone Implementation Rule.

5. Table II-3, Status of NOx and VOC Source Specific RACT Determinations, was updated to reflect the latest status of these determinations.

6. Minor editorial/administrative changes were made in the SIP.