



State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
PO Box 402
TRENTON, NJ 08625-0402
TEL. # (609) 292-2885
FAX # (609) 292-7695

JON S. CORZINE
Governor

LISA P. JACKSON
Commissioner

September 5, 2008

The Honorable Alan J. Steinberg
Regional Administrator
United States Environmental Protection Agency – Region 2
290 Broadway – 26th Floor
New York, New York 10007-1866

Dear Regional Administrator Steinberg:

Enclosed is the proposed revision to the New Jersey State Implementation Plan (SIP) for Regional Haze. The Department is proposing this SIP revision to protect and improve visibility levels in New Jersey's Class I area, the Brigantine Wilderness Area of the Edwin B. Forsythe National Wildlife Refuge. This proposal establishes the first reasonable progress goal for the Brigantine Wilderness Area to help achieve the Congressionally mandated goal of reaching natural background visibility levels by the year 2064. This proposed plan also addresses other mandatory SIP elements for regional haze and related issues.

The primary components of this proposed SIP revision are to:

- 1) Identify states that contribute to visibility impairment at the Brigantine Wilderness Area;
- 2) Establish the baseline and natural visibility conditions at the Brigantine Wilderness Area;
- 3) Establish the 2018 Reasonable Progress Goal for the Brigantine Wilderness Area. This goal meets the Uniform Rate of Progress requirement;
- 4) Address New Jersey's actions to reduce its contribution to visibility impairment at impacted Class I areas;
- 5) Address facilities that require Best Available Retrofit Technology (BART);
- 6) Demonstrate that New Jersey will meet the 2018 Uniform Rate of Progress goal set by the USEPA regulations. This demonstration relies upon implementation of control measures by New Jersey and other states contributing to visibility impairment at the Brigantine Wilderness Area. These control measures were identified by Mid-Atlantic/Northeast Visibility Union (MANE-VU) to be reasonable; and

- 7) Request that while reviewing SIP revisions from other states, the USEPA take into consideration those states' impact on New Jersey's obligations to meet the 2018 Reasonable Progress Goal, and compel the emission reduction necessary to achieve this goal.

On July 11, 2008, the United States Court of Appeals for the District of Columbia Circuit vacated the federal Clean Air Interstate Rule (CAIR). This decision has significant air quality impact in the eastern United States. At this time, New Jersey is evaluating its legal options to address the loss in emission reductions from the upwind CAIR sources. It is expected that the potential loss in emission reductions will be addressed by the USEPA prior to the 2018 visibility goal. New Jersey commits to address this issue during its 2013 evaluation.

A public hearing on this proposed SIP revision is scheduled for October 27, 2008 at 10:00 a.m. at the New Jersey Department of Environmental Protection, 401 East State Street, Trenton, New Jersey. Written comments relevant to the proposal may be submitted until the close of business on October 31, 2008 to:

Alice A. Previte, Esq.
NJDEP Office of Legal Affairs
Attn: DEP Docket No. 09-08-06
401 East State Street
P.O. Box 402
Trenton, N.J. 08625-0402

New Jersey provided the Federal Land Manager with the opportunity for consultation regarding the State Implementation Plan to improve visibility at the Brigantine Wilderness Area. The Department will address any comments in our final SIP document. We would like to thank Bob Kelly and Rick Ruvo, as well as the rest of the staff at the USEPA - Region 2, and Sandra Silva and Tim Allen, as well as the rest of the staff at US Fish and Wildlife Service, who worked with my staff in developing this proposal.

If you have any questions regarding this proposal, please contact Chris Salmi, Assistant Director of the Division of Air Quality, at (609) 292-6710.

Sincerely yours,



Lisa P. Jackson
Commissioner

Enclosure: SIP Document

c: Nancy Wittenberg, Assistant Commissioner
William O'Sullivan, Director
Ray Werner, USEPA
Sandra Silva, USFWS
Tim Allen, USFWS