

**INDUSTRIAL STAKEHOLDERS GROUP (ISG)  
MEETING MINUTES –May 12, 2008**

The following issues were discussed at the 5/12/08 ISG meeting. Follow-up items are **bolded**.

1. A discussion was held concerning the permitting of temporary equipment at Title V facilities. It was stated that the AQPP has issued minor modifications for many of these sources in a timely manner and that Operating Permit modifications could be issued for placeholders which allow a temporary source to be operated. The placeholder gives a generic description of the source so that the facility has flexibility when choosing a vendor and specific type of equipment.

The following issues and problems with placeholdering were outlined as follows: (1) These sources require double permitting, as they need a preconstruction permit in the vendor's name and need to be incorporated into the major facility's Operating Permit; (2) Whenever a temporary source operation is subject to an NSPS requirement, a significant modification has to be issued, which requires a public comment period. This is the case even if the NSPS requirements are less stringent than the state requirements; (3) The temporary equipment does not always meet the presumptive norm. Specific temporary equipment cannot always be predetermined. (An example of this is that a presumptive norm may require that a boiler have a fuel meter, which may not be installed on the rental boiler); (4) Resolution of who should be responsible, the owner and operator of the equipment or the Title V facility, for the NSPS reporting requirements.

The Department stated that one long term solution to the temporary equipment issues is to classify them as "insignificant sources". The criteria to be used for classification may be operating time and level of potential air contaminant emissions.

Three minimum requirements for the classification of insignificant sources would be (1) The major facilities would include these sources in their renewals; (2) The emissions would be included in the major facility's emission statement; (3) The equipment would have its own preconstruction permit.

Another mechanism to allow the use of temporary equipment would be the issuance of General Operating Permits (GOP). The most common equipment, such as emergency generators, boilers, and fire pump engines, would be included in the GOP. The GOP would include a caveat that N.J.A.C. 7:27-18 emission netting would have to be completed by the major facility.

A request was made that the Department conduct outreach to those companies who provide temporary equipment to inform them about the need for preconstruction permits as well as all other requirements that must be met. Also,

the Department was asked to examine the conflict between its interpretation of “portable” and that of the Federal government which defines “portable” as that which cannot be anchored.

#### **FOLLOW-UP**

**The Department will: 1) Issue an initial draft of GOP language and applicable sources for review and comment; 2) Request stakeholders to propose source operations to be considered for inclusion into the N.J.A.C. 7:27-22.1 definition of “insignificant sources”; 3) Issue an implementation schedule.**

- 2 Several draft and final Air Quality Permitting Procedures were discussed.
  - A. It was stated that hazardous air pollutants (HAP) would have to be speciated for gasoline and petroleum storage tanks and all commercial fuel burning equipment in new and modified preconstruction permits and new, modified, and renewed Operating Permits. It was stated that a health risk assessment would be conducted, but that a SOTA review would not be applicable based solely on the inclusion of the HAP emissions.

#### **FOLLOW-UP**

**An “Inclusion of Hazardous Air Pollutants (HAP) Emissions in Air Quality Permits” policy memorandum will be posted on the ISG website before the next ISG meeting. It was stated that Air Compliance and Enforcement would be contacted to determine whether any actions would be taken since the HAP emission rates are not currently in many Air Permits.**

- B. A “CEM Averaging Time” policy memorandum was distributed, outlining how the Department will draft the averaging times in compliance plans. It was emphasized that any applicable rule would supersede any policy.
- C. A “Remote Reservoir Cold Cleaning Machine” policy memorandum was distributed, outlining which machines were applicable to the NJAC 7:27-16 rule. Also, the Department will contact the USEPA on the MACT 40 CFR Part 63, Subpart T, “National Emission Standards for Halogenated Solvent Cleaning”, equipment measurement procedure.

#### **FOLLOW-UP**

**The Department stated it will provide an expanded definition of the applicable sources and develop an example of an applicable unit.**

- 3 The draft policy allowing a 1% downtime, on a quarterly basis, for non-certified process monitors was distributed. The Air Compliance and Enforcement Program has concurred with this draft policy. The Department stated that (1) Its implementation will be tracked to determine if it has to be modified; (2) It will be clarified that the 1% allowance is on a per monitor basis; (3) It is not applicable to certified monitors and those subject to NSPS provisions; (4) Any exceedance of the 1% quarterly downtime only has to be reported on a semi-annual basis.

The Department stated that Permittees would still have the ability to file for an “affirmative defense” for the process monitors downtime events, as applicable.

The policy will be incorporated into the BTS Technical Manual. A draft revised BTS Technical Manual, with the Downtime Policy and all other changes, is planned to be issued for public comment in the last quarter of 2008. An effort will be made to implement the policy on an interim basis. If this can be done, the Department will announce it on Listserv and through an Enforcement Alert.

- 4 It was announced that USEPA’s 5/16/08 “Implementation of the New Source Review (NSR) Program for Particulate Matter Less than 2.5 Micrometers (PM-2.5)” and associated USEPA guidance will be an agenda item at the next ISG meeting.
- 5 Three issues concerning the applicability of electric generating internal combustion engines (ICE) to N.J.A.C. 7:27-19 were discussed. It was stated that ICE that were permitted as emergency generators (pursuant to the emergency generator definition in N.J.A.C. 7:27-19.1) could not be used for Demand Response.

The other issues concerned whether ICE which generate electricity to operate a dedicated piece of equipment were subject to N.J.A.C. 7:27-19.8. It was concluded that ICE permitted under the provisions of GP-015 “General Permit for Portable Sources” were not subject to N.J.A.C. 7:27-19.8.

#### **FOLLOW-UP**

**The Department is examining the N.J.A.C. 7:27-19/electric generator issue further and will develop final policies.**

6. An update was provided on the proposed revisions to N.J.A.C. 7:27-16 (VOC RACT) and N.J.A.C. 7:27-19 (NOx RACT). It is anticipated that these draft rules will be proposed for public comment in July, 2008. The Department stated that it was reevaluating the rule compliance dates because of the delay in rule issuance. It was also stated that the draft Refinery Rule would be issued separately.

7. Several issues were discussed concerning stack emissions testing. One issue is the requirement for testing a manufacturing unit at 100% (one hundred percent) capacity. A stack test must be scheduled 2 months in advance and it would be difficult to predict the unit's demand during the testing period. It is difficult to predict what the unit's demand will be at that time. The Department responded that in compliance plans, it is requiring that the test be conducted at "worst case load", which gives BTS and Air Compliance and Enforcement discretion as to what is "worst case". For example, if a test was conducted at 95% load, and not 100%, a retest might be necessary, but no violation would occur.

An issue was raised about conducting stack tests for informational purposes. The Department stated that it had flexibility in determining run times for these types of tests.

The Department stated that no facility inquired about using the USEPA Electronic Reporting Tool (ERT) for stack tests. The USEPA ERT website was provided in the 1/25/08 ISG meeting minutes. A barrier noted to using ERT was that it would cost a stack test firm time and money to convert from any in-house developed reporting system to the ERT. Since ERT in the long term is more efficient, the Department stated that it would look to USEPA for grant money and encourage ISG members to work with their stack test vendors to implement ERT.

8. The following were identified as agenda items for the next ISG meeting: 1) update on temporary sources at Title V facilities; 2) RACT Rule update; 3) "Maximum load/worst case" language for stack testing requirements in compliance plans; 4) ERT implementation update; 5) Reciprocating engines N.J.A.C. 7:27-19.8 applicability issues; 6) Update on process monitor downtime policy; 7) Update on the policy memorandum for HAP emissions from petroleum/gasoline storage tank and commercial fuel burning equipment; 8) NSPS fees when adding new sources to an existing Permit; and 9) PM-2.5 offset policy

The next meeting date and agenda will be announced on Listserv.