

## INDUSTRIAL STAKEHOLDER GROUP JUNE 6, 2025 MEETING HIGHLIGHTS

### Preliminary Matters

This meeting was held virtually through the Department's video conferencing software, Microsoft Teams. All written presentations displayed during the meeting will be posted on the ISG website for reference. The meeting highlights are provided as a courtesy and are intended to reflect the discussion during the ISG meeting only. Should there be a perceived discrepancy between the discussion at the ISG meeting and the Department's official position as set forth in rules, guidance, or policy, the Department's written rules, guidance, or policy documents will govern.

### Agenda Items (in order of presentation)

#### **I. Drycleaner GP Update:**

- On Dec. 18, 2024, EPA issued a regulatory action under the TSCA to phase out the use of PCE in dry cleaning. Affected facilities are required to comply with the TSCA no later than 180 days after the effective date of the final rule. The rule requires the use of PERC in dry cleaning must be phased out over 10 years. For purposes of compliance, the Department will not accept new GP-012A registrations or PCP applications for new Perc machines **after June 16, 2025**; No PCP holders will be allowed to operate a 3<sup>rd</sup> Generation Perc machine **after December 20, 2027**; and absolutely no Perc machines will be allowed to operate **after December 19, 2034** (all permits will be auto-killed on this date). Also, by the same date, all persons are prohibited from manufacturing (including importing), processing, distribution in commerce, or industrial or commerce use of PCE for use in dry cleaning solvent.
- There are a total of 265 PERC machines permitted in New Jersey (approximately 170 GP-012A; approximately 70 PCPs for 3<sup>rd</sup> generation; and approximately 25 PCPs for 4<sup>th</sup> generation or later). Notices will go out to these permit holders.
- After June 16, 2025, the Department will no longer accept new GP-012A registrations and on June 17<sup>th</sup> the GP-012A form will no longer be available on the portal. A facility with an existing machine may continue to operate until December 19, 2034 and may make minor changes to the existing GP through RADIUS.
- After June 16, 2025, the Department will no longer accept PCPs for new 3<sup>rd</sup> and 4<sup>th</sup> generation PERC machines. The Department will withdraw any action on any pending PCPs.
- Existing 3<sup>rd</sup> generation PCP holders will not be allowed to operate after December 20, 2027 and any active PCPs on that date will be terminated.
- Existing 4<sup>th</sup> generation PCP holders will not be allowed to operate after December 19, 2034 and any active PCPs on that date will be terminated.

## **II. Emergency Generator Guidance Update**

- The power supply needed for data centers is becoming a big issue. These are large energy sources.
- The Air program issued guidance in March of 2024, but before that date, the program did not evaluate risk for emergency generators. It is clear now that the Air program needs to be more critical of these sources to be protective. Unfortunately, the guidance issued in March 2024 was not as definitive as necessary. The Department wants a brightline for risk evaluation. Based upon the thresholds in existing GPs, the Air program has developed new guidance that it hopes to have posted on the Department's webpage sometime next week. In response to questions about timing and the effective date of the new guidance, the Air program indicated it was hoping to publish the new guidance next week and that it would be applicable upon posting on the webpage.

## **III. Environmental Justice Implementation**

- There was a late request for an update on the status of the EJ rules implementation.
- The Department indicated that not much has changed since the update at the February ISG meeting. In fact, the Department has not received any new permit applications subject to EJ since February.
- The Department has put together new guidance on facility-wide risk, which has been posted.
- The Department recommends that any applicant planning to submit a permit application for a facility located in an OBC request a pre-meeting to discuss potential EJ issues.
- The Department advised that by the end of the month you should see a revised webpage that separates out the EJ rule documents from the balance of the work performed by the Office of Environmental Justice.
- One stakeholder expressed their impression that the requirement for 2 public hearings (one for EJ and one for permit review) was a waste of time and seems to be redundant. The Department responded that the EJ public hearing is run by the facility and the facility responds to the comments. At the time of the facility's hearing, the permit may not even have started technical review. The EJ process has to be finalized before the permit process can be done. The permit review includes the public hearing run by the Department. And both hearings are required pursuant to the rules.
- Another stakeholder asked whether a Commissioner decision will be issued for every permit application that was received during the time the EJ Administrative Order (AO) was in place. The Department responded there will be no more decisions issued by the Commissioner pursuant to the AO. However, there will always be a decision document on permits that have come in under the EJ rule process.
- The same stakeholder asked the Department to confirm that the public hearing on the permit will not take place until after the Commissioner issues a final decision under the EJ rules. The Department confirmed that this is the procedure.

- Another stakeholder asked who they should contact to discuss EJ applicability? The Department indicated that Jillian Alexander is the primary point of contact for EJ questions (though you can also reach out to Danny Wong or Ken Ratzman).
- One stakeholder asked whether it makes a difference when submitting an EJ application if there is an increase in emission on a lbs/hour basis, but not the annual emissions tons/per year basis? The Department responded – maybe. That would have to be decided on a case-by-case basis. Further, in those cases, it is really useful to have a pre-application meeting with the Department.

#### **IV. OPEN DISCUSSION**

- One stakeholder asked whether there will be updates to CRM guidance, which was last updated in 2018. The Department indicated that there is no plan to update the existing CRM guidance.
- One stakeholder asked whether there is an update that can be shared regarding the SIP revision for the 2008 ozone standard. The Department indicated that the program is in the process of working on it and expect something in 2026.
- One stakeholder asked whether the Department is looking at natural gas fuel cell generation units with and without carbon capture. The Department responded that the program does not dictate the type of generation that may be proposed in a permit; the Department will entertain technology that meets the standards.
- One stakeholder asked about the status of the 185 Fee SIP revision. The Department indicated that it is moving through the process and the fee should be proposed as a rule with a 60-day comment period that will be posted for public review and comment.
- The Department announced that all future ISG meetings will be held in person, except in cases of severe weather.
- The Department also noted that Ky Asral is retiring and this is his last meeting. A number of stakeholders offered their congratulations on his retirement and thanked him for his work.
- The Department reminded stakeholders to suggest agenda items for the ISG meetings far enough in advance for the Department to prepare for a good discussion.
- One stakeholder asked whether the Department would consider livestreaming the future ISG meetings that will be held in person. The Department responded that it may be possible to livestream without participation from viewers, but the Department will not be doing hybrid format meetings because the technology is not good enough yet.
- One stakeholder asked whether there are any working groups under consideration. The Department responded that there may be some working groups convened on updating manuals in the future, but there are no work groups presently.
- One stakeholder asked about an update to Tech Manual 1005. The Department indicated that there are internal discussions, and an update is expected to be shared in the next few months. If the stakeholder wants to see a draft, he should contact Mike Klein, who is leading that effort.

- The Department indicated that they had received a number of inquiries lately about using emergency generators for demand response. The Department reminds stakeholders that emergency generators cannot be used for demand response. If a facility would like to use this equipment in that manner, the facility must come in for an updated permit with more stringent RACT standards. More information is available on demand response at <https://www.nj.gov/dep/enforcement/advisories/2016-04.pdf>.
- One stakeholder asked about stack testing timing for Title V permit holders. Specifically, the stakeholder wanted to know when the timing for stack testing had changed to once every five years. The Department indicated that an Advisory went out about 5 months ago explaining that the change in testing came about as a result of the change in policy to base Title V renewal dates on the date the permit renewal is approved (rather than a 5-yr anniversary date). The Department will be using updated stack test language in pending operating permits to be consistent with the Compliance Advisory (<https://www.nj.gov/dep/enforcement/advisories/2025-02.pdf>). If there are any questions on timing of stack tests, contact the Emission Measurement Section.
- The same stakeholder asked about a hypothetical in which an applicant is seeking a minor modification of a Title V permit, but that modification is dependent on a condition from FEMA. The stakeholder wanted to know whether the deadlines from FEMA can be included in the permit application for consideration of timing? Another stakeholder asked a similar question about the Department's priorities with respect to processing air permits. The Department responded that permits are prioritized to get old permits out (renewal permits in particular) since there is an existing backlog. To this end, the Department is attempting to combine applications – like requiring facilities with a renewal and a modification application to process those items simultaneously. The Department will not keep expediting applications because the permit applicant needs it fast-tracked. A follow-up question from the stakeholder asked whether an application may be prioritized if the facility includes information indicating a timeline must be met to get FEMA funding. The Department responded that the facility can include the information, but the Department will not make any promises about meeting those deadlines.
- One stakeholder spoke up to extend his appreciation for the efforts of the Air program's staff to respond to questions on EJ permit applications and addressing the backlog.
- One stakeholder asked whether there was any guidance on determining SOTA needed to meet the GP-009B for a 20 mmbtu/hr NG boiler. The stakeholder needs to meet VOC 0.005 lb/MMTU and wants to use the PID/FID option to demonstrate compliance, but has been unable to determine what MW to use for VOC. The Department encouraged the stakeholder to contact the Department for a meeting on the specific question.