

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT for PASSAIC VALLEY SEWERAGE COMMISSION

DRAFT TITLE V OPERATING PERMIT SIGNIFICANT MODIFICATION

Program Interest (PI): 07349 / Permit Activity Number: BOP210002

The New Jersey State Department of Environmental Protection (NJDEP) is seeking public comment on its intent to approve an air pollution control Operating Permit Significant Modification for the referenced facility pursuant to the provisions of Title V of the Federal Clean Air Act, the federal rules promulgated at 40 CFR 70, and the state regulations promulgated at N.J.A.C. 7:27-22.

NJDEP is planning to hold a public hearing on this draft permit on October 1, 2024 at Sport Club Portuguese, 55 Prospect Street in Newark, NJ. The public hearing will start at 5:30 PM and end by 9:30 PM. A virtual attendance option is available via <https://bit.ly/PVSCAirPermit24>.

FACILITY INFORMATION

Passaic Valley Sewerage Commission is located at 600 Wilson Avenue, Newark, Essex County, NJ 07105. Passaic Valley Sewerage Commission is publicly owned and operated.

PURPOSE OF THIS HEARING

NJDEP has completed its technical review of the facility's permit application for conformance with State and Federal air pollution control statutes and regulations. The purpose of this hearing is to obtain comment from the public on a draft air pollution control Operating Permit for the facility pursuant to N.J.A.C. 7:27-22.11. NJDEP has previously reviewed this application for compliance with the environmental justice (EJ) review process set forth in NJDEP Administrative Order No. 2021-25 (AO 2021-25) and issued an EJ Decision on July 18, 2024 that allows the facility to proceed with its application for an air pollution control Operating Permit subject to special conditions intended to reduce environmental and public health stressors. The purpose of this hearing is to obtain public comment on the draft Operating Permit, including whether the special conditions have been accurately incorporated into the draft permit. This hearing is not intended to solicit public comment on the prior EJ review or decision.

PRIOR ENVIRONMENTAL JUSTICE REVIEW AND DECISION

As this facility is located in an overburdened community, the facility must comply with the EJ review process set forth in AO 2021-25, which is intended to facilitate meaningful engagement between permit applicants and residents that identifies opportunities to avoid or reduce adverse environmental or public health stressors in the overburdened community. A dedicated EJ hearing is a component of the EJ review process. Importantly, an EJ hearing is separate from, in addition to, and precedes the public comment procedures applicable to draft air pollution control permit outlined at N.J.A.C. 7:27-22.11.

This facility previously held a dedicated EJ hearing on April 26, 2022 and completed EJ review procedures required by AO 2021-25. On July 18, 2024, NJDEP issued an EJ Decision that imposed special conditions intended to reduce environmental and public health stressors affecting the overburdened community; these special conditions must be

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incorporated into permits or approvals issued by NJDEP for the facility. The EJ Decision and AO 2021-25 process materials are available at <https://dep.nj.gov/ej/meetings/#essex>.

FACILITY PROCESSES AND AIR EMISSIONS INFORMATION

For information about the facility's processes and air contaminant emissions, please refer to the Statement of Basis available on this webpage at <https://dep.nj.gov/boss/public-notices/>.

PUBLIC COMMENTS AND CONTACT INFORMATION

This public notice, the statement of basis, and the draft permit have been posted at NJDEP's Bureau of Stationary Sources website <https://dep.nj.gov/boss/public-notices/>. Any person who cannot obtain a copy of the permit documents and any supporting materials from the website above can call 609-292-6722 for further assistance.

All persons, including the applicant, who believe that any condition of the draft Air Pollution Operating Permit or NJDEP's tentative decision to approve this permit is inappropriate, must raise all reasonable issues of concern and submit all arguments and factual grounds or materials supporting their position during the public comment period.

Any comments on this draft permit must be received as follows:

DEADLINE: By 5:00 PM on October 29, 2024

EMAIL: Kevin Greener at Kevin.Greener@dep.nj.gov; OR

MAIL: Kevin Greener, NJDEP, 401 E State Street, 2nd Floor, PO Box 420, Mail Code 401-02, Trenton, NJ 08625-0420.

PUBLIC HEARING

Pursuant to the provisions of N.J.A.C. 7:27-22.11, NJDEP will hold a public hearing on this draft permit:

DATE: October 1, 2024

TIME: 5:30 PM to 9:30 PM

LOCATION: Sport Club Portuguese 55 Prospect Street, Newark, NJ Or virtually via <https://bit.ly/PVSCAirPermit24>

At the public hearing, written and oral comments will be accepted by NJDEP. Any person interested in speaking at the public hearing or attending the hearing virtually is strongly encouraged to sign up in advance. You may register electronically at <https://forms.office.com/g/binaeyVww5>. Or, if you do not have access to an electronic device, please call 609-292-6722 for further assistance to register to speak at the public hearing. If hearing attendees wish to speak but have not registered in advance, the meeting will be continued until all persons present have had the opportunity to present their comments.

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This hearing is not intended to be a question-and-answer session, but rather an opportunity for interested individuals to comment on the draft permit. Therefore, NJDEP representatives will not respond to technical questions at the public hearing, but instead, will be listening intently and taking notes on the oral comments in order to address each issue raised accurately in a Response to Comment document. Each commenter will have at least three minutes to speak. The exact amount of time provided to each speaker will be announced at the hearing. The public hearing will be videotaped and have a live stenographer.

NJDEP will consider and respond to all written and timely submitted comments; responses will be in English and in the commentor's original language, if that differs. All oral testimonies and timely submitted written comments are considered equally by NJDEP. The applicant, and each person who registered, spoke, and/or submitted written comments, will receive a notice of NJDEP's final decision regarding the Operating Permit modifications and a copy of the Response to Comment document.