

THIS IS A COURTESY COPY OF THIS NOTICE. THE OFFICIAL VERSION WILL BE PUBLISHED IN THE MARCH 6 AND APRIL 3, 2023, NEW JERSEY REGISTER. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN. *THE NOTICE PUBLISHED ON APRIL 3, 2023, CORRECTS AN ERROR IN THE NOTICE THAT WAS PUBLISHED IN THE MARCH 6, 2023, NEW JERSEY REGISTER*

PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

AIR, ENERGY, AND MATERIALS SUSTAINABILITY

DIVISION OF AIR QUALITY

Notice of Proposed Request for Delegation of Authority and Public Hearing

Proposed Request for Delegation of Authority for New Jersey to Implement the Federal Plan Requirements for Certain Municipal Solid Waste Landfills and Public Hearing

Take notice that the New Jersey Department of Environmental Protection (Department) is requesting delegation of authority from the United States Environmental Protection Agency (EPA) Region 2 to implement the Federal Plan requirements for municipal solid waste (MSW) landfills that commenced construction on or before July 17, 2014, and have not been modified or reconstructed since July 17, 2014 (40 CFR Part 62, Subpart OOO) (86 FR 27756) (Federal MSW Landfill Plan). The Department will forward a copy of the request for delegation to the EPA.

Section 111 of the Clean Air Act (“CAA” or “Act”) requires the EPA to review standards of performance for landfills at least every eight years and, if appropriate, revise the standards. In 2016, the EPA finalized updated New Source Performance Standards (NSPS) for landfills that commenced construction, reconstruction, or modification after July 17, 2014. See 81 FR 59332; 40 CFR Part 60, Subpart XXX. The standards reduce emissions of landfill gas and its components, including both nonmethane organic compounds and methane. In a separate action, the EPA issued Emission Guidelines for MSW landfills that accepted waste after November 8, 1987, and commenced construction, reconstruction, or modification on or before July 17, 2014.

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See 81 FR 59276; 40 CFR Part 60, Subpart Cf. Like the NSPS, the Emission Guidelines, once implemented through a state plan or Federal plan, will reduce emissions of landfill gas and its components.

On May 21, 2021, the EPA promulgated the Federal MSW Landfill Plan, which implements the Emission Guidelines and Compliance Times for existing MSW landfills in states and Indian country where state plans or tribal plans are not in effect. In the preamble, the EPA “strongly encourage[d] states and tribes that are unable to submit approvable plans to request delegation of the Federal plan so that they can have primary responsibility for implementing the 2016 MSW Landfills EG [Emission Guidelines], consistent with the intent of Congress.” 86 FR at 27765.

The Department is now proposing to request delegation of authority to implement the Federal MSW Landfill Plan. Copies of the delegation request may be examined on the Department’s website at <http://www.state.nj.us/dep/aqpp/publicnotices.htm> and at the Department’s Division of Air Quality at 401 East State Street in Trenton, New Jersey.

A public hearing concerning the delegation request will be held on April 10, 2023, from 10:00 A.M. to 12:00 P.M. (noon) at the Department’s Third-floor conference room – 3E002, 401 East State Street, Trenton, New Jersey.

Persons wishing to present testimony should contact Danny Wong by telephone at (609) 984-2608, or through email at Danny.Wong@dep.nj.gov, no less than 24 hours in advance of the public hearing to reserve a time. Speakers will be limited to 10 minutes and should bring a written copy of their comments.

Submit written comments by close of business on May 5, 2023. A prior notice published

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on March 6, 2023 (55 NJR 3(1)) contained an incorrect date for the close of comments. Please email comment(s) as an email or document attachment to: Danny.Wong@dep.nj.gov. Please include **“Subpart 000”** in the subject line of the email. The Department encourages electronic submittal of comments.

In the alternative, comments may be submitted on paper to:

New Jersey Department of Environmental Protection

Attn: Danny Wong

Division of Air Quality

401 East State Street, 2nd Floor

Mail Code 401-02

PO Box 420

Trenton, New Jersey 08625-0420