

THIS IS A COURTESY COPY OF THIS NOTICE OF ADMINISTRATIVE CORRECTION. THE OFFICIAL VERSION IS PUBLISHED IN THE SEPTEMBER 6, 2011, NEW JERSEY REGISTER AT 43 NJR 2328. SHOULD THERE BE ANY DISCREPANCIES BETWEEN THIS TEXT AND THE OFFICIAL VERSION OF THE NOTICE, THE OFFICIAL VERSION WILL GOVERN.

**ENVIRONMENTAL PROTECTION
ENVIRONMENTAL MANAGEMENT
DIVISION OF AIR QUALITY**

Notice of Administrative Changes

Air Pollution Control; Air Administrative Procedures and Penalties; Sampling and Analytical Procedures; and CO2 Budget Trading Program

N.J.A.C. 7:27, 7:27A, 7:27B and 7:27C

Take notice that the Department of Environmental Protection requested, and the Office of Administrative Law agreed to permit, administrative changes to its rules at Air Pollution Control, N.J.A.C. 7:27; Air Administrative Procedures and Penalties, N.J.A.C. 7:27A; Sampling and Analytical Procedures, N.J.A.C. 7:27B; and CO₂ Budget Trading Program, N.J.A.C. 7:27C, to update addresses. This notice of administrative changes is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the changed rules follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

7:27-1.8 Correspondence, inquiries and notices

(a) (No change.)

(b) A claimant shall direct all correspondence, inquiries, notices and submissions concerning confidentiality claims under this chapter to the Department at the following addresses:

1. With respect to permits and certificates:

[Bureau of New Source Review
Air Quality Permitting Program]
Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of Air Permits
401 East State Street[, Second Floor]
Mail Code 401-02
PO Box [027] **420**
Trenton, New Jersey [08625-0027] **08625-0420**

2. With respect to emission statement submittals:

[Bureau of Air Quality Planning]
Department of Environmental Protection
Division of Air Quality
Office of Air Quality Management
Bureau of Air Quality Planning
Attn: Emission Statement Program
401 East State Street, [Seventh] **7th** Floor
Mail Code 401-07H

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PO Box [418] **420**
Trenton, New Jersey [08625-0418] **08625-0420**

3. With respect to compliance reports or enforcement actions:

[Administrator]

**Department of Environmental Protection
Compliance and Enforcement**

Division of Air and [Environmental] Hazardous Materials [Compliance and] Enforcement

[Division of Enforcement Field Operation

Department of Environmental Protection]

401 East State Street, [Fourth] **4th** Floor

Mail Code 401-04B

PO Box [422] **420**

Trenton, New Jersey [08625-0422] **08625-0420**

7:27-1.26 Hearing before disclosure of information for which a confidentiality claim has been made

(a) A claimant may request an adjudicatory hearing to contest disclosure of any information for which a confidentiality claim has been made, at any time before disclosure. The request shall be in accordance with the requirements of N.J.A.C. 7:27A-3.4(a), and shall be delivered to the Department at the following address:

Department of Environmental Protection
Office of Legal Affairs
ATTENTION: Adjudicatory Hearing Requests
401 East State Street, **4th Floor**
Mail Code 401-04L
PO Box 402
Trenton, New Jersey 08625-0402

(b) – (e) (No change.)

7:27-1.32 Request for an adjudicatory hearing

(a) (No change.)

(b) Requests for a contested case hearing shall be submitted to:

Department of Environmental Protection
Office of Legal Affairs
ATTENTION: Adjudicatory Hearing Requests
[Department of Environmental Protection]
401 East State Street, **4th Floor**
Mail Code 401-04L
PO Box 402
Trenton, New Jersey [08625-402] **08625-0402**

(c) - (e) (No change.)

7:27-8.4 How to apply, register, submit a notice, or renew

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(a) (No change.)

(b) The actions listed at (a)1 through 12 above shall be submitted in accordance with (c) below on forms obtained from the Department. These forms, and information about these actions, may be obtained in the following ways:

1. In paper form, by contacting the Department at:

Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of [Preconstruction] Air Permits

[Air Quality Permitting Element

Division of Air Quality

Department of Environmental Protection]

Preconstruction Permits Section

401 East State Street[, Second Floor]

Mail Code 401-02

PO Box [027] **420**

Trenton, New Jersey [08625-0027] **08625-0420**

Telephone: (609) 292-6716 or 1-800-441-0065

Website: [http://www.state.nj.us/dep/aqpp] **http://www.nj.gov/dep/aqpp**; or

2. (No change.)

(c) - (s) (No change.)

7:27-8.5 Air quality impact analysis

(a) - (c) (No change.)

(d) An air quality impact analysis and/or a risk assessment shall be conducted in accordance with a protocol approved in advance by the Department. The Department shall not approve a protocol unless it takes all relevant site-specific and general factors into account. These factors include, but are not limited to, a land use analysis, proper consideration of topography, a good engineering practice stack height analysis, use of the most recent version of EPA-approved models, identification of the most appropriate meteorological data, and consideration of all relevant averaging times. The protocol shall document how the person proposes to conduct the air quality impact analysis and/or risk assessment, and how the results will be presented to the Department. Technical guidance on the preparation of a protocol can be found in the Air Quality Permitting Program's Technical Manual 1002 (Guidance on Preparing an Air Quality Modeling Protocol) and Technical Manual 1003 (Guidance on Preparing a Risk Assessment for Air Contaminant Emissions) **available on the Department's website at http://www.nj.gov/dep/aqpp/techman.html**. Additional technical guidance on preparing a protocol may be requested from:

[New Jersey] Department of Environmental Protection

Air Quality Permitting Program

Bureau of Technical Services

Air Quality Evaluation Section

401 East State Street, 2nd Floor

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Mail Code 401-02

PO Box [027] **420**

Trenton, New Jersey [08625-0027] **08625-0420**

[Attention: Bureau of Air Quality Evaluation]

Telephone: 609-633-1110

7:27-8.28 Delay of testing

(a) A permittee may seek the approval of the Department for a delay in testing required pursuant to N.J.A.C. 7:27-8.4(f), 8.7(f), or 8.13(d). In such case the following shall apply:

1. The permittee shall submit a request for such approval on paper to the address given at N.J.A.C. 7:27-8.4(b) and to the appropriate regional enforcement office indicated in (a)1i through iv below, **or to the address specified on the Department's website at**

<http://www.nj.gov/dep/easyaccess/compenf.htm#Aircomplenf>;

i. If the permitted source is located in **Burlington**, Mercer, Middlesex, Monmouth[,] or Ocean[, or Union] County:

Department of Environmental Protection

[Central Regional Office]

Bureau of Air [and Environmental Quality] Compliance & Enforcement -Central

[Horizon Center,]

4 Station Plaza

Mail Code 22-03A

PO Box [407] **420**

[Robbinsville] **Trenton, NJ [08625-0407] 08625-0420**

ii. If the permitted source is located in Bergen, Essex, [or] Hudson, **Hunterdon, Morris, Passaic, Somerset, Sussex, Union, or Warren** County:

[Department of Environmental Protection

Metropolitan Regional Office

Air and Environmental Quality Compliance

& Enforcement

2 Babcock Place

West Orange, NJ 07052-5504.

iii. If the permitted source is located in Hunterdon, Morris, Passaic, Somerset, Sussex, or Warren County:]

Department of Environmental Protection

[Northern Regional Office]

Bureau of Air [and Environmental Quality] Compliance

& Enforcement **-Northern**

[1259 Route 46 East, Building 2]

7 Ridgedale Avenue

[Parsippany-Troy Hills] **Cedar Knolls, NJ [07054-4191] 07927.**

[iv.] **iii.** If the permitted source is located in Atlantic, [Burlington,] Camden, Cape May, Cumberland, Gloucester, or Salem County:

Department of Environmental Protection

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[Southern Regional Office]
**Bureau of Air [and Environmental Quality] Compliance
& Enforcement - Southern**
[One Port Center]
2 Riverside Drive, Suite 201
Camden, NJ [08103] **08102.**

2. - 3. (No change.)

(b) (No change.)

7:27-10.5 SO₂ emission rate determinations

(a) - (c) (No change.)

(d) The owner or operator submitting a written application to the Department pursuant to (a)1 above shall submit the application to the following address:

Department of Environmental Protection
Division of Air Quality
[Assistant Director,] Air Quality Permitting [Element] **Program**
[Division of Air Quality
New Jersey Department of Environmental Protection]
Bureau of Air Permits
401 East State Street
Mail Code 401-02
PO Box [027] **420**
Trenton, NJ [08625-0027] **08625-0420**

7:27-16.2 VOC stationary storage tanks

(a) - (u) (No change.)

(v) An owner or operator that seeks Department approval for an alternate method for calculating a tank's roof landing emissions pursuant to (p)2iii above shall:

1. (No change.)

2. Submit a complete application in writing to the Department at:

Department of Environmental Protection
Division of Air Quality
[Assistant Director,] Air Quality Permitting [Element] **Program**
[Division of Air Quality
New Jersey Department of Environmental Protection]
Bureau of Air Permits
401 East State Street
Mail Code 401-02
PO Box [027] **0420**
Trenton, NJ [08625-0027] **08625-0420**

7:27-16.3 Gasoline transfer operations

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(a) – (h) (No change.)

(i) The owner or operator of a gasoline dispensing facility shall perform the following tests:

1. The owner or operator shall demonstrate the facility's vapor control system is performing properly, as follows:

i. (No change.)

ii. The tests required to be performed pursuant to (i)1i above shall be conducted utilizing the applicable CARB test method cited in Table 3A (except that the Static Pressure Performance Test shall be modified as indicated in Table 3A) which are incorporated herein by reference or utilizing some other method approved by the Department and USEPA. A copy of any CARB procedure cited in Table 3A may be downloaded from CARB's website at <http://www.arb.ca.gov/vapor> or obtained from the Department at the following address:

[New Jersey] Department of Environmental Protection

Division of Air Quality

Bureau of Technical Services

Emission Measurement Section

Mail Code: 380-01A

PO Box [437] **420**

Trenton, NJ [08625-0437] **08625-0420**

iii. A vapor control system shall be deemed to have passed a test conducted pursuant to (i)1i above if it meets the performance standards and specifications which are set forth in CARB's Vapor Recovery Certification Procedure (CP - 201), as amended, and which are applicable to the test. A copy of CARB's Vapor Recovery Certification Procedure may be downloaded from CARB's website at <http://www.arb.ca.gov/vapor> or obtained from the Department at the following address:

[New Jersey] Department of Environmental Protection

Division of Air Quality

Bureau of Technical Services

Emission Measurement Section

Mail Code: 380-01A

PO Box [437] **420**

Trenton, NJ [08625-0437] **08625-0420**

iv. (No change.)

v. If the vapor control system fails any retesting required to be performed pursuant to (i)1iv above, the following procedures shall be followed:

(1) The owner or operator shall notify the Department in writing within 72 hours of the failure. Such notification shall be submitted to [the applicable regional office of the Department at] the following address:

[New Jersey] Department of Environmental Protection

Division of Air and Hazardous Materials Enforcement

Bureau of [Minor Source Investigation]

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Central Regional Office Air and Environmental Quality] **Hazardous Waste & UST Compliance and Enforcement**
[Horizon Center,] **9 Ewing Street**
Mail Code 09-03
PO Box [407] **420**
[Robbinsville] **Trenton, NJ [08625-0407] 08625-0420**

(2) (No change.)

2. - 3. (No change.)

(j) - (t) (No change.)

7:27-16.17 Alternative and facility-specific VOC control requirements

(a) – (r) (No change.)

(s) The owner or operator submitting a proposed alternative or facility-specific VOC control plan, compliance plan or demonstration shall send it to the Department at the following address:

[Chief, Bureau of Operating Permits
Division of Air Quality]
Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of Air Permits
401 East State Street
Mail Code 401-02
PO Box [027] **420**
Trenton, New Jersey [08625-0027] **08625-0420**

(t) (No change.)

7:27-18.4 Air quality impact analysis

(a) - (b) (No change.)

(c) An air quality impact analysis shall be performed in accordance with a protocol approved by the Department. The protocol shall be prepared in accordance with the Department's technical manuals on Air Quality Modeling (Technical Manual 1002) and Risk Assessment (Technical Manual 1003). These manuals are available [through the Department's electronic bulletin board service at (609) 292-2006] **on the Department's website at <http://www.nj.gov/dep/aqpp/techman.html>**, or by mail at the following address:

[New Jersey] Department of Environmental Protection
[Map Sales and Publications Office]
Air Quality Permitting Program
Bureau of Technical Services
Air Quality Evaluation Section
401 East State Street, 2nd Floor
Mail Code 401-02
PO Box [417] **420**

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Trenton, New Jersey [08625-0417] **08625-0420**
Telephone: [(609) 777-1039] **(609) 633-1110**

7:27-18.8 Banking of emission reductions

(a) Any person may apply to the Department for the banking of emission reductions to be applied in the future as emission offsets. The applicant shall make the application in writing, submitted on a form obtained from the Department, containing the following information: name and address of person making the application; chemical name of air contaminant; quality of emission reductions with supporting calculations and documentation; reason for the emission reduction; specification of the equipment or source operations related to the emission reductions; and any additional information reasonably necessary to enable the Department to determine that a creditable emission reduction has been achieved. Such a form may be requested from:

[New Jersey] Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of [New Source Review] **Air Permits**
Mail Code 401-02
PO Box [027] **420**
Trenton, New Jersey [08625-0027] **08625-0420**

(b) - (j) (No change.)

7:27-19.3 General provisions

(a) - (i) (No change.)

(j) A person required to provide a notice to the Department under this subchapter shall send the notice to the applicable address listed below:

1. If the notice concerns a combustion source located in **Burlington County**, Mercer County, Middlesex County, Monmouth County, **or** Ocean County, [or Union County,] the person shall send the notice to:

Department of Environmental Protection
[Central Regional Office]
Bureau of Air Compliance & Enforcement- Central
[Horizon Center
Rt. 130, Building 300] **4 Station Plaza**
Mail Code 22-03A
PO Box [407] **420**
[Robbinsville] **Trenton, NJ [08625-0407] 08625-0420**

2. If the notice concerns a combustion source located in Bergen County, Essex County, Hudson County, Hunterdon County, Morris County, Passaic County, Somerset County, Sussex County, **Union County** or Warren County, the person shall send the notice to:

Department of Environmental Protection
[Northern Regional Office]
Bureau of Air Compliance & Enforcement- Northern
7 Ridgedale Avenue

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Cedar Knolls, NJ 07927

3. If notice concerns a combustion source located in Atlantic County, [Burlington County,] Camden County, Cape May County, Cumberland County, Gloucester County, or Salem County, the person shall send the notice to:

Department of Environmental Protection
[Southern Regional Office]
Bureau of Air Compliance & Enforcement- Southern
[One Port Center]
2 Riverside Drive, Suite 201
Camden, NJ 08103-1013

4. (No change.)

7:27-19.4 Boilers serving electric generating units

(a) – (e) (No change.)

(f) The owner or operator of a coal-fired boiler that is subject to Table 2 at (a) above may request up to a one-year extension past the December 15, 2012 Table 2 emission limit compliance deadline required at (a) and the June 15, 2013 compliance demonstration deadline required at (d)1 above by sending a written request to the address at N.J.A.C. 7:27-19.30[(a)] (c)3. The request shall document the reasons the extension is needed. The Department will approve an extension request only if compliance by December 15, 2012 is not possible due to circumstances beyond the control of the owner or operator that are not reasonably foreseeable, including, but not limited to, the unavailability of a control apparatus needed to comply with the December 15, 2012 compliance deadline or a contractor needed to install the control apparatus.

(g) – (h) (No change.)

7:27-19.6 Emissions averaging

(a) - (j) (No change.)

(k) A person required to submit a quarterly report to the Department under (h) above shall send the quarterly report to the applicable address listed below:

1. If the averaging unit with the highest NO_x emission limit is located in **Burlington County**, Mercer County, Middlesex County, Monmouth County, **or** Ocean County, [or Union County,] the person shall send the quarterly report to:

Department of Environmental Protection
[Central Regional Office]
Bureau of Air Compliance & Enforcement- Central
[Horizon Center
Rt. 130, Building 300] **4 Station Plaza**
Mail Code 22-03A
PO Box [407] **420**
[Robbinsville] **Trenton, NJ [08625-0407] 08625-0420**

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2. If the averaging unit with the highest NO_x emission limit is located in Bergen County, Essex County, Hudson County, Hunterdon County, Morris County, Passaic County, Somerset County, Sussex County, **Union County**, or Warren County, the person shall send the quarterly report to:

Department of Environmental Protection
[Northern Regional Office]
Bureau of Air Compliance & Enforcement- Northern
7 Ridgedale Avenue
Cedar Knolls, NJ 07927

3. If the averaging unit with the highest NO_x emission limit is located in Atlantic County, [Burlington County], Camden County, Cape May County, Cumberland County, Gloucester County, or Salem County, the person shall send the quarterly report to:

Department of Environmental Protection
[Southern Regional Office]
Bureau of Air Compliance & Enforcement- Southern
[One Port Center]
2 Riverside Drive, Suite 201
Camden, NJ 08103-1013

7:27-19.13 Alternative and facility-specific NO_x emission limits

(a) - (n) (No change.)

(o) The owner or operator submitting a proposed NO_x control plan or request for an alternative emission limit shall send it to the Department at the following address:

[Chief, Bureau of Operating Permits
Division of Air Quality]
Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of Air Permits
401 East State Street
Mail Code 401-02
PO Box [027] **420**
Trenton, New Jersey [08625-0027] **08625-0420**

(p) (No change.)

7:27-19.14 Procedures for obtaining approvals under this subchapter

(a) (No change.)

(b) The person seeking an approval listed in (a) above shall submit a written application to the Department at the following address:

[Chief, Bureau of Preconstruction Permitting
Division of Air Quality]
Department of Environmental Protection
Division of Air Quality

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Air Quality Permitting Program

Bureau of Air Permits

401 East State Street

Mail Code 401-02

PO Box [027] **420**

Trenton, NJ [08625-0027] **08625-0420**

(c) - (j) (No change.)

7:27-19.18 Continuous emissions monitoring

(a) - (l) (No change.)

(m) A person seeking approval of an alternative monitoring plan shall send the application to the Department at the following address:

[Chief, Bureau of Technical Services]

Department of Environmental Protection

Division of Air Quality

Air Quality [Regulation] **Permitting** Program

[Department of Environmental Protection]

Bureau of Technical Services

Emission Measurement Section

Mail Code 380-01A

PO Box [411] **420**

Trenton, New Jersey [08625-0411] **08625-0420**

7:27-19.29 2009 HEDD Emission Reduction Compliance Demonstration Protocol

(a) (No change.)

(b) Each owner or operator identified in (a) above shall:

1. - 4. (No change.)

5. Submit to the Department, at the address below, an annual report, pursuant to (k) below.

[Assistant Director, Air Quality Permitting Element

Division of Air Quality

New Jersey] Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

401 East State Street

Mail Code 401-02

PO Box [027] **420**

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(c) - (k) (No change.)

7:27-19.30 2015 HEDD Emission Limit Achievement Plan

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(a) - (b) (No change.)

(c) The owner or operator of a HEDD unit shall prepare an update on the owner or operator's progress in complying with the 2015 Plan as follows:

1. - 2. (No change.)

3. The owner or operator shall submit each update to the [Department at the] **following** address [at (a) above]:

Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

401 East State Street

Mail Code 401-02

PO Box 420

Trenton, NJ 08625-0420; and

4. (No change.)

7:27-20.3 Burning of on-specification used oil in space heaters covered by a registration

(a) A person may burn used oil in a space heater pursuant to a registration provided that:

1. - 2. (No change.)

3. The registration shall be executed on forms prescribed by the Department. The registration form shall require information identifying full business name, mailing address, facility location, location of equipment on premises, facility contact, and maximum heat input rate; and confirming that the space heater meets the criteria for the registration, and operates in accordance with the registration. Registration forms may be obtained by **accessing the Department's website at <http://www.nj.gov/dep/aqpp/applying.html> or by** submitting a written request to the Department at the following address:

[New Jersey] Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

Mail Code 401-02

PO Box [27] 420

Trenton, New Jersey [08625-0027] 08625-0420

4. - 5. (No change.)

(b) - (c) (No change.)

7:27-20.4 Burning of on-specification used oil in space heaters covered by a permit

(a) Used oil may be burned in a space heater other than as outlined in N.J.A.C. 7:27-20.3 if a permit to combust used oil is issued by the Department pursuant to N.J.A.C. 7:27-8 or 7:27-22. Such space heaters include, but are not limited to, those at a facility in which the cumulative gross heat input of all space heaters exceeds 500,000 BTU/hr, the gross heat input of one space heater is in ex-

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cess of 500,000 BTU/hr, or where any space heaters would combust used oil other than the used oils listed in N.J.A.C. 7:27-20.3(b)3i. In accordance with N.J.A.C. 7:27-8 or 7:27-22, as applicable, the application for a permit shall include the following at a minimum:

1. - 2. (No change.)

3. The appropriate completed forms, which [are] **may be** obtained from the Department **by accessing the Department's website at <http://www.nj.gov/dep/aqpp/radius.html>** or by submitting [to] a written request to the following address:

[New Jersey] Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

Mail Code 401-02

PO Box [27] **420**

Trenton, New Jersey [08625-0027] **08625-0420**; and

4. (No change.)

(b) - (d) (No change.)

7:27-21.4 Procedure for submitting an Emission Statement

(a) - (b) (No change.)

(c) The Department's Bureau of Air Quality Planning shall be the Department's point of contact for the Emission Statement program. As such:

1. - 2. (No change.)

3. The Bureau may be contacted for instructions on how to download a copy of RADIUS, to obtain any documents referenced in this subchapter, or to seek answers to questions pertaining to the Emission Statement Program. The Bureau may be contacted by phone ((609) 292-6722) or e-mail at emis_statement@dep.state.nj.us. Correspondence shall be sent to the Bureau at the following address:

[Bureau of Air Quality Planning]

Department of Environmental Protection

Bureau of Air Quality Planning

Attn: Emission Statements

Mail Code 401-07H

PO Box [418] **420**

Trenton, N.J. [08625-0418] **08625-0420**

[Attn: Emission Statements]

(d) - (e) (No change.)

7:27-21.9 Request for extension

(a) - (b) (No change.)

(c) A request for an extension shall be submitted, in writing, to the following address:
[Chief, Bureau of Air Quality Planning]

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Department of Environmental Protection
Chief, Bureau of Air Quality Planning
Attn: Emission Statements--Extension Request
Mail Code 401-07H
PO Box [418] **420**
Trenton, N.J. [08625-0418] **08625-0420**
[ATTN: Emission Statements--Extension Request]

(d) - (f) (No change.)

7:27-21.10 Determination of non-applicability

(a) – (c) (No change.)

(d) A claim of non-applicability shall be submitted to the following address:

[Chief, Bureau of Air Quality Planning]
Department of Environmental Protection
Chief, Bureau of Air Quality Planning
ATTN: Emission Statements-- Notification of Non-applicability
Mail Code 401-07H
PO Box [418] **420**
Trenton, N.J. [08625-0418] **08625-0420**
[Attn: Emission Statements-- Notification of Non-applicability]

(e) - (g) (No change.)

7:27-22.3 General provisions

(a) – (s) (No change.)

(t) Application forms for operating permits, modifications to operating permits, and information pertaining to operating permits and the requirements of this subchapter are available **on the Department's website at <http://www.nj.gov/dep/aqpp/applying.html>** and at the following address:

Department of Environmental Protection
Division of Air Quality
Air Quality [Regulation] **Permitting** Program
Bureau of Air Permits
Operating Permits Section
401 East State Street
Mail Code 401-02
PO Box [027] **420**
Trenton, New Jersey [08625-0027] **08625-0420**
[Attention: Operating permits]
Telephone: (609) 633-8248

(u) - (uu) (No change.)

(vv) The following information is available from the Department:

1. (No change.)

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2. Technical manuals **are available on the Department's website at <http://www.nj.gov/dep/aqpp/techman.html>** and may be requested from the Department at the following address:

[New Jersey] Department of Environmental Protection
[Map Sales and Publications Office]
Air Quality Permitting Program
Bureau of Technical Services
Air Quality Evaluation Section
401 East State Street, 2nd Floor
Mail Code 401-02
PO Box [417] **420**
Trenton, New Jersey [08625-0417] **08625-0420**
Telephone: [(609) 777-1039] **(609) 633-1110**

7:27-22.8 Air quality simulation modeling and risk assessment

(a) - (b) (No change.)

(c) The air quality simulation modeling shall be conducted using procedures published in technical manuals by the Department and in accordance with a protocol approved in advance by the Department. The protocol shall document how the air quality simulation modeling is to be conducted and how the results of the analysis are to be presented to the Department. The protocol shall be prepared in accordance with the Department's technical manuals on Air Quality Modeling (technical manual 1002) and Risk Assessment (technical manual 1003), available **on the Department's website at <http://www.nj.gov/dep/aqpp/techman.html>** and at the following address:

[New Jersey] Department of Environmental Protection
[Map Sales and Publications Office]
Air Quality Permitting Program
Bureau of Technical Services
Air Quality Evaluation Section
401 East State Street, 2nd Floor
Mail Code 401-02
PO Box [417]**420**
Trenton, New Jersey [08625-0417] **08625-0420**
Telephone: [(609) 777-1039] **(609) 633-1110**

(d) An applicant not subject to (a) above may voluntarily perform air quality simulation modeling and risk assessment for existing source operations and submit these to the Department, to be made available as part of the public review process for applications for initial operating permits or renewals.

1. - 2. (No change.)

3. An applicant for an initial operating permit or the renewal of an operating permit may voluntarily prepare a risk assessment based on ambient air quality monitoring of actual levels of hazardous air pollutants, in lieu of an assessment based on air quality simulation modeling. Guidance on conducting air monitoring is available at the following address:

[New Jersey] Department of Environmental Protection
Office of Air Quality Management

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Bureau of Air Monitoring
401 East State Street, 7th Floor
Mail Code 401-07H
PO Box [418] **420**
Trenton, New Jersey [08625-0418] **08625-0420**
[Attention: Air Monitoring]
Telephone: (609) 292-0138

(e) (No change.)

7:27-22.9 Compliance plans

(a) -(c) (No change.)

(d) If any source operation or any aspect of a facility's operation is in violation of any applicable requirement, and the facility is not subject to an order or consent decree for the violation, the owner or operator of the facility may request an administrative consent order from the Department to address the violation pursuant to N.J.A.C. 7:27A. A request to enter into an administrative consent order shall be submitted to:

Department of Environmental Protection
Division of Air and [Environmental Quality] Hazardous Materials Enforcement
[NJDEP]
401 [E.] **East State Street, 4th Floor East**
[CN 422]
Mail Code 401-04B
P.O. Box 420
Trenton, New Jersey [08625-422] **08625-0420**

(e) (No change.)

7:27-22.15 Temporary facility operating permits

(a) (No change.)

(b) An operating permit issued for a temporary facility shall require the permittee to:

1. – 2. (No change.)

3. Provide written notice, received at least 10 days in advance of each change in location, to:

i. – iii. (No change.)

iv. The Department at the address given at N.J.A.C. 7:27-22.3(t) and the address given below:

[NJDEP]
Department of Environmental Protection
Division of Air and [Environmental Quality] Hazardous Materials Enforcement
401 [E.] **East State Street, 4th Floor East**
[CN 422]
Mail Code 401-04B
P.O. Box 420

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Trenton, NJ [08625-422] **08625-0420.**

(c) - (e) (No change.)

7:27-22.18 Source emissions testing and monitoring

(a) - (j) (No change.)

(k) A permittee may seek the approval of the Department for a delay in testing required pursuant to a permit and/or this section. In such case, the following shall apply:

1. The permittee shall submit a request for such approval on paper to the address given at N.J.A.C. 7:27-22.3(t) and to the appropriate regional enforcement office indicated in (k)li through iv below[;] :

i. If the permitted source is located in **Burlington**, Mercer, Middlesex, Monmouth, **or** Ocean[, or Union] County:

Department of Environmental Protection

[Central Regional Office]

Bureau of Air [and Environmental Quality] Compliance & Enforcement - Central

[Horizon Center,] **4 Station Plaza**

Mail Code 22-03A

PO Box [407] **420**

[Robbinsville] **Trenton, NJ [08625-0407] 08625-0420**

ii. If the permitted source is located in Bergen, Essex, [or] Hudson, **Hunterdon, Morris, Passaic, Somerset, Sussex, Union or Warren** County:

[Department of Environmental Protection

Metropolitan Regional Office

Air and Environmental Quality Compliance & Enforcement

2 Babcock Place

West Orange, NJ 07052-5504.

iii. If the permitted source is located in Hunterdon, Morris, Passaic, Somerset, Sussex, or Warren County:]

Department of Environmental Protection

[Northern Regional Office]

Bureau of Air [and Environmental Quality] Compliance & Enforcement - Northern

[1259 Route 46 East, Building 2] **7 Ridgedale Avenue**

[Parsippany-Troy Hills] **Cedar Knolls, NJ [07054-4191] 07927.**

[iv] **iii.** If the permitted source is located in Atlantic, [Burlington,] Camden, Cape May, Cumberland, Gloucester, or Salem County:

Department of Environmental Protection

[Southern Regional Office]

Bureau of Air [and Environmental Quality] Compliance & Enforcement - Southern

[One Port Center]

2 Riverside Drive, Suite 201

Camden, NJ 08103 **-1013.**

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2. – 3. (No change.)

(l) (No change.)

7:27-23.1 Applicability

(a) - (e) (No change.)

(f) The Department shall publish in the New Jersey Register a notice of administrative change revising the list of states below when any state promulgates maximum allowable VOC content limits for architectural coatings that are identical with or more stringent than the VOC content limits set forth in this subchapter. This list is for informational purposes only. The most current list of states can be obtained from the Department's Office of Air Quality Management at 401 East State Street, 7th floor, **Mail Code 401-07H**, PO Box [418] **420**, Trenton, New Jersey [08625-0418] **08625-0420**.

1. – 4. (No change.)

7:27-23.3 Standards

(a) – (j) (No change.)

(k) Information required to be submitted to the Department pursuant to (j)3 above shall be submitted to the following address:

[Attn: Architectural Coating Variance
Bureau of Air Quality Planning]
Department of Environmental Protection
Bureau of Air Quality Planning
Attn: Architectural Coating Variance
401 East State Street
Mail Code 401-07H
PO Box [418] **420**
[401 East State Street]
Trenton, New Jersey [08625-0418] **08625-0420**

7:27-23.6 Administrative and reporting requirements

(a) - (b) (No change.)

(c) A manufacturer who uses a date code on the coating container, in lieu of using the date of manufacture on the container, or a manufacturer who is complying with this subchapter with the use of a limited timeframe variance or exemption in accordance with N.J.A.C. 7:27-23.3(j), shall submit a registration with the Department as follows:

1. - 6. (No change.)

7. A manufacturer who claims that electronic submission of its registration will impose a hardship shall submit a request to the Department to submit its registration on paper, rather than electronically, as follows:

i. - ii. (No change.)

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iii. The manufacturer shall submit the request to the Department at the following address:

[Attn: Architectural Coating Registration
Bureau of Air Quality Planning]
Department of Environmental Protection
Bureau of Air Quality Planning
Attn: Architectural Coating Registration
401 East State Street
Mail Code 401-07H
PO Box [418] **420**
[401 East State Street]
Trenton, New Jersey [08625-0418] **08625-0420**

(d) - (j) (No change.)

7:27-24.3 General provisions

(a) - (c) (No change.)

(d) A non-electronic submittal required pursuant to this subchapter shall be sent to the following address:

[Bureau of Air Quality Planning
New Jersey] Department of Environmental Protection
Bureau of Air Quality Planning
401 East State Street
Mail Code 401-07H
PO Box [418] **420**
[401 East State Street]
Trenton, New Jersey [08625-0418] **08625-0420**

(e) - (f) (No change.)

7:27-25.7 Exemptions

(a) (No change.)

(b) Application for an exemption shall be made on forms obtained from the Department. Any person may request application forms from:

Department of Environmental Protection
Compliance and Enforcement
[Assistant Director] **Division** of Air and [Environmental
Quality] **Hazardous Materials** Enforcement
[Division of Enforcement Field Operations
Department of Environmental Protection]
401 East State Street, 4th Floor
Mail Code 401-04B
PO Box [422] **420**
Trenton, New Jersey [08625-0422] **08625-0420**

(c) - (l) (No change.)

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7:27-26.8 Registration

(a) - (b) (No change.)

(c) If a manufacturer seeks approval to submit its registration on paper, rather than electronically, the following apply:

1. The manufacturer shall submit the written request to the following address:

[Bureau of Air Quality Planning
New Jersey] Department of Environmental Protection

Bureau of Air Quality Planning

401 East State Street

Mail Code 401-07H

PO Box [418] **420**

[401 East State Street]

Trenton, New Jersey [08625-0418] **08625-0420**

and the envelope in which the written request is submitted shall be labeled as follows: "Attention: Request for On-Paper Submittal of Adhesives/Sealants Registration";

2. - 5. (No change.)

7:27-27.7 Coal-fired boilers

(a) – (e) (No change.)

(f) The Department may authorize an owner or operator of any coal-fired boiler to comply with an averaging plan approved by the Department pursuant to this section. An owner or operator in compliance with such an approved averaging plan is not required to have each coal-fired boiler comply with any emission limit set forth in this subchapter that would be applicable in the absence of an approved averaging plan. An owner or operator of two or more coal-fired boilers at the same facility may request the Department to authorize an averaging plan for two or more coal-fired boilers designated by the owner or operator. The owner or operator seeking authorization for averaging shall submit a written application to the Department at the following address:

[Chief, Bureau of Pre-Construction Permits

Air Quality Permitting Element

Division of Air Quality]

Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

401 East State Street

Mail Code 401-02

PO Box [027] **420**

Trenton, NJ [08625-0027] **08625-0420**

(g) - (j) (No change.)

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(k) The Department may approve a facility-specific mercury control plan for a coal-fired boiler, which will apply to the boiler in lieu of the standards in (a) above. An exceedance of the standards in (a) above shall not be considered a violation of those standards during the term of the Department's approval of the plan, if there is full compliance with the plan during that term.

1. (No change.)

2. The owner or operator of a coal-fired boiler seeking the Department's approval of a plan shall submit an application for approval no later than 90 days before the compliance deadline applicable to the boiler under (a) or (d) above. The owner or operator shall send the application to the Department at the following address:

[Chief, Bureau of Preconstruction Permitting]

Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Air Permits

401 East State Street

Mail Code 401-02

PO Box [027] **420**

Trenton, New Jersey [08625-0027] **08625-0420**

3. - 8. (No change.)

7:27-27.8 Stack emission testing, permit applications and continuous emission monitoring

(a) Stack emission testing performed pursuant to this subchapter shall be conducted in accordance with a test protocol approved by the Department. To obtain the approval of the Department of a test protocol, the owner or operator of any source subject to this subchapter shall submit to the Department a proposed test protocol setting forth all test methods, including, but not limited to, sampling and analytical procedures; a description of sampling equipment and the source sampling locations; and provide sample calculations that will be used to determine the concentration of mercury in the gas stream, mercury in milligrams per ton of iron or steel production, and mercury in mg/MW-hr, as appropriate. The owner or operator of a source subject to this subchapter shall submit for review and approval a proposed test protocol each year, no fewer than 90 calendar days prior to conducting its first quarter stack emission testing, to the following address:

[Chief

Bureau of Technical Services]

Department of Environmental Protection

Division of Air Quality

Air Quality Permitting Program

Bureau of Technical Services

Emission Measurement Section

Mail Code 380-01A

PO Box [437] **420**

Trenton, New Jersey [08625-0437] **08625-0420**

(b) - (e) (No change.)

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7:27-27.9 Reporting and recordkeeping

(a) Unless prior approval is granted by the Department for later submittal, the owner or operator of any source subject to this subchapter shall submit a copy of the report of the results of the stack emission testing, including all test runs, conducted within 60 calendar days after completion of the stack emission testing required for that quarter to the regional air compliance and enforcement office for the county in which the facility is located and the following address:

[Chief
Bureau of Technical Services]
Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of Technical Services
Emission Measurement Section
Mail Code 380-01A
PO Box [437] **420**
Trenton, New Jersey [08625-0437] **08625-0420**

(b) Unless prior approval is granted by the Department for later submittal, the owner or operator of any source subject to the optimization requirements of N.J.A.C. 7:27-27.8(d) shall submit a copy of the report of the results of optimization tests conducted pursuant to this subchapter within 60 calendar days after completion of the required tests, to the following address:

[Chief
Bureau of Pre-construction Permits]
Department of Environmental Protection
Division of Air Quality
Air Quality Permitting Program
Bureau of Air Permits
Mail Code 401-02
PO [Box 27] **420**
Trenton, NJ [08625-0027] **08625-0420**

(c) - (g) (No change.)

7:27-29.13 Incorporation by reference

(a) - (g) (No change.)

(h) Any of the documents in (e) above may be obtained by contacting:

Department of Environmental Protection
Division of Air Quality
Office of Air Quality Management
Bureau of [Motor Vehicle Inspection and Maintenance] **Mobile Sources**
401 East State Street
Mail Code 401-03G
PO Box [437] **420**
Trenton, New Jersey [08625-0411] **08625-0420**
Attention: LEV Program

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They may also be obtained by contacting:

State of California
Office of Administrative Law
300 Capitol Mall, Suite 1250
Sacramento, California 95814-4339

or at the California Office of Administrative Law website at www.oal.ca.gov.

7:27-30.5 Claims for incentive allowances

(a) - (f) (No change.)

(g) A claim shall be submitted to the Department at the following address within 30 days after the control period for which the claim is sought:

[Attn: NJ CAIR Incentive Allowance Claim
New Jersey] Department of Environmental Protection
Bureau of Air Quality Planning
Attn: NJ CAIR Incentive Allowance Claim
401 East State Street, 7th Floor
Mail Code 401-07H
P.O. Box [418] **420**
Trenton, NJ [08625-0418] **08625-0420**

(h) - (i) (No change.)

7:27-30.6 Reporting requirements

(a) - (d) (No change.)

(e) Information submitted to the Department in accordance with (a) through (d) above shall be emailed to njdep-bapq@dep.state.nj.us, followed by a mailing containing a paper copy of the data and a properly signed certification pursuant to N.J.A.C. 7:27-1.39. The Department's mailing address is:

[Attn: NJ CAIR Program
New Jersey] Department of Environmental Protection
Bureau of Air Quality Planning
Attn: NJ CAIR Program
401 East State Street, 7th Floor
Mail Code 401-07H
PO Box [418] **420**
Trenton, NJ [08625-0418] **08625-0420**

(f) After a CAIR unit permanently shuts down, the authorized account representative for the unit may obtain from the Department an exemption from the reporting requirements of this section in accordance with the following procedure:

1. To obtain an exemption, the authorized account representative shall submit a written request to the Department for exemption at the address:

[Attn: NJ CAIR Program--Shut down
New Jersey] Department of Environmental Protection

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Bureau of Air Quality Planning
Attn: NJ CAIR Program--Shut down
401 East State Street, 7th Floor
Mail Code 401-07H
PO Box [418] **420**
Trenton, NJ [08625-0418] **08625-0420**

2. - 4. (No change.)

(g) (No change.)

7:27-32.23 Program support

(a) Any person seeking further information concerning this program or specific technical guidance for the preparation of fleet retrofit plans, combined fleet retrofit plans, and fleet averaging plans required pursuant to this section and any revisions, supplements, or modifications thereto may contact the Department as follows:

1. Visit the Diesel Risk Reduction Program's website at [\[http://www.state.nj.us/dep/stopthesoot/\]](http://www.state.nj.us/dep/stopthesoot/) **<http://www.nj.gov/dep/stopthesoot/>**;
2. Write the Department at:
Department of Environmental Protection
Bureau of Mobile Sources
Diesel Risk Reduction Program[,]
401 E. State [St.,] **Street**
Mail Code 401-03G
P.O. Box [418] **420**[,]
Trenton, NJ [08625-0418] **08625-0420**; or
3. (No change.)

7:27-34.3 Reporting requirements

(a) (No change.)

(b) The information shall be submitted to the Department in a format in accordance with guidance on the Department's website at <http://www.nj.gov/dep/baqp> and shall:

1. - 2. (No change.)
3. Include the emissions report and the certification and be submitted to the Department at the following address:
Attn: TBAC Emissions Report
[Bureau of Air Quality Planning]
Department of Environmental Protection
Bureau of Air Quality Planning
[P.O. Box 418]
401 East State Street
Mail Code 401-07H
P.O. Box 420

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Trenton, New Jersey [08625-0418] **08540-0420**; and

4. (No change.)

(c) (No change.)

(d) A manufacturer who claims that electronic submission of its emissions report will impose a hardship shall submit annually a request to the Department to submit its emissions report on paper, rather than electronically, as follows:

1. - 3. (No change.)

4. The manufacturer shall submit the request to the Department at the following address:

Attn: TBAC Emissions Report
[Bureau of Air Quality Planning]
Department of Environmental Protection
Bureau of Air Quality Planning
[P.O. Box 418]
401 East State Street
Mail Code 401-07H
P.O. Box 420
Trenton, New Jersey [08625-0418] **08540-0420**

7:27A-3.4 Procedures to request an adjudicatory hearing to contest an administrative order and notice of civil administrative penalty assessment and procedure for conducting adjudicatory hearings

(a) To request an adjudicatory hearing to contest an administrative order and notice of civil administrative penalty assessment issued pursuant to the Act, the violator shall submit the following information in writing to the Department at **Department of Environmental Protection**, Office of Legal Affairs, ATTENTION: Adjudicatory Hearing Requests, **Mail Code 401-04L**, [Department of Environmental Protection] **401 East State Street, 4th Floor**, PO Box 402, Trenton, New Jersey 08625-0402:

1.-6. (No change.)

(b) – (d) (No change.)

7:27B-3.2 Sampling and analytical protocol: acceptable test methods

(a) When N.J.A.C. 7:27-8, 7:27-16, 7:27-17, or 7:27-23 requires a source emissions test, the applicant shall submit a written protocol to the Department at least 30 days prior to the date of the test, to the following address:

[Chief, Bureau of Technical Services]
Department of Environmental Protection
Division of [Environmental] **Air Quality**
[Department of Environmental Protection]
Bureau of Technical Services
Emission Measurement Section
Mail Code 380-01A
PO Box [411] **420**

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[380 Scotch Road]

Trenton, New Jersey [08625-0411] **08625-0420**

(b) - (k) (No change.)

7:27B-3.18 Test methods and sources incorporated by reference

(a) The following sources and test methods are incorporated by reference in this subchapter:

1. New Jersey Administrative Code Title 7, Chapter 27B-1, AIR TEST METHOD 1, is available from:

[New Jersey] Department of Environmental Protection[,]

[John Fitch Plaza,] **Division of Air Quality**

Bureau of Technical Services

Emission Measurement Section

Mail Code 380-01A

PO Box [027,] **420**

Trenton, New Jersey 08625-0420

or at the Department's website at

<http://www.nj.gov/dep/bts/pdf/Techmanuals/NJATM%201.pdf>. (Free)

2. - 16. (No change.)

Editor's Note: In addition to the above text, Appendices A through H were filed with these rules, but not reproduced herein. Further information regarding these Appendices may be obtained by contacting:

[Bureau of Technical Services]

Department of Environmental Protection

Division of [Environmental] **Air Quality**

[Department of Environmental Protection]

Bureau of Technical Services

Emission Measurement Section

Mail Code 380-01A

PO Box [411 (380 Scotch Road)] **420**

Trenton, New Jersey [08625-0411] **08625-0420**

7:27B-4.2 General instructions for all tests

(a) – (d) (No change.)

(e) The Department maintains a list of approved equipment for specific test procedures. The Department shall periodically review and evaluate equipment offered by manufacturers of motor vehicle testing equipment of which it is aware or has been made aware and update this list. A copy of this list can be obtained from:

[New Jersey] Department of Environmental Protection

Bureau of Mobile Sources - Diesel [Risk Reduction/HDDVIP] Inspection Program

Mail Code 401-03G

PO Box [418] **420**

Trenton, NJ [08625-0418] **08625-0420**

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7:27B-4.8 Procedures for the on board diagnostics inspection

(a) (No change.)

(b) The OBD inspection procedure is largely a process whereby the diesel emissions testing equipment and the motor vehicle's OBD system interface and exchange information. As such, the description of the on board diagnostics inspection procedure set forth at (a) above is a brief, simplified description that does not contain explicit technical details. A more detailed flow chart version, reflecting the logic flow of pass and fail determinations within the procedure, as well as the Department's OBD equipment specifications, which contain additional technical details, are available electronically by contacting the Department's Bureau of [Motor Vehicle Inspection and Maintenance] **Mobile Sources** at **the address at N.J.A.C. 7:27B-4.2(e) or by calling (609) [530-4035] 292-7953.**

7:27B-5.2 General instructions for all tests

(a) - (c) (No change.)

(d) The Department maintains a list of approved equipment for specific test procedures. The Department shall periodically review and evaluate equipment offered by manufacturers of motor vehicle testing equipment of which it is aware or has been made aware and update this list. A copy of this list can be obtained from:

[New Jersey] Department of Environmental Protection
Bureau of [Motor Vehicle Inspection and Maintenance] **Mobile Sources**
401 East State Street
Mail Code 401-03G
PO Box [437] **420**
Trenton, NJ [08625-0437] **08625-0420**

7:27B-5.7 Procedures for the fuel cap leak test

(a) An inspector conducting a fuel cap leak test to determine a gasoline-fueled motor vehicle's compliance with the fuel cap leak test requirements at N.J.A.C. 7:27-15.5(f)4 shall perform the test in accordance with the applicable procedures and standards described in the EPA technical guidance document EPA420 R-00-007, entitled IM240 and Evap Technical Guidance, incorporated herein by reference. A copy of this EPA technical guidance document may be obtained [from the Public Access Center in] **by contacting** the Department of Environmental Protection **at:**

Department of Environmental Protection
Bureau of Mobile Sources
401 East State Street
Mail Code 401-03G
PO Box 420
Trenton, NJ 08625-0420.

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7:27C-1.6 Appeal procedure

(a) (No change.)

(b) Requests for an administrative hearing shall be submitted to:

Department of Environmental Protection

Office of Legal Affairs

ATTENTION: Adjudicatory Hearing Requests

[Department of Environmental Protection]

Mail Code 401-04L

401 East State Street, 4th Floor

PO Box 402

Trenton, New Jersey 08625-0402

(c) – (k) (No change.)