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ADOPTIONS SECTION

ENVIRONMENTAL PROTECTION

AIR, ENERGY, AND MATERIALS SUSTAINABILITY

DIVISION OF AIR QUALITY

Notice of Administrative Change and Announcement of Availability of a New General Permit (GP-021A) for Indoors Fumigation Operations of Cocoa Bean Products

N.J.A.C. 7:27-8.8

Take notice that the Department of Environmental Protection (Department) is announcing the availability of a new General Permit (GP) GP-021A for Indoors Fumigation Operations of Cocoa Bean Products at minor air facilities.

This general permit is being included in the list of sources at N.J.A.C. 7:27-8.8(c) for which general permits are available.

GP-021A allows for the construction, installation, reconstruction, modification, and operation of equipment used for the following source operations:

- Fumigation Operations in single or multiple industrial structures, limited to indoor tarpaulin enclosure for sulfuryl fumigation of cocoa bean products.

A general permit is a pre-approved permit to construct and certificate to operate, issued pursuant to N.J.A.C. 7:27-8.8, for one or more types of similar sources at a minor

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facility. A minor facility operator with a qualifying source may register for, and operate under, the conditions of the general permit, rather than submit a case-by-case permit application.

The Department published notice of the proposed general permit in the August 07, 2023, New Jersey Register at 55 N.J.R. 1746(b) pursuant to the Air Pollution Control Act, N.J.S.A. 26:2C-9.2. Two public comments were received during the 30-day comment period. The Department reviewed and evaluated the comments received and revised the proposed general permit to incorporate the suggestions where appropriate. In addition to minor grammatical changes, modifications to the proposed GP-021A made in response to comments are as follows:

Section I. Definitions:

The following definitions have been added or revised:

Revised or Deleted definitions:

1. The definition of "Fumigation Management Plan" was revised to include "Fumigant Management Plan", and FIFRA label in the definition.
2. The definition of "Potential to Emit" was removed from this general permit. GP-021A limits Sulfuryl Fluoride usage to 9,000 pounds per year (4.5 tons per year), and 300 pounds per day as specified in Ref. #15 and Ref. #16 of the Compliance Plan. Any facility that chooses to use a control device to reduce this potential to emit or requires to use more Sulfuryl Fluoride than allowed by this permit shall be considered on a case-by-case basis by submitting a Pre-Construction Permit Application in accordance with N.J.A.C. 7:27-8.

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3. The definition of “USA EPA” was revised to “US EPA” and definition was simplified.

The general permit continues to provide for inspections and evaluations to ensure conformance with all provisions of N.J.A.C.7:27. This general permit is issued under the authority of N.J.S.A. 26:2C-9.2 and N.J.A.C. 7:27-8.

How to Obtain a General Permit

General Permit GP-021A, Indoors Fumigation Operations of Cocoa Bean Products will be a PDF fillable registration form, which can be found at <https://dep.nj.gov/boss/general-permits>.

For technical questions, please contact the Bureau of Stationary Sources Help Desk at 609-633-2829.

Notice of Administrative Change to N.J.A.C.7:27-8.8(c)

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

SUBCHAPTER 8. PERMITS AND CERTIFICATES FOR MINOR FACILITIES (AND MAJOR FACILITIES WITHOUT AN OPERATING PERMIT)

7:27-8.8 General permits

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

(c) A general permit is available for the following source:

1.-17. (No change.)

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18. Temporary Equipment (GP-019A); [and]

19. Research and Development Operations (GP-020A)[.]; **and**

20. Indoors Fumigation Operations of Cocoa Bean Products.

(d)-(o) (No change.)