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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

AIR, ENERGY, AND MATERIALS SUSTAINABILITY

DIVISION OF AIR QUALITY AND RADIATION PROTECTION

Notice of Administrative Changes

Consumer Price Index Percentage Adjustments to Air Contaminant Emission Fees, Base and Supplementary Fee Schedules, and Fiscal Year 2025 Threshold Dollar Amount for Reconstruction

Take notice that, in accordance with N.J.A.C. 7:27-22.31(j), the New Jersey Department of Environmental Protection (Department) is publishing notice of the annual percentage increase in the Consumer Price Index (CPI) relative to the 1989 CPI and the resultant per-ton emission fee for fiscal year (FY) 2025. The Department is also providing notice, in accordance with N.J.A.C. 7:27-8.6(l), of the increase in the base and supplementary fees for a preconstruction permit and certificate and a general permit. Pursuant to N.J.A.C. 7:27-22.31(u), the Department is providing notice of the increase in base and supplementary fees for a significant modification to an operating permit, and the fee for a general operating permit. These fee increases are based on CPI percent change over the preceding five-year period. Finally, pursuant to N.J.A.C. 7:27-8.23(a)2, the Department is publishing notice of the threshold dollar amount for FY 2025 for reconstruction of a significant source operation.

CPI Percentage Increase for Annual Emission Fee

The CPI percentage increase is used to calculate the annual emission fee for major facilities. The CPI percentage increase is calculated each year using the procedure at N.J.A.C. 7:27-22.31(i). For FY 2025 (July 1, 2024, through June 30, 2025), N.J.A.C. 7:27-22.31(i) specifies using the average monthly CPI (CPI-U) for the 12-month period beginning September 2023 through August 2024. Monthly CPI-U data is published by the U.S. Department of Labor. Following the procedures at N.J.A.C. 7:27-22.31(i),

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the CPI percentage increase for FY 2025 is 3.18 percent, and the CPI has been calculated as 254.57

percent relative to the 1989 CPI.

An annual emission fee must be paid by each major facility subject to N.J.A.C. 7:27-22. The annual emission fee is calculated each year according to N.J.A.C. 7:27-22.31(b), which applies the CPI adjustment to the base amount per ton of emissions. This base amount is \$60.00 per ton (N.J.S.A. 26:2C-9.5.d(1)(a)). Applying the CPI adjustment since 1989 to the base amount of \$60.00 per ton results in an annual emission fee for FY 2025 of \$152.74. Therefore, a facility subject to this fee must multiply \$152.74 times the quantity of regulated air contaminant emissions emitted in tons during calendar year 2023 (January 1, 2023, through December 31, 2023). The result is the fee the facility must submit to the Department by January 31, 2025.

Invoices will be mailed to major facilities based on emissions reported in the Emission Statement submitted for calendar year 2023. Even if a major facility has not submitted an Emission Statement or received an invoice, it is obligated to pay emission fees by the due date.

CPI Adjusted Fees for Preconstruction Permits and Certificates, Operating Permit Significant Modifications, General Permits, and General Operating Permits

The Department charges base and applicable supplementary fees for preconstruction permits and certificates, and a registration fee for general permits, as set forth at N.J.A.C. 7:27-8.6(l). Similarly, the Department charges base and applicable supplementary fees for significant modifications to an operating permit, as set forth at N.J.A.C. 7:27-22.31(y) and (z), and a general operating permit fee as set forth at N.J.A.C. 7:27-22.31(aa).

The fees are calculated every five years pursuant to N.J.A.C. 7:27-8.6(l) and N.J.A.C. 7:27-22.31(u), which apply an inflation factor based on the percent change over the preceding five-year period for the CPI-U. Following the procedures at N.J.A.C. 7:27-8.6(l) and N.J.A.C. 7:27-22.31(u), the CPI percentage increase is calculated as 22.7 percent, rounded to one decimal place. The fees are multiplied

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by the rounded percent increase to determine the preliminary fee increase. Each fee increase is then added to the fee to determine the preliminary adjusted fee. The final adjusted fee is determined by rounding up the preliminary adjusted fee to the next five dollars. The administrative changes in N.J.A.C. 7:27-8.6(l) and N.J.A.C. 7:27-22.31(u) below provide adjusted fees for the next five-year period, January 1, 2025, through December 31, 2029.

CPI Percentage Increase for Threshold Dollar Amount for Reconstruction

A reconstruction is a replacement of part(s) of a significant source included in a process unit, or the replacement of part(s) of a control apparatus, if the fixed capital cost of replacing the part(s) exceeds amounts specified at N.J.A.C. 7:27-8.23 and 22.1.

The CPI percentage increase for reconstruction of a significant source operation is calculated each year consistent with N.J.A.C. 7:27-8.23(a)2. Applying the CPI adjustment of 105.83 percent, relative to the 1995 CPI, to the base amount of \$80,000 results in a threshold dollar amount of \$164,664. Beginning on November 4, 2024, a facility must use this dollar amount when calculating reconstruction thresholds relative to fixed capital cost.

Administrative Changes

As a result of the adjustment of fees at N.J.A.C. 7:27-8.6 and 22.31, the Department is making administrative changes as follows:

At N.J.A.C. 7:27-8.6, the Department is updating the effective date of the fee schedules at the “Base Fee Tables” and “Supplementary Fee Schedule,” to indicate that the new effective period is January 1, 2025, through December 31, 2029. At N.J.A.C. 7:27-22.31(y), (z), and (aa) the Department is

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changing the reference to the effective date of the fee schedules to indicate that the new effective period is January 1, 2025, through December 31, 2029.

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

CHAPTER 27. AIR POLLUTION CONTROL

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

7:27-8.6 Service fees

(a)-(k) (No change.)

(l) An increase of the fees in the Base Fee Tables and Supplementary Fee Schedule shall be determined in accordance with this subsection.

(1)-(8) (No change.)

A. BASE FEE TABLES

Table A-1

Registration fees

Activity	Basis	Amount
		January 1, [2020] 2025 through December 31, [2024] 2029

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Registration for initial authorization, or

renewal of authorization, to act under a

General Permit:

-Listed at N.J.A.C. 7:27-8.8(c), other than (c)12	Per registration	\$ [885.00] 1,090
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- Listed at N.J.A.C. 7:27-8.8(c)12	Per registration	\$ [885.00] 1,090
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Registration for initial authorization, or	Per registration	\$ [885.00] 1,090
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renewal of authorization, to operate a used

oil space heater under N.J.A.C. 7:27-20.3

Table A-2

Permit fees

Activity	Basis	Amount
		January 1,
		[2020] 2025
		through December
		31, [2024] 2029
Application for a preconstruction permit and operating certificate	Per first piece of equipment per initial permit application	\$ [2,730] 3,350
	Per each additional piece of equipment per initial permit application	\$ [640.00] 790.00
Application for environmental improvement pilot test	Per application	\$ [910.00] 1,120

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Renewal of an operating certificate	Per first piece of equipment per operating certificate	\$ [1,370] 1,685
	Per each additional piece of equipment per operating certificate	\$ [365.00] 450.00
Application for a preconstruction permit and operating certificate revision	Per first new or changed piece of equipment per permit revision application	\$ [2,730] 3,350
	Per each additional new or changed piece of equipment per permit revision application	\$ [640.00] 790.00
Application for a compliance plan change	Per application	\$ [910.00] 1,120
Notice of a seven-day-notice change	Per notice	\$ [910.00] 1,120

Table A-3

Notice of amendment fees

Activity	Basis	Amount
		January 1, [2020] 2025 through December 31, [2024] 2029
Change in identifying information under N.J.A.C. 7:27-8.21(b)1	Per facility	\$ [190.00] 235.00

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Transfer of ownership under N.J.A.C. 7:27-	Per facility	\$ [190.00] 235.00
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8.21(b)2

Change in equipment or stack designation	Per preconstruction permit and	\$ [190.00] 235.00
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under N.J.A.C. 7:27-8.21(b)3	operating certificate amended	
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A change listed in	Per preconstruction permit and	\$ [910.00] 1,120
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N.J.A.C. 7:27-8.21(b)4, 5, 6, or 8	operating certificate amended	
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Correction of a typographical error under	Per preconstruction permit and	\$ [190.00] 235.00
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N.J.A.C. 7:27-8.21(b)7	operating certificate amended	
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Change in identifying information on a	Per facility	\$ [190.00] 235.00
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registration form as specified under

N.J.A.C. 7:27-8.21(d)1

Transfer of ownership of a registered	Per facility	\$ [190.00] 235.00
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facility under N.J.A.C. 7:27-8.21(d)2

B. SUPPLEMENTARY FEE SCHEDULE

Activity	Basis	Amount
		January 1,
		[2020] 2025
		through December
		31, [2024] 2029

1. Prevention of Significant Deterioration

a. Determine PSD Applicability	Per Review	\$ [9,085] 11,150
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b. Perform BACT Evaluation	Per Applicable Air Contaminant	\$ [9,085] 11,150
2. Sub 18 Emission Offsets		
a. Determine Sub 18 Applicability	Per Review	\$ [9,085] 11,150
b. Perform LAER Evaluation	Per Applicable Air Contaminant	\$ [9,085] 11,150
3. RACT – AEL		
a. Review Technology	Per Applicable Air Contaminant	\$ [9,085] 11,150
b. Prepare SIP Revision	Per SIP Revision	\$ [4,545] 5,580
4. Perform MACT Evaluation	Per MACT Standard	\$ [2,730] 3,350
5. Perform NSPS Evaluation	Per NSPS	\$ [2,730] 3,350
6. Perform SOTA Case-by-Case Evaluation		
	Per Applicable Air Contaminant	\$ [9,085] 11,150
7. Public Comment		
a. Post Public Notices	Per Public Comment Period	\$ [910.00] 1,120
b. Conduct Public Hearing	Per Hearing	\$ [9,085] 11,150
c. Prepare Response to Comments	Per Response	\$ [460.00] 565.00
Document	Maximum Per Document	\$ [9,085] 11,150
8. Ambient Air Monitoring		
a. Review Protocol		

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i. For criteria pollutants, or for other pollutants or parameters for which EPA has provided guidance	Per Protocol	\$ [2,730] 3,350
ii. For other pollutants or parameters for which EPA has not provided guidance	Per Protocol	\$ [4,545] 5,580
b. Inspect Monitoring Locations and Equipment Installation	Per Inspection	\$ [910.00] 1,120
c. Review Quality Assurance Plan		
i. For criteria pollutants, or for other pollutants or parameters for which EPA has provided guidance	Per Plan	\$ [2,730] 3,350
ii. For other pollutants or parameters for which EPA has not provided guidance	Per Plan	\$ [4,545] 5,580
d. Review Data	Per Required Report	\$ [910.00] 1,120
e. Audit Equipment	Per Audit	\$ [910.00] 1,120
9. Air Quality Impact Analysis – PSD		
a. Evaluate Protocol	Per Protocol	\$ [3,640] 4,470
b. Review Screening Modeling	Per Review	\$ [1,820] 2,235
c. Review Refined Modeling	Per Review	\$ [6,365] 7,810
10. Air Quality Impact Analysis - non PSD		
a. Evaluate Protocol	Per Protocol	\$ [1,820] 2,235

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b. Review Screening Modeling	Per Review	\$ [1,820]2,235
c. Review Refined Modeling	Per Review	\$ [2,730]3,350
11. Risk Assessment		
a. Evaluate Protocol	Per Protocol	\$ [2,730]3,350
b. Review Risk Assessment	Per Review	\$ [2,730]3,350
12. Testing		
a. Stack Test		
i. Evaluate Protocol (up to three probes)	Per Protocol Per Stack	\$ [1,370]1,685
ii. Evaluate Protocol (more than three probes)	Per Protocol Per Stack	\$ [1,820]2,235
iii. Review Testing Report (up to three probes)	Per Report Per Stack	\$ [1,370]1,685
iv. Review Testing Report (more than three probes)	Per Report Per Stack	\$ [1,820]2,235
b. Continuous Emission Monitors		
i. Evaluate Equipment Protocol	Per Protocol Per Stack	\$ [910.00]1,120
ii. Evaluate Performance Specification Test Protocol	Per Protocol Per Stack	\$ [910.00]1,120
iii. Review Testing Report	Per Report Per Stack	\$ [910.00]1,120
c. On-site Monitoring of Sample Collection Pursuant to an Approved Source-Specific Testing Protocol	Per Day Per Person	\$ [1,370]1,685

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d. Periodic Monitoring Equipment	Per Protocol	\$ [460.00] 565.00
Protocol		

13. Periodic Compliance Inspection	Per Inspection Per Certificate	\$ [735.00] 905.00
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SUBCHAPTER 22. OPERATING PERMITS

7:27-22.31 Fees

(a)-(x) (No change.)

(y) Effective January 1, [2020]**2025** through December 31, [2024]**2029**, the adjusted Base Fee Schedule for significant modification applications shall be (y)1 through 4 below. Applications subject to the \$50,000 application fee in (y)4 below are not subject to (y)1 through 3 below and the supplementary fees at (z) below.

Activity	Basis	Amount
1. Application for a significant modification for which the change meets the definition of modification at N.J.A.C. 7:27-22.1, and for which a PSD or N.J.A.C. 7:27-18 applicability determination is not required	Per first new or changed piece of equipment per significant modification application	\$ [2,730] 3,350
	Per each additional new or changed piece of equipment per significant modification application	\$ [640.00] 790.00
2. Application for a significant modification in which the change does not meet the definition of modification at N.J.A.C. 7:27-22.1	Per significant modification application	\$ [910.00] 1,120

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3. Application for environmental improvement Per application \$ [910.00]**1,120**

pilot test

4. Application for a significant modification for Per application \$ 50,000

which the change meets the definition of

modification at N.J.A.C. 7:27-22.1 and for which

a PSD or N.J.A.C. 7:27-18 applicability

determination is required

(z) Effective January 1, [2020]**2025** through December 31, [2024]**2029**, the adjusted Supplementary Fee

Schedule for significant modification applications shall be (z)1 through 12 below.

Activity	Basis	Amount
1. Prevention of Significant Deterioration		
a. Determine PSD Applicability		
i. Screen for PSD Applicability	Per Applicable Air Contaminant	Included in
ii. Determine PSD	Per Review	N.J.A.C.
b. Perform BACT Evaluation	Per Applicable Air Contaminant	7:27-22.31(y)4
2. Sub 18 Emission Offsets		
a. Determine Sub 18 Applicability	Per Review	Included in
b. Perform LAER Evaluation	Per Applicable Air Contaminant	N.J.A.C.
		7:27-22.31(y)4
3. RACT – AEL		
a. Review Technology	Per Applicable Air Contaminant	\$ [9,085] 11,150

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b. Prepare SIP Revision	Per SIP Revision	\$ [4,545] 5,580
4. Perform MACT Evaluation	Per MACT Standard	\$ [2,730] 3,350
5. Perform NSPS Evaluation	Per NSPS	\$ [2,730] 3,350
6. Perform SOTA Case-by-Case Evaluation	Per Applicable Air Contaminant	\$ [9,085] 11,150
7. Public Comment		
a. Post Public Notices	Per Public Comment Period	\$ [910.00] 1,120
b. Conduct Public Hearing	Per Hearing	\$ [9,085] 11,150
c. Prepare Response to Comments Document	Per Response Maximum	\$ [460.00] 565.00
	Per Document	\$ [9,085] 11,150
8. Ambient Air Monitoring		
a. Review Protocol		
i. For criteria pollutants or for other pollutants or parameters for which EPA has provided guidance	Per Protocol	\$ [2,730] 3,350
ii. For other pollutants or parameters for which EPA has not provided guidance	Per Protocol	\$ [4,545] 5,580
b. Inspect Monitoring Locations and Equipment Installation	Per Inspection	\$ [910.00] 1,120
c. Review Quality Assurance Plan		
i. For criteria pollutants or for other pollutants or parameters for which EPA has provided guidance	Per Plan	\$ [2,730] 3,350
ii. For other pollutants or parameters for	Per Plan	\$ [4,545] 5,580

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which EPA has not provided guidance

d. Review Data	Per Required Report	\$ [910.00] 1,120
e. Audit Equipment	Per Audit	\$ [910.00] 1,120
9. Air Quality Impact Analysis - PSD		
a. Evaluate Protocol	Per Protocol	Included in
b. Review Screening Modeling	Per Review	N.J.A.C.
c. Review Refined Modeling	Per Review	7:27-22.31(y)4
10. Air Quality Impact Analysis-non PSD		
a. Evaluate Protocol	Per Protocol	\$ [1,820] 2,235
b. Review Screening Modeling	Per Review	\$ [1,820] 2,235
c. Review Refined Modeling	Per Review	\$ [2,730] 3,350
11. Risk Assessment		
a. Evaluate Protocol	Per Protocol	\$ [2,730] 3,350
b. Review Risk Assessment	Per Review	\$ [2,730] 3,350
12. Testing		
a. Stack Test		
i. Evaluate Protocol (up to three probes)	Per Protocol Per Stack	\$ [1,370] 1,685
ii. Evaluate Protocol (more than three probes)	Per Protocol Per Stack	\$ [1,820] 2,235
iii. Review Testing Report (up to three probes)	Per Report Per Stack	\$ [1,370] 1,685
iv. Review Testing Report (more than three probes)	Per Report Per Stack	\$ [1,820] 2,235

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b. Continuous Emission

Monitors

i. Evaluate Equipment Protocol	Per Protocol Per Stack	\$ [910.00] 1,120
ii. Evaluate Performance Specification Test Protocol	Per Protocol Per Stack	\$ [910.00] 1,120
iii. Review Testing Report	Per Report Per Stack	\$ [910.00] 1,120
c. On-site Monitoring of Sample Collection Pursuant to an Approved Source-Specific Testing Protocol	Per Day Per Person	\$ [1,370] 1,685
d. Periodic Monitoring Equipment Protocol	Per Protocol	\$ [460.00] 565.00

(aa) Effective January 1, [2020]**2025** through December 31, [2024]**2029**, the adjusted fee schedule for a registration is set forth at (aa)1 and 2 below.

Activity	Basis	Amount
1. Registration for initial authorization, or renewal of authorization, to act under a General Operating Permit	Per Registration	\$ [885.00] 1,090
2. Registration for, or five-year renewal of, authorization to operate a used oil space heater under N.J.A.C. 7:27-20.3	Per Registration	\$ [885.00] 1,090