

Welcome!

Dr. Ron Poustchi
NJDEP

Chris Whitehead
A&WMA-NCNJ

Joann Held
A&WMA-NCNJ

Annual Regulatory Update Conference

- Joint venture between NJDEP and the Northern and Central New Jersey Chapter of Air & Waste Management Association
- Opportunity for regulated community to hear directly from NJDEP staff on the latest Department initiatives in environmental regulations
- 23rd Year! Virtual for the fifth year – enables more people to participate
- Honored to have Commissioner Shawn LaTourette provide the opening remarks on the “State of the Department”
- Speakers include NJDEP leadership in major program areas

AWMA- NCNJ Chapter Leadership Team

Past Chairs

Joann Held

Air Toxics Analysis Services



Co-Chair

Chris Whitehead

Worley



Co-Chair

Dr. Jyoti Agarwal

Reworld



Director

Mary Hewitt Daly

Surrey Environmental Consulting



Director

John Tsun

GES



Michael Schaffer

Phillips 66



Program Committee

Dr. Ron Poustchi

NJDEP



Program Committee

Paul Eisen

Proactive Environmental
Solutions, LLC



Sunila Gupta

Haley & Aldrich, Inc



Secretary & Student Liaison

Gabi Carrasco

Haley & Aldrich, Inc.



Treasurer

Fran Lindsley-Matthews

Buckeye Partners

Conference Agenda (available as handout)

9:00 – 9:10 am - Welcoming Remarks by AWMA-NCNJ; Morning Session Moderators: Chris Whitehead and Joann Held

- 9:10 – 9:45 am - Commissioner Shawn LaTourette – Opening Remarks, “State of the Department”
- 9:45 – 10:20 am - Assistant Commissioner Paul Baldauf – Air, Energy and Materials Sustainability – Updates on Air, Energy and Materials Sustainability
- 10:20 – 10:55 am - Assistant Commissioner David Haymes – Contaminated Site Remediation and Redevelopment – Updates on Contaminated Site Remediation and Redevelopment

10:55 – 11:05 am - Morning Break

- 11:05 – 11:40 am - Director Nick Procopio, Division of Science & Research - Updates on Current and Recently Completed Research Projects
- 11:40 – 12:15 pm - Mr. Tim Davis and Director Mike Hastry - Compliance and Enforcement Updates and Initiatives

12:15 – 1:00 pm - Lunch Break

1:00 – 1:05 pm - Afternoon Session Moderators: Michael Schaffer and Dr. Ron Poustchi

- 1:05 – 1:40 pm - Director Frank Steitz - Air Quality Updates and Initiatives
- 1:40 – 2:15 pm - Director Kandyce Perry - Environmental Justice Updates and Initiatives

2:15 – 2:25 pm - Afternoon Break

- 2:25 – 3:00 pm - Director Peg Hanna – Climate Change Mitigation and Monitoring Updates and Initiatives
- 3:00 – 3:35 pm - Director Janine MacGregor – Sustainable Waste Management Updates and Initiatives
- 3:35 – 4:10 pm - Bureau Chief Kimberly Cenno – Water Monitoring, Standards and Pesticides Control Updates and Initiatives

4:10 – 4:15 pm - Closing Remarks: Dr. Jyoti Agarwal

Q&A session to follow each presentation

Reminders

- Keep yourself on mute and video off
- Use question feature to type in your question
- Add your name and affiliation to the questions
- Moderators will try to get as many question as we can within the allotted session





Commissioner Shawn LaTourette

- ▶ Opening Remarks “State of the Department”

Questions?



Assistant Commissioner Paul Baldauf

- ▶ Update on Air Quality, Energy, Sustainability

Air, Energy & Materials Sustainability (AEMS) Regulatory Update



Assistant Commissioner, Paul Baldauf, P.E.
November 22, 2024

Division of Air Quality and Radiation
Protection
Division of Climate Change Mitigation
and Monitoring



Advanced Clean Cars II Program and Other Amendments

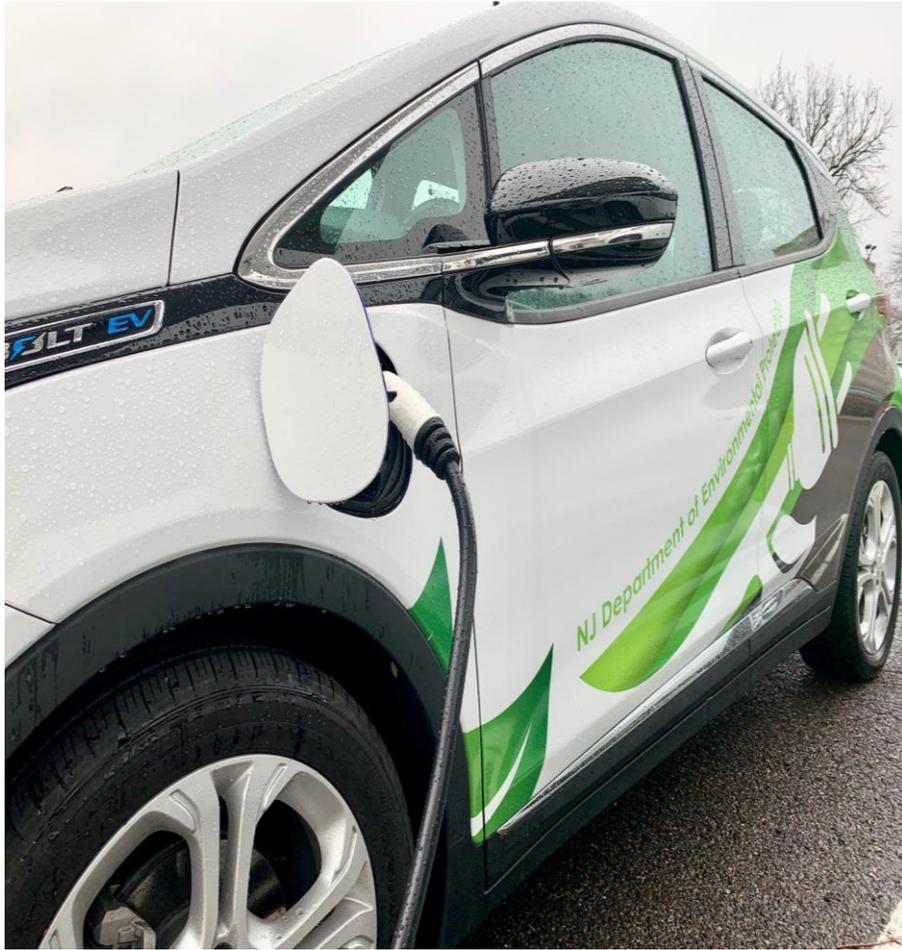
N.J.A.C. 7:27-29A

Regulatory Action

- Adopted Rules published 12/18/23

Main components:

- Require manufacturers of passenger cars and light-duty trucks to meet an annual zero-emission vehicle (ZEV) requirement intended to increase the percentage of ZEVs sold in New Jersey that meet the new minimum technical requirements.
- Require manufacturers of internal combustion engine passenger cars, light-duty trucks, and medium-duty vehicles to meet more stringent multi-pollutant exhaust emission standards.



- In New Jersey, the transportation sector accounts for 37% of the state's net greenhouse gas emissions, making it the largest emissions source in the state.
- Mobile sources are also the largest cause of ozone precursors in New Jersey, responsible for 71% of the State's nitrogen oxides (NOx) emissions, as well as particulate matter. Ground level ozone, also called smog, can cause permanent lung damage.
- For more info, see [NJDEP | Drive Green NJ | Drive Green](#)



Advanced Clean Cars II Program

Applicability: all model year 2027 or later motor vehicles that are passenger cars, light-duty trucks, and medium-duty vehicles subject to the California ACC II program and delivered for sale in New Jersey on or after January 1, 2027, N.J.A.C. 7:27-29A.2(b)

Standards and requirements shall not be operative unless or until California receives a waiver from EPA, N.J.A.C. 7:27-29A.2(c)

- EPA published notice of hearing and comment period, 88 FR 88908 (Dec. 26, 2023)

Consumer Products and Architectural and Industrial Maintenance Coatings



Pending Rulemakings

- Proposal published 8/19/24
- Comment period closed 10/18/24

Main components:

- Add new categories of consumer products and architectural coatings that will be subject to new volatile organic compound (VOC) content limits
- Lower the VOC content limits for existing categories

- Consumer Products and Architectural Coatings represent the largest source of volatile organic compound (VOC) emissions in the State's air emission inventory, compared to mobile, industrial and commercial sources.



Consumer Products and Architectural and Industrial Maintenance Coatings



- As explained in the notice of proposal, the Department expects the proposed amendments will reduce emissions of VOCs, which is a precursor of ground-level ozone and may cause adverse health effects. In addition to contributing to increased ozone concentrations, VOC emissions have been associated with other negative health effects. By reducing emissions of this harmful air pollutant, the Department expects corresponding health benefits.
- The rules are also expected to mitigate the impact of climate change on air quality.



The Discharges of Petroleum and Other Hazardous Substances (DPHS) program operates under the authority of the New Jersey Spill Compensation and Control Act, N.J.S.A. 58:10-23.11.

The requirements of the program are codified under N.J.A.C. 7:1E, and that regulation serves as the basis for the Program's work. All facilities and individuals in the State, even homeowners, are subject to the reporting requirements of N.J.A.C. 7:1E-5 should a discharge of a hazardous substance occur.

However, the majority of the regulatory requirements apply only to facilities that store 20,000 gallons or more of New Jersey-regulated hazardous substances, excluding petroleum products, or 200,000 gallons of regulated hazardous substances including petroleum products.

The DPHS Program does the following:

- Reviews Discharge Prevention Containment and Countermeasure (DPCC) and Discharge Cleanup and Removal plans
- Inspects regulated facilities
- Administers enforcement actions

Discharges of Petroleum and Other Hazardous Substances



Pending Rulemaking

- Proposal published 5/20/24
- Comment period closed 7/19/24

Main components:

- Update list of hazardous substances regulated
- Require climate resiliency plans



State of the art technology

N.J.S.A. 26:2C-9.2 requires newly constructed, reconstructed, or modified equipment and control apparatus to incorporate advances in the art of air pollution control as developed for the kind and amount of air contaminant emitted by the equipment and control apparatus.

Advances in the art of air pollution control means up-to-date technology and methods in equipment, control apparatus, and procedures that, when applied to an emission source, shall reasonably minimize air contaminant emissions.



SOTA Technical Manual Updates

The Department has updated the SOTA technical manual for the following sources. The technologies in the SOTA manuals represent up-to-date technology, methods, and performance levels for use by applicants in demonstrating the use of advances in the art of air pollution control.

- Stationary compression ignition reciprocating internal combustion engines (12/23)
- Stationary spark ignition reciprocating internal combustion engines (12/23)
- Boilers and process heaters (2/24)
- Graphic arts industry (8/24)



New General Permits

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 facility.

- Indoor fumigation operations of cocoa bean products, GP-021A
 - Allows for the construction, installation, reconstruction, modification and operation of equipment for fumigation operations in single or multiple industrial structures, limited to indoor tarpaulin enclosure for sulfuryl fluoride fumigation of cocoa bean products.
- Outdoor fumigation operations of containerized commodities, GP-021B
 - Allows for the construction, installation, reconstruction, modification, and operation of equipment used for fumigation operations at a single industrial complex, limited to outdoor containers for methyl bromide, phosphine, and/or sulfuryl fluoride for fumigation of various commodities.

Division of Sustainable Waste Management



Single-Use Plastics and Polystyrene Food Service Products N.J.S.A. 13:1E-99.126 et seq.

Legislative findings include:

- Approximately one-third of all plastics produced are single-use plastics, which are plastics designed to be used only once and then thrown away.
- 100 billion single-use plastic carryout bags and 25 billion polystyrene foam coffee cups are thrown away in the United States each year.
- Most single-use plastics are disposed of in landfills, are incinerated, or become litter in waterways and oceans.
- Plastics released in the environment do not biodegrade, but instead break down into smaller pieces.

Single-Use Bags and Polystyrene Food Service Products



Pending Rulemaking

- Proposal published 4/1/24
- Comment period closed 5/31/24

Main component:

- Implement new statutory requirements that phase out single-use plastic and paper carryout bags and polystyrene foam food service products in certain establishments
- Note, restrictions on single-use plastic straws are in the Department of Health rules.

Polystyrene Foam Food Service Products

- The law temporarily exempts certain polystyrene foam food service products and allows the Department to extend the exemptions for additional periods not to exceed one year upon a written determination that there is no cost-effective and readily available alternative for the item. N.J.S.A. 13:1E-99.129.
- Proposed rules include exemptions until May 4, 2025 for following:
 - Meat and fish trays for raw or butchered meat, including poultry, or fish is sold from a refrigerator or similar retail appliance.
 - A food product pre-packaged by the manufacturer with a polystyrene foam food service product.
 - A polystyrene foam food service product used for the health or safety of a patient or resident of a hospital, nursing home, or correctional facility.
 - Any other polystyrene foam food service product as determined necessary by the Department.





Food Waste

- The State must continue to address the issue of food waste management including the reduction of wasted food.
- While reducing the amount of food waste generated is preferred, recycling food waste that cannot be avoided helps to offset environmental impacts caused by the wasting of food.



Food waste recycling N.J.S.A. 13:1E-99.122 et seq.

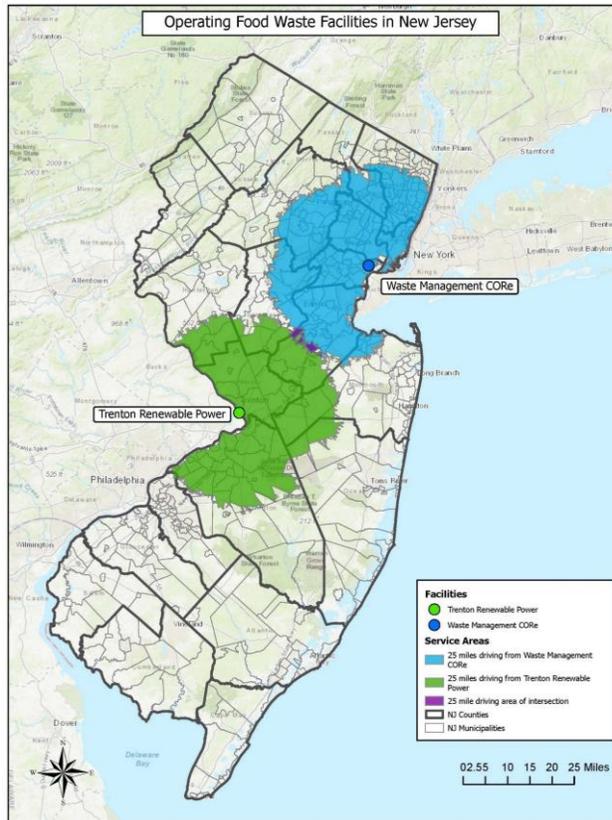
The law generally requires large food waste generators, who are located within 25 road miles of an authorized food waste recycling facility in New Jersey, to source separate and recycle their food waste unless

- the authorized food waste recycling facility does not have available capacity or will not accept the food waste, or
- the Department has issued a waiver to the generator.

Food Waste Generators

Currently, there are two NJDEP approved food waste recycling facilities in the State:

- Waste Management COrE[®] located in Elizabeth
- Trenton Renewable Power, LLC located in Trenton





Food Waste Recycling

Pending Rulemaking

- Proposal published 8/5/24
- Comment period closed 10/18/24

Main components:

- Require certain large food waste generators to source separate and recycle their food waste
- Require authorized food waste recycling facilities and large food waste generators to maintain records and submit reports



Electronic waste management N.J.S.A. 13:1E-99.94 et seq.

The law requires a manufacturer of covered electronic devices to provide for the collection, transportation, and recycling of its market share in weight of covered electronic devices collected in a program year.

- Covered electronic devices include televisions, desktop or personal computers, computer monitors, and desktop printers and fax machines that are sold to consumers.



Electronic Waste Management

Pending Rulemaking

- Proposal published 5/6/24
- Comment period closed 7/5/24

Main component:

- Update rules to reflect statutory amendments, which require each manufacturer of covered electronic devices to provide for the collection, transportation, and recycling of its market-share-in-weight of all covered electronic devices collected in a program year

Other updates



Regional Greenhouse Gas Initiative

- Third Program Review update: modeling of an additional regional cap trajectory scenario released 9/23/24, [Third Program Review Update 9-23-2024.pdf](#)
- Timeline for Third Program Review, from [Third Program Review Update 9-23-2024.pdf](#)

Sept 2024	Release of updated modeling and announcement of request for comments on this modeling and on accommodating participation by states that may wish to participate in RGGI in the future but that are not currently participating in Program Review
Fall 2024	States conduct final Program Review modeling and analysis. States release draft Model Rule. Public Meetings: to review the draft Model Rule, final modeling results, bills analysis, and further considerations for developing an accommodation for states that may wish to participate in RGGI in the future but that are not currently participating in Program Review
Winter 2024-25	States release updated Model Rule. Public Meetings: To review any potential draft proposals resulting from stakeholder feedback for accommodating participation by states that may wish to participate in RGGI in the future but that are not currently participating in Program Review.
Spring 2025 (Tentative)	States may release further Model Rule updates to implement potential mechanisms for accommodating participation by states that may wish to participate in RGGI in the future but that are not currently participating in Program Review.



Climate Pollution Reduction Grant Program, [NJDEP | Climate Change | CPRG](#)

The CPRG program is a nationwide, two-phase grant, funded via the Inflation Reduction Act.

- Phase one provides \$250 million in noncompetitive planning grants to states, local governments, tribes, and territories to develop and implement climate action plans for reducing greenhouse gas emissions and other harmful air pollution.
- Phase two provides \$4.6 billion in competitive implementation grants to carry out the greenhouse gas reduction measures proposed in the climate action plans.

The State of New Jersey has received \$3 million from the U.S. EPA to update and enhance our existing climate action plans. The New Jersey Department of Environmental Protection, in partnership with the Governor's Office of Climate Action and the Green Economy and the Board of Public Utilities will spearhead the comprehensive development of three major deliverables.

New Jersey has developed a workplan for how it will utilize the \$3 million from the EPA to develop these plans and support implementation efforts, see [new-jersey-final-cprg-workplan.pdf](#).



Priority Climate Action Plan, [nj_pcap_final-1.pdf](#)

- The PCAP is a report that includes a list of highly focused short-term, implementation-ready measures. The State has analyzed and prioritized these measures to help it achieve its goal of a 50 percent reduction in greenhouse gas emissions by 2030.

Comprehensive Climate Action Plan

- The CCAP will be an all-encompassing strategy outlining a holistic framework for how the state will reduce greenhouse gas emissions across all sectors to achieve its 2050 goal of an 80 percent reduction. This document will serve as an update and refinement to the Global Warming Response Act Report, released in 2020.

Status Report

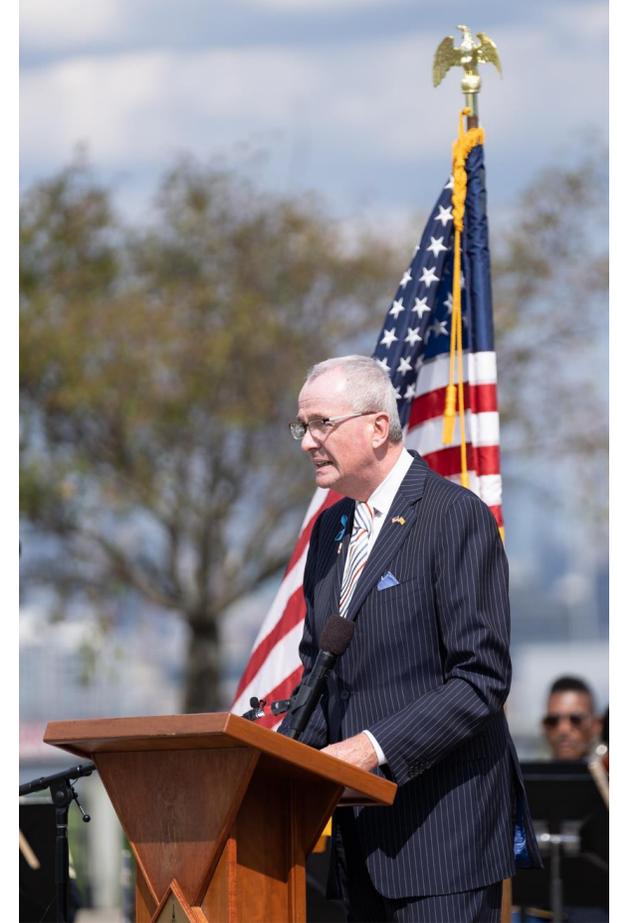
- The status report will track the progress of the implementation of climate action plans, ensuring accountability and transparency in the State's climate mitigation endeavors.



Coming Soon

Pending Rulemakings - Pre-proposal

- Radiation Protection rule amendments
- Postconsumer recycled content rules
- A-901, dirty dirt rule amendments
- Hazardous waste rule amendments



Thank you!



The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the slide, creating a modern, layered effect. The rest of the slide is a plain white background.

Questions?



Assistant Commissioner David Haymes

- ▶ Updates on Contaminated Site Remediation & Redevelopment

Contaminated Site Remediation & Redevelopment (CSRR) Update

AWMA

November 22, 2024



David Haymes
Assistant Commissioner

Topics



- Program priorities
- CSRR reorganization
- Site remediation stats
- Regulatory update
- Guidance development
- Brownfield redevelopment
- Funding opportunities

Mission



To reduce the number of contaminated sites in New Jersey to ensure the protection of public health and the environment and ready sites for redevelopment.

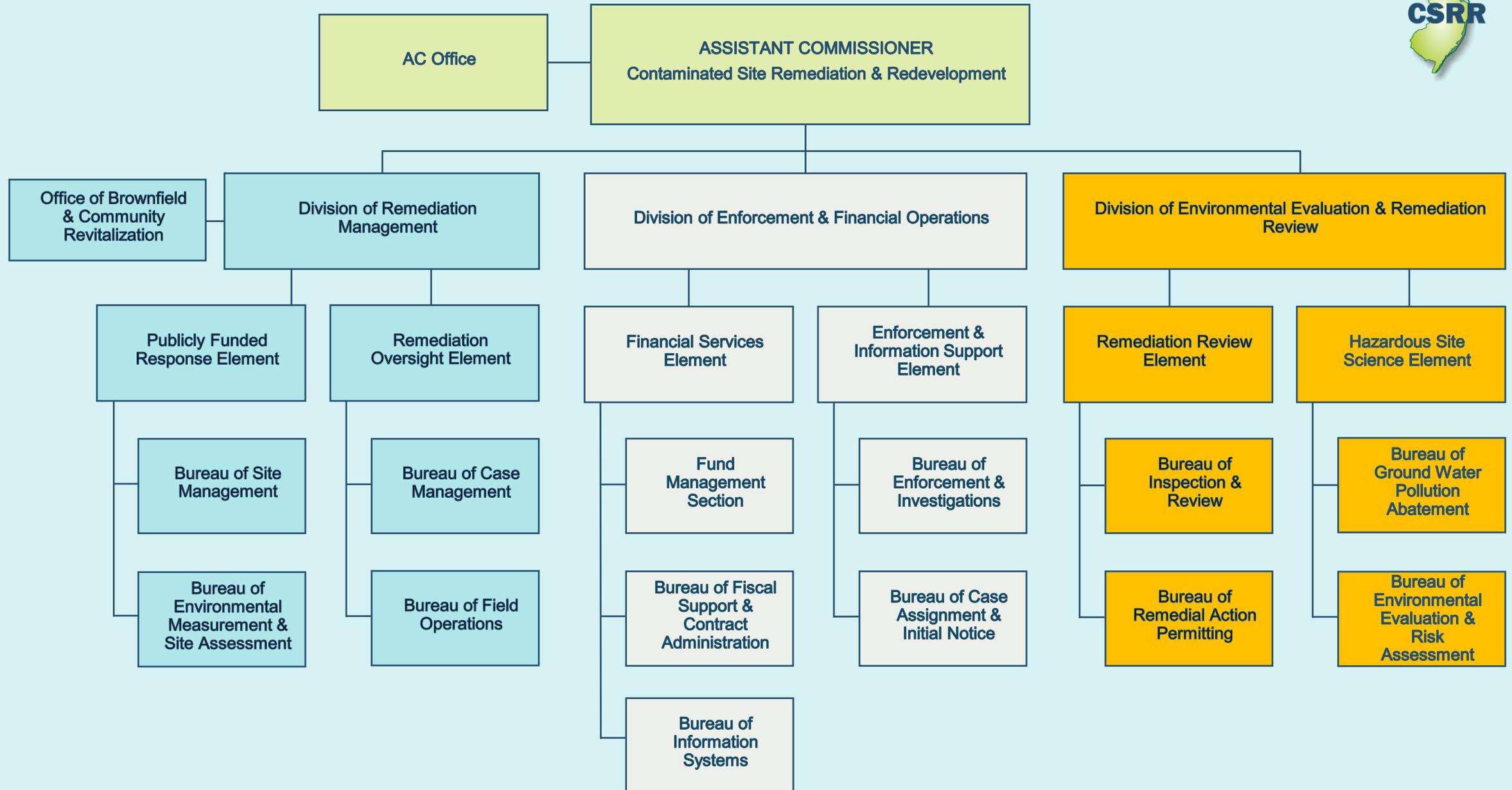
Contaminated Site Remediation & Redevelopment (CSRR) oversees all necessary actions performed by responsible parties to investigate and clean up any known or suspected discharge of contaminants and ensures remediations are completed in accordance with applicable laws, regulations, and standards. In addition, using public funds, the program implements remediations at contaminated sites where the responsible party is unable or unwilling to perform the necessary actions.

CSRR Priorities



- Protect receptors
- Continue to increase the efficiency of the LSRP program
- Complete additional publicly funded remediations
- Ensure the program's continued financial health
- Investigate and remediate sites with contaminants of emerging concern
- Prepare sites for redevelopment
- Overall program evaluation

Contaminated Site Remediation & Redevelopment

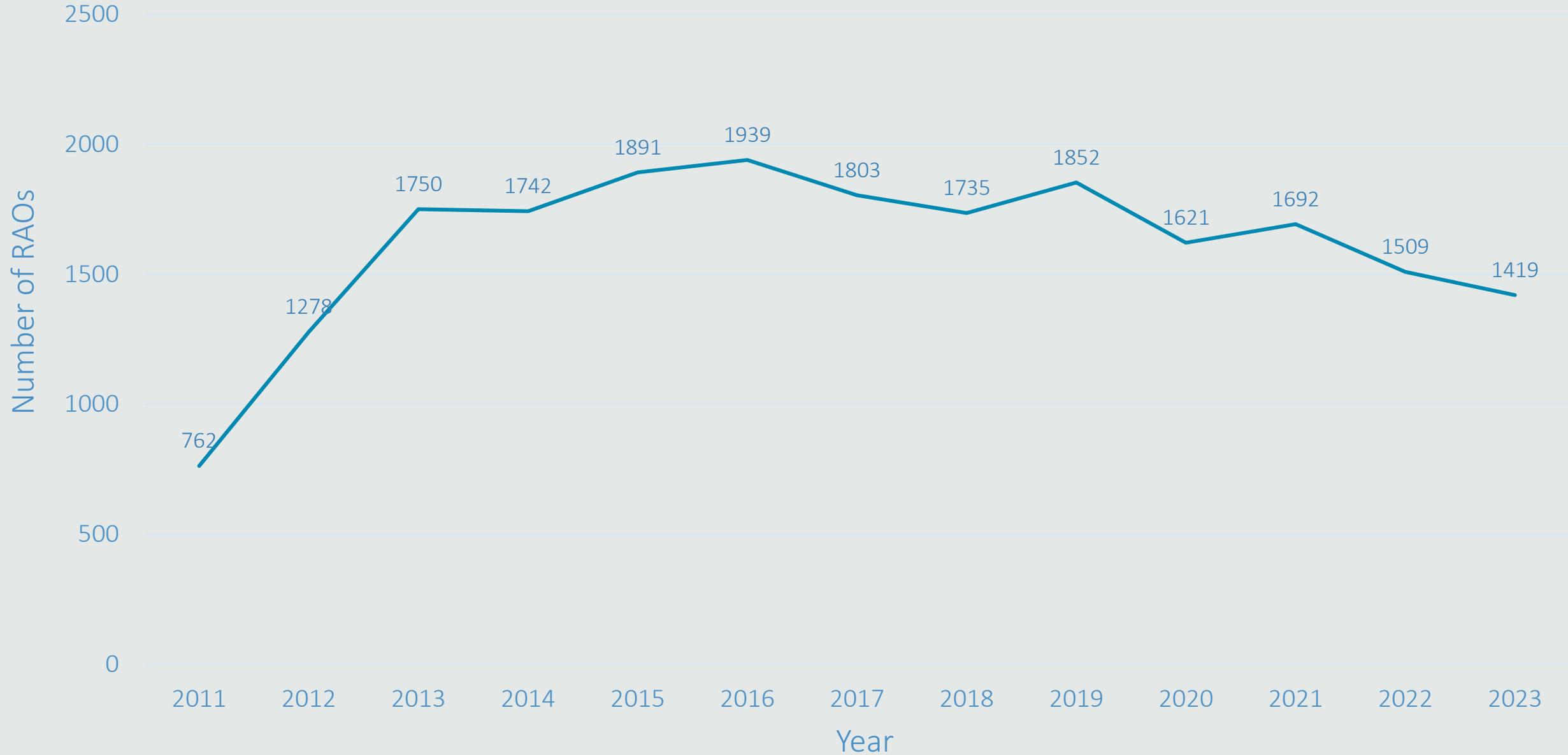


Active, New, and Closed Cases (2012-2023)



Year	Total Active	Total New	Total Closed
2012	14,369	9,612	4,735
2013	14,577	5,287	4,236
2014	13,795	4,928	5,036
2015	14,245	5,390	4,638
2016	14,357	5,129	4,540
2017	14,223	4,975	5,003
2018	13,707	4,862	5,061
2019	13,531	4,918	4,791
2020	13,841	4,228	3,645
2021	14,461	4,493	3,615
2022	13,712	4,076	4,042
2023	13,300	3,558	3,608

Number of RAOs issued by Year (2011-2023)



Remedial Action Permits



Ground Water Remedial Action Permits	Jan 2024 -Oct 2024
Average Number of Days for Application to be <i>Administratively</i> Complete	33
Average Number of Days for Application to be <i>Technically</i> Complete	331
Average Number of Days for DEP Total Process Time	275
Average Number of Days for Permits to be Issued	309
Soil Remedial Action Permits	Jan 2024 -Oct 2024
Average Number of Days for Application to be <i>Administratively</i> Complete	50
Average Number of Days for Application to be <i>Technically</i> Complete	352
Average Number of Days for DEP Total Process Time	341
Average Number of Days for Permits to be Issued	377



New Residential Lead Soil Remediation Standard (N.J.A.C. 7:26D)

- Residential soil remediation standard for the ingestion-dermal exposure pathway for lead from 400 mg/kg to 200 mg/kg
 - Published in the NJ Register on May 6, 2024
 - Reflects revisions the USEPA made to its IEUBK input parameters and residential soil lead guidance
 - Six-month phase-in period
 - No order of magnitude implications



SRRA 2.0 Rulemaking (N.J.A.C. 7:26C and 7:26E)

- Rule amendments to:
 - Administrative Requirements for the Remediation of Contaminated Sites, N.J.A.C. 7:26C
 - Technical Requirements for Site Remediation, N.J.A.C. 7:26E
- Published in the NJ Register on October 21, 2024
 - End of comment period is December 20, 2024
 - Public hearing (virtual) was held November 21, 2024



Remediation Standards (N.J.A.C. 7:26D) and Ground Water Quality Standards (GWQS, N.J.A.C. 7:9C)

- Rulemaking to formally propose and adopt existing interim soil and soil leachate standards for PFAS (PFNA, PFOA, PFOS, and GenX) and methanol
- Also includes GWQS for GenX
- Proposal draft is in legal review
- Anticipate publication of rule proposal in NJ Register in early 2025

New EPA Maximum Contaminant Levels (MCLs) for PFAS



- EPA's MCLs are lower than DEP standards
 - Updating of GWQS for these PFAS is dependent on formally adopting the numbers as drinking water MCLs.
 - Questions should be directed to DEP's Water Resource Management
- Soil numbers will also change based on acceptance of the toxicity factors
 - CSRR will update these specific remediation standards through a Notice of Administrative Change
- Not expecting any order of magnitude issues

Ground Water, Soil, and Soil Leachate Remediation Standards for PFAS



	EPA MCLs (µg/L)	Ground Water Quality Standard (µg/L)	Soil Remediation Standard Ingestion-Dermal Residential (mg/kg)	Soil Remediation Standard Ingestion-Dermal Nonresidential (mg/kg)	Soil Remediation Standard - MGW (mg/kg)	Soil Leachate Remediation Standard - MGW (µg/L)
PFNA	0.010	0.013	0.047	0.67	AOC/Site-specific	0.26
PFOA	0.004	0.014	0.13	1.8	AOC/Site-specific	0.28
PFOS	0.004	0.013	0.11	1.6	AOC/Site-specific	0.26
GenX	0.010	0.02	0.23	3.9	AOC/Site-specific	0.40
PFBS	2.000	NA	NA	NA	NA	NA
PFHxS	0.010	NA	NA	NA	NA	NA
CLPFPECA _s	NA	0.002	NA	NA	NA	NA
			Chloroperfluoropolyether carboxylates			

- **Highlighted** denotes interim remediation standard.
- All PFAS standards are based on the noncancer health endpoint based on a Hazard Quotient of 1 (mandated by N.J.S.A. 58:10B-1 et seq.).
- EPA MCLs for PFOA, PFOS are based on PQL, not health

Technical Guidance Update

New document development	Tentative Date	Document
Field Sampling Procedures Manual	Posted!	Final
Updating existing documents	Tentative Date	
SI/RI/RA Soil Technical Guidance	December 2024, final draft	
Historic Fill	2025, final draft	
Technical Impracticability (TI)	First Quarter 2025, final draft	
Analytical Methods	2025, final draft	
Landfills Investigation Technical Guidance	End 2025, final draft	

What is a Brownfield?



A brownfield is defined as any “former or current commercial or industrial site that is currently vacant or underutilized and on which there has been, or there is suspected to have been, a discharge of a contaminant” (N.J.S.A. 58:10B-1 et seq.)



Brownfield & Community Revitalization



- Saves Land - prevents “greenfields” from being developed
- Reduces flooding
- Improves air quality
- Improves our economy
- Lowers carbon footprint

Brownfield Development Area (BDA) Program



- A Brownfield Development Area (BDA) consists of multiple brownfield sites that are in close proximity to one other
- CSRR works with selected communities affected by multiple brownfield sites to design and implement remediation and reuse plans for these properties simultaneously
 - Initially launched in 2002
 - Between 2003 and 2009, designated 31 BDAs in 29 municipalities, covering 3,290 acres of abandoned or underutilized land
 - Relaunched BDA program in October 2023
 - 15 applications currently under review

CSRR Funding Opportunities

<https://dep.nj.gov/srp/finance>



- **Hazardous Discharge Site Remediation Fund (HDSRF)**- provides funding to public and qualifying private entities for the remediation of a suspected or known discharge of a hazardous substance or hazardous waste. Grants are also available to existing/prospective owners/operators of childcare facilities for reimbursement of up to \$1,500 for a complete Preliminary Assessment report.
- **Petroleum Underground Storage Tank (UST) Fund**- provides loans and grants to eligible owners and operators of leaking, unregulated petroleum underground storage tanks, which includes all residential heating oil USTs.
- **Spill Compensation Fund Damage Claims (Spill Fund) Program**- assists eligible, innocent individuals, businesses, and local governments suffering direct or indirect damages from the discharge of a hazardous substance.
- **Technical Assistance Grants (TAG)**- provides funding to nonprofit community groups to employ Licensed Site Remediation Professionals (LSRPs) as technical advisors to perform activities to improve the public's understanding of environmental conditions and remediation of contaminated sites in their communities.

Contaminated Site Remediation & Redevelopment Update



Questions?

Morning Break



Announcements

- Link to Slide Deck will be e-mailed through NJDEP listserv to registered attendees.
- Slides will also be posted on AWMA-NCNJ website: mass-awma.net/nj-events
- Please complete the Feedback Survey. QR code provided in Handouts
- Not an AWMA member? Please consider joining: [Join A&WMA \(awma.org\)](http://awma.org)

We are looking for members to become more involved and be part of the leadership team!

Connect with one of our leadership team members or e-mail awmancnj@gmail.com if interested.



Director Dr. Nick Procopio

- ▶ Division of Science & Research
- ▶ Updates on Current and Recently Completed Research Projects

Division of Science and Research

2024 Update on Current and Recent Research

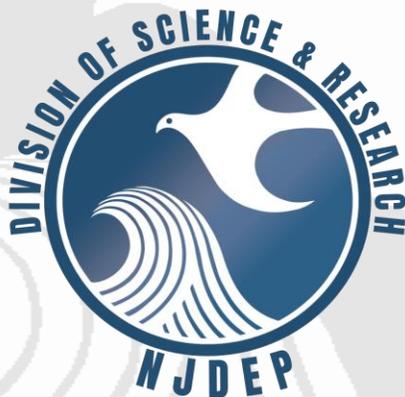
Nicholas Procopio, Ph.D.

Director, Division of Science and Research

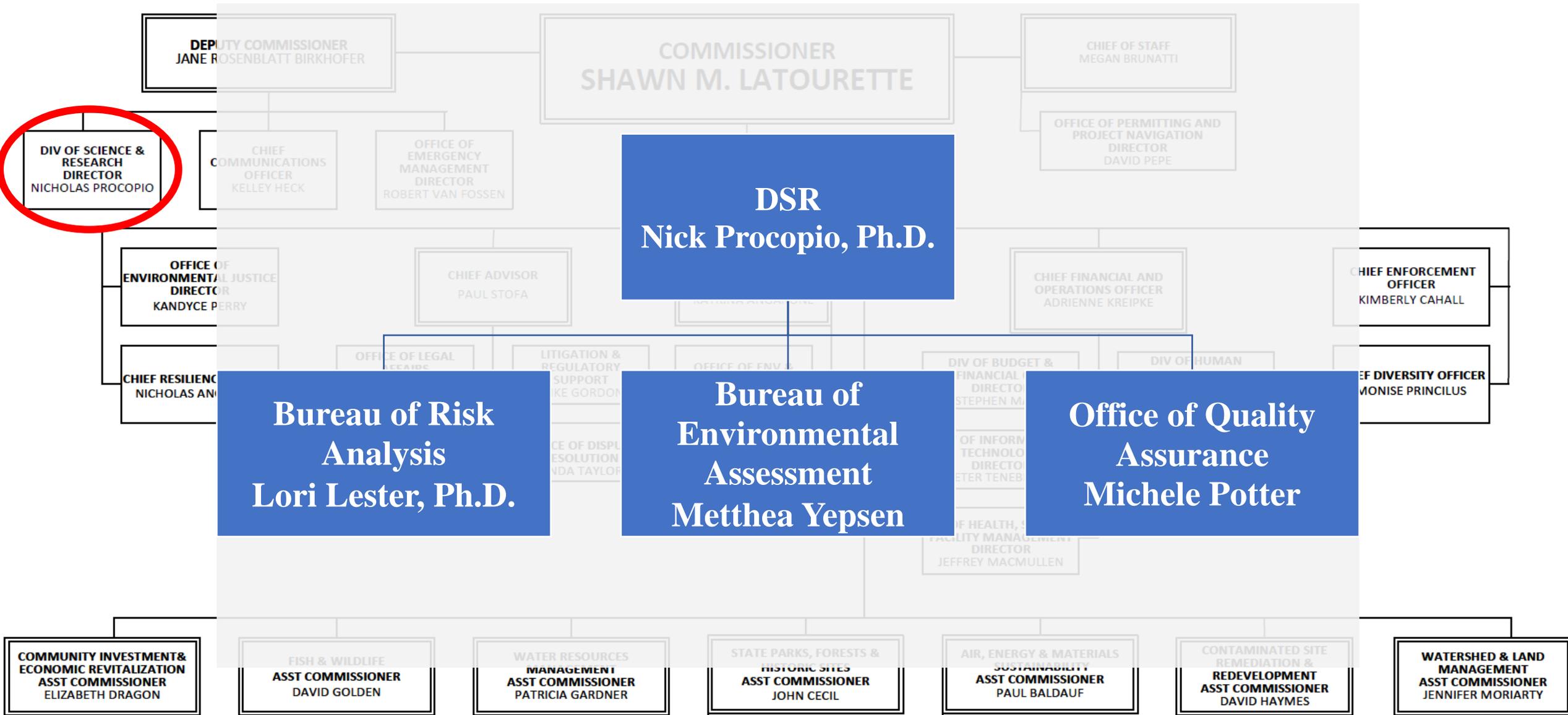
NJDEP

November 22, 2024

DEP/A&WMA Conference



NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION



What our Work Looks Like:

- Provide the department with, and access to, **expertise and information** that supports its technical, program, and policy needs.
- Perform **research**
- Identify and understand **emerging issues** that require the department's attention and response.
- Act as liaisons to the **Science Advisory Board** to provide the DEP with outside expertise on scientific issues.
- Promote and integrate a **multi-disciplinary perspective** into the department's identification, analysis, and resolution of environmental issues.

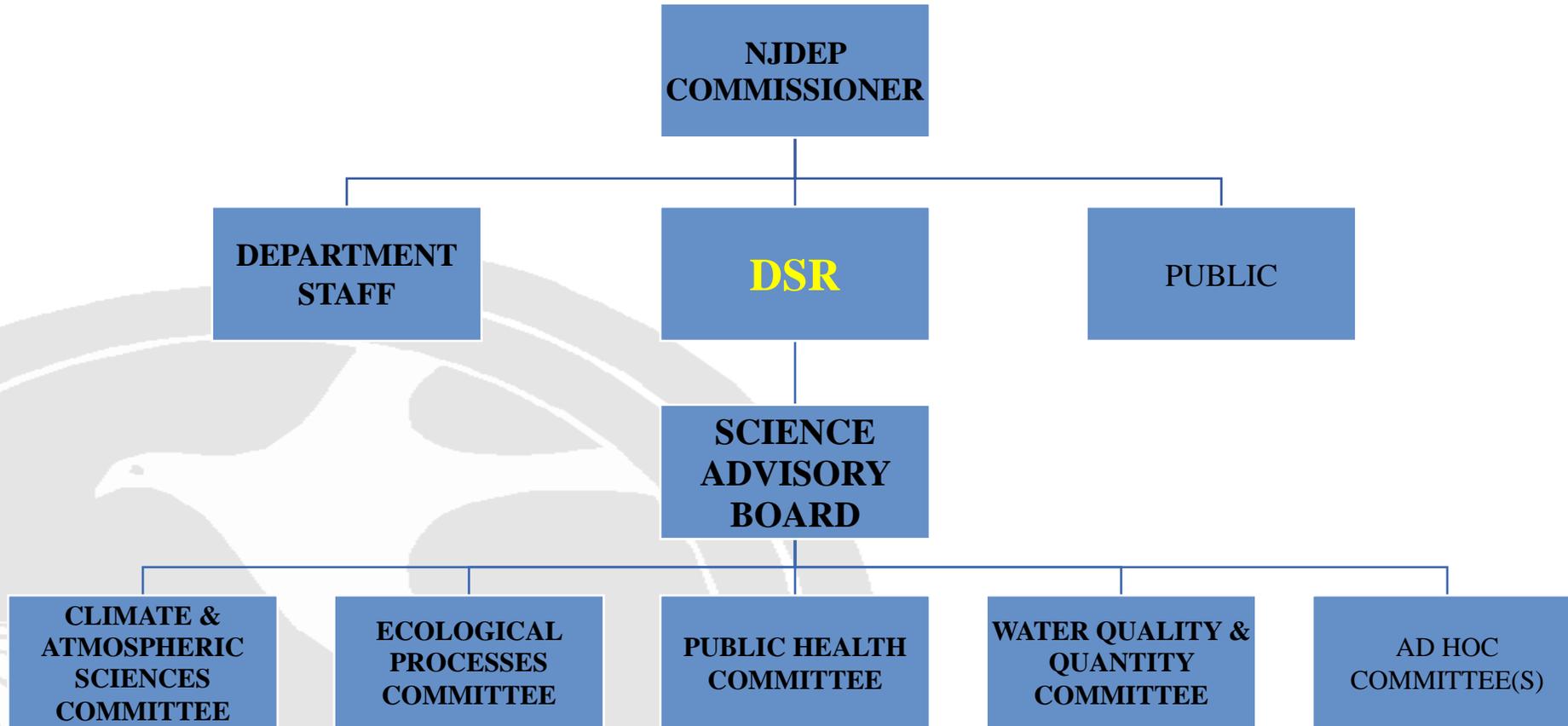
Staff Expertise

<https://dep.nj.gov/dsr/research-staff-expertise/>

- Climate Change
- Toxicology
- Risk Assessment
- Air Quality/Modeling
- Water Quality Assessments
- Chemistry
- Microbiology
- Quality Assurance and Quality Control
- Environmental Remediation
- Drinking and Wastewater Treatment Technology
- Biology/Ecology – wetlands, fisheries
- Solid waste
- GIS
- Statistics and Data Analysis
- Environmental Science

Science Advisory Board

<https://dep.nj.gov/sab/>



Science Advisory Board

<https://dep.nj.gov/sab/>

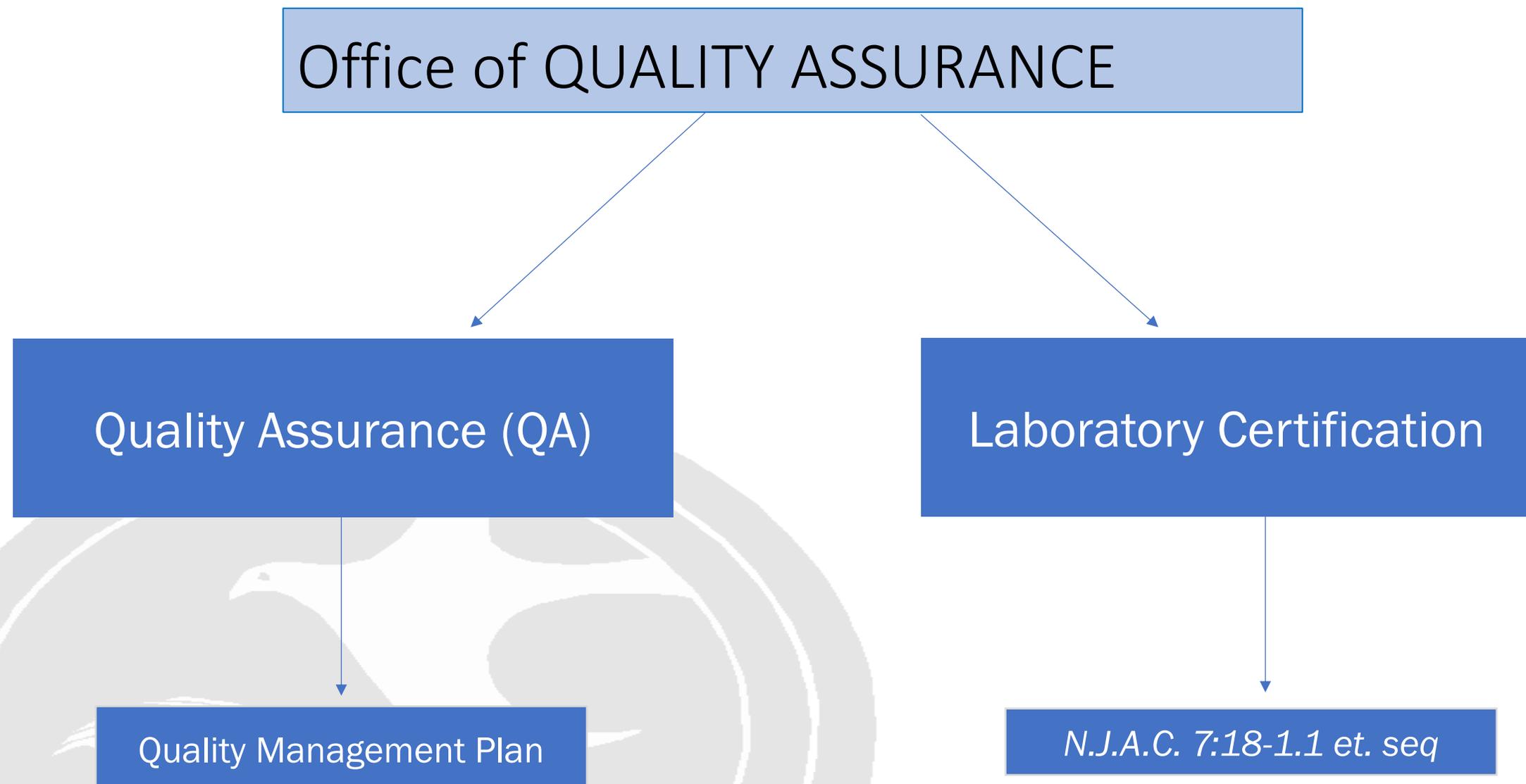
Ongoing Charges:

- ❖ Low-embodied carbon concrete
- ❖ Bioplastics
- ❖ Human Health Impacts of Estrogens and Pharmaceutical in NJ Waters

Recently Completed Reports:

- ❖ Carbon Storage Capacity of Forest Soils
- ❖ Biofuels - existing and potential sources of biofuels in NJ
- ❖ Microplastics in the aquatic environment: Sources, occurrences, and risks
- ❖ Peer Reviews - Scientific Reports on Climate Change & two reports on historic and expected changes in Hourly and Daily Extreme Rainfall Amounts in NJ

Office of QUALITY ASSURANCE



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graph TD; OQA[Office of QUALITY ASSURANCE] --> QA[Quality Assurance (QA)]; OQA --> LC[Laboratory Certification]; QA --> QMP[Quality Management Plan]; LC --> NJAC["N.J.A.C. 7:18-1.1 et. seq"]; style OQA fill:#d9e1f2,stroke:#333,stroke-width:1px; style QA fill:#1a4a8e,color:#fff; style LC fill:#1a4a8e,color:#fff; style QMP fill:#1a4a8e,color:#fff; style NJAC fill:#1a4a8e,color:#fff;
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Quality Assurance (QA)

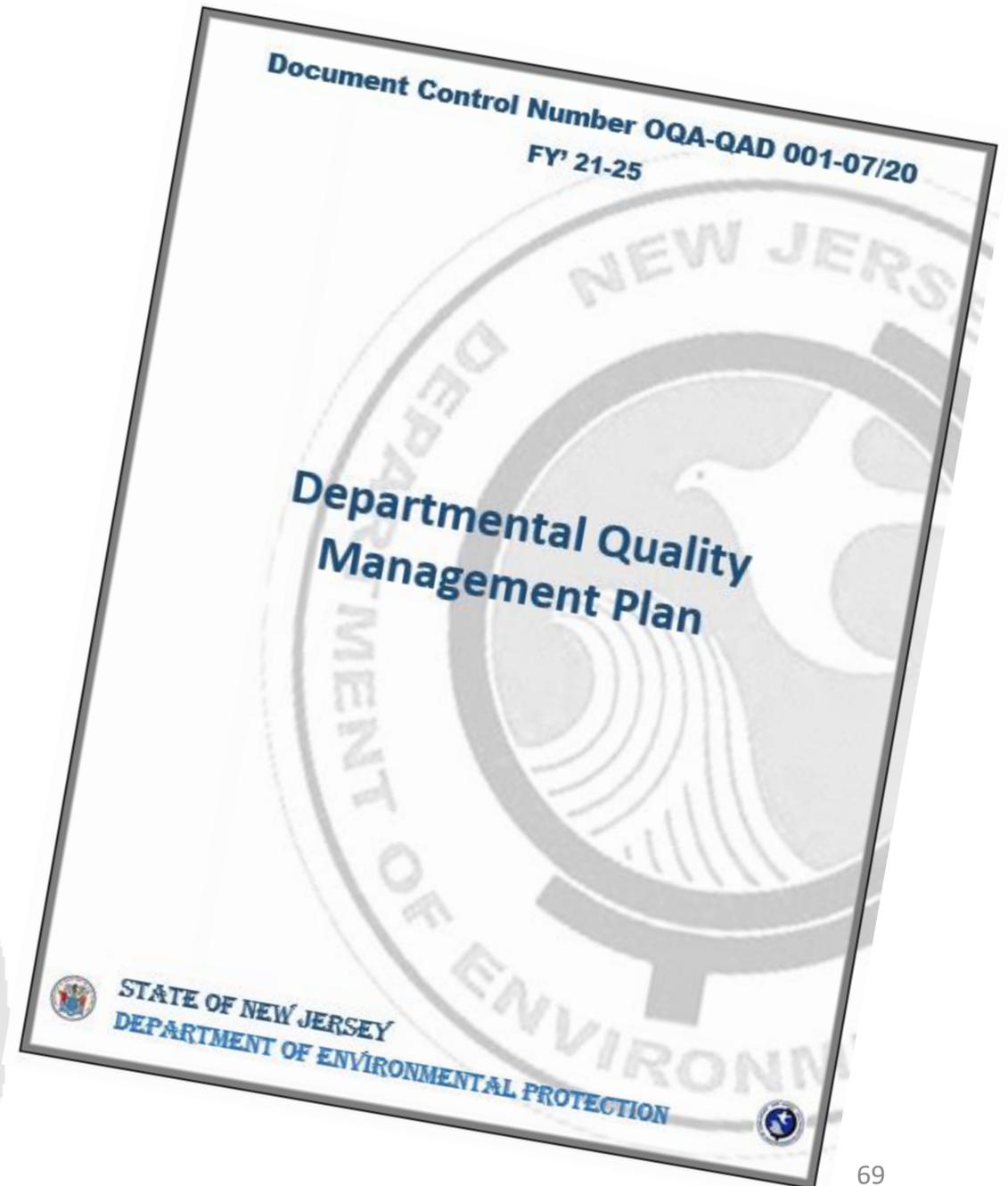
Quality Management Plan

Laboratory Certification

N.J.A.C. 7:18-1.1 et. seq

Quality assurance program

- Any organization/entity conducting environmental programs on behalf of EPA must have a documented quality system
- Quality Management Plan (QMP) documents the DEP's quality system

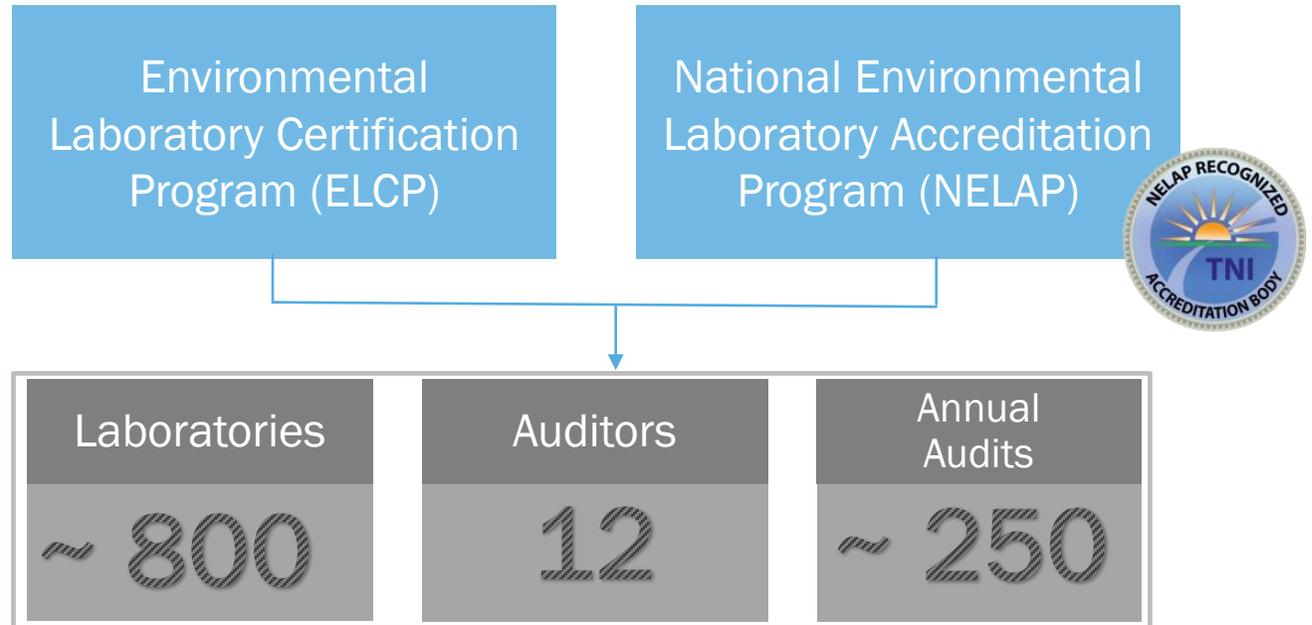




QUALITY ASSURANCE PROJECT PLAN (QAPP)

- Comprehensive document detailing project-specific QA, QC, and technical activities for generation, collection and use of environmental data or information
- “Blueprint” for obtaining the type and quality of data needed for the identified purpose
- All projects that involve data collection by or for DEP must have an OQA-approved QAPP in place prior to starting

THE LABORATORY CERTIFICATION PROGRAM: A TWO-TIER PROGRAM

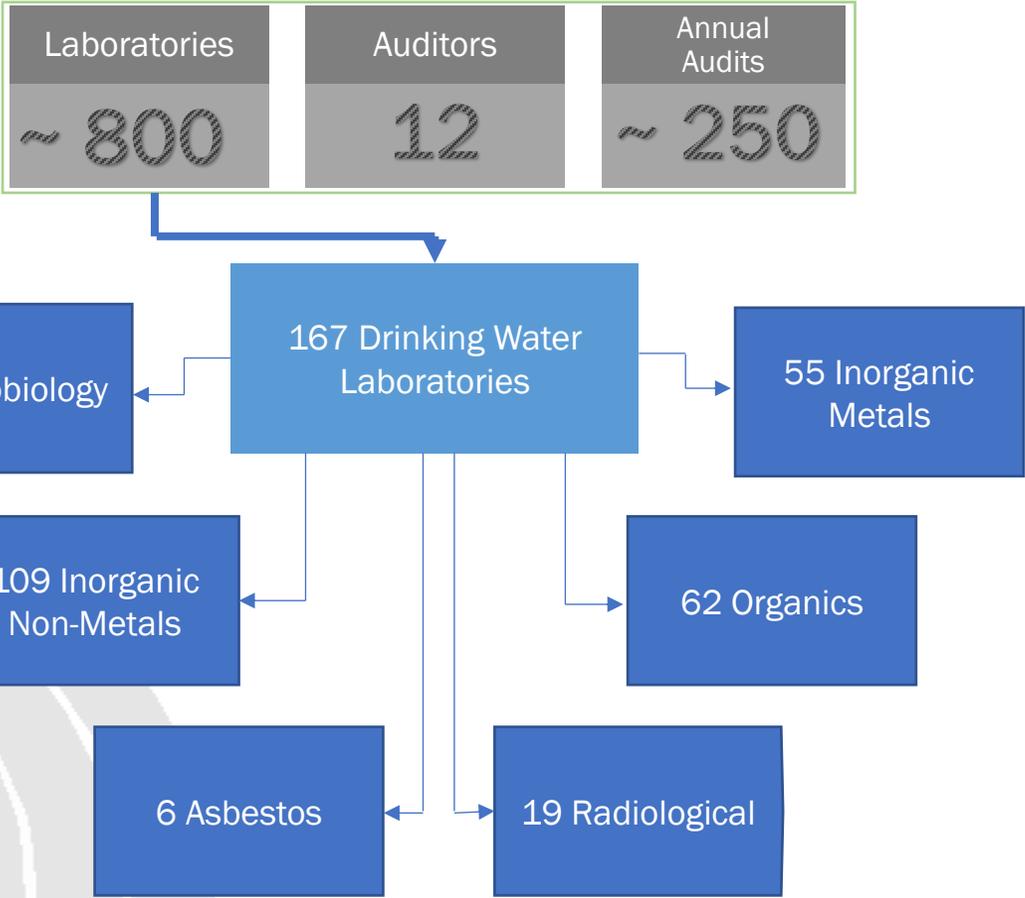


- Labs are certified by:

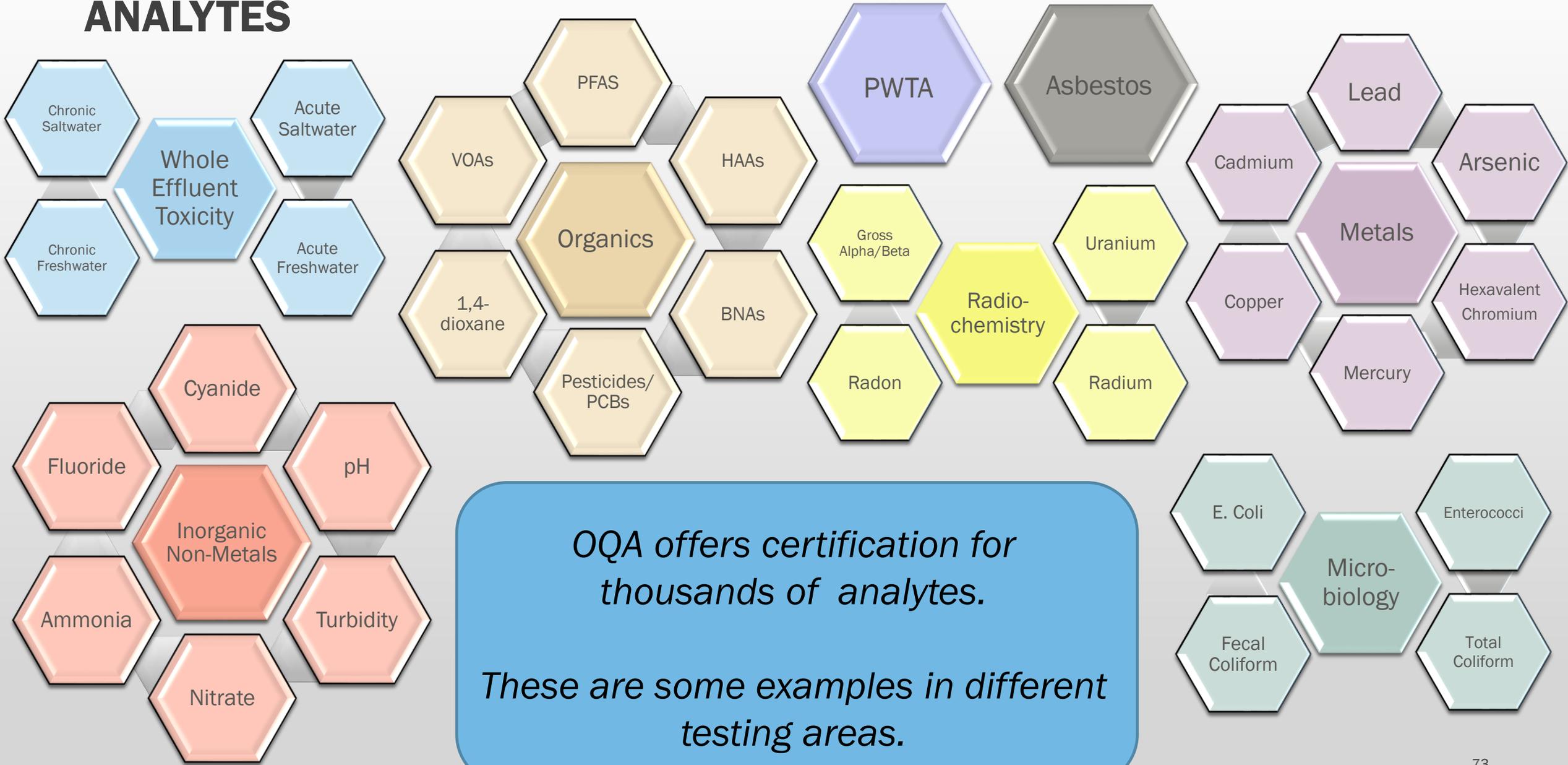
MATRIX – ANALYTE – METHOD - TECHNOLOGY

DSR – Office of Quality Assurance

The NJ
Laboratory
Certification
Program –
Drinking Water



ANALYTES



OQA offers certification for thousands of analytes. These are some examples in different testing areas.



**DSR Recent & Ongoing
Research:**

**60+ projects
+\$19,000,000**

**PFAS –related
8 projects - \$1,800,000**

**Academic, Fed, & Contract
Partners**

Human Health & Toxicology

- Provide technical support for human health and toxicology issues
- Develop human health toxicity factors, criteria, and guidance values
 - Ex., Provide scientific/technical support for GWQS and SWQS.
- Review human health factors, criteria, and guidance values developed by other agencies
 - Ex., Develop comments on draft USEPA IRIS Toxicological Reviews of various contaminants.



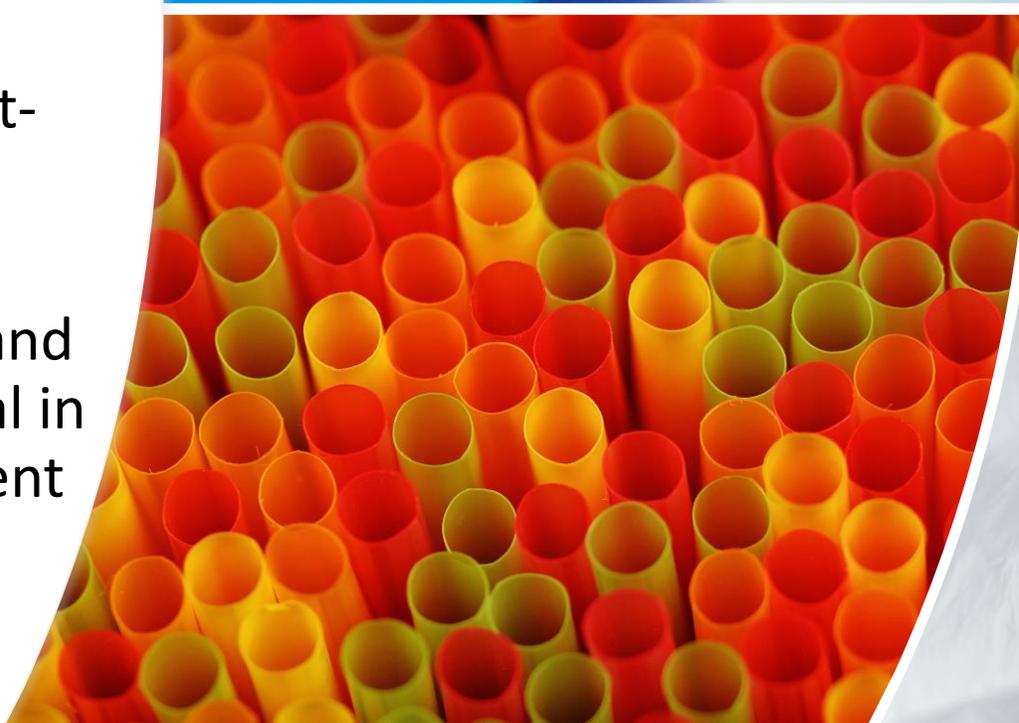
Technical support for human health and toxicology issues

- Use of predictive modeling to locate and prioritize lead service lines for removal.
- Reviewed human health impacts of synthetic/artificial turf.
- Reviewed toxicological information for:
 - geothermal well additives
 - pesticides
 - manganese in drinking water



Waste management

- Review literature of advanced/chemical recycling
- Review literature of bioplastics and plant-based plastic alternatives
- Evaluation of PFAS and microplastic removal in wastewater treatment





Active PFAS research in DSR
See <https://dep.nj.gov/dsr/pfas/>

PFAS and other Contaminants

- PFAS Occurrence at Targeted Sites (surface water, sediment, fish tissue)
- Measuring PFAS in precipitation and ambient air at sites across NJ
- Development of PFAS Bioaccumulation Factors in Fish (freshwater and saline waters)
- Evaluating PFAS & Microplastics removal through WWTP
- Novel Treatment/Destruction Techniques of PFAS and 1,4 Dioxane
 - Electrochemical
 - Plasma



National Atmospheric Deposition Program (NADP) approved

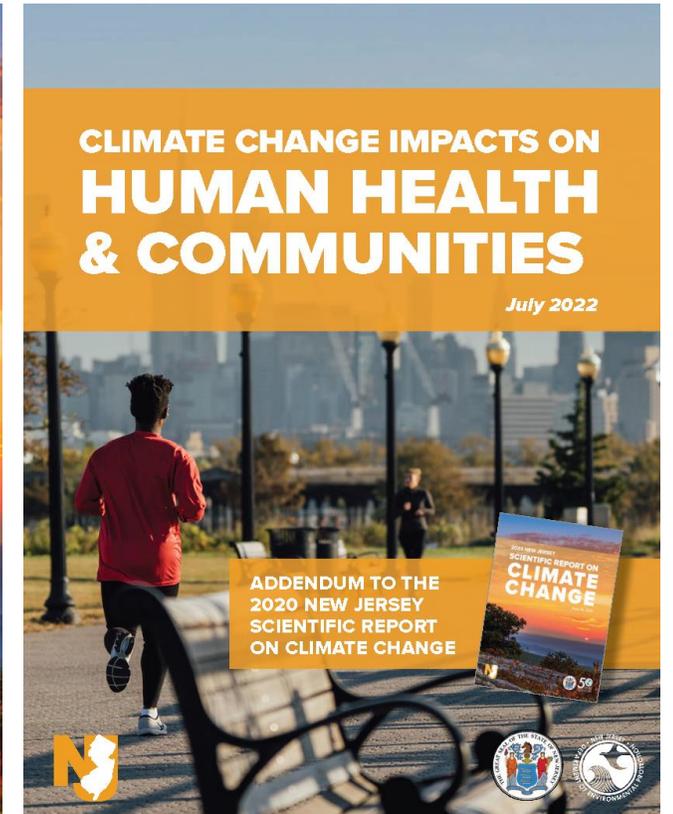
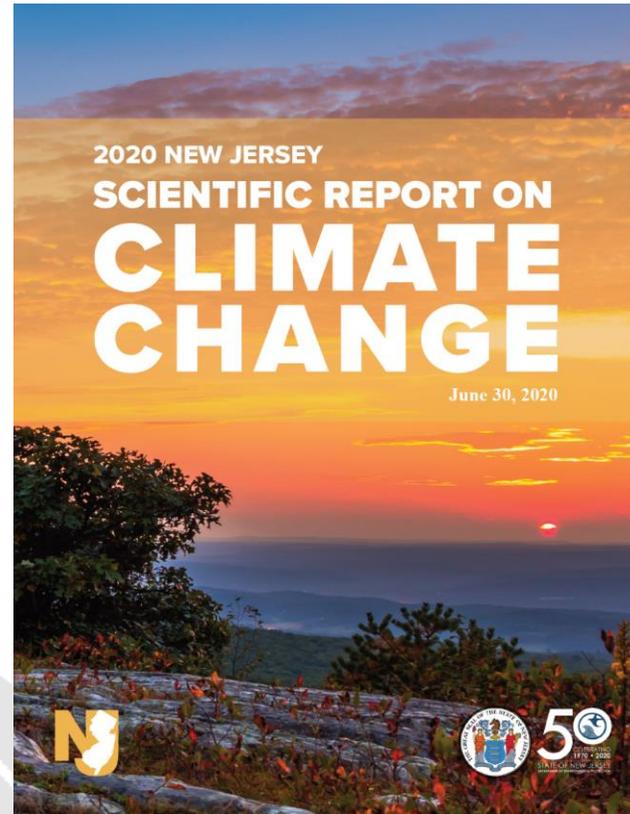
Scientific Report on Climate Change

<https://dep.nj.gov/climatechange/>

- Greenhouse Gases & Climate Pollutants
- Temperature
- Precipitation
- Sea-Level Rise
- Ocean Acidification
- Resources and Ecosystem Impacts
- Research and Data Gaps

- An addendum to the report on Human Health was released in 2022.
- A web resource entitled "Climate Change in New Jersey: Impacts and Effects" was released in 2023.

<https://dep.nj.gov/climatechange/science/overview>



Research and Data Gaps

<https://dep.nj.gov/climatechange/science/research-gaps/>

Carbon sequestration in New Jersey's natural and working lands

The Natural and Working Lands Strategy

<https://dep.nj.gov/climatechange/mitigation/nwls/>

IDs targets to mitigate climate change through the protection, restoration, and strategic management of natural and working lands to maximize carbon sequestration.

Currently: Improving the State's Green House Gas Inventory for carbon sequestration



NJ Offshore Wind (OSW) Research & Monitoring Initiative (RMI)

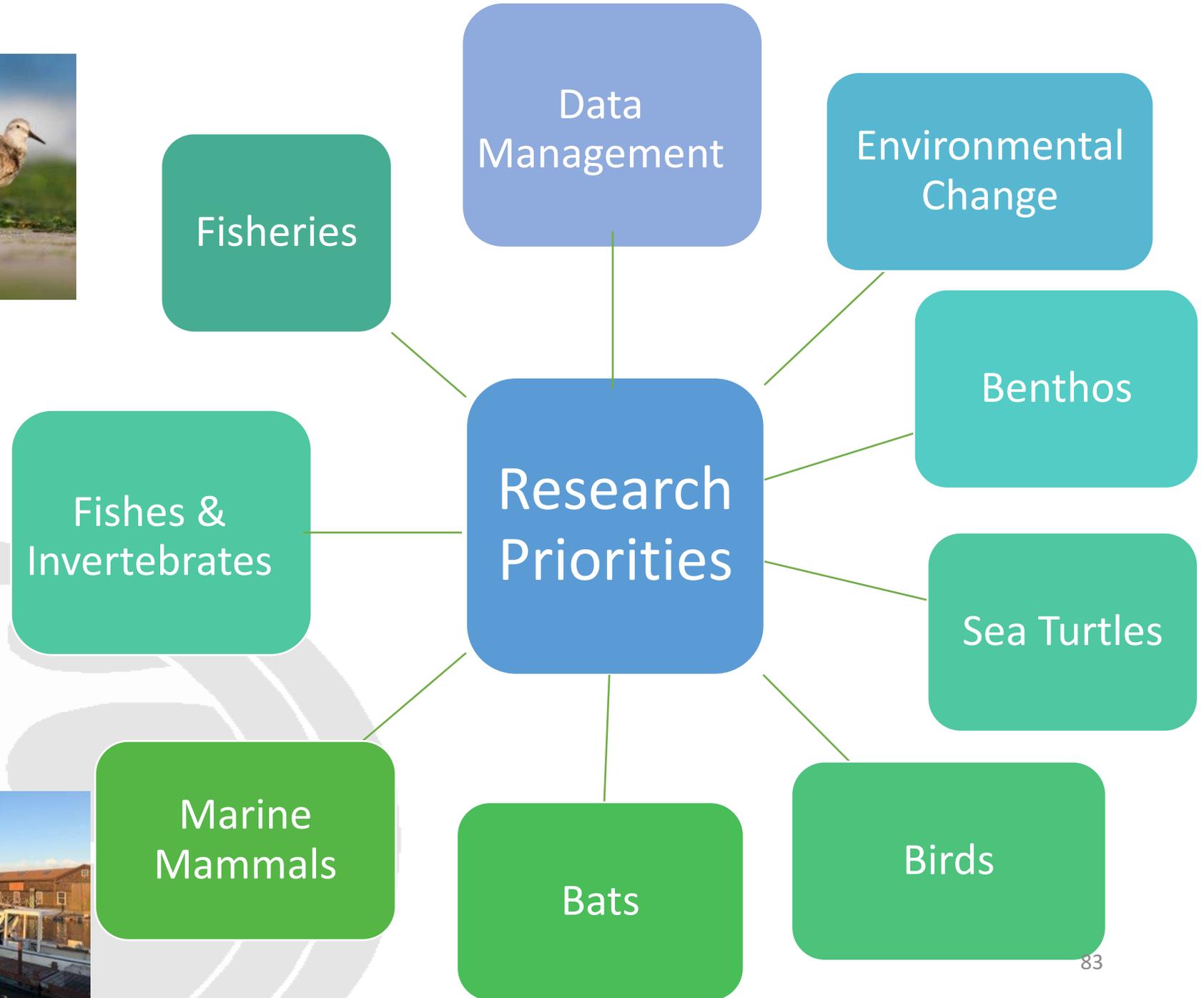
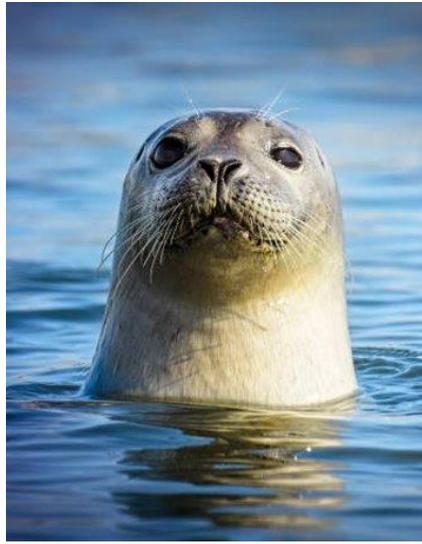
<https://dep.nj.gov/offshorewind/rmi/>



Governor Murphy established the goal of setting NJ on the path to 100% clean energy by 2050.

- In 2022 New Jersey's offshore wind goal was set at 11,000 megawatts by 2040
- Addresses the need for regional research & monitoring of marine/coastal resources during offshore wind development
- Process: ID most vulnerable resources → coordinate regionally → form rigorous scientific questions → develop project concepts to address those questions





Monitoring and Targeted Research of Selected Chemical Contaminants in New Jersey Fish

Routine Monitoring of Toxics in Fish

- Includes the monitoring of fish tissue statewide, evaluating multiple target contaminants, fish species and water bodies;

<http://FishSmartEatSmartNJ.org/>

Estimation of Fish BAF for Select PFAS in Marine and Freshwater Systems

- Addresses the need for water quality standards for key PFAS (PFOS, PFOA, PFNA)



Bruce Ruppel, retired, DSR

Fish Monitoring – Toxics in Fish



- Fish consumption advisories
- Bioaccumulation factors that can be used to calculate protective surface water quality criteria in freshwater and saline waters
- Monitoring of Fish tissue and surface water
 - 6PPD Quinone
 - Pharmaceuticals and Personal Care Products (PPCPs)
 - Selected Pesticides
 - Polybrominated Diphenyl Ethers (PBDE)
 - Chlorinated paraffins
 - PFAS



Harmful algal blooms

Harmful cyanobacteria blooms are increasing in both frequency and duration on inland waters. Some blooms are producing toxins not typically monitored while other blooms with similar species composition produce common toxins. Factors determining which toxins are produced remain unknown.

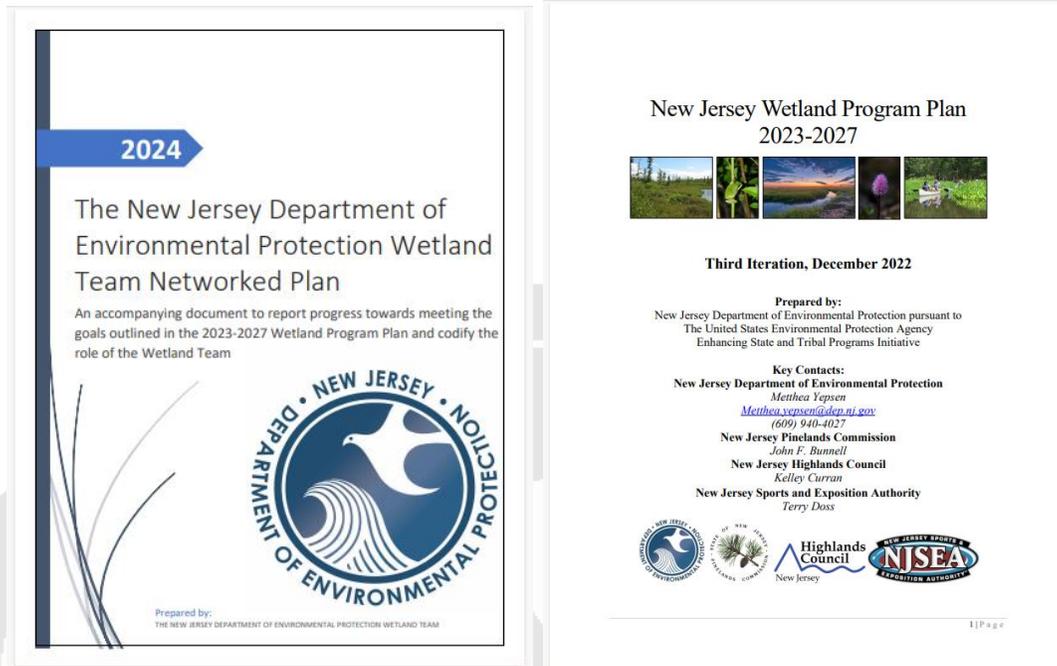
Research Objectives:

- + Increase understanding of drivers behind both non-toxic and toxigenic blooms.
- + Build out a rapid and accurate field assessment kit to determine bloom composition and toxin capacity.
- + Build a risk assessment model for NJ waterbodies to help assess their ability to support either a toxigenic bloom or non-toxigenic bloom.



Wetlands

NJ DEP Wetland Team



[Networked Wetland Plan](#)
[NJ Wetland Program Plan](#)

Current and Recently Completed Projects

<https://dep.nj.gov/dsr/wetlands/>

- Beneficial Use of Dredged Material to Enhance Salt Marsh Habitat in New Jersey
- Carbon sequestration in wetlands
- Use of drones to assess tidal wetland condition
- HABs in salt marsh ponds
- NJ Tidal Wetlands Monitoring Network

Invasive species management strategy

[Developed a DEP Invasive Species website](#)

[Developed a NJ Aquatic Invasive Species Management Plan](#)

[Clinging Jellyfish map](#)

- Pilot projects using eDNA detection
 - Clinging jellyfish
 - New Zealand mudsnails
 - Cnidarian communities

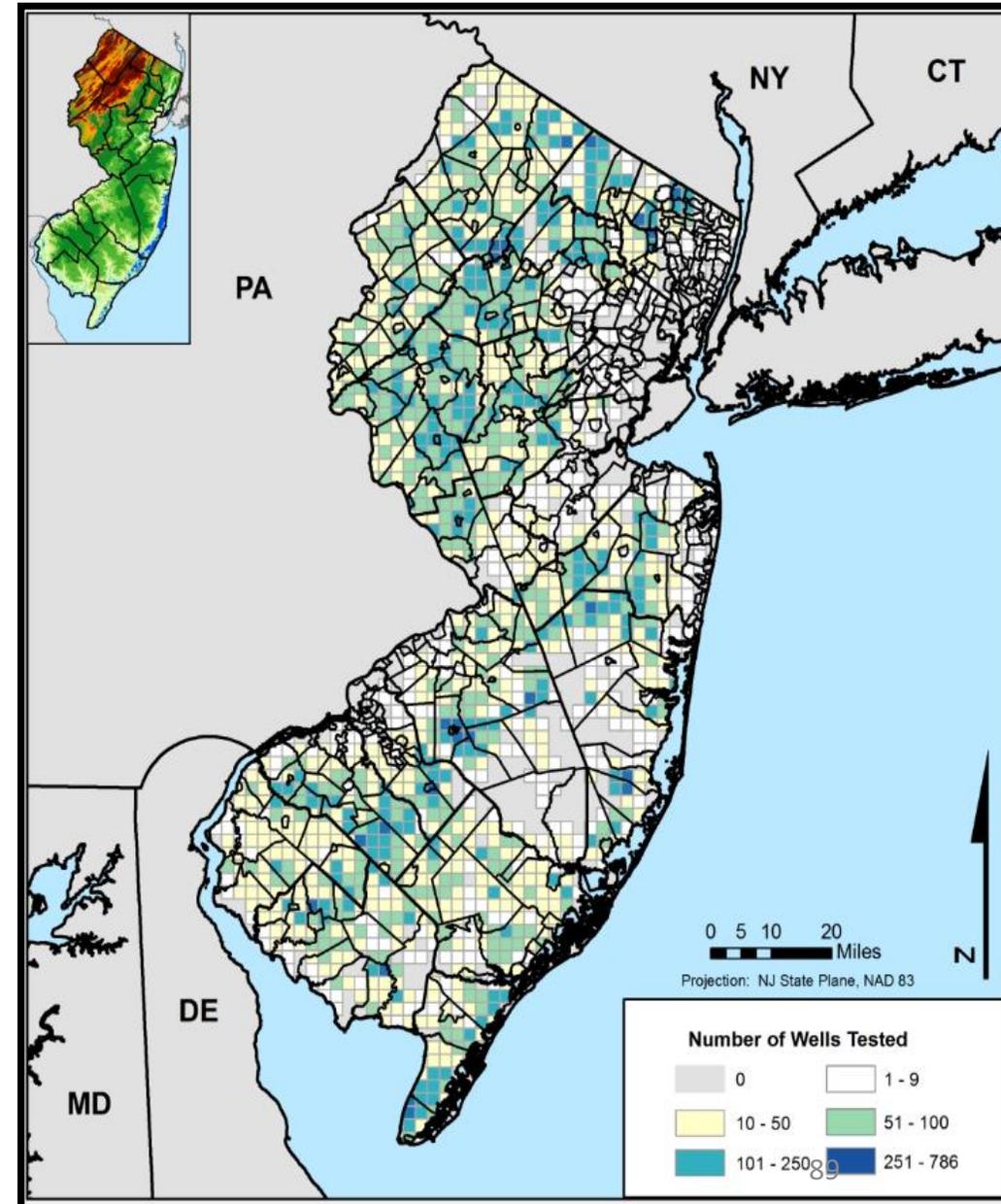


New Jersey Private Well Testing

<http://arcg.is/1CPkHyC>

PFOA, PFOS, and PFNA on December 1, 2021!

- ✓ Approximately 400,000 private wells (13% of residents).
- ✓ Wells are required to be tested for bacteria, nitrates, 26 volatile organic compounds, 3 synthetic organic compounds, lead, pH, arsenic, gross alpha (radionuclides), iron, and manganese. Mercury and uranium are only required in certain counties.



Environmental Trends

<https://dep.nj.gov/dsr/environmental-trends/>

Reports provide general information on trends and conditions for a variety of environmental factors that, together, comprise an overall assessment of our state's environmental health

Home / Environmental Trends

- ✓ 39 chapters on the status of key environmental parameters
- ✓ Updated as new data become available
- ✓ Provides a summary of a major environmental issue
- ✓ Each chapter includes references, DEP contacts, and sources of additional information

rients – Aug

r 2020

Vehicle Miles Traveled – September 2020

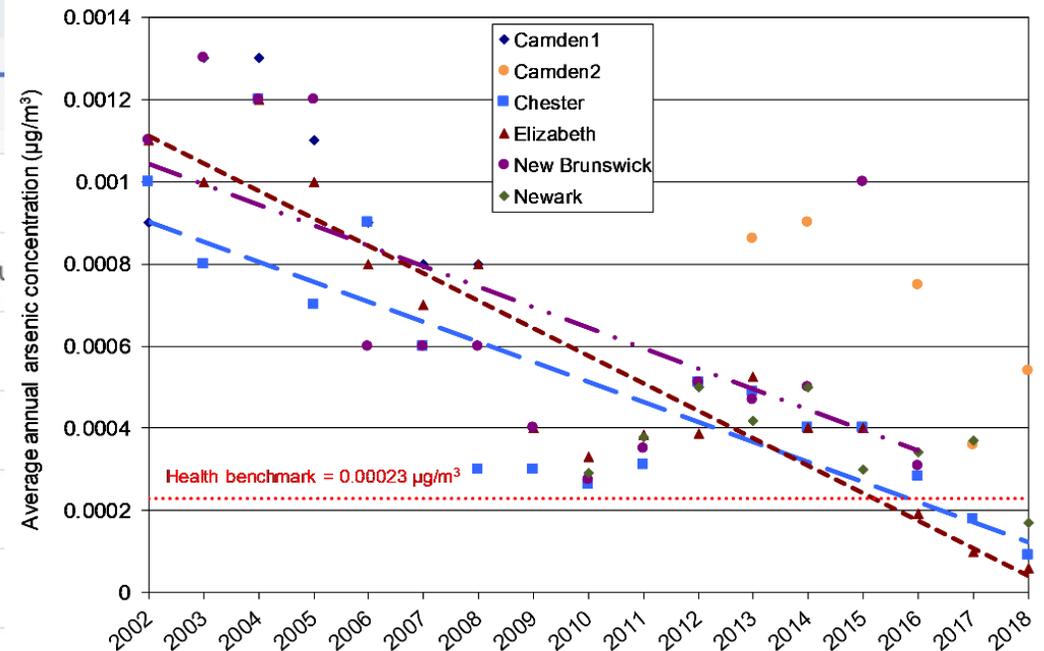


Figure 1: Average annual concentrations of arsenic in particulate matter at five air monitoring stations between 2002–2018 with health benchmark shown in red. Significant trend lines (Kendall Tau P-value ≤ 0.05) are shown.

Division of Science and Research

Acknowledgements: DSR Scientists and staff, DEP Programs, Principal Investigators and their Universities

Contact:

Nicholas A. Procopio, Ph.D.
Director, Division of Science and Research
nick.procopio@dep.nj.gov

Information and Publications:

<https://dep.nj.gov/dsr/>



The background features a series of overlapping, semi-transparent green triangles and polygons in various shades, ranging from light lime green to dark forest green. These shapes are primarily concentrated on the right side of the slide, creating a dynamic, layered effect. The rest of the slide is a plain white background.

Questions?

Director
Mike Hastry

Program Specialist
Tim Davis

- ▶ Compliance and Enforcement
Updates and Initiatives

Division of Air Enforcement Update

November 22, 2024



Alternate Compliance Monitoring Strategy

Approved by EPA June 17, 2024

FY23-26



**Minors and
Unknowns**

EPA EJ
Screening Tool



Majors



Mobile Sources

(idli
ca



Diesel Enforcement

There are three main areas of focus (mobile sources) for our Program:

1. Vehicle Idling (Subchapters* 14 & 15)
2. Vehicle Tampering (Subchapters* 14 & 15)
3. Cargo Handling Equipment (Subchapter* 34)

*New Jersey Administrative Code (N.J.A.C.) Subchapters

Vehicle Idling Investigations

- **County CEHA Agencies are utilized to assist with idling investigations across the state.**
- **Not many second offenses are issued, and outreach is constant from many sources.**
- **In 2023 there were 1,508 idling complaints reported and 727 idling complaints so far in 2024*. We do conduct investigations at the State level but many of these complaints are referred to our County agencies that do the bulk of these investigations and report their findings back to the Department.**
- **Funded by the Motor Vehicle Commission, the Department offers overtime to interested counties to conduct after-hours idling investigations. Of the twenty-one NJ counties, there are currently ten County Health Departments that participate. During FY 2023, 197 violations were cited.**

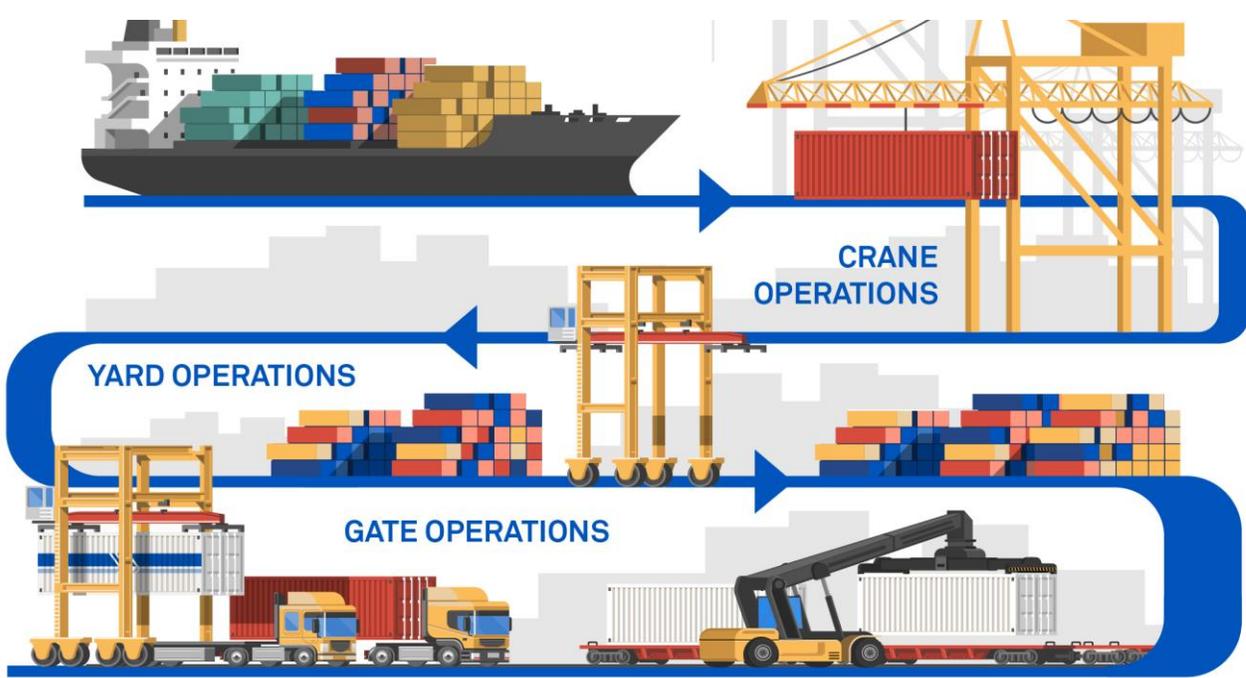
Where do we conduct tampering investigations?

- **New and used car dealerships.** Our focus are the used MDDV (14,000 – 18,000 GVWR) being offered for sale whether they came from an auctions or a customer trade-in. This vehicle category is currently exempt from NJ's Vehicle Inspection Program, but not for much longer!
- **Roadside Inspections –** Working with our states Motor Vehicle Commission, State Police, and the Division of Taxation we will pull over a random sampling of our target vehicles and conduct an emission inspection.
- **Social Media –** We check social media for private sales where the seller had made it quite clear that the vehicle being offered for sale is tampered
- **Citizens Complaints –** When buyers realize after the sale that they have purchased a vehicle (gas or diesel) and the dealership isn't working with them to correct the situation. The Department also receives complaints from the public regarding suspected tampered and /or smoking vehicle
- **Dashcams in our State vehicles are used to document/capture smoking vehicles under N.J.A.C. 7:27-14.4(a)2***

** N.J.A.C. 7:27-14.4(a)2 - No person shall cause, suffer, allow, or permit the operation of any diesel-powered motor vehicle or motor vehicle engine upon the public roads, streets, or highways of the State or upon any public property or upon any quasi-public roadway in the State, if the vehicle emits visible smoke of any color in the exhaust emissions for more than three consecutive seconds when the engine is at normal operating temperature.*

Tampering Case Tracker (7/11/2018 – present)

Type	Cases	Penalty Assessed	Penalty Settled	Resolved
Dealers	69	\$315,760.00	\$70,200.00	65%
Manheim Dealers	14	\$24,000.00	\$18,050.00	100%
Citizen Complaints	33	\$17,400.00	\$7,250.00	76%
Private Sales	425	\$374,700.00	\$81,767.00	33%
EPA Referrals	1	\$6,000.00	\$5,100.00	100%
Rolling Coal	2	\$800	\$-	100%
Performance Shops	1	\$2,000.00	\$2,000.00	100%
Totals	544	\$740,660.00	\$184,367.00	



While upgrading any older model will yield emission benefits, you can maximize benefits by upgrading the oldest CHE with the highest annual hours of operation first.



Mobile Cargo Handling Equipment at Ports and Intermodal Rail Yards

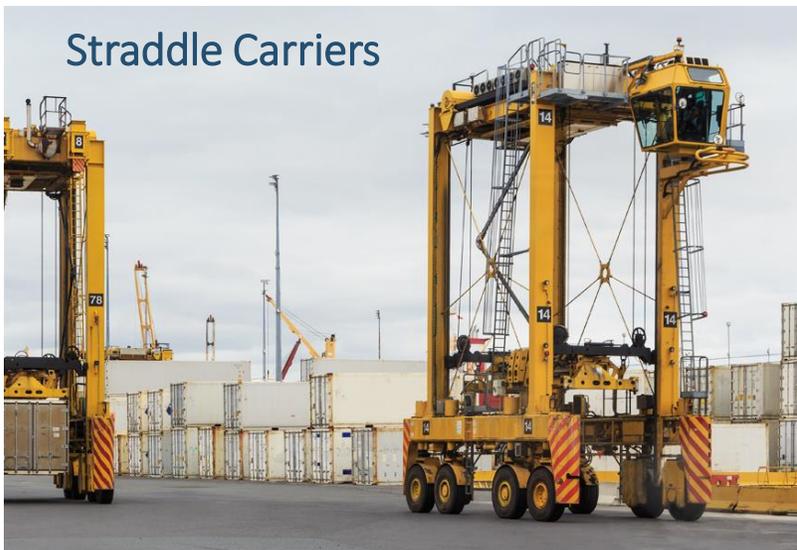
N.J.A.C. 7:27-34

- **Beginning on March 1, 2025, all “new cargo handling equipment” (as defined in N.J.A.C. 7:27-34.3) brought into a regulated facility will need to be either Tier 4 Final or be equipped with the current model year on-road engine.**
- **For “in-use cargo handling equipment” (as defined in N.J.A.C. 7:27-34.3), refer to the compliance schedule below.**

Cargo Handling Equipment with an on-road engine	Cargo Handling Equipment with an off-road engine	Compliance Deadline
Pre-1998 model year	Tier 0	March 1, 2025
1998-2003 model year	Tier 1	March 1, 2026
2004-2006 model year	Tier 2	March 1, 2027
2007-2009 model year	Tier 3 and Tier 4 interim	March 1, 2028

Diesel Vehicle Inspection

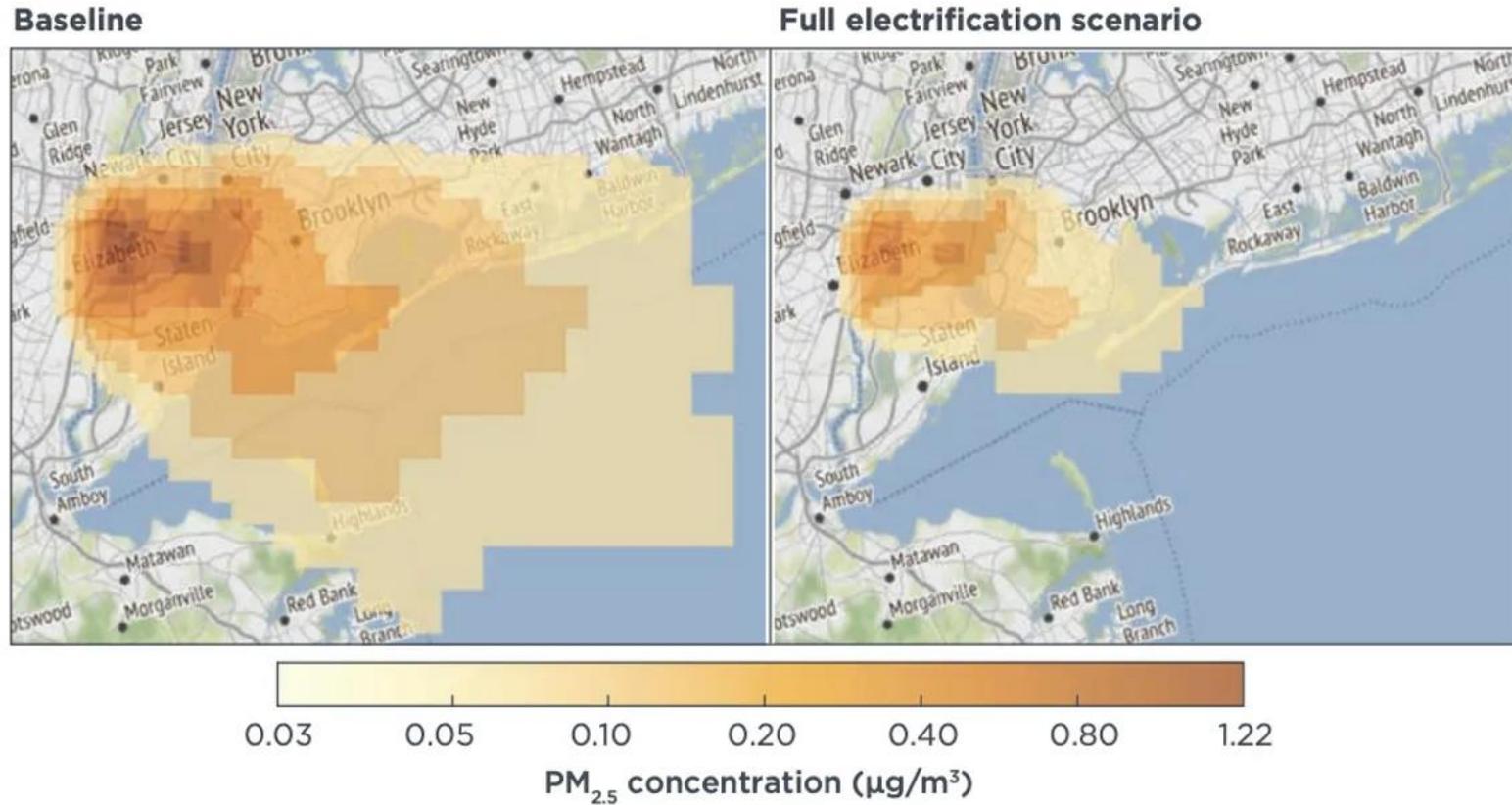
- In New Jersey, gross vehicle weight ratings between 8,501 lbs. to 17,999 lbs. are subject to the State's self-inspection program and emission laws.
- Medium-Duty Diesel Vehicles (MDDV) have been exempted from state inspection for the last few decades.
- NJ Motor Vehicle Commission (MVC) published the update to the inspection regs in the Register as of 10/7/2024.
- The RFP for the inspection program contract is currently being developed, this contract includes diesel inspections.
- MDDV will be required to be inspected annually, most likely beginning in CY 2026



Other CHE at ports may include:

- Compressors
- Excavators
- Forklifts
- Generators/power packs
- Light towers
- Manlifts
- Off-highway trucks
- Rail pushers
- Aerial lifts
- Reach stackers
- Rollers
- Side handlers
- Skid steer loaders
- Sweepers
- Tractors/loaders
- Welders

Modeling at the Ports of Newark & Elizabeth



*Image from the International Council on Clean Transportation

In the United States, more than 39 million people live within three miles of a port.

Bureau Contact Information

Air Compliance and Enforcement - Northern Field Office

(Bergen, Essex, Hudson, Hunterdon, Morris, Passaic, Somerset, Sussex, Warren, and Union Counties)

973-656-4444 or AirCE-Northern@dep.nj.gov

Air Compliance and Enforcement – Central Field Office

(Burlington, Mercer, Middlesex, Monmouth, and Ocean Counties)

609-292-3187 or AirCE-Central@dep.nj.gov

Air Compliance and Enforcement – Southern Field Office

(Atlantic, Camden, Cape May, Cumberland, Gloucester, and Salem Counties)

856-614-3601 or AirCE-Southern@dep.nj.gov

BUREAU OF DIESEL ENFORCEMENT AND EMISSION MEASUREMENT

Emission Measurement (Stack Test, CEMS/COMS and related emissions monitoring activities)

609-984-3443 or BTS@dep.nj.gov

Diesel Enforcement

856-843-6774 or

Idling@dep.nj.gov for IDLING

Tampering@dep.nj.gov for TAMPERING.

njdieselenforcement@dep.nj.gov for General or Others



Thank you!





Michael Hastry, Director

**Waste and UST Compliance and
Enforcement**

**23rd Annual A&WMA-NCNJ
Regulatory Update Conference
November 22, 2024**



UPDATES

- ❖ Hazardous Waste Rulemaking
- ❖ Soil/Fill
- ❖ Sustainability
- ❖ Enhanced Vapor Recovery for Fuel Dispensing Tanks (UST)

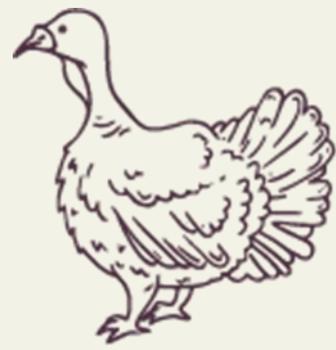


NJ Hazardous Waste Rule - Anticipated Changes

- ❖ Update NJAC rule text to accurately reflect Federal rules (citations, terminology, etc.)
- ❖ Update Fee schedule for HW facilities, generators & transporters – (10-20% increase)
- ❖ Integrate Climate Change considerations into regulatory & permitting programs
- ❖ Cross-reference NJ Environmental Justice Law (C.13:1D-157) and regulations (N.J.A.C. 7:1C)
- ❖ Update/include new or missing applicable civil administrative penalties (N.J.A.C. 7:26G-2.4)
- ❖ Include management of solar panels as a Universal Waste and Class D recyclable material.
- ❖ Questions/comments: HW Rule Manager: Sonya Silcox, sonya.silcox@dep.nj.gov 609-209-1799.



Climate Change Impact Assessment



- ❖ Owners and Operators to evaluate and plan for climate change resiliency:
 - Expand or include with the Environmental and Health Impact Statement (EHIS) process to incorporate other facility specific information to assess how the facility might be affected by climate change threats.
 - Evaluate certain minimum threats & scenarios applicable to a site or facility such as flood hazard areas, storm events & flooding, sea level rise projections, and other extreme weather.
 - Data and tools available from the Department's Climate Change website, or other scientific resources, could be used.
- ❖ An assessment may be conducted or updated with an application for a permit or permit renewal and/or whenever an EHIS is required.
- ❖ Relatedly, on February 6, 2024, EPA finalized a memorandum with recommendations for EPA regions and RCRA authorized states about how to work with RCRA facility owners and operators to integrate climate change adaptation considerations into the RCRA corrective action process.

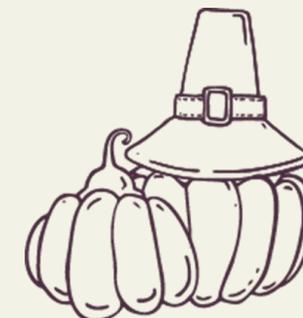
Solar Panels

- ❖ New Jersey Solar Panel Recycling Commission (P.L. 2019, c. 215) - Study and investigate options for recycling and other end-of-life (EOL) management options for photovoltaic (PV) and other solar energy generation structures.
- ❖ Recommendation for NJDEP to pursue regulatory changes to facilitate the management of PV modules as Universal Waste.
- ❖ The Department is also considering including solar panels as a Class D Recyclable Material
- ❖ In the interim, this past July DEP developed an initiative to support Research, Development, and Demonstration (RD&D) Projects to manage nonhazardous end of life solar panels. DEP will accept applications until new rules are operative.



SOIL/FILL

- ❖ Ongoing rulemaking to fully implement 2020 A-901 licensing expansion to include soil and fill recycling industries in addition to the solid and hazardous waste industries.
 - Developed licensing exemption via certification for persons who exclusively handle non-contaminated soils/fills and have a QA/QC program in place to ensure compliance.
- ❖ Ancillary rulemaking to classify recyclable soils as a Class B recyclable material and develop QA/QC requirements for products generated at Class B facilities and sold into market.
- ❖ Developed comprehensive soil and fill guidance document which encompasses all DEP programs (CSRR, Waste, Dredge). <https://dep.nj.gov/wp-content/uploads/guardyourbackyard/docs/njdep-understanding-fill-requirements.pdf>





SUSTAINABILITY

- ❖ A number of sustainability laws recently passed (bag/polystyrene bans, recycled content, food waste recycling). Others passed previously including banned containers, motor oil, toxics in packaging, batteries, mercury and asbestos products and covered electronic devices.
- ❖ Most of these laws have retailing requirements meaning that retailers (stores) are either prohibited from selling/providing certain products or require the retailer to provide recycling services or consumer information for these products.
- ❖ Developed team to enhance DEP's presence in the retail sector to ensure requirements are followed, provide compliance assistance and gather direct information to assist in reporting and efficacy analysis working towards improvement strategies. Currently addressing Toxics in Packaging concerns. 250 retailers inspected thus far - 450 products reviewed.

Enhanced Vapor Recovery for Fuel Dispensing Tanks

❖ Deadline for required upgrading of fuel dispensing tank systems (>2,000g) to California Air Resources Board (CARB) Phase 1 Enhanced Vapor Recovery (EVR) Standards

- **12/23/24** Phase 1 EVR deadline for fuel dispensing tank systems (>2,000g) existing prior to 2018.
- Requires use of system components having a vapor recovery collection efficiency of 98%.
- All new constructed facilities (post 2018) required to include Phase 1 EVR equipment at installation.
- Current Executive Orders/information can be found at:
<https://ww2.arb.ca.gov/resources/documents/vapor-recovery-phase-i-evr-executive-orders>





HAPPY THANKSGIVING



The background features a series of overlapping, semi-transparent green triangles and polygons in various shades, ranging from light lime green to dark forest green. These shapes are primarily concentrated on the right side of the slide, creating a dynamic, layered effect. The rest of the slide is a plain white background.

Questions?

Reminders

- We will start promptly at 1 p.m. following the lunch break.
- Please continue to stay on mute while taking the lunch break.
- Please download handouts, including conference agenda, speaker bios, and feedback survey form.
- Please complete the Feedback Survey. QR code provided in Handouts

Lunch Break



Announcements

- Link to Slide Deck will be e-mailed through NJDEP listserv to registered attendees.
- Slides will also be posted on AWMA-NCNJ website: mass-awma.net/nj-events
- Please complete the Feedback Survey. QR code provided in Handouts
- Not an AWMA member? Please consider joining: [Join A&WMA \(awma.org\)](http://awma.org)

We are looking for members to become more involved and be part of the leadership team!

Connect with one of our leadership team members or e-mail awmancnj@gmail.com if interested.

Reminders

- Keep yourself on mute and video off
- Use question feature to type in your question
- Add your name and affiliation to the questions
- Moderators will try to get as many question as we can within the allotted session





Director Frank Steitz

- ▶ Air Quality Updates and Initiatives

Air and Waste Management Association Air Quality Regulatory Update

Frank Steitz

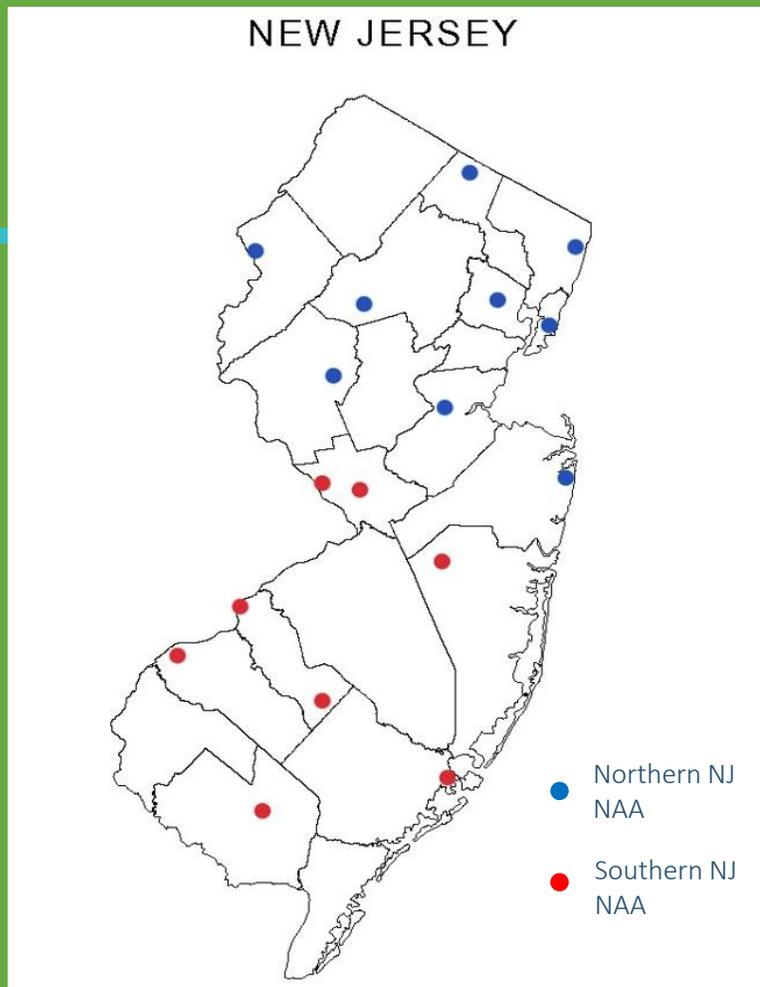
November 22, 2024



NEW PM-2.5 NAAQS

- February 7, 2023, the USEPA announced a final action to revise the NAAQS for PM_{2.5} by lowering the primary annual PM_{2.5} standard from 12.0 micrograms/cubic meter ($\mu\text{g}/\text{m}^3$) to 9.0 $\mu\text{g}/\text{m}^3$.
- EPA announced that data from 2022-2024 will be used to determine the final designations of attainment or non-attainment of the new PM_{2.5} NAAQS.
- New Jersey will have one year after promulgation of the new standard to submit a designation recommendation to EPA. EPA has two years after promulgation of a new standard to finalize designations, with a possible one-year extension.
- New Jersey's SIP will be updated for any area designated non-attainment areas within three years of EPA Non-attainment designation and would be required to measure attainment within six years of EPA designation.

New Jersey Ozone Season



- Northern NJ NAA exceedance days: **8**
- Southern NJ NAA exceedance days: **5**
- Both northern and southern NJ NAA exceedance days: **7**

STATE	# of Days NAAQS was Exceeded May 24 – September 13, 2024 NAAQS = 70 ppb	# of Days NAAQS was Exceeded April 13 – September 7, 2023 NAAQS = 70 ppb
Connecticut	22	20
Delaware	4	4
Maryland	3	3
New Jersey	20	17
New York	15	15
Pennsylvania	12	11

Rulemaking

- Advanced Clean Cars II (ACC II) Regulation was adopted on December 18th, 2023.
- Amendments proposed for Consumer Products and Architectural Coatings Rules on August 18, 2024, comments recently closed on October 18.
- CPI Adjustment to Air Permitting Fees published in the November 4, 2024, NJ Register

Consumer Products

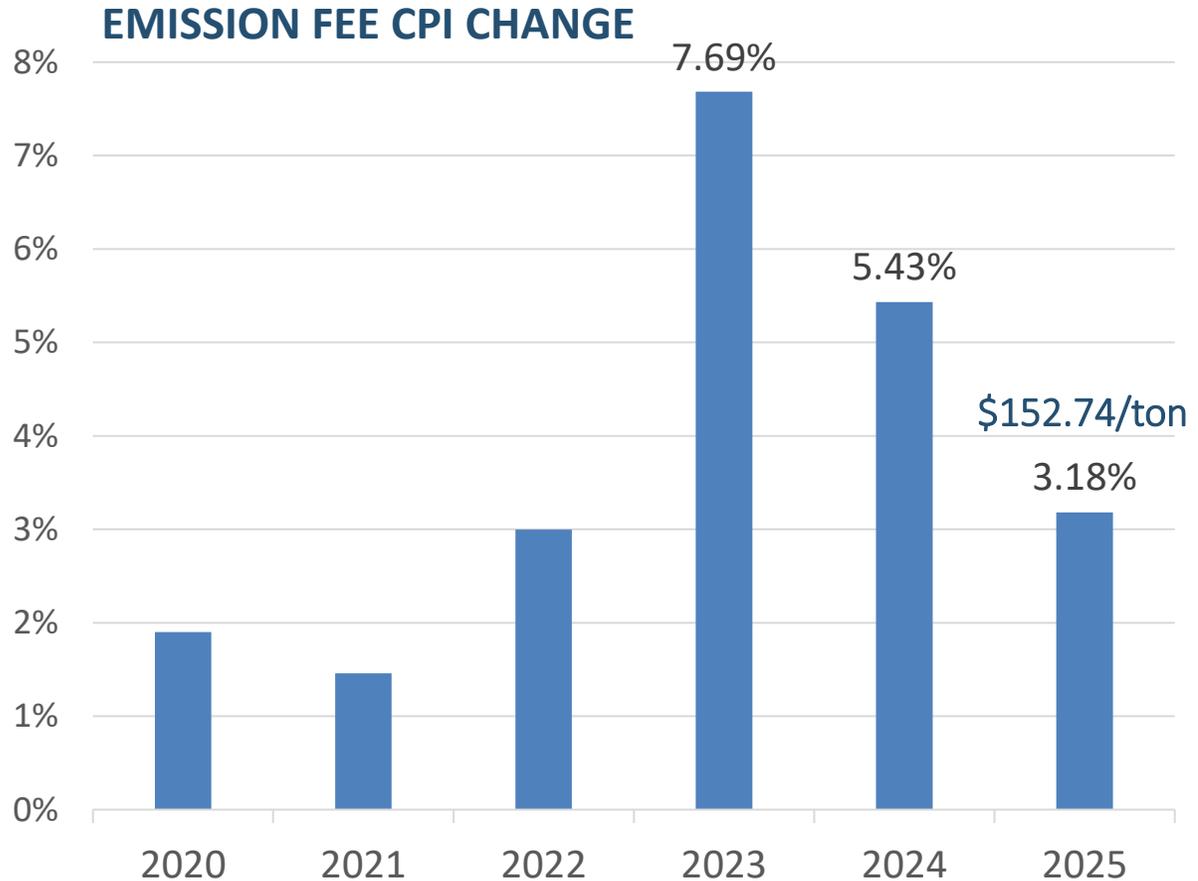
- Proposed Consumer Products Amendments would:
 - Add eight new categories of consumer products that will be subject to new volatile organic compound (VOC) content limits and lower the VOC content limits for 13 existing categories.
 - Prohibit the sale for use in New Jersey of certain products that contain chlorinated toxic air contaminants.
 - Update registration requirements for all consumer products to require registration to be electronic.
 - Amend the penalty provisions at N.J.A.C. 7:27A-3.10 that correspond to the amendments at N.J.A.C. 7:27-24
 - The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards for ozone

Architectural Coatings

- Proposed Architectural Coatings Amendments would:
 - Add new categories of coatings that will be subject to new volatile organic compound (VOC) content limits and will lower the VOC content limits for some of the existing categories.
 - Discontinue 15 of the existing categories for products manufactured on or after the VOC content limit compliance date, and products previously subject to those categories will be subject to the VOC limit of one of the remaining categories.
 - Update various provisions of the rules including revisions to the methods used to calculate VOC content, test methods, and definitions.
 - Amend the penalty provisions at N.J.A.C. 7:27A-3.10 that correspond to the amendments at N.J.A.C. 7:27-23.
 - The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards for ozone

AIR FEE CPI CHANGES - FY 2025

November 22, 2024

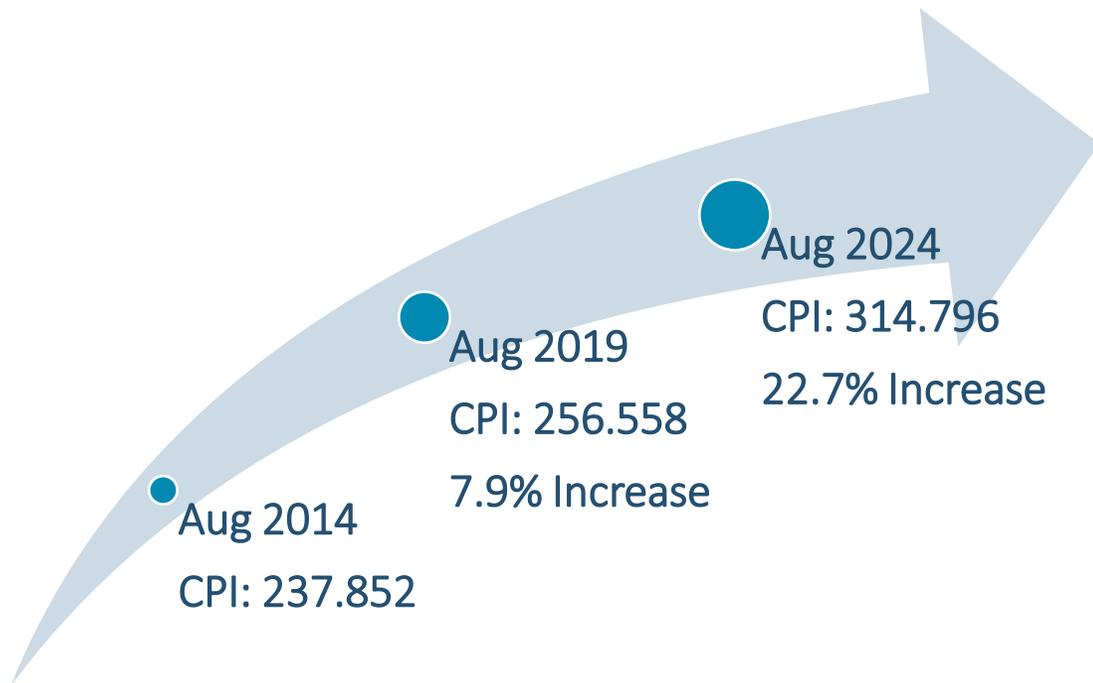


- Annual emission fee for major facilities
- CPI increase is calculated each year using the procedure at N.J.A.C. 7:27-22.31(i)
- Applies the CPI adjustment to the 1989 base amount of \$60.00 per ton of emissions
- FY 2025 annual emission fee \$152.74 per ton of emissions, an increase of \$4.71 (3.18%) from FY 2024
- Publication is expected in the November New Jersey Register
- Invoices will be mailed to major facilities by end of 2024
- Facility must submit the fee to the Department by January 31, 2025

AIR FEE CPI CHANGES - FY 2025

November 22, 2024

AIR PERMIT FEES 5-YEAR CPI ADJUSTMENT



<https://www.bls.gov/cpi/tables/supplemental-files/historical-cpi-u-202208.pdf>

WHAT'S CHANGING

- Base and applicable supplementary fees for preconstruction permits (PCPs) and registration fee for general permits (GPs).
- Base and applicable supplementary fees for significant modifications (SM) to an operating permit (OP), and general operating permit (GOP) fee.
- No changes in the OP initial or renewal application fee. No change in maximum caps for PCPs (\$25k) and SM (\$50k).

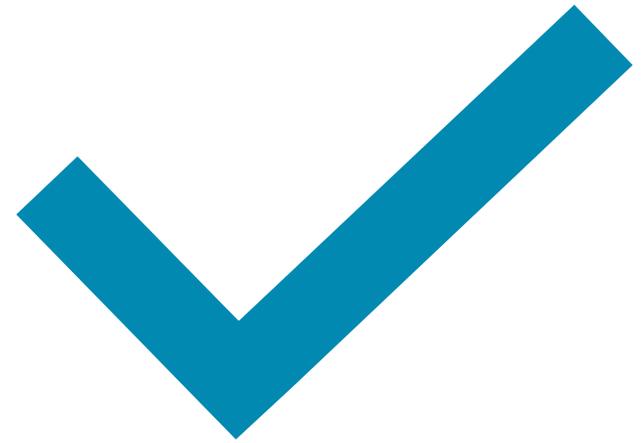
WHEN NEW FEES WILL BE APPLICABLE

- Publication is expected in the November New Jersey Register. New fees will be applicable to applications submitted on/after January 1, 2025.

Permit Applicability Determinations

- The Bureau of Stationary Sources (BoSS) has assumed the responsibility for making Air Permit Applicability Determinations
- As when the Division of Air Enforcement Regional Offices (DAE REO) made applicability determinations, both units will coordinate on challenging determinations
- Change made to:
 - Centralize decision
 - Ensure consistency
 - Ensure determinations are memorialized in permits

**General Permits Recently
Updated**



GP-020A (R&D)

RESEARCH AND DEVELOPMENT OPERATION

- Equipment that is used in a surface coating operation including, but not limited to, spray or dip painting, roller coating, and electrostatic depositing, in which the quantity of coating or cleaning material used in any one hour is equal to or greater than one half gallon of liquid. and/or
- Equipment in which the combined weight of all raw materials used exceeds 50 pounds in any one hour(excluding air, water, containers, provided that the container is not consumed as part of the operation of the equipment; and paper, metal, or plastic that the twisting, bending, or folding, does not cause visible emissions or air pollutions.)
- Available for use

GP-021A for Indoor Fumigation Operations of Cocoa Bean Products

A permit is required when an operation has the potential to emit 0.1 lb/hour of a fumigant. The previous applicability threshold of 50 pound per hour of raw materials no longer applies to fumigation operations.



This GP Fumigation will be allowed under the following conditions:

Only for Cocoa Beans commodity	Sulfuryl Fluoride fumigant	Indoor operations (not trailers)	Commodity must be covered by a tarp and building must be closed.
--------------------------------	----------------------------	----------------------------------	--

Public Comment Closed on
September 6, 2023
Available for Registration
November 6, 2023

GP-021B Fumigation – Outdoor containers (Trailers)

A permit is required when an operation has the potential to emit 0.1 lb/hour of a fumigant. The previous applicability threshold of 50 pound per hour of raw materials no longer applies to fumigation operations.

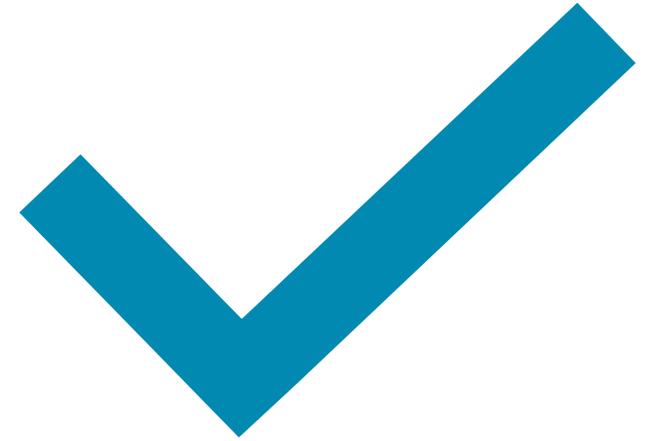


This GP Fumigation will be allowed under the following conditions:

Containers	Fumigants: Sulfuryl Fluoride, Phosphine, Methyl Bromide	Process Constraints and Usage Limits	Must pass Risk
------------	---	---	----------------

Available since November 6th

General Permits under Construction



GP-007 – Storage Tanks

Permit Text

- Reviewing NSPS Subpart OOOO (Standards of Performance for Crude Oil and Natural Gas Facilities)

Compliance Plan requirements:

- State Rule - Including sub16.4 transfer operations requirements in the compliance plan
- NSPS Subpart Kb & proposed Kc
- 60.112b(b)(3)—All storage tanks with a maximum capacity greater than or equal to 20,000 gallons must be equipped with a closed vent system routed to a control device
- 60.113b(c)(1)—Operating plan demonstration that the closed vent system and control device will achieve the required control efficiency (95/98% depending on Kb or Kc)
- 60.113b(c)(2)—Operated & monitored according to manufacturers' specifications (recordkeeping requirement in 60.115b(c))

Modeling using EPA TANKS5.0 and Emission Master

GP-008A – Site Remediation

- **GP-008A – Site Remediation**
- **This GP will allow other type of site remediations beside Gas stations.**

Possible Changes:

- Eliminating engines as control apparatus from this GP
- Allowing remediation of subsurface contamination by:
 - Gasoline
 - Diesel fuel and No. 2 fuel oil
 - Petroleum hydrocarbons
 - Hazardous Air Pollutants (HAPs)
- **We will start working with the Permit Text first (Applicability and exclusion)**

**GP-017B
and
GP-018B**

Revised registrations allowing the applicant to add information of the burner and boiler plate.



Minor edits for clarification



Some requirements were revised to be in accordance with rule language

GP-017B and GOP-007A for Small Boilers (less than 5 MMBTU/hr);

GP-018B and GOP-008A for Medium Boilers (less than 10 MMBTU/hr)

- Working on Draft Permit text and compliance plans
- Confirming the PTE revision – HAPs above RT and PM-2.5
 - Depending on the risk assessment, the fuel limits and maximum total gross heat input in option #1 may be revised; and fuel consumption for the other options.
 - Adding a comparison table including the burner and boiler plate information. Only the Max gross heat input of the burner will be considered for the PTE.

SOTA MANUALS UPDATE

November 22, 2024

Completed

Municipal Solid Waste Landfills - New

- Final Version SOTA Manual Notice of Availability (NOA) Published in Jun 2023 NJ Register (NJR)
- Posted on the [BOSS SOTA Manuals webpage](#)

Combustion Turbines - Updated

- Final Version SOTA Manual NOA Published in Nov 2023 NJR.
- Posted on the [BOSS SOTA Manuals webpage](#)

Completed

• Internal Combustion Engines – Updated

- Final Version SOTA Manual NOA Published in Feb 2024 NJR
- Posted on the [BOSS SOTA Manuals webpage](#)

• Boilers and Process Heaters - Updated

- Final Version SOTA Manual NOA Published in Apr 2024 NJR
- Posted on the [BOSS SOTA Manuals webpage](#)

SOTA MANUALS UPDATE

November 22, 2024

Completed



1. Graphic Arts – Updated
2. Surface Coating - Updated

- Final Versions of both SOTA Manuals NOA Published in Aug 5 2024 NJR
- Posted on the [BOSS SOTA Manuals webpage](#)



This has been a collective effort between the Department and external stakeholders.

THANK YOU!

Future Updates



General State of the Art Manual, Jul 1997

Pharmaceutical/Chemical Manufacturing, Jul 1997

Transfer Operation, Jul 1997

Asphalt Pavement Production Plants, Sep 2017

Bakery Ovens, Sep 2017

Commercial Sterilizers and Fumigators using Ethylene Oxide, Sep 2017

Paint, Ink, and Adhesive Manufacturing Industries, Sep 2017

HELPLINES

**OPERATING
PERMITS**
(609) 633-8248

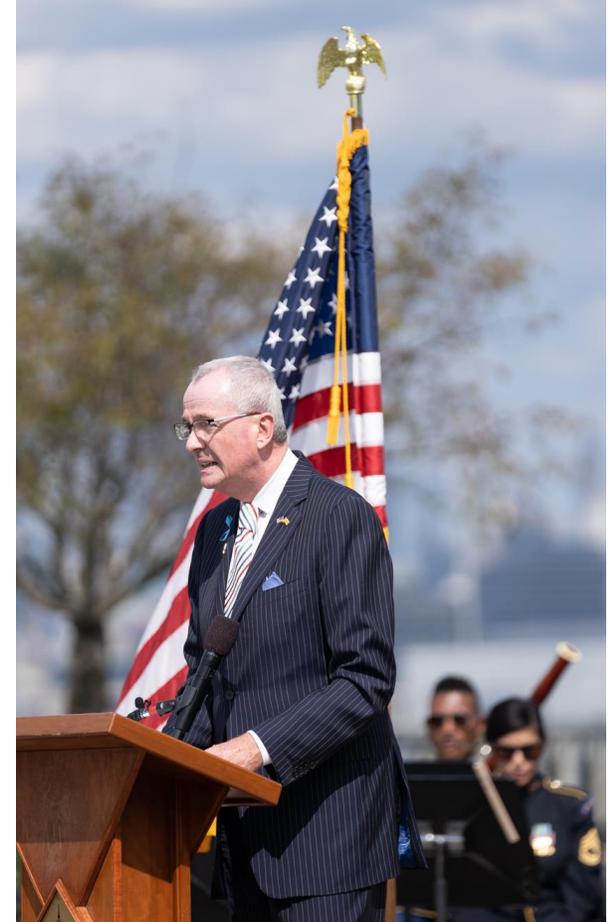
GENERAL PERMITS
(609) 633-2829



RADIUS
(609) 633-8250



PRE-CONSTRUCTION PERMITS
(609) 292-6716



Thank you!



The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. These shapes are primarily located on the right side of the slide, creating a modern, layered effect. The rest of the slide is a plain white background.

Questions?



Director Kandyce Perry

- ▶ Environmental Justice Updates and Initiatives



Environmental Justice Updates & Initiatives

Kandyce Perry
Director, Office of Environmental Justice

November 22, 2024



Agenda

1. Overview of NJ's Environmental Justice Law and Rules
2. EJ Law Status Update and Reflections
3. Resources for EJ Law-subject facilities



Environmental Justice Law & Regulations

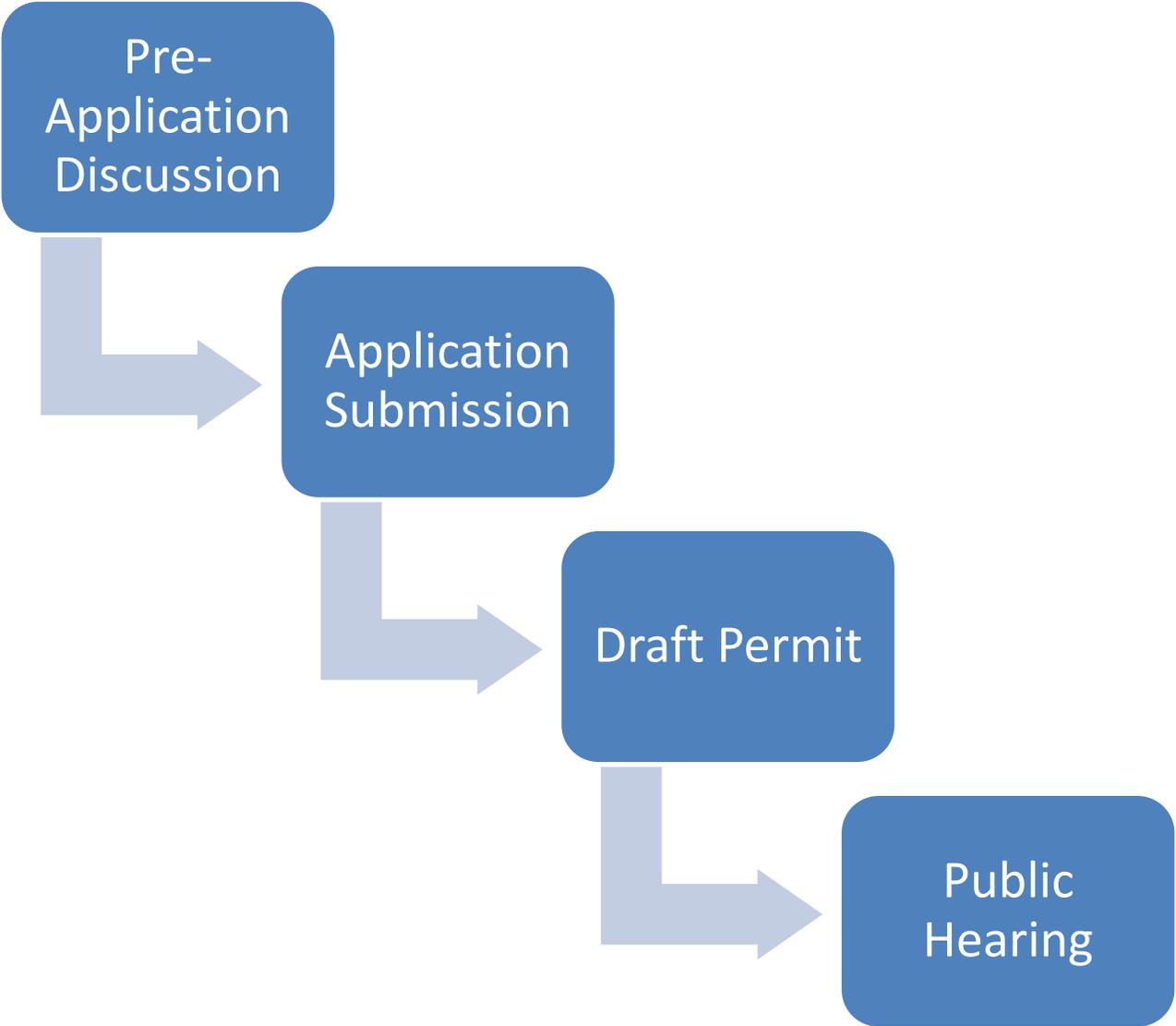
N.J.S.A. 13:1D-157 | N.J.A.C. 7:1C





Signing of New Jersey's Environmental Justice Law September 18, 2020

Pre-NJ Environmental Justice Law



EJ Rule Process

(EJ Impact Statement +
Public Participation Process)



**EJ Decision Document
w/ EJ conditions**



**Air permit +
EJ conditions**



**Solid Waste permit +
EJ conditions**



**Stormwater permit +
EJ Conditions**

The Environmental Justice Law (1/2)

The Legislature finds and declares:

- All New Jersey residents, regardless of income, race, ethnicity, color, or national origin, have a right to live, work, and recreate in a clean and healthy environment.
- Historically, New Jersey's low-income communities and communities of color have been **subject to a disproportionately high number of environmental and public health stressors**, including **pollution from numerous industrial, commercial, and governmental facilities located in those communities**.
- **The legacy of siting sources of pollution in overburdened communities** continues to pose a threat to the **health, well-being, and economic success** of the State's most vulnerable residents and that it is past time for the State to **correct this historical injustice**.

The Environmental Justice Law (2/2)

The Legislature finds and declares:

- No community should bear a **disproportionate share** of the adverse environmental and public health **consequences that accompany the State's economic growth**.
- The State's overburdened communities must have a **meaningful opportunity to participate** in any decision to allow facilities which, by the nature of their activity, have the potential to increase environmental and public health stressors.
- It is in the public interest for the State, where appropriate, to **limit the future placement and expansion of such facilities in overburdened communities**.

Step 1: Applicability Determination – 3 Criteria

(1) Located in **Overburdened Community** census block group in which:

- at least 35 percent of households qualify as low-income households;
- at least 40 percent of the residents identify as minority or as members of a State recognized tribal community; or
- at least 40 percent of the households have limited English proficiency

(2) **Facility**

- major sources of air pollution (e.g., power plants, cogeneration facilities);
- incinerators or resource recovery facilities;
- large sewage treatment plants (more than 50 million gallons per day);
- transfer stations or solid waste facilities;
- recycling facilities that receive at least 100 tons of recyclable material per day;
- scrap metal facilities;
- landfills; or
- medical waste incinerators, except those attendant to hospital and universities.

(3) **Permit**: solid waste and recycling, land use, water supply and pollution, and air pollution.

- Applies to individual permits (those permits for more substantial activities requiring deeper review) and excludes authorizations or approvals necessary to perform remediation and minor modification to major source air permits that do not increase emissions

Note: If the EJ rules are applicable, all permitting clocks are stopped until the completion of the EJ process.

Definition of “Overburdened Community”

- **Low-Income:** At least 35% of households qualify as low-income households; or
- **Minority:** at least 40% of the residents identify as minority or as members of a state-recognized tribal community; or
- **Limited English Proficiency:** at least 40% of the households have limited English proficiency

Overburdened Communities (OBC) Under the Environmental Justice Rule

Data from the 5 Year American Community Survey (2018 to 2022)

Overburdened Community Criteria	Number of Block Groups	Population
Adjacent	52	0
Limited English	0	0
Low Income	204	296,799
Low Income & Limited English	2	787
Low Income & Minority	1,070	1,557,772
Low Income, Minority, & Limited English	114	165,707
Minority	2,101	3,034,009
Minority & Limited English	32	41,992
Total	3,575	5,097,065

County Boundaries

The State has updated mapping of New Jersey's OBCs, as required by the Act (see the Overburdened Communities tab above). Specifically, OBCs are block groups with:

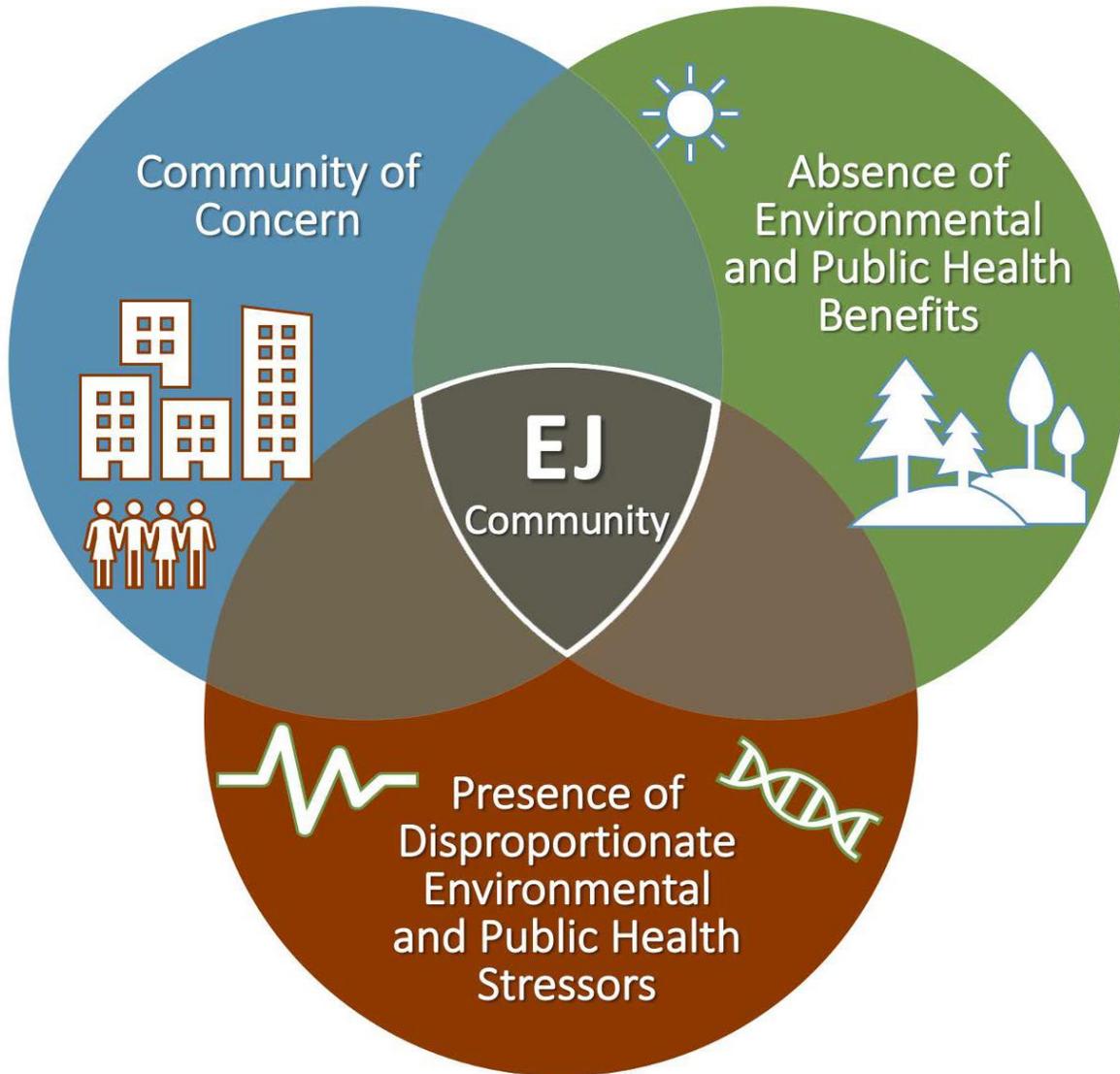
- (1) At least 35 percent low-income households; or
- (2) At least 40 percent of the residents identify as minority or as members of a State recognized tribal community; or
- (3) At least 40 percent of the households have limited English proficiency

Census block groups with zero population and located immediately adjacent to an OBC are labeled as "adjacent." Existing or proposed facilities located in adjacent block groups may be required to conduct further analysis in accordance with the Environmental Justice Rules



For more information, visit:
nj.gov/dep/ej/communities.html

Framing Environmental Justice in NJ



Presence of Communities of Concern

Inclusive of all overburdened communities identified in the recently signed EJ law.

- **Low-Income:** At least 35% of households qualify as low-income households; **or**
- **Minority:** at least 40% of the residents identify as minority or as members of a state recognized tribal community; **or**
- **Limited English proficiency:** at least 40% of the households have limited English proficiency

Once EJIC convenes, additional considerations not specified in the recently signed EJ law include, but are not limited to:

- Carless households
- Social vulnerability index
- Low and moderate income (LMI)

Presence of Disproportionate Environmental and Public Health Stressor

Inclusive of all environmental and public health stressors identified in the recently signed EJ law.

Disproportionate quantity of sources of environmental pollution, including, but not limited to:

- Concentration of stationary and mobile sources of air pollution
- Contaminated sites
- Waste transfer stations or other solid waste facilities
- Recycling facilities
- Water quality, water pollution from facilities, or combined sewer overflows; or
- Conditions that may cause potential public health impacts, including, but not limited to, asthma, cancer, elevated blood lead levels, cardiovascular disease, and developmental problems

Once EJIC convenes, additional considerations not specified in the recently signed ation law include, but are not limited to:

- Maternal and prenatal health stressors
- Increased vulnerability to climate change stressors

Lack or Absence of Environmental and Public Health Benefits

The lack or absence of net improvements in social welfare that result from changes in the quantity or quality of ecosystem goods and services attributable to policy or environmental decisions. Once EJIC convenes, additional considerations not specified in the recently signed EJ law include, but are not limited to:

- High quality parks
- A large quantity of parks
- Tree canopy resulting in reduced urban heat island effect
- Safe bicycle and pedestrian corridors in populated communities, and
- Green infrastructure
- Access to healthy food
- Access to quality public housing
- Access to quality public transportation
- Access to clean energy alternatives
- Access to resources to mitigate climate change stressors



Environmental Justice in New Jersey



Environmental Justice Mapping, Assessment and Protection Tool (EJMAP)



- Introduction
- Overburdened Communities
- Facilities
- Stressor Summary

Overburdened Communities NJDEP Home NJDEP EJ Home



Find address or place

Map navigation controls: Home, Full Screen, Layers, and a search icon

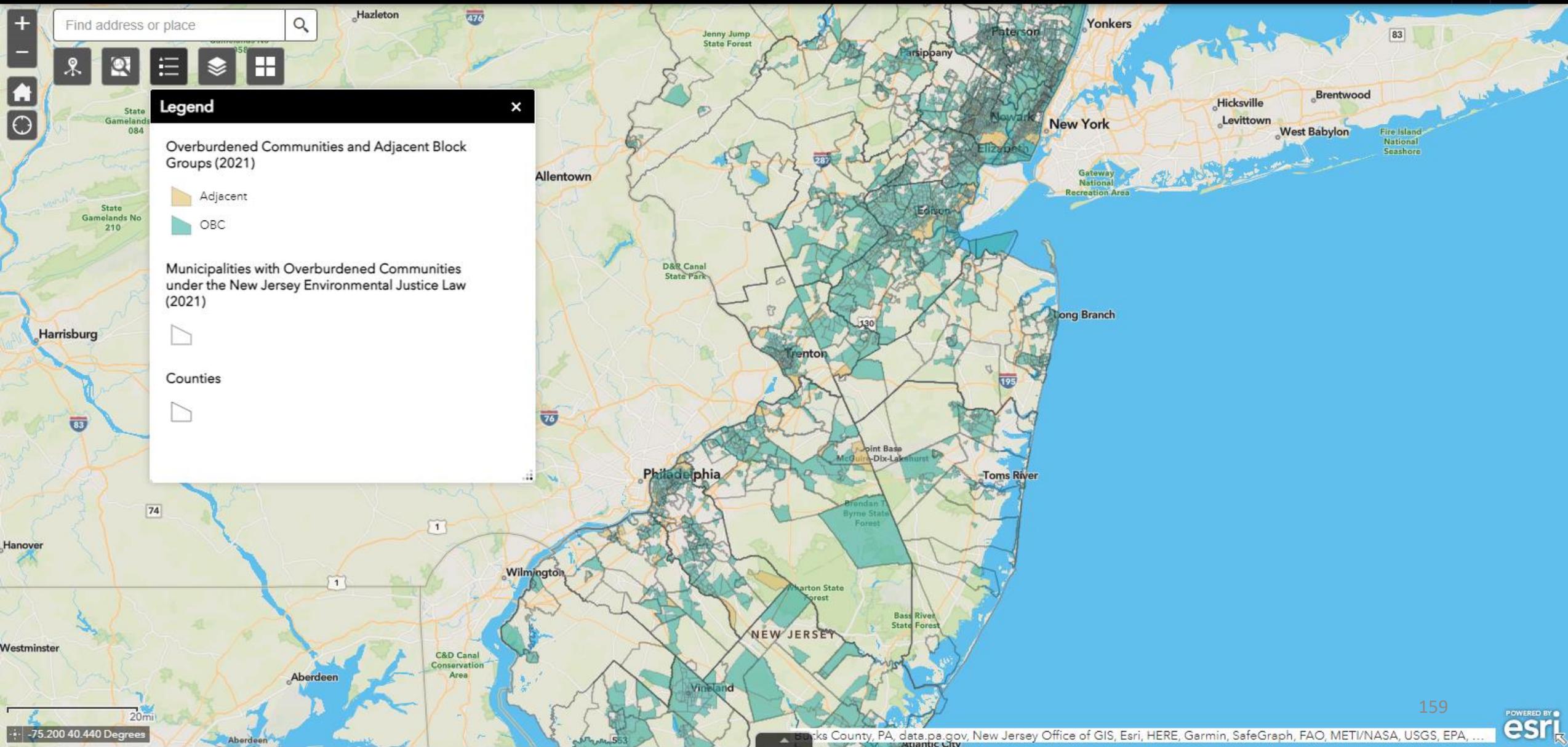
Legend

Overburdened Communities and Adjacent Block Groups (2021)

- Adjacent
- OBC

Municipalities with Overburdened Communities under the New Jersey Environmental Justice Law (2021)

Counties



Environmental Justice Mapping, Assessment and Protection Tool (EJMAP)



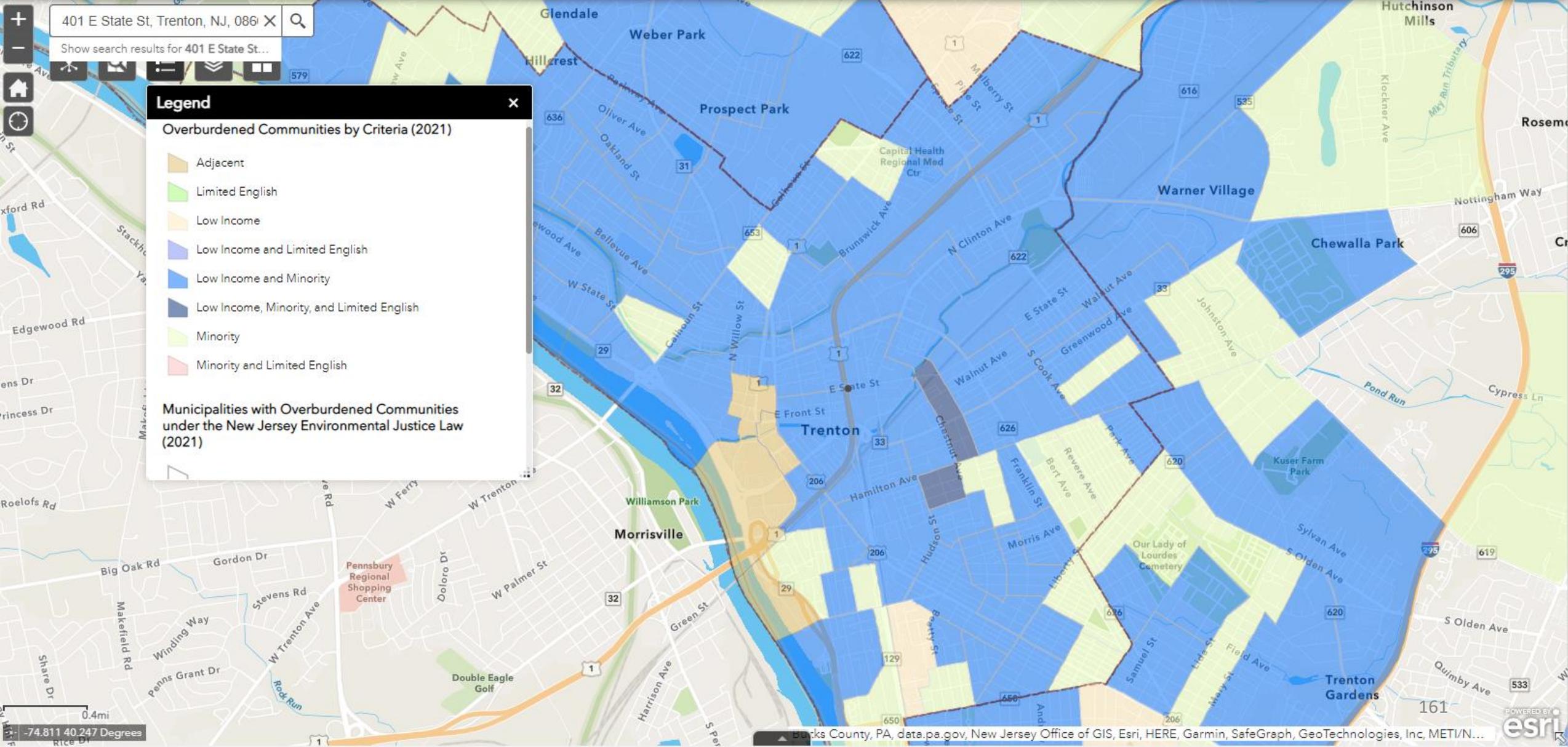
401 E State St, Trenton, NJ, 08616 X
Show search results for 401 E State St...

Legend

Overburdened Communities by Criteria (2021)

- Adjacent
- Limited English
- Low Income
- Low Income and Limited English
- Low Income and Minority
- Low Income, Minority, and Limited English
- Minority
- Minority and Limited English

Municipalities with Overburdened Communities under the New Jersey Environmental Justice Law (2021)



0.4mi
-74.811 40.247 Degrees

Environmental Justice Mapping, Assessment and Protection Tool (EJMAP)



- Introduction
- Overburdened Communities
- Facilities**
- Stressor Summary

Facilities NJDEP Home NJDEP EJ Home

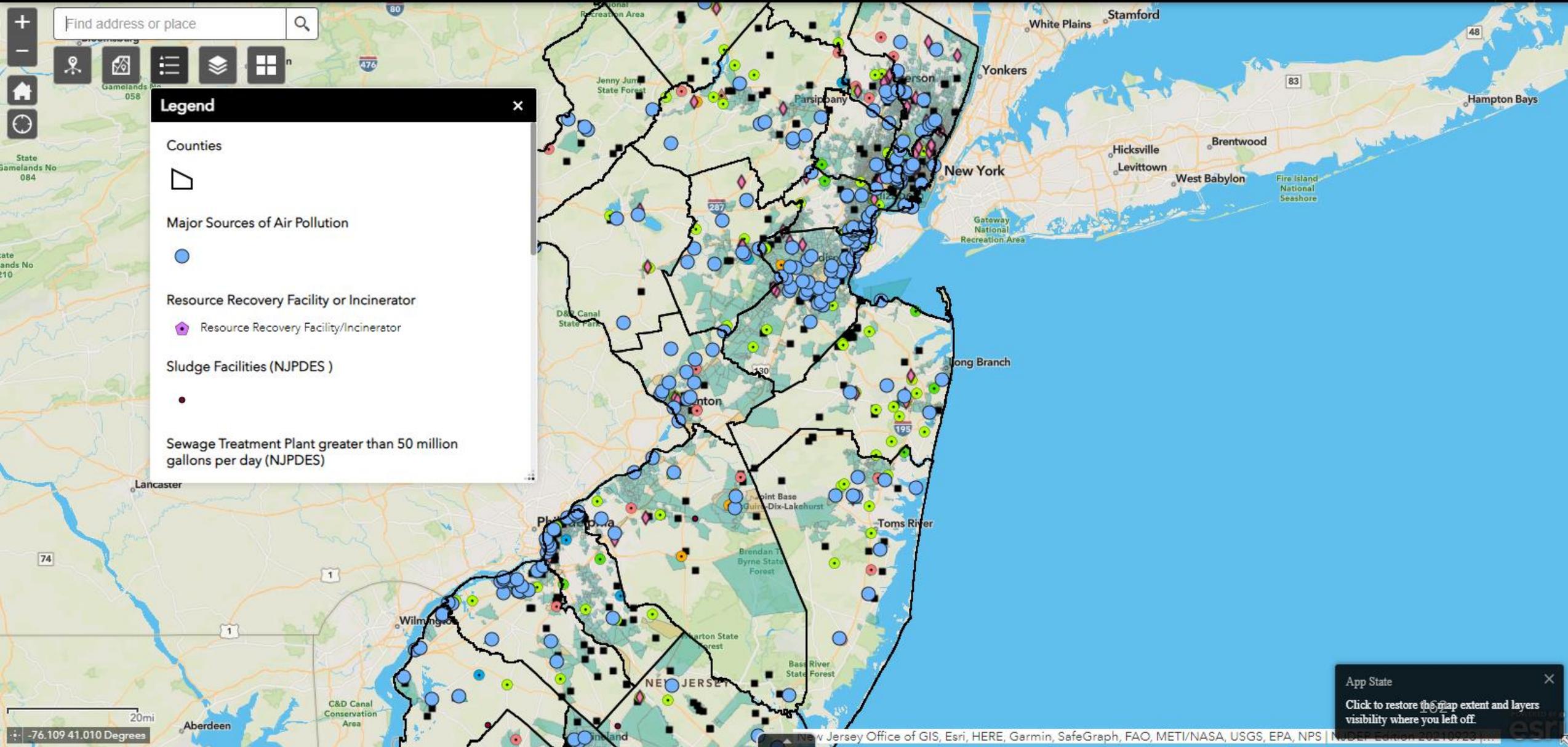


Find address or place



Legend

- Counties
- Major Sources of Air Pollution
- Resource Recovery Facility or Incinerator
 - Resource Recovery Facility/Incinerator
- Sludge Facilities (NJPDES)
- Sewage Treatment Plant greater than 50 million gallons per day (NJPDES)



App State

Click to restore the map extent and layers visibility where you left off



Environmental Justice Mapping, Assessment and Protection Tool (EJMAP)

- Introduction
- Overburdened Communities
- Facilities
- Stressor Summary**



Find address or place

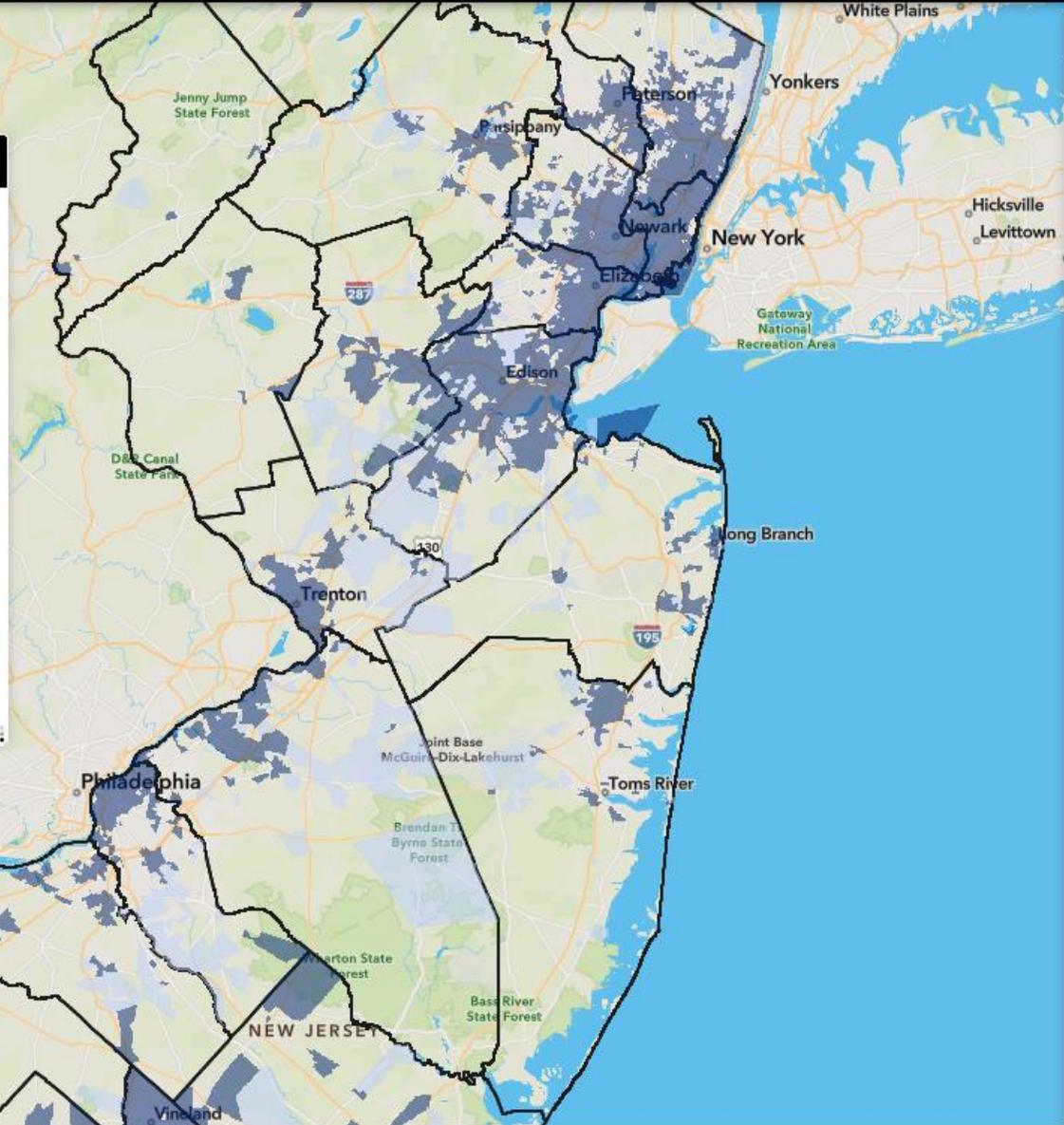
Map navigation controls: Home, Full Screen, Layers, Settings, Search, Location, Scale

Legend

EJ Combined Stressor Summary OBCs and ABGs (effective 04/11/23 to 07/31/23)

- Higher than 50th Percentile
- NOT Higher than

Counties



About

The Stressor Summary tab presents the block group-level data for each of the 26 environmental or public health stressors and the Combined Stressor Total (CST), as well as the Geographic Points of Comparison (GPC) for each. The Geographic Point of Comparison is the lower of the 50th percentile of the State or relevant County Non-OBC block groups. For these calculations, ABGs are included in the non-OBC totals.

The table below shows the GPC values and identifies the GPC used the CST comparison. Using this approach, approximately 2973 out of 3496 OBC block groups (85%) are considered subject to adverse cumulative stressors ("higher than"). OBC block groups that are considered "higher than" account for 58% of the land area where OBC block groups are covered. Clicking any block group brings a pop up with a link to a table with all the relevant information for that specific area.

County	County Non-OBC 50th Percentile	State Non-OBC 50th Percentile	Geographic Point of Comparison
Atlantic	11	13	11
Bergen	15	13	13
Burlington	13	13	13
Camden	14	13	13
Cape May	12	13	12
Cumberland	12	13	12
Essex	14	13	13
Gloucester	11	13	11
Hudson	17	13	13
Hunterdon	11	13	11
Mercer	13	13	13
Middlesex	14	13	13
Monmouth	12	13	12
Morris	13	13	13
Ocean	11	13	11
Passaic	14	13	13
Salem	12	13	12
Somerset	13	13	11
Sussex	13	13	10.5
Union	13	13	13
Warren	13	13	13

App State 163

Click to restore the map extent and layers visibility where you left off.

Environmental & Public Health Stressors

Concentrated areas of air pollution

- Ground-Level Ozone
- Fine Particulate Matter (PM_{2.5})
- Air Toxics Cancer Risk Including Diesel PM
- Air Toxics Cancer Risk Excluding Diesel PM
- Air Toxics Non-Cancer Risk

Mobile sources of air pollution

- Traffic – Cars, Light- and Medium-Duty Trucks
- Traffic – Heavy-Duty Trucks
- Railways

Contaminated sites

- Known Contaminated Sites
- Soil Contamination Deed Restrictions
- Groundwater Classification Exception Areas/Current Known Extent Restrictions

Transfer stations or other solid waste, recycling & scrap metal facilities

- Solid Waste Facilities
- Scrap Metal Facilities

Point-sources of water pollution

- Surface Water
- Combined Sewer Overflows

May cause public health issues

- Drinking Water
- Potential Lead Exposure
- Lack of Recreational Open Space
- Lack of Tree Canopy
- Impervious Surface
- Flooding (Land Use Cover)

Density/proximity

- Emergency Planning Sites
- Permitted Air Sites
- NJPDES Sites

Social determinants of health

- Unemployment
- Education



401 E State St, Trenton, NJ, 08611

Show search results for 401 E State St...

Legend

EJ Combined Stressor Summary OBCs and ABGs (effective 04/11/23 to 07/31/23)

- Higher than 50th Percentile
- NOT Higher than

Countries

340210009001

OBC Criteria	
Percent Low Income	59.814106
Percent Minority	95.245727
Percent Limited English	13.457077
OBC Criteria	Low Income and Minority

Combined Stressor Total	
Combined Stressor Total	23
County	13.000000
State	13.000000
Geographic Point of Comparison	13.000000
OBC "Higher than"	Higher than 50th Percentile

[Zoom to](#)

About

The Stressor Summary tab presents the block group-level data for each of the 26 environmental or public health stressors and the Combined Stressor Total (CST), as well as the Geographic Points of Comparison (GPC) for each. The Geographic Point of Comparison is the lower of the 50th percentile of the State or relevant County Non-OBC block groups. For these calculations, ABGs are included in the non-OBC totals.

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County	County Non-OBC 50th Percentile	State Non-OBC 50th Percentile	Geographic Point of Comparison
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Bergen	15	13	13
Burlington	13	13	13
Camden	14	13	13
Cape May	12	13	12
Cumberland	12	13	12
Essex	14	13	13
Gloucester	11	13	11
Hudson	17	13	13
Hunterdon	11	13	11
Mercer	13	13	13
Middlesex	14	13	13
Monmouth	12	13	12
Morris	13	13	13
Ocean	11	13	11
Passaic	14	13	13
Salem	12	13	12
Somerset	11	13	11
Sussex	10.5	13	10.5
Union	14	13	13
Warren	12	13	12



401 E. State St. Trenton, NJ 08611

340210009001	
OBC Criteria	
Percent Low Income	59.814106
Percent Minority	95.245727
Percent Limited English	13.457077
OBC Criteria	Low Income and Minority
Combined Stressor Total	
Combined Stressor Total	23
County	13.000000
State	13.000000
Geographic Point of Comparison	13.000000
OBC "Higher than"	Higher than 50th Percentile

Data
For a detailed look at the complete stressor evaluation, click on the data table link below.
[Download data table specific to 340210009001](#)

[EJMAP Tool Technical Guidance](#)

[Download all data as CSV](#)

Overburdened Community Stressor Summary

Block Group: 340210009001

Municipality: Trenton City

County: Mercer

OBC Criteria: Low Income and Minority

Combined Stressor Total	
Block Group Value: Combined Stressor Total	23
Greatest Stressed OBC Neighbor CST Value if applicable	NA
County	13
State	13
Geographic Point of Comparison	13
Adverse Cumulative Stressors	Higher than 50th Percentile

Concentrated Areas of Air Pollution					
Stressor	Block Group Value	County Non OBC 50th	State Non OBC 50th	Geographic Point of Comparison	Adverse Stressor
Ground-Level Ozone (3-year average days above standard)	2.667	2.333	0.999	0.999	Yes
Fine Particulate Matter (PM _{2.5}) (3-year average days above standard)	0.333	0.333	0.333	0.333	No
Cancer Risk from Diesel Particulate Matter (estimated cancer risk/million)	117.482	83.509	82.000	82.000	Yes
Cancer Risk from Air Toxics Excluding Diesel Particulate Matter (estimated cancer risk/million)	38.923	34.646	33.994	33.994	Yes
Non-Cancer Risk from Air Toxics (Combined Hazard Quotient)	2.252	1.910	1.841	1.841	Yes

Mobile Sources of Air Pollution					
Stressor	Block Group Value	County Non OBC 50th	State Non OBC 50th	Geographic Point of Comparison	Adverse Stressor
Traffic – Cars, Light- and Medium-Duty Trucks (Annual Average Daily Traffic (AADT)-mile/square mile)	535568.787	50997.167	19817.503	19817.503	Yes
Traffic – Heavy-Duty Trucks (AADT-mile/square mile)	27076.701	2663.673	974.211	974.211	Yes
Railways (rail mile/square mile)	4.969	0.000	0.000	0.000	Yes

Contaminated Sites					
Stressor	Block Group Value	County Non OBC 50th	State Non OBC 50th	Geographic Point of Comparison	Adverse Stressor
Known Contaminated Sites (weighted sites/square mile)	22.223	1.411	1.417	1.411	Yes
Soil Contamination Deed Restrictions (percent area)	10.585	0.000	0.000	0.000	Yes
Ground Water Classification Exception Area/Currently Known Extent Restrictions (percent area)	0.000	0.021	0.000	0.000	No

Transfer Stations, or Other Solid Waste Facilities, Recycling Facilities, Scrap Metal Facilities					
Stressor	Block Group Value	County Non OBC 50th	State Non OBC 50th	Geographic Point of Comparison	Adverse Stressor
Solid Waste Facilities (sites/square mile)	0.065	0.000	0.000	0.000	Yes
Scrap Metal Facilities (sites/square mile)	0.256	0.000	0.000	0.000	Yes

Point-Sources of Water Pollution					
Stressor	Block	County Non	State Non	Geographic	Adverse Stressor

Step 1: Applicability Determination – 3 Criteria

(1) Located in **Overburdened Community** census block group in which:

- at least 35 percent of households qualify as low-income households;
- at least 40 percent of the residents identify as minority or as members of a State recognized tribal community; or
- at least 40 percent of the households have limited English proficiency

(2) **Facility**

- major sources of air pollution (e.g., power plants, cogeneration facilities);
- incinerators or resource recovery facilities;
- large sewage treatment plants (more than 50 million gallons per day);
- transfer stations or solid waste facilities;
- recycling facilities that receive at least 100 tons of recyclable material per day;
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- medical waste incinerators, except those attendant to hospital and universities.

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- Applies to individual permits (those permits for more substantial activities requiring deeper review) and excludes authorizations or approvals necessary to perform remediation and minor modification to major source air permits that do not increase emissions

Note: If the EJ rules are applicable, all permitting clocks are stopped until the completion of the EJ process.

Step 2: Environmental Justice Impact Statement & Meaningful Public Participation

Environmental Justice Impact Statement (EJIS) Assesses

- The potential environmental and public health stressors associated with the facility;
- The environmental or public health stressors already borne by the overburdened community;
- Any adverse environmental or public health stressors that cannot be avoided if the permit is granted; and
- Measures to avoid or minimize facility contributions to stressors in the OBC.

EJIS plus Supplemental Information

- Where communities are already subject to adverse cumulative stressors, or where a facility will create adverse cumulative stressors, the applicant must submit supplemental information.
- The supplemental information includes detailed information on site conditions and pollution control measures.

Meaningful Public Participation

- The applicant conducts a public hearing in the overburdened community to present EJIS.
- Public Notice: 60 days prior to hearing, newspaper, property owners within 200 feet, sign at facility, additional community specific methods.
- There is a minimum 60-day public comment period, and applicants must respond to all public comments in writing.
- Upon completion of the public process, the applicant provides the EJIS and any supplemental information, hearing testimony, written comments, the applicant's response to comments, and any other relevant information to the Department for review and decision.

Step 3: Department Decision

The Department considers the EJIS and any supplemental information, testimony, written comments, the applicant's response to comments, and any other information deemed relevant by the Department and determines whether the facility can avoid a disproportionate impact.

Where the facility **can avoid a disproportionate impact**, the Department would authorize the applicant to proceed with the imposition of conditions set by the Department necessary to ensure a disproportionate impact is and remains avoided.

Where the facility **cannot avoid a disproportionate impact**, the Department would:

- New Facilities: The Department will deny an application for a new facility unless it demonstrates it will serve a compelling public interest **in the overburdened community**.
- Expanded facilities/Major source renewals: authorize the applicant to proceed with Department permitting subject to appropriate conditions to address facility impacts to environmental and public health stressors.

Compelling Public Interest

Exception to requirement that new facility be denied where cannot avoid disproportionate impact.

“Compelling public interest” means

Primarily serves an essential environmental, health or safety need of the individuals in an overburdened community;

Necessary to serve the essential environmental, health or safety need; and

No other means reasonably available to meet the established health or safety need.

Focus on public works-type projects that are necessary to serve essential environmental, health or safety need of the individuals in an overburdened community such as those which directly reduce stressors (i.e., CSO projects).

Economic benefits of the proposed new facility – employment, tax revenue - shall not be considered in determining whether it serves a compelling public interest in an overburdened community.

Considers the position of members of the overburdened community, supportive or otherwise, in determining whether a facility satisfies the compelling public interest standard.

Guidance and Supportive Materials

The Office of Environmental Justice's [website](#) is updated to include the final copy of the rule and supportive materials.

Policy

- [Environmental Justice Law](#)
- [Environmental Justice Rule](#)
- [Frequently Asked Questions](#)
- [EJ Rule Training Video](#)
 - [EJ Rule Training Presentation](#)
- [Glossary of Terms](#)

Environmental Justice Mapping, Assessment and Protection (EJMAP) Tool

- [Environmental Justice Mapping, Assessment and Protection \(EJMAP\) Tool](#)
- [EJMAP Tutorial](#)
- [EJMAP Technical Guidance](#)
- [OBC Technical Notes](#)
- [OBC Frequently Asked Questions](#)

Applicant Resources

- [EJ Submission Service Instructions](#)
- [Meaningful Public Participation Guidance](#)
- [Environmental Justice Impact Statement \(EJIS\) Guidance](#)

AO vs Rule

Administrative Order 2021-25

- Implemented by Commissioner Shawn LaTourette to address EJ law considerations before EJ Rule was put into effect
- Applies to Individual Permit applications whose application date is before the rule was adopted on April 17th, 2023
- 60-day public comment period
- Can do a virtual public hearing only
- EJIS not required
- DEP cannot deny permits under EJ law, however, can require EJ permit “conditions”

Environmental Justice Rule

- Applies to Individual Permit applications whose application date is after the rule adoption on April 17th, 2023
- 90-day public comment period
- Must be hybrid and have an in-person component to the public hearing
- EJIS required
- DEP has authority to deny permits (expansions and/or new sources) under EJ law, and/or require EJ permit “conditions”



EJ Law Decisions

[Home](#) / [Environmental Justice Law Decisions](#)

Environmental Justice Law Decisions

NJ's [Environmental Justice Law](#) requires DEP to evaluate the environmental and public health stressors of eight types of facilities located, or proposing to be located, in [overburdened communities](#) (OBCs). After a required [public process](#), the DEP must issue a decision to determine whether the facility is authorized to proceed to the subsequent DEP permitting processes and, if appropriate, issue special conditions required to avoid causing a disproportionate impact on the OBC.

Date	Location	Applicant	EJ Review	Decision Document
7/18/2024	Newark Essex County	Passaic Valley Sewerage Commission	Administrative Order 2021-25	Decision Document 

EJ Law Public Documents

4/26/2022	Newark Essex County	Passaic Valley Sewerage Commission	AO	Yes	7/18/2024	Virtual Public Hearing (6-7:30 pm)	EJ Decision Briefing Deck 	7/18/2024
							EJ Decision 	7/18/2024
							PVSC Standby Power Generation Facility Public Comment Period Extension Request 	5/4/2023
							Public Hearing Recording 	4/18/2023
							PVSC's Response to Additional Comments Document 	2/21/2023
							PVSC's SPGF Response Document 	2/21/2023
							EJMap Stressor Summary Newark BG 340130081002 	12/22/2022
							PVSC Response to Comments 	12/22/2022
							PVSC Compliance Statement Public Comments 	12/22/2022
							PVSC Compliance Statement Response to Comments to DEP, 9/9/22 	12/22/2022
							DEP's Response to PVSC's Response to Public Comments Document 	12/22/2022
							Final Compliance Statement 	4/4/2022
							Draft Compliance Statement 	4/1/2022
							DEP's Response to the Draft Compliance Statement 	4/1/2022
							Public Hearing Notice 	3/31/2022

Showing 1 to 9 of 9 entries

[Gloucester County](#) 

[Hudson County](#) 

[Hunterdon County](#) 

[Mercer County](#) 



MEANINGFUL PUBLIC PARTICIPATION GUIDANCE

A guide for facilities subject to the Environmental Justice Rule

Contents

- I. INTRODUCTION
- II. PROVIDING PUBLIC NOTICE
- III. CONDUCTING AN OUTREACH PLAN
- IV. HOLDING A PUBLIC HEARING
- V. APPENDIX

ABOUT THIS GUIDE

The Environmental Justice Rules require facilities to engage with the members of the surrounding community in a robust and meaningful dialogue to further the aims of the Environmental Justice law. This requirement is a novel approach under a first of its kind law, and therefore, the Department has created this guide to offer suggestions to the permit applicants on how to facilitate and engage in that robust dialogue. The methods referenced in this guidance document are one way of achieving compliance with N.J.A.C.7:1C. EJ Rule requirements are highlighted in the green checklists. The rest of the guide outlines suggestions. Please refer to the rule and use this guide in conjunction with the rule.

Stakeholders, especially those overburdened by environmental and public health stressors, deserve to be a part of the public process regarding environmental decisions that may affect their quality of life. A robust engagement process is key to ensuring communities are informed about facilities that seek authorization(s) to operate

and/or expand operations in their communities with opportunities to codesign solutions with said facilities and the NJDEP. When community voices are heard, the likelihood that outcomes include equity and engender a greater degree of trust from impacted communities is higher. This guide aims to further NJDEP's commitment to meaningful public participation and transparent public processes by providing permit applicants a clear outline for how to engage overburdened communities.

Following the adoption of the 2023 Environmental Justice regulations (EJ Rule) that implement the Environmental Justice Law (EJ Law), initial guidance on how to hold a public hearing was published. This guidance builds upon that and encourages applicants to ensure that residents of New Jersey's overburdened communities are informed and equipped to meaningfully engage in processes that may affect their neighborhoods.

Applicants are encouraged to be creative and rigorous in their community engagement processes and to explore more robust outreach and engagement than what is suggested here.

Applicants not subject to the EJ Law who desire and/or are required to engage overburdened communities are still encouraged to reference this Guide as there may be transferable best practices.



Environmental Justice Directory

A directory of Environmental Justice advocates throughout New Jersey

The Environmental Justice Directory is a public database comprising community-based organizations, advocates, and concerned residents with interest in environmental justice. It aims to facilitate robust engagement and collaboration between environmental justice stakeholders and state and local government and companies involved in environmental justice initiatives across New Jersey.

By joining the EJ Directory, you become part of a network crucial for advancing environmental justice in communities.

- **Facilitated Outreach:** Permit applicants that fall under the Environmental Justice Law are required to conduct a public engagement process, and conduct outreach to [overburdened communities \(OBCs\)](#) in or adjacent to a facility. This directory aims to facilitate this process by allowing them to connect directly with people who are interested in enhancing community involvement in public meetings.
- **Community Empowerment:** As a directory member, you play a pivotal role in bridging information gaps and empowering OBCs with access to essential information, resources, and updates.
- **Meaningful Connections:** Advocates throughout the state can easily find each other and connect on common environmental justice goals and initiatives.

BECOME A MEMBER

Joining the Environmental Justice Directory is free. All Submissions to the EJ Directory are reviewed and approved by staff from the Office of Environmental Justice. For any questions, please contact our office at environmentaljustice@dep.nj.gov or call (609)-292-2908.

Search Entries:

Search

Copy CSV Print Show 25 entries

First	Last	Email	Phone	Organization	Demographic	Other Identities	County/Counties of Interest
Adele	Marky	adelemark11@gmail.com			<ul style="list-style-type: none"> White Woman 		<ul style="list-style-type: none"> Statewide Hunterdon Somerset
Alex	Moreau	aam615@comcast.net			<ul style="list-style-type: none"> Black 		<ul style="list-style-type: none"> Statewide
Allison	Fabrizio	allisonfabrizio@gmail.com		Sierra Club; Citizens Climate Lobby	<ul style="list-style-type: none"> Black White Woman 	Caribbean, Multi-racial	<ul style="list-style-type: none"> Essex



Thank You!

Learn more about Environmental Justice
nj.gov/dep/ej/

Kandyce Perry

Director, Office of Environmental Justice
Kandyce.Perry@dep.nj.gov | (609) 292-2908

@NJGov

@NewJerseyDEP

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Questions?

Afternoon Break

2024 Conference: Sustainability Planning in the Age of Climate Change

AWMA-NCNJ Event

in collaboration with

Rutgers Camden
School of Business

25 September 2024





Director Peg Hanna

- ▶ Climate Change Mitigation and Monitoring Updates and Initiatives

What's new! Solar, Geothermal, Sustainability, EVs

PEG HANNA, DIRECTOR

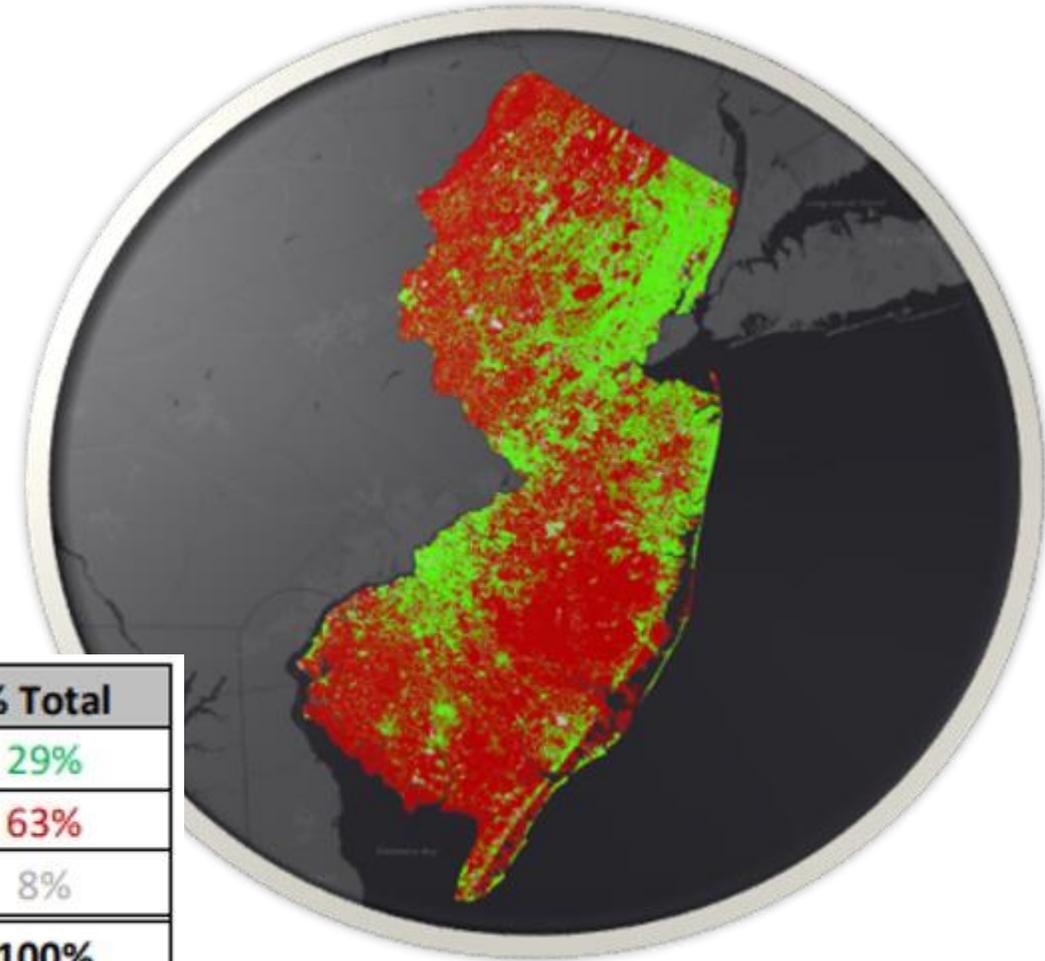
DIVISION OF CLIMATE CHANGE MITIGATION AND MONITORING

NOVEMBER 22, 2024



Solar Siting Analyses (SSA)

2017 Solar Siting Analysis leveraged and classified the State's 2015 land use/land cover as being "preferred", "not-preferred" or "indeterminate" for siting solar PV



Solar Siting Designation	Acreage	Sq. Mi	% Total
Preferred	1,355,375.11	2,117.77	29%
Not-Preferred	3,000,569.36	4,688.39	63%
Indeterminate	398,262.04	622.28	8%
TOTAL	4,754,206.51	7,428.44	100%

SSA v. 3.0 (2024): Data Layers

High Siting Preference:

- Building Rooftops
- Impervious Surfaces
- Landfills
- Deed Notice Areas
- Parcels with Contamination
- Brownfield Development Areas

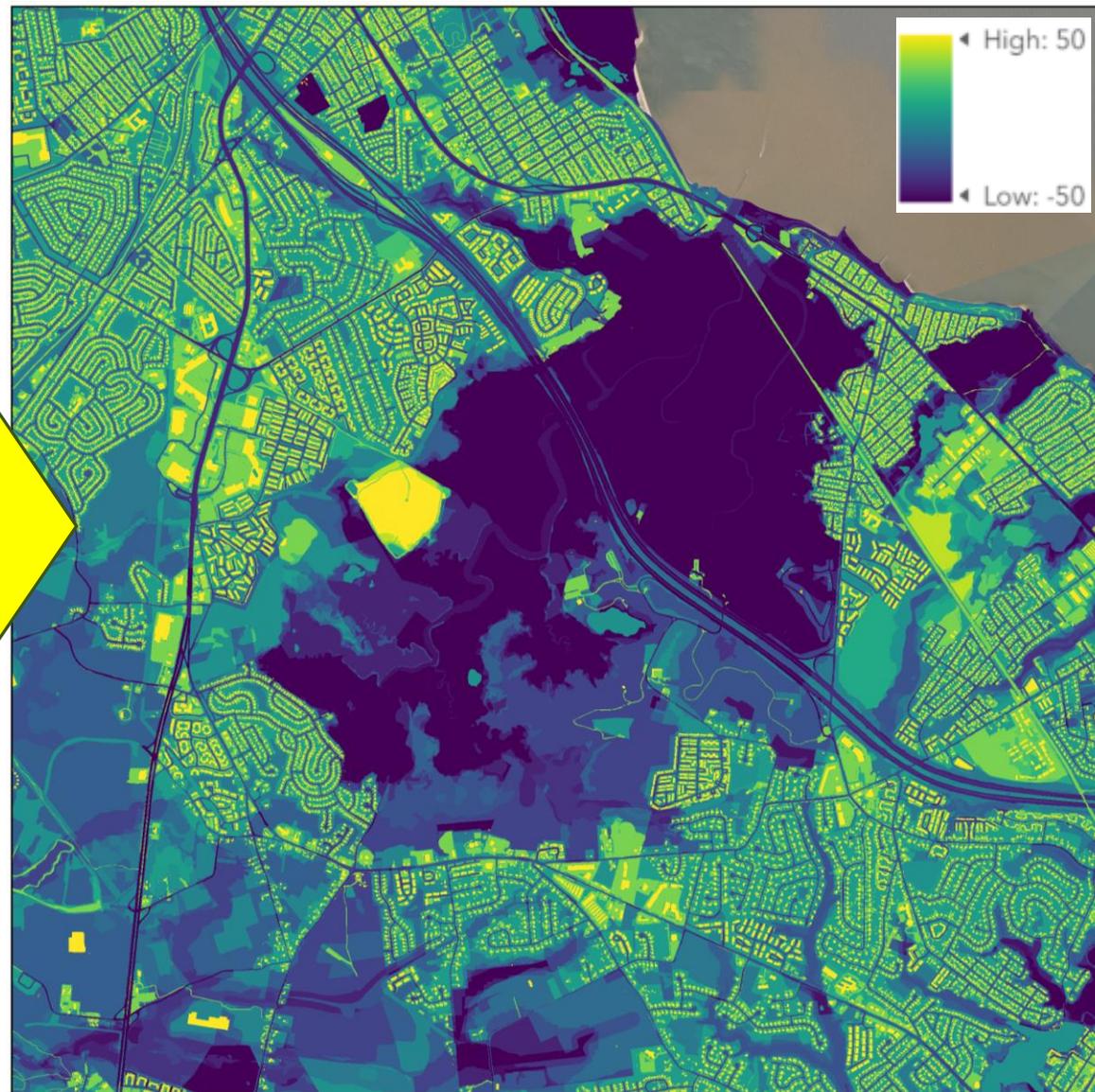
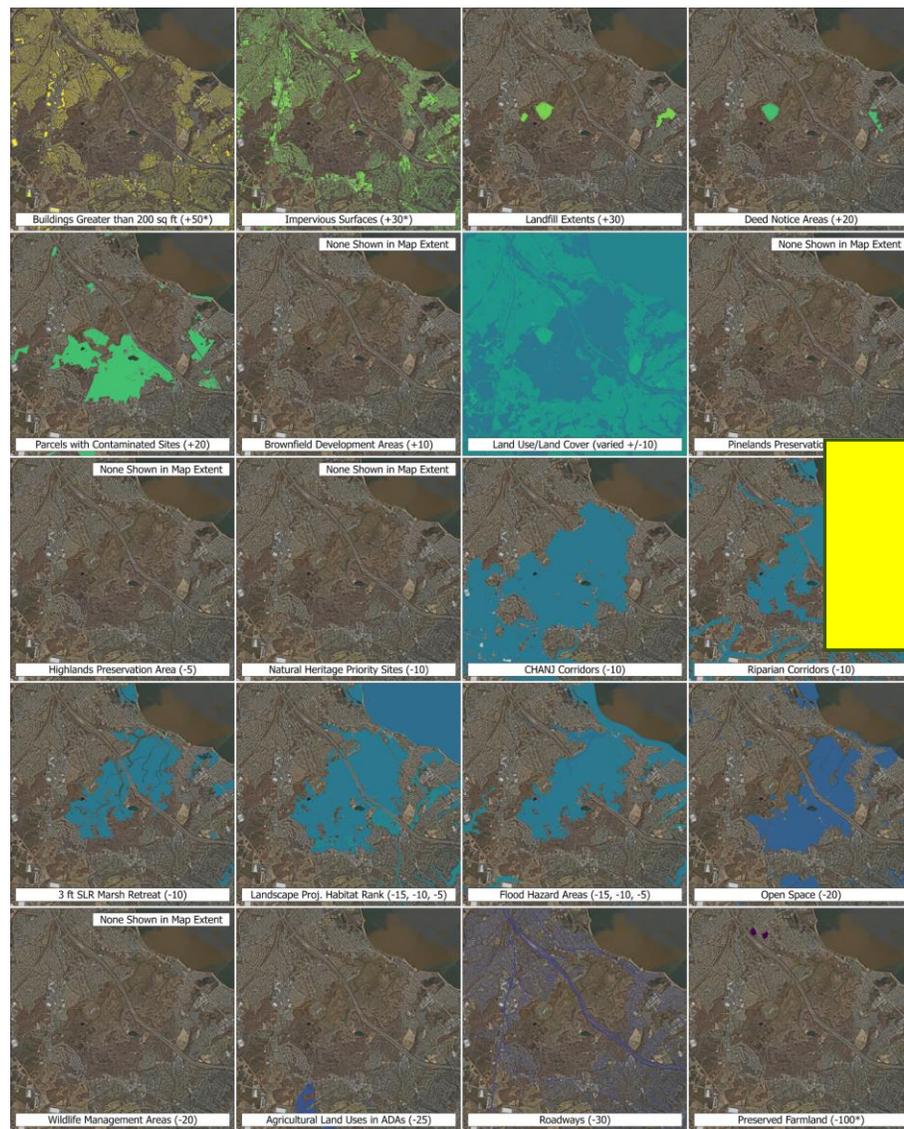
Varied Preference:

- Land Use/Land Cover (based on individual Anderson Codes)

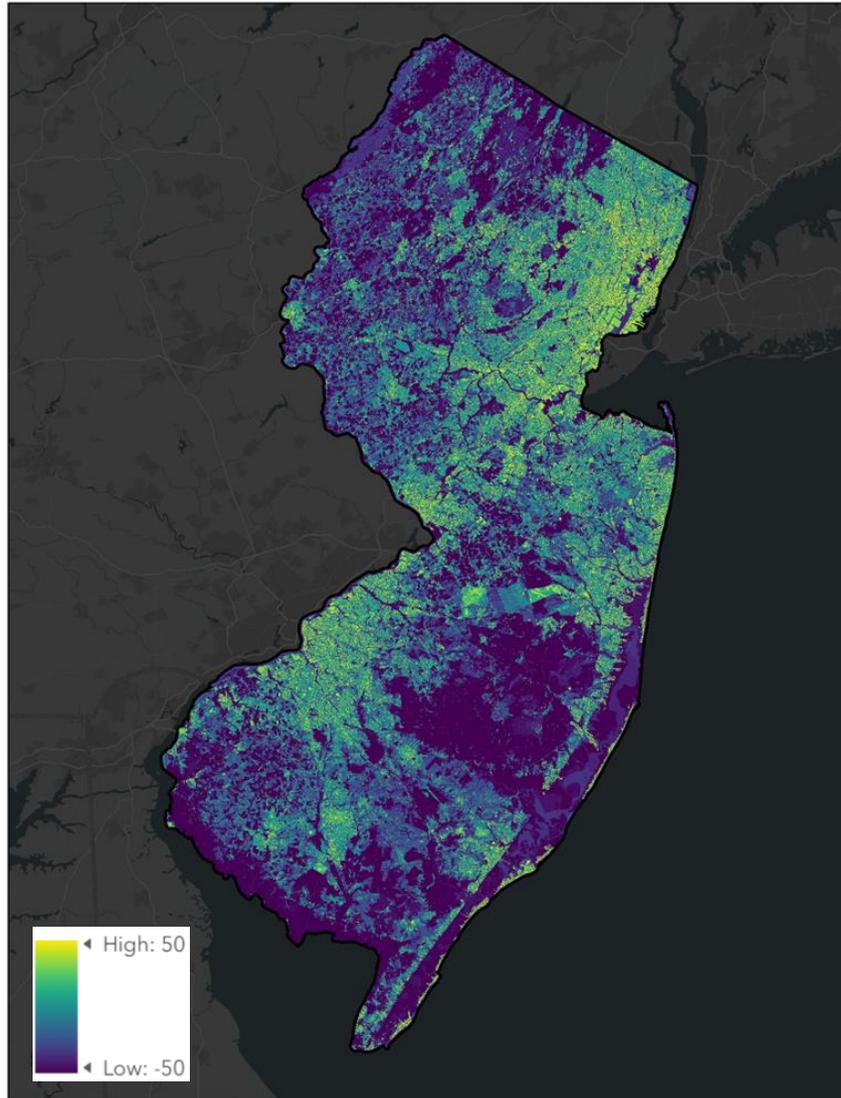
Low Siting Preference:

- Preserved Farmland
- Open Space
- Wildlife Management Areas
- Riparian Corridors
- FEMA Flood Hazard Areas
- Threatened & Endangered Species Habitat
- Natural Heritage Priority Sites
- Agricultural lands in Agricultural Development Areas
- Areas of Marshland Retreat (under 3ft SLR scenarios)
- Roadways
- Pinelands & Highlands Preservation Areas

Example



SSA v3.0 Results



	Siting Tier	Score	Acreage	Percentage
Most Preferred	Tier 1	50+	174,781.45	3.5%
	Tier 2	45	1,379.47	6.7%
		40	3,198.81	
		35	2,651.46	
Moderately Preferred	Tier 3	30	323,736.44	0.5%
		25	9,360.64	
	Tier 4	20	8,633.74	
		15	7,521.82	
		10	51,267.49	
		5	553,817.86	
		0	189,724.54	
Tier 5	-5	190,248.64	14.8%	
	-10	168,518.93		
	-15	103,743.08		
Least Preferred	Tier 6	-20	270,621.18	23.3%
		-25	362,113.53	
		-30	329,064.18	
	-35	320,964.57		
Tier 7	-40	271,556.82	28.0%	
	-45	234,806.68		
		-50+	1,392,017.12	
Total			4,969,728.44	100.0%

SSA v3.0 Uses



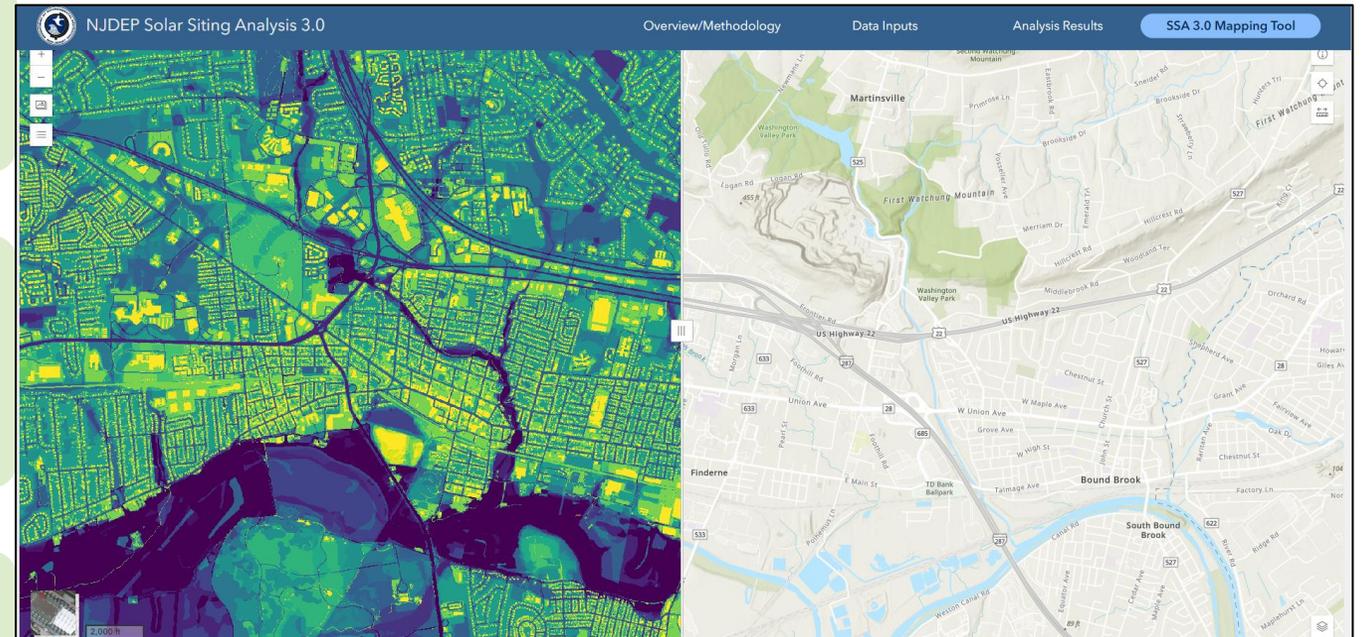
Internal review of projects (i.e., Permit Coordination; CSI waivers)



Identification of most preferred sites within geographies



Grant/funding decision support tool



[ssa3-0-final.pdf](#)

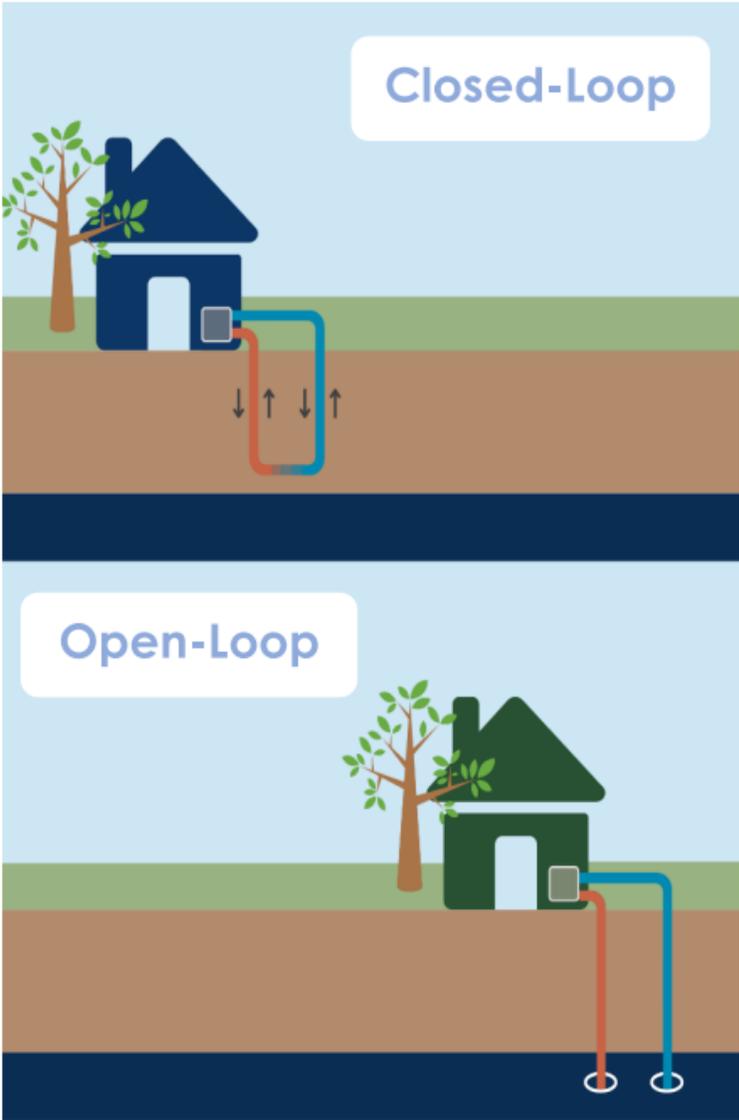
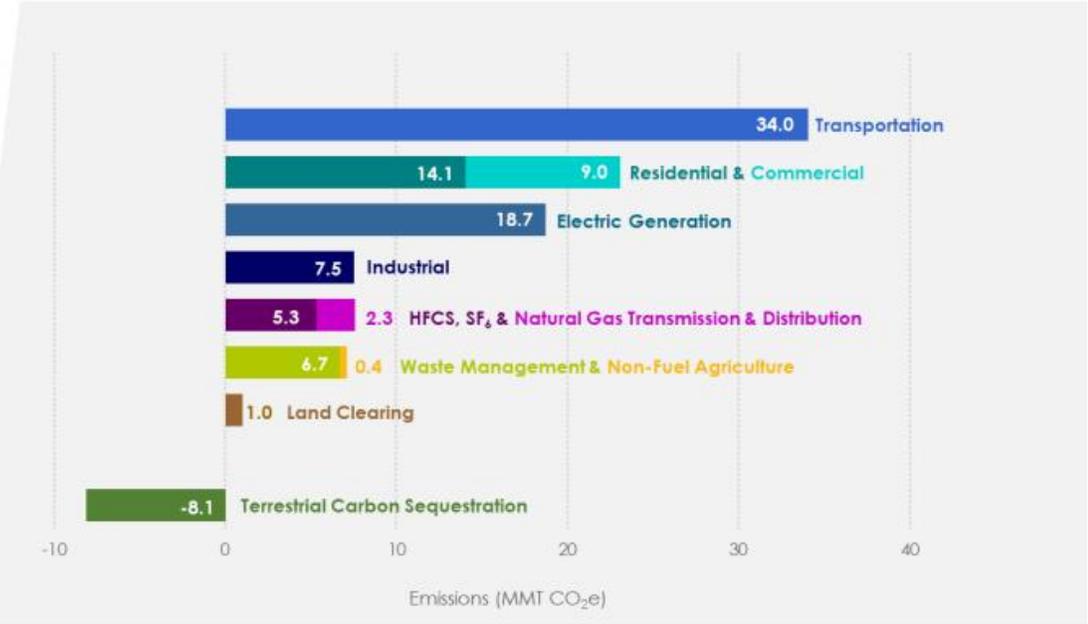


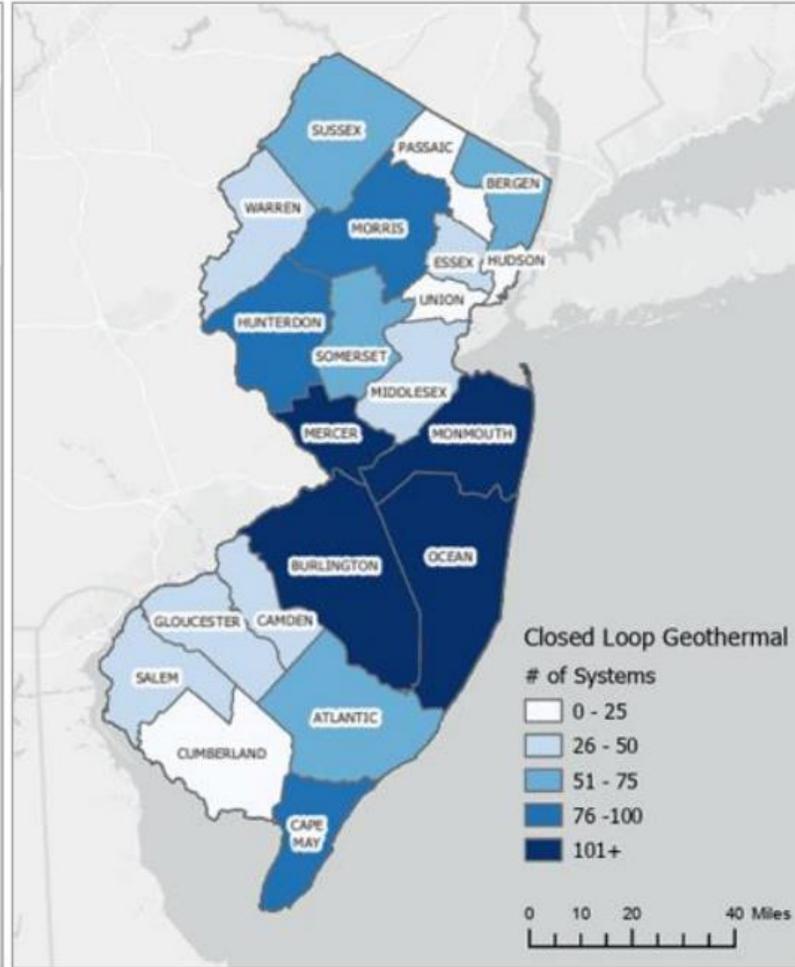
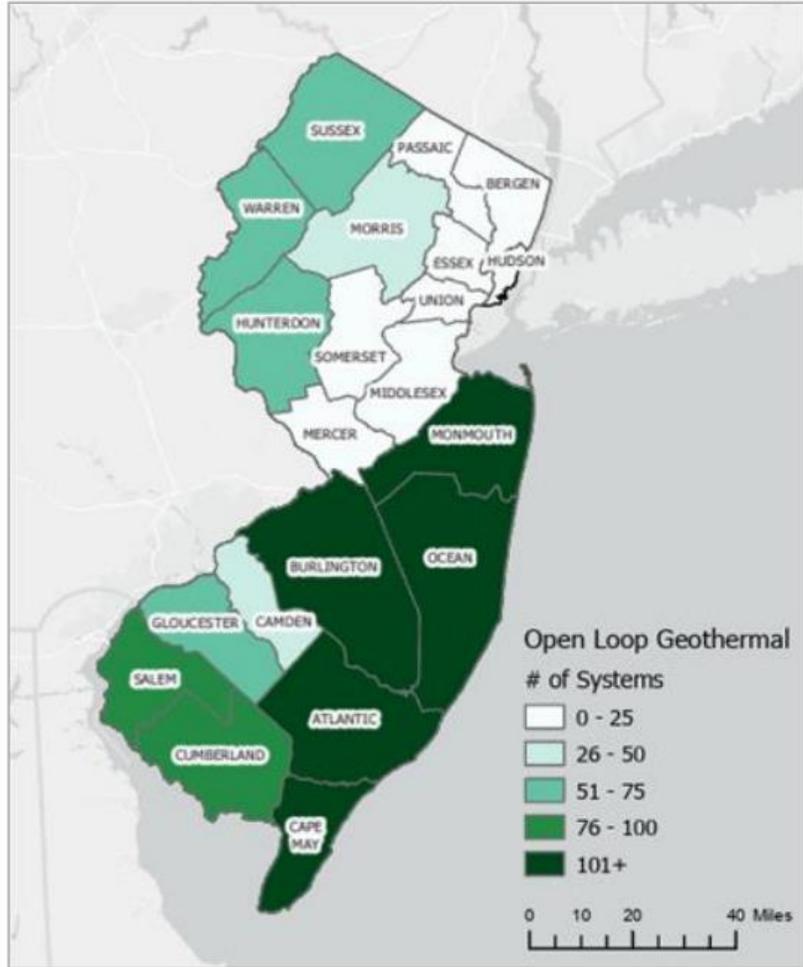
New Jersey Ground Source Heat Pump Baseline Report

December 2023

MONMOUTH BATTLEFIELD STATE PARK

Figure 1: Projected Greenhouse Gas Emissions for 2020 in millions of metric tons of CO₂e (MMT).





SPATIAL DISTRIBUTION

FINDINGS & RECOMMENDATIONS

Recommendations

1. Increase Customer Awareness
2. Expand and Prioritize Financial Incentives Towards Larger Buildings to Maximize Emissions Reductions
3. Support the Development of Siting and Planning Tools for GHP
4. Develop Pilot Programs to Increase Access (i.e. Community Geothermal)
5. Determine Improved Method of GHP Tracking (i.e. Uniform Technology Based Utility Customer Codes)
6. Conduct Additional Analyses Leveraging New Data and Partnerships

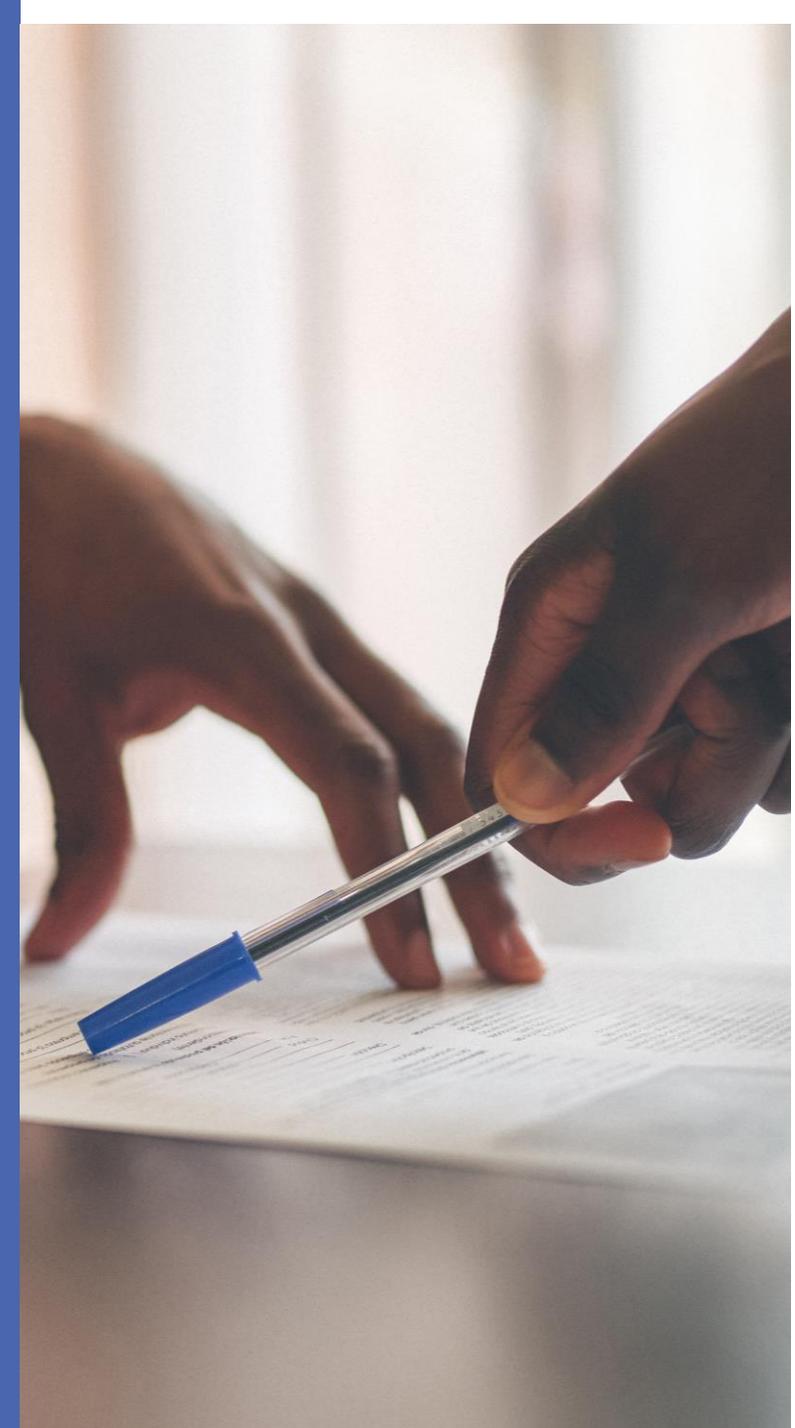
Plan for Sustainability





Plan for Sustainability

- Encourage businesses to adopt a Sustainability Plan.
- Target small and medium size businesses without sustainability or environmental officers
- Sustainability Roadmap for Businesses template
 - Includes list of sustainable actions and benchmarking/baseline collection information
- The Roadmap helps businesses create a sustainability plan and choose actions that are right for their business.
- Program will be rolled out to businesses and the Bureau will provide technical assistance for businesses preparing plans.



Contact

Ky Asral

Chief

Bureau of Sustainability

Plan for Sustainability Rollout

- Official rollout at the *Sustainability in Motion* Conference
 - March, Atlantic City
- Businesses can join the program now as part of a pilot initiative
- Pilot participants will receive early access to resources and support
- Contact the Bureau of Sustainability to get started!



Ky.Asral@dep.nj.gov



609-633-0631

Follow NJDEP Bureau of Mobile Sources on social media!



- **Instagram**

- @DriveCleanNJ

- **Facebook**

- NJDEPAQES

- **Twitter**

- @NewJerseyDEP

- **Visit** www.nj.gov/dep/drivegreen



Like & follow us!



@newjerseydep

Join our DEP mailing list for updates and
funding announcements

www.state.nj.us/dep/stopthesoot/sts-listserv.htm

Clean Corridor Coalition Award

MHD ZEV Charging Infrastructure CPRG Grant

- \$248,900,000 for public freight truck charging infrastructure at approximately 20-24 sites
- 459,000 tons of GHGs reduced from 2025-2030, >18 million tons from 2025-2050
- Four states comprise the coalition (“C3”):
 - NJ DEP
 - MDE, MDOT
 - DelDOT
 - CT DEEP



Maryland
Department of
the Environment



NJ DEP's Zero-Emission Fleet Advisory Services

CALSTART

Task 1 Recruit & Select Fleets

- Public and privately owned fleets; Class 2b and larger
- Priority for fleets in OBCs
- Approx. 15 fleets per year; 3 years
- Focus on fleets comprised of less than 20 medium- or heavy-duty fossil fueled vehicles
 - Subsequent years will include fleets of up to 25 vehicles

Task 2 Develop electrification roadmaps

- Individualized fleet electrification roadmaps will include:
- A ZEV total cost of ownership (TCO) analysis
 - Recommended ZEV & charging/fueling options
 - Charging optimization strategies and required grid upgrades
 - A list of available state & federal incentives
 - A corresponding procurement plan
- Includes an in-person site assessment

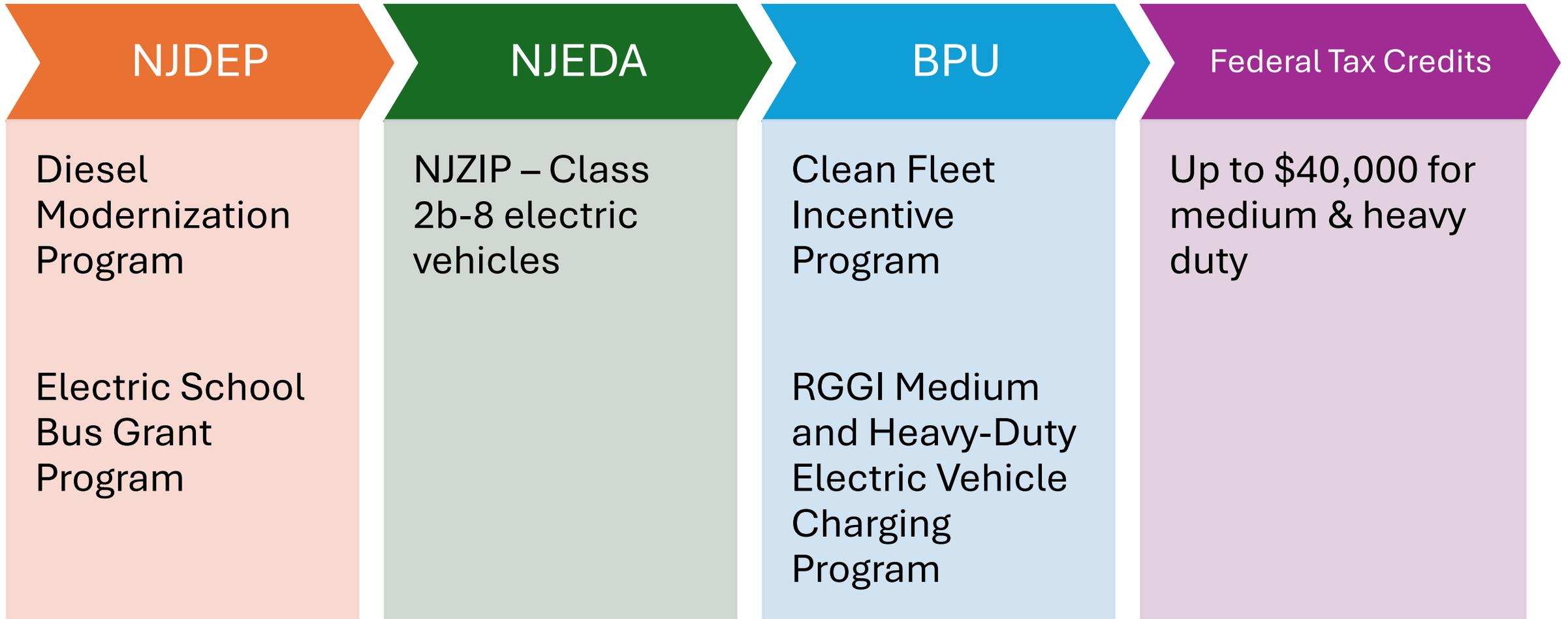
Task 3 Develop resources for DEP webpage

- Registration and general information
- ZE- MHDV availability
 - Information on charging and charging stations
 - List of state and federal incentive programs
 - Generic TCO calculators
 - A "how to get started guide" with steps and timelines
 - Case studies

Task 4 Provide progress and final reports

- Quarterly progress updates including progress on work with all fleets
- Final report assessing the program's overall benefits, lessons learned, recommendations for future fleet electrification, project successes and challenges

MHD Incentives



New Jersey's (DEP, EDA, BPU) Medium and Heavy-Duty funding programs

Examples: street sweepers, transit buses, garbage trucks, delivery trucks, bucket trucks, and port equipment.

Over **\$310 MILLION** has been awarded for over 1,000 electric vehicles/equipment and charging equipment.



ELECTRIC SCHOOL BUS GRANT PROGRAM



Electric School Bus Law

- \$15M a year for 3 years

Eligible Applicants

School districts that own their own buses

School bus contractors providing busing services to schools.

Eligible Buses

All electric

Type C or D

New

(No repowers or used buses)

Purchase or leased

(A minimum five-year lease is required)

Vehicle to Building Pilot Program

ELECTRIC SCHOOL BUS GRANT PROGRAM



Scan the QR Code below to begin your application!



~\$76M has been awarded for 253 electric school buses



eMobility PLANNING TOOLKIT

A guide for local leaders on how to identify the transportation needs and preferences of residents to develop thoughtful **electric, shared-use mobility** solutions.



eMobility Planning Toolkit

We've broken down this toolkit into steps to guide your CTNA planning.



New Jersey's Metropolitan Planning Organizations (MPOs) are a great starting point for your project, as they have transportation data and research specific to your region. Find links to each MPO's website along with other helpful links in the General Resources section.

STEP 1: Creating a Baseline

Gather and analyze existing transportation, equity, and demographic data to understand the characteristics of your community.

[Step 1](#)

STEP 2: Engaging the Community

Apply several approaches for meaningful community involvement to gain deeper insight to the transportation gaps, needs, and preferences of your community.

[Step 2](#)

STEP 3: Developing Solutions

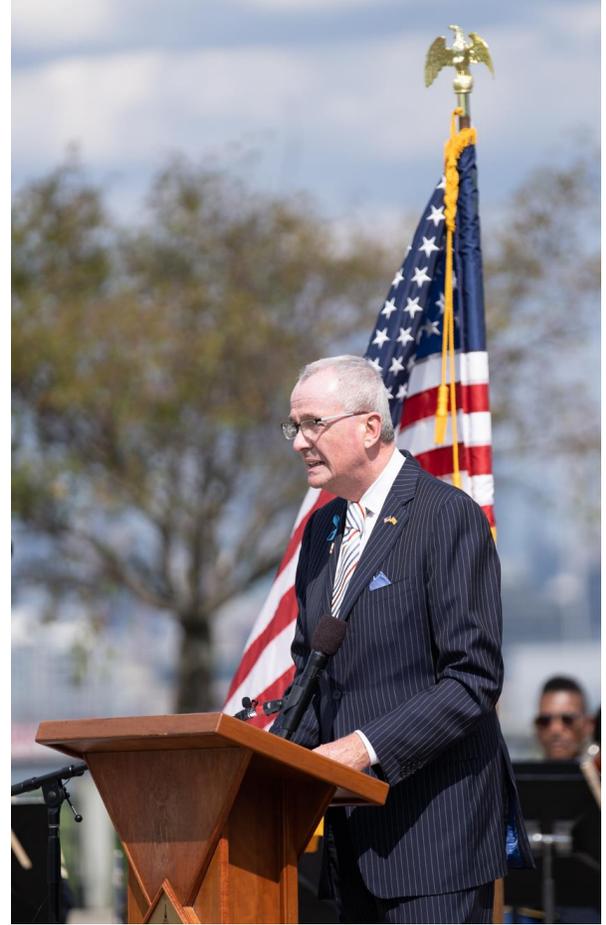
The community will be interested in your findings – be sure to show them the results! This is also a great time to incorporate additional feedback from residents and work toward transportation solutions that best meet the community's needs.

[Step 3](#)

General Resources

Each Step of the toolkit includes links to data and mapping tools to assist you. This section focuses on general resources for transportation planning.

[Resources](#)



Thank you!



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Questions?



Director Janine MacGregor

- ▶ Sustainable Waste Management Updates and Initiatives

Annual NJDEP/A&WMA Regulatory Update

November 22, 2024



**Janine MacGregor, Director
NJDEP Division of Sustainable Waste Management**

Division of Sustainable Waste Management

- **Bureau of Solid Waste Permitting**
 - Anthony Fontana
- **Bureau of Recycling and Hazardous Waste Management**
 - Dana Lawson
- **Bureau of Solid Waste Planning and Licensing**
 - Seth Hackman

Today's Topics

- **Plastic Advisory Council Report 2 – Coming Soon!**
- **DSWM Plastics Reduction Team**
- **Reusable Bag Research and Alternatives**
- **Zero-in on Waste at DEP Headquarters**
- **Electronic Vehicle Battery Law**
- **Recycled Content Law**
- **Food Waste Reduction**
- **Regulatory Update**

Plastic Advisory Council 2nd Year Work (Report not yet released)

- Additional work and input from stakeholders regarding reusable bags
- Workgroup to discuss enhanced education and other ways to address contamination in the recycling stream
- Research into microplastics and how they are being addressed
- Looking at new reduce/reuse/recycle concepts, including zero waste initiatives, some even here at DEP
- Reviewing upcoming legislation such as EPR and Truth in labeling

REDUCE, REDUCE, REDUCE!

Reusable Bag Buildup

- **Single-use plastic bags prohibited throughout the state (and paper bags at grocery stores)**
- **Grocery delivery and curbside pickup increased during Covid**
- **Also important option for those with mobility issues**
- **Reusable bags in each delivery used once, then accumulate**
- **No way to sterilize or collect bags**

DSWM Plastics Reduction Team

- Research, interviews, external workgroup
- Reviewed international trends for bagless delivery
- Bagless delivery can comply with Retail Food and Vending Machine regulations
- Created a food safety factsheet <https://dep.nj.gov/get-past-plastic/bagless-delivery-food-safety/>.
- Residents asked to donate surplus bags to food banks
- NJFC pilot program to collect for cleaning and donation <https://dep.nj.gov/get-past-plastic/>.

Zero-In on Waste at DEP Headquarters

- **Move toward Zero Waste**
- **Reviewing waste practices at 401 through general waste audit and food waste feasibility study**
- **Investigate ways to better direct trash categories such as office supplies**
- **Examine purchasing practices for improvement**
- **Model for other state buildings**

Electronic Vehicle Battery Law

- **Producers responsible for end-of-life management of batteries**
- **Battery Management Plans to provide for battery reuse, repurposing and recycling**
- **Bans disposal after January 8, 2027**
- **Will incentivize producers to design “green” and decrease demand for raw materials**
- **Registration, Needs Assessment, Rules, Plans**

Recycled Content Legislation

- **P.L. 2021, c. 391 signed into Law on Jan. 18, 2022**
- **Stimulates recycling markets by requiring manufacturers to meet minimum postconsumer recycled content standards for covered products sold in the State.**
- **Registration by July 18, 2022**
- **Certify Compliance beginning July 18, 2024**
- **Draft rule completed and under review**

Food Waste Reduction

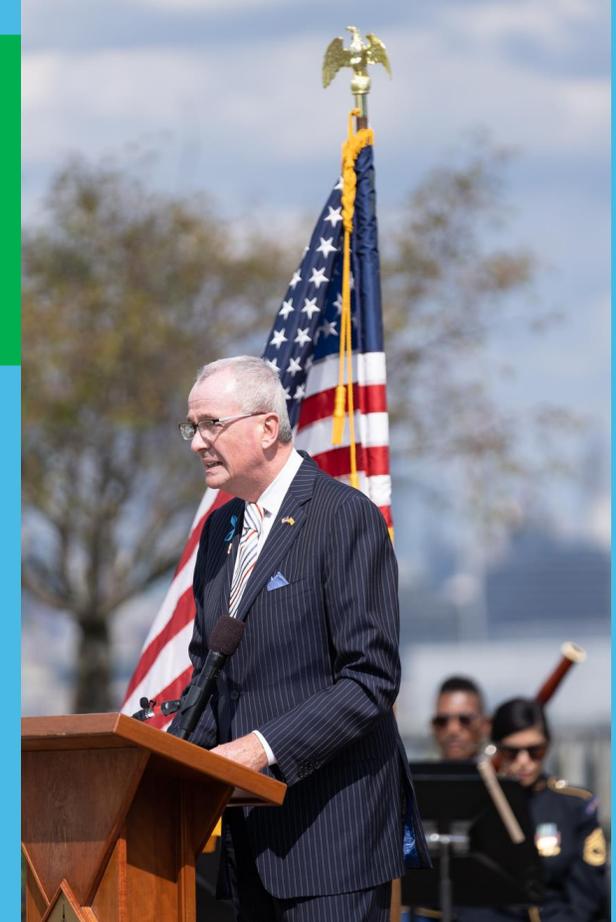
- P.L. 2017, c. 136 (S3027) established a goal of reducing food waste by 50%, based on 2017 food waste estimates, by the year 2030.
- Tips for reducing food waste:
<https://www.nj.gov/dep/dshw/food-waste/>

Rules Update

- **Public Comment Period Closed**
 - Electronic Waste
 - Food Waste Recycling
 - Single-Use Plastic/Get Past Plastic
- **Rule Proposal Pending**
 - Recycled Content
 - Dirty Dirt and A-901
- **Stakeholder meetings will continue**
 - Recycling Rule Exemptions



Thank
you!



QUESTIONS?



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Questions?

Bureau Chief Kimberly Cenno

- ▶ Water Monitoring, Standards and Pesticides Control Updates and Initiatives



WATER RESOURCE MANAGEMENT

**23rd Annual Regulatory Update Conference –
Updates from Division of Water Monitoring,
Standards and Pesticide Control**

November 22, 2024

Kimberly Cenno, Bureau Chief

Bureau of Environmental Analysis, Restoration & Standards BEARS
Division of Water Monitoring, Standards & Pesticide Control
New Jersey Department of Environmental Protection



Division of Water Monitoring, Standards & Pesticide Control What We Do

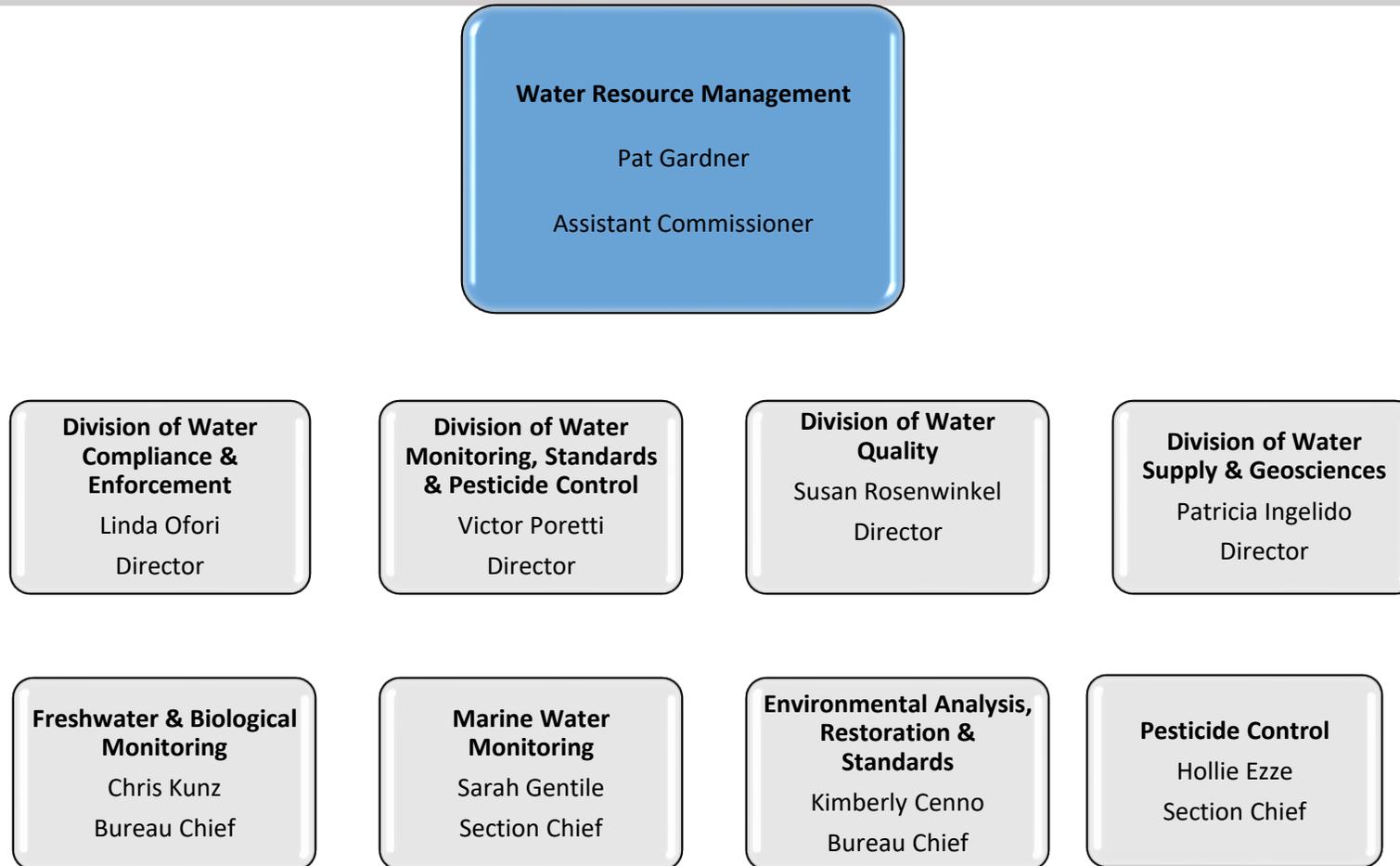
The Division of Water Monitoring, Standards and Pesticide Control (DWMSPC) regulates pesticides and assesses New Jersey's waters in order to protect and manage public drinking water supplies, recreational uses, shellfish harvesting, and the health of aquatic organisms, in accordance with State and Federal regulations.

To accomplish its mission of protecting public and ecological health, DWMSPC collects and analyzes water quality data, coordinates the development of water quality standards and the restoration of impaired waters, ensures compliance with pesticide regulations, and provides public education and outreach.





Water Resource Management





The Bureau of Pesticide Control

Two Topics for Rulemaking:

- EPA Amendments to Pesticide Applicator Certification & Training Requirements
- Legislation Restricting and Prohibiting Certain Uses of Neonicotinoid Pesticides to Protect Pollinators

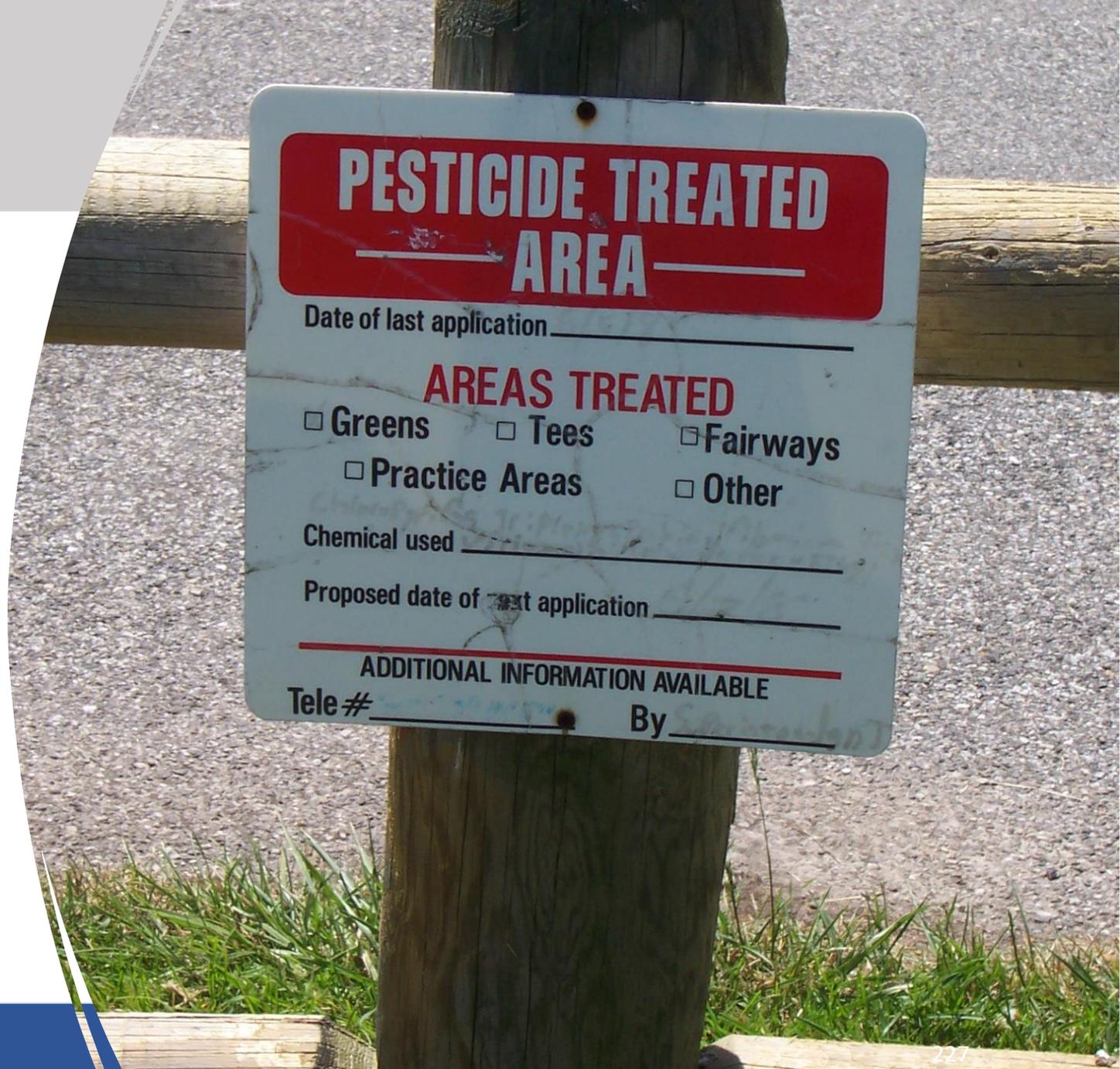
(P.L. 2021, c.386)





Pesticide Control Code N.J.A.C. 7:30-1 et seq.

- Estimated date to propose the changes to pesticide applicator certification & training, and neonicotinoid restrictions, is 2026.
- Certification and training changes will not take effect until the rule is proposed and adopted.
- Neonicotinoid restrictions and prohibitions **are** in effect before rules are proposed and adopted since the statute gave an effective date of October 31, 2023.





Summary of Neonicotinoid Law in Effect Since October 31, 2023

- Neonicotinoids are now “restricted use”, meaning only licensed pesticide applicators can purchase and use them.
- There are exemptions such as for indoor pest control products and pet products that pose no risk to pollinators.
- Only agricultural uses by licensed pesticide applicators are permitted.
- Use of neonicotinoids by landscapers, golf courses and tree care businesses is now prohibited unless the NJDEP issues an Order for specific uses in a pest emergency.
- An Order is being drafted in anticipation of certain pests qualifying as an emergency for 2025.





Bureau of Freshwater & Biological Monitoring (BFBM) Programs - Lakes

Lakes Monitoring Network and Projects

- Targeted, Probabilistic and Reference Lake Monitoring
- Sediment Coring
- Bathymetric Surveys





BFBM Programs Rivers/Streams and Ground Water

Rivers and Streams Monitoring Network and Projects

- Statewide, Regional, Probabilistic, and Track Down Monitoring
- Continuous Monitoring (Temperature, Dissolved Oxygen, Specific Conductance)
- Freshwater Salinization Due To Road Salt Application
- Ground Water Monitoring



BFBM Programs - Biological

Macroinvertebrates and Pathogens

- Statewide and Regional Monitoring Networks (Macroinvertebrates and Bacteria)
- National Water Quality Initiative (Salem River)



BFBM Programs Biological

Fish

- **Statewide and Regional Monitoring Networks (Northern Index of Biotic Integrity, Southern Index of Biotic Integrity, Headwaters Index of Biotic Integrity)**
- **Fish Tissue**
- **Pinelands Index of Biotic Integrity (planned/under development)**
- **eDNA**





BFBM Programs Biological

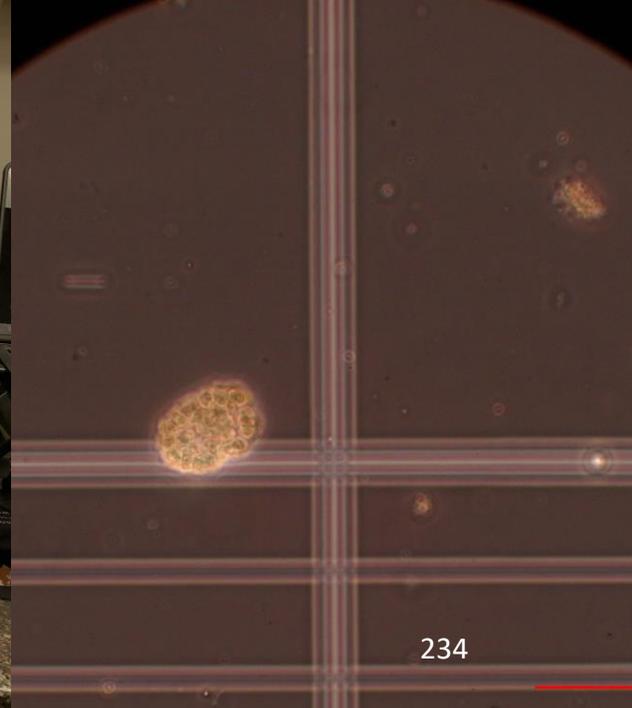
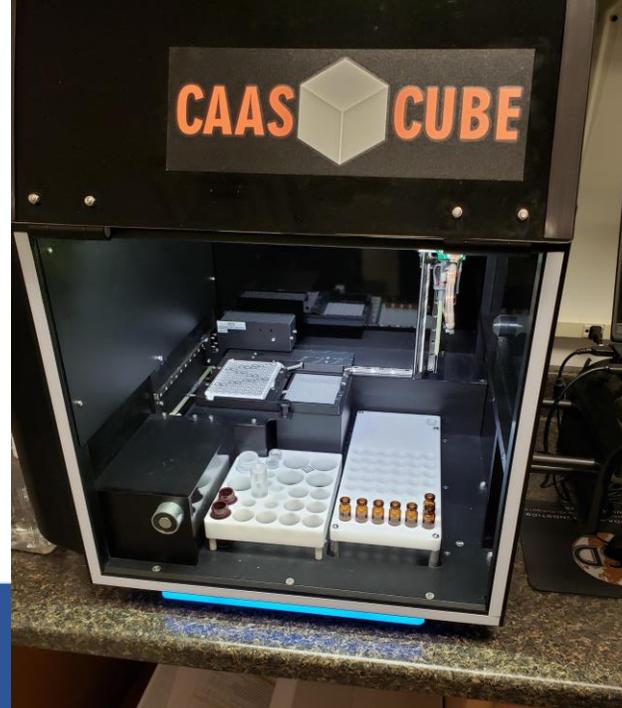
Harmful Algal Blooms (HABS)

- Suspected HAB response
- Continuous Monitoring Buoys



BFBM Programs Laboratory Capabilities

- Cyanobacteria Species ID and Enumeration
- Phycocyanin
- Cyanotoxins
- Chlorophyll A
- Macroinvertebrate and fish species ID and community assessment



Bureau of Marine Water Monitoring



Field

Water Quality Sampling (NSSP)

Pollution Source Tracking

Slocum Glider

Real-Time Buoy

Remote Sensing

Laboratories

Chemistry

Phytoplankton

Ambient Marine Water



Microbiology

Vibrio Analysis

Antibiotic Resistance Assay (ARA)

qPCR

Coliphage

Bacteriology

Coliform

Enterococcus



Assessments

Shellfish Water Classification

Ocean Benthic Index Monitoring

Barnegat Bay Monitoring & Analysis

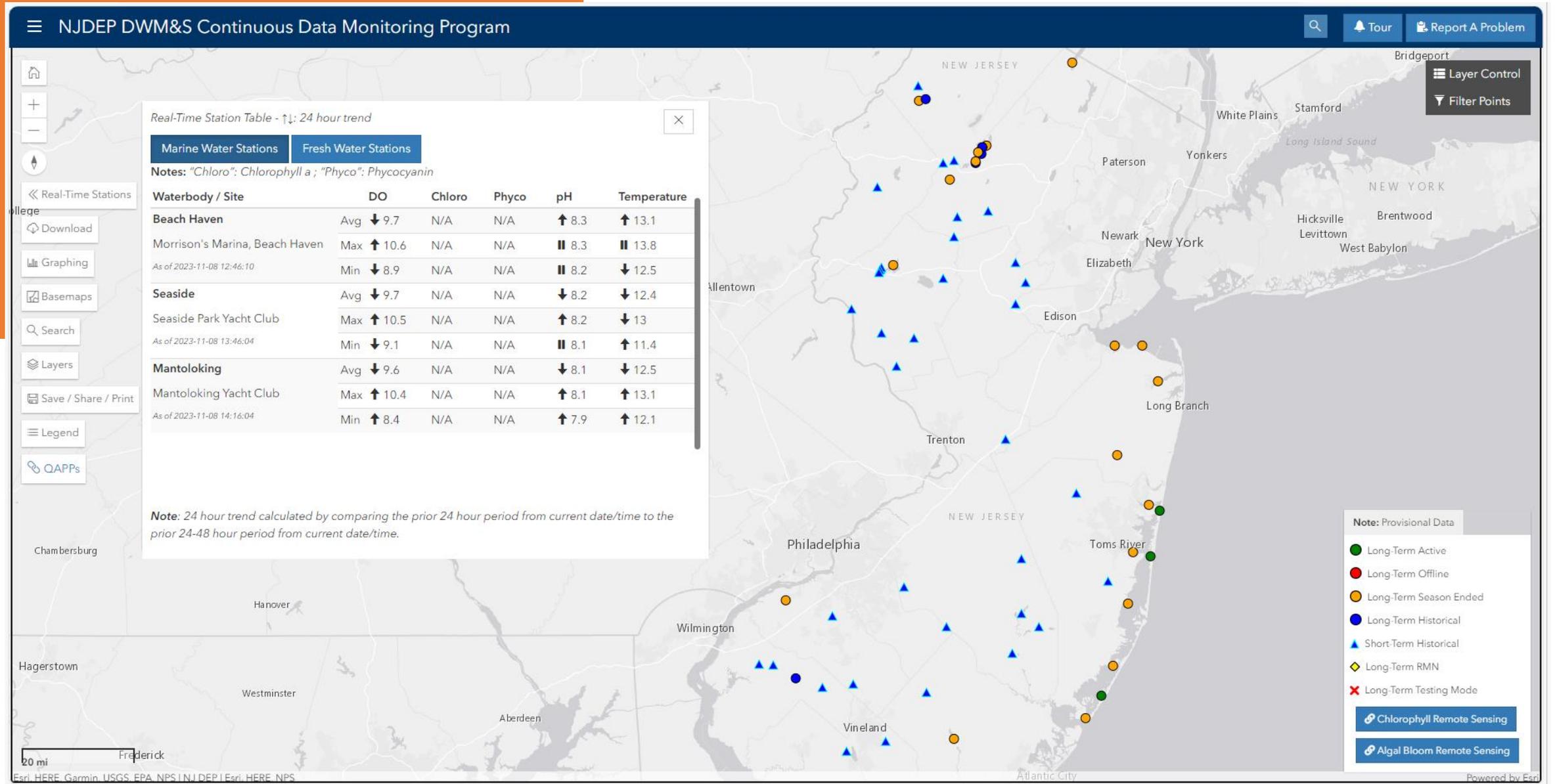


BMWM's Core Programs



- Shellfish water classification through administration and conformance with the National Shellfish Sanitation Program (NSSP).
- Issuance of Permits for Shellfish related Activities.
- Ambient Water Quality Monitoring.
- Real-time Continuous Water Quality Monitoring and Aircraft Remote Sensing.
- Microbial and Pollution Source Tracking.
- Shellfish Vibrio Monitoring.
- Marine Phytoplankton Monitoring

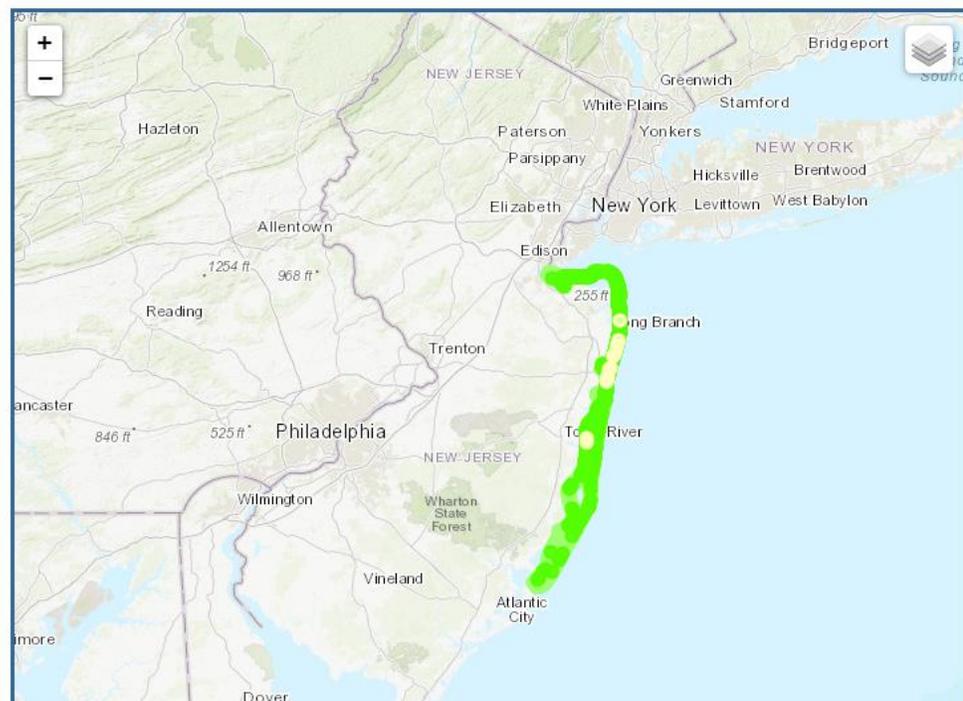
BMW's Continuous Water Quality Network





Chlorophyll Remote Sensing

NJDEP's Bureau of Marine Water Monitoring, in cooperation with the NJ Forest Fire Service, Rutgers University and US EPA Region 2, conducts aircraft remote sensing for estimating chlorophyll levels in NJ's coastal waters. Since chlorophyll is a plant pigment, high levels of chlorophyll in the water are typically associated with an algal bloom. To detect potential blooms, the plane flies 6 days a week during the summer months, in favorable weather conditions, over the coastal waters of New Jersey. These flights provide a valuable perspective on water conditions and trends that enable the Bureau to target boat sampling in locations where algal blooms may be occurring.



Year Month Day

2023 9 22

Download

Est. Chlorophyll a (ug/L)		
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<input checked="" type="checkbox"/>		3-6
<input checked="" type="checkbox"/>		6-12
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Continuous Monitoring

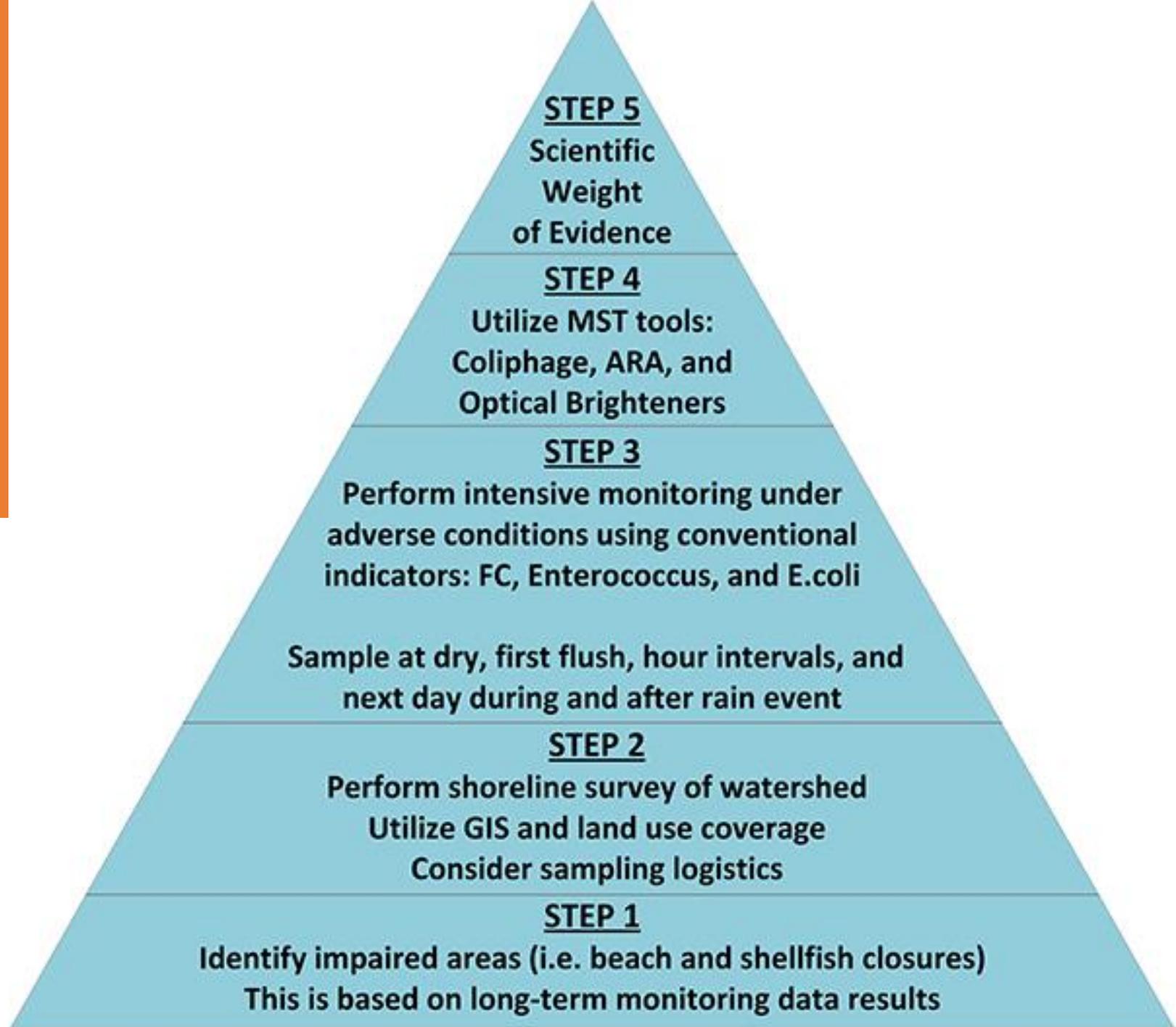
BMWM's Aircraft Remote Sensing



BMWM's Pollution Source Trackdown

Bureau targets pollution source tracking through 5 key steps...

- *Identification of Water Quality Impairments*
- *Survey of the Watershed Area*
- *Perform Intensive Monitoring*
- *Utilize Advanced Laboratory Analysis*
- *Collaborate with Community to Fix the Problem*





Bureau of Environmental Analysis, Restoration and Standards

The Mission of BEARS is:

to provide the scientific foundation for the restoration and protection of New Jersey's water resources so that all of our rivers, lakes and coastal waters are



fishable, swimmable and support healthy ecosystems, and so all of our freshwater resources are clean sources of drinking water.

Photo credit: DEP

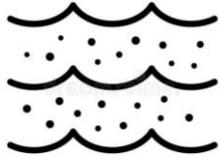


Ground Water Quality Standards N.J.A.C 7:9C



Designated Uses

- Maintenance of special ecological resources
- Potable water after conventional treatment
- Agricultural water and industrial water



Ground Water Classifications

- Class I Ground Water of Special Ecological Significance (Class I-A, PL)
- Class II Ground Water for Potable Water Supply (Class II-A, II-B)
- Class III Ground Water With Uses Other Than Potable Water Supply (Class III-A, III-B)



Water quality criteria necessary to protect the designated uses

- Human health (based on drinking water consumption)
- Considers detectability (PQL); the higher of the specific criterion and the PQL becomes the Constituent Standard.



Policies affecting implementation

- Antidegradation



GWQS Requirements

- Must be renewed every seven years – expires in 2028 (New Jersey Administrative Procedure Act (NJAPA) at N.J.S.A. 52:14B-1 et seq.)

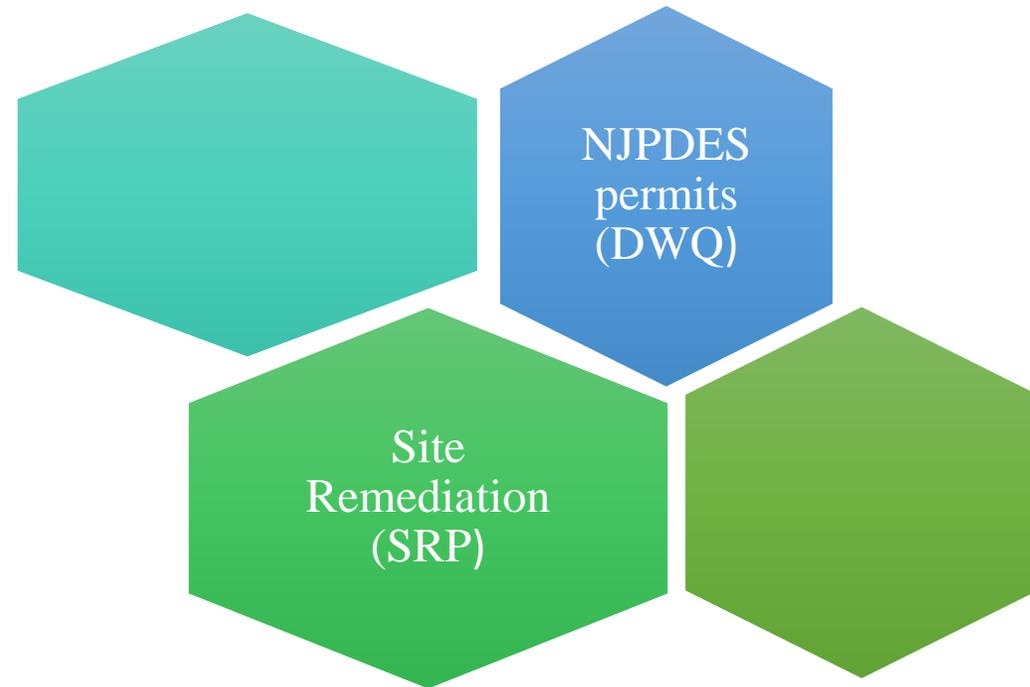
GWQS Statutory Authority

- The Clean Water Act does not have authority over ground waters, so the NJDEP's authority for the GWQS is derived from state statutes:
 - NJ Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.)
 - Water Quality Planning Act (N.J.S.A. 58:11A-1 et seq.)





GWQS Implementation



Ground Water Standards Development

DRIVERS:

New data or scientific information (e.g. emerging contaminant, new toxicity factors, analytic methods)

Need for remediation standard (SRP)

New (or revised) federal guidance

Readoption/petition for rulemaking

CRITERIA DEVELOPMENT:

Derives human health-based MCLs and PQLs for:

Carcinogens

Non-carcinogens

FINAL STANDARD:

Whichever is **higher** between the derived **Specific Ground Water Quality Criterion** and **PQL** becomes the implemented **Constituent Ground Water Quality Standard.**



Practical Factors Considered in Standards Development

Standard	Practical Quantitation Level (PQL)	Treatment (Removal of Substance)
Drinking Water (MCLs)	X	X
Ground Water Quality	X	
Surface Water Quality	Not considered	

Proposed rule amendments to the GWQS

Due for adoption on or before January 2nd 2025

Updates to existing specific ground water quality criteria, PQLs and standards for constituents in Class II (potable use) ground water; Appendix Table 1.

Amendments to the default values for body weight and drinking water consumption rate at N.J.A.C. 7:9C-1.7(c)4i and ii to be consistent with USEPA.

- Average adult weight: 80.0 kg
- Daily water consumption: 2.4 L/day

Amendments to the rounding provisions at N.J.A.C. 7:9C-1.7(c)4iii and -1.9(c)3i to round new or revised criteria and PQLs to two significant figures, rather than one, when scientifically supportable.



Proposed updates to specific ground water quality criteria and PQLs

Updates	# of Constituents
Updates to criteria or PQLs identified	73
• Change in standard	64
• More stringent	50
• Less stringent	12
• Order of magnitude change (more stringent)	7

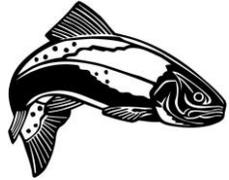
Stakeholders and Economic Impacts - GWQS

- Proposal published in New Jersey Register (56 N.J.R. 402(a)) on January 2nd, 2024.
- Status: The proposal will be adopted on or before January 2nd, 2025.
- All updated & new standards will be applied to all existing **Site Remediation** cases
 - May result in additional monitoring wells, additional sampling, treatment of additional groundwater, or treatment of impacted supply wells.
 - May trigger additional remediation of contaminated sites for constituents becoming more stringent by an order of magnitude
- Amendments may result in additional costs to **NJPDES permittees** with a DGW (discharge to ground water) permit
- Some **laboratories** may have to upgrade analytical equipment to achieve detection of the updated PQLs



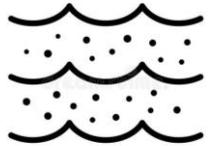
Surface Water Quality Standards N.J.A.C 7:9B

(<https://www.nj.gov/dep/wms/bears/swqs.htm>)



Designated Uses

- Aquatic life (general & trout),
- Potable drinking water after conventional treatment
- Agricultural and industrial supplies, and recreation



Stream Classifications

- Freshwaters: FW1, FW2 (TP, TM, NT)
- Saline Waters (SE1, SE2, SE3, SC)
- PL



Water quality criteria necessary to protect the designated uses

- Aquatic life (based on toxicity studies in aquatic life)
- Human health (based on drinking water and fish consumption)
- Does not consider economic or technological feasibility or detectability to implement.



Policies affecting implementation

- General and Technical
- Antidegradation
- Mixing Zone
- Variances



SWQS Requirements

- Must be reviewed every three years (Triennial Review)
- Must be renewed every seven years – expires in 2030 (New Jersey Administrative Procedure Act (NJAPA) at N.J.S.A. 52:14B-1 et seq.)

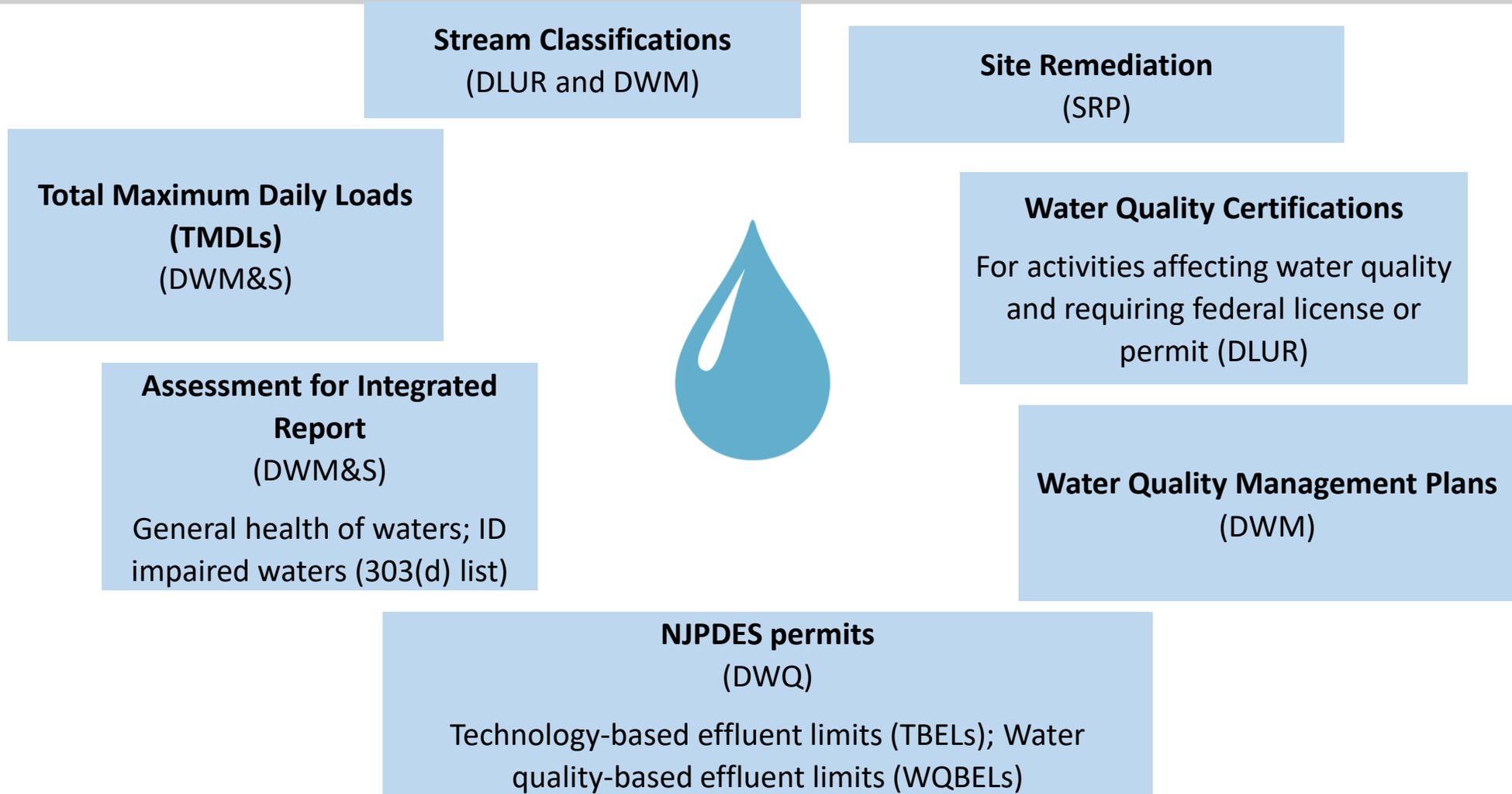
Statutory Authority

- Federal:
 - Clean Water Act (§101(a), §303(a-c))
 - Federal Regulations (40 C.F.R. 131.11)
- State:
 - NJ Water Pollution Control Act (N.J.S.A. 58:10A-1 et seq.)





SWQS Implementation



SWQS Antidegradation Policy

Outstanding National Resource Waters (ONRW)

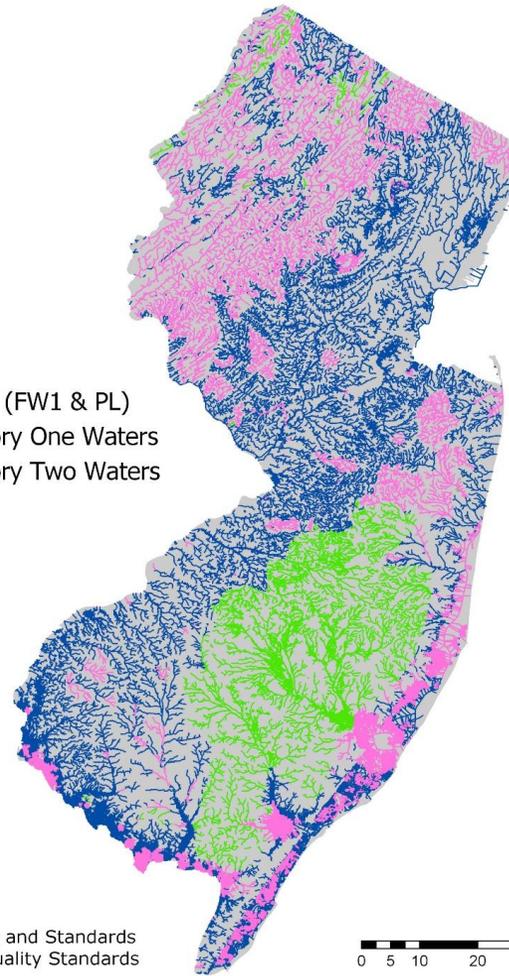
- Waters within state and federal parks
- No manmade wastewater dischargers are allowed
- No activities which would cause a measurable change in water quality, except toward natural conditions

Category One Waters

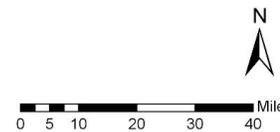
- Wastewater dischargers are required to maintain the current level of water quality
- C1 designation provides additional protection to waterbodies to discourage development (300-ft riparian zone)
- Waters shall be protected from measurable changes in water quality

Category Two Waters

- All streams that are not ONRW or C1
- Existing water quality is maintained
- Some degradation may be allowed to accommodate important economic and social development
- Must continue to meet SWQS criteria

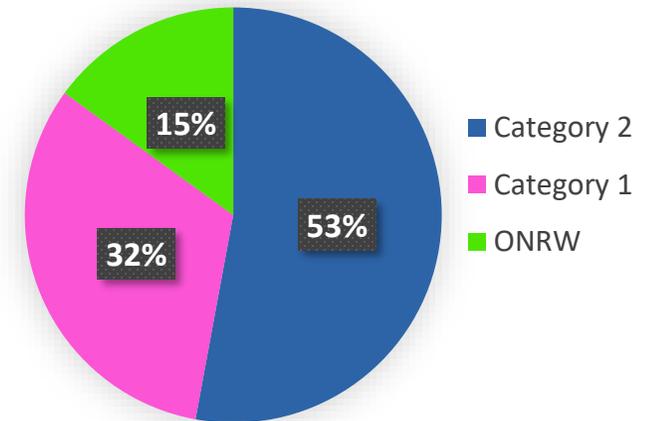


Water Monitoring and Standards
Surface Water Quality Standards
March 2020



Categories	River miles	Percent (%)
ONRW	3,527	15
C1	7413	32
C2	12581	53
Total	23,521	100

NJ Surface Water Antidegradation Designations



Surface Water Standards Development

DRIVERS:

New (or revised) federal guidance

Data sufficient to develop state-specific criteria without federal guidance

Petition for rulemaking

CRITERIA DEVELOPMENT:

Aquatic life-based criteria (acute and chronic exposure)

Fresh Saline

Human health-based criteria

Fresh Saline

Carcinogens Non-carcinogens

Conventional Pollutants

Fresh Saline

FINAL STANDARD:

Criteria automatically becomes the implemented **Surface Water Quality Standard.**



Ongoing Rulemaking – “Toxics” Proposal

Refresher stakeholder meeting held on November 21, 2024.

- Rule Proposal anticipated to be published in the NJR early 2025
- Discussed potential updates to human health surface water quality criteria at [N.J.A.C. 7:9B-1.14](#):

New definitions for “carcinogen” and “non-carcinogen”

New significant figures and rounding policy

Revisions and additions to fresh and saline numeric criteria for **94 toxic substances** (based on NJDEP’s review of [USEPA’s 2015 recommendations](#))

Adding new fresh water numeric criteria for **additional toxic substances** based on drinking water exposure:

Perfluorononanoic acid (PFNA)

Perfluorooctanoic acid (PFOA)

Perfluorooctanesulfonic acid (PFOS)

1,4-dioxane

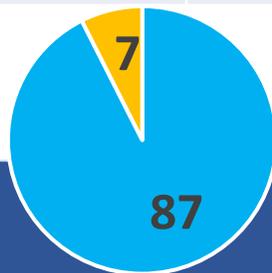
New Parameters Added to the SWQS (Anticipated) based on [USEPA \(2015\) Recommendations](#)

New Fresh Water Criteria (7)

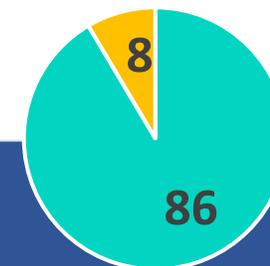
Chemical Name	USEPA 2015 Recommended Fresh Water Criteria (µg/L)	Anticipated Fresh Water Criteria (µg/L)
Bis(Chloromethyl) Ether	0.00015	0.00015
Chlorophenoxy Herbicide (2,4-D)	1300	60.
Chlorophenoxy Herbicide (2,4,5-TP)	100	130
Dimethyl Phthalate	2000	500
Hexachlorocyclohexane - Technical	0.0066	0.0066
3-Methyl-4-Chlorophenol	500	500
Dinitrophenols	10	10

New Saline Water Criteria (8)

Chemical Name	USEPA 2015 Recommended Saline Criteria (µg/L)	Anticipated Saline Criteria (µg/L)
Bis(Chloromethyl) Ether	0.017	0.017
Chlorophenoxy Herbicide (2,4-D)	12000	560
Chlorophenoxy Herbicide (2,4,5-TP)	400	380
Dimethyl Phthalate	2000	500
Hexachlorocyclohexane - Technical	0.010	0.010
Methoxychlor	0.02	0.02
3-Methyl-4-Chlorophenol	2000	2000
Dinitrophenols	1000	300



- Number of substances with revised fresh water criteria
- Number of substances with new fresh water criteria



- Number of substances with revised saline criteria
- Number of substances with new saline criteria



“Toxics” Proposal

More information available here:
<https://www.nj.gov/dep/workgroups/swqs.html>

Adding new fresh and saline water numeric criteria for additional toxic substances

- Perfluorononanoic acid (PFNA)
- Perfluorooctanoic acid (PFOA)
- Perfluorooctanesulfonic acid (PFOS)

Adding new freshwater numeric criteria for

- 1,4-dioxane

Impacts:

- PFNA, PFOA, PFOS, and 1,4-dioxane are new substances that will be added to the SWQS
- NJDEP will review data resulting from sampling and monitoring as part of the permit process.
 - Industrial facilities (B, L, and DLAs) will be targeted for monitoring.
 - No additional/new violations are anticipated based on the anticipated rule amendments at this time.

Parameter	NJDEP Freshwater Criteria Anticipated for Proposal	NJDEP Saline Water Criteria Anticipated for Proposal
Perfluorononanoic acid (PFNA)	5 ng/L	2 ng/L
Perfluorooctanoic acid (PFOA)	0.00057 ng/L	0.00079 ng/L
Perfluorooctane sulfonate (PFOS)	0.032 ng/L	0.13 ng/L

Anticipated SWQS freshwater human health criterion of 0.33 µg/L based on drinking water exposure

For questions, please contact:

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BMWM Section Chief, Sarah Gentile 609 748-2000
sarah.gentile@dep.nj.gov

BFBM Bureau Chief, Chris Kunz 609 292-0427
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BEARS Bureau Chief, Kim Cenno 609 633-1441
kimberly.cenno@dep.nj.gov

Director Victor Poretti
<https://www.state.nj.us/dep/wms/>



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Questions?

Closing Remarks



Announcements

- Link to Slide Deck will be e-mailed through NJDEP listserv to registered attendees.
- Slides will also be posted on AWMA-NCNJ website: mass-awma.net/nj-events
- Please complete the Feedback Survey. QR code provided in Handouts
- Not an AWMA member? Please consider joining: [Join A&WMA \(awma.org\)](http://awma.org)

We are looking for members to become more involved and be part of the leadership team!

Connect with one of our leadership team members or e-mail awmancnj@gmail.com if interested.



AIR & WASTE MANAGEMENT
ASSOCIATION

◆
SINCE 1907

Northern and Central New Jersey Chapter

Thank You!