

Revisions to Air Permit Rules to address federal PM-2.5 requirements

12/18/2012 Initial Stakeholder Meeting at NJDEP Building, Trenton, New Jersey

Attendees:

External Stakeholders: (1) Toby Hanna, ERM; (2) Kimberly Scarborough, PSE&G; (3) Molly Greenberg, Ironbound Community Corporation; (4) Joann Held, Representative of Environmental Groups; (5) Ana Maria Coulter, USEPA Region II; (6) Kathryn Cuento, E.I. DuPont deNemours; (7) Doug Mulvey, LS Power (via conference call); (8) Peter Haid, Hess; (9) Nicky Sheats New Jersey EJ Alliance.

Internal Stakeholders: (1) William O'Sullivan, Director, Division of Air Quality; (2) Francis Steitz, Assistant Director, Air Quality Permitting Program; (3) Jung Kim, Deputy Attorney General, Division of Law; (4) Joel Leon, Section Chief, Bureau of Technical Services (BTS); (5) Bachir Bouzid, Section Chief, Bureau of Air Permits (BAP); (6) Riche Outlaw, Environmental Justice Office; (7) Julie Krause, Goal 3 Lead; (8) Peg Gardner, BAP; (9) Alan Dresser, BTS; (10) & (11) Felice Weiner and Ketan Bhandutia (Rule Managers).

Summary of Input Received:

1. Offsets

- a. Should be sourced from the host community or as close to the host community as possible
- b. Should be sufficient in number to show net air quality benefit in the host community.
- c. Do not expand nonattainment areas, which would result in offsets being obtained even further from host communities.
- d. Offsets are difficult to acquire, so the geographic area from which the offsets can be obtained should be expanded to the greatest extent possible.
- e. Allow lower than 1 to 1 offsets if there is a net air quality benefit.
- f. Provide objective explicit offset ratios for PM-2.5 precursors (nitrogen oxides-NO_x and sulfur dioxide) when ratios have been scientifically supported.
- g. Methods for determining interpollutant offset ratios should be made simpler and straightforward.

2. Impact on Host Community

- a. Use results of Department's Cumulative Impact Study to determine which communities should have more stringent environmental regulations.
- b. Demonstrate that any proposed project will have at a least a net zero environmental impact.
- c. Acknowledge that a project that has positive regional impacts may also have negative local impacts.

3. Rule Threshold Levels

- a. For all areas, lower major facility trigger for PM-2.5 from 100 tons per year (tpy) to 25 tpy. This is the same major facility trigger as NO_x, volatile organic compounds, and total hazardous air pollutants.
- b. Similarly, lower “modification” triggers, lower “significant impact levels” and more stringent offset ratios should be established.

4. Consideration of Most Efficient and Environmentally Advanced Technologies

The review of permit applications for proposed new, state-of-the-art electrical generating facilities should take into consideration the net environmental benefit that results from these facilities displacing older, less efficient units.