

**Anticipated Regulatory  
Changes to N.J.A.C. 7:27 “Air  
Pollution Control”**

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# Anticipated Regulatory Changes

- Two major rule changes that are being developed
  - Modifications to list of Hazardous Air Pollutants (HAP) including their Reporting Thresholds
  - Modifications to incorporate USEPA Control Techniques Guidelines (CTG)
- Department has been generating background data on both modifications

# Anticipated Regulatory Changes - HAP

- Create one master list of HAP reporting thresholds
  - Two different lists currently
    - One in N.J.A.C. 7:27-8 for minor facilities and one in N.J.A.C. 7:27-22 for major facilities
    - Lists do have different reporting thresholds for some HAP
    - One list for all facilities in N.J.A.C. 7:27-17 “Control and Prohibition of Air Pollution by Toxic Substances”

# Anticipated Regulatory Changes - HAP

- Update current reporting thresholds
  - Originally developed in early 1990s
  - Are not based on the most current scientific data
  - Since HAP emissions below reporting thresholds do not have to be listed in permit applications, accurate risk evaluations cannot be conducted
  - May result in significant health risks to surrounding community and sensitive receptors

# Anticipated Regulatory Changes - HAP

- Add new HAP to list, as per NJ statute
  - One being considered is diesel particulate emissions
  - None added to initial list
  - To be based on:
    - Degree of use in NJ
    - Regulation by other agencies
    - Recent toxicity data
  - Input from Science Advisory Board

# Anticipated Regulatory Changes - CTG

- Under the Clean Air Act (CAA), states with nonattainment areas must revise their State Implementation Plans (SIP) to include reasonably available control technology (RACT)
- In addition to RACT, the CAA specifically requires states with moderate and above ozone nonattainment areas implement ozone related CTG, which address VOC emissions.
  - Minimum VOC control efficiencies
  - Maximum VOC content levels
  - Thresholds to exempt lower emitting facilities
- The USEPA issues CTGs to provide states with guidance regarding controls that constitute RACT

# Anticipated Regulatory Changes - CTG

- Fiberglass Boat Manufacturing Materials CTG
- Paper, Film, and Foil Coatings CTG
- Miscellaneous Metal and Plastic Part Coatings CTG
- Industrial Cleaning Solvent CTG

# Anticipated Regulatory Changes - CTG

- Evaluating how many facilities will be subject
- Evaluating how many already comply
- Determining if N.J.A.C. 7:27-16 is equivalent to or more stringent than CTG
  - If so, no changes are necessary
  - “Negative declaration” will be filed with the USEPA
- Determining the best way to incorporate CTG into N.J.A.C. 7:27-16
  - Modify existing sections
  - Add entirely new sections