



New Jersey Department of Environmental Protection

NOTICE OF PUBLIC HEARING AND AVAILABILITY:

PROPOSED RULEMAKING TO NEW JERSEY'S CONTROL AND PROHIBITION OF MERCURY EMISSIONS N.J.A.C. 7:27-27 and N.J.A.C. 7:27A-3.10

Take notice that the NJ Department of Environmental Protection is proposing amendments at N.J.A.C. 7:27-27, Control and Prohibition of Mercury Emissions, which set forth the requirements and procedures for the control and prohibition of air pollution from mercury emissions. In addition, the Department is proposing related amendments at N.J.A.C. 7:27A-3.10, Air Administrative Procedures and Penalties. The N.J.A.C. 7:27-27 amendments would provide a one year extension of the compliance deadline in case additional time is necessary for adjustment, optimization, and alternative reagent evaluation necessary to enable a coal fired boiler to consistently meet the emission standards in the rules.

The N.J.A.C. 7:27A-3.10 amendment proposes new and amended penalties that are consistent with existing penalties for similar violations. Any owner or operator of a source subject to the proposed amendments and new rules who fails to comply with any applicable provision of N.J.A.C. 7:27-27 would be subject to civil administrative penalties in the amounts proposed in N.J.A.C. 7:27A-3.10(m)(27). The Department is also proposing related amendments to Air Administrative Procedures and Penalties.

The Department's proposal will appear in the **August 1, 2005** New Jersey Register. A copy of the proposal is now available for inspection, as described more fully below. A **public hearing** concerning the Department's proposed revision is scheduled as follows:

Friday, September 30, 2005 at 1:00 p.m.
401 E. State Street
Public Hearing Room, First Floor, East Wing
Trenton, New Jersey

This hearing is being held in accordance with the provisions of the Air Pollution Control Act (1954), N.J.S.A. 26:2C; and the Administrative Procedure Act, N.J.S.A. 52:14B. Written comments may be submitted until close of business **Friday, September 30, 2005**, to:

NJ Department of Environmental Protection
Alice Previte, Esq.
Attn: DEP Docket # 06-05-03/502
Office of Legal Affairs
P.O. Box 402
Trenton, New Jersey 08625-0402

The following are options for obtaining a copy of the proposed rule revision:

1. Visit the DEP's website at: <http://www.nj.gov/dep/aqm>, where Air Quality Management rules, proposals, adoptions and SIP revisions are available. The Department's proposed rule revision can be viewed or downloaded from the following url: <http://www.nj.gov/dep/aqm/whatsnew.htm>.

2. Look for the Department's proposal in the **August 1, 2005**, issue of the New Jersey Register.

3. Go and inspect the proposed rule revision during normal office hours at any of these locations:

DEP Public Information Center
401 E. State Street, 1st Floor
Trenton, New Jersey 08625

DEP Bureau of Enforcement
Central Region
Horizon Center, P.O. Box 407
Robbinsville, N.J. 08625-0407

DEP Bureau of Enforcement
Metropolitan Region
2 Babcock Place
West Orange, N.J. 07052-5504

Trenton Public Library
120 Academy Street
Trenton, N.J. 08608

Newark Public Library
5 Washington Street
P.O. Box 630
Newark, N.J. 07102-0630

Burlington County Library
3 Pioneer Blvd. and Woodlane Rd.
Mt. Holly, N.J. 08060

Joint Free Public Library
Morristown & Morris County
1 Miller Road
Morristown, N.J. 07960

Burlington City Library
23 West Union Street
Burlington, N.J. 08016

Perth Amboy Public Library
193 Jefferson Street
Perth Amboy, N.J. 08861

Toms River Public Library

DEP Bureau of Enforcement
Northern Region
1259 Route 46 East
Parsippany, N.J. 07054-4191

DEP Bureau of Enforcement
Southern Region
2 Riverside Drive, Suite 201
Camden, N.J. 08103

Atlantic City Public Library
1 North Tennessee Avenue
Atlantic City, N.J. 08401

Penns Grove/Carney's Point Public Library Association
222 South Broad Street
Penns Grove, N.J. 08069

New Brunswick Free Public Library
60 Livingston Avenue
New Brunswick, N.J. 08901

Ms. Ellen Calhoun
Library of Science and Medicine, Rutgers University
P.O. Box 1029
Piscataway, N.J. 08855-1029

Freehold Public Library
28½ East Main Street
Freehold, N.J. 07728

Camden Free Public Library
418 Fredericks Street
Camden, N.J. 08103

Somerville Public Library
35 W. End Avenue
Somerville, N.J. 08876

Alexander Library

101 Washington Street
Toms River, N.J. 08753-7625

Rutgers University, 169 College Avenue
New Brunswick, NJ 08901

4. IF YOU HAVE QUESTIONS or for further information on how to view or obtain a copy of the proposal is available from:

Bureau of Pre-Construction Permits
NJDEP Air Quality Permitting Element
401 E. State Street, 2nd Floor
P.O. Box 027
Trenton, NJ 08625-027
phone: (609) 633-2829 and (609) 984-3023
fax: (609) 984-6369

If you have any questions concerning the proposed rule revision, please contact Sunila Agrawal at (609) 292-9202 or Sunila.Agrawal@dep.state.nj.us by e-mailing or by mailing or faxing the attached form to her as indicated on the form.

MAIL OR FAX THIS RULE PROPOSAL REQUEST FORM TO:

Ms. Sunila Agrawal
New Jersey Department of Environmental Protection
Air Quality Permitting Element
401 E. State Street, 2nd Floor
P.O. Box 027
Trenton, N.J. 08625-027

Phone: (609) 292-9202
fax: (609) 984-6369
Sunila.Agrawal@dep.state.nj.us

↑ **Please send me a copy of the Department's Proposal for Control and Prohibition of Mercury Emissions rules at N.J.A.C. 7:27-27 and N.J.A.C. 7:27A-3.10**

Name:

Organization:

Address:

Telephone:

↑ Please remove my name from the Air Quality rulemaking mailing list.

Please consider subscribing to our Air Rules Listserv to receive e-mail updates of all proposed Department rulemaking relating to air pollution control and changes to New Jersey's State Implementation Plan. Signing up is easy through our AIRRULES LISTSERV Info Page at <http://www.state.nj.us/dep/baqp/airrules.html>.