



State of New Jersey

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MEMORANDUM

TO: Kim McEvoy, Director
Sandy Recovery Environmental and Historic Preservation Review Program

FROM: Francis Steitz, Director
Division of Air Quality *FS*

RE: Community Development Block Grants – Disaster Recovery (CDBG-DR) for
Hurricane Sandy Recovery Efforts – Updated Review

DATE: December 19, 2019

The Division of Air Quality (DAQ) has revised the General Conformity Applicability Analysis (analysis) for the New Jersey Department of Community Affairs (DCA), U.S. Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR) for the Hurricane Sandy recovery efforts. The analysis is required by the Clean Air Act and Federal Regulation (40 CFR Part 93, (Subpart B)). The review update was prompted by the United States Environmental Protection Agency's (USEPA's) reclassification of the New York-Northern New Jersey-Long Island (NY-NJ-CT) ozone nonattainment area from "moderate" to "serious" nonattainment, which corresponds to lower de minimis levels in the Federal General Conformity regulation (40 CFR 93.150 (b) (Applicability)). The counties that are in "serious" nonattainment status include, Bergen, Essex, Hudson, Middlesex, Monmouth and Union. Atlantic, Cape May and Ocean counties are in the Philadelphia-Wilmington-Atlantic City (PA-NJ-MD-DE) ozone nonattainment area, which is classified as "marginal" nonattainment.

The updated review is based on approximately \$1 billion that will be utilized in construction activities associated with the CDBG -DR programs that are included in the Sandy Recovery Program Dashboard (as of September 30, 2019). These CDBG-DR programs either have not expended their allocated funds within the 24-month expenditure deadline or the programs are long-term in nature and were not able to be completed within the 24-month expenditure deadline, which has subsequently been extended as indicated on HUD's website at:

<https://files.hudexchange.info/resources/documents/PL-113-2-Extensions.pdf>. In some cases previously allocated funds have been reallocated to different programs for expenditure. Construction will take place over at least a two-year period. Air emissions were calculated on a calendar year basis. The CDBG-DR funds provided under Public Law 113-2 must be expended no later than September 30, 2022, as indicated in the February 19, 2019 Federal Register (84 FR

4837). The estimated air emissions are conservative in nature and will continue to remain below the Federal General Conformity regulation's de minimis thresholds associated with serious nonattainment classification.

To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continue to remain in effect. Activities must still meet the State's Air Pollution Control requirements, e.g. obtaining permits when necessary, adherence to idling limitations, implementation of all reasonable measures to mitigate dust and fugitive emissions from demolition and construction and complying with all state and federal rules for demolition of structures which may contain asbestos.

In addition, the DAQ recommends the following:

All on-road vehicles and non-road construction equipment operating at, or visiting, the construction site shall comply with the three-minute idling limit, pursuant to N.J.A.C. 7:27-14 and N.J.A.C. 7:27-15. Consider purchasing "No Idling" signs to post at the site to remind contractors to comply with the idling limits. Signs are available for purchase from the Bureau of Mobile Sources at 609/292-7953 or <http://www.stopthesoot.org/sts-no-idle-sign.htm>.

All non-road diesel construction equipment greater than 100 horsepower used on the project for more than ten days should have engines that meet the USEPA Tier 4 non-road emission standards, or the best available emission control technology that is technologically feasible for that application and is verified by the USEPA or the CARB as a diesel emission control strategy for reducing particulate matter and/or NOx emissions.

All on-road diesel vehicles used to haul materials or traveling to and from the construction site should use designated truck routes that are designed to minimize impacts on residential areas and sensitive receptors such as hospitals, schools, daycare facilities, senior citizen housing, and convalescent facilities.