



New Jersey Department of Environmental Protection

**NOTICE OF PUBLIC HEARING AND AVAILABILITY:**

**PROPOSED RULEMAKING TO REPEAL NEW JERSEY'S OPEN MARKET EMISSIONS TRADING (OMET) PROGRAM**

**N.J.A.C. 7:27-30 Open Market Emissions Trading Program, and N.J.A.C. 7:27-1, 8, 16, 19, 22, and 31 and N.J.A.C. 7:27A-3**

Take notice that the New Jersey Department of Environmental Protection (Department) is proposing a repeal of and amendments to its rules governing the Open Market Emissions Trading (OMET) program. This proposal also constitutes a proposed revision to the State's Ozone State Implementation Plan (SIP); a copy of the proposal has been forwarded to the United States Environmental Protection Agency (USEPA). A statement of the substance of the proposal follows:

New Jersey's OMET program has suffered from problems that diminished its effectiveness and may have resulted in environmental disbenefit. After carefully considering these problems and the advisability of continuing the program, the Department determined, and so advised the USEPA and the regulated community, that it would take action to end the program. If adopted, this rulemaking would end the OMET program and would provide additional time and alternative compliance options, if necessary, for former users of discrete emission reduction (DER) credits to comply with the Reasonably Available Control Technology (RACT) regulations limiting emissions of volatile organic compounds (VOC) and oxides of nitrogen (NO<sub>x</sub>).

The Department's proposal will appear in the **August 4, 2003** 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 proposal/proposed SIP revision is scheduled as follows:

**Wednesday, September 10, 2003 at 1:00 p.m.**

The War Memorial Building, Turning Point Conference Room  
West Lafayette Street (Corner of W. Lafayette and Barracks Streets)  
Trenton, New Jersey

This hearing is being held in accordance with the provisions of Section 110(a)(2) of the Clean Air Act, 42 U.S.C. § 7410; 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 by close of business **Friday, October 3, 2003**, to:

NJ Department of Environmental Protection  
Alice Previte, Esq.  
Attn: DEP Docket # 15-03-07/379  
Office of Legal Affairs  
P.O. Box 402  
Trenton, New Jersey 08625-0402

**The following are options for obtaining a copy of the proposal/proposed SIP 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 proposal/proposed SIP 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 4, 2003**, issue of the New Jersey Register.

3. Go and inspect the proposal/proposed SIP 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

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

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

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

4. Request a copy of the proposal/proposed SIP revision by calling Diane Hutchings at (609) 633-0530, by e-mailing her at [diane.hutchings@dep.state.nj.us](mailto:diane.hutchings@dep.state.nj.us), or by mailing or faxing the attached form to her as indicated on the form.

**IF YOU HAVE QUESTIONS:** For more information about the Department's rule proposal, please call our Bureau of Air Quality Planning at (609) 633-0530.

**MAIL OR FAX THIS RULE PROPOSAL REQUEST FORM TO:**

Ms. Diane Hutchings  
New Jersey Department of Environmental Protection  
Air Quality Planning  
401 E. State Street, 7<sup>th</sup> Floor  
P.O. Box 418  
Trenton, N.J. 08625-0418

phone: (609) 633-0530  
fax: (609) 633-6198  
diane.hutchings@dep.state.nj.us

- Please send me a copy of **the Department's Proposal for Repeal of the OMET Program, N.J.A.C. 7:27-30**

Name:

Organization:

Address:

Telephone:

- Please remove my name from the Air Quality SIP and 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>.