NOTICE OF PUBLIC HEARING AND AVAILABILITY:
PROPOSED RULEMAKING TO REPEAL NEW JERSEY’S OPEN MARKET EMISSIONS TRADING (OMET) PROGRAM

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 (NOx).

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**
     - Northern Region
     - 1259 Route 46 East
     - Parsippany, N.J. 07054-4191

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

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

   - **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

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

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

   - **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

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

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

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

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

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

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, 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, 7th 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.