

**NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
**ENVIRONMENTAL REGULATION**  
**AIR QUALITY MANAGEMENT**

**Notice of Rule Proposal/Proposed Revision to the State Implementation Plan(SIP)/Hearing**  
Prevention of Air Pollution from Consumer Products, Prevention of Air Pollution from  
Adhesives and Sealants, TBAC Emissions Reporting, N.J.A.C. 7:27-24, 26 and 34

**Public Notice**

Take notice that the NJ Department of Environmental Protection (Department) is proposing new rules and amendments to its rules. This proposed rulemaking constitutes a revision to the State Implementation Plan (SIP). A statement of the substance of the proposal/proposed SIP revision follows:

The Department is proposing amendments to N.J.A.C. 7:27-24, (Prevention of Air Pollution from Consumer Products), and new rules at N.J.A.C. 7:27-26 (Prevention of Air Pollution from Adhesives and Sealants) and N.J.A.C. 7:27-34 (tertiary butyl acetate (TBAC) Emissions Reporting). The amendments to N.J.A.C. 7:27-24 would add emission limits for a number of new consumer product categories, impose a more restrictive limit for other categories and expand the prohibition of certain toxics to other automotive and consumer product categories. The proposed amendments to N.J.A.C. 7:27-24 would also replace the Department's performance standards for portable fuel containers (gas cans) with a requirement that these containers be certified by the California Air Resources Board (CARB). This would make portable fuel containers in New Jersey more user-friendly, without compromising their emission reduction qualities. The proposed new rules at N.J.A.C. 7:27-26 would regulate VOCs from adhesives and sealants, with alternative compliance options. The proposed new rules at N.J.A.C. 7:27-34 would require the reporting of TBAC emissions. The Department is also amending the definition of VOCs to incorporate by reference the definition of that term by the United States Environmental Protection Agency (USEPA). Amendments to the definition of VOC would exempt TBAC, a marginally reactive VOC, from all but emission reporting requirements.

The Department is proposing these new rules and amendments regarding consumer products and adhesives and sealants in order to attain the 8-hour ozone health standard throughout the State. The State has committed, along with other state members of the Ozone Transport Commission (OTC) to undertake regional measures to achieve the 8-hour ozone standard.

The proposal is based on model rules the OTC developed to reduce VOC emissions from certain consumer and commercial products, including adhesives and sealants. It is also based on a CARB rule prohibiting the sale and use of consumer products used in automotive consumer products if they contain certain toxic air contaminants.

The proposal is scheduled to be published in the New Jersey Register dated November 5, 2007. A copy of the proposal is available from the Department's website at <http://www.state.nj.us/dep/rules/notices.html> or by contacting Willa Williams, Air Quality

Planning, at [willa.williams@dep.state.nj.us](mailto:willa.williams@dep.state.nj.us). Copies are also available at public libraries throughout New Jersey and at the Department's public information center at 401 East State Street, Trenton, NJ. You can obtain an official copy of the proposal from LexisNexis Customer Service at (800)223-1944 or [www.lexisnexis.com/bookstore](http://www.lexisnexis.com/bookstore). Be advised that there may be a fee for obtaining a copy of the proposal from some sources.

A public hearing concerning the proposal is scheduled as follows:

Monday, December 10, 2007 at 10 a.m. at:  
New Jersey Department of Environmental Protection  
Hearing Room, 1<sup>st</sup> Floor  
401 East State Street  
Trenton, New Jersey 08625

Written comments may be submitted by January 4, 2008, to:

NJ Department of Environmental Protection  
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ATTN: DEP Docket No. 20-07-10/642  
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