



New Jersey Department of Environmental Protection

NOTICE OF PUBLIC HEARING AND AVAILABILITY:

PROPOSED RULEMAKING REGARDING

N.J.A.C. 7:27-8 Permits and Certificates for Minor Facilities (and Major Facilities without an Operating Permit), N.J.A.C. 7:27- 7:27-22 Operating Permits and other related provisions at N.J.A.C. 7:27-20.1 and 20.3.

Take notice that the New Jersey Department of Environmental Protection (Department) is proposing new rules and amendments at N.J.A.C. 7:27-8 and N.J.A.C. 7:27-22, its rules relating to permitting sources of air pollution. The Department is also proposing related amendments to N.J.A.C. 7:27-20, Used Oil Combustion. The proposal constitutes proposed revisions to the State's Ozone State Implementation Plan (SIP), and a copy was forwarded to the United States Environmental Protection Agency (EPA). A statement of the substance of the proposal follows:

The Department is proposing several categories of amendments. First, the Department is proposing to amend its base fee tables and supplementary fee schedule at N.J.A.C. 7:27-8.6 to raise its application processing fees to cover the preconstruction permit program's operating costs for non-major facilities. The last non-major facility fee increase was in 1991. Second, the Department is proposing to amend its base and supplementary fee schedules for significant modification applications at N.J.A.C. 7:27-22.31(r) and (s), respectively, to cover the cost of reviewing those applications for major facilities. Third, the Department is proposing to amend N.J.A.C. 7:27-22.31 to conform the fee provisions to the mandated fees in the Omnibus Fee Legislation of 2002 (P.L. 2002, c.34). As required by the Omnibus Fee Legislation, the Department has already implemented these fee increases starting with Fiscal Year 2003. The emission fees only affect major facilities. Fourth, the Department is proposing to require persons to submit electronically all permit applications (except renewals), registrations, and notices starting on January 1, 2008. Fifth, the Department is proposing to exempt from the permitting requirements at N.J.A.C. 7:27-8 and N.J.A.C. 7:27-22 dry cleaning equipment that uses liquid carbon dioxide as the cleaning agent. Sixth, the Department is proposing additional amendments to N.J.A.C. 7:27-8 and N.J.A.C. 7:27-22, to make administrative and grammatical corrections, change payment and filing methods, and reduce from 60 to 30 days the time for payment of Department invoices.

The Department's proposal will appear in the **December 19, 2005** New Jersey Register. 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:

Monday, January 23, 2006 at 1:00 p.m.
First Floor Public Hearing Room
Department of Environmental Protection
401 E. State Street
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, February 17, 2006**, to:

New Jersey Department of Environmental Protection
Alice Previte, Esq.
ATTN: DEP Docket No. 41-05-11/385
Office of Legal Affairs
PO 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: www.state.nj.us/dep/aqm, where the Division of Air Quality's 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.state.nj.us/dep/aqm/whatsnew.htm>.
2. Look for the Department's proposal in the **December 19, 2005** issue of the New Jersey Register.
3. Inspect the proposals/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

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

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

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

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

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

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

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

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

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

4. Request a copy of the proposal/proposed SIP revision by contacting Ms. Edivia Molina of the Bureau of Pre-Construction Permits at (609) 633-2829, at Edivia.Molina@dep.state.nj.us, or by mailing or faxing the attached form.

IF YOU HAVE QUESTIONS: For further information about the proposal/proposed SIP revision please contact:

Allan H. Willinger
NJ Department of Environmental Protection
Air Quality Permitting Element
401 E. State Street, 2nd Floor
P.O. Box 027
Trenton, N.J. 08625-0027
phone: (609) 633-1120
fax: (609) 633-8236
Allan.Willinger@dep.state.nj.us

MAIL OR FAX THIS RULE PROPOSAL REQUEST FORM TO:

Ms. Edivia Molina
New Jersey Department of Environmental Protection
Air Quality Permitting Element
Bureau of Pre-Construction Permits
401 E. State Street, 2nd Floor
P.O. Box 027
Trenton, N.J. 08625-0027

Phone: (609) 633-2931

Fax: (609) 633-8236

Edivia.Molina@dep.state.nj.us

- Please send me a copy of **the NJDEP's Rule Proposal to Increase Permitting Fees in N.J.A.C. 7:27-8 and N.J.A.C. 7:27-22.**

Name: _____

Organization: _____

Address: _____

Telephone: _____

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>.