

INDUSTRIAL STAKEHOLDER GROUP

MARCH 3, 2017 MEETING HIGHLIGHTS

1. A summary of pending Air Pollution Control rule work was given. One rulemaking involves removing the requirement for the Stage II equipment installed on gasoline dispensing facilities. Once adopted, Stage II can be removed. Facilities have the option of keeping the equipment operational if it is a VOC compatible system. Prior to adoption, enforcement policy will remain in place which waives the Stage II requirement for new or rebuilt gasoline dispensers. However, existing dispensers will have to operate and maintain Stage II systems until the rule is promulgated. This rulemaking will also include a revision to N.J.A.C. 7:27-22 which will make this subchapter enforceable under New Source Review (NSR) regulations. This will have no impact on how Operating Permit (OP) applications are currently reviewed and issued. Another revision of this rulemaking is the repeal of N.J.A.C. 7:27-30 "TBAC Reporting" which became obsolete with the issuance of the CSPAR rules. The rulemaking is scheduled to be published for comment in the New Jersey Register in early summer.

The next rulemaking updated was the Resiliency/Air Toxics/Exemption Rule. The content of this rulemaking was generated through a stakeholder process of an ISG subgroup.

The Resiliency portion will clarify the rules on the operation of equipment beyond permitted uses during emergencies and other similar unavoidable events, such as Superstorm Sandy. This is not expanding allowances for the use of equipment since the Department allows operation during these types of events. The Construction, Repair, and Maintenance (CRM) memorandum (August 4, 2011, <http://www.nj.gov/dep/aqpp/permitguide/CRM.pdf>) will be codified. These rules are being drafted to be consistent with Department policy while providing operating flexibility. The Department is also considering adding the N.J.A.C. 7:27-19.1 definition of stationary reciprocating engines to N.J.A.C. 7:27-8.1.

Hazardous Air Pollutants (HAP) Reporting Thresholds (RT) are being modified, in conjunction with the Risk Screening Worksheet. The current HAP thresholds have been in effect for over 20 years and the revised levels are being developed using the most recently issued, scientifically based risk factors and air quality simulation methodology. The Department stated that no new HAPs are being added and that the risk factors and methodology used have been shared with interested stakeholders. The new HAP RT will address concerns raised about source operations whose HAP emissions are causing an elevated health risk, but are not being reported. The new HAP levels will apply to all new and modified source operations and Operating Permit renewals.

Stakeholders requested that the Department consider several concerns and suggestions about the proposed HAP thresholds. Recommendations made were to leave HAP SOTA thresholds unchanged and to phase in the revised HAP RT and clearly outline the phase in process in the rule. Stakeholders requested that the Department evaluate actual facilities

to determine the potential impact of the HAP RT changes. A scenario offered was four source operations at a major facility which all emit a HAP below the current RT, but whose HAP emissions would exceed the proposed RT and, possibly, the proposed SOTA threshold. Another concern raised was the impact on engines, operating under Preconstruction Permits, OP, and General Permits (GP).

The Department responded that it would examine all concerns and evaluate all suggestions. It was emphasized that many sources already complied with SOTA by meeting the applicable MACT standard. Also, SOTA applies only to new or modified equipment.

The comment period for the Control Techniques Guidelines Rule/NOx compressor rule proposal closed on March 4. The Department is reviewing and preparing the responses for the comments received. The final rule is scheduled to be published in the New Jersey Register in the third quarter of 2017.

The rule proposal to repeal an antiquated exemption in N.J.A.C. 7:27-7 for emergency releases from pressure-relieving stacks, add PM_{2.5} into the air permitting rules, eliminate the option to submit Emission Statements through email, and require the reporting of PM_{2.5} and ammonia at the source level in Emission Statements was outlined. **Follow-up:** The proposal was published in the New Jersey Register on March 20, 2017. The announcement of the Proposal and a copy of the proposal can be accessed at <http://www.nj.gov/dep/rules/notices.html>. A public hearing will be held on May 9, and the public comment period will close on May 19, 2017.

2. The Department announced that the annual Air Permitting Workshop will be held at Rutgers University on June 6 and 7. The first day covers Air Permitting and the second day covers several topics such as compliance and enforcement, stack testing, continuous emission monitors, health risk assessment, and air quality simulation models.
3. The Department outlined its ongoing evaluation of SOTA manuals. 17 SOTA manuals were initially issued in 1997. If facilities meet the SOTA standard in the manual, no case-by-case, source specific evaluation is necessary. The manuals allow facilities to propose APC systems and equipment which are approvable.

The Storage Tank and Glass Manufacturing SOTA Manuals were withdrawn in 2009 and were not replaced. Similarly, Petroleum Refinery, Degreaser, and Site Remediation Manuals will be withdrawn. Five SOTA Manuals (Asphalt Pavement Production Plants, Ethylene Oxide Sterilizers, Municipal Waste Water Treatment, Bakery Ovens, and Paint, Ink, and Adhesive Industries) were evaluated and it was determined that no changes were necessary since all standards are still consistent with current SOTA technologies. These five SOTA Manuals will be reissued with a current effective date. The following SOTA Manuals will have their standards updated, as applicable: Transfer Operations, Pharmaceutical and Chemical Processes, Surface Coaters/Spray Booths, Boilers, Engines, Turbines, Graphic Arts). Stakeholders were asked to notify the Department if they wished to participate in the effort to update these SOTA Manuals.

4. The Department gave an update on changes being made to General Permits (GP) and General Operating Permits (GOP). GP for boilers with the capacity of 5 million will be available on March 20th. GP and GOP for all boilers with a capacity less than 10 million British Thermal Units per hour or less will be updated to include the MACT 6J requirements and include the current allowable sulfur content in N.J.A.C. 7:27-9. The GP for gasoline dispensing facilities will be revised to remove the requirement for Stage II vapor recovery. Small Emitter General Air Permit will be revised and will combine GPs -2, -3, and 16, allow multiple emission source operations, and base air contaminant emissions on after control potential to emit. GP-19 "Portable Equipment" will be revised to incorporate any changes to N.J.A.C. 7:27-8 when the rule revisions are finalized. GP-15 "Non-MACT Plating Operations" will be updated to include applicable MACT provisions. GP-008 "Site Remediation Activities for Gasoline Contamination at Vehicle Fueling Stations" would eliminate the existing versions of GP-008, reflect current compliance plan issued for this source operation type, and be limited to a five-year duration.
5. The Department announced that there has been a delay in issuing the annual emission fee invoices and the Department expects to issue them soon. The annual emission fee paid by major facilities is adjusted each year by applying the CPI (consumer price index).
6. Air Quality Awareness Week will be held May 1 to May 5. The goal of the Week is to educate the public on air quality issues and what can be done to improve air quality.
7. The Clean Air Council Hearing will be held on April 5 and will discuss the usage and benefits of Low Cost Air Quality Sensors.
8. An issue was raised on the NSPS deadline to conduct a stack test within 180 days. This may not be achievable if the Department has not approved the stack test protocol within the allotted time. The Department will determine if an extension must be obtained under this scenario. This has been an issue for Engines subject to NSPS provisions.
9. The Department stated there is no operating limitation on burning fuel oil during an emergency, despite the 500 hour annual limitation in N.J.A.C. 7:27-19.25. The current Resiliency rulemaking includes the deletion of this 500-hour limit. In addition, air contaminant emissions discharged during an emergency are not included in a facility's potential to emit. This is compatible with MACT 6J since this Federal rule exempts fuel oil combusted during emergencies.
10. The Department will examine and try to resolve the inconsistencies between air contaminant emission calculation methods in APC Permit compliance plans and those used to complete Emission Statements.