

INDUSTRIAL STAKEHOLDER GROUP

SEPTEMBER 16, 2016 MEETING HIGHLIGHTS

1. The Department stated that the Industrial Stakeholder Group (ISG) website will be modified so that agenda items for future meetings can be proposed. This will ensure that agendas address current issues and policies.
2. A presentation was given on the Department's grant program for the installation of Electric Vehicle (EV) charging stations. The program aims to offset the costs of the stations, encouraging both their installation and sales of EV. All New Jersey employers are eligible to apply for the grant which covers Level 1 (120 volt – residential) and Level 2 (240 volt) charging stations. Fast chargers, which can complete a full charge in about 15 minutes, do not qualify for the grant. www.drivegreen.nj.gov has been established which provides information about EV as well as a link to the grant program.
3. The Department encourages, when possible, submissions be made electronically through the Department's portal. This results in the data being entered into the Department's information management system sooner and more efficiently. It was acknowledged that certain submittals, such as those that are one megabyte or larger, would have to be mailed on a disk. An upgrade to the system has been requested to allow larger documents to be entered into the portal.

A request was made to determine if documents generated by the USEPA's Emission Reporting Tool (ERT) could be submitted through the Department's portal. A representative from the Department's Emission Measurement Section was contacted after the meeting and reporting these documents through the portal cannot be done at this time. However, the USEPA may change the ERT to a web-based program instead of a desktop based program, which may allow for submission through the portal.

4. Dataminer 2.0 is available and has been developed to be more user friendly than its prior version. Real time and preloaded reports can be acquired. Making the site easier to navigate should decrease the number of OPRA requests. In addition, videos are available which present the Dataminer 2.0 features. Most active APC Permits can be accessed. The Department plans on upgrading Dataminer 2.0 so that additional reports, such as a list of a facility's approved APC Permits and pending applications, can be accessed.
5. Updates were provided on pending rules. The public comment period for the Revisions to the State Implementation Plan for NJ's Enhanced Inspection and Maintenance (I/M) Program closed on July 15, 2016 and the rules are pending adoption.

The rule proposal for incorporation of the four Control Techniques Guidelines (Paper, Film, and Foil Coatings; Fiberglass Boat Materials Manufacturing; Industrial Cleaning Solvents; Miscellaneous Metal and Plastic Parts Coatings) and nitrogen oxide(s) (NO_x) limits for natural gas compressor engines and turbines which do not generate electricity is currently

under review by the Governor's office and should be issued for public comment by November. The rule proposed to include PM_{2.5} as a criteria pollutant and eliminate a start-up, shutdown, and malfunction provision from N.J.A.C. 7:27-7 is under final legal review and should be issued for public comment by the end of 2016.

A rule package which will phase out the Stage II gasoline dispensing requirement in N.J.A.C. 7:27-16 and repeal N.J.A.C. 7:27-34 "TBAC Emissions Reporting" is being drafted for proposal. Since a large majority of automobiles have Onboard Refueling Vapor Recovery (ORVR) systems, maintaining Stage II controls has become an environmental disbenefit. The Department asked for any input on parameters for requiring that Stage II controls be taken out of service. One option is to allow up to 2 years to decommission a Stage II system. Also, flexibility for removing a Stage II system will be granted if system is compatible with ORVR.

The Department is still evaluating the best ways to incorporate the suggestions of the ISG and Environmental Stakeholders into a rule proposal. These suggestions included incorporating current construction/repair/maintenance guidance in the permit applicability section of the regulations, and updating Hazardous Air Pollutant reporting thresholds to make them consistent with risk assessment guidelines and the most current unit risk factors and reference concentrations.

6. There are two classes of Renewable Energy Credits (REC). Class I REC are generated by renewable energy and similar sources, such as wind mills, solar panels, and landfill gas combustion units. Class II REC are generated from other sources. The REC are generated by both in state and out of state sources. A requirement of facilities that generate Class II REC is that environmental sustainability be demonstrated along with compliance with New Jersey environmental standards and guidance. This requirement resulted in prohibiting out of state Resource Recovery Facilities (RRF), which want to sell Class II REC in NJ, from comingling their fly ash and bottom ash prior to removing metals from the bottom ash. All NJ RRF are subject to this prohibition.

The Department plans on working with the Board of Public Utilities to develop a similar requirement for Class I REC so that out-of-state landfills would have to meet all NJ environmental standards. This would create a level playing field for NJ landfills that wish to generate and sell CER and would not result in the NJ rate payer subsidizing an out of state facility which emits a higher level of contaminants than their NJ counterparts.

7. An update on General Permits (GP) and General Operating Permits (GOP) was given. GOP-7 and GP-17A (boilers and or heater(s) each less than 5 MMBTU/hr) and GOP-8 and GP - 18A (boilers and or heater(s) each greater than or equal to 5 MMBTU/hr and less than 10 MMBTU/hr) will be revised to include the provisions of 40 CFR Part 63 Subpart JJJJJ,

“National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources.” Revised GOP-7 and GP-17A will be available for use by the end of the year and revised GOP-8 and GP-18A were issued for public comment on 9/19/16.

GOP-2 and GP-16 “Small Emitter General Air Permit (SEGAP)” is being revised to expand its applicability. Anticipated modifications include basing potential emission rates on the efficiency of the APC device installed, allowing multiple stacks, and not aggregating the air contaminant emission rates of multiple source operations. Stakeholders will be asked for their input on the proposed SEGAP revisions.

The Department stated that a GOP will be considered for any new or revised GP and that it will continue to seek feedback from the regulated community as GP and GOP provisions and applicability are developed.

8. A status of the state’s ambient ozone levels was provided. Between 9/1 and 9/15, there was only one exceedance of the 70 ppb 8-hour ozone standard, which was measured at 71 ppb at the Colliers Mill monitoring site. The website <http://www.nj.gov/dep/cleanairnj/> provides ozone exceedance reports as well as background information on ozone. The Department is developing an attainment State Implementation Plan for the 75 ppb and 85 ppb ozone standards; and on October 1, the Department will make a designation recommendation for the 70 ppb ozone standard. In addition, an evaluation is being done to determine if the Northern NJ ozone non-attainment area could be expanded.
9. Eighty-three percent of the 2015 Emission Statements have been submitted through the Department’s portal. It is anticipated that the review of these Statements will be completed by the end of October.

For a specific facility, the Department stated that it will address contradictions between how APC Permits and N.J.A.C. 7:27-21.6 “Methods to be used for quantifying actual emissions” require actual emissions to be calculated. The air enforcement group has issued a Notice of Violation for an emission calculation methodology used that was included in an APC Permit.

10. The Department stated that was in the process of accepting delegation of 40 CFR Part 62, Subpart LLL “Federal Plan for Sewage Sludge Incineration Units Constructed on or Before October 14, 2010.” The public hearing was held on 9/21/16.
11. The Department stated that it was still in the process of securing additional Emission Reduction Credits (ERC) which are needed to comply with N.J.A.C. 7:27-18. A reciprocity agreement between New York and New Jersey has been drafted which would allow up to 1000 tons of both NO_x and Volatile Organic Compounds ERC to be exchanged. NY is currently reviewing the draft agreement. ERC which have reverted to the state could be released for use, but this would require that a rule change be promulgated.