

INDUSTRIAL STAKEHOLDER GROUP

September 7, 2018 MEETING HIGHLIGHTS

Preliminary Matters

Introduction of Attendees

Agenda Items (in order of presentation)

I. Update on General Permits and General Operating Permits: The Department provided an update on general permits and general operating permits. The status of specific GPs/GOPs can be found in the presentation that will be posted on the ISG website. Of particular note: (a) GOP-002 for manufacturing and materials handling equipment for major facilities was published for public comment on August 20, 2018 and is expected to be available in 2019; (b) GP-016A for manufacturing and materials handling equipment was revised to exclude fumigation operations. The public comment period closed August 15th and it is expected to be available at the end of 2018).

II. Risk screening Worksheet: With regard to the draft Technical Manuals, the Department received only one comment, which concerned the reference concentration of a specific air toxic. This comment has been addressed and the Department anticipates that the Technical Manuals will be finalized soon. The Department's presentation included a review of the revisions to the Risk Screening Worksheet, which were posted on August 30, 2018. The 8/30/18 revisions involved the incorporation of current guidance and policy into the Worksheet. This was done to put all relevant information concerning use of the Worksheet in one location.

The Department noted that changes to the methodology used to determine the Worksheet output will be based on changes incorporated into the Technical Manuals as well as technical data used to update the air toxic reporting thresholds. The ISG requested that the proposed changes to the Worksheet methodology be made available for comment before they are finalized. A concern raised was that these changes may result in some sources having to conduct a refined risk assessment. The written presentation concerning the changes will be available on the ISG Meeting webpage

III. Start Up/Shut Down/Malfunction Guidance: The Department reviewed the new guidance document recently posted on its website. This document discusses the need to represent all operating scenarios in the permit application, including operating scenarios for startup, shutdown and commissioning. Malfunction operations are not included in the permit. These operations are covered in the permit's General Provisions which require that any such operations be handled through the Affirmative Defense procedures found at N.J.A.C. 7:27-22.3(nn). Air emissions from all operating scenarios must be in compliance with applicable RACT rules.

Further, the Department is updating the guidance for when a major facility seeks to delay a stack test. Currently, a major facility seeking to delay a stack test must submit a significant modification for the new test date, with the appropriate amount of lead time to process said request. In the future, requests for delay could be handled pursuant to a letter to Air Enforcement, only after the provision at N.J.A.C. 7:27-22.18(k) is incorporated into the facility's permit provisions, and the request meets one of the criteria at 7:27-22.18(k)3. Otherwise, stack test dates can only be changed through a significant modification.

IV. Permitting Guidance: In response to a concern mentioned at the last ISG meeting, the Department has updated the webpage containing all of the permitting guidance documents. The updates included adding a date column to the index so that the public can see which guidance documents have been updated most recently. Further, the Department reviewed all of the documents available online and determined that there was one existing guidance document that had not been posted. It is now available. Stakeholders are encouraged to advise the Department if there are other guidance documents that they believe may not be available on the webpage.

V. 96/97 Permits: In response to a suggestion at the last ISG meeting, the Department sent a Compliance Advisory to stakeholders concerning issues with permits issued prior to 1998 (known as “pre-RADIUS” permits).

VI. Frequency of Future ISG Meetings: The Department explained that the response to the Department’s requests for discussion topics for the ISG meetings has not been as robust as it was historically. Accordingly, the Department suggested that Stakeholders may prefer to meet two times per year, rather than four times per year. After discussion, a consensus was reached to meet three times per year (beginning in 2019) with the meeting dates taking place in February, June, and October. The Department will officially announce the new meeting times upon confirmation of room availability.

VII. Regional Greenhouse Gas Initiative (RGGI): The status of the RGGI rulemaking has not changed. The Department intends to propose the mechanics rule and the funding rule by the end of 2018.

VIII. Closing: The Department announced that it plans to pursue a rulemaking regarding air pollution control permits on the outer continental shelf.

Based on a question asked, the Department also noted that updating the SOTA Manuals is still a priority and workgroups will be convened in 2019.

All written presentations were posted on the ISG Meeting webpage.
<http://www.state.nj.us/dep/aqpp/isg.html>