



State of New Jersey

DEPARTMENT of ENVIRONMENTAL PROTECTION

CHRIS CHRISTIE
Governor

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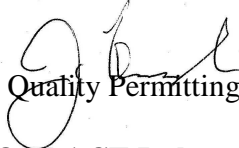
KIM GUADAGNO
Lt. Governor

Division of Air Quality
Bureau of Air Permits
401 E. State Street, 2nd floor, P.O. Box 27
Trenton, NJ 08625-0027

MEMORANDUM

December 9, 2010

TO: Edward Choromanski
Administrator, Air Enforcement

FROM: John Preczewski, P.E. 
Assistant Director, Air Quality Permitting Program

SUBJECT: **Implementation of NOx RACT Rule
N.J.A.C. 7:27-19.25 Exemption for Emergency use of Fuel Oil**

N.J.A.C. 7:27-19.25 regulates combustion sources that combust fuel oil for emergency use only, when natural gas is the source's primary fuel, and natural gas is not available due to circumstances beyond the control of the owner or operator, such as a natural gas curtailment. The rule does not identify if the combustion source is allowed to operate on fuel oil periodically for testing and maintenance purposes. Many years could go by without a natural gas interruption at a facility, so the owner or operator should be allowed to periodically test and maintain the combustion source on fuel oil so it can reliably be brought on-line in the event of a sudden natural gas interruption.

Proposed Clarification

We propose to clarify the N.J.A.C. 7:27-19.25 requirements to allow the owner or operator to periodically fire fuel oil to the combustion source for testing and maintenance. The combustion source shall not be fired on fuel oil for normal testing and maintenance on days when the Department forecasts air quality anywhere in New Jersey to be unhealthy for sensitive groups, unhealthy, or very unhealthy as shown at the Department's air quality permitting web site at <http://www.state.nj.us/dep/aqpp/aqforecast>. In addition, each time the combustion source is operated for testing and maintenance and combusts fuel oil, the owner or operator shall record the date and total operating time.

Until such time that the rule is amended, we propose to permit combustion sources under the N.J.A.C. 7:27-19.25 exemption, to operate with these criteria.

c: W. O'Sullivan Director, Division of Air Quality
Francis Steitz, Chief, Bureau of Air Permits