

Industrial Stakeholders Group (ISG) Meeting Summary – March 2, 2012

The following agenda items and open discussion topics were discussed at the 03/02/12 ISG meeting. Follow-up items are shown in bold.

The meeting opened with a farewell message to the ISG participants from retired Assistant Director, John Preczewski. A copy of John's letter addressing the ISG is located on the AQPP website at: <http://www.state.nj.us/dep/aqpp/isg.html>

AQ Permitting Staffing Changes

Assistant Commissioner Jane Kozinski announced Frank Steitz as Assistant Director, Air Quality Permitting.

Review of 12-2-2011 Meeting Minutes

The meeting summary and follow up items were briefly discussed.

PM-2.5 NAAQS Re-designation Update

The Bureau of Air Quality Planning (BAQP) is in the process of developing a request to EPA to redesignate from nonattainment to attainment for the 1997 annual and 2006 24-hour fine particulate matter (PM_{2.5}) National Ambient Air Quality Standards (NAAQS). This request will be for both multi-state, nonattainment areas in New Jersey: the Northern New Jersey-New York-Connecticut (NNJ-NY-CT) and the Southern New Jersey-Philadelphia (SNJ-Phila.)

All of New Jersey monitors are measuring attainment of the PM_{2.5} health standards. This redesignation request is a revision to the State Implementation Plan and includes updated air quality monitoring data indicating attainment, a Maintenance Plan that describes how the State will maintain the PM_{2.5} NAAQS into the future, as well as, updated transportation conformity budgets.

Redesignation is a high hurdle and EPA reviews them very closely. An approval is contingent on all states within the nonattainment areas submitting a request. So far, CT has submitted a request. AQP has been working with all of the states from each nonattainment area in developing the necessary demonstrations and moving forward. BAQP has also been coordinating with EPA. BAQP identified redesignation as its highest priority.

Applicant Permit Readiness Checklist

BAP discussed a draft "Technical Review Checklist for Air Permit Applications." This checklist is intended to help applicants prepare complete permit applications without major deficiencies. BAP will follow up with more detailed worksheets for attachment items that will be made available for feedback once developed. The draft Technical Review checklist and attachments are located at: <http://www.state.nj.us/dep/aqpp/isg.html>.

SO₂ SIP Modeling Update

A PowerPoint presentation was shown that outlines the modeling steps being considered by Bureau of Technical Services (BTS) to complete the required attainment/nonattainment demonstrations for the 1-hr SO₂ NAAQS (75 ppb). NJ must provide these demonstrations to EPA by 06/02/2013, though this deadline may be extended by a year. EPA has not provided final guidance on how modeling demonstrations should be conducted. Until this guidance becomes available BTS is following the draft guidance made available last year.

BTS is currently planning to model all sources with SO₂ actual emissions over 100 tons/year. Twelve facilities have been identified that meet this qualification. Some of these facilities may be eliminated due to lower sulfur in fuel limits scheduled to take effect in 2017. BTS will meet with affected sources that have actual SO₂ emissions greater than 100 tons per year and discuss the modeling requirement. Facilities will be given the opportunity to model their own facility, or have BTS conduct the modeling.

Transformation Update

- Electronic Reporting Tool (ERT) Update
BTS staff completed training in October 2011 and a concurrent hands-on training/Webinar was given to stack testers in December 2011. Facilities are being recruited to help pilot the ERT system and a Listserv to that effect was sent out in February. Facilities deciding to participate will have their protocols go to the top of the review queue. PSEG is the first to enter the pilot program.

QA/QC laboratory audits for stack tests have not been available since May 2010 when EPA stopped providing them free of charge and then modified the regulations to require the purchase of audits from Accredited Audit Sample Providers (AASPs). AASPs are now becoming accredited. ERC became the first to be accredited, for nearly all methods but not for Method 25, however EPA has not posted this information on their website yet. A second AASP is expected to be accredited shortly. Two AASPs must be available before the purchase of audit samples is required by regulation. BTS will provide notification through its Listserv when EPA posts accreditation information. Testing using Method 25 has been on hold since BTS does not feel the method can be properly quality assured without audits.

- Imaging of Pre-NJEMS Permits
Phase 1 – BAP is scanning pre-NJEMS preconstruction permit documents (pink & greens), converting to PDF format. Currently these documents are only available internally. Future enhancements will allow these documents to be accessed through the Department's web page. Phase 2 – scan all remaining Preconstruction permits issued in paper format. All current Operating Permits are available through the AQPP webpage www.state.nj.us/dep/aqpp under the Approved Operating Permits tab.

- Electronic submission of RADIUS applications
The ability to track changes was discussed, particularly if permit requirements are reordered.

Follow-up: BAP is currently pursuing ways to incorporate a document comparison utility, and will report progress at the next ISG meeting.

Also a concern was raised about confidentiality. BAP emphasized the need to follow the steps outlined in N.J.A.C. 7:27-1 for confidential information, and assured that no changes to the procedure are foreseen. Sub 1 can be found at: <http://www.state.nj.us/dep/aqm/Sub1.pdf> .

Upcoming Air C & E (ACE academy) training

The Air Compliance and Enforcement (ACE) Academy is holding its next stakeholders seminar on May 10, 2012. Topics include common enforcement findings and how to be prepared, SEP and examples, compliance measurements, updates on regulations, navigating the DEP online portal, electronic certification and reporting refresher, and electronic EEMPR.

Follow-up: Information and registration is be available online at:
<http://www.nj.gov/dep/enforcement/advisories/2012-03.pdf>

Boiler Compliance Alert

A compliance alert is forthcoming regarding the extension of compliance date to November 1, 2012, for Sub 19.7 25-50 MMBtu/hour sources only.

Follow-up: Compliance advisory will be posted at:
<http://www.state.nj.us/dep/enforcement/advisories-air.htm>.

General Permits Update

BAP provided updates regarding several General Permits (GP) that are under development.

- GP-004A for fuel dispensing facilities:
The final draft of revisions to GP-004A that incorporates MACT subpart CCCCCC for Stage 1 is expected to be available for public comment this summer.
- GP-009A for boilers and/or indirect fired process heaters less than 50 MMBtu/hr:
The public comment period regarding revisions to GP-009A closed on 2/17/2012. The GP is pending online availability.
The GP-009A revisions included federal (MACT JJJJJ and NSPS) and State (Sub 19 and 16) rule changes, and Department-initiated changes for gas-fired units that use No. 2 fuel oil as back up only.
- GP-005A and GP-005B for emergency generators:

GP-005A and GP-005B are currently under development to include applicable federal requirements and other changes.

- General Operating Permit (GOP) for emergency generators:
This GOP is currently under review and is anticipated to go out for public comment this summer.

Annual AQ Permitting Workshop

The annual NJDEP Air Quality Permitting Seminar will be held at Rutgers on Cook Campus on 6/12-13.

Follow-up: For direct link to the course description and registration, go to <http://www.cpe.rutgers.edu/courses/current/en0203ca.html>, or call 732-932-9271.

Open Discussion

- Area Source Industrial Commercial and Institutional Boilers – Subpart JJJJJ
The final subpart JJJJJ rule is under reconsideration.

Follow-up: EPA issued a No Action Assurance letter on March 13, 2012, regarding initial tune-up compliance dates. Also a "synopsis" of the proposed changes to the final area source NESHAP for ICI boilers can be found with other information including the Fed. Reg. proposed rule publications for major and minor ICI boilers at EPA's website below. <http://www.epa.gov/ttn/atw/boiler/boilerpg.html>.

- Annual Emission Fees
ISG participants were informed that the Department recently sent out a Listserv to all major facilities regarding the publication of the annual emission fee notice (for fiscal year 2012) in the March 9, 2012 New Jersey Register. Invoices will be mailed to major facilities upon publication of the notice and facilities will have till April 9, 2012 to submit the emission fees.
- Temporary Equipment
Unless specifically exempted from permitting (see note below), temporary mobile equipment for short-term activities may be periodically used at major facilities, on-site for up to 90 days when all conditions described under item 17 of General Provisions (Section E) are met.

Note: Certain temporary equipment may be exempted as described in the Assistant Director Preczewski's memo dated August 4, 2011 regarding Construction, Repair and Maintenance operations (memo is posted on AQPP website: <http://www.nj.gov/dep/aqpp/permitguide.html>).

- Electronic Invoices

Currently when submitting an application through the Department's web portal, an applicant may pay the application fee on-line using a credit card or electronic funds transfer. An applicant may instead opt to receive a bill that they can pay a later time directly to Treasury. The capability to obtain invoices electronically, either by receiving an e-mail or printing a document generated on the web page, rather than through the mail was suggested by an ISG member. Currently any invoice for an air permit mailed by Treasury can be paid through the web, but applicants must wait until the bill is received to submit it for payment.

Follow-up: Such an improvement to RADIUS would be an enhancement, and was referred to the NJEMS Portal work group for consideration.

- Reminder to sign up for AQPP's Listserv at:
<http://www.state.nj.us/dep/aqpp/listserv.html>
- Next ISG meeting will be scheduled for June 1, 2012.