

Dear Interested Stakeholders:

You are cordially invited to an air rules stakeholder meeting on September 6, 2019 from 8:30 AM to 3:30 PM in the Public Hearing Room at the NJ Department of Environmental Protection's headquarters, located at 401 E. State Street in Trenton. The purpose of this meeting is to discuss potential rulemaking and seek your input on the subjects discussed below.

To keep the discussion focused, we are inviting stakeholders most likely to be affected by, or interested in, this rulemaking. Because space is limited, we ask that you send no more than one representative and RSVP at your earliest convenience. If someone will be attending in your place, please let us know prior to the meeting.

If you plan to attend, please RSVP by Thursday, August 29, 2019 to Heidi Jones at the following email address Heidi.Jones@dep.nj.gov. Please provide your name(s) and the organization that you represent. If you have any questions regarding this stakeholder meeting, please contact Ms. Jones at 609-292-0834.

Consumer Products and Architectural Coatings (morning session)

The Department is seeking input on proposal of new rules based on the Ozone Transport Commission (OTC) model rules for consumer products and architectural coatings (collectively referred to as "product rules."). New Jersey has been adopting product rules since 1989 and based on OTC Model Rules since 2000. The OTC and New Jersey rules are based on California product rules. California has adopted many phases of these rules since the 80's as all products combined represent the largest source of volatile organic compound (VOC) emissions (an ozone precursor) in the air emission inventory. The existing New Jersey product rules control the emissions of VOCs and some toxics from consumer products and architectural coatings by setting manufacturing limits on the VOC content of products sold in the state for use in the state. Existing regulated consumer products include hair spray, insecticides, household cleaners, air fresheners, automotive brake cleaners, carpet and upholstery cleaners and household and commercial adhesives. Architectural coatings include, but are not limited to, paints, varnishes, stains, industrial maintenance coatings, and traffic coatings.

The proposed rules would revise VOC limits for several existing categories of products and add new categories of products for regulation. These new limits are already effective in California. These rules would be based on the OTC model rules for consumer products 1) Phase III dated 2010, 2) Phase IV dated 2012, 3) the OTC consumer products update dated 5/21/13, 4) the OTC Regulatory & Technical Guideline for Consumer Products Phase V dated 11/20/2018 and 5) the OTC Architectural & Industrial Maintenance (AIM) Coatings Phase II 2010 Model Rule Updated June 2011, all of which can be found at:

<https://otcair.org/document.asp?Fview=modelrules>

Mobile Source Rule Amendments (afternoon session)

California Aftermarket Parts Requirement

The Department is proposing new rules at N.J.A.C. 7:27-28 and 29 to adopt by reference California regulations at 13 CCR 2222. This would require California-certified vehicles and engines in New Jersey needing an out-of-warranty catalytic converter or diesel particulate filter (DPF) replacement to be repaired with California Air Resources Board (CARB)-approved aftermarket parts. Aftermarket catalytic converters and DPFs approved by CARB better reduce air pollutants and are more durable, resulting in a lasting environmental benefit. The proposal to require CARB-approved aftermarket catalytic converters is based on an Ozone Transport Commission model rule introduced in 2014.

Minor Amendments to Gasoline and Diesel Vehicle Regulations

The Department is proposing minor amendments to terms and definitions at N.J.A.C. 7:27-14 and 15 to better align the regulatory language with recent experience in tampered vehicle enforcement. Specifically, the amendments would ensure that all potentially responsible parties are consistently identified across both regulations.

Amendments to Penalties

The Department is proposing amendments and new rules at N.J.A.C. 7:27A-3.10. These amendments would create new penalties for violations of new rules at N.J.A.C. 7:27-28 and 29, correct typographical errors, and ensure complete coverage of penalties for all violations of N.J.A.C. 7:27-14 and 15.