

Appendix J: NJDEP Division of Air Quality *Di Minimis* Thresholds Memo



State of New Jersey

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Lt. Governor

BOB MARTIN
Commissioner

MEMORANDUM

TO: Kim McEvoy, Director
Sandy Recovery Environmental and Historic Preservation Review Program

FROM: Francis Steitz, Director *KR for FS [Signature]*
Division of Air Quality, Energy and Sustainability

RE: Community Development Disaster Recovery Block Grants for Hurricane Sandy Recovery Efforts

DATE: November 18, 2015

The Division of Air Quality (DAQ) has revised the General Conformity Applicability Analysis (analysis) for the New Jersey Department of Community Affairs (DCA), U.S. Housing and Urban Development (HUD) Community Development Block Grant for Disaster Recovery (CDBG-DR) for the Hurricane Sandy recovery efforts. The DAQ has determined that in accordance with 24 CFR Part 58, specifically Section 58.5, a State can assume environmental responsibilities from HUD for Clean Air Act requirements, including general conformity. The analysis is required by the Clean Air Act and Federal Regulation (40 CFR Part 93, (Subpart B)). This revision is due to updated information that was provided by your program, which indicated that additional funding and programs were added to the CDBG-DR, that were not included in the original environmental assessment. The original environmental assessment can be found at: <http://www.state.nj.us/dca/divisions/sandyrecovery/review/>.

The revised analysis is based on \$1.6 billion dollars that will be utilized in construction activities. Air emissions were calculated on a calendar year basis. Construction activities will take place over at least a two-year period. The estimated air emissions are conservative in nature and will continue to remain below the Federal General Conformity regulation's de minimis thresholds.

To avoid adverse air quality impacts, compliance with the regulatory requirements of New Jersey's Air Rules continue to remain in effect. Activities must still meet the State's Air Pollution Control requirements, such as obtaining permits when necessary, adherence to idling limitations, implementation of all reasonable measures to mitigate dust and fugitive emissions from demolition and construction and complying with all state and federal rules for demolition of structures which may contain asbestos.

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