

ADOPTION SECTION

ENVIRONMENTAL PROTECTION

DIVISION OF AIR QUALITY

AIR QUALITY PERMITTING ELEMENT

Notice of Administrative Corrections

Air Pollution Control

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N.J.A.C. 7:27-8.1, 8.2, 16.1, 19.1, 19.6, 19.13 and 19.16; and 7:27B-4.3 and 4.4

Take notice that the Department of Environmental Protection discovered typographic errors in the text of N.J.A.C. 7:27 as described below, which errors arose in the publication of the notice of adoption of amendments to the chapter effective October 17, 2005, operative November 7, 2005. See 36 N.J.R. 4228(a) and 37 N.J.R. 3976(a).

At N.J.A.C. 7:27-8.1, in the definition of “rated power output” the first letter of the word “organization” was inadvertently not capitalized. It should have been capitalized because it is part of the proper name of an entity, and to be consistent with the adopted definitions of this same term at N.J.A.C. 7:27-16.1, 19.1 and 22.1.

At N.J.A.C. 7:27-8.2(f)2iii(1), the notices of proposal (36 N.J.R. 4240) and adoption (37 N.J.R. 3994) contained an incorrect web address. The correct web address is www.state.nj.us/dep/bts/consult.html.

At N.J.A.C. 7:27-16.1, in paragraph 1 of the definition of “stationary combustion turbine,” the colon after the word “portability” is in error. The proposal correctly included a semi-colon here (36 N.J.R. 4241), but a typographic error in the adoption changed it to a semi-colon (37 N.J.R. 3995).

At N.J.A.C. 7:27-16.1, in paragraph 1 of the definition of “stationary reciprocating engine,” the proposal included a comma after the word “self-propelled” and a semi-colon after the word “portability” (36 N.J.R. 4241). Typographic errors in the adoption omitted the comma and changed the semi-colon to a colon (37 N.J.R. 3995). In paragraph 2, the adoption (37 N.J.R. 3995) omitted the proposed phrase “or construction engines” from the end of last sentence.

At N.J.A.C. 7:27-19.1, in the last sentence of the definition of “anthracite coal,” the proposal (36 N.J.R. 4242) included a comma after "C700" and not a period (37 N.J.R. 3997).

At N.J.A.C. 7:27-19.6(h), the proposed word "submit" in the second sentence (36 N.J.R. 4248) appeared as "submits" in the adoption (37 N.J.R. 4001).

At N.J.A.C. 7:27-19.13(b), the comma after the citation “N.J.A.C. 7:27-19.5(d)” in the proposal (36 N.J.R. 4250) was omitted from the adoption, which also reproduced the citation as "N.J.A.C. 7;27-19.5fd" (37 N.J.R. 4004). While the citation appears correctly in the Code, the omitted comma must be added.

At N.J.A.C. 7:27-19.16(c)1, the adoption (37 N.J.R. 4005) inadvertently changed “O₂” as proposed (36 N.J.R. 4251) to “O;”.

Take further notice that the Department discovered reference errors in N.J.A.C. 7:27B-4.3 and 4.4 as described below, arising from amendments adopted effective July 6, 1998, operative July 21, 1998. See 30 N.J.R. 901(a) and 2476(b).

The addition (on adoption) of a provision at N.J.A.C. 7:27B-4.3(c)16 resulted in the recodification of subsequent paragraphs (c)16 through 22 as (c)17 through 23. A cross-reference in recodified paragraph (c)20 to paragraph (c)18 should have been changed to paragraph (c)19.

The proposed recodification of N.J.A.C. 7:27-14.5(d) through (f) as (c) through (e) was not reflected in any change to the reference in N.J.A.C. 7:27B-4.4(a) to N.J.A.C. 7:27-14.5(f) in either the proposal or adoption. The cross-reference should have been changed to N.J.A.C. 7:27-14.5(e).

This notice of administrative corrections is published pursuant to N.J.A.C. 1:30-2.7.

Full text of the corrected rules follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

CHAPTER 27 AIR POLLUTION CONTROL

SUBCHAPTER 8. PERMITS AND CERTIFICATES FOR MINOR FACILITIES (AND MAJOR FACILITIES WITHOUT AN OPERATING PERMIT)

7:27-8.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

...

“Rated power output” means the maximum electrical or equivalent mechanical power output stated on the nameplate affixed to an engine or the International Standard [organization] Organization (ISO) rated electrical or equivalent mechanical power stated on the nameplate affixed to a turbine by the manufacturer.

...

7:27-8.2 Applicability

(a)-(e) (No change.)

(f) Equipment or a source operation that would be classified as a significant source solely because it meets the criteria in (c)1 above is not a significant source (and, therefore, does not need a preconstruction permit and operating certificate) provided that it meets the criteria at (f)1 through 4 below:

1. (No change.)

2. A facility with a source identified in (f)1 above shall verify its emissions and demonstrate conformance with the emission levels in (f)1 above using (f)2i or ii below. If verification process is not available pursuant to (f)2i below, or manufacturer testing has not been conducted in accordance with (f)2ii below or has been conducted in accordance with (f)2ii below but has been determined to be not acceptable with (f)2iv below, then the facility shall demonstrate conformance using (f)2iii below:

i.-ii. (No change.)

iii. Stack emission testing, provided the facility has:

(1) Developed and used, a stack emission testing protocol using the protocol templates in Technical Manual 1004, available at the Department’s website [www.state.nj.us/dep/bts.html] www.state.nj.us/dep/bts/consult.html;

(2)-(3) (No change.)

iv. (No change.)

3.-4. (No change.)

(g)-(j) (No change.)

SUBCHAPTER 16. CONTROL AND PROHIBITION OF AIR POLLUTION BY VOLATILE ORGANIC COMPOUNDS

7:27-16.1 Definitions

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise.

...

“Stationary combustion turbine” means any simple cycle combustion turbine, regenerative cycle combustion turbine, or combustion turbine portion of a combined cycle steam/electric generating system that:

1. Is not self-propelled, but may be mounted on a vehicle for portability[:]; or
2. (No change.)

“Stationary reciprocating engine” means an internal combustion engine that is a reciprocating engine that remains for more than 30 days at a single site (for example, any building, structure, facility, or installation), and:

1. Is not self-propelled, but may be mounted on a vehicle for portability[:]; or

2. Is self-propelled on tracks at a facility, but does not in the course of its normal operation leave the facility. This term does not include mobile electric generators being used by the military, locomotive engines or construction engines.

...

SUBCHAPTER 19. CONTROL AND PROHIBITION OF AIR POLLUTION FROM OXIDES OF NITROGEN

7:27-19.1 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

...

“Anthracite coal” means coal that is classified as anthracite according to the ASTM Standard Specification for Classification of Coals by Rank, ASTM D 388-77, incorporated herein by reference, as amended or supplemented. This specification can be obtained from the American Society for Testing and Materials, 100 Barr Harbor Drive, PO Box C700[.], West Conshohocken, PA 19428-2959.

...

7:27-19.6 Emissions averaging

(a)-(g) (No change.)

(h) The owner or operator of a designated set shall submit quarterly reports to the Department on April 30, July 30, October 30 and January 30 of each year, for the immediately preceding calendar quarter ending March 31, June 30, September 30 and December 31, respectively. The owner or operator shall submit[s] the report to the Department at the address set forth in (k) below. The owner or operator shall include the following information in the quarterly report:

1.-5. (No change.)

(i)-(k) (No change.)

7:27-19.13 Facility-specific NO_x emissions limits

(a) (No change.)

(b) The owner or operator of a major NO_x facility described in (a)1 above shall obtain the Department's written approval of a facility-specific NO_x control plan in accordance with this section. For any facility, equipment or source operation that is in operation prior to January 23, 1994, the owner or operator shall submit to the Department in writing a proposed NO_x control plan for the facility by April 23, 1994 or by a later date approved by the Department pursuant to N.J.A.C. 7:27-19.3(e). For any facility, equipment or source operation that is subject to a NO_x emissions limit under this subchapter as set forth at N.J.A.C. 7:27-19.5(d), 19.7(h), or 19.8(e), the owner or operator shall submit to the Department in writing a proposed NO_x control plan for the facility by February 7, 2006. In the proposed NO_x control plan, the owner or operator shall include:

1.-2. (No change.)

(c)-(p) (No change.)

7:27-19.16 Adjusting combustion processes

(a)-(b) (No change.)

(c) The owner or operator shall ensure that an annual adjustment combustion process report is submitted electronically to the Department according to the schedule listed in (d) below, and in the format the Department specifies at its website. The report shall contain the following information:

1. The concentrations of NO_x and CO in the effluent stream in ppmvd, and [O₂] O₂ in percent dry basis, measured before and after the adjustment of the combustion process pursuant

to (a)5 above;

2.-4. (No change.)

(d)-(h) (No change.)

CHAPTER 27B
SAMPLING AND ANALYTICAL PROCEDURES

SUBCHAPTER 4. AIR TEST METHOD 4: TESTING PROCEDURES FOR DIESEL-POWERED MOTOR VEHICLES

7:27B-4.3 Procedures for using a smokemeter to measure the smoke opacity of heavy-duty diesel vehicles and diesel buses

(a) – (b) (No change.)

(c) The testing procedures for the stall smoke opacity test, required pursuant to N.J.A.C. 7:27-14.5, shall be performed, on a vehicle with a medium or high speed diesel engine and an automatic transmission only, as follows:

1. – 19. (No change.)

20. Repeat (c)[18]19 above at least two more times for a minimum total of three accelerations, with a pause of between five and 10 seconds between accelerations or until prompted by the smokemeter;

21. - 23. (No change.)

(d) – (e) (No change.)

TABLE 1

(No change.)

7:27B-4.4 Emission control apparatus examination procedure

(a) The procedure for examination of the emission control apparatus of a diesel-powered motor vehicle, required at N.J.A.C. 7:27-14.5[(f)](e), shall, if the motor vehicle had any exhaust aftertreatment incorporated within the vehicle's or engine's certified configuration by the vehicle or engine original equipment manufacturer, consist of a visual check to determine whether such exhaust aftertreatment is present on the motor vehicle.

(b) (No change.)