

**NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION**  
AIR QUALITY, ENERGY, AND SUSTAINABILITY  
DIVISION OF AIR QUALITY

**Notice of Rule Proposal**  
**Global Warming Solutions Fund N.J.A.C. 7:27D**  
**Public Notice**

Take notice that the New Jersey Department of Environmental Protection (Department) is proposing new rules at N.J.A.C. 7:27D. A statement of the substance of the proposal follows:

The Department is proposing new rules to implement the relevant provisions of N.J.S.A. 26:2C-45 et seq. and Governor Murphy's Executive Order No. 7 (2018), which directs the Commissioner of the Department and the President of the New Jersey Board of Public Utilities to take all necessary measures to return the State to full participation in the Regional Greenhouse Gas Initiative (RGGI), a regional, cooperative program to cap and reduce carbon dioxide (CO<sub>2</sub>) emissions from power plants in the participating states. In a simultaneous separate rulemaking, the Department proposes rules that establish the mechanics of New Jersey's participation in RGGI's CO<sub>2</sub> allowance auctions.

The proposed rules governing the Global Warming Solutions Fund, N.J.A.C. 7:27D, establish the framework, including the guidelines and the priority ranking system required by N.J.S.A. 26:2C-52, that the Economic Development Authority, the Board of Public Utilities, and the Department will use to select eligible programs and projects to receive RGGI auction proceeds. Further, these rules specify the criteria for new, efficient electric generation facilities to be considered state of the art.

The proposal is scheduled to be published in the New Jersey Register dated December 17, 2018. A copy of the proposal (and the companion CO<sub>2</sub> Budget Trading rule proposal) is available on the Department's websites at <http://www.nj.gov/dep/rules/notices.html> and <https://www.state.nj.us/dep/ages/rggi.html>, and LexisNexis free public access to the New Jersey Register at [www.lexisnexis.com/hottopics/njoal](http://www.lexisnexis.com/hottopics/njoal).

A public hearing concerning the proposal is scheduled as follows:

Friday, January 25, 2019 at 1:00 P.M.  
New Jersey Department of Environmental Protection  
Public Hearing Room  
401 East State Street  
Trenton, NJ 08625

Written comments may be submitted electronically by February 15, 2019 at <http://www.nj.gov/dep/rules/comments> or in hard copy to:

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