



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION
OFFICE OF THE COMMISSIONER
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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

BOB MARTIN
Commissioner

July 18, 2012

Honorable Judith A. Enck
Regional Administrator
USEPA, Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

RE: New Jersey PM_{2.5} Redesignation Request and Maintenance Plan

Dear Regional Administrator Enck:

The State of New Jersey requests that the United States Environmental Protection Agency (USEPA) redesignate the New Jersey portions of two multi-state nonattainment areas for the fine particle (PM_{2.5}) National Ambient Air Quality Standards (NAAQS) to attainment and approve a maintenance plan for the two areas.

This request is for redesignation to attainment for the annual and daily fine particle standards (15 $\mu\text{g}/\text{m}^3$ and 35 $\mu\text{g}/\text{m}^3$, respectively) for the Northern New Jersey-New York-Long Island and the Southern New Jersey-Philadelphia-Wilmington nonattainment areas. All monitors in New Jersey and the other states in these multi-state nonattainment areas have shown compliance with the annual and daily standards for the 2007-2009, 2008-2010 and 2009-2011 three-year monitoring periods.

The State is also requesting that the USEPA parallel process this proposed State Implementation Plan so that this clean air designation is effective as soon as possible so that region's achievement in attaining clean air is recognized and to relieve New Jersey of Clean Air Act obligations associated with nonattainment, especially emission offsets.

New Jersey previously submitted a clean data determination request to the USEPA for the aforementioned areas on October 5, 2011. The USEPA issued final clean data determinations that the Northern New Jersey-New York-Long Island and the Southern New Jersey-Philadelphia-Wilmington PM_{2.5} nonattainment areas attained the 15 µg/m³ annual PM_{2.5} NAAQS for the 2007-2009 monitoring period (November 15, 2010 (75 FR 69589) and May 16, 2012 (77 FR 28782), respectively).

However, New Jersey has not yet received a response from USEPA to its clean data determination requests for both nonattainment areas for the 35 µg/m³ daily PM_{2.5} NAAQS. The Department requests that the USEPA take appropriate action to issue the clean data requests. Regarding the redesignation request, we understand that USEPA is considering deferring action on states' requests for the fine particles standard until after the federal court makes a decision on the pending appeal of the Cross-state Air Pollution Rule (CSAPR). However, the fate of CSAPR should not stand in the way of a decision on New Jersey's redesignation requests because regulation of New Jersey power plants does not rely on CSAPR (or the Clean Air Interstate Rule). Further, particulate levels in the region are well below the NAAQS.

Information for the USEPA to redesignate New Jersey's areas to attainment and to approve the maintenance plan is included in the proposed State Implementation Plan revision enclosed with this letter. The Department shared this information and our analysis with your staff throughout development of this redesignation request. The attachments include the following information:

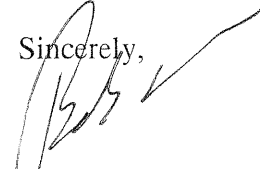
- Current air quality monitoring data that shows compliance with the NAAQS;
- Historical air quality monitoring data that shows a significant decreasing trend in PM_{2.5} concentrations over time;
- A summary of permanent, enforceable, quantifiable, Federal and State control measures to reduce PM_{2.5}, Oxides of Nitrogen (NO_x), and Sulfur Dioxide (SO₂) emissions that New Jersey has implemented to bring the state into attainment;
- A Maintenance Plan that demonstrates a projected continuing downward trend in PM_{2.5}, NO_x and SO₂ emissions through 2025, and provides a Contingency Plan that would be implemented should the air quality violate the annual or daily PM_{2.5} NAAQS in the future;
- Transportation conformity budgets for use in assuring maintenance of the standard.

Additional information regarding public notification and participation will be forwarded to Mr. Ray Werner, USEPA Region II, under separate cover.

We appreciate the assistance your staff provided New Jersey in preparing this request and their continued efforts to achieve clean air in New Jersey and the region. Achieving the annual and daily PM_{2.5} health standards is a significant accomplishment for our air quality teams.

If you or your staff have any questions, please contact Ms. Sharon Davis, Air Quality Planning Section Chief, at (609) 292-6722.

Sincerely,



Bob Martin
Commissioner

Enclosures

cc (Letter only):

Jane Kozinski, Assistant Commissioner, NJDEP
Ray Werner, USEPA
Rick Ruvo, USEPA
Ken Fradkin, USEPA
John R. Renella, DAG
Sharon Davis, Section Chief, Air Quality Planning