



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

AUG 22 2017

The Honorable Chris Christie
Governor of the State of New Jersey
Office of the Governor
PO Box 001
Trenton, New Jersey 08625

Dear Governor Christie:

The purpose of this letter is to inform you of the U.S. Environmental Protection Agency's (EPA's) intended designations for all areas in the State of New Jersey for the 2010 Primary National Ambient Air Quality Standard (NAAQS) for sulfur dioxide (SO₂). The designations for this NAAQS are an important part of the EPA's commitment to a clean, healthy environment.

These intended designations are a response to the designations-related recommendations and information your state submitted dated January 9, 2017.¹ The January 9, 2017 letter provided updated recommendations and information presented in your letter submitted June 23, 2011.

On July 25, 2013, the EPA designated certain areas in 16 states as nonattainment, but did not at that time designate other areas. Additional areas were designated on June 30, 2016 and November 29, 2016. No areas in New Jersey were designated in these previous actions. Pursuant to a March 2, 2015, court-ordered schedule,² the agency must complete the remaining SO₂ designations by two specific deadlines: December 31, 2017, and December 31, 2020. Accordingly, pursuant to section 107(d)(1)(B)(ii) of the Clean Air Act, this letter is to notify you of the EPA's assessment of your state's recommended designations for New Jersey. We are in general agreement with your recommendation.

If you or your staff have additional information that the EPA should consider prior to finalizing the designations, please submit it as soon as possible but no later than October 23, 2017. You may submit additional information by sending it to the EPA's public docket for these designations, EPA-HQ-OAR-2017-0003, located at www.regulations.gov, and sending a copy to EPA Region 2. The EPA also will publish a notice in the Federal Register announcing a 30-day comment period for the public to provide input on the EPA's intended designations.

New Jersey has recommended a designation of attainment for the entire state. After considering New Jersey's recommendations and all available information, we intend to designate the entire state as unclassifiable/attainment. There are no areas in New Jersey required to be characterized by modeling or

¹ New Jersey also provided information relevant to these designations in a letter dated March 23, 2017.

² *Sierra Club v. McCarthy*, No. 3-13-cv-3953 (SI) (N.D. Cal. Mar. 2, 2015).

monitoring, and the EPA does not have information that suggests that the areas may not be meeting the NAAQS or contributing to air quality in a nearby area that does not meet the NAAQS.

The Technical Support Document, available at <https://www.epa.gov/sulfur-dioxide-designations>, provides the information that supports the intended designation.

The EPA will promulgate the final designations for the areas identified in this letter by December 31, 2017. We are prepared to work with you to resolve any disagreements with respect to the available information or information gaps. Upon the completion of this designation action, there will be no remaining areas in New Jersey to be designated.

We share your goal to provide cleaner air for citizens in your state. We look forward to a continued dialogue with you and your staff as we work together to complete the area designations and implement the 2010 primary SO₂ NAAQS. For additional information regarding designations under the SO₂ NAAQS, please visit our website at <https://www.epa.gov/sulfur-dioxide-designations>. Should you have any questions, please do not hesitate to call me, or have your staff contact John Filippelli, Director of the Clean Air and Sustainability Division, or my staff at (212) 637-3736.

Sincerely,



Catherine R. McCabe
Acting Regional Administrator

cc: Bob Martin, Commissioner
New Jersey Department of Environmental Protection

Francis Steitz, Director, Division of Air Quality
New Jersey Department of Environmental Protection