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3. *Mail:* Director, Lands, Minerals, and Geology Staff, 201 14th Street SW, Washington, DC 20250-1124; or

4. *Hand Delivery/Courier:* Director, Lands, Minerals, and Geology Staff, 1st Floor Southeast, 201 14th Street SW, Washington, DC 20250-1124.

Comments should be confined to issues pertinent to the proposed rule, should explain the reasons for any recommended changes, and should reference the specific section and wording being addressed, where possible. All comments, including names and addresses when provided, will be placed in the record and will be available for public inspection and copying. The public may inspect comments received on this proposed rule at the Office of the Director, Lands, Minerals, and Geology Staff, 201 14th Street SW, 1st Floor Southeast, Sidney R. Yates Federal Building, Washington, DC 20024, on business days between 8:30 a.m. and 4 p.m. Visitors are encouraged to call ahead at 202-205-1680 to facilitate entry into the building.

FOR FURTHER INFORMATION CONTACT:

Elrand Denson, Assistant Director, Washington Office Lands, Minerals, and Geology Staff, 202-644-5974 or elrand.denson@usda.gov. Individuals who use telecommunication devices for the deaf and hard of hearing (TDD) may call the Federal Relay Service at 800-877-8339 24 hours a day, every day of the year, including holidays.

SUPPLEMENTARY INFORMATION: The Forest Service is proposing to amend its special use regulations to update the processing and monitoring fee schedules based on current Agency costs; to provide for recovery of costs associated with processing special use proposals, as well as applications; and to remove the exemption for commercial recreation special use applications and authorizations that involve 50 hours or less to process or monitor. In addition, the Forest Service is proposing to amend its special use regulations to increase the strict liability limit consistent with the strict liability limit established by the United States Department of the Interior, Bureau of Land Management, and to expressly provide for requiring holders of a special use authorization to obtain insurance, as needed.

To provide further opportunity for the public to comment, the Agency is reopening the comment period on the proposed rule for an additional 30 days.

The proposed rule can be found at www.federalregister.gov/documents/2023/03/09/2023-04180/land-uses-

special-uses-cost-recovery-strict-liability-limit-and-insurance.

After the comment period closes, the Forest Service will consider timely and relevant comments in the development of the final rule.

Dated: May 11, 2023.

Andrea Delgado,

Chief of Staff, Natural Resources and Environment.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket No. EPA-R02-OAR-2022-0459; FRL-10785-01-R2]

Approval of Air Quality Implementation Plans; New Jersey; New Jersey 2017 Periodic Emission Inventory SIP for Ozone Nonattainment and PM_{2.5}/Regional Haze Areas, New Jersey Nonattainment Emission Inventory for 2008 Ozone NAAQS

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (EPA) is proposing to approve State Implementation Plan (SIP) revisions related to the 2008 8-hour ozone National Ambient Air Quality Standards (NAAQS). The SIP revision consists of the following: 2017 calendar year ozone precursor emission inventories for volatile organic compounds (VOC), oxides of nitrogen (NO_x) and carbon monoxide (CO) for the Northern New Jersey portion of the New York-Northern New Jersey-Long Island NY-NJ-CT ozone nonattainment area (Northern New Jersey) and the Southern New Jersey portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-MD-DE ozone nonattainment area (Southern New Jersey).

DATES: Written comments must be received on or before June 20, 2023.

ADDRESSES: The EPA has established a docket for this action under Docket ID No. EPA-R02-OAR-2022-0459 at <https://www.regulations.gov>. Although listed in the index, some information is not publicly available, e.g., Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available through <https://>

www.regulations.gov. Follow the online instructions for submitting comments. Once submitted, comments cannot be edited or removed from [Regulations.gov](https://www.regulations.gov). The EPA may publish any comment received to its public docket. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Multimedia submissions (audio, video, etc.) must be accompanied by a written comment. The written comment is considered the official comment and should include discussion of all points you wish to make. The EPA will generally not consider comments or comment contents located outside of the primary submission (i.e., on the web, cloud, or other file sharing system). For additional submission methods, the full EPA public comment policy, information about CBI or multimedia submissions, and general guidance on making effective comments, please visit <https://www.epa.gov/dockets/commenting-epa-dockets>.

FOR FURTHER INFORMATION CONTACT:

Ysabel Banon, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10007-1866, telephone number (212) 637-3382, or by email at banon.ysabel@epa.gov.

SUPPLEMENTARY INFORMATION: The SIP revision also consists of the 2017 calendar year statewide periodic emissions inventory for New Jersey. The pollutants included in this inventory include VOC, NO_x, CO, particulate matter with an aerodynamic diameter less than or equal to 2.5 microns (PM_{2.5}), particulate matter with an aerodynamic diameter less than or equal to 10 microns (PM₁₀), ammonia (NH₃) and sulfur dioxide (SO₂). Emission inventories are needed to develop and assess new control strategies that the states may use in attainment demonstration SIPs associated with the NAAQS for ozone, CO and PM_{2.5} and for regional haze planning SIPs.

In addition, EPA is proposing to approve the demonstration portion of the comprehensive SIP revision submitted by New Jersey that certifies that the State has satisfied the requirements for a nonattainment emission inventory for a Serious classification of the 2008 NAAQS.

I. Background

A. Statutory and Regulatory Requirements for Emission Inventory

II. Description of State's Submittal

III. Evaluation of the State's Submittal

A. New Jersey 2017 Periodic Emission Inventory

B. New Jersey Nonattainment 2011
Revision Emission Inventory
IV. Proposed Action
V. Statutory and Executive Order Reviews

I. Background

Ozone is a gas that is formed by the reaction of VOC and NO_x in the atmosphere in the presence of sunlight. Therefore, an emission inventory for ozone focuses on the emissions of VOC and NO_x referred to as ozone precursors. These precursors (VOC and NO_x) are emitted by many types of pollution sources, including point sources such as power plants and industrial emissions sources; on-road and off-road mobile sources (motor vehicles and engines); and smaller residential and commercial sources, such as dry cleaners, auto body shops, and household paints, collectively referred to as nonpoint sources (also called area sources).

The Clean Air Act (CAA or the Act) requires that areas designated as nonattainment for ozone and classified as moderate or worse demonstrate Reasonable Further Progress (RFP) by reducing emissions of ozone precursors (NO_x and VOCs).¹

On March 12, 2008, the EPA revised both the primary and secondary NAAQS² for ozone to a level of 0.075 parts per million (ppm) (annual fourth-highest daily maximum 8-hour average concentration, averaged over three years) to provide increased protection of public health and the environment. (See 73 FR 16436, March 27, 2008). The 2008 ozone NAAQS retains the same general form and averaging time as the 0.08 ppm NAAQS set on 1997, but is set at a more protective level. Under the EPA's regulations, the 2008 8-hour ozone NAAQS is attained when the 3-year average of the annual fourth highest daily maximum 8-hour average ambient air quality ozone concentrations is less than or equal to 0.075 ppm. See 40 CFR 50.15.³

Effective July 20, 2012, the EPA designated as nonattainment any area that was violating the 2008 8-hour

ozone NAAQS based on the three most recent years (2008–2010) of air monitoring data. (See 77 FR 30088, May 21, 2012). With that rulemaking, Northern New Jersey and Southern New Jersey areas were designated as marginal ozone nonattainment areas. Areas that were designated as marginal nonattainment were required to attain the 2008 8-hour ozone NAAQS no later than July 20, 2015, based on 2012–2014 monitoring data.

The counties in Northern New Jersey consist of Bergen, Essex, Hudson, Hunterdon, Middlesex, Monmouth, Morris, Passaic, Somerset, Sussex, Union, and Warren. The counties in Southern New Jersey consist of Atlantic, Burlington, Camden, Cape May, Cumberland, Gloucester, Mercer, Ocean, and Salem.

On May 4, 2016, the EPA published its determination that Northern New Jersey had failed to attain the 2008 8-hour ozone NAAQS by the attainment deadline and the area was reclassified to moderate ozone nonattainment area. See 40 CFR 81.306. (See 81 FR 26697). Moderate areas are required to attain the 2008 8-hour ozone NAAQS by no later than six years after the effective date of designations, or July 20, 2018, based on 2015–2017 monitoring data See 40 CFR 51.903.

Effective September 23, 2019, the EPA published its determination that Northern New Jersey had failed to attain 2008 8-hour ozone NAAQS by the attainment deadline based on the monitoring data (2015–17), and the area was reclassified as serious nonattainment area. (See 84 FR 44238, August 23, 2019). Areas that were designated as serious nonattainment were required to attain the 2008 ozone NAAQS no later than July 20, 2021, based on 2018–2020 monitoring data. (See *id.*)

Effective November 7, 2022, the EPA published its determination that Northern New Jersey had failed to attain 2008 8-hour ozone NAAQS by the attainment deadline based on the most recent years (2018–2020). (See 87 FR 60926, October 7, 2022). Areas that were reclassified as severe nonattainment were required to attain the 2008 8-hour ozone NAAQS must attain the standard “as expeditious as practicable” but no later than July 20, 2027, based on 2024–2026 monitoring data. (See *id.*)

A. Statutory and Regulatory Requirements for Emission Inventories

Section 182(a)(3)(B) of the Act requires states with ozone nonattainment areas to submit revisions to their SIP to require the owner or operator of each major stationary source

of NO_x or VOC to provide the state with annual statements documenting the actual emissions of NO_x and VOC from their sources. For nonattainment areas, air agencies must develop, and include in their SIPs, emission reporting programs for certain VOC and NO_x sources. CAA section 110, in conjunction with 40 CFR 51.102, 51.103 and Appendix V, establishes the procedure for submitting a SIP revision. In addition, 40 CFR 51.308(d)(4)(v) of EPA's Regional Haze Rule (RHR) requires the establishment of a statewide emissions inventory of pollutants that are reasonably anticipated to cause or contribute to visibility impairment in any mandatory Class I area.

Sections 172(c)(3) and 182(a)(1) of the Act require states to develop and submit, as a SIP revision, “base year” emissions inventories for all areas designated as nonattainment for an ozone NAAQS.

The EPA's 2008 ozone NAAQS was published on March 6, 2015 (the 2008 ozone rule). (See 80 FR 12264). The 2008 ozone rule established implementation requirements for the 2008 ozone NAAQS, including requirements for base year emissions inventories under CAA section 182(a)(1). (See *id.*). The ozone rule for the 2008 ozone NAAQS is codified at 40 CFR part 51, subpart CC, and the emissions inventory requirements are codified at 40 CFR 51.1315.

40 CFR 51.1315(a) requires each ozone nonattainment area to submit a base year inventory within 2 years of designation. 40 CFR 51.1315(a) also requires that the inventory year be selected consistent with the baseline year for the RFP plan as required by 40 CFR 51.1310(b), which states that the baseline emissions inventory shall be the emissions inventory for the most recent calendar year for which a complete triennial inventory is required to be submitted to the EPA under the provisions of subpart A of 40 CFR part 51, Air Emissions Reporting Requirements, 40 CFR 51.1 through 50. New Jersey selected 2017 as their baseline emissions inventory year for RFP.

For the ozone NAAQS, states are required to submit ozone season day emissions estimates for an inventory calendar year to be consistent with the baseline year for RFP plans as required by 40 CFR 51.1310(b) and 40 CFR 51.1315. Under 40 CFR 51.1310(b), for the 2008 ozone NAAQS, the RFP baseline year is the most recent calendar year for which a complete triennial inventory is required to be submitted to the EPA under 40 CFR 51 subpart A.

¹ See CAA sections 172(c)(2) and 182(b)(1) and 40 CFR 51.1110.

² The primary ozone standards provide protection for children, older adults, and people with asthma or other lung diseases, and other at-risk populations against an array of adverse health effects that include reduced lung function, increased respiratory symptoms and pulmonary inflammation; effects that contribute to emergency department visits or hospital admissions; and mortality. The secondary ozone standards protect against adverse effects to the public welfare, including those related to impacts on sensitive vegetation and forested ecosystems.

³ For a detailed explanation of the calculation of the 3-year 8-hour average. (See 80 FR 65296 and 40 CFR part 50, Appendix U).

States may use an alternative baseline emissions inventory provided that the year selected corresponds with the year of the effective date of designation as nonattainment for that NAAQS.

40 CFR 51.1315(c) requires emissions values included in the base year inventory to be actual ozone season day emissions as defined by 40 CFR 51.1300(q), which states that ozone season day emissions are an average day's emissions for a typical ozone season work weekday. Per EPA's 2017 guidance on emissions inventory development, the selected ozone season should be representative of the conditions leading to nonattainment.⁴

Sections 182(a)(1), 182(a)(3) and 172(c)(3) of the Act require the periodic submission of emissions inventories for the SIP planning process to address the pollutants for the ozone, PM_{2.5} and CO NAAQS. Identifying the calendar year gives certainty to states that require submission of the ozone, PM_{2.5} and CO emission inventories periodically. These requirements allow the EPA, based on the states' progress in reducing emissions, to periodically reassess its policies and air quality standards and revise them as necessary. Most important, the ozone, PM_{2.5} and CO inventories will be used to develop and assess new control strategies that the states may use in attainment demonstration SIPs for the new NAAQS for ozone and PM_{2.5}. The inventory may also serve as part of statewide inventories for purposes of regional modeling in transport areas. The inventory plays an important role in modeling demonstrations for areas classified as nonattainment and outside transport regions. For Regional Haze, New Jersey has a Class I area within its borders: Brigantine Wilderness Area. Emissions from New Jersey's sources were also found to impact visibility at several other Class I areas: Acadia National Park and the Moosehorn Wilderness Area in Maine, the Great Gulf Wilderness Area and Presidential Range/Dry River and the Lye Brook Wilderness Area in Vermont. (See 76 FR 49711, August 11, 2011). Therefore, an emissions inventory is needed for the Regional Haze air quality planning program effort.

The pollutants inventoried by New Jersey include VOC, NO_x, and CO summertime daily and annual emissions for the ozone areas; and VOC, NO_x, PM_{2.5}, PM₁₀, NH₃ and SO₂ annual emissions for the PM_{2.5} and/or Regional

Haze areas. For the reasons stated above, EPA would therefore emphasize the importance and benefits of developing a comprehensive, current, and accurate ozone and PM_{2.5}/Regional Haze emissions inventory (similar to the 1990 base year inventory effort). In this case, New Jersey selected the 2017 calendar year as the inventory that it will use for planning purposes for ozone and PM_{2.5}/Regional Haze areas.

II. Description of State's Submittal

CAA Section 182 subpart 2 outlines SIP requirements applicable to ozone nonattainment areas in each classification category. On November 23, 2021, New Jersey submitted a comprehensive SIP revision that included the 2017 calendar year ozone precursor emission inventory for VOC, NO_x, CO, PM_{2.5}, PM₁₀, NH₃ and SO₂ for the Northern New Jersey and Southern New Jersey ozone nonattainment areas. In addition, the SIP revision submittal consisted of the 2017 calendar year statewide periodic emissions inventory for VOC, NO_x and CO, and a revision for the 2011 nonattainment base year emission inventory for the previous Serious classification of the 2008 NAAQS for the Northern New Jersey nonattainment area. On March 31, 2023, New Jersey submitted a technical correction to the EPA regarding their 2017 SO₂ point source inventory emissions by category. The technical correction was necessary because the previously submitted emissions for SO₂ that were incorrect.

The New Jersey emissions inventory SIP revision will ensure that the requirements for emissions inventory measures and reporting are adequately met. To comply with the emissions inventory requirements, New Jersey submitted a complete inventory containing point, area, on-road, and non-road mobile source data, anthropogenic sources, as well as biogenic sources and wildfires and prescribed fires, in the nonattainment areas and accompanying documentation.

III. Evaluation of State's Submittals

A. New Jersey 2017 Periodic Emission Inventory

Based on the EPA's review, the 2017 periodic year emissions inventory for New Jersey's ozone nonattainment areas, and the entire State include essential data elements, source categories, sample calculations, or report documentation to allow the EPA to adequately determine if the inventory is accurate and complete. Consequently, New Jersey's 2017 base year emissions

inventory is consistent with the ozone base year emission inventory reporting requirements based on EPA guidance. New Jersey's 2017 base year inventory is consistent with the ozone base year emission inventory reporting requirements for the following reasons:

1. Evidence that the inventory was quality assured by the State and its implementation documented;
 2. The point source inventory must be complete;
 3. Point source emissions must have been prepared or calculated according to current EPA guidance;
 4. The area source inventory must be complete;
 5. The area source emissions must have been prepared or calculated according to current EPA guidance;
 6. Non-road mobile emissions must have been prepared according to current EPA guidance for all of the source categories;
 7. The method (e.g., Highway Performance Monitoring System or a network transportation planning model) used to develop the vehicle miles travelled (VMT) estimates must follow EPA guidance (the VMT development methods were described and documented in the inventory report); and
 8. On-road mobile emissions were prepared according to the guidance.
- Annual and ozone season day point, area, non-road, on-road, biogenic, and wildfires and prescribed fires emissions are identified in the inventory. Based on the EPA's review, New Jersey satisfies all of the EPA's requirements for purposes of providing a comprehensive accurate, and current inventory of actual emissions for the ozone nonattainment. A summary of the EPA's review is given below:

1. The Quality Assurance (QA) plan was implemented for all portions of the inventory. The QA plan included a QA/Quality control (QC) program for assessing data completeness and standard range checking. Critical data elements relative to the inventory sources were assessed for completeness. QA checks were performed relative to data collection and analysis, and double counting of emissions from point, area, and mobile sources. QA/QC checks were conducted to ensure accuracy of units, unit conversions, transposition of figures, and calculations. The inventory is well documented. New Jersey provided documentation detailing the methods used to develop emissions estimates for each category. In addition, New Jersey identified the sources of data it used to develop the inventory;
2. The point source emissions are complete in accordance with EPA guidance;
3. The point source emissions were prepared and calculated in accordance with EPA guidance;

⁴ EPA, "Emissions Inventory Guidance for Implementation of Ozone and Particulate Matter National Ambient Air Quality Standards (NAAQS) and Regional Haze Regulations", at 75 (May 2017).

4. The area source emissions are complete in accordance with EPA guidance;

5. Area source emissions were prepared and calculated in accordance with EPA guidance;

6. Emission estimates for the non-road mobile source categories are correctly based on the latest non-road mobile model or other appropriate guidance and prepared in accordance with EPA guidance;

7. The method used to develop VMT estimates is in accordance with EPA guidance and was adequately described and documented in the inventory report; and

8. The latest Motor Vehicle Emission Simulator (MOVES2014b) model was used in accordance with EPA guidance.

New Jersey's 2017 ozone emission inventory has been developed in accordance with EPA guidance. Therefore, the EPA is proposing to approve the emission inventory. Detailed emission inventory development procedures can be found in the following document: *Emission Inventory Guidance for Implementation of Ozone and Particulate Matter NAAQS and Regional Haze Regulation*,

dated July 2017; *Using MOVES to Prepare Emission Inventories in State Implementation Plans and Transportation Conformity: Technical Guidance for MOVES2014, 2014b*, first released in August 2018.

Table 1 below shows the statewide summary of the 2017 Annual emissions for VOC, NO_x and CO. Tables 2 and 3 below show the 2017 CO, NO_x, and VOC annual emission by category for the ozone nonattainment areas. Table 4 below shows the summary emission by category, in tons per ozone season day.

TABLE 1—STATEWIDE SUMMARY OF 2017 ANNUAL EMISSIONS
[Tons]

2017 New Jersey State Annual Emissions								
	Point	Area	Onroad	Nonroad	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
VOC	6,809	81,555	28,652	25,476	88,238	5,690	236,420	142,492
NO _x	9,824	23,208	60,681	40,215	2,045	346	136,319	133,928
CO	5,733	61,948	380,323	308,691	11,357	48,191	816,243	756,695

TABLE 2—NORTHERN NEW JERSEY PORTION NJ-NY-CT OZONE NONATTAINMENT AREA 2017 EMISSION INVENTORY

County	VOC							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Bergen	2.11	23.83	9.06	7.42	4.06	0.08	46.56	42.42
Essex	1.06	17.97	6.11	4.76	2.39	NA	32.30	29.90
Hudson	1.71	15.46	3.52	2.75	1.03	NA	24.47	23.44
Hunterdon	0.13	4.00	1.74	1.74	10.58	0.04	18.23	7.60
Middlesex	15.89	22.32	8.23	5.41	5.82	0.03	57.71	51.86
Monmouth	0.44	16.55	6.83	5.46	12.38	0.20	41.85	29.28
Morris	0.50	14.09	5.25	4.96	14.41	0.07	39.30	24.81
Passaic	0.77	12.15	3.98	2.59	8.36	0.14	27.99	19.49
Somerset	0.89	9.44	3.38	3.77	7.44	0.02	24.94	17.48
Sussex	0.16	3.93	1.54	1.59	17.30	0.15	24.66	7.21
Union	3.23	13.89	5.06	3.20	2.00	0.00	27.39	25.38
Warren	0.31	3.30	1.40	0.93	11.71	0.08	17.73	5.94
Total in Northern NAA Area	27.21	156.93	56.10	44.58	97.48	0.82	383.12	284.82

County	NO _x							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Bergen	2.16	2.84	15.71	10.03	0.07	0.01	30.82	30.74
Essex	3.74	2.26	11.56	13.99	0.06	NA	31.61	31.55
Hudson	0.85	1.81	6.26	17.89	0.03	NA	26.85	26.82
Hunterdon	1.36	0.39	5.00	2.66	0.46	0.00	9.88	9.42
Middlesex	7.02	2.55	18.72	8.92	0.21	0.00	37.43	37.21
Monmouth	0.42	1.85	10.15	10.54	0.41	0.01	23.38	22.95
Morris	0.72	1.78	10.48	4.88	0.16	0.00	18.03	17.86
Passaic	0.15	1.25	5.37	3.49	0.07	0.01	10.34	10.26
Somerset	4.62	1.16	7.70	4.18	0.27	0.00	17.93	17.66
Sussex	0.10	0.42	1.84	1.38	0.27	0.01	4.02	3.74
Union	8.20	1.49	9.57	5.35	0.05	0.00	24.67	24.62
Warren	0.74	0.30	3.95	0.91	0.30	0.01	6.21	5.91
Total in Northern NAA Area	30.08	18.12	106.31	84.23	2.35	0.06	241.15	238.75

County	CO							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Bergen	0.92	3.98	122.21	144.08	0.76	0.71	272.66	271.20
Essex	0.97	2.97	81.97	69.21	0.51	NA	155.63	155.12
Hudson	0.70	2.16	38.99	34.28	0.24	NA	76.37	76.13
Hunterdon	1.90	1.21	24.71	28.60	1.35	0.36	58.12	56.42
Middlesex	7.20	3.45	121.47	100.96	1.01	0.25	234.34	233.08
Monmouth	0.31	2.98	99.51	88.71	1.81	1.66	194.98	191.51
Morris	0.54	3.02	75.05	90.22	1.60	0.61	171.04	168.83
Passaic	0.18	1.79	47.11	45.02	0.95	1.19	96.24	94.10
Somerset	2.00	1.83	46.47	71.11	1.04	0.18	122.64	121.41
Sussex	1.33	1.48	17.41	19.01	1.81	1.26	42.29	39.23
Union	2.23	2.08	64.71	59.87	0.45	0.04	129.38	128.89
Warren	0.25	0.98	18.57	12.78	1.29	0.69	34.56	32.58
Total in State	18.52	27.93	758.18	763.85	12.82	6.94	1,588.25	1,568.49

Notes: Biogenic annual emissions are from the USEPA 2017 NEI. 2017 tons per day values were estimated by dividing the annual value by 365.

TABLE 3—SOUTHERN NEW JERSEY PORTION PA-NJ-MD-DE OZONE NONATTAINMENT AREA 2017 EMISSION INVENTORY

County	VOC							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	0.08	7.27	2.60	3.59	40.71	0.92	55.17	13.54
Burlington	1.06	13.70	4.73	4.26	50.31	0.14	74.20	23.75
Camden	0.67	12.56	4.62	2.55	15.62	0.10	36.12	20.40
Cape May	0.08	2.98	1.04	3.69	14.71	0.06	22.57	7.79
Cumberland	0.43	6.18	1.30	1.34	27.08	0.63	36.95	9.24
Gloucester	5.36	14.43	2.89	2.42	16.97	0.56	42.63	25.10
Mercer	0.36	10.20	7.02	2.60	9.72	0.01	29.91	20.17
Ocean	0.45	14.31	5.69	6.45	41.73	10.97	79.61	26.91
Salem	0.62	2.74	0.74	0.76	17.21	0.03	22.10	4.85
Total in Southern NAA Area	9.10	84.37	30.63	27.66	234.06	13.43	399.25	151.76

County	NO _x							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	0.35	0.82	5.51	4.56	0.26	0.07	11.57	11.24
Burlington	1.63	1.33	8.98	5.17	0.35	0.01	17.47	17.11
Camden	2.27	1.43	7.73	3.88	0.18	0.00	15.50	15.32
Cape May	0.11	0.30	2.06	4.27	0.18	0.00	6.92	6.73
Cumberland	1.86	0.43	2.10	2.86	0.36	0.03	7.64	7.25
Gloucester	5.59	0.79	5.66	3.48	0.28	0.04	15.85	15.52
Mercer	1.02	1.40	3.60	4.01	0.19	0.00	10.22	10.03
Ocean	2.02	1.34	7.90	6.37	0.26	0.46	18.35	17.63
Salem	3.74	0.20	1.45	1.50	0.38	0.00	7.27	6.89
Total in Southern NAA Area ..	18.58	8.04	44.99	36.12	2.44	0.62	110.79	107.73

County	CO							
	Tons per summer day							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	0.27	1.57	31.70	34.07	3.43	78.39	149.43	67.61
Burlington	1.12	2.46	65.99	57.60	5.32	131.94	264.44	127.18
Camden	0.61	2.12	58.55	44.31	1.48	107.62	214.69	105.60
Cape May	0.15	0.62	11.41	28.82	1.41	43.27	85.68	41.00
Cumberland	2.02	0.98	13.03	14.11	2.74	37.92	70.80	30.14
Gloucester	2.32	1.48	41.87	38.35	1.78	89.87	175.66	84.01
Mercer	0.65	1.99	49.42	45.39	1.29	98.52	197.26	97.45
Ocean	2.09	2.51	74.09	62.02	4.25	237.28	382.24	140.71
Salem	3.41	0.54	8.38	7.79	1.72	21.57	43.41	20.12
Total in State	12.64	14.27	354.44	332.47	23.42	846.37	1,583.62	713.82

Notes: Biogenic annual emissions are from the USEPA 2017 NEI. 2017 tons per day values were estimated by dividing the annual value by 365.

TABLE 4—2017 STATEWIDE EMISSION INVENTORY BY COUNTY, SOURCE SECTOR AND POLLUTANT

County	VOC							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	25.77	2,478	979	1,556	9,861	188	15,087	5,038
Bergen	277.41	7,875	3,085	2,370	1,482	10	15,100	13,608
Burlington	253.88	4,711	1,779	1,406	10,381	1,559	20,090	8,150
Camden	256.74	4,184	1,729	828	2,739	100	9,837	6,997
Cape May	10.33	1,009	402	1,592	5,829	174	9,016	3,013
Cumberland	90.69	2,078	517	645	7,583	737	11,651	3,331
Essex	286.06	5,914	2,059	1,624	874	331	11,087	9,883
Gloucester	965.17	4,768	1,059	850	2,667	196	10,504	7,642
Hudson	616.40	5,030	1,295	948	375	0	8,264	7,889
Hunterdon	20.60	1,498	630	542	3,862	91	6,645	2,692
Mercer	95.29	3,440	1,351	718	2,220	34	7,859	5,605
Middlesex	1,798.78	7,398	2,556	1,577	2,124	4	15,458	13,330
Monmouth	112.88	5,638	2,083	1,843	4,518	194	14,389	9,677
Morris	115.06	4,990	1,706	1,567	5,261	181	13,819	8,378
Ocean	149.61	5,038	1,941	3,246	8,728	1,760	20,862	10,375
Passaic	154.29	3,980	1,407	906	3,051	17	9,514	6,447
Salem	141.50	918	290	342	2,650	4	4,347	1,692
Somerset	191.80	3,273	1,116	1,055	2,715	43	8,394	5,636
Sussex	57.52	1,597	556	573	6,314	57	9,154	2,783
Union	1,122.24	4,515	1,605	977	730	1	8,950	8,220
Warren	67.12	1,222	508	311	4,273	10	6,391	2,108
Total in State	6,809	81,555	28,652	25,476	88,238	5,690	236,420	142,492

Notes:

1. Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).
2. Biogenic annual emissions are from the USEPA 2017 NEI.

County	NO _x							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	58.01	731	2,056	1,517	117	14	4,493	4,362
Bergen	455.04	2,534	6,281	3,737	27	1	13,035	13,007
Burlington	168.88	1,180	3,900	1,511	183	103	7,045	6,759
Camden	464.21	1,271	3,220	1,398	77	7	6,438	6,354
Cape May	65.87	269	842	1,637	57	13	2,883	2,813
Cumberland	345.33	371	997	1,029	163	42	2,947	2,742
Essex	1,110.80	2,002	4,290	5,109	20	15	12,548	12,512
Gloucester	1,592.71	728	2,409	1,361	154	16	6,261	6,091
Hudson	135.42	1,581	2,464	5,756	10	0	9,946	9,936
Hunterdon	102.20	350	1,940	679	166	8	3,245	3,070
Mercer	178.12	1,176	2,903	806	107	3	5,173	5,063
Middlesex	1,179.58	2,215	6,657	2,370	77	0	12,498	12,421
Monmouth	95.59	1,668	3,635	3,425	150	14	8,988	8,824
Morris	67.71	1,535	3,973	1,729	59	11	7,374	7,304
Ocean	258.66	1,329	3,338	2,603	121	88	7,738	7,529
Passaic	35.57	1,130	2,223	1,344	24	1	4,757	4,732
Salem	726.41	172	740	538	209	0	2,386	2,176
Somerset	120.89	999	2,920	1,198	97	4	5,339	5,238
Sussex	27.04	362	748	304	100	5	1,547	1,442
Union	2,400.28	1,328	3,585	1,904	18	0	9,235	9,217
Warren	235.86	277	1,559	261	109	1	2,442	2,333
Total in State	9,824	23,208	60,681	40,215	2,045	346	136,318	133,927

Notes:

1. Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).
2. Biogenic annual emissions are from the USEPA 2017 NEI.

County	CO							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	111.90	2,605	13,995	11,203	1,113	1,585	30,613	27,915
Bergen	251.88	4,402	42,820	39,219	277	83	87,052	86,692
Burlington	286.57	4,969	24,691	15,526	1,309	13,183	59,965	45,472
Camden	129.63	2,835	20,911	12,295	414	846	37,430	36,170
Cape May	52.20	941	5,532	10,939	631	1,470	19,566	17,464
Cumberland	209.70	1,584	6,209	5,270	874	6,252	20,399	13,274
Essex	312.88	2,674	28,144	21,038	185	2,816	55,170	52,169

County	CO							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Gloucester	676.04	2,727	15,272	10,488	412	1,647	31,223	29,163
Hudson	121.83	1,405	15,477	9,977	87	0	27,068	26,981
Hunterdon	18.83	2,328	8,007	7,094	491	766	18,705	17,448
Mercer	141.31	2,652	17,778	11,040	347	288	32,245	31,611
Middlesex	1,409.67	3,831	36,385	25,734	368	30	67,757	67,360
Monmouth	54.89	4,882	29,321	24,211	662	1,640	60,771	58,468
Morris	76.89	5,673	23,026	23,618	584	1,531	54,509	52,394
Ocean	515.58	5,287	25,610	23,355	1,156	14,952	70,874	54,767
Passaic	41.20	2,077	17,069	12,884	348	140	32,560	32,072
Salem	521.27	928	3,968	2,655	421	35	8,528	8,072
Somerset	99.05	2,955	13,105	17,250	381	364	34,155	33,410
Sussex	81.97	3,341	5,971	5,448	660	478	15,980	14,843
Union	545.67	1,934	20,801	15,891	166	5	39,342	39,172
Warren	73.73	1,918	6,231	3,556	471	81	12,332	11,779
Total in State	5,733	61,948	380,323	308,691	11,357	48,191	816,243	756,695

Notes:

1. Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).
 2. Biogenic annual emissions are from the USEPA 2017 NEI.

County	PM _{2.5}							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	15.98	498	50	94	NA	70	729	659
Bergen	98.51	1,082	224	311	NA	4	1,720	1,716
Burlington	35.17	887	123	108	NA	578	1,732	1,154
Camden	42.80	557	111	102	NA	38	850	812
Cape May	18.55	270	22	85	NA	66	461	395
Cumberland	215.80	345	27	42	NA	269	899	631
Essex	91.81	692	158	208	NA	119	1,269	1,150
Gloucester	453.73	514	72	100	NA	74	1,214	1,139
Hudson	45.04	462	105	176	NA	0	788	788
Hunterdon	10.49	507	69	55	NA	35	677	642
Mercer	48.02	519	100	84	NA	13	764	751
Middlesex	375.27	868	232	188	NA	1	1,664	1,663
Monmouth	33.24	1,077	113	205	NA	73	1,501	1,429
Morris	7.18	1,007	140	174	NA	66	1,395	1,328
Ocean	35.77	1,016	88	169	NA	634	1,943	1,309
Passaic	1.03	498	77	108	NA	6	690	683
Salem	134.77	283	21	23	NA	2	463	462
Somerset	7.16	604	119	122	NA	17	869	853
Sussex	4.31	553	25	33	NA	22	638	617
Union	378.89	532	128	130	NA	0	1,168	1,168
Warren	30.95	363	49	26	NA	4	472	469
Total in State	2,084	13,136	2,055	2,543	NA	2,090	21,908	19,818

Notes:

- 1 Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).
 2 Area Source fugitive dust emissions are post-adjustment.

County	SO ₂							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	186.89	19	24	30	NA	7	267	260
Bergen	42.59	44	73	11	NA	0	171	171
Burlington	45.19	32	46	48	NA	53	225	171
Camden	80.49	21	40	13	NA	4	158	155
Cape May	36.21	6	10	5	NA	7	64	57
Cumberland	195.12	15	11	13	NA	23	257	234
Essex	71.66	45	48	334	NA	9	507	498
Gloucester	528.98	17	28	18	NA	8	600	592
Hudson	35.26	19	27	62	NA	0	143	143
Hunterdon	0.80	16	19	2	NA	4	41	37
Mercer	10.96	17	34	6	NA	1	70	68
Middlesex	111.70	28	78	14	NA	0	231	231
Monmouth	14.64	55	58	20	NA	7	154	147
Morris	1.14	58	49	5	NA	6	119	113
Ocean	48.45	26	43	18	NA	52	187	135
Passaic	0.08	40	27	3	NA	1	71	70

County	SO ₂							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Salem	675.08	9	7	7	NA	0	699	699
Somerset	1.97	18	33	3	NA	2	59	57
Sussex	5.62	42	11	1	NA	2	62	60
Union	101.95	16	40	16	NA	0	174	174
Warren	26.28	13	14	1	NA	0	54	54
Total in State	2,221	555	721	630	NA	186	4,313	4,127

Notes: Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).

County	Ammonia							
	Tons per year							
	Point sources	Area sources	Onroad sources	Nonroad sources	Biogenic	Wildfire and prescribed burning	Total	Total anthropogenic
Atlantic	17.60	124	84	2	NA	13	240	227
Bergen	286.02	78	220	6	NA	1	591	591
Burlington	35.24	280	142	2	NA	108	568	460
Camden	18.07	47	118	2	NA	7	193	186
Cape May	0.69	44	33	2	NA	12	92	80
Cumberland	30.40	149	35	1	NA	51	267	216
Essex	67.96	167	144	4	NA	23	406	383
Gloucester	130.82	171	90	2	NA	14	407	393
Hudson	31.29	46	73	4	NA	0	154	154
Hunterdon	1.32	266	54	1	NA	6	329	322
Mercer	7.98	118	105	2	NA	2	235	233
Middlesex	241.03	106	229	4	NA	0	580	579
Monmouth	51.16	313	178	4	NA	14	561	547
Morris	3.30	134	140	3	NA	13	293	280
Ocean	76.85	162	142	4	NA	122	508	385
Passaic	0.35	49	81	2	NA	1	134	132
Salem	4.20	336	24	1	NA	0	365	364
Somerset	0.76	89	91	2	NA	3	185	182
Sussex	0.04	249	33	1	NA	4	287	283
Union	107.41	29	116	3	NA	0	255	255
Warren	7.55	293	40	0	NA	1	342	341
Total in State	1,120	3,249	2,173	53	NA	396	6,990	6,594

Notes: Onroad and nonroad annual values from are from the USEPA 2017 National Emission Inventory (NEI).

B. New Jersey Nonattainment 2011 Revision Emission Inventory

On June 11, 2015, New Jersey submitted the 2011 ozone emissions inventory for the Northern New Jersey and Southern New Jersey ozone nonattainment areas and the 2011 emissions inventory for the PM_{2.5}/Regional Haze areas and requested that EPA approve the emissions inventory SIP revision. EPA approved New Jersey's 2011 emission inventory. (See 82 FR 44099, September 6, 2017). Due to the reclassification of the Northern New Jersey and Southern New Jersey ozone nonattainment areas to serious nonattainment for the 2008 ozone NAAQS, New Jersey made revisions to the 2011 emission inventory. New Jersey affirmed in its November 23, 2021, submission that it is meeting the 2008 ozone NAAQS emission inventory requirements pursuant to CAA sections 182(a)(3)(A) and 182(c). The emission inventory requirement is addressed through the submission of the 2011 baseline emission inventory. Minor

updates were made to the 2011 base year emissions inventory which included essential data elements, source categories, sample calculations, or report documentation according to the EPA guidance to allow the EPA to adequately determine if the inventory is accurate and complete. Consequently, New Jersey's 2011 base year emissions inventory was consistent with the ozone base year emission inventory reporting requirements based on EPA guidance.

IV. Proposed Action

The New Jersey 2017 emission inventory SIP revision will ensure that the requirements for emission inventory measures and reporting are adequately met. To comply with the emission inventory requirements, on November 23, 2021, New Jersey submitted the complete inventory containing point, area, on-road, non-road mobile, biogenic, and wildfires and prescribed fires source data, and accompanying documentation.

The EPA is proposing to approve New Jersey's 2017 and revised 2011 emission inventories SIP revision submittal as meeting the essential reporting requirements for emission inventories.

The EPA has also determined that the SIP revision meets the requirements for emission inventories in accordance with EPA guidance. Therefore, EPA is proposing to approve the revision to the New Jersey SIP that pertains to the 2017 calendar year summer season daily and annual ozone precursor emission inventories for VOC, NO_x and CO for the New Jersey portion of the New York-Northern New Jersey-Long Island NY-NJ-CT, and the Southern New Jersey-Philadelphia-Delaware-Maryland nonattainment areas.

In addition, the EPA is proposing to approve the 2017 calendar year PM_{2.5}/Regional Haze emissions inventory that was developed statewide for New Jersey. The pollutants included in the inventory are annual emissions for VOC, NO_x, PM_{2.5}, PM₁₀, NH₃ and SO₂.

Additionally, the EPA is proposing to approve New Jersey's certification that it has met the requirements for nonattainment emission inventory and fully meets the requirements of the Act for the 2008 8-hour ozone NAAQS.

Interested parties may participate in the Federal rulemaking procedure by submitting written comments to the EPA Region 2 Office by the method discussed in the **ADDRESSES** section of this action.

V. Statutory and Executive Order Reviews

Under the Act, the Administrator is required to approve a SIP submission that complies with the provisions of the Act and applicable Federal regulations. 42 U.S.C. 7410(k); 40 CFR 52.02(a). Thus, in reviewing SIP submissions, EPA's role is to approve state choices, provided that they meet the criteria of the Act. Accordingly, this action merely approves state law as meeting Federal requirements and does not impose additional requirements beyond those imposed by state law. For that reason, this action:

- Is not a "significant regulatory action" subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- Does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- Is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- Does not contain any unfunded mandate or significantly or uniquely affect small governments, as described

in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);

- Does not have federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- Is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- Is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- Is not subject to requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because this action does not involve technical standards;

In addition, the SIP is not proposing to apply on any Indian reservation land or in any other area where the EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rulemaking does not have tribal implications and it will not impose substantial direct costs on tribal governments or preempt tribal law as specified by Executive Order 13175 (65 FR 67249, November 9, 2000).

Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, 59 FR 7629, February 16, 1994) directs Federal agencies to identify and address "disproportionately high and adverse human health or environmental effects" of their actions on minority populations and low-income populations to the greatest extent practicable and permitted by law. EPA defines environmental justice (EJ) as "the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation,

and enforcement of environmental laws, regulations, and policies." EPA further defines the term fair treatment to mean that "no group of people should bear a disproportionate burden of environmental harms and risks, including those resulting from the negative environmental consequences of industrial, governmental, and commercial operations or programs and policies."

The New Jersey Department of Environmental Protection did not evaluate environmental justice considerations as part of its SIP submittal; the CAA and applicable implementing regulations neither prohibit nor require such an evaluation. EPA did not perform an EJ analysis and did not consider EJ in this action. Due to the nature of the action being taken here, this action is expected to have a neutral to positive impact on the air quality of the affected area. Consideration of EJ is not required as part of this action, and there is no information in the record inconsistent with the stated goal of E.O. 12898 of achieving environmental justice for people of color, low-income populations, and Indigenous peoples.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Lisa Garcia,

Regional Administrator, Region 2.

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