

# 40 C.F.R. § 52.1570

## Identification of plan.

- (a) *Purpose and scope.* This section sets forth the applicable State Implementation Plan (SIP) for New Jersey under section 110 of the Clean Air Act, as amended, 42 U.S.C. 7401 *et seq.*, and 40 CFR part 51 to meet National Ambient Air Quality Standards.
- (b) *Incorporation by reference.* (1) Material listed in paragraphs (c) and (d) of this section with an EPA approval date prior to October 1, 2016, was approved for incorporation by reference by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Entries in paragraphs (c) and (d) of this section with the EPA approval dates after October 1, 2016 have been approved by EPA for inclusion in the State implementation plan and for incorporation by reference into the plan as it is contained in this section, and will be considered by the Director of the Federal Register for approval in the next update to the SIP compilation.
- (2) EPA Region 2 certifies that the materials provided by EPA at the addresses in paragraph (b)(3) of this section are an exact duplicate of the officially promulgated state rules/regulations which have been approved as part of the state implementation plan as of the dates referenced in paragraph (b)(1) of this section.
- (3) Copies of the materials incorporated by reference into the state implementation plan may be inspected at the Environmental Protection Agency, Region 2, Air Programs Branch, 290 Broadway, New York, New York 10007. To obtain the material, please call the Regional Office. You may also inspect the material with an EPA approval date prior to October 1, 2016 at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, go to: <http://www.archives.gov/federal-register/cfr/ibr-locations.html>.
- (c) *EPA approved regulations.*

### EPA-Approved New Jersey State Regulations and Laws

| State citation                     | Title/subject  | State effective date | EPA approval date          | Comments |
|------------------------------------|--|----------------------|----------------------------|----------|
| Title 7, Chapter 26, Subchapter 2A | Additional, Specific Disposal Regulations for Sanitary Landfills | June 1, 1987         | June 29, 1990, 55 FR 26687 |          |
| Title 7, Chapter 27, Subchapter 1  | General Provisions   | May 1, 1956          | May 31, 1972, 37 FR 10880  |          |

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| Title 7, Chapter 27, Subchapter 2      | Control and Prohibition of Open Burning  | June 8, 1981     | September 30, 1981, 46 FR 47779 |   |
| Title 7, Chapter 27, Subchapter 3      | Control and Prohibition of Smoke from Combustion of Fuel                               | October 12, 1977 | January 27, 1984, 49 FR 3463    |   |
| Title 7, Chapter 27, Subchapter 4      | Control and Prohibition of Particles from Combustion of Fuel                           | April 20, 2009   | August 3, 2010, 75 FR 45483     |   |
| Title 7, Chapter 27, Subchapter 5      | Prohibition of Air Pollution   | October 12, 1977 | January 27, 1984, 49 FR 3463    |   |
| Title 7, Chapter 27, Subchapter 6      | Control and Prohibition of Particles from Manufacturing Processes (except section 6.5) | May 23, 1977     | January 26, 1979, 44 FR 5425    | Section 6.5, "Variances," is not approved (40 CFR 52. 52.1587(c) (20) and 52.1604(a)). Any State-issued variances must be formally incorporated as SIP revisions if EPA is to be bound to their provisions (40 CFR 52.1604(a)). |
| Title 7, Chapter 27, Subchapter 7      | Sulfur   | March 1, 1967    | May 31, 1972, 37 FR 10880       | Subchapter 7.2(k) is no longer approved due to EPA action on August 1, 2022, 87 FR 46890.   |
| Title 7, Chapter 27, Subchapter 7.2(k) | Commercial fuel exemption  | November 6, 2017 | August 1, 2022, 87 FR 46890     |   |
| Title 7, Chapter 27, Subchapter 8      | Permits and Certificates, Hearings, and Confidentiality                                | April 5, 1985    | November 25, 1986, 51 FR 42565  |   |
| Title 7, Chapter 27, Section 8.1       | Definitions  | January 16, 2018 | November 28, 2023, 88 FR 83036  |   |
| Title 7, Chapter 27, Section 8.2       | Applicability  | June 20, 1994    | August 7, 1997, 62 FR 42412     |   |
| Title 7, Chapter 27, Section 8.11      | Permits and Certificates, Hearings, and Confidentiality                                | March 2, 1992    | April 15, 1994, 59 FR 17933     |   |

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| Title 7, Chapter 27, Subchapter 9                | Sulfur in Fuels  | September 20, 2010 | January 3, 2012, 77 FR 19                          | Sulfur dioxide “bubble” permits issued by the State pursuant to Section 9.2 and not waived under the provisions of Section 9.4 become applicable parts of the SIP only after receiving EPA approval as a SIP revision. |
| Title 7, Chapter 27, Subchapter 10               | Sulfur in Solid Fuels  | April 20, 2009     | August 3, 2010, 75 FR 45483                        | Notification of “large zone 3 coal conversions” must be provided to EPA (40 CFR 52.1601(b)).   |
| Title 7, Chapter 27, Subchapter 11               | Incinerators   | August 15, 1968    | May 31, 1972, 37 FR 10880                          |  |
| Title 7, Chapter 27, Subchapter 12               | Prevention and Control of Air Pollution Emergencies  | May 20, 1974       | May 30, 2018, 83 FR 24661                          |  |
| Title 7, Chapter 27, Subchapter 13               | Ambient Air Quality Standards  | June 25, 1985      | November 25, 1986, 51 FR 42565                     |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.1 | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Definitions                      | October 3, 2016    | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.2 | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Applicability                    | October 3, 2016    | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.3 | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/General prohibitions             | October 3, 2016    | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.4 | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/General public highway standards | October 3, 2016    | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |

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| Title 7, Chapter 27, Subchapter 14, Section 14.5  | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Motor vehicle inspections     | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.6  | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Motor vehicle standards       | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.7  | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Licensed emissions inspectors | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Section 14.10 | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Penalties                     | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 14, Appendix      | Control and Prohibition of Air Pollution from Diesel-Powered Motor Vehicles/Appendix                      | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 15                | Control and Prohibition of Air Pollution from Gasoline-Fueled Motor Vehicles/Definition                   | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27, Subchapter 16                | Control and Prohibition of Air Pollution by Volatile Organic Compounds                                    | January 16, 2018 | November 28, 2023, 88 FR 83036                     |  |

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| Title 7, Chapter 27, Subchapter 17 | Control and Prohibition of Air Pollution by Toxic Substances   | January 16, 2018  | November 28, 2023, 88 FR 83036 |  |
| Title 7, Chapter 27, Subchapter 18 | Control and Prohibition of Air Pollution from New or Altered Sources Affecting Ambient Air Quality (Emission Offset Rules) | November 6, 2017  | November 28, 2023, 88 FR 83036 |  |
| Title 7, Chapter 27, Subchapter 19 | Control and Prohibition of Air Pollution by Oxides of Nitrogen   | January 16, 2018  | November 28, 2023, 88 FR 83036 | Subchapter 19 is approved into the SIP except for the following provisions: (1) Phased compliance plan through repowering in section 19.21 that allows for implementation beyond May 1, 1999; and (2) phased compliance plan through the use of innovative control technology in section 19.23 that allows for implementation beyond May 1, 1999.  |
| Title 7, Chapter 27, Subchapter 21 | Emission Statements  | January 16, 2018  | November 28, 2023, 88 FR 83036 | Section 7:27–21.3(b)(1) and 7:27–21.3(b)(2) of New Jersey's Emission Statement rule requires facilities to report on the following pollutants to assist the State in air quality planning needs: Hydrochloric acid, hydrazine, methylene chloride, tetrachloroethylene, 1, 1, 1 trichloroethane, carbon dioxide and methane. EPA will not take SIP-related enforcement action on these pollutants. |
| Title 7, Chapter 27, Subchapter 23 | Prevention of Air Pollution from Architectural Coatings  | December 29, 2008 | December 22, 2010, 75 FR 80340 |  |
| Title 7, Chapter 27, Subchapter 24 | Prevention of Air Pollution from Consumer Products   | December 29, 2008 | December 22, 2010, 75 FR 80340 |  |
| Title 7, Chapter 27, Subchapter 25 | Control and Prohibition of Air Pollution by Vehicular Fuels  | December 29, 2008 | December 22, 2010, 75 FR 80340 |  |
| Title 7, Chapter 27, Subchapter 26 | Prevention of Air Pollution from Adhesives, Sealants, Adhesive Primers and Sealant Primers                                 | December 29, 2008 | December 22, 2010, 75 FR 80340 |  |
| Title 7, Chapter 27, Subchapter 29 | Low Emission Vehicle (LEV) Program   | January 17, 2006  | February 13, 2008, 73 FR 8200  | In Section 29.13(g), Title 13, Chapter 1, Article 2, Section 1961.1 of the California Code of Regulations relating to greenhouse gas emission standards, is not incorporated into the SIP.   |

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| Title 7, Chapter 27, Subchapter 30               | Clean Air Interstate Rule (CAIR) NOX Trading Program   | July 16, 2007    | October 1, 2007, 72 FR 55672                       |  |
| Title 7, Chapter 27, Subchapter 31               | NOX Budget Program   | July 16, 2007    | October 1, 2007, 72 FR 55672                       |  |
| Title 7, Chapter 27A, Subchapter 3, Section 3.10 | Civil Administrative Penalties for Violations of Rules Adopted Pursuant to the Act   | January 16, 2018 | November 28, 2023, 88 FR 83036                     |  |
| Title 7, Chapter 27B, Subchapter 3               | Air Test Method 3: Sampling and Analytic Procedures for the Determination of Volatile Organic Compounds from Source Operations | June 20, 1994    | August 7, 1997, 62 FR 42412                        |  |
| Title 7, Chapter 27B, Subchapter 4, Section 4.1  | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27B, Subchapter 4, Section 4.2  | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27B, Subchapter 4, Section 4.3  | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27B, Subchapter 4, Section 4.6  | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |

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| Title 7, Chapter 27B, Subchapter 4, Section 4.7 | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016 | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27B, Subchapter 4, Section 4.8 | Air Test Method 4: Testing Procedures for Diesel-Powered Motor Vehicles  | October 3, 2016 | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 7, Chapter 27B, Subchapter 5              | Air Test Method 5: Testing Procedures for Gasoline-Fueled Motor Vehicles | October 3, 2016 | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 13, Chapter 20, Subchapter 7.1            | Vehicle Inspections  | April 26, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 13, Chapter 20, Subchapter 7.2            | Vehicle Inspections  | April 26, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 13, Chapter 20, Subchapter 7.3            | Vehicle Inspections  | April 26, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |
| Title 13, Chapter 20, Subchapter 7.4            | Vehicle Inspections  | April 26, 2016  | May 9, 2018, EPA approval finalized at 83 FR 21174 |  |

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| Title 13,<br>Chapter 20,<br>Subchapter 7.5                  | Vehicle Inspections  | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 7.6                  | Vehicle Inspections  | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 24,<br>Section 20    | Motorcycles  | October<br>19, 2009 | March 15,<br>2012, 77<br>FR 15263                                 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 26,<br>Section 26.2  | Compliance with Diesel<br>Emission Standards and<br>Equipment, Periodic Inspection<br>Program for Diesel Emissions,<br>and Self-Inspection of Certain<br>Classes of Motor Vehicles | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 26,<br>Section 26.11 | Compliance with Diesel<br>Emission Standards and<br>Equipment, Periodic Inspection<br>Program for Diesel Emissions,<br>and Self-Inspection of Certain<br>Classes of Motor Vehicles | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 26,<br>Section 26.12 | Compliance with Diesel<br>Emission Standards and<br>Equipment, Periodic Inspection<br>Program for Diesel Emissions,<br>and Self-Inspection of Certain<br>Classes of Motor Vehicles | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 26,<br>Section 26.16 | Compliance with Diesel<br>Emission Standards and<br>Equipment, Periodic Inspection<br>Program for Diesel Emissions,<br>and Self-Inspection of Certain<br>Classes of Motor Vehicles | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |



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| Title 13,<br>Chapter 20,<br>Subchapter 26,<br>Section 26.17                   | Compliance with Diesel<br>Emission Standards and<br>Equipment, Periodic Inspection<br>Program for Diesel Emissions,<br>and Self-Inspection of Certain<br>Classes of Motor Vehicles | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 28,<br>Sections 28.3,<br>28.4 and 28.6 | Inspection of New Motor<br>Vehicles  | October<br>19, 2009 | March 15,<br>2012, 77<br>FR 15263                                 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 29,<br>Sections 29.1,<br>29.2 and 29.3 | Mobile Inspection Unit   | October<br>19, 2009 | March 15,<br>2012, 77<br>FR 15263                                 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 32                                     | Inspection Standards and Test<br>Procedures to be Used by<br>Official Inspection Facilities  | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 33                                     | Inspection Standards and Test<br>Procedures to be Used by<br>Licensed Private Inspection<br>Facilities   | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 43                                     | Enhanced Motor Vehicle<br>Inspection and Maintenance<br>Program  | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |
| Title 13,<br>Chapter 20,<br>Subchapter 44                                     | Private Inspection Facility<br>Licensing   | April 26,<br>2016   | May 9,<br>2018, EPA<br>approval<br>finalized<br>at 83 FR<br>21174 |  |

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| Title 13,<br>Chapter 20,<br>Subchapter 45                                | Motor Vehicle Emission Repair<br>Facility Registration                 | October<br>19, 2009   | March 15,<br>2012, 77<br>FR 15263  |   |
| Title 13,<br>Chapter 21,<br>Subchapter 5,<br>Section 5.12                | Registration Plate Decals  | December<br>6, 1999   | January<br>22, 2002,<br>67 FR 2811 |   |
| Title 13,<br>Chapter 21,<br>Subchapter 15,<br>Sections 15.8<br>and 15.12 | New Jersey Licensed Motor<br>Vehicle Dealers                           | October<br>19, 2009   | March 15,<br>2012, 77<br>FR 15263  |   |
| Title 16,<br>Chapter 53  | Autobus Specifications   | September<br>26, 1983 | June 13,<br>1986, 51<br>FR 21549   | Only Sections 3.23, 3.24, 3.27, 6.15, 6.21, 6.30, 7.14, 7.17, 7.23,<br>8.15, 8.22, 8.25 are approved. |
| Title 39,<br>Chapter 8,<br>Subchapter 1                                  | Motor Vehicle Inspections<br>Exceptions                                | July 1,<br>2010       | March 15,<br>2012, 77<br>FR 15263  |   |
| Title 39,<br>Chapter 8,<br>Subchapter 2                                  | Inspection of Motor Vehicles;<br>Rules, Regulations                    | July 1,<br>2010       | March 15,<br>2012, 77<br>FR 15263  |   |
| Title 39,<br>Chapter 8,<br>Subchapter 3                                  | Certificate of Approval,<br>Issuance; Owner's Obligation<br>for Safety | July 1,<br>2010       | March 15,<br>2012, 77<br>FR 15263  |   |
| N.J.S.A.<br>52:13D-14  | New Jersey's Conflict of Interest<br>Law                               | January 11,<br>1972   | May 30,<br>2018, 83<br>FR 24661    |   |
| N.J.S.A.52:13D-<br>16(a)-(b)   | New Jersey's Conflict of Interest<br>Law                               | September<br>16, 1996 | May 30,<br>2018, 83<br>FR 24661    |   |
| N.J.S.A.<br>52:13D-21(n)   | New Jersey's Conflict of Interest<br>Law                               | March 15,<br>2006     | May 30,<br>2018, 83<br>FR 24661    |   |

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