

SENATE, No. 2261

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 17, 1997

By Senator BENNETT

1 AN ACT concerning air pollution from certain electricity generating
2 facilities and supplementing Title 26 of the Revised Statutes.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. a. After October 1, 1998, no electricity generating facility, with
8 a nameplate capacity of greater than 30 megawatts in the State that
9 generates electric power for sale on the retail or wholesale electricity
10 market and that emitted more than 800 tons of oxides of nitrogen
11 during the period of May through September in 1995, shall be
12 permitted to exceed the emissions performance standards for oxides
13 of nitrogen and sulfur dioxide established pursuant to subsection b. of
14 this section.

15 b. The Department of Environmental Protection, pursuant to the
16 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
17 seq.), shall adopt rules and regulations establishing for any electricity
18 generating facility with a nameplate capacity of greater than 30
19 megawatts that generates electric power for sale on the retail or
20 wholesale electricity market and that emitted more than 800 tons of
21 oxides of nitrogen during the period of May through September in
22 1995, the following emissions performance standards:

23 1) 0.15 pounds of oxides of nitrogen per million BTU of heat input,
24 or 1.5 pounds of oxides of nitrogen per megawatt-hour of electricity
25 generated; and

26 2) 0.30 pounds of sulfur dioxide per million BTU of heat input, or
27 3.0 pounds of sulfur dioxide per megawatt-hour of electricity
28 generated.

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30 2. This act shall take effect immediately.

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STATEMENT

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35 This bill prohibits electricity generating facilities with nameplate
36 capacities of greater than 30 megawatts in the State that emitted more
37 than 800 tons of oxides of nitrogen during the period of May through

1 September in 1995, from exceeding certain emissions performance
2 standards for oxides of nitrogen and sulfur dioxide on or after October
3 1, 1998, and directs the Department of Environmental Protection to
4 establish these standards by rule and regulation.

5 The bill specifies the emissions performance standards to be
6 established as the following:

7 1) 0.15 pounds of oxides of nitrogen per million BTU of heat input,
8 or 1.5 pounds of oxides of nitrogen per megawatt-hour of electricity
9 generated; and

10 2) 0.30 pounds of sulfur dioxide per million BTU of heat input, or
11 3.0 pounds of sulfur dioxide per megawatt-hour of electricity
12 generated.

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17 Directs DEP to establish certain emissions standards for oxides of
18 nitrogen and sulfur dioxide emissions from certain electricity
19 generating facilities.