



State of New Jersey

COPY

CHRIS CHRISTIE  
Governor

DEPARTMENT of ENVIRONMENTAL PROTECTION

BOB MARTIN  
Commissioner

KIM GUADAGNO  
Lt. Governor

Division of Air Quality  
Bureau of Air Permits  
401 E. State Street, 2<sup>nd</sup> floor, P.O. Box 27  
Trenton, NJ 08625-0027

June 16, 2010

Buyer's Information

Lisa Magee  
Philadelphia Regional Port Authority  
3460 N. Delaware Avenue, 2<sup>nd</sup> Floor  
Philadelphia, PA 19134

Seller's Information

Christopher Correnti  
AGC Flat Glass North America, Inc.  
700 Union Landing Road  
Cinnaminson, NJ 08077

RE: Your Combined Request for NOx CER Transfer dated March 19, 2010

Dear Ms. Magee and Mr. Correnti:

This is in response to the above referenced letter in which you requested the transfer of 266.0 tons of NOx Creditable Emission Reductions (CERs). These CERs which were represented by banking log number BK-M7-0003 in the name of AGC Flat Glass North America, Inc. (PI 45982) are transferred to Philadelphia Regional Port Authority.

The transfer of the 266.0 tons of NOx CERs is completed, and the CERs now reside in the name of Philadelphia Regional Port Authority under the Transfer Banking Log Number T-M10-0004. This transfer log number must be referenced when Philadelphia Regional Port Authority intends to use the CERs. Upon accepting ownership of these CERs, Philadelphia Regional Port Authority recognizes that:

1. Use of any CERs is subject to all provisions of N.J.A.C. 7:27-18 et seq.
2. The listing in the DEP database does not constitute DEP approval to use any CERs as offsets. At the time of any future transfer, these credits will be re-verified and adjusted as described in item 4 and 5 below.
3. Approval for the use of any CERs as offsets will only be determined during the review of a permit application for a particular project. Upon approval of a permit application emission reductions used as emission offsets, or used in calculating the proposed net emission increase (in accordance with N.J.A.C. 7:27-18.7(a) 1) may not be used again as emission offsets.
4. Any CERs will be adjusted if any rule decreases the amount of allowable emissions for an air contaminant pursuant to N.J.A.C 7:27-18.8(e) prior to their use, and
5. Any shutdown CERs will be subject to time discounts as per N.J.A.C 7:27-18.8 (f) & (g).

Although the department continues to stress that general conformity cannot be achieved here by relying solely on CERs, it will continue its review of the validity of your proposed CERs upon receipt of an amended application. This review will be without prejudice to the Department's position that the proposed use of CERs is inadequate to meet conformity requirements. Should you have any questions concerning this matter, please contact me at (609) 633-8220.

Sincerely,

Francis Steitz, Chief  
Bureau of Air Permits

C: R. Esposito, NJDEP (for Facility's Banking file)  
K. Kalim, NJDEP

~~U. Col. Thomas J. Tickner, Philadelphia District, U.S. Army Corps of Engineers,  
Vanamaker Building, 100 Penn Square East,  
Philadelphia, PA 19107-3390~~



State of New Jersey

DEPARTMENT of ENVIRONMENTAL PROTECTION

Division of Air Quality  
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401 E. State Street, 2<sup>nd</sup> floor, P.O. Box 27  
Trenton, NJ 08625-0027

BOB MARTIN  
Commissioner

June 30, 2010

CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

Buyer's Information

Lisa Magee  
Philadelphia Regional Port Authority  
3160 N. Delaware Avenue, 2<sup>nd</sup> Floor  
Philadelphia, PA 19134

Seller's Information

Dave Watson  
Gerresheimer Glass, Inc.  
537 Crystal Avenue  
Vineland, NJ 08360

RE: Your Combined Request for NO<sub>x</sub> CER Transfer dated June 21, 2010

Dear Ms. Magee and Mr. Watson:

This is in response to the above referenced letter in which you requested the transfer of 266.1 tons of NO<sub>x</sub> Creditable Emission Reductions (CERs). These CERs which were represented by banking log number BK-M9-0002 in the name of Gerresheimer Glass, Inc (PI 75503) are transferred to Philadelphia Regional Port Authority.

The transfer of the 266.1 tons of NO<sub>x</sub> CERs is completed, and the CERs now reside in the name of Philadelphia Regional Port Authority under the Transfer Banking Log Number T-M10-0002. This transfer log number must be referenced when Philadelphia Regional Port Authority intends to use the CERs. Upon accepting ownership of these CERs, Philadelphia Regional Port Authority recognizes that:

1. Use of any CERs is subject to all provisions of N.J.A.C. 7:27-18 et seq.
2. The listing in the DEP database does not constitute DEP approval to use any CERs as offsets. At the time of any future transfer, these credits will be re-verified and adjusted as described in item 4 and 5 below.
3. Approval for the use of any CERs as offsets will only be determined during the review of a permit application for a particular project. Upon approval of a permit application emission reductions used as emission offsets, or used in calculating the proposed net emission increase (in accordance with N.J.A.C. 7:27-18.7(a) 1) may not be used again as emission offsets.
4. Any CERs will be adjusted if any rule decreases the amount of allowable emissions for an air contaminant pursuant to N.J.A.C 7:27-18.8(e) prior to their use, and
5. Any shutdown CERs will be subject to time discounts as per N.J.A.C 7:27-18.8 (f) & (g).

Although the department continues to stress that general conformity cannot be achieved here by relying solely on CERs, it will continue its review of the validity of your proposed CERs upon receipt of an amended application. This review will be without prejudice to the Department's position that the proposed use of CERs is inadequate to meet conformity requirements. Should you have any questions concerning this matter, please contact me at (609) 633-8220.

Sincerely,

Francis Steitz, Chief  
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C: R. Esposito, NJDEP (for Facility's Banking file)  
K. Kalim, NJDEP

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Wanamaker Building, 100 Penn Square East  
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