



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

JUN - 2 2005

Bill Wolfe
Save NJ Coalition
c/o Sierra Club, NJ Chapter
139 West Hanover Street
Trenton, NJ 08618

Dear Mr. Wolfe:

This is in reply to your letter of May 25, 2005 addressed to Eric Schaaf, Regional Counsel for the U.S. Environmental Protection Agency, Region 2 (EPA). Your letter inquired about EPA's current posture with respect to New Jersey's "Fast Track" regulatory program.

EPA's position remains as stated in the two letters you quoted in your letter to Mr. Schaaf. Those are the letter from former EPA Regional Administrator Jane Kenny to New Jersey Department of Environmental Protection (NJDEP) Commissioner Bradley Campbell dated November 1, 2004; and my letter to the Save New Jersey Steering Committee dated November 16, 2004. There has been no other formal correspondence between EPA and NJDEP concerning the Fast Track program since that time.

→ We do not anticipate providing further, specific guidance to NJDEP concerning development of regulations under the Fast Track program. We are not familiar with the exact current status of NJDEP's rulemaking efforts in connection with that program. If and when such regulations are prepared, and where they concern federally-delegated or authorized environmental programs, we expect that NJDEP will provide them to us for review, together with an analysis of how they affect those programs and whether the programs continue to satisfy applicable federal requirements.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Mugdan".

Walter Mugdan
Director
Division of Environmental Planning & Protection

cc: Eric Schaaf, Esq.