

NEW JERSEY CLEAN AIR COUNCIL

<u>Clean Air Council Members</u> John Valeri Jr., Esq., Acting Chair Allen Weston, Acting Vice-Chair Leonard Bielory, M.D. Robert Campbell Maria Connolly, PP, AICP Joseph Constance Marc DeBlasio Michael Egenton	<u>Clean Air Council Members</u> Toby Hanna, P.E. Sandra Howland Andrew McNally Richard Opiekun, Ph.D. Scott Ross John Spinello Robert Weber
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New Jersey Clean Air Council Meeting Record

STEM building at Kean University
1075 Morris Ave.
Union, NJ 07083

Wednesday, February 13, 2019

CALL TO ORDER	John Valeri opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
EXCUSED	Joseph Constance Marc DeBlasio
CALLED IN	Robert Campbell Michael Egenton Sandra Howland Christine Schell
ABSENT	John Spinello
PUBLIC	Kimberly Scarborough, PSEG Chris Whitehead, Trinity Mike Van Brunt, Covanta
NJ DEP Staff	Frank Steitz Heidi Jones Rebecca Hobbs

Meeting Record

- Richard Opiekun made the motion to approve the January minutes as submitted; Leonard Bielory seconded the motion. Minutes were approved a unanimous vote.
- Public hearing topic “GLOBAL WARMING POLLUTANTS IN NEW JERSEY: Beyond carbon dioxide” re: speakers, finalizing brochure, and coordination discussed.
- Public hearing invitations, brochures, and information will be distributed via e-mail or hard copies mailed starting the last week of February.
- Mike Van Brunt from Covanta gave a presentation; PowerPoint will be posted on the Clean Air Council webpage.
- Leonard Bielory made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 12:05pm.

Administrative Report

Presented by Francis Steitz, Director of Air Quality

1. **BPU executes \$200,000 MOU with DEP for EV charging grant program** -On January 7, 2019, BPU President Fiordaliso signed a Memorandum of Understanding with DEP, and BPU transferred spending authority to DEP for \$200,000 for *It Pay\$ to Plug In – New Jersey’s Electric Vehicle Grant Program*. The Bureau of Mobile Sources will use the \$200,000 from BPU, to fund projects on the \$3M waiting list for *It Pay\$ to Plug In*.
2. **Mobile source tampering Investigations**- Bureau of Mobile Sources (BMS) performed five targeted tampering investigations against dealers who advertised online that they had diesel pickup trucks that were tampered with. Findings at the four locations yielded a 29% tampering rate with 22 of the 77 vehicles physically tampered with. A sixth investigation was just conducted with a single tampered vehicle found. The discrepancy between the latest dealer and the previous dealers is the most recent dealership refrains from purchasing vehicles from auto auctions when vehicles are identified as being tampered. NJ’s success in diesel tampering investigations can be attributed to NJ regulations that allow enforcement against entities that sell or offer to sell tampered vehicles and does not have to show who did the tampering
3. **Issue: New Jersey Joins Multi-State Lawsuit Challenging EPA’s CSAPR Closeout Rule** - On January 31, 2019, New Jersey joined New York and other nearby states in challenging EPA’s final Cross State Air Pollution Rule (CSAPR) Closeout rule that determined no additional control measures will be required from upwind states to address their significant contribution to downwind, high ozone nonattainment. Specifically, the CSAPR Closeout rule uses modeling to 2023 (2 years after New Jersey next ozone attainment deadline) to show no upwind reductions are needed for states to meet their Clean Air Act “Good Neighbor” obligations for the 2008 ozone standard. This challenge is consistent with other multi-state actions New Jersey has joined and will provide an opportunity for New Jersey to push for upwind measures at least as stringent as in New Jersey, including standards to require operation of existing controls at power plants, controls on peaking electric generating units and evaluation of controls at non-power plant sources.
4. **Update on the Air Rule Stakeholder Meeting**- The Division of Air Quality held the Rule Proposal Stakeholder meeting as scheduled on January 17, 2019 and included discussions on:
 - a. Addition of New Air Toxics into Rules, specifically hydrogen sulfide (primary concern is landfills), n-propyl bromide (dry cleaning alternative) and sulfuryl fluoride (fumigant)
 - b. Clarification of fumigation applicability and requirements
 - c. Additional air toxics added to the list of required air toxics reporting for air emission statements.

Input was taken from industry and environmental groups on these subjects. All presentation material, attendance sheet and agenda have been posted on the Department’s stakeholder web page.

5. **Transco Northeast Supply Project's Final General Conformity Determination** – On January 25, 2019, the Federal Energy Regulatory Commission issued the Final General Conformity determination for Transco's Northeast Supply Enhancement Project to expand its natural gas pipeline system to provide an additional 400 million cubic feet of gas per day into the Northeast for winter 2020. To meet the requirements of the Federal General Conformity regulation, Transco has identified the four-mobile source-related projects to mitigate the estimated 679 – 721 tons of oxides of nitrogen emissions expected from construction. The Federal Energy Regulatory Commission determined these projects would not mitigate all the estimated construction emissions and expected that a portion of the emissions would be mitigated through the purchase of Emission Reduction Credits/Creditable Emissions Reductions. If negotiations on the mitigation projects stall or do not match the timeframe for the project, then credits would be purchased to cover all the construction emissions. AQES' Division of Air Quality is reviewing the Final General Conformity Determination.
6. **Covanta Warren Energy Resource Company Mothballing** -The Covanta facility, located in Oxford Township, Warren County, has conveyed via a minor modification request on January 16, 2019 that it will be temporarily "Mothballing" the facility, which includes two 274 ton per day municipal waste combustors, due to unfavorable market conditions. The facility is developing a Closure plan and all operations will cease. The target date for completion of the temporary mothball closure is May 31, 2019.
7. **Gloucester County Utilities Authority's Permit Modification for Removal of Sewerage Sludge Incinerator Approved**-On January 15, 2019, the Division of Air Quality (DAQ) approved Gloucester County Utilities Authority's (GCUA) permit modification to remove the sewerage sludge incinerator from their air permit as a minor facility. GCUA shut down their sewerage sludge incinerator on December 31, 2018 and is currently involved in ongoing negotiations with USEPA, USDOJ and NJDEP to resolve violations for operating the unit in violation of the Federal requirements at 40 CFR Part 60, Subpart M. GCUA previously submitted a Title V permit application on March 12, 2014 to satisfy Federal requirements for sewage sludge incinerators. This permit application was withdrawn on January 17, 2019 since the sewerage sludge incinerator is no longer be at the facility. GCUA currently has an approved permit for anaerobic digestion of sewage sludge in lieu of incineration.
8. **Public notices for two crematoriums** - The Division of Air Quality posted draft permits for two new human retorts:
 - a. Liberty Grove Memorial Gardens, 549 Morristown Rd, Old Bridge Twp., NJ 08857. Facility is installing one new human cremation unit in addition to the one existing unit.
 - b. Park View Cemetery @ Kirbys Mill, 25 Fostertown Rd, Medford, NJ 08055. Facility is installing one new human cremation unit in addition to the one existing unit.

The comment period runs from 1/11/2019 to 2/11/19.

2019 MEETING DATES & LOCATIONS (tentative)

Parking arrangements will be given in monthly email

March 13	NJ DEP, 401 East State Street, 6th Floor, Trenton
April 10	NJ DEP, 401 East State Street, 6th Floor, Trenton – PUBLIC HEARING
May 8	Raritan Valley Community College Atrium, 118 Lamington Rd, Branchburg, NJ 08876
June 12	NJ DEP, 401 East State Street, 6th Floor, Trenton
July 10	NJ DEP, 401 East State Street, 6th Floor, Trenton (present to Commissioner)
August 14	No meeting.
September 11	Chamber of Commerce, 216 W. State St., Trenton, NJ
October 9	NJ BIA, 10 West Lafayette Street, Trenton, NJ
November 13	NJ DEP, 401 East State Street, 6th Floor, Trenton
December 11	IBEW, Local 94, 219 Franklin St., Hightstown, NJ