

## NEW JERSEY CLEAN AIR COUNCIL

<b><u>Clean Air Council Members</u></b> 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	<b><u>Clean Air Council Members</u></b> Michael Egenton Toby Hanna, P.E. Sandra Howland Andrew McNally Richard Opiekun, Ph.D. Scott Ross John Spinello
<b><u>Clean Air Council Liaison</u></b> Heidi Jones, 609-777-0598 <a href="mailto:Heidi.Jones@dep.nj.gov">Heidi.Jones@dep.nj.gov</a>	<b><u>NJ Clean Air Council Website:</u></b> <a href="http://www.state.nj.us/dep/cleanair">http://www.state.nj.us/dep/cleanair</a>

### New Jersey Clean Air Council Meeting Record

NJDEP  
401 East State Street, 6<sup>th</sup> Floor  
Trenton, NJ

Wednesday, July 10, 2019

CALL TO ORDER	John Valeri opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
EXCUSED	Andrew McNally Scott Ross
ABSENT	Marc DeBlasio Sandra Howland John Spinello
PUBLIC	Kimberly Scarborough, PSEG
NJ DEP Staff	Frank Steitz Rebecca Hobbs Heidi Jones

## Meeting Record

- Michael Egenton made the motion to approve the minutes as submitted; Leonard Bielory seconded the motion. Minutes were approved a unanimous vote.
- Council presented the annual hearing report to Commissioner McCabe.
- Leonard Bielory made a motion to adjourn; Allen Weston seconded the motion. Meeting was adjourned at 11:55am.

## Administrative Report

*Presented by Francis Steitz, Director of Air Quality*

1. **RGGI Rule Adoptions** – On June 17, 2019, both RGGI rule adoptions were published in the New Jersey Register, and became effective. The rule adoptions are posted on the Department’s rules page as well as the RGGI page [www.state.nj.us/dep/ages/rggi.html#/](http://www.state.nj.us/dep/ages/rggi.html#/)
2. **BPU Board Selects Ørsted A/S** – On June 21, 2019, the BPU Board unanimously voted to select Ørsted A/S to develop a 1,100-megawatt offshore wind project, the largest single offshore wind solicitation in the United States as of that date. This selection is the first of three planned procurements in the coming years – two more solicitations of 1,200 megawatts each will occur in 2020 and 2022 respectively. The Board considered four choices before making its decision on Friday: a 1,100-MW single project from Ørsted; a 1,100-MW portfolio of projects from Ørsted Ocean Wind and Atlantic Shores Offshore Wind — a joint venture of EDF Renewables North America and Shell New Energies US LLC; a 1,200-MW portfolio of projects from Ørsted Ocean Wind and EDF, Shell Atlantic Shores; and a 1,200-MW portfolio from Ørsted and Equinor's Boardwalk Wind.
3. **EPA Finalizes Affordable Clean Energy Rule** – On June 19, 2019, the EPA finalized its Affordable Clean Energy Rule, the replacement of the Obama Administration’s Clean Power Plan. The new rule redefines the “best system of emissions reductions” for existing power plants, directing operators to reduce greenhouse gases by focusing solely on improving the efficiencies of their facilities. The rule does not establish emission caps; instead giving states latitude to determine how stringently they want to control power plant emissions under their jurisdiction. The final version of the rule no longer includes a controversial plan to upgrade when construction of efficiency improvement projects would have triggered compliance under the New Source Review Program; EPA will address this last piece separately in the near future.
4. **EPA Rule Proposal to Implement Rescission of “Once-In-Always-In” Policy** – On June 25, 2019, the EPA announced a rule proposal to codify its rescission of the “Once-in-Always-In” policy; allowing major sources of hazardous air pollutants, or HAPs, to reclassify themselves as area sources after limiting their emissions below major source levels (i.e., less than 10 tons per year for a single HAP or 25 tons per year for a combination of HAPs). The “Once-in-Always-In” policy prevented backsliding by requiring any HAP source considered a major source under Section 112 of the Clean Air Act to remain so even if its emission levels dropped below the major source level. This rule proposal, if adopted, would allow facilities to remove Maximum Achievable Control Technology, or MACT, controls or run them less frequently if they stay below the major source threshold. While not a concern for New Jersey’s facilities, which must have state-of-the-art controls for each HAP as a backstop, it will likely impact facilities in neighboring states and those emissions could be transported into New Jersey, impacting the State’s air quality. Air Quality staff plan to submit comments on the proposal.
5. **Bureau of Stationary Sources (BoSS) Denies Air Permit** - On June 10, 2019, the Bureau of Stationary Sources (BoSS) denied the Central Jersey Hot Mix LLC preconstruction permit application for failure to provide requested information to the Department. As part of the air permit review process, DAQ completed an air dispersion modeling and risk assessment of diesel emissions from a diesel engine in the application. The result of the risk assessment showed that the maximum predicted diesel emissions from the engine would cause significant cancer health risk. On February 5, 2019, DAQ notified the facility that the cancer health risk associated with the diesel engine was unacceptable and requested

that the facility installed a diesel particulate filter or proposed an alternative method to reduce the diesel emission. A reminder was sent to the facility on February 28, 2019. An Intent to Deny letter was sent to the facility via certified mail, which was delivered on May 6, 2019.

6. **Keegan Landfill Air Permit Approval** -- On June 28, 2019, the Bureau of Stationary Sources (BoSS) approved an air permit to allow the New Jersey Sports and Exposition Authority to conduct an Environmental Improvement Pilot Test (EIPT) at its Keegan Landfill in Kearney Township, New Jersey. The EIPT is needed to collect data to determine the size and design a future, permanent landfill gas control system. The EIPT is valid for 90 days, with the option of a 90-day extension; a new permit would be needed for the permanent landfill control system. Department staff from Air Quality, the Division of Solid & Hazardous Waste and Compliance and Enforcement coordinated on the review and approval of the air permit and the Disruption Approval (approved 6/27/19).
7. **Notice of Opportunity for Public Comment on Draft Air Permit for Machpelah Cemetery** -The Department is providing an opportunity to the public to comment on the draft air permit for four (4) new human cremation retorts with a total capacity of 900 pounds of remains per hour at the Machpelah Cemetery, located at 5810 Tonnelle Avenue, North Bergen, Hudson County, NJ. The Notice for Public Comment and the Draft Air Permit was posted on the Department's website with a 30-day comment period which started on July 3, 2019 and ends on August 3, 2019. Machpelah Cemetery is an existing permitted facility with three cremation retorts with a total maximum rate of 450 pounds per hour; note that these units were never installed. The draft permit has the appropriate monitoring and recordkeeping requirements to ensure compliance with emission limits.
8. **Oyster Creek License Transfer Application** - On June 20, 2019, the Nuclear Regulatory Commission approved and issued the License Transfer Application allowing the direct transfer of Exelon's currently licensed authority to Oyster Creek Environmental Protection as the licensed owner and to Holtec Decommissioning International as the licensed operator for decommissioning. Both transfer companies are subsidiaries of Holtec International. The sale of Oyster Creek to Holtec was completed on July 1, 2019. Holtec International's plan is to complete the decommissioning process within 10 years.

### **2019 MEETING DATES & LOCATIONS (tentative)**

**\*Parking arrangements will be given in monthly email\***

January 9	ERM, 200 Princeton South Corporate Centre, Suite 160, Ewing
February 13	STEM building at Kean University, 1075 Morris Ave, Union, NJ 07083
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