

NEW JERSEY CLEAN AIR COUNCIL

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

NJ DEP
401 East State Street, 6th Floor
Trenton, NJ

Wednesday, March 11, 2020

CALL TO ORDER	John Valeri opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
CALLED IN	Allen Weston Leonard Bielory Robert Campbell Toby Hanna
EXCUSED	Sandra Howland Andrew McNally
PUBLIC	Kimberly Scarborough, PSEG Adam Newman, IBEW
NJ DEP Staff	Frank Steitz Melissa Evanego Gabrielle Pintauro

Meeting Record

- Allen Weston made the motion to approve the minutes as submitted; Leonard Bielory seconded the motion. Minutes were approved with a unanimous vote.
- Presentation on Energy Master Plan was given by Hannah Thonet, BPU. PowerPoint and information will be posted on the Clean Air Council website.
- Leonard Bielory made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 12:15pm.

Administrative Report

Presented by Francis Steitz, Director of Air Quality

1. **NJ's First RGGI Auction** – The first RGGI Auction of 2020 will take place from 9:00 AM until 12:00 PM on March 11, 2020, auctioning a total of 16,208,347 allowances. New Jersey's share of the total allowances auctioned is 3,669,976. While it's not possible to know what the auction proceeds will be until the auction closes, the December 2019 auction clearing price of \$5.61 would provide NJ with about 20.5 million dollars.
2. **NJ's New Electric Vehicle Incentive Program**—The BPU has retained the Center for Sustainable Energy (CSE), a non-profit based in Boston, to develop and administer the new electric vehicle incentive program required by the new law signed by Governor Murphy on January 17, 2020. CSE has significant experience administering similar programs in MA, CT, OR & CA. The program will be rolled out in two phases:
 - Phase 1 launch website with instructions for NJ consumers to request rebates directly from CSE for qualifying vehicles (i.e., NJ residents registering the vehicle in NJ) purchased since January 17, 2020. Official website for the new EV rebate program along with a list of frequently asked questions: <https://www.njcleanenergy.com/ev>
 - Phase 2 (no later than July 15, 2020) -- launch of an online platform for dealers to administer a point of sale rebate for all qualifying purchases from that date forward. The incentive (up to \$5,000 per vehicle depending on battery range) will be deducted from the purchase price of the vehicle and the dealer will apply to CSE for reimbursement through a portal. CSE will issue rebate checks to the dealers within 10 days of approving the application.There will be a separate process for Tesla rebates since they are not franchised dealers.
3. **Update on New Jersey Electric Vehicle Registrations** -- As of December 2019, the total number of plug-in electric vehicles registered in NJ is 31,587, up from 27,989 in June 2019. For the first time since 2016, there is a decrease in the number of plug-in hybrids which may be reflective of consumer preference to purchase pure battery electric vehicles. While a good portion of the electric vehicle growth in 2020 were Tesla Model 3 deliveries, the non-Tesla share has also ramped up in the past six months. Audi, Jaguar, and Hyundai showed significant gains, while BMW, Chevrolet, Nissan, and Volkswagen were more modest. Ford, Honda, Mercedes, Mitsubishi, Smith and Toyota models decreased (some of these were older models aging out of the fleet). NJ's overall battery electric vehicle population is still 83.1% Tesla.
4. **New Instagram Account** – On March 2, 2020, DAQ's Bureau of Mobile Source launched its Instagram Account DriveCleanNJ. This social media platform provides additional opportunities to raise awareness of the importance of eliminating harmful emissions from mobile sources. Using fun memes,

educational topics, and Q&As, the Bureau will highlight all its programs, including Inspection & Maintenance Program, anti-idling strategies, vehicle tampering, voluntary emission reduction grants/projects, and electric vehicle initiatives.

5. South Jersey Port Corporation Forklift Replacement Project -- Under new leadership, South Jersey Port Corporation (SJPC) in Camden is working with their tenants and DEP to modernize port equipment. As part of this effort, they recently decommissioned and scrapped nine (9), approximately 40-year-old, forklifts with new equipment purchased with \$950,000 Congestion Mitigation and Air Quality (CMAQ) funding granted to DEP and SJPC.
6. DAQ Seeks \$1.3 Million to Reduce Black Carbon and other Climate Pollutants – DAQ is applying for approximately \$1.3 million for marine vessel repowers under a national Diesel Emission Reduction Act competition. These additional funds, if received, will achieve significant, cost effective, black carbon and other climate pollutant reductions from the transportation sector.
7. DAQ Granted Additional \$700,000 for Electric Vehicle Charging Stations – DAQ will receive \$700,000 for electric vehicle charging stations under a 2019 modification of a 2007 Consent Decree with American Electric Power. The additional Supplemental Environmental Project money was triggered because the defendant needed additional time to comply. These funds will support the Department's It Pay\$ to Plug In grant program as well as to fund charging stations on the DEP campuses to comply with the recently signed electric vehicle law.
8. Port Authority's EV goals - The Climate Group's corporate initiative, EV100, brings together leading companies committed to accelerating the transition to zero emission vehicles by 2030. The Port Authority of NY/NJ (PANYNJ) is a member of EV100 and in late 2018 announced its plan to switch 50% of its 1,300 light-duty vehicles to EV by 2025 and 100% by 2030 which is more aggressive than the goals for the state fleet memorialized in the recently passed EV law (25% by 2025 and 100% by 2035). Last week the PANYNJ reported that 120 light duty EVs had been purchased with 80 more expected by the end of the year. Because their strategy includes rightsizing vehicle purchases, they are hoping to streamline the path to electrification. PANYNJ also announced it will transition its entire airport shuttle bus fleet to electric by the end of the year - 18 have been procured already with 8 more on order. PANYNJ has also established interim greenhouse gas reduction goals of 35% by 2035 (in addition to their 80% by 2050 goal).
9. Elcon Recycling Services. LLC (Elcon) – Elcon has proposed to construct a commercial facility for the treatment of hazardous and residual liquid waste streams. The facility will be located in Falls Township, Pennsylvania, approximately 1.1 miles west of New Jersey. On May 2, 2019, the NJDEP Division of Air Quality forwarded a comment letter to the Pennsylvania Department of Environmental Protection (PADEP). Many of these comments were included in the PADEP July 23, 2019 Technical Review letter Elcon.

On February 12, 2020, Kip Cherry, Sierra Club of NJ, notified the DAQ that Elcon responded to the PADEP's letter on 2/6/20. Elcon's response to AQ Technical Deficiencies letter has been posted to the PADEP's website at:

<https://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Elcon-Recycling-Services-LLC.aspx>.

The 2/6/20 Response letter was reviewed, and the following issues remain:

- Outstanding issues related to Elcon's February 2019 Air Dispersion Model and Risk Assessment Report, which were outlined in the 7/23/20 PADEP letter, are not addressed.
- No link established between risk levels, feed limits, and maximum emission rates.
- No parameter limits for individual waste streams proposed.
- No heavy metal inlet limits are being proposed.
- More information needed on operation of dual, parallel Air Pollution Control Trains.
 - Use of APC trains should be based on amount on air contaminants in addition to exhaust flow rate.
 - No confirmation that each APC control train will undergo stack emissions testing individually, as well as concurrently. Each should have its own CO and oxygen monitors.
- Stack emission testing should be done using a worst-case scenario and not "normal maximum" emissions.
- Health impacts from mercury emissions of 34.4 lb/yr, were not addressed.

10. Environmental Improvement Pilot Test (EIPT) for Solvay Specialty Polymers USA, LLC -- On February 12, 2020, Solvay Specialty Polymers USA, LLC submitted an EIPT application to install and operate new wells to better quantify actual concentrations of and the potential to emit the contaminants of concern from the air strippers in their existing groundwater treatment system (GWTS) for 100% reuse in the plant manufacturing processes. The contaminants of concern include ethylidene dichloride, ethylene dichloride, vinylidene chloride, benzene, chloroform, chloromethane, carbon tetrachloride, trichloroethene, tetrachloroethene, methyl chloride, toluene, carbon disulfide, methylene chloride, dichlorofluoroethane, chlorodifluoroethane, and 1,1,1-trifluoroethane. It is also important to note that PFAS compounds are likely in the water stream although they are not currently listed as a contaminant of concern. The additional groundwater recovery wells and associated modifications should reduce off-site migration of contaminants of concern in the groundwater.
11. Sulfuryl Fluoride (SF) Fumigation Permit – DAQ has completed its permit application review and has gone to public notice on a proposed permit for fumigation operations at MAFCO Worldwide Corp, a minor air facility located in the Waterfront South area of Camden. If approved, MAFCO Worldwide Corp will conduct one single SF fumigation event each year for a foreign grain beetle in seven individual licorice root warehouse buildings, with the possibility to fumigate one additional individual warehouse each year. DAQ staff has conducted refined air dispersion modeling using yet to be adopted SF risk factors and shown negligible health impacts. Comments will be accepted for 30-days once the notice is published. The facility has indicated that they need this permit approved by late Spring to ensure that the licorice product is not compromised by pests.
12. Delaware River Partners' Draft Permit Modification – On April 7, 2020, DAQ will host a public hearing on Delaware River Partners' air permit modification to expand the Liquid Petroleum Gas (butane and/or propane) transfer operation at its Gibbstown Logistics Center. The expansion would result in an increase of VOC emissions from 5.44 tons/year to 8.61 tons/year (2.66 tons/year increase). As with the original permit, all Hazardous Air Pollutants are below the reporting threshold. The public comment period is from March 2, 2020 to April 10, 2020. The public comment period and hearing are being held due to significant public interest in this facility.
13. Cinnamon Bay Draft Permit Modification – On March 9, 2020, DAQ will host a public hearing on Cinnamon Bay's air permit modification to remove the oxidation catalysts from its six-landfill gas-fired

engines to terminate an Administrative Consent Order (ACO) the facility has operated under since March 6, 2014. Although removing the oxidation catalysts will result in carbon monoxide and volatile organic compound emission levels above the existing permit limits, there is no increase in emissions levels from the ACO itself, which specifically allowed for the removal of the oxidation catalysts. There are negligible health impacts estimated from this modification. Once removed, the facility will reduce its operating hours to avoid Prevention of Significant Deterioration (PSD) applicability.

14. Onboard diagnostic fraudulent vehicle inspections – DAQ's Bureau of Mobile Sources, in conjunction with the Motor Vehicle Commission, determined that Larry Williams, a licensed private vehicle inspector, was manipulating onboard diagnostic (OBD) scan results to create fraudulent inspection outcomes. This was Mr. Williams' 3rd violation, resulting in the permanent revocation of vehicle emissions testing licenses and an additional \$168,000 in fines. Bureau of Mobile Sources employee Jeff Kennedy developed the software that identified Mr. Williams' fraudulent activities.

2020 MEETING DATES & LOCATIONS (tentative)

January 8	ERM, 200 Princeton South Corporate Centre, Suite 160, Ewing
February 12	STEM building at Kean University, 1075 Morris Ave, Union, NJ 07083
March 11	NJ DEP, 401 East State Street, 6 th Floor, Trenton
April 1	POSTPONED: PUBLIC HEARING; no April meeting.
May 13	NJ DEP, 401 East State Street, 6 th Floor, Trenton
June 10	NJ DEP, 401 East State Street, 6 th Floor, Trenton
July 8	NJ DEP, 401 East State Street, 6 th Floor, Trenton
July 30 *	NJ DEP, 401 East State Street, 6 th Flr & Public Hearing Room, Trenton – PUBLIC HEARING
August 12	NJ DEP, 401 East State Street, 6 th Floor, Trenton
September 9	NJ DEP, 401 East State Street, 2 nd Floor, Trenton
October 14	NJ BIA, 10 West Lafayette Street, Trenton, NJ
November 18 **	NJ DEP, 401 East State Street, 6 th Floor, Trenton – possible Atlantic City
December 9	IBEW, Local 94, 219 Franklin St., Hightstown, NJ
* 5 th THURSDAY	
** 3 rd Wednesday	