

## NEW JERSEY CLEAN AIR COUNCIL

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

Meeting via Microsoft Teams

Wednesday, March 17, 2021

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
PUBLIC	Kimberly Scarborough, PSEG
NJ DEP Staff	Francis Steitz Ken Ratzman Heidi Jones

### **Meeting Record**

- Leonard Bielory made a motion to approve the October meeting minutes; Michael Egenton seconded the motion. Minutes were approved with a unanimous vote.
- 2021 hearing topic was discussed. The hearing is scheduled for Wednesday, April 21, 2021 via Microsoft Teams.
- Leonard Bielory made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 10:30am.

## **Administrative Report**

*Presented by Francis Steitz, Director of Air Quality*

1. Air Toxics Rule -- On March 1, 2021 the Division of Air Quality proposed rule amendments with significant changes to its air toxics rules including:
  - a. Clarifications to the permit applicability requirements for a commercial fumigation operation and establishes requirements for minimum stack requirements and a health risk assessment for all fumigation operations
  - b. The addition of three new air toxic substances to the New Jersey Air Toxics rules including Hydrogen Sulfide (Landfills, Petroleum refining), n-propyl Bromide (alternative dry-cleaning agent to PERC) and Sulfuryl Fluoride (widely used fumigant)
  - c. Additional Air Toxics reporting of 13 substances on the Emission Statement (no new facilities, but additional toxics with higher relative risk)
  - d. Minor administrative corrections to the rule text.
2. Community Composting Air Permit -- On February 12, 2021, Air Quality received a preconstruction air permit application for Community Foodcycle to conduct community composting at the McConaughy Barn in Hopewell, NJ. The submittal was in response to the January 13, 2021 Notice of Violation from the Division of Air Enforcement's Central Regional Office for operating equipment without first obtaining a preconstruction permit. Community Foodcycle had erroneously obtained the "Manufacturing and Materials Handling Equipment" general permit (GP-016A) on December 3, 2019, to cover the community composting operation. GP-016A specifically excludes solid waste activities from getting the general permit; therefore, a preconstruction permit is necessary.
3. Public Hearing for EF Kenilworth -- On March 30, 2021, Air Quality will host a virtual public hearing on the EF Kenilworth LLC draft renewal operating permit, which contains a 248.6 mmBTU/hr dual fuel turbine supplying power to the neighboring Merck Kenilworth facility. The hearing was requested by the attorney for the Borough of Kenilworth to discuss the necessity of this permit considering Merck's announcement to remove all operations from the site, any possibility of transferring the permit, and pollution and health impacts. The close of comment date is April 2, 2021, and the link to the updated public notice is <https://www.state.nj.us/dep/agpp/downloads/publicnotpost/efkpn.pdf>.
4. Public Hearing on Georgia-Pacific Gypsum LLC Permit -- On April 20, 2021, Air Quality will host a virtual public hearing on Georgia-Pacific Gypsum LLC's draft significant modification operating permit at the request of the Center for Environmental Transformation and residents of Camden. While the permit does have sources with increased emissions, the overall changes to the permit will result in a reduction in allowable emissions. However, the Center of Environmental Transformation and residents of Camden have raised concerns related to the requirements in the State's new EJ Law. The public comment period will now end on May 7, 2021, to accommodate for the public hearing and the 60-day extension requested by the Center for Environmental Transformation.
5. Aries Linden Air Permit Modification -- On March 10, 2021, Aries Linden, a biosolids gasification facility co-located with the Linden Roselle Sewage Authority, submitted a modification application to Air Quality to increase its biosolids throughput of from 430 tons per day to 450 tons per day in their existing air permit. The application claims the increase would result in an insignificant emission increase. The application is currently under review to ensure compliance with all regulatory requirements. The facility is in an EJ area as defined by the NJ EJ Law.
6. NJBPU Approves Atlantic City Electric (ACE) Filing -- On February 17, 2021, the New Jersey Board of Public Utilities approved ACE's incentive program for the "Make-Ready" portion of EV charger installation. ACE will invest \$14.8 million to install up to 1,350 charger sites across the state in residential, workplaces, and EJ communities in their service area. This approval follows NJBPU's January 27, 2021 approval of PSE&G's EV incentive program.
7. RGGI Allowance True-Up -- RGGI's 3-year control period concluded at the end of 2020, and all regulated RGGI facilities were required to have allowances in their RGGI COATS compliance accounts

equal to their emissions over that control period by March 1, 2021. Because New Jersey's participation started in the last year of that control period, its RGGI facilities were only required to have allowances equal to their 2020 emissions in their RGGI COATS compliance accounts by the March 1st deadline. All 33 New Jersey RGGI facilities completed this compliance true-up before the deadline.

8. RGGI Auction Results – RGGI's first quarterly auction of 2021 held on March 3rd, netted \$178.35 million for the region, with New Jersey's portion totaling \$21.7 million to invest in clean energy and climate mitigation strategies in the State. Per State Law, 60% of those funds (~ \$13 million) will be distributed by the NJ Economic Development Authority, 20% (~ \$4.3 million) by the NJ Board of Public Utilities, and 20% (~ \$4.3 million) by the NJ Department of Environmental Protection.
9. Upcoming Global Warming Response Act 80x50 Webinar – On April 8, 2021, the Climate Change, Clean Energy & Sustainability Element of AQES will host a public webinar on the Global Warming Response Act Report released in October of 2020. During the event, primary authors of the report will walk through the milestones necessary for the State to achieve an 80% reduction in greenhouse gas emissions by 2050.

#### **2021 MEETING DATES & LOCATIONS (tentative)**

**Meeting will be 9:30am – 12pm, every 3<sup>rd</sup> Wednesday of the month.**

January 20	Microsoft Teams Meeting.
February 17	Microsoft Teams Meeting.
March 17	Microsoft Teams Meeting.
April 21	Public Hearing - Microsoft Teams Meeting.
May 19	Microsoft Teams Meeting.
June 16	Microsoft Teams Meeting.
July 21	Microsoft Teams Meeting. - present report to commissioner (tentative).
August 18	No meeting. (Microsoft Teams Meeting, only if needed)
September 15	Microsoft Teams Meeting.
October 20	Microsoft Teams Meeting.
November 17	Microsoft Teams Meeting.
December 15	Microsoft Teams Meeting.