

## NEW JERSEY CLEAN AIR COUNCIL

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

Meeting via Microsoft Teams

Wednesday, December 15, 2021

CALL TO ORDER	Allen Weston opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
EXCUSED	Timothy Fekete
ABSENT	Andrew McNally Scott Ross
PUBLIC	Adam Newman, IBEW
NJ DEP Staff	Francis Steitz Helaine Barr Linda Miller

### Meeting Record

- Allen Weston made a motion to approve the November meeting minutes; Leonard Bielory seconded the motion. Minutes were approved with a unanimous vote.
- 2021 hearing topic was discussed and will be related to COVID Air Quality Impacts. The hearing is scheduled for Tuesday, April 12, 2022, via Microsoft Teams with in-person options, if available.
- John Valeri has been named chair and Michael Egerton will be vice-chair of the hearing. The council was talking about speakers for the hearing.
- Frank Steitz invited Peter Bilton from NJ Transportation Planning Authority to speak at the hearing after his presentation today. He accepted the invitation. Hearing speakers mentioned were Commissioner LaTourette, DOT, Port Authority, League of Municipalities.
- Leonard Bielory recommended a health-oriented person from the World Health Organization (WHO), he will be reaching out.
- John Valeri will reach out to Mike McGuinness of NAOIP New Jersey.
- Allen Weston will reach out to the League of Municipalities for a speaker.
- The council made several edits to Hearing Brochure during the meeting. Helaine Barr will be providing edits to the Brochure.
- Frank Steitz will email the draft of the hearing brochure to Communications.
- Peter Bilton from NJTPA gave a presentation; it will be made available on the website.
- Leonard Bielory made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 11:58am.

### Administrative Report

*Presented by Francis Steitz, Director of Air Quality*

1. **NJPACT Climate Pollutant Rules – Stationary Sources:** On December 6, 2021, rules were proposed to reduce CO2 emissions from: (1) fossil fuel-fired electric generating units (EGUs) through the application of output-based emission limits, (2) certain commercial and industrial fossil fuel-fired boilers based upon an additional permit requirement, and (3) No. 4 and No. 6 fuel oil by banning its sale and use. The new rules will have the additional benefit of reducing air pollutants such as oxides of nitrogen, sulfur dioxide, direct particulate matter, and hazardous air pollutants. In addition to the new permit requirement for certain boilers, the Department is proposing a boiler fleet reporting requirement, which may inform future rulemaking.

A copy of the proposal is available on the Department's webpages at:

<http://www.nj.gov/dep/rules/proposals/20211206a.pdf> and

<https://www.state.nj.us/dep/aqm/curformp.html>, and LexisNexis free public access to the New Jersey Register (<https://www.lexisnexis.com/hottopics/njoal>).

A public hearing concerning the proposal will be conducted virtually via the Department's video conferencing software on February 1, 2022, at 9:00 A.M.

**To join the meeting from computer, tablet, or smartphone.**

[https://teams.microsoft.com/l/meetup-](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmFmNzRmMTAtZmMwYy00MGU0LTlkN2ItMDFhNzdmOGE5NWUz%40thread.v2/0?context=%7b%22Tid%22%3a%225076c3d1-3802-4b9f-b36a-e0a41bd642a7%22%2c%22Oid%22%3a%220d3def85-9f77-463f-963f-62b28f26eb49%22%7d)

[join/19%3ameeting\\_YmFmNzRmMTAtZmMwYy00MGU0LTlkN2ItMDFhNzdmOGE5NWUz%40thread.v2/0?context=%7b%22Tid%22%3a%225076c3d1-3802-4b9f-b36a-e0a41bd642a7%22%2c%22Oid%22%3a%220d3def85-9f77-463f-963f-62b28f26eb49%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YmFmNzRmMTAtZmMwYy00MGU0LTlkN2ItMDFhNzdmOGE5NWUz%40thread.v2/0?context=%7b%22Tid%22%3a%225076c3d1-3802-4b9f-b36a-e0a41bd642a7%22%2c%22Oid%22%3a%220d3def85-9f77-463f-963f-62b28f26eb49%22%7d)

**Dial in using your phone.**

+1 856-338-7074

Phone Conference ID: 139 922 977#

2. **RGGI Auction 54:** The RGGI states held the program's 54th auction on December 1, 2021. The total volume of allowances auctioned by participating states was originally 23,121,518. New Jersey's portion of the total offering is 3,003,498 allowances. The clearing price was \$13.00, triggering the Cost Contaminant Reserve (CCR) Price and as a result RGGI states added an additional 7,041,000 CO2 allowances sold at the auction at a clearing price of \$13.00.
3. **EPA Flyovers in New Jersey:** During the week of November 15, EPA initiated flyover flights in New Jersey and New York. The effort will evaluate emissions from bulk terminals and refineries identified throughout the state using Infrared Technology. All facilities were notified in advance of the flyover. The flight paths will stay within FAA regulated space 1000 feet or above each facility. Upon completion, EPA will share their findings and next steps with DEP.
4. **Newark South Ward Environmental Alliance's (SWEA) low-cost air sensor monitoring project:** The Newark South Ward Environmental Alliance, with support from Clean Water Action New Jersey, Friends of the Earth, the University of Maryland, and Rutgers University, began an air monitoring project with the installation of 3 low-cost particulate air sensors on November 20, 2021. The project, for which the Bureau of Air Monitoring provided technical advice, will deploy 13 Purple Air sensors in traffic and industrial corridors in the Newark South Ward, and the monitoring is expected to continue for 2 years. The objective of the project is to identify hotspots in the South Ward, and to use the data collected to support the SWEA's request to the NJDEP to add air monitoring stations. The NJDEP currently operates a National Core (NCore) monitoring station in the South Ward at the Clinton Street Firehouse which measures carbon monoxide, nitrogen dioxide, ozone, sulfur dioxide, particulates, lead, volatile organic compounds, toxic metals, and black carbon.
5. **Drive Change Drive Electric Campaign:** NJDEP's Air Program participates in a regional EV education campaign organized by NESCAUM and implemented by Edelman, a marketing firm, called Drive Change. Drive Electric. The campaign won a competitive grant from Electrify America to organize and deploy a two-part influencer road trip. The purpose of the road trip is to show drivers that they can visit fun, exciting places in an EV without compromise, to show the many types of availability of charging throughout the northeast, and to refute any perceptions that traveling long distances in an EV is not possible or is too inconvenient. Beginning Thanksgiving week, the first influencer Cynthia Andrew (@SimplyCyn) promoted her family road trip across the across New Jersey, New York, and Connecticut. She traveled by Ford Mustang Mach-E from NYC to Jersey City, through Long Island and ended in Connecticut, stopping at several Destination Electric businesses along the way. While only contractually obligated to post three 15-second stories, Cynthia was such a believer in driving electric after her trip that she's published 48 stories already and still has more to go! <https://www.instagram.com/p/CWoT6VILA20/> The Air Program will amplify on social media. Edelman thanked the influencer subcommittee for their close partnership to help identify, coordinate, review and approve the many logistics and details associated with this trip – a huge thank you to Colleen Oropeza and Andrea Friedman from NJ, among others.
6. **USDOT issues RFI:** USDOT issued a notice in the Federal Register to gather public input on the EV charging infrastructure funding programs that were created under the Bipartisan Infrastructure Law. The law provides funding to States to strategically deploy EV charging infrastructure and to establish an interconnected network to facilitate data collection, access, and reliability. The law also establishes a discretionary grant program for Charging and Fueling Infrastructure to strategically deploy publicly accessible EV charging infrastructure and hydrogen, propane, and natural gas fueling infrastructure along

designated alternative fuel corridors or in certain other locations that are accessible to all drivers of such vehicles. The law directs USDOT, in coordination or consultation with the US Department of Energy, to develop guidance for both programs. Through this notice, USDOT invites public comments to inform the development of the guidance. USDOT is especially interested in comments suggesting ways that the guidance could promote equity in the deployment of EV charging infrastructure under these programs. NJDEP is developing responses and will coordinate with NJDOT and BPU by the deadline of January 28, 2022.

7. **Passenger EV registrations:** The number of electric vehicles registered in the State keeps growing steadily. We've gone from 34,038 in June 2020, to 41,096 in December 2020, and now 48,871 in June 2021. This places PEVs at 0.7% of New Jersey's 6.7 million registered vehicles. Tesla still appears to be the dominant brand within the New Jersey fleet, but others are showing some signs of gaining traction. Another trend that continues is the lack of growth of plug-in hybrid electric vehicles; all new growth is pure electric vehicles.
8. **CARB proposes Advanced Clean Cars II regulations:** After a series of stakeholder meetings in 2021, CARB issued a draft proposal of its Advanced Clean Cars II regulation on December 7, 2021. The draft proposed regulation would further reduce criteria and greenhouse gas emissions from new light- and medium-duty vehicles from 2026-2035 and increase the number of zero emission vehicles required to be sold. The draft proposal requires 26% of passenger vehicle sales to be electric in 2026, increasing to 76% in 2031 and 100% in 2035. Compliance flexibilities include additional "credits" for manufacturers who take action to help increase affordable access to zero emission vehicles in overburdened communities, credit for plug in hybrids, and ability to use some historical credits banked prior to the new rule taking effect. NJ has been collaborating with NESCAUM, CARB and other east coast states on the development of the regulation. The formal Notice of Proposed rulemaking is scheduled for release in April 2022 with adoption estimated in November 2022.
9. **New Jersey Submits State Implementation Plan (SIP) Revision for Addressing Certain Requirements of the 2008 and 2015 8-Hour Ozone National Ambient Air Quality Standards:** On Tuesday, November 23, 2021, New Jersey submitted a final SIP revision for the Ozone National Ambient Air Quality Standards (NAAQS) to the United States Environmental Protection Agency (USEPA) for review and approval. The SIP includes four components. First, the SIP addresses the requirements of the Clean Air Act (CAA) regarding an attainment demonstration for the 2008 75 ppb 8-hour ozone NAAQS for its serious classification in the Northern New Jersey multi-state nonattainment area by the attainment date of July 20, 2021. Second, the SIP includes a Reasonably Available Control Technology (RACT) analysis to address both the 2008 75 ppb NAAQS and the 2015 70 ppb NAAQS. Third, the SIP revision includes the required Nonattainment New Source Review (NNSR) permitting program certification for both the 75 ppb and 70 ppb 8-hour ozone NAAQS. Fourth, the SIP includes the State's 2017 periodic emission inventory for ozone and other criteria pollutants. No comments were received during the New Jersey public comment process.
10. **5-Year Title V Renewal for Newark Energy Center Issued:** The Division of Air Quality issued the Title V renewal for Newark Energy Center (NEC) on November 30, 2021, after receiving no comments from USEPA during their 45-day review. This renewal is set to expire on 10/31/2022. NEC has already submitted the renewal application for the next 5-year cycle; that review will include the requirements set forth in the Administrative Order 2021-25 for a major facility in an overburdened community.
11. **Denial of Total Suspended Particulate Variance Request:** On December 1, 2021, the Division of Air Quality

(DAQ) issued a denial to Paulsboro Refining Company, L.L.C. for its request for a Variance to N.J.A.C. 7:27-6 "Control and Prohibition of Particles from Manufacturing Processes." The maximum allowable total suspended particulate (TSP) emission rate, pursuant to N.J.A.C. 7:27-6.2, for the facility's fluidized catalytic cracking unit (FCCU) is 30 pound per hour (lb./hr.). Paulsboro filed a variance for a maximum TSP emission of 56.3 lb./hr., claiming that current advances in the art of control of TSP emission from the FCCU does not consistently limit TSP emission rate to 30 lb./hr. under all reasonable and authorized operating conditions. After reviewing all relevant operating and stack test data, the Department concluded that the 30 lb./hr. limit is achievable, as was demonstrated by several stack tests. Paulsboro could resubmit a subsequent variance request if the facility has any new information or data on the FCCU's TSP emissions. Although it is not located in an EJ community, this facility is directly across the street from an EJ community.

**2022 MEETING DATES & LOCATIONS (tentative)**

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

January 19	Microsoft Teams Meeting.
February 16	Microsoft Teams Meeting.
March 16	Microsoft Teams Meeting.
Tues., April 12	Public Hearing - Microsoft Teams Meeting.
May 18	Microsoft Teams Meeting.
June 15	Microsoft Teams Meeting.
July 20	Microsoft Teams Meeting. - present report to commissioner (tentative).
August 17	No meeting. (Microsoft Teams Meeting, only if needed)
September 21	Microsoft Teams Meeting.
October 19	Microsoft Teams Meeting.
November 16	Microsoft Teams Meeting.
December 21	Microsoft Teams Meeting.