

NEW JERSEY CLEAN AIR COUNCIL

<u>Clean Air Council Members</u> Allen Weston, Chair Maria Connolly, PP, AICP, Vice-Chair Leonard Bielory, M.D. Robert Campbell Michael Egenton Timothy Fekete	<u>Clean Air Council Members</u> Toby Hanna, P.E. Andrew McNally Stephen Milgrom Richard Opiekun, Ph.D. Scott Ross John Valeri Jr., Esq.
<u>Clean Air Council Liaison</u> Heidi Jones, 609-777-0598 Heidi.Jones@dep.nj.gov	<u>NJ Clean Air Council Website:</u> http://www.state.nj.us/dep/cleanair

New Jersey Clean Air Council Meeting Record Meeting via Microsoft Teams

Wednesday, January 19, 2022

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

Meeting Record

- Michael Egerton made a motion to approve the December meeting minutes with edits; Richard Opiekun 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.
- Commissioner confirmed for attendance at the April 12, 2022 hearing.
- Website updates and council reappointments discussed, and information is being gathered.
- This meeting was focused on the upcoming speakers for the hearing; council members are reaching out to potential speakers and will confirm with official invitations.
- Leonard Bielory made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 10:36am.

Administrative Report

Presented by Francis Steitz, Director of Air Quality

1. **NJPACT Climate Pollutant Rules - Cargo Handling Equipment (CHE):** On January 3, 2022, DEP proposed rules in the New Jersey Register to regulate NOx and PM emissions from Cargo Handling Equipment at NJ's ports and railyards during NJ's transition to 100% clean energy by 2050.

The proposed rules focus on reducing nitrogen oxide (NOx) and particulate matter (PM) emissions from diesel mobile cargo handling equipment at ports and intermodal rail yards. Specifically, the Department's proposed rules are modeled on a California regulation and would require diesel mobile cargo handling equipment at ports and intermodal rail yards to meet performance standards that reflect best available control technology. The proposed rules are expected to reduce diesel engine emissions, including NOx, and PM, in communities located near ports and intermodal rail yards.

The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards (NAAQS) for ozone. New Jersey is in nonattainment for the Federal ozone NAAQS and must continue to reduce NOx emissions Statewide to attain and maintain the ozone NAAQS.

A copy of the proposal is available on the Department's webpages at: <http://www.nj.gov/dep/rules/proposals/20220103a.pdf> 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 9, 2022, at 9:30 A.M.**

Link to join the meeting from your computer, tablet, or smartphone.

https://teams.microsoft.com/dl/launcher/launcher.html?url=%2F%23%2F%2Fmeetup-join%2F19%3Ameeting_MTM00TI1MzltMzgxcMC00YzRkLTkzNGUtNzQ4YTBlYjhiODg1%40thread.v2%2F0%3Fcontext%3D%257b%2522Tid%2522%253a%25225076c3d1-3802-4b9f-b36a-e0a41bd642a7%2522%252c%2522Oid%2522%253a%2522daf84394-d2d0-4b3a-bac2-7ff82b0ac98e%2522%257d%26anon%3Dtrue&type=meetup-join&deeplinkId=fc9e5978-b3f5-47db-8521-dfc86d52ec6d&directDl=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true

You can also dial in using your phone.

[+1 856-338-7074, 573327532#](tel:+18563387074)

If you are interested in providing oral testimony or submitting written comments at the virtual public hearing, please email the Department at monica.miranda@dep.nj.gov no later than 5:00 P.M. on Friday, February 4, 2022, with your contact information (name, organization, telephone number, and email address).

Written comments are due by March 4, 2022. The Department encourages electronic submittal of comments. Written comments may be submitted electronically at www.nj.gov/dep/rules/comments.

2. **NJPACT Climate Pollutant Rules - Advanced Clean Trucks (ACT) and Fleet Reporting Requirements:** On December 20, 2021, DEP published in the New Jersey Register the adoption of the ACT and Fleet Reporting Requirements rules. The adopted rules incorporate by reference California's Advanced Clean Truck regulations which are intended to accelerate a large-scale transition to zero-emission medium- and heavy-duty vehicles. Manufacturers are required to sell zero-emission trucks as an increasing percentage of their annual sales from 2025 through 2035. This requirement is met through a series of credits and deficits. Credits can be generated by selling zero emission or near zero emission trucks in New Jersey or by purchasing credits from another manufacturer.

A copy of the adoption is available on the Department's webpage at: https://www.nj.gov/dep/rules/adoptions/adopt_20211220a.pdf

3. **Truck Rule Adoption:** On December 31, 2021, Massachusetts announced that it had filed emergency rules to adopt the Advanced Clean Truck rule which will increase the number of electric trucks sold in the State. Massachusetts is the sixth State to adopt the Advanced Clean Truck rules, joining California, New York, New Jersey, Oregon, and Washington.
4. **North Bergen Liberty Generating – Facility Withdraws Hearing Request:** On December 15th, 2021, North Bergen Liberty Generating withdrew its Hearing Request for the Department's December 13, 2019, denial of their air permit application. The application was denied as the facility failed to provide requested information in the Notice of Technical Deficiency. The initial application was submitted on July 18, 2017, for a new power plant with a nominal 1200 MW natural gas-fired combined cycle unit, to be located in North Bergen Township, NJ.
5. **Phoenix Energy Center – Facility Withdrawing Power Plant Application:** On December 16, 2021, Phoenix Energy Center, L.L.C. requested their air permit application to be withdrawn. The application, which was submitted on October 23, 2018, proposed a nominal 670 MW natural gas-fired combined cycle power plant to be located in Bloomsbury, NJ. The facility cited challenging financing as the reason for the withdrawal.
6. **New Jersey's Vehicle Inspection and Maintenance Program:** On August 28, 2019, Treasury released a request for proposal (RFP) for a contractor to operate the statewide vehicle inspection and maintenance program. After multiple extensions the bid opening date was August 7, 2020, with the Notice of Intent to Award issued to Opus Inspection Inc., on 12/21/2022.

2022 MEETING DATES & LOCATIONS (tentative)

Meeting will be 9:30am – 12pm, every 3rd Wednesday of the month, unless otherwise noted.

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.