

## 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 Michael Egenton	<b><u>Clean Air Council Members</u></b> Toby Hanna, P.E. Sandra Howland Andrew McNally Richard Opiekun, Ph.D. Scott Ross John Spinello Robert Weber
<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

NJ Chamber of Commerce  
216 W. State St.  
Trenton, NJ

Wednesday, September 12, 2018

CALL TO ORDER	John Valeri opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
EXCUSED	Leonard Bielory Robert Campbell Marc DeBlasio Sandra Howland Andrew McNally Robert Weber
ABSENT	John Spinello
REPRESENTED	Tony Bawidamann, NJBIA
PUBLIC	Kimberly Scarborough, PSEG Sara Bluhm, BPU Joe Kwiatkowski, Trinity Joann Held
NJ DEP Staff	Bill O'Sullivan Frank Steitz Peg Hanna Andrea Friedman

## **Meeting Record**

- Michael Egenton made the motion to approve the June minutes as submitted; Richard Opiekun seconded the motion. Minutes were approved a unanimous vote.
- Votes were taken for Chair and Vice-Chair position. All members present voted; John Valeri had been chosen for the position of Chair and Allen Weston for Vice-Chair. Mr. Valeri and Mr. Weston accepted, and the decision was unanimously, approved by all members present.
- Public hearing topics for 2019 were discussed; possible hearing topics are being circulated to members and should be decided upon at the October meeting.
- Michael Egenton made a motion to adjourn; Richard Opiekun seconded the motion. Meeting was adjourned at 11:15am.

## **Administrative Report**

*Presented by Bill O'Sullivan, Air & Energy Advisor*

1. Ozone Air Quality - As of 9/6/18, there have been 21 ozone exceedance days in NJ at one or more air monitors. NY had 21, and Conn had 23 days of exceedance. NJ past ozone season exceedances were 27 in 2015, 23 in 2016, and 13 in 2017 as of Sept 5.
2. Student Air Monitoring – The DEP Air Monitoring program is assisting the LEAP Academy University School in Camden City with an 11<sup>th</sup> grade student monitoring project to determine the effect of highway noise barriers on black carbon levels in the nearby community. The project will be included in DEP's upcoming Low-Cost Air Sensor website, as an example of a low-cost air sensor application. A report is scheduled for November, and a presentation may be arranged.
3. EPA Proposes Approval of Parts of Ozone Plan - On 7/31/18, EPA proposed to approve portions of NJ plans to attain the 75-ppb ozone National Ambient Air Quality Standard (NAAQS), including NJ's Reasonably Available Control Technology (RACT) rules. The comment period closed on 8/31/18. On 8/16/18, EPA also concurred with transportation conformity budgets for use by the North Jersey Transportation Planning Authority to show that their projects "conform" with the 75-ppb ozone attainment plan. EPA has not yet acted on the attainment portion of the plan.
4. EPA 6/29/18 Proposal that CSAPR fully addresses Interstate Transport for the 75-ppb ozone NAAQS
  - On 8/31/18 NJ joined with NY and other states, commenting that the Cross-State Air Pollution Rule (CSAPR) alone is insufficient to address interstate transport from the Midwest into NJ and other eastern states. CSAPR has an ozone season NO<sub>x</sub> cap, which fails to address higher NO<sub>x</sub> emissions on high ozone days, from peaking power plants and other NO<sub>x</sub> sources.
5. BPU Electric Vehicle Infrastructure Stakeholder Meeting on 9/20 - The Board of Public Utilities (BPU) is holding 5 stakeholder meetings on development of the Energy Master Plan (EMP), which is scheduled for update by mid-2019. See [www.nj.gov/emp](http://www.nj.gov/emp) Note that some of the meeting locations have been changed to the State House Annex.
  - a. Renewable Energy - 9/7
  - b. Reducing Energy Consumption - 9/14
  - c. Clean and Reliable Transportation – 9/20
  - d. Building a Modern Grid – 9/24
  - e. Sustainable and Resilient Infrastructure – 9/28
6. EPA Relaxation of Mobile Source Requirements - NJ has been active in several legal actions.
  - a. On 7/26/18, EPA withdrew an earlier "No Action Assurance" memo stating that it would not enforce the 300-truck cap on glider kits, which are new trucks with old engines and transmissions. NJ was one of the states that requested and received a stay of the EPA no enforcement action.
  - b. On 8/2/18 EPA proposed its "Safer Affordable Fuel Efficient (SAFE) Vehicle Rule", which would have less stringent GHG requirements for model year vehicles from 2021 to 2026.

- c. On 8/29/18, NJ AG signed on to a State's brief opposing USEPA's motion to dismiss State's petition for court review of USEPA's determination that vehicle GHG emission standards should be relaxed.
  - d. On 9/28/18, the California Air Resources Board (CARB) will hold a hearing on its proposal to ensure that model year 2021 to 2025 cars continue to comply with the CARB emission standards. NJ and other northeast states follow CARB standards.
7. VW Mitigation Trust Plan - NJDEP continues to work on its plan to spend the \$72.2 million allocation from the VW trust over a 10-year period.
8. EV Promotion
- a. EV Workplace Charging Recognition Program – Applications are due by 10/5/18, for Governor's Environmental Excellence Awards for those who have excelled at installation of workplace charging equipment for electric vehicles.
  - b. It Pay's to Plug in Re-Launch - The eligibility for grants for charging stations has been expanded from workplaces to public places and multi-unit dwellings. New funding is expected from the VW mitigation trust (about \$10 million spread over 10 years), BPU (\$200,000), and Congestion Mitigation and Air Quality (CMAQ) DOT grants (\$5 million).
  - c. National Drive Electric Week - This week, Sept 8 through Sept 16, is National Drive Electric Week. NJDEP issued a press release on 9/7/18, on the expansion of the grant program to fund EV charging stations and on the advantages of EVs.
  - d. Electric Vehicle Ride and Drive – In the fall and spring, DEP will sponsor events to give consumers opportunity to test drive multiple electric vehicles and speak with EV owners.
9. Fumigation Permitting and Control - Director Frank Steitz briefed EPA Regions 1, 2 and 3 on how the Clean Air Act applies to stationary fumigation operations and NJDEP's experience to date. Issues include air toxic risk to local communities, compliance with federal hazardous air pollutant (HAP) rules, compliance with State Reasonably Available Control Technology (RACT) rules for Volatile Organic Substances, and Federal/State Operating Permit requirements.
10. Crematory Proposed Permit - On 9/6/18, the air permitting program proposed to approve 2 new human crematories, in Swedesboro at the Lake Park Cemetery, for public comment by 10/6/18.
11. EPA Relaxations of New Source Review (NSR) Rules and Guidelines - The National Association of Clean Air Agencies (NACAA), of which NJ is a member, has compiled a table of over 10 relaxations of NSR requirements, which EPA has either done or proposed to do in rules and guidance. That table is being shared with the Council. DEP will comment on some of the proposals. DEP will also consider what action to take on the guidance changes.
12. EPA Proposed Replacement for the Clean Power Plan (CPP)- In the 8/31/18 Federal Register, EPA proposed a CPP replacement rule that it is calling the Affordable Clean Energy (ACE) rule. EPA is also proposing to relax NSR rules that apply to power plants by including another exemption from NSR that applies if actual emissions do not exceed past actual hourly emissions. This would enable rebuilding of power plants to improve energy efficiency, without an air quality evaluation or best available control technology, even if annual emissions would increase. Actual hourly emissions could also increase under one proposed option. Also, the exemption for NSR would enable more lifecycle extensions for electric generation boilers, which could increase long term CO2 emissions from power plants in the USA. The comment period is to 10/30/18.
13. William O'Sullivan – retires on 10/1/18, after over 46 years with DEP in the air pollution control program (50 years if college internship is counted). I thank the CAC for the certificate and pictures at the 9/12/18 meeting. A retirement dinner is being held on 9/27/18, at the Mercer Oaks Country Club. Contact Heidi if you plan to attend.

**NEXT MEETING**

October 10	Sewaren Generating Station, 751 Cliff Road, Sewaren, NJ 07077
November 14	Atlantic County Utilities Authority, 1801 Absecon Blvd. (Route 30), Atlantic City
December 12	IBEW, Local 94, 219 Franklin St., Hightstown, NJ

**Tentative 2019 meeting dates & locations:**

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 – tentative)
August 14	No meeting.
September 11	Chamber of Commerce, 216 W. State St., Trenton, NJ
October 9	NJ BIA, 10 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