

## NEW JERSEY CLEAN AIR COUNCIL

### Clean Air Council Members

Jorge H. Berkowitz, Ph. D., Chairman  
Michael Egenton, Vice Chairman  
Richard Aicher  
Ferdows Ali, Ph. D.  
Leonard Bielory, M.D.  
James Blando, Ph. D.  
Joseph Constance  
George Currier, P.E.  
Elease Evans  
Gene Feyl  
Marcelino Iglesias  
Richard M. Lynch, Ph.D.  
Raymond M. Manganelli, Ph.D.

### Clean Air Council Members

John Maxwell  
Stephen J. Papenberg  
Joseph A. Spatola, Ph.D.  
Irwin Zonis

### Clean Air Council Liaison

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CAC Web Site

<http://www.state.nj.us/dep/cleanair>

DEP Electronic Bulletin Board  
609-292-2006

Approved: May 12, 2004

## NJ CLEAN AIR COUNCIL MEETING RECORD

March 10, 2004, 9:30 a.m.  
Union County Utility Authority  
1499 Routes 1 & 9 North  
3<sup>rd</sup> Fl.  
Rahway, NJ 07065  
732.382.9400 Ext. 59

CALL TO ORDER: Jorge Berkowitz opened the meeting.

COUNCIL MEMBERS PRESENT: All of the Council members were present with the changes noted below. (**See Attachment 1 – Attendance Sheet**)

EXCUSED: George Currier, Gene Feyl,

ABSENT: Richard Aicher, Joseph Constance, Elease Evans, Richard Lynch

NJDEP/  
SPEAKERS: Bill O'Sullivan, Director, Division of Air Quality; Chris  
Salmi, Assistant Director, Air Quality Management

PUBLIC: Kelly Moretta, Schering-Plough; Tony Russo, Chemical Council  
of NJ; Michael Calvin, American Lung Association; Kati Watson  
Watson Consulting

### Meeting Record

Roll call was taken. Chairman called for motion to approve the February minutes. John Maxwell motioned, seconded by Michael Egenton. The February minutes were approved as submitted.

### **Administrative Report**

*Bill O'Sullivan, Director, Division of Air Quality*

- Air Mercury Hearing - 16 persons testified at the air rule hearing on the proposed mercury rule, including industry (4), environmental (5), and public health representatives (7). Public health representatives included 2 medical doctors.
- Union County MSW Incinerator - The location of this CAC meeting was at one of the best-controlled incinerators in NJ, perhaps the world. Mercury emission reductions are usually in the range of 99%.
- Public Hearing on Camden County MSW Incinerator - On March 3, the Bureau of Operating Permits held its first public hearing on an initial operating permit. The hearing was requested by South Jersey Legal Services. Concerns were expressed on levels of air contaminant emissions and updating the air pollution control equipment. Camden particulate emissions are controlled by an electrostatic precipitator, which is less effective at mercury removal than the baghouse at Union. More stringent emission limitations are not incorporated into Operating Permits, but improved monitoring, recordkeeping and reporting may result from public comment.
- Preconstruction Permit Backlog Reduced - The backlog of preconstruction permits has been reduced to about 125, which is about 3% of the annual permits issued. The immediate goal is to achieve less than 85 backlogged applications by July 1, 2004, and the long-term goal is to have no backlog. The backlog was over 500 about 5 years ago.
- Air Toxics Tax (in response to question from CAC member) - This proposed tax in the draft NJ budget is an OMB initiative to help balance the overall NJ budget. NJDEP is not expected to get any of this revenue. A positive aspect of this tax is it will create an incentive to decrease the emissions of air toxics.
- Environmental Justice (in response to a question from a CAC member) - The Governor's Executive Order focuses on resolving existing issues of environmental injustice identified by communities, rather than putting the burden for correcting existing problems on new sources. The Council may wish to invite Jereme Johnson, DEP's Environmental Justice Coordinator, to a future CAC meeting.
- Site Cleanup Rules (in response to a question from a CAC member) - Rules to revise or establish new cleanup criteria for contaminated sites are under development by the Site Mitigation Program in DEP. Air gets involved in the permitting of facilities which process contaminated soils. Fugitive emissions of volatile organic substances and particles are the primary air concern.

### **PM 2.5 Non-attainment**

*Chris Salmi, Assistant Director, Air Quality Management* **(See Attachment 2—distributed at meeting)**

- A non-attainment area is defined as an area that either does not meet the National Ambient Air Quality Standards (NAAQS) or that significantly contributes to ambient air quality in a nearby area that does not meet the NAAQS.
- New Jersey is presently in compliance with the 24-hour PM 2.5 standard
- New Jersey is currently monitoring violations of the annual PM 2.5 standard in Hudson and Union Counties.
- NJDEP is recommending to USEPA that Bergen, Essex, Mercer, Middlesex, Monmouth, Morris, Passaic and Somerset Counties should be included in any nonattainment area.

- New Jersey is not recommending a nonattainment area in Southern New Jersey at this time. No monitors in Southern New Jersey are currently detecting violations of the annual PM 2.5 standard. There is also no evidence that any county in South Jersey is contributing to the monitored violations of the standard in the Philadelphia region.
- USEPA has not yet finalized its Implementation Rule for PM 2.5.

#### **PM 2.5 State Implementation (SIP) Development Overview**

*Chris Salmi, Assistant Director, Air Quality Management (See Attachments 3 and 4—distributed at meeting)*

Precursors—Ozone; ammonia is a wild card.

#### **NEW BUSINESS/OLD BUSINESS**

- Draft letter to Public Health Council—Jorge Berkowitz to schedule a meeting
- Michael Egenton requested that all members schedule all day for 2004 Public Hearing
- CAC will review hearing report recommendations at May meeting. Further review to be completed by Hearing Subcommittee
- Chairman called for motion to adjourn the meeting. John Maxwell made the motion, seconded by Michael Egenton. The meeting was adjourned

#### **ARTICLES OF INTEREST**

- DEP Commissioner's Senior Staff list
- New Clips

#### **NEXT MEETING**

May 12, 2004, 9:30 a.m., NJ State Chamber of Commerce, 1<sup>st</sup> Floor Main Conference Room, 216 West State Street, Trenton, NJ 08608 (609) 989-7888 ext. 119