

**NEW JERSEY
CLEAN AIR COUNCIL**

Clean Air Council Members

Joseph Constance, Chairman
Kenneth Thoman, Vice Chairman
Mohammad "Ferdows" Ali
Leonard Bielory, M.D.
Sara Bluhm
Michael Egenton
John Elston
Manuel Fuentes-Cotto
Howard Geduldig
Toby Hanna, P.E.
Robert Laumbach, M.D.
Pam Mount

Clean Air Council Members

Richard E. Opiekun, Ph.D.
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NJ CLEAN AIR COUNCIL MEETING RECORD

**IBEW, Local 94
219 Franklin Street
Hightstown, NJ**

December 12, 2012

CALL TO ORDER: Vice-Chairman Kenneth Thoman opened the meeting.

COUNCIL MEMBERS PRESENT: All of the Council members were present with the changes noted below.

EXCUSED: Ferdows Ali, Manuel Fuentes-Cotto, Robert Laumbach

REPRESENTED: Michel Egenton by Scott Ross, NJ Petroleum Council; Toby Hanna by Kimberly Scarborough

Meeting Record

Roll call was taken. Chairman Joseph Constance called for motion to approve the October minutes. Leonard Bielory made the motion to approve minutes as submitted. Howard Geduldig seconded the motion. The October minutes were approved by a unanimous vote.

Administrative Report

Presented by Bill O'Sullivan, Division of Air Quality

1. Ozone – USEPA has proposed approval of the NJDEP State Implementation Plan (SIP) for attaining the old 85 ppb ozone national ambient air quality standard (NAAQS). NJ air quality achieved the 85 ppb ozone NAAQS for the 2009 to 2011 three year period, but will exceed it at some sites for the 2010 to 2012 period. EPA has yet to issue an implementation rule for the new 75 ppb ozone NAAQS. NJ and other states in the Ozone Transport Commission (OTC) are developing strategies to meet the 75 ppb NAAQS.
2. New Fine Particle Health Standard – USEPA adopted a tighter fine particle national ambient air quality standard on 12/7/12. Fine particles are those with an aerodynamic diameter smaller than 2.5 microns, referred to as PM 2.5. The annual NAAQS was changed from 15 ug/m³ to 12 ug/m³. NJ air monitors are all below the 12 ug/m³ level, with 3 monitors between the 10 and 12 level. 2 monitors in the Pennsylvania portion of our common southern air quality control region currently are greater than 12 ug/m³. State designation recommendations are due the end of 2013, and EPA designations of attainment/nonattainment are due the end of 2014.
3. Attainment of old fine particle health standard - NJ proposed to redesignate all of NJ to attainment for both the former 15 ug/m³ annual and the current 35 ug/m³ daily PM_{2.5} NAAQS. NJ air quality is well under these levels. USEPA is parallel processing this redesignation request. The next step is NJ submittal of its final redesignation request to EPA, along with the response to comments on the proposal.
4. Offset MOU with NYDEC - NJDEP and New York Department of Environmental Conservation (NYDEC) staff have drafted a memorandum of understanding (MOU) for consideration by our respective senior management. This MOU would enable interstate trading of Emission Reduction Credits (ERCs) for use as offsets in our common interstate nonattainment area for ozone.
5. Emission Offset Rule – NJDEP held a stakeholder meeting on 12/18, to introduce and discuss plans to revise NJAC7:27-18 to incorporate USEPA provisions for fine particles. States use the EPA rules to require fine particle offsets in fine particle nonattainment areas until the state rules are revised. Updates to other air rules may also be included in this rule revision package.
6. Newark Energy Center – The USEPA Environmental Appeals Board (EAB) determined that an appeal of the Newark Energy Center air permit challenged permit provisions which are not within their jurisdiction. An appeal of the NJ permit has also been filed with the NJ appeals court. The appeal concerns the new source review requirement to evaluate alternatives when permitting a major facility in a nonattainment area.
7. Diesel Emission Reduction Grants – The Delaware Valley Regional Planning Commission (DVRPC), a regional transportation planning agency, has awarded two

transportation Congestion Mitigation and Air Quality (CMAQ) grants totaling \$1.3 million. One is to repower a CSX switcher locomotive located at Pavonia Yard in Camden. The other is to replace 15 jockey cargo handling equipment at the Gloucester Marine Terminal.

8. Sandy – While the air program was not central to the Sandy response, it did contribute in several areas. Air program response included requesting fuel waivers of EPA to use conventional gasoline instead of reformulated gasoline and to use home heating oil instead of diesel fuel in emergency response diesel engines. Enforcement discretion was also used for allowing the use of fuel terminals without operational air pollution control which had been damaged by Sandy flood waters. Grinding of demolished homes was not allowed because of concern about asbestos and lead dust. Open burning has not been allowed, but use of “burn boxes” is being considered.
9. Train Derailment and Release of Vinyl Chloride – Response to this emergency was by a 5 agency unified command, led by the Coast Guard. NJDEP Emergency Response staff was part of the unified command. The response included evacuation of nearby residents to protect against possible acute health effects of vinyl chloride.
10. Emergency Generators - NJDEP allows the use of emergency generators without air pollution control for testing (only on clean air days) and response to emergencies. If emergency generators are to be used for peak shaving or demand side management (DSM) when there is not a brownout or blackout, air pollution control and risk assessment are required in NJ. A USEPA proposed rule for Reciprocating Internal Combustion Engines (RICE) would allow other states to use uncontrolled emergency generators for peak shaving and DSM for 50 and 100 hours per year. NJDEP opposes this EPA proposal because of increased NOx emissions on high ozone days. USEPA’s decision on the RICE rule is expected in February 2013.

NEW BUSINESS/OLD BUSINESS

- Discussing Public Hearing Topics
- The Chairperson Joseph Constance called for motion to adjourn the meeting. Dr. Leonard Bielory made the motion to adjourn, seconded by Howard Geduldig. The meeting was adjourned at 11:30am.

ARTICLES OF INTEREST

News Articles

NEXT MEETING

January 9, 2013

ERM

200 Princeton South Corporate Center
Suite 160 – Ewing, NJ