

NEW JERSEY CLEAN AIR COUNCIL

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| <p><u>Clean Air Council Members</u> Richard Opiekun, Ph.D., Chair Sara Bluhm, Vice-Chair Leonard Bielory, M.D. Maria Connolly Joseph Constance Michael Egenton Howard Geduldig, Esq.</p> | <p><u>Clean Air Council Members</u> Toby Hanna, P.E. Sandra Howland Pam Mount Eric Svenson Jr. John Valeri Jr., Esq. Robert Weber</p> |
| <p><u>Clean Air Council Liaison</u> Heidi Jones, 609-777-0598 Heidi.Jones@dep.nj.gov</p> | <p><u>NJ Clean Air Council Website:</u> http://www.state.nj.us/dep/cleanair</p> |

New Jersey Clean Air Council Meeting Record

NJ DEP
 401 East State Street, 5th Floor
 Trenton, NJ

Wednesday, December 14, 2016

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| CALL TO ORDER | Richard Opiekun opened the meeting. |
| COUNCIL MEMBERS PRESENT | All of the Council members were present except as noted below. |
| EXCUSED | Sandra Howland Pam Mount |
| REPRESENTED | Sara Bluhm by Scott Ross, NJ Petroleum Council |
| PUBLIC | Kimberly Scarborough, PSEG Jeff Flatley, Dept. of State |
| NJ Dept. of Environmental Protection Staff | William O’Sullivan Frank Steitz Peg Hanna Christine Schell Rudy Zsolway Luis Lim Olga Boyko |

Meeting Record

- Michael Egenton made the motion to approve the November minutes as submitted; Bob Weber seconded the motion. The December minutes were approved by a unanimous vote.
- Minority report was heavily discussed with debate among members. Edits were suggested to be made to the original submitted report based on suggested and would be revised accordingly. Richard Opiekun will recirculate updated version prior to the January meeting.
- 2017 Public Hearing brochure is near final; minor revisions to be made. Speakers and information for 2017 hearing are being assembled. Toby Hanna will circulate updated brochure.
- Leonard Bielory made a motion to adjourn; John Valeri seconded the motion. Meeting was adjourned at 12:20pm.

Administrative Report

Presented by Bill O'Sullivan, Air and Energy Advisor

1. Rule Proposals
 - a. CTG/NOx RACT - This rule proposal will be in the January 3 NJ Register. It incorporates federal Control Technique Guidelines (CTGs) for volatile organic compounds (VOC) and Reasonably Available Control Technology (RACT) requirements for nitrogen oxides (NOx). These rules are federally required for ozone nonattainment areas. The NOx RACT rule addition (in NJAC7:27-19) sets NOx emission limits for gas compressor stations. The CTG's include several VOC requirements not currently in NJAC7:27-16, which is NJ's VOC control rule. Most sources subject to these rules already comply with the emission limits.
 - b. Stage 2 - This rule is being developed to remove the stage 2 vapor control requirements for gasoline stations. Stage 2 involves vapor recovery at the fuel nozzle when filling the gas tank on a vehicle. Since 1998, cars have been equipped with on board vapor recovery. For stage 2 systems which result in suction on the gas tank, there is competition with the more effective on board vapor recovery system and less effective VOC reduction. NJ is approaching the point where Stage 2 will cause more VOC emissions statewide than not having Stage 2. A proposed rule is expected in the 2nd quarter of 2017.
 - c. PM2.5/SSM - This rule proposal will add fine particle (PM2.5) provisions to the Emission Offset Rule (NJAC7:27-18) and remove an exemption from the sulfur from manufacturing source rule (NJAC7:27-7). NJ has no nonattainment areas for fine particles, so the PM2.5 provisions are primarily for codifying the prevention of any future PM2.5 nonattainment from the operation of new major sources of PM2.5. The exemption provision in the sulfur rule is no longer used by any source in NJ and is federally prohibited. A proposal is expected in the first quarter of 2016.
 - d. RATE stands for: Resiliency, Air Toxics, and Exemptions. The purposes of this rulemaking are to: 1) incorporate resiliency measures regarding the use of emergency equipment, portable equipment, temporary equipment and construction/repair/ maintenance; 2) update toxic valuations using scientifically based (current) values; 3) incorporate new permit exemptions for specified equipment/operations; and 4) repeal obsolete regulatory provisions. Meeting with Rule stakeholders held December 19, 2016, with a proposed rule expected late in the 2nd quarter of 2017.
2. USEPA proposed hazardous air pollutant (HAP) rule for Publically Owned Treatment Works - EPA has proposed requirements for pretreatment programs for wastewater treatment plants that have major amounts of HAP emissions. Despite NJ having several large wastewater treatment plants, none emit major amounts of HAPs because NJ already has an effective wastewater pretreatment program enforced by the Division of Water Resources.
3. Maryland petitions USEPA to reduce NOx emissions from power plants in 5 states - Maryland has asked EPA to require that 36 coal fired electric generating units in Indiana, Kentucky, Ohio,

Pennsylvania and West Virginia fully operate installed NOx air pollution control by May 1, 2017, the start of the next ozone season. Over the last several years power plants have been reducing or shutting off reagent injection into NOx control devices in states where there are no rules to prohibit that practice. Outreach in 2015, by Maryland, NJ and other states (referred as the State Collaborative on Ozone Transport (SCOOT)) failed to reverse this practice. The federal NOx emission trading rules also do not require that installed NOx controls be operated. NJ has NOx rules that require both the installation and operation of effective NOx control on all fossil fuel power plants.

4. Offshore Wind lease sale - On 12/15/16, the US Bureau of Ocean Energy Management auctioned 80,000 acres off the shore of NY for wind energy development. The auctioned area could accommodate about 3,400 MW of wind turbines. Statoil an experienced wind energy company from Norway won the bid for \$42 million, which is over 20 times more per acre than previous auctions.
5. Vehicle Inspection/Maintenance Rule Revision - EPA notified DEP that our proposed 10/3/16 revision of rules for the I/M program was administratively and technically complete. EPA will publish the proposal in the Federal Register for comment. This revision would eliminate tailpipe testing for cars over 20 years old and continue to test other vehicles with on board diagnostics (OBD).
6. Inspection Fraud Indictments – 5 people have been indicted in a vehicle on board diagnostic (OBD) inspection fraud. Private vehicle inspectors used data simulators to generate false passing results and took payments. Jeff Kennedy of the DEP Bureau of Mobile Sources uncovered the fraud with computer algorithms he developed to identify unusual inspection patterns. A similar fraud was uncovered in 2015 and led to criminal convictions.
7. Workplace Charging Grant update - Out of \$720,000 total funds available, applications have been received for \$550,000 for installation of chargers at workplaces for electric vehicles.
8. Covanta Essex County Resource Recovery Facility Baghouse Completion - The 3d and final electrostatic precipitator was replaced by a fabric filters in November. All 3 incinerations and energy recovery units are now controlled by state of the art baghouses. Testing of the first 2 baghouses showed much lower emissions of fine particles, including heavy metals and particulate organic matter. Also, the gases of mercury and hydrochloric acid are reduced because the carbon and lime reagents which control these work better when coating the fabric filters.
9. RC Cape May BL England stack testing of coal unit - Testing of the remaining coal unit at BL England demonstrated that the boiler qualifies as a low emitting unit under the federal Mercury and Air Toxics (MAT) rule for particle emissions. This low emitting unit designation reduces the required amount of testing. This unit meets all federal MATs limits for mercury, heavy metals, dioxin, and acid gases. This unit is scheduled to shut down by 5/1/17, pursuant to an enforcement agreement, because NOx emissions exceed NJ performance limits.
10. NRG Sayreville Generating Station test results - Stack testing of 3 simple cycle gas turbines demonstrated compliance with all emission limits. Selective Catalytic Reduction (SCR) had been installed on these units to meet NJ NOx performance standards.

ARTICLES OF INTEREST

Newspaper Articles

Emailed Articles

PowerPoint Presentation given by Luis Lim

NEXT MEETING

If coming to DEP:

***** Parking in Crescent Temple Lot. Have ID ready. *****

From train station traveling north:

Go through next light (East State Street)

Parking is on North Clinton Avenue –parking lot on right hand side (see guard)

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| January 11 | NJ DEP, 401 East State Street, 5 th Floor, Trenton |
| February 8 | ERM, 200 Princeton South Corporate Centre, Suite 160, Ewing |
| March 8 | NJ DEP, 401 East State Street, 5 th Floor, Trenton |
| April 5 | PUBLIC HEARING – 401 East State Street, Trenton |
| May 10 | South Jersey Port Corporation, 2500 Broadway, Camden, New Jersey 08104 |
| June 14 | NJ DEP, 401 East State Street, 5 th Floor, Trenton |
| July 12 | Present to Commissioner– NJDEP, 5 th floor – TENTATIVE |
| August | No meeting. |
| September 13 | Chamber of Commerce, 216 W. State St., Trenton, <i>Michael Egenton</i> |
| October 11 | NJ Business & Industry Association, 10 West Lafayette Street Trenton, NJ |
| November 8 | NJ DEP, 401 East State Street, 5 th Floor, Trenton |
| December 13 | IBEW, Local 94, 219 Franklin St., Hightstown, NJ |