

## NEW JERSEY CLEAN AIR COUNCIL

### Clean Air Council Members

Michael Egenton, Chairman  
James Blando, Ph.D., Vice Chairman  
Ferdows Ali, Ph.D.  
Jeffrey Applegate  
Jorge H. Berkowitz, Ph.D.  
Leonard Bielory, M.D.  
Joseph Constance  
Hugh DeFazio, Jr., Esq.  
John Elston  
Elease Evans  
Gene Feyl  
Toby Hanna, P.E.  
Richard M. Lynch, Ph.D.

Draft Approved: 7/12/06

### Clean Air Council Members

John Maxwell  
Joseph Spatola, Ph.D.  
Kenneth Thoman  
Junfeng (Jim) Zhang, Ph.D.  
Irwin Zonis

### Clean Air Council Liaison

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CAC Web Site

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

## NJ CLEAN AIR COUNCIL MEETING RECORD

June 14, 2006, 9:30 a.m.

Oyster Creek Emergency Operations Facility  
1268 Rte. 37 West  
Toms River, NJ

CALL TO ORDER: Michael Egenton opened the meeting.

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

EXCUSED: Jeffrey Applegate, Hugh DeFazio, John Elston, Elease Evans, Jim Zhang

SPEAKERS: James Laird, Director of Public Affairs, Exelon; Bill O’Sullivan, Director, Division of Air Quality (DAQ), NJ Department of Environmental Protection (DEP).

PUBLIC: Daniel Cunningham, PSE&G

### Meeting Record

Roll call was taken. Chairman called for motion to approve the May minutes. Irwin Zonis made the motion to approve the May minutes as submitted. Dr. Bielory seconded the motion. The May minutes were approved by a unanimous vote.

**Mr. Laird** welcomed the Council, gave a brief overview of the Oyster Creek Facility and narrated a tour of the Emergency Operations Facility.

## Administrative Report

*Presented by Bill O'Sullivan, Director, Division of Air Quality:*

- A new air/radiation monitoring link system is replacing DAQ's current system.
- On May 15, 2006, the US Supreme Court agreed to hear an air pollution enforcement case alleging emission violations at nine Duke Energy Corporation coal-fired power plants. Oral arguments will be held during the Supreme Court's next term, which begins the first Monday in October.
- Mercury controls tested successfully at Atlantic States in Phillipsburg, Warren County, New Jersey. Initial and preliminary stack tests on the new mercury removal baghouse serving the cupola show that mercury control achieved much better than the New Jersey mercury rule limit for the iron and steel industry. Official tests later this year will be the conclusive demonstration of the success of the new baghouse with carbon injection.
- The first ozone exceedance of 2006 was recorded on May 29 at the monitoring site in Colliers Mills. Ozone levels reached a maximum 8-hour average concentration of 0.099 ppm versus the 0.08 ppm standard. (There have been seven exceedance days as of June 27.)
- On May 17, 2006, the Reducing Air Pollution Together Workshop staff updated participants on DEP's progress in developing plans for attainment of federal health and visibility standards and the DEP's anticipated future action. The presentations from the workshop are posted online at [http://www.nj.gov/dep/airworkgroups/2006workshop\\_presentations.html](http://www.nj.gov/dep/airworkgroups/2006workshop_presentations.html). Stakeholder teams will be formed to address implementation issues on some of the measures ultimately selected. Workshop participants have an opportunity to provide feedback by July 7, 2006, on the workshop and on the 60 white papers on various control options drafted by DEP.
- DAQ has suspended stack testing at the Conectiv, BL England electric utility plant at Beesley Point, Atlantic County. In a report dated May 22, 2006, the DEP Office of Occupational Safety and Health found OSHA violations that would put DAQ's Bureau of Technical Services staff at risk during required stack testing.
- USEPA proposed a rule allowing exclusion of air monitoring data for exceptional events. This proposal allows states to identify data and, after appropriate demonstration, exclude this data from use in determining if an area violates the National Ambient Air Quality Standards for ozone or fine particles.
- USEPA has proposed a Mobile Source Air Toxics (MSAT) rule to reduce the level of benzene in gasoline nationwide; to develop a cold temperature exhaust standard and evaporative emission standards; and to develop new evaporative emission standards for gasoline containers. DEP recommended USEPA do more to address air toxics from mobile sources.
- New Jersey is participating on the USEPA Governor's Task Force on Boutique Fuel. A boutique fuel is any clean fuel established under the authority of state law and is designed to reduce motor vehicle emissions, improve air quality and is included in a USEPA approved State Implementation Plan. New Jersey does not currently have boutique fuel, but supports the ability of states to require cleaner fuels if necessary for clean air.
- There have been four developments in the Camden effort: (1) the Division of Science, Research and Technology will do a wipe study on particles; (2) USEPA has

approved a \$230,000 air toxics project which includes diesel retrofits at the Camden port; (3) A recent EPA enforcement agreement as a mitigation project to retrofit about 16 diesel vehicles at the Camden County Utilities Authority; and (4) standard operating procedures for several air items in the Environmental Justice Action Plan will be shared with the public.

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- Rule Status—Two general permits have been finalized. One is for gasoline dispensing facilities that add an engine as a control device and the second is for research and development facilities. Also, the Pilot Plant Permit Procedure has been revised. The rulemaking for fees is in the June 19 New Jersey Register with a July 1, 2006 operative date.

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

- Review June Minutes
- Chairman appointed Irwin Zonis and Joseph Spatola to the Nominating Committee. Both Members accepted the appointment.
- Katie Watson offered to host a meeting this fall.
- Chairman called for motion to adjourn the meeting. Dr. Bielory made the motion, seconded by Ken Thoman. The meeting was adjourned at 11:33 a.m. for the tour of the Oyster Creek Nuclear Facility.

#### **ARTICLES OF INTEREST**

- New Clips

#### **NEXT MEETING**

July 12, 2006, 9:30 a.m., NJDEP, 401 E. State St., 7<sup>th</sup> Fl Large Conference Room  
Trenton, NJ 08625