

NEW JERSEY CLEAN AIR COUNCIL

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| <u>Clean Air Council Members</u> John Valeri Jr., Esq., Acting Chair Allen Weston, Acting Vice-Chair Leonard Bielory, M.D. Robert Campbell Maria Connolly, PP, AICP Joseph Constance | <u>Clean Air Council Members</u> Michael Egenton Toby Hanna, P.E. Sandra Howland Andrew McNally Richard Opiekun, Ph.D. Scott Ross |
| <u>Clean Air Council Liaison</u> Heidi Jones, 609-777-0598 Heidi.Jones@dep.nj.gov | <u>NJ Clean Air Council Website:</u> http://www.state.nj.us/dep/cleanair |

New Jersey Clean Air Council Meeting Record

NJ BIA
10 West Lafayette Street
Trenton, NJ

Wednesday, October 9, 2019

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| CALL TO ORDER | John Valeri opened the meeting. |
| COUNCIL MEMBERS PRESENT | All Council members were present with the changes noted below. |
| EXCUSED | Leonard Bielory Andrew McNally |
| ABSENT | Sandra Howland |
| PUBLIC | Kimberly Scarborough, PSEG |
| NJ DEP Staff | Peg Hanna Melissa Evanego Frank Steitz Heidi Jones |

Meeting Record

- Michael Egenton made the motion to approve the September minutes as submitted; Allen Weston seconded the motion. Minutes were approved a unanimous vote.
- Richard Opiekun made the motion to nominate Maria Connolly as Chair and Michael Egenton as Vice-Chair of the 2020 public hearing; Allen Weston seconded the motion. Nominations were accepted and voted on by a unanimous vote. Topic for discussion: Ports; will be more specific as the council meets.
- Richard Opiekun made a motion to adjourn; Allen Weston seconded the motion. Meeting was adjourned at 11:40am.

Administrative Report

Presented by Francis Steitz, Director of Air Quality

1. **Air Permit for DuPont Pitt Consol** -- On September 5, 2019, Air Quality issued an air pollution control permit for the site remediation project at the DuPont Pitt Consol site in Newark. As with all site remediation permits, this permit is only valid for one year from approval. The permit allows the use of Mobile Self-sustaining Treatment for Active Remediation (STAR) systems that destroy non-aqueous phase liquids embedded in soil through self-sustaining smoldering (controlled burning) under an asphalt cap of the site. Combustion products are collected and extracted through vacuum extraction blowers and vented through thermal oxidizers. The permit was approved based on negligible health risk for volatile organic compounds and applicable air toxics. The draft permit was shared with Compliance and Enforcement prior to approval as there were pending enforcement issues at the site.
2. **Treasury awards EV fleet vehicle contract** – On September 3, 2019, Treasury awarded a new state “sedan” contract that includes two plug-in hybrid models and two all-electric models. This new contract will enable DEP to easily purchase EVs for its own fleet and encourage other state agencies to lead by example.
3. **DEP activities for National Drive Electric Week** (September 14 – 21) – Activities included:
 - proclamation signed by the Governor;
 - social media (soliciting EV owners to submit 10-15 second videos on our Facebook page and use our hashtags);
 - Ride and Drive event in Howell Township on September 21 where staff conducted 65 test drives with 75 passengers that went along for the rides for a total of 140 EV experiences.;
 - EV info session for DEP staff - hosted an EV 101 presentation for interested DEP employees
4. **PlugStar EV dealer training program** –Air Quality provided funding and entered into a Memorandum of Understanding with ChargeVC, the New Jersey Coalition of Automotive Retailers and Plug In America to launch “PlugStar” in NJ. PlugStar is a unique, brand neutral, third party auto dealership training program, administered by Plug-In America, a 501(c)(3) non-profit educational organization that promotes the use of electric cars and trucks throughout the country. The PlugStar program equips participating dealerships and members of their sales team with training, tools and resources to make selling electric cars easier and to simplify the consumer shopping and purchase experience. Starting in October, the PlugStar training program will be available to all franchised dealerships in New Jersey that offer, or plan to offer, electric vehicles for sale.
5. **MARAMA report to the Government Accountability Office** -- The Government Accountability Office interviewed each Multi-Jurisdictional Organization, including MARAMA and its member states, on air monitoring issues, particularly low-cost sensors and satellite data. MARAMA’s final report highlighted that:

- The Clean Air Act required network of air quality monitors is the most reliable and understood data collection system for use in air quality assessment and planning. Maintenance of the monitors, along with associated funding from EPA, is imperative.
- Air quality management agencies increasingly need to redirect scarce resources towards data that comes from low-cost air quality sensors due to both the wide prevalence of the data and inquiries from the general public and environmental groups. NJDEP specifically has purchased low-cost sensors for testing purposes and is developing a webpage to provide direction on appropriate uses.
- Remotely sensed data, especially freely accessible satellite data provided by NOAA and NASA, are good complements to the overall air quality monitoring network.

6. **FY2020 Consumer Price Index (CPI) Adjustments** – Pursuant to N.J.A.C. 7:27-8 and 22, Air Quality is applying the latest Consumer Price Index (CPI) to adjust the Annual Emission Fee, the air permitting service fees, and the reconstruction threshold capital cost.

- The annual emission fee for major air facilities (adjusted each fiscal year) in FY2020 is \$124.77 per ton of pollutant released, 1.9% greater than in FY2019. Approximately 30% of the Department's major facilities program's funding comes from annual emission fees.
- Service fees for preconstruction permits, general permits, and for operating permit significant modifications (adjusted once in a five-year period) will increase by 7.9%.
- The threshold dollar amount for reconstruction for FY2020 is \$134,512. This is a 68% increase from the base amount of \$80,000 (relative to the 1995 CPI). A facility must use this dollar amount when calculating reconstruction thresholds relative to fixed capital cost.

The goal is to publish the notice for the adjustments in the November 4, 2019 New Jersey Register and mail the annual emission fee invoices by December 31, 2019. Facilities are obligated by rule to pay emission fees by January 31, 2020. The new service fees would be effective on all applications received after January 1, 2020.

7. **Regional Haze Public Hearing** -- On September 25, 2019, at the request of the New Jersey Sierra Club, Air Quality hosted a public hearing on the proposed Regional Haze State Implementation Plan (SIP) revision to protect and enhance visibility levels in the Brigantine Wilderness Area of the Edwin B. Forsythe National Wildlife Refuge, a federally designated Class I area. Specifically, the proposed SIP revision establishes the reasonable progress goal for the second planning period (2018 – 2028) to help achieve the ultimate goal of reaching natural background visibility levels at Brigantine by the year 2064. New Jersey is on target with meeting the established progress goal for the second planning period. Only two people attended the hearing, and only the Sierra Club representative testified, highlighting the need to protect the wildlife and Brigantine Wilderness Area from regional haze impacts, ensure coal power plants and other large emitters are assessed for emissions, and concerns about B.L. England shutdown and the impact additional NJDEP actions may have on NJ's air quality, such as general permits for boilers. Written comment will be accepted until October 22, 2019.

8. **Keegan Landfill** -- On September 25, 2019, the Department approved the New Jersey Sports and Exposition Authority's September 23, 2019 application for a second Environmental Improvement Pilot Test to address hydrogen sulfide emissions at the Keegan Landfill. An Administrative Consent Order issued on March 22, 2019 identified hydrogen sulfide emissions at the landfill's fence line in excess of 30 parts per billion by volume, violating N.J.A.C. 7:27-7.3. The first 90-day pilot test allowed the facility to install a landfill gas collection system with vertical extraction wells, horizontal collectors, header and lateral piping, valves, a condensate management system and a temporary utility flare. The second and final 90-day pilot test will collect data from the flare operation to properly size and design a future permanent landfill gas control system.

Subsequently, on September 30, 2019, a Hudson County judge ruled in a suit filed by Kearny against the New Jersey Sports and Exposition Authority that the landfill must permanently close.

9. **“Designation Electric” Princeton Businesses to Get Social Media Boost** -- During the weekend of October 4-7, New Jersey social media influencer Sierra Nicolai ([Sierra, Beautifully Candid](#)) will document her electric vehicle-powered trip from Chesterfield to Princeton to visit Princeton businesses enrolled in Destination Electric. Sierra, a mother of three who shares about her family’s adventures and sustainable travel, has 20,000 Instagram followers. Destination Electric is an initiative of the Drive Change. Drive Electric. campaign, a unique public-private partnership between auto manufacturers and Northeast states to advance consumer awareness, understanding, consideration and adoption of electric vehicles. Destination Electric business are located within walking distance of a public charging station and can be identified through an easily recognizable storefront decal, much like the visible rating guides found at many retailers.

10. **Transportation and Climate Initiative Update** – On October 1, 2019, the jurisdictions participating in the regional development of a low carbon transportation policy released several documents, including a framework for the draft regional policy, and are encouraging feedback on the framework by November 5, 2019. In addition to the framework, the group released a summary of public input to date, program modeling update and a schedule outlining next steps in the development process. Air Quality posted these documents on their website <https://www.drivegreen.nj.gov/dg-TCI.html>, and Deputy Commissioner Mans and staff conducted two stakeholder calls ahead of the public release to give environmental and environmental justice advocates and potential regulated entities a heads up on the documents and timeframe.

11. **States Meet with EPA Region 1 &2 to Discuss Ozone SIP**
 Air Quality staff will be meeting with EPA Region II staff, EPA Office of Air Quality, Planning and Standards (OAQPS), New York State staff, and Connecticut State staff on the plans for developing the 2008, 75 ppb Ozone Attainment Demonstration State Implementation Plan (AD SIP) for the Serious nonattainment classification. At the meeting, EPA will likely lay out expectations for the AD SIP for the Northern New Jersey Nonattainment Area (NNJ NAA). The NNJ NAA includes the northern counties of New Jersey, the greater metropolitan New York City area and Southern Connecticut counties. The three states are required to work together on getting the area into attainment by July 2021. State staff will remind EPA that they need to be part of the solution as was recently demonstrated in the CSAPR Close-Out decision.

2019 MEETING DATES & LOCATIONS (tentative)

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