

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: 9/13/06

Clean Air Council Members

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

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NJ CLEAN AIR COUNCIL MEETING RECORD

July 12, 2006, 9:30 a.m.

NJDEP

401 E. State St.

7th Fl Large Conference Room
Trenton, 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, Elease Evans, Gene Feyl Joseph Spatola

REPRESENTATIVE: Tony Russo for Toby Hanna

ABSENT: Hugh DeFazio

SPEAKERS: Bill O'Sullivan, Director, Division of Air Quality (DAQ); Lisa Jackson, Commissioner, NJDEP; James Brownlee, Director, Consumer and Environmental Services

VISITORS: Kelly Moretta, Schering-Plough Corp.; Steve Pappenberg; Nancy Wittenberg; Chris Salmi; Tonalee Key; Christine Schell, Jill Lipoti

Meeting Record

Roll call was taken. Chairman called for motion to approve the June minutes. Bill O'Sullivan noted necessary edits to the Camden bullet in the Administrative Report. Irwin Zonis made the motion to approve the June minutes as submitted and subject to Bill's edit. John Maxwell seconded the motion. The June minutes were approved by a unanimous vote.

Administrative Report

Presented by Bill O'Sullivan, Director, DAQ:

- Seven DAQ employees located at the NJDEP building were considered essential during the NJ government shutdown, one of whom was Andy Mikula who operated the air quality monitoring data system.
- High ozone days this season—There had been eleven 8-hour exceedances and two 1-hour exceedances. (As of August 4, there have been 18 and 3 exceedances.)
- Warren County Air Quality—Nancy Wittenberg and Charley Pietarinen attended a press event in Warren County with the Citizens' Advisory Panel to discuss relatively high levels of SO₂ from local power plants and air toxics previously emitted from the Hoffman-LaRoche facility. Several times SO₂ levels were greater than EPA's five-minute guidelines.
- New Source Review (NSR)—The US Supreme Court will consider appeals by environmental groups on the Duke case involving how NSR applicability is determined (hourly increases vs. annual increases) and whether the US District Court has exclusive jurisdiction for federal rules.
- Greenhouse Gas—The US Supreme Court will also determine if CO₂ should be regulated as an air pollutant.
- No Idling Pledge—About 35 school districts initially signed up for the school districts to raise awareness of the state's 3-minute limit on idling. As a result of partnering with the Pediatric Asthma Coalition of NJ, 120 additional schools are expected to sign the Pledge and reduce the health risks from idling diesel buses.
- The Hong Kong Environmental Protection Department's Mobile Source Control Group—Recently concluded a 3-day visit with the NJDEP. Hong Kong is evaluating its smoke opacity test procedures to monitor emissions from its city transit buses. The visit included inspections of roadside enforcement and a NJDOT facility.
- Conformity—According to EPA, the PM_{2.5} budgets developed for northern New Jersey are adequate for transportation conformity. A final announcement of approval for State Implementation Plan components should be published in the Federal Register this month.
- NO_x Allocations for Clean Air Interstate rule (CAIR)—In accordance with EPA's CAIR rule, NJDEP is proceeding with a rule to adopt a revised NO_x allocation process and repeal the existing NO_x Budget rule.
- Camden Projects:
 1. Clean Air Communities is expected to receive a \$250,000 Level II EPA grant to implement recommendations by the state's Environmental Justice Task Force and the Air Toxics Pilot Project to reduce environmental risks to citizens of the Waterfront South neighborhood of Camden. Most of the funding would be for retrofitting diesels in the Port area with particulate control. Project partners include the NJDEP, South Jersey Port Corporation and various local and county groups.
 2. The Camden County Municipal Utilities Association (CCMUA) will receive mitigation funds from a USEPA settlement to retrofit approximately 16 on-road and non-road diesel engines with emission control technologies. In addition, the CCMUA fleet will switch to ultra-low sulfur diesel fuel. The vehicles and equipment covered in the project operate at the Camden County Regional Sewer Plant, located in the Camden Waterfront South area.
- The fee increase for preconstruction permits for non-major facilities was effective July 1, 2006.

HEARING REPORT RECOMMENDATIONS

Presented by Richard Lynch:

- Fellow members were thanked for their assistance with the hearing report.
- Reviewed recommendations and formally submitted the report to Commissioner Jackson and Mr. Brownlee, respectfully requesting their feedback.

Presented by Commissioner Jackson:

- Thanked the CAC for a job well done with the hearing and overall efforts regarding air quality issues. Noted that the CAC is a model group that takes its responsibilities seriously.
- The report reflects heavily on public awareness to assist with addressing the diverse topic of indoor air quality.
- The NJDEP is drafting an Education and Outreach Action Plan. One of its goals is to lead the country in addressing air pollutants that most affect New Jersey.
- The NJDEP staff is already working on several of the recommendations in the report. Those areas are: reduced solvents in consumer products; better gasoline containers; lower regional sulfur in home heating oil; and dry cleaner perchloroethylene emissions.
- The NJ Radon Program continues its efforts to minimize exposure to radon. NJDEP supports legislation requiring mandatory radon testing during real estate transactions and radon testing in public schools.
- The Environmental Justice Executive Order is a potential vehicle for addressing vapor intrusion, mold issues and green buildings with the Department of Community Affairs.
- Addressing IAQ will be a challenge, but is a timely issue.

Presented by Mr. Brownlee:

On behalf of Commissioner Jacobs, the DHSS echoes Commissioner Jackson's efforts of the CAC.

A meeting with Commissioners Jacobs and Jackson would be in order to discuss IAQ. DHSS has made some strides and will continue its efforts with IAQ. Partnering with DEP in areas that affect both departments is ongoing.

CAC advice is helpful to DHSS as it moves forward with IAQ.

Michael Egenton thanked speakers for their feedback to the report and welcomed suggestions for topics for the 2007 hearing.

Comments:

Bring citizens on board

Good opportunity to push Leeds on back of Brownfields

More formal structure is needed between DEP, DHSS and DCA

Legislation drives actions regarding IAQ

1986 CAC Hearing Report recommended workplace standards. PEOSH now has standards for the workplace. The report also recommended building codes and smoke-free indoor environments. Both are also now in place.

Suggested topics for 2007:

Some aspect of SIPs, maybe ozone

NEW BUSINESS/OLD BUSINESS

- Review July Minutes
- 2007 Public Hearing Topic
- Chairman called for motion to adjourn the meeting. John Elston made the motion, seconded by John Maxwell. The meeting was adjourned at 11:35 a.m.

ARTICLES OF INTEREST

- New Clips

NEXT MEETING

September 13, 2006, 9:30 a.m., Hamilton Club, 32 Church St., First Floor
Paterson, NJ 07505