

NEW JERSEY CLEAN AIR COUNCIL

Clean Air Council Members

James Blando, Ph.D., Chairman
Leonard Bielory, M.D., Vice Chairman
Ferdows Ali, Ph.D.
Jorge H. Berkowitz, Ph.D.
Joseph Constance
Michael Egerton
John Elston
Elease Evans
Manuel Fuentes-Cotto
Toby Hanna, P.E.
Richard M. Lynch, Ph.D.
John Maxwell
Pam Mount

Draft Approved: 9/12/07

Clean Air Council Members

Joyce Paul
Joseph Spatola, Ph.D.
Kenneth Thoman
Junfeng (Jim) Zhang, Ph.D.
Irwin Zonis

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NJ CLEAN AIR COUNCIL MEETING RECORD

July 11, 2007, 9:30 a.m.

NJDEP

401 E. State St.

7th Floor Large Conference Room

Trenton, NJ

CALL TO ORDER: James Blando opened the meeting.

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

EXCUSED:	Jorge Berkowitz, Elease Evans, Toby Hanna, Jim Zhang
SPEAKERS:	Bill O'Sullivan, Director, Division of Air Quality; Nancy Wittenberg, Assistant Commissioner of Environmental Regulation; Lisa Jackson, Commissioner, NJDEP; Dr. Bharat Patel, Manager, Planning Unit, NJ Board of Public Utilities
VISITORS	Kelly Moretta, Schering-Plough Corp.; Sharon Haas, Narinder Ajuha, Felice Weiner, Sue Shannon, Joe Carpenter, Chris Sherry, NJDEP

Meeting Record

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

Administrative Report

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

1. Ozone State Implementation Plan (SIP):

Commissioner Jackson submitted the SIP to the USEPA to attain the 8-hour ozone standard. The public hearing is scheduled for August 1, 2007. Closing date for

written comments is August 8. James Blando will coordinate any comments the CAC may wish to submit.

2. Ozone Rulemaking Activity:

- a. Consumer Products rule proposal—expected in August.
- b. VOC and NO_x RACT(Reasonably Available Control Technology) rule proposals expected in September.

3. Diesel Program:

- a. Cutpoint Rule (Tightened idling provisions) adopted. Elimination of sleeper berth provision by 2010.
- b. Groundbreaking for second idle aire facility at NJ Turnpike.
- c. Month-long “Idling Stinks” campaign was launched.
- d. Retrofit Rule was adopted. Expected in July 13 NJ Register.

4. Gasoline Program:

The State hosted mandatory site visits at motor vehicle inspection stations for the vendors who responded to the request for proposal for a new motor vehicle inspection contractor. Seven bidders attended the tour. Bid opening is scheduled for September 18, 2007. The dynamometers will be phased out and replaced with idle tests for the less than ten percent of the cars, which are too old for the on-board diagnostic test.

5. Fine Particle Matter:

NJDEP filed a Petition for Review of the USEPA’s Fine Particle Implementation Rule (for the 1997 standards) with the D.C. Circuit Court of Appeals. The USEPA is not requiring the application of reasonable available control technology (RACT) for major sources in non-attainment areas.

6. Ozone National Ambient Air Quality Standards (NAAQS):

The USEPA proposed to tighten the nationwide health standard for ground-level ozone from the existing limit of 0.08 parts per million (ppm) to a new exposure threshold of between 0.070 and 0.75 ppm. The USEPA proposal is higher than that recommended by the Clean Air Science Advisory Committee (CASAC) (0.060 – 0.070 ppm). Three public hearings are scheduled. Nancy Wittenberg will testify on July 30 in Philadelphia.

7. Trains:

- a. The USEPA proposed rules to control diesel emissions from locomotives and marine engines into 2015.
- b. NJ Transit has agreed to replace starters and batteries in over 100 trains that will eliminate idling all night and reduce emissions.
- c. NJDEP is funding a project to study the emissions of NJ Transit locomotives using a B20 biodiesel blend fuel (20% biofuel). Rowan University will conduct the study, funded from the Ohio – Edison settlement.

8. Environmental Justice (EJ):

- a. A public hearing was held on June 26, 2007, in Camden on the proposed modifications to the existing air pollution control permits for St. Lawrence Cement and the South Jersey Port Corporation. Approximately 70 people attended and 25 offered oral testimony. A final decision on the increased raw material storage capacity and other modifications is expected in August.
- b. A rendering plant was closed in Newark, because of air and water violations. NJDEP is cleaning up the facility.

9. New Source Review (NSR):

The District Court of Indiana upheld two rulings favorable to the USEPA and New Jersey in the Cinergy NSR case. The decisions confirmed the facility changes were

not routine maintenance and the actual annual test for emissions increases is the relevant NSR applicability trigger.

10. NJ Power Plant Projects:

- a. The proposed permit for PSEG's cooling tower capacity increase at Hope Creek was sent to USEPA on June 13, 2007 for their 45-day review period. This would allow up to a 20% increase in power generation capacity.
- b. A preapplication meeting was held with LS Power to build a power plant on the Delaware in West Deptford. It would be 600 megawatts, primarily fired by coal, with some biofuel.

Presentation of Annual Hearing Report

Chairman Blando presented the recommendations to Nancy Wittenberg and Dr. Bharat Patel prior to Commissioner Jackson's arrival. The Council recommended that the air quality consequences of any of its recommendations be considered.

Commissioner Jackson's comments:

- Thanked the CAC for the Report, which is extraordinarily timely.
- New Jersey has the toughest Global Warming law in the U.S. and in the world. The greatest challenge will be to find our way while growing our economy.
- A "Live Earth" concert was held in Istanbul on July 7, using the global reach of music to engage people on a mass scale to combat our climate crisis.
- Recently, the Union of Concerned Scientists published their "scenarios for global warming". We are facing a very different future, even if we changed emissions, etc. We need to start to respond to those changes now. The Governor wants to hire the intellectual capacity of New Jersey to solve these problems.
- Commissioner Jackson attended a briefing at Tufts University proposing to make homes in New Jersey more energy efficient. This is work, which is "home grown" and cannot be outsourced. New Jersey will be putting eggs into that basket.
- The Clean Air Council has facilitated the Commissioner's job by tying the CAC recommendations back to air quality. New Jersey's Air Quality is getting better, but it always requires going further. For example, ethanol, with its associated problems. We cannot make a false choice. We need to analyze the entire picture before we decide on a direction.
- Much more stakeholder input is needed for the Energy Master Plan (EMP). She urged the CAC to keep watch on this matter.
- The Governor asked for input on Executive Order 54 by August 15.
- The Global Warming Response Act passed the Legislature, and was signed on July 6. It gives NJDEP and others one year (for some items, two years), for formulation of regulations. It requires peer review. There is some verbiage on Economic Review. Fall 2007 and winter 2008 will be busy times for the EMP.
- Recommended that the Council's report be distributed by electronic means, not solely by printing, suggesting also to provide copies at locations where NJDEP exhibits are displayed, such as Atlantic City conventions (Seafood Conference, League of Municipalities Conference, Conference of Mayors, etc.).
- Distributed application for 2007 Governor's Environmental Excellence Awards

Nancy Wittenberg's comments:

- Timely topic in conjunction with Global Warming Response Act and Executive Order 54.

- Financing always an important component.
- Recommendations provide for opportunities.
- Energy planning at the local level is a good first step.
- As with any issues, prioritize and move forward to reach goals.

Dr. Phatel's comments:

- The EMP is a massive undertaking. It is a cooperative effort of approximately 10 state agencies and stakeholders.
- Governor Corzine is committed to the EMP's strategies, goals and funding.
- The CAC report dovetails the EMP and the BPU supports its recommendations.

Members:

- State agencies need to stay connected during meetings on the EMP.
- Involve local networks, i.e., run public service announcements, hold public hearings and highlight NJDEP activities.
- Collaborate with NJDEP and League of Municipalities, Conference of Mayors, etc.
- Involve Green Communities.
- Engage Mayor Palmer of Trenton as chair of the US Conference of Mayors.
- Education through curriculum.
- Focus on alternative energy sources.
- Explore research and development market.
- Synergy with universities will grow from addressing global warming.

2008 Public Hearing

- Bill O'Sullivan suggestions: ozone, air toxics. Dr Bielory: NJDEP's role in air dispersion emergencies/readiness. As suggestions for other topics, NJDEP staff will give presentations at September meeting.
- Commissioner Jackson's suggested challenges: Ozone, haze, greenhouse gasses and energy.

NEW BUSINESS/OLD BUSINESS

- Chairman presented a certificate to Sue Shannon for her excellent work on the hearing report. Richard Lynch added that her work was extraordinary.
- Bill O'Sullivan encouraged the CAC to comment on the 8-hour ozone standard. Chairman will submit comments as decided by the CAC.
- Pam Mount was recognized for appearing on NBC 4, New York in June about its upcoming blueberry festival.
- Chairman appointed Irwin Zonis and Joseph Spatola to serve as Nominating Committee for Election of Officers at September 12 meeting. Both Mr. Zonis and Mr. Spatola accepted their appointments.
- Vice-Chairman called for motion to adjourn the meeting. Irwin Zonis made the motion, seconded by Ken Thoman. The meeting was adjourned at 12:15 p.m.

ARTICLES OF INTEREST

- News Clips

NEXT MEETING

September 12, 2007, 9:30 a.m., PSEG Mercer Generating Station, Lamberton Rd., (Duck Island), 2nd Floor, Cafeteria, Hamilton, NJ 609-599-7001