

NEW JERSEY CLEAN AIR COUNCIL

Clean Air Council Members

Jorge H. Berkowitz, Ph. D., Chairman
Michael Egenton, Vice Chairman
Ferdows Ali, Ph. D.
Leonard Bielory, M.D.
James Blando, Ph. D.
Joseph Constance
George Currier, P.E.
Elease Evans
Gene Feyl
Marcelino Iglesias
Richard M. Lynch, Ph.D.
Raymond M. Manganelli, Ph.D.
John Maxwell

Approved: 11-10-04

Clean Air Council Members

Stephen J. Papenberg
Gilberto Soto
Kenneth Thoman
Irwin Zonis

Clean Air Council Liaison

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CAC Web Site

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

DEP Public Participation Calendar 609-777-3373

NJ CLEAN AIR COUNCIL MEETING RECORD

September 8, 2004, 9:30 a.m.

Environmental and Occupational Health Sciences Institute (EOHSI)

170 Frelinghuysen Road

4th Floor, Room 402

Piscataway, NJ 08854

(732) 445-0201—Betty Davis

CALL TO ORDER: Jorge Berkowitz opened the meeting.

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

ABSENT: Elease Evans

NJDEP: Sam Wolfe, Assistant Commissioner for Environmental Regulation;
Olga Boyko, Bureau of Air Quality Evaluation,

SPEAKERS: Bill O'Sullivan, Director, Division of Air Quality; Peg Hanna,
Coordinator, DEP Diesel Initiative; Jeremee Johnson, DEP Environmental
Justice Coordinator; Valerie Caffee, Environmental Justice Advisory
Council; Dr. Paul Lioy, Director, Exposure Measurement and
Division and Deputy Director of Government Relations, EOHSI

PUBLIC: Sheng-We Wang, EOHSI; Kelly Moretta, Schering-Plough; Panos
Georgopoulous, EOHSI; Dr. Z. Tina Fan, EOHSI

Meeting Record

Roll call was taken. Chairman called for motion to approve the July minutes. Irwin Zonis motioned that minutes be approved with minor edits. Gilberto Soto seconded the motion. The July minutes were approved as motioned.

Administrative Report

Presented by Bill O'Sullivan, Director, Division of Air Quality: (See Attachments 1-A, 2, 3. Distributed at meeting)

- USEPA modified NJDEP's determination to establish a 10-county nonattainment area in Northern New Jersey by adding Burlington, Camden and Gloucester Counties for their alleged contributions to violations of the standards in Philadelphia. NJDEP does not agree that the three southern counties are significantly contributing to more severe problems in Philadelphia and provided more detailed information to USEPA to support attainment designation.
- NJDEP submitted comments to EPA on its proposed Transport Rule. The comments addressed the technical aspects of the rule that related to the air quality in New Jersey, and emphasized support for more stringent and timely caps contained in the Multi-Pollutant Strategy Position of the Ozone Transport Commission.
- New Jersey's 2002 Criteria Pollutant Emission Inventory was successfully submitted electronically to the USEPA's National Emission Inventory (NEI). The NEI database will be final in June 2005, and will be used for developing the 8-hour ozone and the fine particulate State Implementation Plans for attaining the air quality standards.
- The Five-Year Inspection/Maintenance (I/M) Planning Team, led by I/M Program Coordinator, Tom Micai, is evaluating I/M program design options to be implemented in the 2007 and beyond timeframe.
- A public hearing was held in Woodbridge for the Amerada Hess Refinery Prevention of Significant Deterioration (PSD) permit. The draft permit included a requirement to test for fine particulate emissions to confirm projected insignificant impacts under actual expected operating conditions. A final decision is pending.
- The Bureau of Preconstruction Permits and the Bureau of Hazardous Waste and Transfer Facilities simultaneously issued the drafts permits for Casie Ecology Oil Salvage in Cumberland County. During the public comment period, community interests requested that a public hearing be held. A joint hearing is planned for early December 2004.
- The Bureau of Operating Permits issued the first Write Your Own Permit (WYOP) Title V permit to Occidental Chemical. As a result of the WYOP process, the company switched over to #2 instead of #6 fuel oil during periods of natural gas curtailment. The final permit allows the facility to install #2 oil burners. Burning #2 fuel oil will reduce the air contaminant emissions from Occidental's boiler and melting furnace.
- The Division of Air Quality plans to publish a notice in the October 4 NJ Register seeking public comment on a draft of a new general air permit. The Small Emitter General Air Permit (SEGAP) is intended to provide facilities within an immediate and standardized way to obtain air permits for stationary sources that emit de minimis levels of air contaminants. The most common types of sources expected to be eligible for this permit include blenders, conveying systems, extruders and mixers. It is estimated that as many as 10% of all sources now requiring a non-general air preconstruction permit could qualify for the SEGAP.
- Status of Air Rules:
 - Subchapter 6—Manufacture Processes. Would allow greater than 30 pounds per hour cap if emissions minimized and air quality modeling shows no adverse impacts.
 - Subchapter 8—Permits and Certificates for Minor Facilities. Amend Sub 8 fees for minor facilities. The end of 2004 projects the proposal.
 - Subchapter 14—Diesel Powered Motor Vehicles. Removing exemptions to current idling standard. The proposal is projected for the December 2004 NJ Register.
 - Subchapter 19—NOx. Implement Ozone Transport Commission (OTC) Model rule (including Distributed Generation Standards) on NOx reductions to meet EPA

shortfall was proposed in the September 20, 2004 NJ Register. Subchapter 27—Mercury Emissions. Emission standards for municipal solid waste, coal burning, iron and steel melters and hospital waste. Adoption projected for October 2004.

Status of Diesel Initiatives

Presented by Peg Hanna, Coordinator, DEP Diesel Initiative:

IDLING:

- Air Enforcement program concluded its 2-week statewide anti-idling sweep, which resulted in over 200 violations being identified. Periodic geographic enforcement sweeps will continue into the future.
- A list of frequently asked questions has been generated as a result of the sweep and will be loaded onto our stopthesoot.gov website once it's up and running. Issues discovered during the sweep will also inform our current efforts to revise the idling regulations in anticipation of winter proposal.
- A 100-space truck stop electrification project at Paulsboro truck stop is complete. 600 hours logged the first night, with drivers signing up on waiting list inside the travel center. Press event to be scheduled soon. Bordentown truck stop electrification project should break ground shortly.

VOLUNTARY PROJECTS:

- 30 Newark school buses being retrofitted with PSEG voluntary donation and settlement money from violator.
- Discretionary funding from EPA Region 2 should be forthcoming shortly to retrofit school buses in Camden.
- Settlement money from defendant in EPA Region 2 will be forthcoming & used to retrofit trucks at Camden County MUA.
- Vineland school district received grant from EPA to retrofit school buses.

LEGISLATION (S1759):

- Amendments currently being drafted by legislative staff. Expect Environment Committee to hold second hearing in October.

XANADU (Meadowlands Redevelopment):

- Environmental Impact Statement for this 100 acre, 5-year development project was finalized and Hearing Officer's report was issued. NJDEP and NJ Meadowlands Commission expected to issue Order directing construction to proceed, with certain conditions. Jingoli and Sons, the general contractor for the project, is working with NJDEP on a diesel risk minimization plan.

Environmental Justice Overview

Presented by Jeremee Johnson, DEP Environmental Justice Coordinator; Valerie Caffee, EJ Advisory Council: (See attachments 4 and 5. Distributed at meeting.)

- Definitions of environmental racism/injustice and a brief overview of the evolution of the Environmental Justice Movement.
- Examination of Environmental Justice's civil rights roots and connection to Title VI of the 1964 Civil Rights Act & President Clinton's Executive Order 12898, preventing environmental racial discrimination in federally funded agencies, including state agencies.
- History of the Environmental Justice Advisory Council (EJAC) to the DEP, with an emphasis on the EJAC's role in the creation of the DEP's environmental justice policy, which was adopted in 2000, and the promulgation of the proposed "Expanded

Community Participation Process for Environmental Equity” rule developed by the EJAC in conjunction with DEP staff. The rule was published in 2002 but was withdrawn due to problems with the proposed screening tool that would be used to determine if a community was disproportionately impacted by pollution.

- Explanation of the State Environmental Justice Executive Order and its impact on the EJAC’s Mission and responsibilities, as well as the Executive Order’s importance to communities.
- Stressed the importance of the EJAC and Clean Air Council working together to continue the dialogue begun at this meeting.
- Some discussion about the possibility of having environmental justice as the topic of the Clean Air Council’s next public forum. The EJAC could serve as the co-sponsor.
- The EJAC expects to present its recommendations in approximately 6-8 months.
- Dr. Manganello requested a list of EJAC members.

Personal and Ambient Exposures to Air Toxics in Camden, NJ

Presented by Dr. Paul Liroy, Director, Exposure Measurement and Assessment Division and Deputy Director of Government Relations, EOHHSI:

Objectives:

- To characterize personal and ambient exposures to air toxics in a suspected “hotspot” - the Village of Waterfront South in Camden, New Jersey.
- Demonstrate the magnitude of the impact of local air pollution sources on the levels of exposure experienced by people living in this village based on personal exposure measurements, residential outdoor air measurements and supporting exposure modeling results.

Waterfront South Demographics:

- 1700 residents
- Age
 - 39% Minors (0-19)
 - 52% Adults (20-64)
 - 9% Senior Adults (65+)
- Race/ethnicity
 - 61% Black
 - 27% Hispanic/Latino
 - 7% White

Health Data in Camden:

- Asthma rate
 - One out of four people
 - Four times the rate in other areas in NJ
- The Highest lung cancer incidence rate in NJ

Sources of Air Pollution:

- Industrial sources
 - Total of 26 industrial and manufacturing facilities, e.g. sewage treatment plant, recycling factory, St. Lawrence Cement Company, Camden Iron and Metal, etc.
- Mobile sources
 - diesel trucks, ~330,000 trucks/year travel through this community.
- Urban Sources
 - Philadelphia

Approach:

- Personal exposure measurement
Waterfront South
Copewood/Davis area (urban reference)
- Ambient measurement in both neighborhoods
- Questionnaires
- Source emission data
- Modeling

Study Design:

- Total subjects: 100 non-smokers
60 from Waterfront South
40 from Copewood /Davis Streets
- Age: 12 to 65 years old
- Monitoring period: 24 hours for 4 days, 2 days in summer and 2 days in winter, one on a weekday and one on a weekend day for each season
- Simultaneously monitor ambient air concentrations of the target compounds

Fixed Monitoring Sites:

- Representative of local conditions
- Close to or within the residence area
- No near field sources of air pollution (< 10 ft)
- Easy to access but secure for samplers
- Waterfront South
Hynes Center
Current Site: Intersection of Ferry Ave and Broadway
- Copewood/Davis Streets—The NJDEP Monitoring Site.

Subject Recruitment:

- Contact with local community/religious leaders
- Attend local community meetings
- Direct contact with local residents
- Advertisement in local community paper

Conclusions:

- Current subject recruiting strategies have been successful.
- The preliminary results show that the concentrations of PM_{2.5} in Waterfront South are higher than average ambient concentrations in New Jersey and Copewood Davis.
- The concentrations of most of the target compounds in Waterfront South are similar to those in Copewood/Davis streets, the urban reference site.
- The Geollogger properly tracked the time and location of the subject's movements.

NEW BUSINESS/OLD BUSINESS

- Review July minutes.
- Gilberto Soto asked CAC Liaison to track legislation re: diesels and inform CAC members of hearing location, dates and times.
- Jorge Berkowitz asked Sam Wolfe/Bill O'Sullivan for status of Joe Spatola's reappointment.
- Nomination and Election of Officers—Nominating Committee Chair, Irwin Zonis, nominated Michael Egerton to serve as Chairman and James Blando to serve as Vice-Chairman. The Chairman asked for discussion on the matter. There was no discussion. Chairman called for a motion to close the nominations. John Maxwell made the motion, seconded by Gilberto Soto. The nominations were closed. By a

show of hands, Michael Egenton and James Blando were unanimously elected to serve as the new Chairman and Vice-Chairman, respectively. Outgoing Chairman Jorge Berkowitz turned over control of the meeting to the new Chairman.

- 2005 Annual Public Hearing:
Subcommittee—Chairman Michael Egenton asked Gene Feyl to serve as Chair. Mayor Feyl agreed. The following other members volunteered to serve: John Maxwell; Jorge Berkowitz; James Blando; Michael Egenton and Irwin Zonis.
Topic—The following topics were suggested for the hearing: Indoor Air Quality; CO₂; and Environmental Justice. Chairman Egenton requested that the CAC members consider the suggestions and be prepared for a discussion on the matter at the October meeting.
- Chairman Egenton called for a motion to adjourn the meeting. Irwin Zonis made the motion, seconded by John Maxwell. The meeting was adjourned at 12:35 p.m.

ARTICLES OF INTEREST

- 2003 Annual Update on Asthma in New Jersey, NJ Department of Health & Senior Services
- New Clips

NEXT MEETING

October 13, 2004, 9:30 a.m., NJ DEP, 501 E. State St., 5 Station Plaza, 3rd Fl. Large Conference Room, Trenton, NJ 08625