

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: 3/8/06

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

February 8, 2006, 9:30 a.m.
9:30 a.m.

Schering-Plough Summit Site
556 Morris Avenue
2nd Floor Conference Room S-12-2A
Summit, New Jersey 07901
Contact: Anu Kunapuli, (908) 473-7924

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: Jorge Berkowitz, Joseph Constance, Hugh DeFazio, Gene Feyl, Richard Lynch, Kenneth Thomas, Irwin Zonis

REPRESENTATIVE: Marisa Bolognese for John Elston

SPEAKERS: Chris Salmi, Assistant Director, Air Quality Management; Linda J. Bonanno, Ph.D., Research Scientist, New Jersey Department of Environmental Protection, Division of Science Research & Technology, Bureau of Environmental Health Science and Environmental Assessment

PUBLIC: Kelly Moretta, Anu Kunapuli, Schering-Plough Corp.; Dennis Poole, NJ Environmental Lobby; Katie Watson, Watson Consulting; Steve Barnett, Connell Foley;

Meeting Record

Roll call was taken. Action on January minutes was tabled until the March 8, 2006 meeting.

Administrative Report

Presented by Chris Salmi, Assistant Director, Air Quality Management:

- Lisa Jackson's nomination passed the Judiciary Commission on February 6. Management changes: Deputy Commissioners Jay Watson and Adam Zellner; Communications and Legislation Assistant Commissioner area disbanded; Gary Sondermeyer, Director of Operations.
- Contract for Air Monitoring/Radiation Data Acquisition System Awarded—The Department of Treasury awarded a contract to replace the Air Monitoring/Radiation Data Acquisition and early Warning System. The contract process has been a long-term joint effort of the Bureaus of Air Monitoring and Nuclear Engineering, and the Office of Information Resource Management. The system will continue to provide real-time acquisition of air monitoring and radiation data and facilitate information exchange between NJDEP, the USEPA, other states and the general public.
- The Northern & Central New Jersey Chapter of Air & Waste Management Association will host a regulatory update workshop on Friday, February 10, 2006 in the 1st Floor Public Hearing Room of the New Jersey Department of Environmental Protection's (NJDEP) Headquarters building in Trenton, NJ. The speakers include Lisa Jackson, Acting Commissioner; William O'Sullivan, Director of the Division of Air Quality; Danny Wong, Bureau of Air Quality Evaluation- Emission Statement Program Update; Alan Dresser, Bureau of Air Quality Evaluation - Air Dispersion Modeling Update; Olga Boyko, Bureau of Air Quality Evaluation - Update on the Air Toxics Program; and Dr. Barry Frasco, Hazardous Site Science Element - Changes to NJDEP's Groundwater Quality Standards.
- Air Fees—A hearing was held on January 23, 2006. The rule proposal is primarily for fees for minor facilities. Testimony was received and will be considered. The comment period closes February 17, 2006.
- Legal/Regulatory Front with USEPA:
 - Particulate Matter Implementation Rule Comment—The major concerns deal with the USEPA's position that the Clean Air Interstate Rule (CAIR) eliminates the need for electric generating utilities (EGU) to Reasonably Available Control Technology (RACT) and New Source Review (NSR) program issues.
 - New Jersey has requested reconsideration for the 8-hour Ozone Implementation Rule. Substituting RACT with CAIR eliminates the ability to address local control needs.
 - The 7th Circuit Court of Appeals accepted Cinergy Corporation's request for a hearing on the threshold for increased emissions for purposes of NSR applicability. Environmental groups sought review by the U.S. Supreme Court of the decision of the US Court of Appeals for the Fourth Circuit in Duke Energy. The issue is the definition of "modification" under hourly v. annual emissions.
- The South Jersey Environmental Justice Alliance (SJEJA) and the New Jersey Public Interest Research Group (NJPIRG) notified the USEPA of their intent to file a citizens'suit against USEPA alleging that USEPA failed to act timely on a petition to object to the final Title V permit for the Camden Cogeneration Plant. The petition requests a compliance schedule for the facilities past exceedences and an increase in the frequency of stack emission testing.

- The next Ozone Transport Commission (OTC) is February 22-23. The purpose of the meeting is to review various regional measures.
- An I/M stakeholder meeting was held on January 30, 2006 for input into future decisions.
- President Bush's budget calls for a \$35 million cut nationally to 105/103 grant funds of \$220.3 million but includes an allocation of \$49 million for diesel retrofitting.

Urban Community Air Toxics Monitoring Project (UCAMPP) **Paterson City, NJ**

Presented by, Linda J. Bonanno, Ph.D., Research Scientist, New Jersey Department of Environmental Protection, Division of Science Research & Technology, Bureau of Environmental Health Science and Environmental Assessment:

- Research has found associations between chronic exposure to air pollution at levels commonly found in our everyday life and death/disease.
- Monitoring determines what is in our air.
- Modeling predicts concentrations based on emissions, meteorology, topography, etc.
- Statistical/ mathematical/computer models are used to simulate natural/chemical processes.
- USEPA recognized that National Air Toxics Trends System (NATTS) has not been able to address local air toxics issues, then solicited for pilot demonstration projects that characterize 'local' air toxics in 'Hot Spots' and track local air toxics reduction activities.
- Paterson was chosen as a pilot project because it had a high population density, was a mixed-use urban community, and had all the characteristics of an Environmental Justice (EJ) community.
- UCAMPP will provide information and develop tools so that the NJDEP and the community can better address exposures and risks related local air toxics. It is a pilot project, which will provide valuable information and methodology, which can be expanded upon for other communities around the state and nation.
- Monitors are located at industrial, commercial, mobile sites.
- A background site is located in Chester, New Jersey, 36 miles WSW of Paterson as a point of comparison.
- Air toxics and weather conditions will be monitored every six days for one-year starting November 2005.
- The data will be mapped across the area of monitoring, and identified with each monitored site. New sampling and analyses techniques for air toxics that are presently difficult to quantify will be field tested, and modeling results with the monitoring data and concerns of an EJ community will be characterized.
- Risk reduction strategies will be identified.

NEW BUSINESS/OLD BUSINESS

- Review January and February Minutes.
- Annual Public Hearing Update.
- A member of the public informed Michael Egerton that the Pennsylvania Clean Air Council (PCAC) is soliciting in New Jersey as the "Clean Air Council." Since the NJ CAC does not solicit, the chairman asked the NJDEP to inform the PCAC about this matter, asking the group to identify itself fully when engaging in its activities in New Jersey to avoid confusion with the NJ CAC.

- Dr. Bielory motioned that the CAC create a statement to be read at USEPA's March 8 hearing on the proposed new National Ambient Air Quality Standards to reflect the health impacts of air toxics. Marisa Bolognese will read the comments on behalf of the CAC. James Blando seconded the motion. The motion was carried, with abstention from John Maxwell. **(See Attachment 2—Distributed at the meeting.)**
- Chairman called for motion to adjourn the meeting. John Maxwell made the motion, seconded by Ferdows Ali. The meeting was adjourned at 11:55 a.m.

ARTICLES OF INTEREST

- Handouts 3 and 4
- New Clips

NEXT MEETING

March 8, 2006, 9:30 a.m., Atlantic City Electric, 150 West State St., Trenton, New Jersey
609-656-2001