

## 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 Egenton  
John Elston  
Manuel Fuentes-Cotto  
Toby Hanna, P.E.  
Richard M. Lynch, Ph.D.  
John Maxwell  
Pam Mount

### Clean Air Council Members

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

### Clean Air Council Liaison

Sonia Evans, CAC Liaison  
Telephone 609-633-2007  
Fax 609-984-6369

[cac@dep.state.nj.us](mailto:cac@dep.state.nj.us)

CAC Web Site

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

Draft Approved: 1/9/08

### **NJ CLEAN AIR COUNCIL MEETING RECORD**

December 12, 2007, 9:30 a.m.

NJ Environmental Infrastructure Trust

3131 Princeton Pike

Building 6, 2nd Floor, Suite 201

Lawrenceville, NJ 08648

**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:** Leonard Bielory, Joseph Constance, Michael Egenton, Richard Lynch, John Maxwell, Jim Zhang

**SPEAKERS:** Adam Zellner, Deputy Commissioner; Bill O’Sullivan, Director, Division of Air Quality, NJDEP; Joanna Underwood, Energy Vision

**VISITORS:** Kelly Moretta, Schering-Plough Corp.; Dan Cunningham, PSEG; Jeanne Herb, Director, Policy & Planning, Sue Shannon, NJDEP; Luis Comas, Sunoco; Ellen Sadat, Drinker Bittle

### **Meeting Record**

Roll call was taken. Chairman called for motion to approve the November minutes. Irwin Zonis made the motion to approve November minutes as submitted. Jim Blando seconded the motion. The November minutes were approved by a unanimous vote.

### **Overview of Regional Greenhouse Gas Initiative (RGGI) Legislation**

*Presented by Adam Zellner, Deputy Commissioner:*

In an effort to reduce GHG emissions by 20 percent by 2020 and by 80% below 2006 levels by 2050, New Jersey has proposed A4559. This legislation authorizes NJ to participate with 10 other states to create a free carbon market system that mirrors the Europe’s experiment to reduce emissions through investing GHGs. The design mimics NASDAQ, S&P, etc. A4559 primarily applies to electric power plants that produce at least 25 megawatts of power. By adding free market elements, the goal is to reduce the

number of credits giving companies the options to either buy credits or invest in equipment to accelerate clean renewable energy. The bill also establishes the “Global Warming Solutions Fund.”

Other measures in the bill should:

- provide both incentives to reduce emissions at their sources and funding or other consumer benefit incentives to reduce the demand for energy, which in turn would reduce the generation and emission of greenhouse gases;
- that funding consumer benefit purposes will result in reduced costs to New Jersey consumers, decreased energy use, decreased greenhouse gas emissions, and substantial and tangible benefits to the energy-using business sector.
- that efforts to reduce greenhouse gas emissions in New Jersey must include complementary programs to reduce greenhouse gas emissions from electricity generated outside of the State but consumed in New Jersey, and that one measure that may be most effective in doing so is the adoption of a greenhouse gas emissions portfolio standard as authorized pursuant to the “Global Warming Response Act.
- that any emissions allowance trading program established in the State to reduce emissions of greenhouse gases should transition to any federal program enacted by the federal government that is comparable to the emissions allowance trading program established in New Jersey.
- establish a program that authorizes the State to dedicate to consumer benefit purposes up to 100 percent of the revenues derived from the auction or other sale of allowances pursuant to an emissions allowance trading program and to authorize the Commissioner of Environmental Protection and the President of the Board of Public Utilities to further the purposes of this act and the “Global Warming Response Act by participating with other states in the formation and activity of a separate legal entity established for the purpose of furthering the Regional Greenhouse Gas Initiative.
- Grants authority to write rules to implement free market system.
- Establishes in the Department of the Treasury a special, nonlapsing fund to be known as the “Global Warming Solutions Fund administered by the State Treasurer.
  - Sixty percent shall be provided to the New Jersey Economic Development Authority to invest in colleges, municipalities, etc. to focus on reaching 2020 goal.
  - Twenty percent shall be provided to the Board of Public Utilities to expand affordable programs to offset energy use.
  - Twenty percent to NJDEP--Ten percent to support programs designed to promote local government efforts to reduce greenhouse gas emissions. Ten percent to invest in forestry to minimize carbon effect.
  - The bill directs the DEP, in consultation with the BPU and the EDA, to adopt guidelines and a priority ranking system to be followed to award monies from the “Global Warming Solutions Fund,” and the bill sets forth evaluation criteria to be included in the guidelines and priority ranking system.
- The bill requires the department and the board to jointly hold a public hearing or hearings on allowance prices if the prices exceed \$7.00 for two consecutive regional auctions and to issue a report to the Governor and the Legislature with their findings and recommendations concerning allowance prices.

**Toward an Environmentally Sustainable Transportation Future for New Jersey--  
The Role of Alternative Fuels**

*Presented by Joanna Underwood, Energy Vision: (See Attachment 2—distributed at meeting)*

Use innovative technology for ground transportation

Implement strong economic incentives

Green purchasing guidelines (key)

Transportation sector:

Purchase refuse trucks—6,000 in New Jersey (exclusive of highway travel) that use renewable methane gas (converted or processed methane from landfills for natural gas), get 2.8 mpg;

Petroleum-derived fuels affect health and safety of workers by emitting particulate matter;

High economic dependence (90% in New York/New Jersey); costs continue to sky-rocket;

Natural gas is clean and one step away from hydrogen, which is a closed-loop system, representative of 1990's hydrogen end-gain (no pollution);

Smithtown, Long Island is first in nation to use;

Federal incentives give economic benefit;

Engines meet NOx standards;

Oil back-out strategy

Recommend NJ provide economic incentives to provide option for using natural gas refuse trucks.

### **Administrative Report**

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

1. **Diesel Program Inspections**—The Diesel Risk Reduction Program (DRRP) is training inspectors from Diesel Emissions Inspection Centers to perform one-time visual inspections that a retrofit device has been installed on a vehicle. Over 200 inspectors are scheduled to attend the training sessions. Separate training will be conducted for the Motor Vehicle Commission's (MVC) school bus inspectors. Installers will receive training on rule compliance, i.e., installing certified retrofit devices, completing paperwork, etc. on garbage trucks and school buses.
2. **Medium-Duty Diesels**—The DRRP staff and MVC inspectors completed a study of opacity emissions from 600 medium-duty diesel vehicles in central and south jersey. Two-percent of the vehicles tested did not meet current opacity limits and six percent did not meet tighter opacity limits to be proposed shortly for heavier vehicles. Rules are being considered to extend the smoke limits to these medium-duty diesels.
3. **Diesel Smoke Rules**—The less smoke allowable for heavy-duty (cutpoint rule) is expected to be proposed in early 2008.
4. **Consumer Products Rule**—The proposal would establish new VOC emission limits for consumer products adhesives and sealants, new requirements for portable fuel containers (gas cans), and a ban on automotive and other consumer products containing three chlorinated toxic air contaminants (perchloroethylene, trichloroethylene, methylene chloride). A public hearing was held on December 10. Recommendations were received from the roofing industry to phase-in the adhesives part of the rule to allow time for training.
5. **Air & Waste Management Association (A&WMA) Conference**—was held December 14 in the NJDEP public hearing room. Commissioner Jackson gave opening remarks. Presentations from the Air Quality Division included: State Implementation Plans

- (SIP)/Sandy Krietzman; air testing/toxics, John Jenks; Reasonable Available Control Technology (RACT) rule, Peg Gardner; and permitting, Frank Steitz.
6. Drycleaners—The rule to ban perchloroethylene by 2020 was published in the 12-17-07 NJ Register. The hearing date is 1-18-07
  7. Reasonable Available Control Technology (RACT) Plus Rules—Proposal expected early 2008 for approximately 12 source categories. Proposal of separate rules for refineries are expected later in 2008.
  8. Regional Greenhouse Gas Initiative (RGGI)—Legislation for RGGI auctions is going through legislative committees. Chris Sherry and Felice Weiner are NJDEP leads for RGGI for electric utilities. Proposals expected in February.
  9. Greenhouse Gas (GHG) Inventory Rule—Goal is to propose in early 2008, and to adopt by January 2009, so a GHG inventory can start in 2009.
  10. General Permits (GP)—The comment period for the GP for statewide portable equipment closed on November 15, 2007. More GPs are expected in the future for other portable equipment.

#### **NEW BUSINESS/OLD BUSINESS**

- Comments on 2008 Hearing Brochure to Toby Hanna by December 21.
- Members reached consensus not to comment on the Consumer Products rule.
- Chairman called for motion to adjourn the meeting. Ferdows Ali made the motion, seconded by Jorge Berkowitz. The meeting was adjourned at 12:21 p.m.

#### **ARTICLES OF INTEREST**

- News Clips

#### **NEXT MEETING**

January 9, 2008, 9:30 a.m., IBEW, Local 94, 219 Franklin St., Hightstown, NJ 08520