

NEW JERSEY CLEAN AIR COUNCIL

<u>Clean Air Council Members</u> John Valeri Jr., Esq., Chair Allen Weston, Vice-Chair Leonard Bielory, M.D. Robert Campbell Maria Connolly, PP, AICP Michael Egenton	<u>Clean Air Council Members</u> Toby Hanna, P.E. Sandra Howland Andrew McNally Stephen Milgrom Richard Opiekun, Ph.D. Scott Ross
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New Jersey Clean Air Council Meeting Record
Meeting via Microsoft Teams

Wednesday, May 19, 2021

CALL TO ORDER	John Valeri opened the meeting.
COUNCIL MEMBERS PRESENT	All Council members were present with the changes noted below.
EXCUSED	Andrew McNally Scott Ross
REPRESENTED	Michael Egenton by Kimberly Scarborough, PSEG
PUBLIC	Adam Neuman, IBEW Timothy Fekete, Department Of Agriculture
NJ DEP Staff	Francis Steitz Ken Ratzman Jeffrey Meyer Heidi Jones

Meeting Record

- Allen Weston made a motion to approve the March meeting minutes; Leonard Bielory seconded the motion. Minutes were approved with a unanimous vote.
- Jeff Meyer from DEP spoke with the council on fugitive dust and provided information for the hearing report.
- Timothy Fekete was named the new representative for the Department of Agriculture going forward; council thanks Sandra Howland for her time and input on the council.
- The hearing report was discussed and is being edited by the council members.
- Leonard Bielory made a motion to adjourn; Toby Hanna seconded the motion. Meeting was adjourned at 11:34am.

Administrative Report

Presented by Francis Steitz, Director of Air Quality

- 1. Advanced Clean Car II Rule** -- On May 6, 2021, the California Air Resources Board (CARB) held its first public hearing for its Advanced Clean Cars II (ACC II) regulations. These new regulations would establish new light- and medium-duty criteria and greenhouse gas emission standards for model year 2026-2035, and incrementally increase the required number of zero-emission vehicles sold in the State during that same time. Specifically, the draft proposal requires 26% of vehicle sales to be electric in 2026, increasing to 76% in 2031 and 100% in 2035; and limits long-range plug-in hybrids to just 20% of the 2035 requirement. New Jersey, along with many other Northeast states, chose to adopt CARB's initial 2005 Low Emission Vehicle (LEV) program. CARB anticipates holding additional stakeholder workshops in summer and fall 2021 and issue a formal proposal for a 45-day public comment period by April 2022.
- 2. California's Waiver to Establish Vehicle Standards** -- On April 26, 2021, EPA issued a Notice of Reconsideration announcing its intent to return California's authority to set its own stricter tailpipe emissions standards for light-duty cars & trucks. This proposed action reverses the September 2019 SAFE-1 rule proposal by EPA and the National Highway Traffic Safety Administration to withdraw California's authority in this area. California's retention of its authority has significant implications for NJ and many other states who have historically chosen to adopt their more stringent vehicle standards to improve air quality. The Notice of Reconsideration would re-authorize California to resume implementation of its Zero Emission Vehicle requirements and greenhouse gas standards. EPA will hold a public hearing on June 2, 2021, and will accept comments through July 6, 2021. EPA is expected to take a separate action to reconsider a related rule (SAFE-2) which rolled back federal vehicles standards for model years 2021-2026.
- 3. ChargeVC Roadmap** -- On April 26, 2021, ChargeVC issued "Roadmap for Vehicle Electrification 2.0". In addition to reiterating many of the goals in P.L. 2019, c. 362 and its 2017 Roadmap, ChargeVC:
 - Adds goals for local government fleet electrification; workplace charging; school bus, garbage truck, drayage & delivery truck electrification,
 - Emphasizes equitable access to clean transportation in EJ areas, the use of renewable energy, and regional partnerships,
 - Recommends that NJBPU's EV rebate program be compressed to 5 years instead of 10 years,
 - Recommends a truck voucher program focused on electrifying school buses, garbage trucks, and drayage and delivery trucks,
 - Recommends strategic development of, and utility involvement in, a charging network for medium and heavy-duty trucks,

- Encourages optimized grid integration through V2G, managed charging, and on-site storage, and
 - Recommends development of a new strategy for equitably funding the Transportation Trust Fund.
4. **Georgia-Pacific Gypsum Operating Permit** – On April 20, 2021, Air Quality held a virtual public hearing on a significant modification to Georgia-Pacific Gypsum’s operating permit. Thirty-seven people participated, of which 17 testified including 2 city councilwomen, 3 representatives from environmental organizations, 2 representatives from the Columbia Law School, a NAACP representative, and 9 citizens living or working in or around the impacted community. The major issues raised include the impact of the new EJ Law on this draft permit, a moratorium on all permit applications in EJ areas until EJ rules are adopted, the need for simpler permit documents for the public, and the potential increase of particulate matter emissions. The comment period closed on May 7, 2021.

 5. **Merck Sharp & Dohme Corp Operating Permit** – On May 26, 2021, Air Quality will hold a virtual public hearing on the renewal of the Merck Sharp & Dohme’s operating permit at the request of the Borough of Kenilworth. Kenilworth’s attorney spoke at the March 30, 2021, public hearing for the EF Kenilworth LLC draft renewal operating permit as EF Kenilworth provides power and steam to Merck. This operating permit is for emergency generators and boilers that supply power to the Merck Kenilworth campus. Borough of Kenilworth concerns include 1) if Merck’s recent announcement that it will remove all operations makes the permit renewal unnecessary; 2) transferability of the permit; 3) pollution and health impacts. The public comment period ends June 25, 2021. The facility is within a quarter of a mile from an overburdened community in Union Township.

 6. **American Lung Association’s State of Air 2021** – On April 22, 2021, the American Lung Association (ALA) publicly released its State of the Air Report for 2021. Released annually since 2000, the State of Air provides letter grades for every county in the U.S. based on ozone and particulate matter pollution concentrations. The grades are weighted such that higher pollution concentrations receive greater weight and were calculated using EPA certified air monitoring data from 2017-2019. New for the 2021 report are estimates of 10 specific "at-risk" populations (e.g. people with asthma). The 2021 report showed that both New York-Newark, NY-NJ-CT-PA and Philadelphia-Reading-Camden, PA-NJ-DE-MD areas ranked in the top 25 cities most polluted by ozone, at #s 14 and 21 respectively. Also, the Philadelphia area ranked #17 for cities most polluted by annual particulate matter, while the New York area ranked #20. All of NJ counties received passing grades for 24-hour particulate matter, with the lowest grade being a C for Camden County. All of NJ’s counties with sufficient data passed for annual particulate matter. For ozone, 8 of the 18 counties listed received an F grade, while one additional scored a D. The remaining counties received Bs or Cs for ozone. This is a steady improvement over the last 3 years, as 9 counties received an F in 2020 and 10 counties in 2019.

 7. **NJ Fuel Cell Task Force** -- On April 21, 2021, NJBPU convened the Fuel Cell Task Force required by P.L. 2020, c. 38. NJBPU Commissioner Chivukula chairs the task force, which includes representatives from NJDEP, NJDCA, the NJ Fuel Cell Coalition, the Center for Hydrogen Safety, Air Liquide, and the NJ Gasoline and C-Store Association. Future members will include a representative for NJEDA and two public representatives. The task force’s objectives are to support the growth of the State’s fuel cell industry; increase fuel cell use throughout State government departments and agencies; develop a strategy for the development of infrastructure to support fuel cell use; and provide information and educational materials about the use and benefits of fuel cells. A report outlining the task force’s plan to meet these objectives is due in one year. NJDEP will present on the Global Warming Response Act 80x50 report at the next task force meeting to provide contextual background for their discussions.

2021 MEETING DATES & LOCATIONS (tentative)

Meeting will be 9:30am – 12pm, every 3rd Wednesday of the month.

January 20	Microsoft Teams Meeting.
February 17	Microsoft Teams Meeting.
March 17	Microsoft Teams Meeting.
April 21	Public Hearing - Microsoft Teams Meeting.
May 19	Microsoft Teams Meeting.
June 16	Microsoft Teams Meeting.
July 21	Microsoft Teams Meeting. - present report to commissioner (tentative).
August 18	No meeting. (Microsoft Teams Meeting, only if needed)
September 15	Microsoft Teams Meeting.
October 20	Microsoft Teams Meeting.
November 17	Microsoft Teams Meeting.
December 15	Microsoft Teams Meeting.