

COMPLYING WITH THE CLEAN AIR ACT:

STATUS, PROBLEMS, IMPACTS AND STRATEGIES

SCOPE

The 1998 NJ Clean Air Council (Council) public hearing sought comment and information on the progress that the State has made regarding compliance with the Clean Air Act and the future direction the State should follow to insure compliance. On December 12, 1997 the USEPA disapproved New Jersey's rate of progress, State Implementation Plan (SIP), because of the State's delay in implementing the Enhanced Inspection and Maintenance (I/M) program for motorvehicle inspection.

The hearing included testimony on the current status of the I/M program, the continued impact of ozone transport on New Jersey air quality, the possible effect of electric deregulation on air quality control and progress made in the Operating Permit Program.

EXECUTIVE SUMMARY

New Jersey currently has a comprehensive air quality program. This program has enabled the State to comply with much of the Clean Air Act. Great progress has been made in the areas of acid rain, carbon monoxide, sulfur dioxide, nitrogen dioxide, particulates and lead. For this significant and widespread progress the NJDEP is to be commended. However, in the area of ozone the State remains deficient. The NJ Clean Air Council supports additional measures to control the precursors of ozone and makes the following recommendations to correct the SIP deficiency and to bring the State into compliance with the Clean Air Act Amendments.

RECOMMENDATIONS

1. The Council continues to support the rapid implementation of the Enhanced I/M program for automobiles.
2. The Council recommends that the NJDEP adopt future emergency measures in the event that the I/M program is not implemented, so that the SIP will not be violated and reductions from other sources will be adequate to replace the anticipated I/M reductions and protect the public health.
3. The Council recommends that a study be made of a possible incentive program for Enhanced I/M private inspection facilities to encourage private facilities to participate early and continually in the Enhanced I/M program.
4. The Council recommends that "green power," offered for sale to consumers after electric industry deregulation, be narrowly defined to include only those providers who adhere to rigid air pollution standards. Further, the Council recommends that the Commissioner support public disclosure of the environmental impact of power sources.
5. The Council supports the Ozone Transport Assessment Group's (OTAG) regionwide NO_x plan. Developing consensus for the control of emissions from coal-fired power plants is critical to New Jersey's compliance with the Clean Air Act. The Council recognizes the importance of enforcement of regional strategies for control of interstate ozone transport.
6. The Council supports the NJDEP's Operating Permit Program including the electronic application system, AIMS/RADIUS. However, the Council recommends field audits of sources and of emissions which will help substantiate and validate the Operating Permit program.
7. The Council supports the early introduction of the National Low Emission Vehicle (NLEV) program into New Jersey. These vehicles are 75% cleaner for NO_x than the current Tier I vehicle.

8. The Council recommends a continued emphasis on the importance of Enhanced I/M in the NJDEP's public awareness programs.

9. The Council recommends the formation an interagency taskforce with participation of interested stakeholders to review air pollution public education and how the NJDEP can make recommendations for improved outreach. The Council is interested in participating in the taskforce should one be created.

10. The Council recommends evaluating the decentralization of the air pollution program. The resulting air pollution program structures appear to constrain the flexibility of the department in utilizing limited resources in the most programmatic effective and efficient manner.

BACKGROUND

The original Clean Air Act was passed in 1963, but the current national air pollution program is actually based on the 1970 version of law. In 1990 the Clean Air Act Amendments (CAAA) revised the 1970 law and set new standards for ambient air quality in the United States. Each state was directed to write a State Implementation Plan (SIP) describing its strategy for meeting these federal standards. When an area does not meet the Clean Air Act air quality standards, it is said to be "not in attainment." Currently, New Jersey is not in attainment for ozone, which is formed from volatile organic compounds (VOCs) and nitrogen oxides (NOx)

VOCs are carbon -based chemicals which evaporate easily. They include such hazardous air pollutants as benzene, formaldehyde and 1,3 butadiene. They cause cancer and other adverse health effects. They create toxic depositions in lakes and coastal waters. NOx, a family of gases including nitrogen dioxide and nitric oxide, irritate the lung, lower resistance to respiratory infection and contribute to ozone formation. They can also react chemically in the air to form nitric acid. VOCs and NOx from motor vehicles contribute to ozone formation in the presence of sunlight. Ozone is a respiratory irritant that adversely affects lung function.

There are over five million cars in New Jersey producing tons of VOCs and NOx each year. New Jersey has more motor vehicles per square mile than any state in the nation. They represent the single largest source of air pollution in New Jersey, emitting about 30 percent of our VOCs, 30 percent of NOx and 60 percent of our carbon monoxide inventory.

Most of the State, 18 of our 21 counties, are classified as serious or worse for ozone non -attainment. It has been shown that Enhanced I/M can reduce vehicle emissions by 28 percent. Enhanced I/M will include tests for evaporative emissions as well as tailpipe exhaust. Evaporative emissions consist of vapors which escape from various points in the vehicle's fuel system and are a greater source of reactive hydrocarbon emissions than tailpipe exhaust.

Interstate transport into New Jersey causes higher levels of ozone in our atmosphere. This problem will be exacerbated by the deregulation of the power industry. Midwest utilities, many of which are coal-fired, will be producing more electricity and hence more pollution. Since 1995 the Ozone Transport Assessment Group (OTAG) has been working to develop consensus recommendation regarding implementation of the CAAA related to ground-level ozone problems in the eastern United States.

New Jersey's rate-of-progress State Implementation Plan was disapproved by the United States Environmental Protection Agency (USEPA) on December 12, 1997. This disapproval was brought about by New Jersey's delay in implementing the Enhanced Inspection and Maintenance program.

New Jersey now faces several federal actions and sanctions, namely restrictions on State planning flexibility for New Jersey transportation projects, tougher emission offset requirements for new and expanded sources and ultimately, if the SIP is not approved, a federal funding freeze for certain New Jersey transportation projects.

SUMMARIES OF TESTIMONY

ROBERT SHINN - NJDEP COMMISSIONER

I would like to present an update concerning the clean air program by addressing three separate topics.

1. Complying with the National Ambient Air quality Standards
2. Complying with the State Implementation Plan (SIP)
3. Complying with the Operating Permit Requirements.

First, air quality levels of the six criteria pollutants: sulfur dioxide (SO₂), particulates, carbon monoxide (CO), lead, nitrogen dioxide, ozone and acid rain continue to improve. This improvement is widespread throughout the state, especially for acid rain, SO₂, CO and lead. Problem areas still exist for nitrogen dioxide and ozone. Since 1990 there has been an improvement of more than two percent per year, a rate of performance greater than the national average. Unfortunately, the north central counties have increased ozone levels because they are downwind of the greater Philadelphia Metropolitan area. Regarding ozone, at least 50 percent of our ozone precursors come from transport. CO compliance has been greatly improved and we are awaiting the USEPA redesignation in that area. This represents one of our best achievements. The State has reached attainment with CO standards and the effectiveness of our I/M program has played a major role in CO improvements. The success of that program is also attributable to oxygenated fuel programs and lower emissions from new car manufacturers and the high percentage of new car population that New Jersey enjoys. Lead has been reduced because of reformulated fuels.

We look to improvements in ozone and NO_x because the improvements in motor vehicle emission technology is one of the most positive signs for air quality in New Jersey. We are finalizing recommendations currently for the NLEV, which will be introduced two years earlier than in the rest of the country as a result of our NLEV agreement. These vehicles are 75 percent cleaner for NO_x. We are supporting new technologies especially those hybrid vehicles that are battery operated but with different forms of battery charging capabilities. The fact that there are electric vehicles that can be recharged while they are utilized will make a dramatic reduction in emissions. Fuel cells and solar power are also being investigated as some of the technologies that are of interest to American manufacturers. Because New Jersey is a state with one of the highest new car populations we carve into the backlog very quickly on automotive technology and with current incentives we will be particularly successful in New Jersey relative to applying the new technology.

Although New Jersey has accomplished much regarding air pollution, there is still much to do. The Enhanced I/M program will be a big part of the equation for reducing volatile organic compounds (VOCs) and NO_x and it will be a part of our CO maintenance program. Motor vehicles are still the single largest source of air pollution in New Jersey with emissions of 30 percent VOCs, 30 percent NO_x and 60 percent CO. We have more motor vehicles per square mile than any other state in the nation. Enhanced I/M is essential since 18 out of 21 counties are classified as serious or worse for ozone non-attainment.

On November 5, 1992 the USEPA promulgated its final rule for I/M requirements. This established a performance based standard which called for a fully centralized test on the I/M program using the I/M 240 tests procedure. This rule called for implementation by January 1, 1995. In December 1994 the Governor reached an agreement on the conceptual framework of New Jersey's Enhanced I/M program design which provided the State with greater flexibility in implementing this program. This extended New Jersey's deadline for Enhanced I/M inspection. Allowing New Jersey credit for decentralized programs also increased flexibility for compliance. However, in early 1997 New Jersey failed to obtain a valid bid for implementation of the Enhanced I/M programs. By December 1997 the USEPA disapproved of the SIP since the benefits claimed would not be attained prior to November 15, 1999.

This disapproval has resulted in the following sanctions:

1. On April 12, 1998 transportation conformity was frozen.
2. On June 12, 1999 a two to one emission offset will be required for new or modified stationary sources. For every one ton of new emissions that come into the State, the State is responsible for offsetting two tons of existing source inventory.
3. On December 12, 1999 there will be a transportation funding freeze and implementation of Federal Implementation Plan requirements.

In response to these sanctions New Jersey issued a new RFP (Request for Proposal) for a contractor to design, build and possibly operate and maintain the centralized portion of the Enhanced I/M program. Bids are due on June 12, 1998 with a contract start date of July 27, 1998. The RFP also contains a \$3,000,000 incentive award if the contractor can accelerate the construction program to be completed prior to the withholding of federal transportation funding.

Because of New Jersey's failure to implement the Enhanced I/M program, the State must find VOC emission reductions amounting to 45 tons per day. This might be accomplished by accelerating the mandatory date of the I/M program. That is the purpose of the three million dollar acceleration fee that was included in the bid. Another possible reduction of emissions might result from relying on the federal emission standards for auto body refinishing and architectural and industrial maintenance coating. These changes will provide VOC credits. We are confident that the I/M program will be implemented and the SIP deficiency corrected before sanctions are imposed on New Jersey.

The third part of the Clean Air Program that will result in progress toward cleaner air in New Jersey involves the Operating Permit Program. This is a program required by the federal Clean Air Act that requires states to issue and enforce comprehensive facility-wide air pollution control permits to existing major facilities. Most states in the past did not issue comprehensive air pollution permits. This resulted in confusion as to which regulations apply to facilities and many instances of noncompliance and degraded air quality. The operating permit issuance process has a mandatory public comment procedure which most states, including New Jersey, did not have in the past.

The advantage of the Operating Permit Program is that it brings new operational flexibilities to the facilities, including Smart permits, which anticipate a wide range of operating scenarios and Seven Day Notices, which allow for operational changes not anticipated by providing a seven day notice if emissions would not exceed the allowable limits. This program is currently operating under the USEPA's interim approval expiring October 1998. In order to obtain final approval it needs to be demonstrated that the department has the funding and resources to administer the program. About 5,000 facilities will apply for operating permits and 300 have applied to date. The last 200 will apply using the new AIMS/RADIUS electronic system. Self-auditing during the application preparation is creating environmental benefits. 2,497 separate sources of non-compliance were revealed during permit applications. Non-compliance included problems with emission control rules and a need for emission reduction. Even facilities not previously identified as air pollution sources are sending in major source permit applications. Some facilities have reduced emissions to avoid being a major facility.

MARK BROWSTEIN - PUBLIC SERVICE GAS & ELECTRIC COMPANY

Soon after the passage of the Clean Air Act of 1990, PSE&G recognized the tremendous challenge this law presented for an electric utility. In 1992 PSE&G made a

corporate commitment to voluntarily reduce NOx emissions. The goal was to achieve a 60 percent reduction from 1990 levels by 1995 and an 80 percent reduction by the year 2000. It was the first and only voluntary NOx control commitment made by any electric utility in the United States.

A broad range of actions was implemented in order to achieve this goal. A significant portion of our generation fleet was retrofitted with gas-fired technology and key units were equipped with advanced NOx control technology. In some instances PSE&G switched our coal fired plants to natural gas. These changes have cost nearly one billion dollars but PSE&G has achieved a 70 percent NOx reduction. Our total contribution to the statewide NOx emission inventory has gone from 27 percent in 1990 to less than 5 percent today and our NOx emission rate is now the sixth lowest of the 50 largest energy producers in the eastern half of the United States. PSE&G power plants account for less than 1/4 of one percent of the total NOx affecting northeast air quality.

Although PSE&G has made progress reducing air pollutants, transport remains a major problem. Even if New Jersey closed down all industries and stopped transportation in the state, it would still be in non-compliance for ozone. Data from the National Academy of Science and the North American Research Strategy for Tropospheric Ozone (NARSTO) has established the link between regional NOx emissions, prevailing winds and the formation of ozone throughout the eastern half of the United States. Complex modeling conducted by OTAG demonstrates that deep NOx reductions from power plants located in the heart of the OTAG region are highly effective in reducing the ozone concentration throughout the eastern half of the United States included non-attainment areas like New Jersey.

PSE&G was an active participant in the OTAG process and sees two steps as essential for ozone relief.

1. New Jersey must actively support the USEPA's plan for reducing ozone transport. The USEPA's action is based on establishing a uniform 0.15 parts per million BTU NOx emission rate for all power plants in the 22

state region. In the past we have tried to remedy the effects of out-of-state pollution through increasingly costly local measures.

2. New Jersey must insure that electric industry restructuring does not harm air quality. Power plants in the Midwest and South operate with tall stacks and little or no environmental controls. They enjoy a competitive advantage over power plants in New Jersey which have advanced pollution control technology. If consumers choose the cheapest source of power, this competitive advantage will lead to more polluting power plants and more pollution transported to New Jersey on prevailing winds. It is important to support federal legislation which will condition national electric carriers by capping power plant emission through uniform air quality performance standards. It is important also to support a uniform environmental performance standard for anyone selling power in New Jersey. This will insure that power sold in new Jersey is not generated at the expense of the state's air quality. All power providers, whether they are located here or out of state should meet the same standards. Enforcement of the standard would need to be investigated. Through environmental disclosure the consumer is empowered to make choices by knowing where the power is coming from. It is also important to be able to identify false or misleading claims by those pretending to sell green power. Some marketers segment off a very small portion of their portfolio of power and call it green. Therefore, there needs to be some regulatory

language which makes clear and discloses the emission characteristics of the entire portfolio. In addition to controlling stationary sources of air pollution, mobile sources also play an important role. Enhanced I/M will lessen the contribution from mobile sources and should be implemented rapidly. New Jersey's credibility in arguing for regional emission reductions is compromised by its failure to implement Enhanced I/M. If further air quality improvements are required, we strongly urge the State to use economic incentive techniques, such as emissions trading to accomplish that end. The NJDEP's open market emissions trading rule represents an important tool for both the State and New Jersey's regulated community to maximize cost effective reductions for ozone precursors. We encourage the NJDEP to revise the existing rule consistent with PSE&G recommendations to the blue ribbon panel.

RUSSELL CERCHIARO - NEW JERSEY INDUSTRIAL GROUP

A regulatory legislative work group investigating the NJDEP's Operating Permit Program was formed in 1993. It was composed of six of the major industries and industry associations within the State including the New Jersey Business and Industry Association, the State Chamber of Commerce, the New Jersey R&D Council, New Jersey Petroleum Council, the New Jersey Chemical Industry Council, as well as the New Jersey Pharmaceutical Environmental Committee. We were concerned with the rules the department was developing and whether or not they would represent a level playing field federally. The work group was not looking to compromise environmental standards but to help streamline the program.

Computerizing the department was also of great interest to our work group so much so that we were willing to spend \$2,000,000 to accomplish that. We were concerned with the complexity of the rules, the cost of the program and its consistency with RACT and other federal programs. Another area of concern was R & D flexibility. R & D represents a 16 billion dollar a year industry in New Jersey. One dollar out of every ten that is spent in the United States on R & D is spent in New Jersey.

As a result of our efforts, industry agreed to pay a two-year surcharge and to fund four different areas. These included the development of the AIMS/RADIUS system, the development of state-of-the-art manuals (SOTA), development of general permits and the development of a standard permit conditions library. Many of these projects will be described or set forth in the May 4th New Jersey Register.

JAMES SINCLAIR - NEW JERSEY BUSINESS AND INDUSTRY ASSOCIATION

The competition from other states puts New Jersey at a disadvantage in air pollution control. The reality is that New Jersey is not a black box, separate and alone, but is impacted by pollution from other states. Transport is a major problem and Commissioner Shinn has recognized that fact. The only way that problem will be addressed is if there is a level playing field so that the standards that New Jersey has to meet will be the same nationwide.

New Jersey has made progress in improving air quality. We have reduced air pollution from 350,000 tons per year of criteria pollutants (VOC, NOx, SO2) to 138,711 tons per year. But, even with all this progress made, New Jersey ranks 41st in pollution generated compared to other states.

The Operating Permit Program should help New Jersey discover fugitive emissions and unregulated operations. This will result from industry looking at itself with a uniform microscope. The department's amnesty program has also helped with self-auditing. This appears to be a better enforcement program. Prudent use of resources is critical to the funding of the Operating Permit Program.

A recent issue of Scientific American discussed indoor pollution and asserted that the

exposure to toxic pollutants is far higher inside than outside. The article specifically mentioned Bayonne and Elizabeth. This problem should also be addressed by the NJ Clean Air Council.

JAMES SHISSIAS - NEW JERSEY CHAMBER OF COMMERCE

As New Jersey moves forward to meet clean air goals, it is important to be mindful of the intense competition globally that exists for industries that reside in the state. It is critical to keep industries competitive while they adhere to New Jersey's clean air requirements.

The business community is concerned with the issue of atmospheric deposition, the issue of transport of pollutants. We hope the Commissioner will encourage the USEPA to continue to be vigilant on the issue of enforcement of the OTAG settlements so that significant reductions from those states upwind of us can be accomplished. The business community also supports the Commissioner and the Governor with respect to emissions trading. If Enhanced I/M does bring the reductions needed emissions trading should be used.

On the issue of fees, the fee work group discussed a set of principles that should apply to whatever permanent formula is determined for fees. The fee structure should first provide adequate funding to support an efficient major source air program. Secondly, it should be fair, equitable allocated among the Title V facilities and reasonable related to the cost of administering the Title V permit program. Third it should encourage pollution reductions where practical. Fourth, it should minimize funding instability and fifth it should be competitive when compared to other states.

Finally, regarding the issue of fine particulates, the business community believes that the measurements are not well characterized or understood. We need to understand the biologically active fraction of the mass and the chemical composition of PM 2.5. Transport models need to be evaluated and all of the data necessary to determine whether the proposed standard is truly protective or just overly stringent relative to public health needs. The fact that the PM 2.5 standard will not require action regarding the SIPs until 2002 gives ample time to fill in important information gaps and determine what is scientifically defensive in terms of control.

MICHAEL EGENTON - STATE CHAMBER OF COMMERCE

When the air pollution sources are examined in New Jersey there are gaps in our understanding of where the pollution is coming from. These gaps can only be explained by considering the non-point sources of air pollution. These are lawn mowers, gas grills, jet skis, fireplaces, gas chain saws, even the emissions from the New Jersey Pine Barrens. Not that these things need to be regulated, but we need to recognize that they are part of the problem.

The area where gains can be made is certainly in Enhanced I/M. The Baker's Basin site is working well and the Chamber is dedicated to educating the public about the necessity of Enhanced I/M and its benefit for all New Jerseyans.

RICK FERBER - AUTOMOTIVE REPAIR INDUSTRY OF NEW JERSEY - PROFESSIONAL OIL TECHNICIAN ASSOCIATION - AUTOMOTIVE SERVICE ASSOCIATION OF NEW JERSEY

Our organizations believe that the proposed biennial inspection element in the Enhanced I/M program will not produce safer vehicles. Also, the lack of annual emission inspections will not improve New Jersey's air quality. Vehicles manufactured in the early 1980s require more emissions monitoring, not less. It would make sense to keep the annual emissions inspection for three to four more years. By that time, the New Jersey vehicle fleet will have been updated enough to proceed with a biennial emissions inspection without loss of air quality in our state. This time frame would also provide an incentive for the private inspection center to become a private inspection facility. If the private inspection facility plans to participate in Enhanced I/M the cost is between \$35,000 and \$60,000. Couple this with the cost of certified automotive emission technicians and inspectors and the private facility will need to charge \$55 to \$59 per car for New Jersey emissions and safety inspection. When compared to the centralized facility the private inspection facility would not be competitive.

By implementing a voucher program offered to private inspection facilities, the state could make the system more equitable. This voucher would be issued from the State to the private inspection facility that has completed each initial New Jersey Emissions and Safety Inspection. The value of each voucher would be from \$12.00 to \$19.00 as an incentive for early and continual participation in the Enhanced I/M program.

In Trenton on March 31, 1998 we testified during the public hearing on the State Implementation Plan. If the department and the State plan properly, the current 3,700 private inspection stations and the additional 500 prospective private centers along with the centralized facilities will be able to meet the needs of New Jersey drivers.

Another problem facing Enhanced I/M is public acceptance. There needs to be a major public awareness campaign outlining changes in Enhanced I/M and the reasons for those changes. Ultimately public support will control political support.

STEVEN GABEL - ENERGY CONSULTANT - INDEPENDENT ENERGY PRODUCERS OF NEW JERSEY.

The Independent Energy Producers of New Jersey is a trade association which represents the non-utility producers of power within the State of New Jersey. Most of these producers sell their power to the electric utilities who then resell that power to the end use customers within the State of New Jersey. This independent power industry provides about 13 percent of the capacity servicing New Jersey and about 25 to 40 percent of the overall energy supplies coming from the independent power industry.

Most of the power supply sources are derived from co-generation, which uses natural gas, although there are several coal units in New Jersey to generate both electricity and thermal energy.

From the viewpoint of the Independent Energy Producers the most pressing issue facing the State is the need to be aggressive in its pursuit of policies which force the federal government to require all power producers to operate with the same standards of environmental compliance as New Jersey. Independent Energy Producers in New Jersey have been using state-of-the-art emission controls and using gas-fired generators. This cleanliness needs to be rewarded regardless of what happens in the marketplace as the electric industry becomes more and more competitive.

If this nation moves in the wrong direction with restructuring the power industry, New Jersey power companies will suffer. American Electric Power, which is a major producer of power in the Midwest, generates primarily from coal and if they were to increase their level of output of electricity in response to competitive market opportunities, pollution would also increase. Their power plants operate at only 50 to 75 percent of capacity. If they just increased to 80 percent, there would be a 40,000 ton increase in emissions. That increase swamps the overall amount of emissions that all New Jersey industrial and electric generation facilities combined would emit in the year 2003.

Cost is another important factor to consider in the restructuring of the power industry. In New Jersey because of clean air rules it costs between \$1.50 to \$2.25 per kilowatt hour to develop a new combined cycle plant. The fuel cost basis is probably only \$.025 per kilowatt hour. Without recovering any capital, no rate of return, no profit, it is necessary to be able to sell power for \$.025 just to cover variable cost. A utility in the Midwest, which is getting all of its capital recovered from its captive rate payers in that service territory or has already recovered its capital because these are older generation plants, is at a great financial advantage competing against a generator trying to develop a new clean source in New Jersey. It is obvious that restructuring will take the air quality standards a step backwards. The Council and department must work to make sure this does not happen.

Disclosure of power sources so that consumers can make informed decisions about power suppliers is important. Consumers need to know what the emission levels are of the power that they are buying. We hope the NJDEP will continue to develop rule making on NOx emission in a way that promotes clean air.

JOSEPH PARRISH - RECTOR ST. JOHN'S CHURCH, ELIZABETH

We are very involved in clean air issues because Elizabeth is the smoke shade capital of New Jersey. When the air in Elizabeth is filtered through a piece of filter paper and weighed, it weighs more than air anywhere else in New Jersey as measured by the NJDEP. Elizabeth has the highest concentration of airborne particulates in the state.

Since 1990 five incinerators have been installed within a radius of six miles or less of our church and the New Jersey Turnpike has been widened to 14 lanes. The Bayway Texaco refinery immediately upwind has had three life threatening incidents since 1990. Fishing has been banned at the Elizabeth Marina and in Newark Bay due to the toxicity of the waters.

The results of all this environmental degradation are staggering. Since 1990 forty percent of our Sunday School children have been hospitalized for asthma, eight times the national average. Asthma deaths in Elizabeth are 25 times the national average.

The State of New Jersey needs immediate and thorough remediation to stop the air, water and land pollution. Controls on cars and buses are essential. The development of rail links should be the highest priority. Waste incineration should be ended. Technologies for composting should be used. Refineries should be closed and fishing in polluted waters prohibited. Medical treatment should be made available to all community members suffering from the effects of pollution. New projects should be suspended until these environmental measures are undertaken.

DOROTHY ANN WAXWOOD - CIVIC ASSOCIATION OF EAST RIVERTON

Cinnaminson has a Superfund landfill that is of grave concern. There are problems with the Raritan Potomac aquifer and private wells. Illnesses including cancer is on the rise in our area. We are requesting an air monitoring station for Union Landing Road because we also get emissions from the smoke stacks in Pennsylvania. NJDEP needs to enforce and implement existing regulations and not just collect fines. Health studies need to be done. We hope the NJDEP will concern itself with Cinnaminson and East Riverton and improve the quality of life for people living in those areas.

WRITTEN TESTIMONY

KATHLEEN C. CALLAHAN - DIRECTOR, DIVISION OF ENVIRONMENTAL PLANNING AND PROTECTION, USEPA

New Jersey's clean air plan needs to be aggressive in order to ensure healthy air for its citizens. New Jersey has taken a leadership role in the 37 state proposal to address ozone transport. Although New Jersey has made a significant improvement in air quality as the result of years of effort to reduce emission contributing to the formation of ozone, nevertheless, New Jersey is still out of compliance with the Clean Air Act as regards ozone. Last year there were ten days of unhealthy air quality.

Most mandatory programs are on schedule with the exception of the Enhanced I/M program. There is a serious problem since the Enhanced I/M program has the potential to provide substantial emission reductions at a reasonable cost. Not only will the delay the implementation of Enhanced I/M affect New Jersey air, but the State will also incur sanctions from the federal government. Therefore, New Jersey should move aggressively to implement the I/M program.

With a greater understanding of the role of transported pollutants in the formation of ozone, the USEPA is facing the challenge of controlling the precursors of ozone regionally. The USEPA is also studying how states can develop an emission based trading system that can be market driven. Reformulated gasoline and other fuel improvements, reformulation of consumer and commercial products, refinishing coatings, controls on motor vehicles and large diesel engine are examples of the controls being instituted by the USEPA. We are confident that New Jersey will rise to the clean air challenge and create a cleaner environment for its citizens.

Glossary of Abbreviations and Acronyms

AIMS - Air Information Management System

RADIUS - Remote Access Data Input User System

CO - Carbon monoxide

CO2 - Carbon Dioxide

CAAA - Clean Air Act Amendments

Department - New Jersey Department of Environmental Protection (NJDEP)

I/M - Inspection and Maintenance

LEV - Low Emission Vehicle

OTAG - Ozone Transport Assessment Group

NARSTO - North American Research Strategy for Tropospheric Ozone

NJDEP - New Jersey Department of Environmental Protection

NLEV - National Low Emission Vehicle

NOx - Nitrogen Oxides

RACT - Reasonably Available Control Technology

R&D - Research and Development

SIP - State Implementation Plan

SO2 - Sulfur Dioxide

USEPA - United States Environmental Protection Agency

VOCs - Volatile Organic Compounds

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