

NEW JERSEY CLEAN AIR COUNCIL

Clean Air Council Members

Michael Egenton, Chairman
James Blando, Ph. D., Vice Chairman
Ferdows Ali, Ph. D.
Jorge H. Berkowitz, Ph. D.
Leonard Bielory, M.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: 12-8-04

Clean Air Council Members

Stephen J. Papenberg
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

November 10, 2004, 9:30 a.m.

NJ Infrastructure Trust

3131 Princeton Pike

Building 6, 2nd Floor, Suite 201,

Lawrenceville, NJ. 08648

609-219-8600

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: Leonard Bielory, George Currier, Raymond Manganelli, John Maxwell

REPRESENTATIVE: Daniel Lefkowitz for James Blando

NJDEP/SPEAKERS: Bill O’Sullivan, Director, Division of Air Quality; Sunila Agrawal, Section Chief, Bureau of Preconstruction Permitting, Division of Air Quality; Pat Matarazzo, Chairman, Clean Water Council; Narinder Ahuja, Director, Division of Water Quality

PUBLIC: Kelly Moretta, Schering-Plough Corp., Tony Russo, Chemical Council of NJ; Dennis Poole, NJ Environmental Lobby; LeeAnn Gerrard, Living Technologies Air & Water Purification;

Meeting Record

Roll call was taken. Chairman called for motion to approve the September and October minutes. Irwin Zonis made the motion to approve September minutes as submitted and to approve October minutes with minor changes. Jorge Berkowitz seconded the motion. The September and October minutes were approved by a unanimous vote.

Administrative Report

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

- NJ Mercury Rule Expansion - Was adopted November 4 and is expected to be published in the 12/6/04 NJ Register. Includes new mercury limits on iron and steel scrap melting, medical waste incineration, and coal combustion. Provides an example for EPA, whose mercury rules for coal are not expected until 3/15/05.
- Nitrogen Oxide Rule Proposal - Public Hearing was on 10/28/04, and the comment period closed on 11/19/04. This is the last of the 6 rules developed with the Ozone Transport Commission to close the gap in NOx and VOC reductions for the 1 hour ozone standard and to make progress towards attaining the 8 hour ozone standard.
- Mid Course Correction - This evaluation will review the status of efforts to attain the 1-hour ozone standard, including the NOx rule in item 2 above. The draft report will be made available on the DEP web, probably late in November, for an informal comment period before submittal to EPA at the end of the year.
- Diesel particulate legislation - There was a Senate hearing on Nov. 15. More hearings may occur prior to a vote.
- FY06 budget and fees - Many years of level budgets have left the air program under funded for current operating costs. Continuation of permit review contracts and development of further development of electronic general permits are in jeopardy. A rule to increase fees for minor facility permits is under development. The last time minor facility fees were raised was in 1991.

NEW JERSEY REVISED MERCURY RULE

Presented by Sunila Agrawal, Section Chief, Bureau of Pre-Construction Permitting, Division of Air Quality: (See Attachment 2)

- Mercury is a toxic heavy metal that persists in the environment once released. It deposits and bioaccumulates in aquatic ecosystems. There are serious health risks for humans and animals that eat mercury contaminated fish. Mercury has local and long range transport effects.
- There are existing and upcoming USEPA mercury standards for municipal and solid waste incinerators (MSW), hospital/medical/infectious waste incinerators (HMIW), iron and steel foundries, and coal-fired boilers.
- The Mercury Action Plan of New England Governors/Eastern Canadian Premiers has set three goals. The first interim goal of 50% reduction has been achieved with MSW and HMIW measures. A second interim goal of 75% reduction by 2010, with an evaluation in 2005 of MSW and HMIW incinerators, and coal-fired boilers. Its final goal is virtual elimination of mercury emissions. NJ's second Mercury Task Force recommended 85% decrease in state Mercury emissions from 1996 to 2011, from all sources.
- Appearing in the December 6, 2004 NJ Register, the NJ Mercury Rule has tighter MSW limits and first-time limits for HMIW, iron or steel melters and coal-fired boilers.

MTBE

Establish MTBE Task Force comprised of members of CAC & CWC: Michael Egenton, John Maxwell, Jorge Berkowitz, Jim Blando, Daniel Lefkowitz, Pat Matarazzo and his designees. Requested meeting with Sam Wolfe, Bill O'Sullivan and DEP technical experts to brief the MTBE Task Force in December 2004. CAC to revisit MTBE at January 2005 meeting.

Odor Elimination

Presented by Pat Matarazzo, Chairman, Clean Water Council

- Will be included as addendum to December, 2004 minutes.

NEW BUSINESS/OLD BUSINESS

- Chairman shared the sad news about the passing of Gilberto Soto on November 5. Gilberto was an enthusiastic, energetic person whose work on the Council was appreciated. A moment of prayer was offered in memory of Gilberto.
- Chairman shared that Dr.Manganelli is on temporary leave from the council due to illness.
- Chairman encouraged members to bring noteworthy efforts, achievements, awards, etc. of council members to the attention of the CAC.
- Chairman praised Peg Hanna of DEP for her efforts to limit idling of diesel engines, and to advance electrification capabilities at truck stops.
- Jorge Berkowitz asked for a status of filling CAC vacancies, and reinforcing with the new administration that Joseph Spatola be reinstated.
- Annual Public Hearing Update
 - *Dr. Bielory replaced Mayor Feyl as chairman of the Hearing Sub-committee.
 - *Members to bring two names of suggested speakers to December's meeting or send to Sonia if not attending the meeting.
 - *The topic is "Public Health Costs of Air Pollution". Sub-categories are Health Care Costs and Environmental Justice.
- After an introduction of those in attendance, Chairman Egenton opened the joint meeting, encouraging that the CAC & CWC continue to meet together at least once a year.
- Chairman called for motion to adjourn the meeting. Irwin Zonis made the motion, seconded by Marcelino Iglesias. The meeting was adjourned at 12:08 p.m.

ARTICLES OF INTEREST

- New Clips

NEXT MEETING

December 8, 2004, 9:30 a.m., Newark Airport, Continental Airlines Terminal C-2, Liberty Conference Room, Newark, New Jersey