

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

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Draft Approved: October 8, 2008

NJ CLEAN AIR COUNCIL MEETING RECORD

September 10, 2008, 9:30 a.m.

UMDNJ, School of Public Health

Room 3A/3B, 3rd floor

683 Hoes Lane West, Piscataway, NJ 08854

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: Ferdows Ali, Joseph Constance, Manuel Fuentes-Cotto, Pam Mount, Joyce Paul, Kenneth Thoman

REPRESENTATIVE: David Brogan for Jorge Berkowitz

SPEAKERS: Chris Salmi, Assistant Director, Air Quality Management; Danny Wong, Acting Bureau Chief, Air Quality Planning

VISITORS: Michael Hornsby, PSEG

Meeting Record

Roll call was taken. Chairman called for motion to approve the June and July minutes. Irwin Zonis made the motion to approve June and July minutes as submitted. Dr. Bielory seconded the motion. The June and July minutes were approved by a unanimous vote.

Administrative Report

Presented by Chris Salmi Assistant Director, Air Quality Management:

- Clean Air Interstate Rule (CAIR)—The US Court of Appeals for the District of Columbia Circuit vacated the Federal CAIR rule on July 11, 2008. The CAIR rule set emission caps on NO_x and SO_x in the eastern U.S. allowing trading within the regions. This decision affects the State's CAIR allocation rule, and the ozone and PM_{2.5} State Implementation Plans (SIPs) rule. With respect to ozone, the NO_x Budget

program will need to be reinstated to maintain the summertime NOx emissions trading program. It is scheduled to end on January 1, 2009.

- Diesel Program:
School Buses—Approval for funding for the School Bus Voluntary Early Compliance Program is underway, enabling the installation of tailpipe retrofits on 400 buses that operate within or near an urban complex. A notice of funding availability was published in the July 7, 2008 New Jersey Register initiating the requirement for all diesel school buses to have closed crankcase ventilation systems installed. School buses now have 2 years to submit cost estimate information and have the closed crankcase ventilation systems installed.
Regulated solid waste vehicles owners were required to submit by June 6 an inventory and cost estimate to reduce tailpipe particulate emissions by at least 50 percent. Submittals for over 80% of the garbage trucks were received and a reminder notice is being sent to the remainder.
- Locomotive Idling Reduction--On July 28, the North Jersey Transportation Planning Authority approved \$537,500 in Congestion Mitigation and Air Quality (CMAQ) funding for NJ Transit to purchase automatic start/stop devices for 33 of their newest locomotives. The fuel savings from these 33 units would be about \$835,000 per year. The devices would reduce emissions by 26 tons per year of nitrogen oxides, 0.51 tons per year of particulate matter, and 2,269 tons per year of carbon dioxide.
- NJDEP Submitted Diesel Emissions Reduction Act (DERA) Grant--NJDEP received preliminary approval of \$295,320 for USEPA's fiscal year 2009, with NJDEP providing a match of \$196,880. This grant will be utilized to retrofit non-road construction vehicles used on projects approved and funded by the Environmental Infrastructure Trust projects.
- Inspection/Maintenance (I/M) Program—The new I/M program contractor began in May, 2008. The new program is scheduled to begin in June 2009. Seminars to inform the privately run inspection facilities and the diesel emission inspection centers on the upcoming changes to the I/M program were held in August and September. MACTEC won the contract to provide project management oversight of the program, including oversight of equipment retrofits, construction, data systems design and acceptance testing of hardware and software.
- USEPA Maximum Achievable Control Technology (MACT) Rule—The rule was struck down by the court in June 2007, pursuant to Section 112(j) of the Clean Air Act (the "MACT hammer"). With no federal rule in place regulating the source category, states are required to set the limits for the affected facilities on a case-by-case basis. The National Association of Clean Air Agencies (NACAA) has developed Model Permit Guidance for reducing hazardous air pollutants from ICI boilers located at refineries, paper mills, manufacturing plants and other facilities. New Jersey is developing a plan of action for its approximately 150 ICI boilers at 30 major HAP facilities. Since NJ Title V rules already have provisions for case by case MACT, rulemaking is not necessary. We expect to require significant modification applications for the Title V permits by the end of 2008. NJ only has oil, natural gas and refinery gas fired ICI boilers.
- Emission Statement Reporting—There was over 90% Compliance with the 2007 Emission Statement Reporting. The Division of Air Quality received 563 of the 605 expected Emission Statements for the 2007 reporting year. The Emission Statement Rule (N.J.A.C. 7:27-21) requires all Emission Statements to be submitted by May 15th of each year. An extension to June 15th may be requested.

Update on New Jersey Air Quality Attainment Plans

Presented by Danny Wong, Acting Bureau Chief, Air Quality Planning:

Current Air Quality Plans

- 1-Hour Ozone—4 nonattainment areas in New Jersey; Based on 2003 – 2005 air quality data, the November 15, 2005 attainment date for the Philadelphia nonattainment area was met. The New York City nonattainment area did not meet its attainment date of November 15, 2007, based on 2004-2006 air quality data.
- 8-Hour Ozone—The 1997 standard is 0.08 ppm. The entire State is in nonattainment. On October 29, 2007, the final 8-hour ozone SIP submitted to the USEPA (<http://www.nj.gov/dep/baqp/8hrsip/8hrsip.html>). The attainment date is June 15, 2010.
- PM_{2.5}—The 1997 standard—daily: 65 ug/m³=attainment; annual: 15 ug/m³=nonattainment. The proposed PM_{2.5} SIP that was submitted on June 16, 2008 is available at <http://www.nj.gov/dep/baqp/pm25sip/pm25sip.html>. The Final PM_{2.5} SIP is anticipated to be submitted to the USEPA by October, 2008. The attainment date is April 5, 2010.
- Regional Haze—The goal is to improve visibility to natural background levels by the year 2064 in all federally designated Class I areas (42 U.S.C. § 7492). This goal is to be achieved by requiring all states to periodically conduct an analysis of available reasonable measures and implement these measures. The first milestone (goal) year is 2018. The proposed SIP was submitted September 15, 2008. The first progress assessment is 2013, subsequent progress assessments every 10 years. 2018 is the first milestone year, subsequent milestone years every 10 years. The attainment date is 2064.
- Various state regulations are in the operative, proposed or in-preparation stages.

Future Air Quality Plans

- 2006 PM_{2.5} National Ambient Air Quality Standard (NAAQS) Status—The standard is: annual—15 ug/m³. daily—35 ug/m³. The USEPA proposed designations for New Jersey on August 19, 2008 were not changed from the boundaries for the 1997 standards (Northern NJ, NY, CT, Southern NJ, Phila). New Jersey recommended that it be included in three multi-state nonattainment areas. The designation recommendation was submitted to USEPA December 18, 2007. By December 18, 2008, USEPA issues final designations. April, 2009 is the effective date of the designations. The PM_{2.5} SIP is due April 2012. The attainment date is April, 2014.
- 2008 8-Hour Ozone NAAQS Plan Status—The Standard is 0.075 ppm. State designation recommendations due to USEPA March 12, 2009. USEPA issues final designations by March 12, 2010. SIP 2013. The attainment date, depending on classification, is 2013-2030.
- 2008 Lead NAAQS-- Current standard is 1.5µg/m³ (set in 1978). 2008 proposed standard is 0.1 – 0.3 µg/m³. Averaging time is a calendar quarter. Indicator is total suspended particle (TSP) lead. Standard will be finalized by Oct. 15, 2008.
- Regional Haze—First progress report that evaluates progress toward the reasonable progress goal is due 2013. The first milestone year is 2018, with the implementation plan due July 31, 2018.
- Emissions Inventory—Upcoming inventory projects include the 2008 National Emissions Inventory (NEI)/Emission Inventory System (EIS), baseline SIP inventories and projection inventories for SIPs.
- Greenhouse Gas Regulations (GHG)—There are two future measures: CO₂ Budget trading program set for adoption by December, 2008 (affects point sector) and GHG reporting to be published in the NJ Register by 2008(affects all sectors).

- Clean Air Interstate Rule (CAIR)—Federal CAIR was vacated on July 11, 2008. Proposed rulemaking to continue the NOx Budget Program past 2008 is scheduled to be published in the NJ Register in October, 2008. The anticipated rule operative date is April 30, 2009.
- Wood Burning—NJ Compliance and Enforcement Program issued an advisory in March 2008 for outdoor wood boilers that the units cannot emit smoke for more than 3 minutes in any 30 minute period. The fine for a first offense is a \$300 fine.

NEW BUSINESS/OLD BUSINESS

- Chairman asked that the CAC send a letter to Dr. Bielory supporting his application for funds from the Environmental Protection Agency National Center for Environmental Research for its STAR Program for *Climate Change and Allergic Airway Disease*. The project would explore the synergy between airborne allergens, climate change, and traditional air pollutants with regard to asthma and other allergic disorders. John Maxwell made a motion to send the letter to support the proposal. Michael Egenton seconded the motion. Chairman will prepare and send the letter on behalf of the CAC.
- Irwin Zonis gave 5-minute presentation on highlights of CAC's past year's activities. Members voted to send the highlights to the organizations represented on the CAC with a thank you letter from Commissioner Jackson.
- Nomination and Election of Officers—The Nominating Committee, Irwin Zonis and Joseph Spatola, nominated Dr. Leonard Bielory and Toby Hanna to serve as chairperson and vice-chairperson, respectively. Irwin Zonis asked for any nominations from the floor. None were made. Irwin Zonis asked for a vote on the election of Dr. Bielory and Mr. Hanna. Chairman called for a vote. The motion was carried by a unanimous vote. Dr. Bielory and Toby Hanna were elected to serve as chairperson and vice-chairperson.
- Chairman called for motion to adjourn the meeting. Michael Egenton made the motion to adjourn, seconded by Toby Hanna. The meeting was adjourned at 12:05 p.m.

ARTICLES OF INTEREST

- News Clips

NEXT MEETING

October 8, 2008, 9:30 a.m., McGuire Air Force Base, Wing Conference Room, Wing Headquarters Building, Bldg. 2901, Falcon Lane