ANNUAL REPORT
Of The
AIR RESOURCES COUNCIL
2015
SUBMITTED TO

Her Excellency, Governor Margaret Wood Hassan

Executive Council
The Honorable Joseph D. Kenney
The Honorable Colin Van Ostern
The Honorable Christopher T. Sununu
The Honorable Christopher C. Pappas
The Honorable David K. Wheeler
Commissioner Thomas S. Burack

RESPECTFULLY SUBMITTED

Robert Duval, Chairman
March 1, 2015
AIR RESOURCES COUNCIL

MEMBERSHIP CONTACT INFORMATION
Air Resources Council

Eleven members appointed by the governor with consent of the executive council to serve **four-year terms** as follows: one representing the steam power generating industry; one representing the oil industry; one representing the natural gas industry; one the manufacturing component of industry; one the field of municipal government; and six members at large who shall represent the general public, one of whom shall be a licensed practicing physician or other health care professional possessing expertise in the field of public health and the health-related impacts of air pollution, one who shall represent the field of recreation and at least one of whom shall represent environmental interests. Members representing public interest may not derive any significant portion of their income from persons subject to permits or enforcement orders, and may not serve as attorney for, act as consultant for, serve as officer or director of, or hold any other official or contractual relationship with any persons subject to permits or enforcement orders. All potential conflicts of interest shall be adequately disclosed. All members shall be residents of N.H. RSA 21-O (Ch. 62, 2006. Eff. 6/23/06)

DAVID G. COLLINS, Bow - Vice-Chairman
June 6, 2001 to September 6, 2019
(Fuel Oils Industry)

KRIS NILS BLOMBACK, Henniker
November 6, 2013 to October 24, 2019
(Recreation)

RAYMOND R. DONALD, Kingston
January 10, 1996 to October 24, 2017
(Municipal Government)

VACANT
(Manufacturing Component of Industry)

J. RYAN BIELAGUS, Amherst
January 4, 2005 to December 6, 2015
(General Public)

MARK LAMBERT, Bedford
July 13, 2005 to October 4, 2019
(Natural Gas Industry)

ROBERT DUVAL, Manchester - Chairman
September 17, 2003 to November 21, 2018
(General Public)

DEBORAH CHABOT, Hancock
June 8, 2011 to October 24, 2018
(Health Care Professional)

GEORGIA MURRAY, Conway
January 11, 2006 to October 24, 2017
(Environmental Interest)

WILLIAM H. SMAGULA, Bedford
September 5, 2007 to October 24, 2017
(Steam Power Generating Industry)

CARMELA C. AMATO-WIERDA, Durham
November 9, 2011 to December 6, 2018
(General Public)
AIR RESOURCES COUNCIL MEMBERS

CHAIR/AT LARGE/PUBLIC INTEREST

Robert Duval
T.F. Moran, Inc.
48 Constitution Drive
Bedford, NH 03110-6000

Term Exp: 11/21/18

Work: 472-4488
Fax: 472-9747
Home: rduval@tfmoran.com

VICE-CHAIR/FUEL OIL INDUSTRY:

David G. Collins
22 Van Ger Drive
Bow, NH 03304

Mail All ARC Correspondence To:
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1 Capital Plaza
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Concord, NH 03302-1500

Term Exp: 09/06/19

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Home:
Fax: 226-2700
dgc@rathlaw.com

AT LARGE/ENVIRONMENTAL INTEREST:

Georgia Murray
Staff Scientist, Appalachian Mountain Club
P.O. Box 1747
Conway, NH 03818

Term Exp: 10/24/17

Work: 466-2721 Ext. 8111
Home: 447-6837
Fax: 466-2822

gmurray@outdoors.org

AT LARGE/RECREATION INDUSTRY:

Kris Nils Blomback
203 Highland Drive
Henniker, NH 03242

Term Exp: 10/24/15

Work: 428-3245
Home:
Fax: 428-7821

kris@patspeak.com

AT LARGE/PUBLIC INTEREST:

Carmela Amato-Wierda, Ph.D.
22 Orchard Drive
Durham, NH 03824

Term Exp: 12/06/14

Bus: 862-2526
Home:
Fax:
ccaw@unh.edu

J. Ryan Bielagus
Andover Consulting Group, Inc.
302 Riverway Place
Amherst, NH 03031

Term Exp: 12/6/15

Work: 668-7046
Cell: 867-4064
ryan@andoverconsulting.com
Air Resources Council Members
Updated: 01/07/15

STEAM POWER GENERATING INDUSTRY:

William H. Smagula
PSNH
P.O. Box 330
Manchester, NH 03105-0330

Term Exp: 10/24/17

MUNICIPAL GOVERNMENT:

Raymond R. Donald
Vice-President, Kingston Zoning Board
6 Concannon Road
Kingston, NH 03848

Term Exp: 10/24/17

NATURAL GAS INDUSTRY:

Mark Lambert
Unitil Corporation
6 Liberty Lane West
Hampton, NH 03842

Term Exp: 10/04/19

AT LARGE/HEALTH CARE PROFESSIONAL:

Deborah Chabot
41 Lee Farm Road
Hancock, NH 03449

Term Exp. 10/24/18

MANUFACTURING COMPONENT OF INDUSTRY:

VACANT

Term Exp: 11/21/14

VACANCIES: (1)

Counsel:
Brian Buonamano
Assistant Attorney General
State of NH, Office of the Attorney General
Phone: 271-3675
Fax: 271-2110
Brian.Buonamano@doj.nh.gov
AIR RESOURCES COUNCIL

RECORD OF ATTENDANCE
<table>
<thead>
<tr>
<th>Name</th>
<th>January</th>
<th>February</th>
<th>March</th>
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<td>Georgia Murray</td>
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<td>William Smagula</td>
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AIR RESOURCES COUNCIL

NOTICE OF MEETINGS
NOTICE OF MEETINGS

The Air Resources Council will meet on the following dates at 9:00 a.m., in Conference Rooms 112 & 113 at the New Hampshire Department of Environmental Services 29 Hazen Drive, Concord, New Hampshire:

AIR RESOURCES COUNCIL

MEETING AGENDAS
&
MEETING MINUTES
NOTICE OF MEETING
January 12, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, January 12, 2015 in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #227)

3. Air Resources Division Report
   Craig Wright, Director
   - Legislative Update
   - Significant Permit Activities
   - Other ARD Activities

4. Old Business

5. New Business

6. Public Commentary
   - Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division

7. Adjourn
Call to Order:
Chairman Duval called Meeting #228 of the Air Resources Council (ARC) to order at 9:10 a.m. on Monday, January 12, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Raymond Donald entered a motion to accept the minutes of meeting #227 with minor revisions. Kris Blomback seconded the motion. William Smagula abstained. All others were in favor. The motion carried. The minutes of ARC meeting #227 of October 20, 2014, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Air Resources Division Related Legislative Service Requests
Director Wright provided members of the ARC with a list of 2015 Legislative Service Requests relative to the programs of the Air resources Division (ARD):


2015-H-0076-R, relative to idling by diesel locomotives. Sponsor: Norman Major

2015-H-0083-R, relative to renewable portfolio standards. Sponsor: Jack Flanagan

2015-H-0098-R, relative to a performance audit of the air and water pollution control facilities program. Sponsor: Robert Cushing

2015-H-0120-R, relative to the application of residential customer regional greenhouse gas initiative rebates to low income weatherization. Sponsor: David Borden

2015-H-0176-R, relative to motor vehicle inspections.

2015-H-0249-R, allowing sale of gasoline without ethanol. Sponsor: Donald McClarren

2015-H-0321-R, relative to motor vehicle emission requirements. Sponsor: James Parison
2015-S-0386-R, limiting the sulfur content of fuels. Sponsor: Jeb Bradley

As supplemental information regarding this LSR, Director Wright provided members of the ARC with the following map showing the status of Low Sulfur Fuel oil in the Northeast:

Director Wright believes this may become a study bill and will share the text of the legislation as it becomes available.

2015-H-0442-L, relative to the vehicle registration fee. Sponsor: Amanda Bouldin

Chairman Duval asked if there is any legislation concerning consolidating NHDES permits. Director Wright reported that the legislation concerns permits relative to the Water Division and the Land Resource Management Programs.
Budget

Director Wright apprised members of the ARC with an overview of the ARD's program revenues as depicted by the following graph.

Noting that motor vehicle emissions account for approximately fifty percent of emissions in NH, Director Wright stated that the ARD currently receives $.25/motor vehicle inspection fee, and will request an increase to $.75/inspection fee.

Director Wright also provided members of the ARC with a graph depicting the ARD's Emission-Based Fee Rates for Air Permits which is currently set at $235.50/ton. Director Wright expects this emission-based fee to increase in 2015.

Georgia Murray recommended that Director Wright prepare and include a chart that depicts the increased program complexities and workload on ARD staff in addition to the charts illustrating program revenues by source.

Public Service Company of New Hampshire (PSNH) Schiller Station

Director Wright reported that on December 18, 2014, the Sierra Club Filed suit against the United States Environmental Protection Agency (EPA) in the D.C. District Court for EPA's failure to grant or deny their Title V Petition.

The NHDES is working with PSNH on a modeling demonstration to facilitate a better understating of local air quality influences associated with emissions from the Schiller Station power plant in Portsmouth, NH relative to the recently revised national ambient air quality standard for SO2. The air quality monitoring station will be located in the middle of the cul-de-sac on Sawgrass Lane in Eliot, ME. Director Wright added that the monitor will be stationed at Sawgrass Lane for one year to collect fact-based data for all parties involved. Dr. Jeffrey Underhill, Chief Scientist for the Air Resources Division will be reviewing the data taking in to account other sources in the area contributing to wind speed.

William Smagula added that the Sierra Club assisted the Town of Eliot, Maine to file a Good Neighbor Petition while incorrectly interpreting the process for a state to file such a petition against another state; not a municipality filing against a state.
North Country Environmental Services, Bethlehem
On January 6, the ARD received an application for a Temporary Permit for an expansion of the North Country Environmental Services landfill in Bethlehem.

Env-A 900, Owner-Operator Record Keeping
Director Wright informed members of the ARC that the prior to presenting any revisions to Env-A 900, the ARD will assemble a stakeholder group during the month of February 2015, and plans to present the rule to the ARC in March 2015.

Status of Appeals
Currently, there are no appeals before the ARC.

New Business
Chairman Duval noted the following vacancies on the Air Resources Council:
- Gas Industry
- Manufacturing Component of Industry

Chairman Duval asked members of the ARC to contact individuals who may be interested in appointment to serve in these sectors, and to contact the Governor's Office with any recommendations.

Other Business
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, February 9, 2015.

Public Commentary
No members of the public were present.

Adjourn
Having no further business to discuss, William Smagula entered a motion to adjourn, seconded by Raymond Donald. All were in favor. Meeting #228 of the Air Resources Council adjourned at 10:00 a.m., on January 12, 2015.
NOTICE OF MEETING
February 9, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m. Monday, February 9, 2015 in Conference Rooms 112 & 113 NH Department of Environmental Services 29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order
2. Approval of Minutes (Meeting #228)
3. Air Resources Division Report  
   Craig Wright, Director  
   • Legislative Update  
   • Significant Permit Activities  
   • Other ARD Activities
4. Rulemaking Update  
   Karla McManus, Planning and Rules Manager
5. Old Business
6. New Business
7. Public Commentary  
   • Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division
8. Adjourn
AIR RESOURCES COUNCIL
MINUTES OF MEETING #229
02/09/15

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, William Smagula (via conf. call), Kris Blomback, Deborah Chabot (via conf. call)

MEMBERS NOT PRESENT: Ryan Bielagus, Raymond Donald, Carmela Amato-Wierda, Georgia Murray

NHDES – ARD PERSONNEL: Craig Wright, Gary Milbury, Todd Moore, Sonny Strickland, Michele Roberge, K. McManus

OTHERS PRESENT: Anne Keach

Call to Order:
Chairman Duval called Meeting #229 of the Air Resources Council (ARC) to order at 9:40 a.m. on Monday, February 9, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Kris Blomback entered a motion to accept the minutes of meeting #228. David Collins seconded the motion. All others were in favor. The motion carried. The minutes of ARC meeting #228 of January 12, 2015, were approved and accepted by the ARC.

Preview Summary of Draft Amendments to Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations
Due to the inclement weather and the delayed start of the ARC Meeting, Chairman Duval requested that Karla McManus and Todd Moore present members of the ARC with a preview of draft amendments to Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations, prior to the Director Division Update.

Mr. Moore, Construction and Planning Manager of the Permitting and Environmental Health Bureau informed members of the ARC that the formal presentation of amendments to Env-A 900 will be presented to the ARC at the March 16, 2015 meeting. Mr. Moore stated that the purpose of Env-A 900 is to require sources that emit regulated air pollutants to keep appropriate records so that emissions can be calculated and reported to the NHDES as necessary to demonstrate compliance with state and federal laws and regulations. Every source that has an air permit is subject to some requirements contained in Env-A 900. In fact, even sources of air emissions which do not need air permits are subject to some minimal recordkeeping obligations contained in Env-A 900 for the purposes of demonstrating compliance with state and federal laws and regulations.

Chapter Env-A 900 includes recordkeeping and reporting requirements associated with maintaining an air permit, including requirements for maintaining records of production and operation, maintaining records of actual emissions of air pollutants, and periodically providing reports of actual operations and emissions to the ARD. It also specifies the recordkeeping and reporting obligations for sources when deviations from their permit conditions occur.
The proposed changes will affect every source which holds a Temporary Permit, State Permit to Operate, or a Title V Operating Permit. A summary of the draft changes to Env-A 900 includes:

**Submittal of Report (Env-A 907)**

- Add requirements that each report submitted to the ARD be clearly labeled to identify its purpose and contents.
- Clarify that reports may be submitted via electronic media.

**Annual Emissions Reporting Requirements (Env-A 907.01(.02))**

- Currently Env-A 907.01 requires that all sources which hold a Temporary Permit, State Permit to Operate, or a Title V Operating Permit must annually submit a report of their actual emissions of all regulated air pollutants and all regulated toxic air pollutants. The ARD has determined that it is not necessary for all sources to submit all of that data. The draft amendment set up a tiered system which will reduce the number of pollutants required to be reported by many sources operating under Temporary Permits or State Permits to Operate.
- Add a requirement that sources subject to Title V include, in their annual emissions report, a breakdown of fine particulate emissions by type and greenhouse gas emissions. This information is already required to be compiled and submitted by these sources as part of their Title V permit renewal applications.
- Remove the requirement that sources subject to Title V include, in their annual emissions report, actual emissions from insignificant activities.
- Remove the requirement that sources subject to Title V pay fees on emissions from insignificant activities.

**VOC RACT Reporting Requirements (Env-A 908.03)**

- Remove the requirement that sources subject to VOC RACT annually submit process data demonstrating compliance with RACVT requirements. These sources will still be required to maintain records of this information, but sources would only need to submit the information to the ARD upon request.

**Non-Title V Source Permit Deviation Reporting (Env-A 911.02(b))**

- Add a requirement that sources not subject to Title V (commonly referred to as ‘minor’ or ‘state’ sources) record and report to the ARD information regarding any failure to comply with an air pollution control equipment operating parameters and/or any permit deviation which causes excess emissions.

Mr. Moore reported that the feedback received from the January 9, 2015 stakeholder meeting was positive, particularly concerning removing the requirement to include emissions from insignificant activities in their reporting.

William Smagula stated he appreciates the efforts made by the ARD to engage multiple stakeholders and providing a beneficial dialogue at the stakeholder meetings in order to create the draft amendments to Env-A 900.

Mr. Moore assured members of the ARC that he will provide an update of the amendments to Env-A 900 at the next ARC meeting on March 16, 2015. He added that an additional stakeholder meeting will be held on Thursday, February 12, 2015 at 9:30 a.m. at 29 Hazen Drive, Concord, NH and invited members of the ARC to attend.
Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Air Resources Division Related Legislative Activity
Director Wright provided members of the ARC with an update of 2015 Legislative activity relevant to ARD programs:

HB 208, relative to repealing the New Hampshire Regional Greenhouse Gas Initiative program. 
Sponsor: Rep. Barry 
Position: Oppose

HB 574, relative to regional greenhouse gas initiative distributions to residential customers. 
Sponsor: Rep. Borden 
Position: Support

As supplemental information, Director Wright requested that copies and/or a link to the New Hampshire Public Utilities Commission, Results and Effectiveness of the System Benefits Charge Annual Report be provided to members of the ARC.

Permitting
On-Line Permitting Systems - Director Wright announced that over 99% of sources have registered to use the ARD’s on-line permitting system to renew their permits for emergency generators.

Schiller Station, Portsmouth, NH - Northeast Utilities, Public Service of New Hampshire has applied for a temporary permit for the installation of air pollution control equipment on Units SR4 and SR6 to reduce mercury and air toxics. A public hearing has been scheduled for Wednesday, March 18, 2015, at the Portsmouth City Hall, Council Chambers at 6:00 p.m.

Cheshire County Woodstove Change Out Program - On January 22, 2015, Director Wright attended a press event announcing the launching of a woodstove change out program for Cheshire County. Residents may turn in old, inefficient woodstoves and receive a voucher worth $1,000 towards an EPA certified woodstove, $1,500 towards a pellet orgas stove, or $4,000 towards a new outdoor wood boiler. A total of $425,000 in vouchers will be dispersed. This is the second woodstove change out program in less than ten years that has targeted Cheshire County in order to improve air quality in the region.

Status of Appeals
Currently, there are no appeals before the ARC.

New Business
No new business of the ARC was discussed.

Other Business
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, March 16, 2015.

Public Commentary
No members of the public were present.

Adjourn
Having no further business to discuss, David Collins entered a motion to adjourn, seconded by Kris Blomback. All were in favor. Meeting #229 of the Air Resources Council adjourned at 10:10 a.m., on February 9, 2015.
NOTICE OF MEETING
March 16, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, March 16, 2015 in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #229)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations
   Karla McManus, Planning and Rules Manager
   Todd Moore, Construction & Planning Manager, Permitting and Environmental Health Bureau

5. Old Business

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division

8. Adjourn
AIR RESOURCES COUNCIL
MINUTES OF MEETING #230
03/16/15

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, William Smagula, Kris Blomback, Ryan Bielagus, Deborah Chabot, C. Amato-Wierda

MEMBERS NOT PRESENT: Raymond Donald, Georgia Murray

NHDES – ARD PERSONNEL: Michael Fitzgerald, Gary Milbury, Todd Moore, Raymond Walters, Sonny Strickland, K. McManus

OTHERS PRESENT: Anne Keach

Call to Order:
Chairman Duval called Meeting #230 of the Air Resources Council (ARC) to order at 9:05 a.m. on Monday, March 16, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
David Collins entered a motion to accept the minutes of meeting #229. William Smagula seconded the motion. All others were in favor. The motion carried. The minutes of ARC meeting #229 of February 9, 2015, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Michael Fitzgerald, Assistant Director of the Air Resources Division (ARD). Mr. Fitzgerald briefly updated members of the ARC regarding issues relative to the ARD, including:

Permitting
Schiller Station, Portsmouth, NH – Eversource (formerly Public Service of New Hampshire) has applied for a temporary permit for the installation of air pollution control equipment on Units SR4 and SR6 to reduce mercury and air toxics. A public hearing has been scheduled for Wednesday, March 18, 2015, at the Portsmouth City Hall, Council Chambers at 6:00 p.m.

Amonoosuc Asphalt, Inc., Lisbon, NH – has applied for a temporary permit to operate a Hot Mix Asphalt Batch Plant and a Prime Power Generating Engine. A public hearing to receive oral and written public comments will be held on May 13, 2015, at the Lisbon Town Hall in Lisbon, NH, at 6:00 p.m.

Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations:
Karla McManus, Todd Moore and Raymond Walters of the Air Resources Division presented the proposed readoption of Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations. Ms. McManus stated that Env-A 900, Owner or Operator Recordkeeping and Reporting Obligations, is due to expire on April 21, 2015. This rule includes recordkeeping and reporting requirements associated with maintaining an air permit, including requirements for maintaining records of production and operation, maintaining records of actual emissions of air pollutants, and periodically providing reports of actual operations and emissions to ARD. It also specifies the recordkeeping and reporting obligations for sources when deviations from their permit conditions occur.

The ARD is proposing to readopt Env-A 900 with the following changes:
In General

- Clarify that the chapter applies to each stationary source, area source or device
- Add a definition of “Electronic means” for reporting

Submittal of Reports (Env-A 907)

- Add a requirement that each report submitted to ARD be clearly labeled to identify its purpose and contents.
- Clarify that reports may be submitted via electronic means.

Annual Emissions Reporting Requirements (Env-A 907.02)

- Currently, Env-A 907.01 requires that all sources which hold a Temporary Permit, State Permit to Operate, or a Title V Operating Permit must annually submit a report of their actual emissions of all regulated air pollutants and all regulated toxic air pollutants. ARD has determined that it is not necessary for all sources to submit all of that data. The amendments (renumbered as Env-A 907.02) set up a tiered system which will reduce the number of pollutants required to be reported by many sources operating under Temporary Permits or State Permits to Operate.
- Add a requirement that sources subject to Title V include, in their annual emissions report, a breakdown of fine particulate emissions by type and greenhouse gas emissions. Please note that this information is already required to be compiled and submitted by these sources as part of their Title V permit renewal applications.
- Remove the requirement that sources subject to Title V include, in their annual emissions report, actual emissions from insignificant activities.
- Remove the requirement that sources subject to Title V pay fees on emissions from insignificant activities.

VOC RACT Reporting Requirements (Env-A 908.02)

- Remove the requirement that sources subject to VOC RACT annually submit process data demonstrating compliance with RACT requirements. These sources will still be required to maintain records of this information, but they would only need to submit the information to ARD upon request.

Non-Title V Source Permit Deviation Reporting (Env-A 911.02(b))

- Add a requirement that sources not subject to Title V (commonly referred to as ‘minor’ or ‘state’ sources) record and report to ARD information regarding any failure to comply with an air pollution control equipment operating parameters (parameter excursion) and/or any permit deviation which causes excess emissions.

William Smagula asked if there is a similar burden for smaller sources. Mr. Moore responded that smaller sources must report permit deviations, and that the breakdown is specific to Title V sources only. He added that smaller sources report emissions annually to the State of New Hampshire and the Environmental Protection Agency.

William Smagula entered a motion to accept the proposed readoption of Env-A 900. Deborah Chabot seconded the motion. All present were in favor. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 900 within fifteen days.

Status of Appeals

Currently, there are no appeals before the ARC.

New Business
No new business of the ARC was discussed.

**Other Business**
William Smagula inquired as to the status of the Katharine Lajoie Appeal before the New Hampshire Supreme Court. Anne Keach informed members of the ARC that she would provide a link to the Docket so that ARC members may monitor the status of the appeal.

Chairman Duval scheduled the next meeting of the ARC to be held on Monday, April 20, 2015.

**Public Commentary**
No members of the public were present.

**Adjourn**
Having no further business to discuss, David Collins entered a motion to adjourn, seconded by Kris Blomback. All were in favor. Meeting #230 of the Air Resources Council adjourned at 9:35 a.m., on March 16, 2015.
NOTICE OF MEETING
May 18, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, May 18, 2015 in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #230)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants
   Karla McManus, Planning and Rules Manager

5. Old Business

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division

8. Adjourn
AIR RESOURCES COUNCIL
MINUTES OF MEETING #231
05/18/15

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, Kris Blomback, Georgia Murray, Deborah Chabot, Mark Lambert

MEMBERS NOT PRESENT: Raymond Donald, Ryan Bielagus, William Smagula, C. Amato-Wierda

NHDES – ARD PERSONNEL: Michael Fitzgerald, Gary Milbury, Becky Ohler, Michele, Roberge, K. McManus

OTHERS PRESENT: Anne Keach

Call to Order:
Chairman Duval called Meeting #231 of the Air Resources Council (ARC) to order at 9:10 a.m. on Monday, May 18, 2015. Chairman Duval announced that a quorum of the ARC was not present, therefore he directed Michael Fitzgerald, Assistant Director of the Air Resources Division (ARD) to provide an update of recent ARD activities and legislation relative to the ARD.

Division Activities & Legislative Update:
Chairman Duval introduced Michael Fitzgerald, Assistant Director of the Air Resources Division (ARD). Mr. Fitzgerald briefly updated members of the ARC regarding issues relative to the ARD, including:

Permitting
On April 15, 2015, the ARD issued a temporary permit to Schiller Station, Eversource (formerly Public Service of New Hampshire) Portsmouth, NH – for the installation of air pollution control equipment on Units SR4 and SR6 to reduce mercury and air toxics. The source has a one-year extension (4/16/16) to comply with Mercury and Air Toxics Standards (MATS).

Ammonoosuc Asphalt, Inc., Lisbon, NH - has applied for a temporary permit to operate a Hot Mix Asphalt Batch Plant and a Prime Power Generating Engine. A public hearing to receive oral and written public comments was held on May 13, 2015, at the Lisbon Town Hall in Lisbon, NH.

North Country Environmental Services (NCES), Bethlehem, NH – has applied for a permit for the installation of an additional flare that will serve as a backup control device for the existing flare. The temporary permit allows for the construction of a new landfill cell as part of the footprint expansion agreed upon by NCES and the Town of Bethlehem. A public hearing has been scheduled for June 24, 2015, 6:00 p.m. at Profile High School in Bethlehem, NH.

Chairman Duval asked if the approval process has been completed for the solid waste permit for NCES. Gary Milbury responded that the solid waste issues have been resolved.

Wheelabrator, Inc., Claremont, NH – according to the press, the source was sold at auction. The new owner of the facility has contacted the NHDES to discuss the transfer of the air permit.
HB 208 - relative to allowance sales under the New Hampshire Regional Greenhouse Gas Initiative (RGGI) program, requires all amounts from allowance sales under the New Hampshire (RGGI) program to be rebated to retail electric ratepayers in this state. All amounts in excess of the threshold price, minus administrative costs for any allowance sale shall be rebated to all retail electric ratepayers in the State on a per-kilowatt-hour basis in a timely manner determined by the Commission. A committee report is due out on May 27, 2015.

SB 208 – establishing a committee to study limiting the sulfur content of liquid fuels. Effective 5/7/15. The study committee will convene during the summer months.

HB 460 - establishes a commission to study revenue alternatives to the road toll for the funding of the state's highways and bridges. The commission will study alternatives to the road toll for electric-powered, hybrid, and fuel-efficient vehicles, and may study other emerging vehicles fuels and technologies.

Approval of Minutes:
At 9:25 a.m., a quorum of the ARC was present. Deborah Chabot entered a motion to accept the minutes of meeting #230. Kris Blomback seconded the motion. All others were in favor. The motion carried. The minutes of ARC meeting #230 of March 16, 2015 were approved and accepted by the ARC.

Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants:
Karla McManus, Planning and Rules Manager of the Air Resources Division presented the proposed amendments to Env- 500, Standards Applicable To Certain New Or Modified Facilities And Sources Of Hazardous Air Pollutants. The existing rule incorporates by reference certain federal New Source Performance Standards (NSPS), National Emission Standards for Hazardous Air Pollutants (NESHAP), and NESHAP for specific source categories (also known as MACT, for Maximum Achievable Control Technology). These three groups of federal standards, codified at 40 CFR 60, 61 and 63, respectively, are currently in effect and applicable to numerous state sources.

Under our delegation agreement with the United States Environmental Protection Agency (U.S. EPA), New Hampshire's rule is updated annually to incorporate new and revised federal NSPS, NESHAP, and MACT standards that have been promulgated since the last annual update. Unfortunately, due to an overwhelming number of rules that were up for readoption over the past two years and the change in staffing, this rule was not updated last year, so we are doing a two year update now.

From July 1 of 2012 until June 30 of 2014, EPA promulgated two NSPS, as codified in 40 CFR 60. The first NSPS is Subpart Ja, Standards of Performance for Petroleum Refineries for which Construction, Reconstruction, or Modification Commenced after May 14, 2007, and Subpart OOOO, Standards for Oil and Natural Gas Sector. These federal standards are already in effect for existing sources, so adopting them by reference into Env-A 500 will not impose new requirements on any sources in New Hampshire. It will, however, allow DES to perform certain administrative functions on behalf of the regulated entities, such as making applicability determinations and alternative monitoring decisions that are routine in nature.

In addition, DES is taking partial delegation of a MACT Standard, as codified in 40 CFR 63. This is Subpart JJJJJJ, National Emission Standards for Hazardous Air Pollutants for Area Sources from Industrial, Commercial, and Institutional Boilers. This standard is only in effect for sources which are currently permitted or required to be permitted under Env-A 607.01(a), (b), or (c).
Kris Blomback entered a motion to accept the proposed amendments of Env-A 500. Mark Lambert seconded the motion. David Collins opposed the motion stating that the EPA continues to place obligations on the ARD which is struggling to undertake its current workload. All others were in favor. Env-A 500 was accepted by the ARC for review. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 500 within fifteen days.

**Status of Appeals**
Currently, there are no appeals before the ARC.

**New Business**
No new business of the ARC was discussed.

**Other Business**
Michael Fitzgerald invited the support of the ARC as the EPA reconsiders its funding for the states, focusing on the reallocation of funds for areas of non-attainment in the Northeast.

Chairman Duval scheduled the next meeting of the ARC to be held on Monday, June 22, 2015.

**Public Commentary**
No members of the public were present.

**Adjourn**
Having no further business to discuss, Deborah Chabot entered a motion to adjourn, seconded by Kris Blomback. All were in favor. Meeting #231 of the Air Resources Council adjourned at 10:00 a.m., on March 16, 2015.
NOTICE OF MEETING
June 22, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, June 22, 2015 in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #231)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Env-A 3200, NOx Budget Trading Program
   Karla McManus, Planning and Rules Manager and
   Joseph Fontaine, Technical Programs Manager

5. Old Business

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council
     or the Air Resources Division

8. Adjourn
Call to Order:
Chairman Duval called Meeting #232 of the Air Resources Council (ARC) to order at 9:05 a.m. on Monday, June 22, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Vice-Chairman Collins entered a motion to accept the minutes of meeting #231. Ryan Bielagus seconded the motion. Raymond Donald and William Smagula abstained. All others were in favor. The motion carried. The minutes of ARC meeting #231 of May 18, 2015 were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Meeting with EPA Region I
Director Wright met with EPA Region I officials to discuss the Air Resources Division work plan for the next two years and related program funding.

Three major areas of collaboration were identified:

1. Climate Change Activities
2. Permitting Processes
3. Funding: FY 15 (1% reduction in federal funds), FY 16 (5% reduction on federal funds), and FY 17 (7% reduction in federal funds)

Director Wright explained that the federal funding allocation is derived from a formula calculation based on:

1. Population base
2. Number of non-attainment areas
3. Number of air toxics issues
**Budget**

Director Wright informed members of the ARC that Governor Hassan is expected to veto the State Budget; therefore, the NHDES-ARD is operating under a Continuing Resolution until a State Budget is passed.

**Legislation**

Director Wright discussed the funding plan contained in HB 614, relative to implementing goals of the state 10-year energy strategy, modifying uses of the site evaluation committee fund, establishing fees for energy facility evaluation, and relative to a public information session on proposed state energy siting.

**Ozone Exceedances**

Director Wright reported that two ozone exceedances on Mt. Washington were recorded on May 8 & 9, 2015.

**Permitting**

On April 15, 2015, the ARD issued a temporary permit to Schiller Station, Eversource (formerly Public Service of New Hampshire) Portsmouth, NH—for the installation of air pollution control equipment on Units SR4 and SR6 to reduce mercury and air toxics. The source has a one-year extension (4/16/16) to comply with Mercury and Air Toxics Standards (MATS).

Ammonoosuc Asphalt, Inc., Lisbon, NH—application withdrawn. The hot mix asphalt batch plant will continue to operate in the current Dalton location.

**Env-A 3200 NOx Budget Trading Program**:

Karla McManus, Planning and Rules Manager of the Air Resources Division presented the proposed amendments to Env-3200, NOx Budget Trading Program. Ms. McManus stated that Env-A 3200, NOx Budget Trading Program, is due to expire on November 2, 2015. This rule implements the NOx Budget Program established by state law which requires reductions in ozone season NOx emissions from NOx budget sources, in order to further the effort to achieve the national ambient air quality standards (NAAQs) for ozone.

The ARD is proposing to readopt Env-A 3200 with the following changes: eliminate the Eversource (formerly PSNH) discrete emissions reductions (DERs) for allowances swap provision, Env-A 3207.11; allow smaller industrial sources to acquire/use allowances (converted to DERs) for RACT compliance; streamline the process for requesting set-aside allowances; streamline the permitting process in Env-A 3208.02(a) by removing the requirement to identify the authorized account representative in the permit; clarify language in Env-A 3209.02, Env-A 3209.03, and Env-A 3209.07; and change the frequency for program audits to match the schedule for rule re-adoption.

Members of the ARC discussed the likelihood of EPA lowering the ozone standard, and the associated 176-A Petition filed by the State of New Hampshire, and the New Transport Rule State Collaborative on Ozone Transport (SCOOT).

David Collins entered a motion to accept the proposed amendments of Env-A 3200. Raymond Donald seconded the motion. All were in favor. Env-A 3200 was accepted by the ARC for review. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 3200 within fifteen days.
Ms. McManus reported that the ARD is working on a file retention schedule. She suggested that the ARC contact the NHDES Legal Unit to discuss inclusion of the ARC’s records retention in Env-AC 200, ARC Procedural Rules.

Status of Appeals
Currently, there are no appeals before the ARC.

New Business
No new business of the ARC was discussed.

Other Business
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, August 17, 2015.

Public Commentary
No members of the public were present.

Adjourn
Having no further business to discuss, Deborah Chabot entered a motion to adjourn, seconded by Kris Blomback. All were in favor. Meeting #232 of the Air Resources Council adjourned at 10:15 a.m., on June 22, 2015.
NOTICE OF MEETING
September 21, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, September 21, 2015 in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #232)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Clean Power Presentation
   Joseph Fontaine, Technical Programs Manager, Technical Services Bureau

5. Old Business

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division

8. Adjourn
Call to Order:
Chairman Duval called Meeting #233 of the Air Resources Council (ARC) to order at 9:00 a.m. on Monday, September 21, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Vice-Chairman Collins entered a motion to accept the minutes of meeting #232. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #232 of June 22, 2015, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Ozone Exceedances
Director Wright reported that on September 18, 2015, at 1:00 p.m., ozone exceedances were detected at levels higher than .75 ppb at monitoring stations in Rye, Portsmouth, and Peterborough (Pack Monadnock), NH.

Eastern States Collaboration
Director Wright explained that a State Collaborative on Ozone Transport (SCOOT) has been established with the goal of exploring the possibility of states working together, operating existing controls for NOx emissions from utility boilers in the Mid-West and Southeast to reduce ozone transport in the Northeast.

Chairman Duval asked if New Hampshire has a State Implementation Plan (SIP) for ozone. Director Wright responded that NH is finalizing the 2008 SIP and the ARD is reviewing NOx and RACT data before submitting an infrastructure SIP.

Chairman Duval requested that the ARD provide an overview of the ozone SIP process at the next meeting of the ARC. Director Wright agreed to arrange this presentation for the ARC.

Budget
Director Wright informed members of the ARC that SB 9 was adopted by the House and Senate on September 16, 2015, providing the NHDES with the FY16-17 budget.
ARD's 2-Year Work Plan Negotiated with EPA (Priorities and Commitments List)
Director Wright reported that the ARD has developed and submitted a 2-year Priorities and Commitments (P&C) List to the EPA which is based on a reallocation formula to include an expanded population base. The P&C List addresses forty-five goals to address climate change and improve air quality in NH.

Title V Petition (“Good Neighbor” SIP Revision)
EPA granted the Sierra Club and Eversource Title V petition concerning interstate air quality impacts. The NHDES-ARD must respond to the petition with a schedule for modeling and analysis by October 28, 2015.

NHDES Staff
Director Wright informed members of the ARC that Pamela Monroe, former Administrator of the Compliance Bureau has accepted a position with the Public Utilities Commission as the NH Site Evaluation Committee Manager.

Director Wright announced that Clarke Friese has been nominated as the NHDES Assistant Commissioner. His background is in the defense industry (BAE Systems, Inc.) and oceanography sciences.

Clean Power Plan Overview:
Chairman Duval introduced Joseph Fontaine, Technical Program Manager, of the Technical Services Bureau. Mr. Fontaine provided members of the ARC with copies of the Georgetown Climate Center (GCC) presentation; “The Clean Power Plan: Summary of the Final Rule” (GCC, August 13, 2015). Mr. Fontaine explained that the GCC was founded as a resource to states to coordinate Non-Government Organization (NGO) meetings to consider potential compliance pathways, facilitate group discussions between interested states in developing joint comments, as well as hosting regular informational and discussion calls for states.

Mr. Fontaine’s presentation included the following content regarding the EPA regulating greenhouse gases from existing power plants under the Clean Air Act § 111(d):
- EPA sets minimum emission guidelines for source categories
- Based on “best system of emission reduction” (BSER), set by EPA
- State establish equivalent performance standards on affected sources through state plans

Key changes to the emission guidelines, BSER and state goals include:
- Compliance period start delayed until 2022
- Regional approach to applying building blocks
- Guidelines expressed as nationally uniform performance rates
- Phase-in of shift to NGCC provides more gradual glide path
- Demand-side energy efficiency and nuclear elements removed from building blocks
- Renewable approach uses modified technical/economic approach, with revised assumptions and methodology
- Rate-to-mass translation defined, more equivalent rate
- Clean Energy incentive Program provides additional flexibility
- EPA projects 32% reductions in CO2 in 2030 under both rate- and mass-based scenarios from 2005 levels
Implementation Timeline:
- Plans due September, 2016
- All states may request two-year extension (max. extension 2018)
- Compliance periods of 3, 3, and 2 years in interim period (2022-2029)
- Two year compliance period for final goal starting in 2030

BSER Based on three building blocks:
1. Coal Plan Efficiency (more modest levels 2.1 – 4.3%, applied regionally)
2. Shift to NGCC (phase-in, applied regionally, net summer numbers)
3. Renewables (no nuclear, incremental RE only, modified technical & economic approach)

States can demonstrate compliance on basis of subcategorized rates (fossil stream and NGCC), statewide blended rates, or mass-based goals:
- All units in subcategory subject to the same rate, regardless of state
- Blended rates reflect generation mix in state
- Less variability compared to proposal
- Some states have significantly lower or higher rates
- EPA defines mass-based goal for existing sources
- EPA finalizes a different methodology than proposed as option in the Technical Support Documents (TSD) for existing sources
  - Final methodology reflects potential under rate-based system for existing sources to increase emissions as load grows (offset by credits)
  - Methodology assumes that existing sources may cumulatively increase emissions relative to renewable energy available in BSER calculations

Once the final plan is submitted, eligible projects under the Clean Energy Incentive Program commence, including:
- Renewables (wind & solar), for every MWh generated in 2020-21, State can allocate 1 credit, EPA will match 1 credit
- Energy efficiency for low-income communities, for every MWh avoided in 2020-21, State can allocate 1 credit, EPA will match 1 credit
- Credits or allowances can be used for compliance

Director Wright and Mr. Fontaine discussed the Regional Greenhouse Gas Initiative (RGGI) Program as a potential Clean Energy Incentive Program. Director Wright reported that RGGI states will require a two-year extension to submit plans.

Status of Appeals
Currently, there are no appeals before the ARC.

New Business
No new business of the ARC was discussed.

Other Business
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, October 19, 2015.

Public Commentary
No members of the public were present.

Adjourn
Having no further business to discuss, William Smagula entered a motion to adjourn, seconded by Raymond Donald. All were in favor. Meeting #233 of the Air Resources Council adjourned at 10:15 a.m., on September 21, 2015.
1. Call to Order

2. Approval of Minutes (Meeting #233)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. New Hampshire's Ozone State Implementation Plan Overview
   Michele Roberge, SIP Development Manager, Office of the Director

5. Old Business

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division

8. Adjourn
Call to Order:
Chairman Duval called Meeting #234 of the Air Resources Council (ARC) to order at 9:00 a.m. on Monday, October 19, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Raymond Donald entered a motion to accept the minutes of meeting #233. Deborah Chabot seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #233 of September 21, 2015, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Clean Power Plan
Director Wright reported that the Regional Greenhouse Gas Initiative (RGGI) states intend to incorporate an emissions and measures plan in their state plans. He announced that stakeholder meetings are scheduled for November 17, 2015 at 10:00 a.m. in New York, and November 20, 2015 at NHDES.

Permitting
Director Wright reported that no appeals have been filed regarding the issuance of permits by the Air Resources Division.

Cheshire County Woodstove Changeout Program
Director Wright reported that Bridgewater Power Company provided funding for over $400,000 in vouchers the Woodstove Changeout Program which launched in January 2015. The program afforded residents of Cheshire County to use a $1,000 voucher towards the purchase of an EPA certified woodstove, $1,500 towards a pellet or gas stove, or $4,000 towards a new outdoor wood boiler. Because of the topography in Cheshire County, the area experiences particularly poor air quality during the winter months. With the use of more efficient, cleaner stoves, the area should see air quality improvements in the coming months.

Legislation
Director Wright reported that the deadline for filing Legislative Service Requests is November 3, 2015. He added that the ARD will track approximately forty to fifty legislative items this session, and will inform the ARC of relevant legislation as it is introduced in the 2016 Legislative Session.
Rules
Director Wright informed members of the ARC that the following rules will be presented at the ARC meeting on November 16, 2015:

1. Env-A 904.04, VOC Recordkeeping for Surface Coating and Printing Operations
2. Env-A 1400, Regulated Toxic Air Pollutants

Volkswagen Emissions Test Defeat Device
Director Wright reported that since the announcement of Volkswagen deliberately circumventing air-pollution laws with the use of a software "defeat device" installed on nearly 500,000 Volkswagen and Audi diesel models sold in the United States since 2008, NH has determined that approximately 4,000 to 5,000 of those affected vehicles were sold in New Hampshire. The NHDES is working with the, NH Office of the Attorneys General, and the NH Automobile Dealers Association to determine how to address this consumer protection issue.

New Hampshire’s Ozone State Implementation Plan:
Chairman Duval introduced Dr. Jeffrey Underhill, Chief Scientist, Atmospheric Science and Analysis Bureau. Dr. Underhill provided members of the ARC with an overview of New Hampshire’s State Implementation Plan for Ozone based on the Clean Air Act and the Ozone Standard, which includes the following components:

- The law requires EPA to review the standard every five years – using the latest science
- Standard needs to be set at a level requisite to protect public health with an adequate margin of safety
- EPA can not consider costs in determining the standard but can in how they implement the standard
- EPA's regulatory impact analysis estimates benefits will exceed costs by a margin of 2-4 to 1

Dr. Underhill described the New Ozone National Ambient Air Quality Standard (NAAQS), which was revised on October 1, 2015, and includes:

- **70 ppb** 8-hour averaging period, 3-year average of the 4 maximum by monitor
- Secondary standard = Primary Standard
- Estimated annual benefits and costs
  - $2.9 to $5.9 billion in health benefits
  - $1.4 billion in control cost
- Other Updates effective in 2017
  - NH Ozone season becomes March 1 to Sept 30
  - NCore stations to monitor ozone year-round
• Other Updates effective in 2019
  o PAMS monitoring updates
  o VOC and NOx species updates
  o Carbonyl testing frequency increased
  o Network being modified

Dr. Underhill reported that beginning in 2017, the ozone season will begin on March 1st, instead of April 1st. In New Hampshire, the earlier start is needed because of the early season ozone measured on Mt. Washington. Dr. Underhill provided the following 2015 Ozone NAAQS Timeline:

<table>
<thead>
<tr>
<th>October 2015</th>
<th>Final Revised Ozone NAAQS</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2016</td>
<td>Submit Nonattainment Designation Recommendations (most recent 3-year data)</td>
</tr>
<tr>
<td>October 2017</td>
<td>EPA Nonattainment Area Designations (2014-16 data?)</td>
</tr>
<tr>
<td>October 2018</td>
<td>Infrastructure AND Transport SIP Due</td>
</tr>
<tr>
<td>October 2019</td>
<td>RACT SIP Due</td>
</tr>
</tbody>
</table>

**Attainment by (October):**

- 2020 - Marginal
- 2023 - Moderate
- 2026 - Serious

By providing recent ozone data for New Hampshire, Dr. Underhill informed members of the ARC that New Hampshire has not experienced ozone that would have exceeded this new standards in recent years and offered the data provided below:

<table>
<thead>
<tr>
<th>Location</th>
<th>MD 2011-13</th>
<th>MD 2012-14</th>
<th>MD 2013-15P</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laconia-B</td>
<td>62</td>
<td>62</td>
<td>58</td>
</tr>
<tr>
<td>Keene</td>
<td>62</td>
<td>62</td>
<td>60</td>
</tr>
<tr>
<td>Summit Mt. Washington</td>
<td>69</td>
<td>68</td>
<td>69</td>
</tr>
<tr>
<td>Mt. Washington Base</td>
<td>61</td>
<td>59</td>
<td>57</td>
</tr>
<tr>
<td>Lebanon</td>
<td>60</td>
<td>61</td>
<td>59</td>
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<tr>
<td>Woodstock</td>
<td></td>
<td>59</td>
<td>57</td>
</tr>
<tr>
<td>Nashua-Gilson</td>
<td>67</td>
<td>66</td>
<td>64</td>
</tr>
<tr>
<td>Peterborough</td>
<td>67</td>
<td>70</td>
<td>67</td>
</tr>
<tr>
<td>Concord-B</td>
<td>64</td>
<td>63</td>
<td>62</td>
</tr>
<tr>
<td>Portsmouth-Pierce Island</td>
<td>66</td>
<td>68</td>
<td>66</td>
</tr>
<tr>
<td>Rye-Ordiine State Park</td>
<td>67</td>
<td>68</td>
<td>68</td>
</tr>
<tr>
<td>Londonderry-Moose Hill</td>
<td>68</td>
<td>67</td>
<td>65</td>
</tr>
</tbody>
</table>
Dr. Underhill foresees that the state New Hampshire is in good shape for the new ozone standard, and that the new ozone standard should benefit the State of New Hampshire with cleaner air and nearly no new additional requirements.

**Status of Appeals**
Currently, there are no appeals before the ARC.

**New Business**
Thomas Burack, NHDES Commissioner introduced Clarke Freise, NHDES Assistant Commissioner to members of the ARC. Assistance Commissioner Freise provided a brief professional and personal background summary stating that he previously served in a number of senior executive roles in industry. Prior to industry, he served in the federal government as a Naval Officer, scientist, and as a program manager. Assistant Commissioner Freise graduated from the United States Naval Academy and the Massachusetts Institute of Technology/Woods Hole Oceanographic Institution joint program with degrees in physical oceanography. He serves on the Worcester Polytechnic Institute Robotics Engineering Board and is a Woods Hole Oceanographic Institution Corporate Member.

**Other Business**
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, November 16, 2015.

**Public Commentary**
No members of the public were present.

**Adjourn**
Having no further business to discuss, Raymond Donald entered a motion to adjourn, seconded by Deborah Chabot. All were in favor. Meeting #234 of the Air Resources Council adjourned at 10:15 a.m., on October 19, 2015.
NOTICE OF MEETING
November 16, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, November 16, 2015, in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #234)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Env-A 904.04, VOC Recordkeeping for Surface Coating and Printing Operations
   Karla McManus, Planning and Rules Manager
   Todd Moore, Construction and Planning Manager

5. Env-A 1400, Regulated Toxic Air Pollutants
   Karla McManus, Planning and Rules Manager
   Thomas Niejadlik, Environmental Health Manager

6. New Business

7. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council
     or the Air Resources Division

8. Adjourn
AIR RESOURCES COUNCIL
MINUTES OF MEETING #235
11/16/15

MEMBERS PRESENT:
Chairman Robert Duval, Vice-Chairman David Collins,
Kris Blomback, Deborah Chabot, Carmela Amato-Wierda,
Georgia Murray (via. Conf. Call) William Smagula,
Ryan Bielagus

MEMBERS NOT PRESENT:
Mark Lambert, Raymond Donald

NHDES – ARD PERSONNEL:
Craig Wright, Thomas Niejadlik, Todd Moore,
Michael Fitzgerald, Rebecca Ohler, Karla McManus,
David Larson

OTHERS PRESENT:
Anne Keach

Call to Order:
Chairman Duval called Meeting #235 of the Air Resources Council (ARC) to order at 9:05 a.m. on Monday, November 16, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Vice-Chairman David Collins entered a motion to accept the minutes of meeting #234. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #234 of October 19, 2015, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

Permitting
Kinder Morgan Pipeline – NHDES-ARD Permitting and Environmental Health staff attended a meeting in Temple, NH to discuss the NHDES permitting review process. No application had been filed by the source at this time.

Clean Power Plan
Director Wright reported that the Regional Greenhouse Gas Initiative (RGGI) states intend to incorporate an emissions and measures plan in their state plans. Director Wright stated that four states have filed a law suit in opposition to the Clean power Plan (CPP), and that the State of New Hampshire joins nineteen states in support of the CPP. He announced that stakeholder meetings are scheduled for November 17, 2015 at 10:00 a.m. in New York, and November 20, 2015 at NHDES.

Legislation
Director Wright introduced Assistant Director Michael Fitzgerald who reported that the ARD is tracking approximately thirty to forty Legislative Service Requests (LSRs) on the following issues:

• Net Metering
• Site Evaluation Committee (imminent domain legislation)
• Road Tolls (electric and alternative fuel vehicles)
• Motor Vehicle Inspection Program
• Energy Code (building code review board
- Fuel Sulfur Levels
- Electric Vehicle Charging Stations
- Municipal Waste Combustor Emissions (three in NH; Concord, Bridgewater, and Claremont)

Assistant Director Fitzgerald will provide members of the ARC with updates on legislation as information becomes available.

Rules
Env-A 904.04, VOC Recordkeeping for Surface Coating and Printing Operations

Karla McManus, Planning and Rules Manager of the Air Resources Division presented the proposed amendments to Env-A 904.04, Owner or Operator Recordkeeping and Reporting Obligations, was readopted with amendments on July 18, 2015. This rule includes recordkeeping and reporting requirements associated with maintaining an air permit, including requirements for maintaining records of production and operation, maintaining records of actual emissions of air pollutants, and periodically providing reports of actual operations and emissions to ARD. It also specifies the recordkeeping and reporting obligations for sources when deviations from their permit conditions occur.

After reviewing the VOC recordkeeping requirements, it was determined that the rules required more recordkeeping than was necessary for certain sources to demonstrate compliance with applicable VOC requirements. The attached amendments to Env-A 904.03 have been drafted to resolve this issue.

William Smagula entered a motion to accept the proposed amendments of Env-A 904.04. Carmela Amato-Wierda seconded the motion. All were in favor. Env-A 904.04 was accepted by the ARC for review. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 904.04 within fifteen days.

Env-A 1400, Regulated Toxic Air Pollutants

Karla McManus introduced Thomas Niejadlik, Environmental Health Manager to members of the ARC. Mr. Niejadlik stated that the New Hampshire Department of Environmental Services (NHDES), Air Resources Division (ARD) is proposing to amend Env-A 1400, Regulated Toxic Air Pollutants. The existing rule implements the Air Toxic Control Act established under RSA 125-I. The purpose of this chapter is to prevent, control, abate, and limit the emissions of toxic air pollutants into the ambient air. The ambient air limits established under this rule are intended to promote public health by reducing human exposure to toxic air pollutants.

Every year, as required by RSA 125-I:4, ARD proposes changes to the list of regulated toxic air pollutants (RTAPs) and their ambient air limits (AALs). These changes are based on updates made to the list of chemical substances by the American Conference of Governmental Industrial Hygienists (ACGIH) and the US EPA's Integrated Risk Information System (IRIS).

This year we are incorporating ACGIH updates for both 2013 and 2014. As a result of changes made by ACGIH, three chemical substances were added and nine substances have had their Occupational Exposure Limit (OEL) changed which results in a change to the AALs. As a result of changes made by IRIS, five chemical substances had their annual AAL changed. There were also several corrections made to the table that were found during an upgrade to the data base.

In addition to the required annual updates, the NHDES has made many changes to the list of RTAPs and to the rules over the years. These changes were made in order to utilize the latest scientific
data, to streamline the compliance determination and permitting process, and to allow the NHDES and businesses to concentrate their efforts on those toxic chemicals that pose the greatest health risk to the public. The NHDES is also proposing the following rule changes:

- Broadening the exemption criteria for publicly owned wastewater treatment facilities, resulting in more facilities being exempt from the rule. Pump stations associated with these treatment facilities were also added to the exemption.
- Exempting Cooling Towers.
- Exempting the combustion of landfill gas.
- Exempting routine maintenance activities associated with boilers.
- Exempting the use of isopropyl alcohol, nitrous oxide, and ethylene oxide at health care facilities.

Members of the ARC discussed the private facility exemption and the exemptions for the combustion of various synthetic fuels.

William Smagula entered a motion to accept the proposed amendments of Env-A 1400. Carmela Amato-Wierda seconded the motion. All were in favor. Env-A 1400 was accepted by the ARC for review. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 1400 within fifteen days.

Karla McManus informed members of the ARC that she will present the readoption of Env-A 3300, Municipal Waste Combustion, at the December 14, 2015, meeting of the ARC.

**Status of Appeals**
Currently, there are no appeals before the ARC.

**New Business**
Chairman Duval requested that ARC members, whose terms are expiring contact Jennifer Kuzma of the Office of the Governor should they desire to continue to serve.

Chairman Duval requested that members of the ARC review the proposed 2016 ARC Meeting Schedule and Notice provided. With the revision to the February meeting date changed from February 22, 2016, to February 29, 2016, the ARC approved the 2016 ARC Meeting Schedule and Notice.

**Other Business**
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, December 16, 2015.

**Public Commentary**
No members of the public were present.

**Adjourn**
Having no further business to discuss, Deborah Chabot entered a motion to adjourn, seconded by Carmela Amato-Wierda. All were in favor. Meeting #235 of the Air Resources Council adjourned at 10:05 a.m., on November 16, 2015.
NOTICE OF MEETING
December 14, 2015

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, December 14, 2015, in Conference Rooms 112 & 113
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301

1. Call to Order

2. Approval of Minutes (Meeting #235)

3. Air Resources Division Report
   Craig Wright, Director
   • Legislative Update
   • Significant Permit Activities
   • Other ARD Activities

4. Env-A 3300, Municipal Waste Combustion
   Karla McManus, Planning and Rules Manager

5. New Business

6. Public Commentary
   • Opportunity for the public to comment on matters affecting the Air Resources Council
     or the Air Resources Division

7. Adjourn
Call to Order:
Chairman Duval called Meeting #236 of the Air Resources Council (ARC) to order at 9:00 a.m. on Monday, December 14, 2015. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:
Carmela Amato-Wierda entered a motion to accept the minutes of meeting #235. Kris Blomback seconded the motion. Raymond Donald abstained. All others were in favor. The motion carried. The minutes of ARC meeting #235 of November 16, 2015, were approved and accepted by the ARC.

Division Activities & Legislative Update:
Chairman Duval introduced Craig Wright, Director of the Air Resources Division (ARD). Director Wright briefly updated members of the ARC regarding issues relative to the ARD, including:

NHDES Annual Employee Awards
Director Wright announced that Michael O’Brien of the ARD Compliance Bureau was awarded the Compliance Assurance Award honoring his work in facility stack testing protocol and procedures. Director Wright added that Chris Skoglund of the ARD Technical Services Bureau was a nominee for the Employee of the Year Award for his climate change work.

Permitting
Kinder Morgan Pipeline – NHDES-ARD Permitting and Environmental Health staff attended a meeting in Temple, NH to discuss the NHDES permitting review process on November 19, 2016. No application has been filed by the source at this time. Director Wright suspected that the source will file an application with the Site Evaluation Committee (SEC) after the first of the year. He added that the ARD reports Findings of Completeness to the SEC.

Personnel
Director Wright reported that the ARD received eleven applications for the position of Administrator of the Compliance Bureau. After completing initial interviews, the interview team will be contacting four of those applicants for an additional interview. Director Wright stated that he expects to have this position filled by mid-January, 2016.
Regional Greenhouse Gas Initiative (RGGI) Auction
Director Wright reported that the Regional Greenhouse Gas Initiative (RGGI) Auction on December 2, 2016, sold CO₂ allowances for the clearing price of $7.50. 15,374,274 CO₂ allowances were sold at the Auction with bids ranging from $2.05 to $10.01 per allowance. The RGGI Auction generated $115.3 million for reinvestment in strategic programs, including energy efficiency, renewable energy, and GHG abatement programs. Cumulative proceeds from all RGGI CO₂ allowance auctions exceed $2.3 billion dollars. The next RGGI Auction is scheduled for March 9, 2016.

Env-A 3300, Municipal Waste Combustion
Karla McManus, Planning and Rules Manager and Padma Baru, New Source Review Program Manager presented the proposed amendments to Env-A 3300, Municipal Waste Combustion. Ms. McManus stated that Env-A 3300, Municipal Waste Combustion, is due to expire on February 2, 2016. This rule establishes the operating and performance standards for existing municipal waste combustion (MWC) units with the capacity to combust greater than 35 tons per day of municipal solid waste to comply with federal regulations promulgated pursuant to section 111(d) and section 129 of the Clean Air Act and state regulations promulgated under RSA 125-C:10-a and RSA 125-M:3.

The ARD is proposing to readopt Env-A 3300 with minor changes and clarifications. The three tables in the rule are being incorporated by reference and moved to the appendix. Legislation (LSR # 2016-2859) has been introduced to modify the limits in RSA 125-C:10-a. If those changes go through at the legislature, we can update the appendix of the rule at that time.

Chairman Duval asked how many facilities will be affected by the proposed amendments to Env-A 3300. Ms. Baru informed members of the ARC that that proposed revision will affect one facility in Claremont and one facility in Concord.

Vice-Chairman Collins asked what percentage of the rules are incorporating changes in this way (incorporated by reference). Ms. McManus responded that approximately ten percent of the ARD’s rules are incorporating by reference to federal regulations. Ms. McManus added that by doing so, dual standards are eliminated and the rules are clearer in the long run and assured members of the ARC that the ARD will carefully consider adoption of appendices in future rulemaking efforts.

Chairman Duval instructed Ms. McManus to provide outreach to Katherine Lajoie et. al during the rulemaking process. Ms. McManus agreed to provide outreach to those specific concerned parties.

Chairman Duval entered a motion to accept the proposed amendments of Env-A 3300. Carmela Amato-Wierda seconded the motion. All were in favor. Env-A 3300 was accepted by the ARC for review. Chairman Duval instructed members of the ARC to contact Vice-Chairman Collins with further comments regarding Env-A 3300 within fifteen days.

Status of Appeals
Currently, there are no appeals before the ARC.

New Business
No new business was discussed.

Other Business
Chairman Duval scheduled the next meeting of the ARC to be held on Monday, January 25, 2016.

Public Commentary
No members of the public were present.

**Adjourn**
Having no further business to discuss, Raymond Donald entered a motion to adjourn, seconded by Mark Lambert. All were in favor. Meeting #236 of the Air Resources Council adjourned at 9:45 a.m., on December 14, 2015.
AIR RESOURCES COUNCIL
APPEALS
&
ACTIVITY RELATIVE TO APPEALS
DOCKETED IN PRIOR YEARS
2015 AIR RESOURCES COUNCIL APPEALS

No Appeals were filed with the Air Resources Council in 2015.