



**THE STATE OF NEW HAMPSHIRE**

**Air Resources Council**

**Robert Duval, Chairman**

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
Council Clerk (non-appeal related): (603) 271-1386; Appeals Clerk (appeal related only): (603) 271-6072  
TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://www.des.nh.gov/councils/>

**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)

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

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

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

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

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

VACANT  
(Manufacturing Component of Industry)

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

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

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

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



## AIR RESOURCES COUNCIL MEMBERS

### CHAIR/AT LARGE/PUBLIC INTEREST

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

Work: 472-4488  
Fax: 472-9747  
Home:

[rduval@tfmoran.com](mailto:rduval@tfmoran.com)

Term Exp: 11/21/18

### VICE-CHAIR/FUEL OIL INDUSTRY:

David G. Collins  
22 Van Ger Drive  
Bow, NH 03304  
Mail All ARC Correspondance To:

Work: 226-2600  
Home:  
Fax: 226-2700  
[dgc@rathlaw.com](mailto:dgc@rathlaw.com)

Rath, Young & Pignatelli, PA  
1 Capital Plaza  
PO Box 1500  
Concord, NH 03302-1500

Term Exp: 09/06/19

### AT LARGE/ENVIRONMENTAL INTEREST:

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

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

Term Exp: 10/24/17

[gmurray@outdoors.org](mailto:gmurray@outdoors.org)

### AT LARGE/RECREATION INDUSTRY:

Kris Nils Blomback  
203 Highland Drive  
Henniker, NH 03242

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

Term Exp: 10/24/15

[kris@patspeak.com](mailto:kris@patspeak.com)

### AT LARGE/PUBLIC INTEREST:

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

Bus: 862-2526  
Home:  
Fax:

Term Exp: 12/06/14

[ccaw@unh.edu](mailto:ccaw@unh.edu)

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

Work: 668-7046  
Cell: 867-4064

Term Exp: 12/6/15

[ryan@andoverconsulting.com](mailto: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

Work: 634-2851  
Home: 472-5926  
Fax: 634-2703  
[william.smagula@eversource.com](mailto:william.smagula@eversource.com)

Term Exp: 10/24/17

**MUNICIPAL GOVERNMENT:**

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

Home: 382-1150

[raydon40@comcast.net](mailto:raydon40@comcast.net)

Term Exp: 10/24/17

**NATURAL GAS INDUSTRY:**

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

Work: 773-6470  
Cell: 944-7406  
Fax:  
[lambert@unitil.com](mailto:lambert@unitil.com)

Term Exp: 10/04/19

**AT LARGE/HEALTH CARE PROFESSIONAL:**

Deborah Chabot  
41 Lee Farm Road  
Hancock, NH 03449

Work: 831-2710  
Home: 525-3513  
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[debychabot@aol.com](mailto:debychabot@aol.com)

Term Exp. 10/24/18

**MANUFACTURING COMPONENT OF INDUSTRY:**

VACANT

Work:  
Home:

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](mailto:Brian.Buonamano@doj.nh.gov)



**AIR RESOURCES COUNCIL**  
**RECORD OF ATTENDANCE**





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
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 Council Website: <http://www.des.nh.gov/councils/>

### RECORD OF ATTENDANCE Air Resources Council 2015

	January	February	March	May	June	September	October	November	December
Robert Duval	Present	Present	Present	Present	Present	Present	Present	Present	Present
David Collins	Present	Present	Present	Present	Present	Present	Present	Present	Present
Ryan Bielagus	Absent	Absent	Present	Absent	Present	Present	Absent	Present	Absent
Kris Blomback	Present	Present	Present	Present	Present	Present	Present	Present	Present
Deborah Chabot	Absent	Present Via. Conf. Call	Present	Present	Present	Present	Present	Present	Present
Raymond Donald	Present	Absent	Absent	Absent	Present	Present	Present	Absent	Present
Mark Lambert	<del>Present</del>	<del>Present</del>	Appointed 3/25/15	Present	Present	Present	Present	Absent	Present
Georgia Murray	Present	Absent	Absent	Present	Present	Absent	Present	Present	Present
William Smagula	Present	Present	Present	Absent	Absent	Present	Absent	Present	Absent
Carmela Amato-Wierda	Absent	Absent	Present	Absent	Absent	Present	Present	Present	Present



**AIR RESOURCES COUNCIL**

**NOTICE OF MEETINGS**





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

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TDD Access: Relay NH 1-800-735-2964

Council Website: <http://nhec.nh.gov>

## 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:**

January 12, 2015  
February 9, 2015  
March 16, 2015

April 20, 2015  
May 18, 2015  
June 22, 2015

July 20, 2015  
August 17, 2015  
September 21, 2015

October 19, 2015  
November 16, 2015  
December 14, 2015





**AIR RESOURCES COUNCIL**

**MEETING AGENDAS  
&  
MEETING MINUTES**





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

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TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://www.des.nh.gov/councils/>

### NOTICE OF MEETING

January 12, 2015

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**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**

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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**



**AIR RESOURCES COUNCIL  
MINUTES OF MEETING #228  
01/12/15**

**MEMBERS PRESENT:** Chairman Robert Duval, Vice-Chairman David Collins, Raymond Donald, William Smagula, Kris Blomback, Georgia Murray (via conf. call),

**MEMBERS NOT PRESENT:** Ryan Bielagus, Carmela Amato-Wierda, Deborah Chabot

**NHDES – ARD PERSONNEL:** Craig Wright, Gary Milbury, Michele Roberge

**OTHERS PRESENT:** Anne Keach

**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-0016-R, banning corn-based ethanol as an additive to gasoline in New Hampshire. Sponsor: Joseph Pitre

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

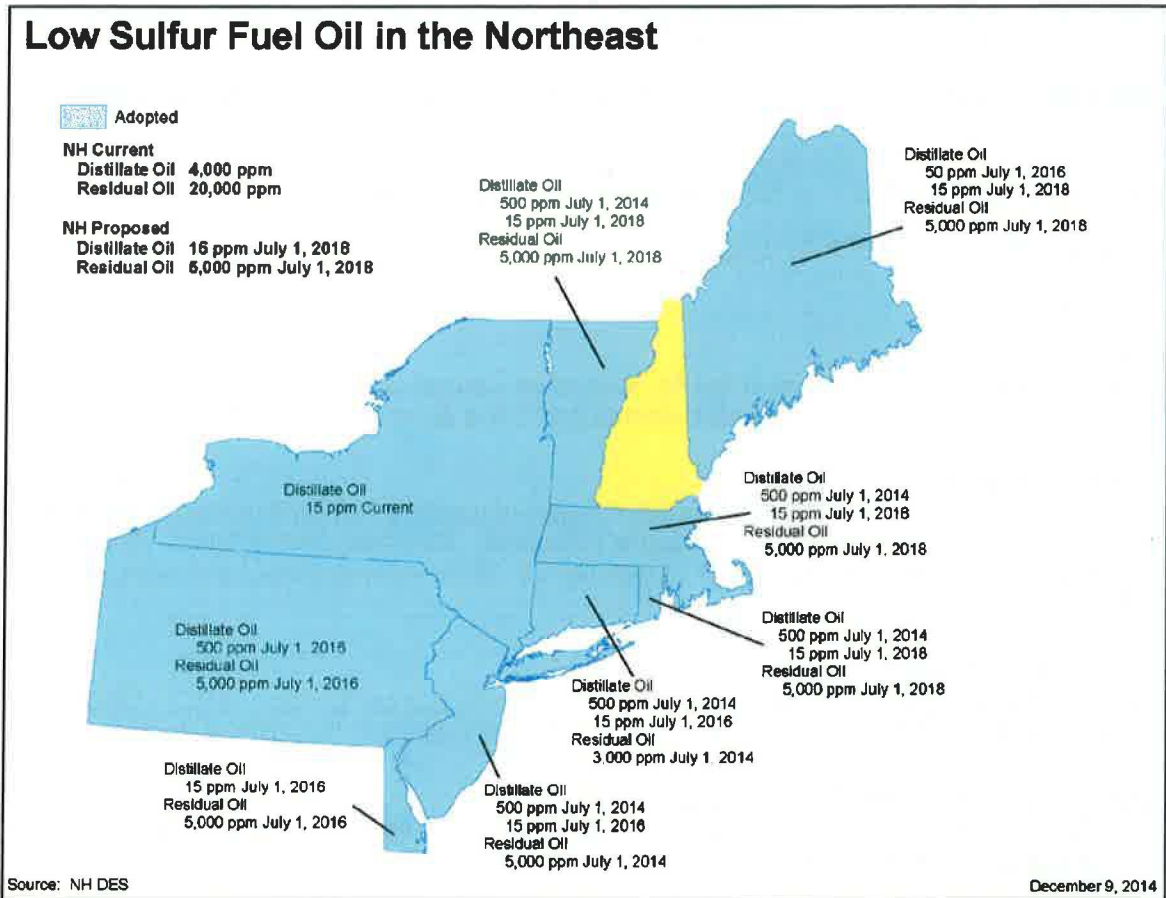
2015-H-0176-R, relative to motor vehicle inspections.

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:



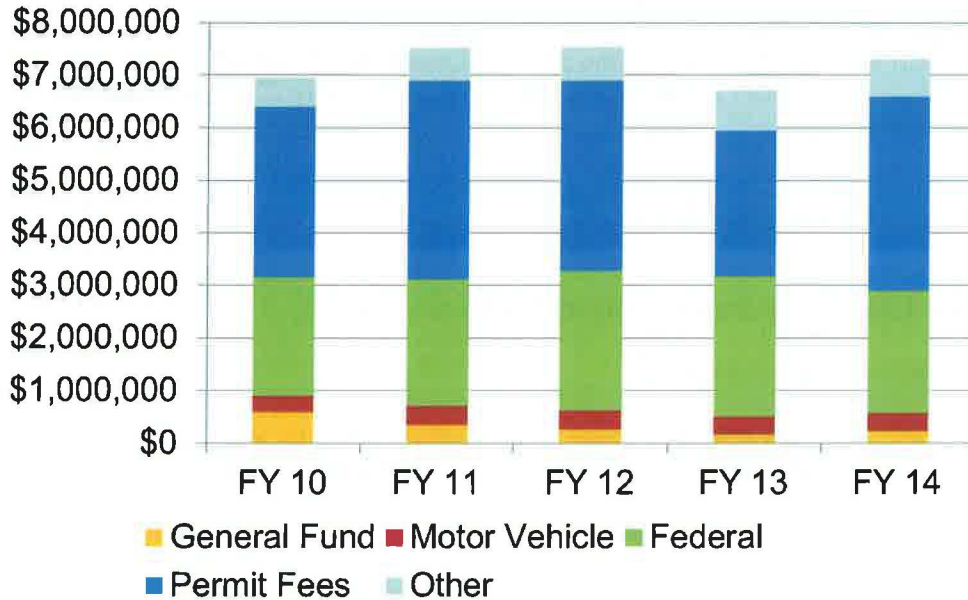
Director Wright believes this may become a study bill and will share the text of the legislation as it becomes available.

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 SO<sub>2</sub>. 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 10:00a.m., on January 12, 2015.





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## Air Resources Council

Robert Duval, Chairman

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### NOTICE OF MEETING February 9, 2015

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**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**

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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 organ 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.





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## Air Resources Council

Robert Duval, Chairman

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Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING

March 16, 2015

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**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**

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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 re-adoption 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.





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
Council Clerk (non-appeal related): (603) 271-1386; Appeals Clerk (appeal related only): (603) 271-6072  
TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING

May 18, 2015

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**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**

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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.

## Legislation

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 re-adoption 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.





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
Council Clerk (non-appeal related): (603) 271-1386; Appeals Clerk (appeal related only): (603) 271-6072  
TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING

June 22, 2015

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**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**

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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**



**AIR RESOURCES COUNCIL  
MINUTES OF MEETING #232  
6/22/15**

**MEMBERS PRESENT:** Chairman Robert Duval, Vice-Chairman David Collins, Kris Blomback, Deborah Chabot, Carmela Amato-Wierda, Mark Lambert, Raymond Donald, Ryan Bielagus, William Smagula, Georgia Murray (via. conf. call)

**MEMBERS NOT PRESENT:**

**NHDES – ARD PERSONNEL:** Craig Wright, Joseph Fontaine, Gary Milbury, Michele Roberge, Karla McManus

**OTHERS PRESENT:** Anne Keach

**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), FY16 (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 NO<sub>x</sub> Budget Trading Program;**

Karla McManus, Planning and Rules Manager of the Air Resources Division presented the proposed amendments to Env- 3200, *NO<sub>x</sub> Budget Trading Program*. Ms. McManus stated that Env-A 3200, *NO<sub>x</sub> Budget Trading Program*, is due to expire on November 2, 2015. This rule implements the NO<sub>x</sub> Budget Program established by state law which requires reductions in ozone season NO<sub>x</sub> emissions from NO<sub>x</sub> 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.







# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
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TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING

September 21, 2015

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**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**

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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**



**AIR RESOURCES COUNCIL  
MINUTES OF MEETING #233  
9/21/15**

**MEMBERS PRESENT:** Chairman Robert Duval, Vice-Chairman David Collins, Kris Blomback, Deborah Chabot, Carmela Amato-Wierda, Mark Lambert, Raymond Donald, Ryan Bielagus, William Smagula

**MEMBERS NOT PRESENT:** Georgia Murray

**NHDES – ARD PERSONNEL:** Craig Wright, Joseph Fontaine, Gary Milbury

**OTHERS PRESENT:** Anne Keach

**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 gasses 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 CO<sub>2</sub> 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.





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
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TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING October 19, 2015

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

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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**





**AIR RESOURCES COUNCIL  
MINUTES OF MEETING #234  
10/19/15**

**MEMBERS PRESENT:** Chairman Robert Duval, Vice-Chairman David Collins, Kris Blomback, Deborah Chabot, Carmela Amato-Wierda, Mark Lambert, Raymond Donald, Georgia Murray (via. Conf. Call)

**MEMBERS NOT PRESENT:** William Smagula, Ryan Bielagus

**NHDES – ARD PERSONNEL:** Craig Wright, Jeffrey Underhill, Gary Milbury, Michael Fitzgerald

**OTHERS PRESENT:** Anne Keach

**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.

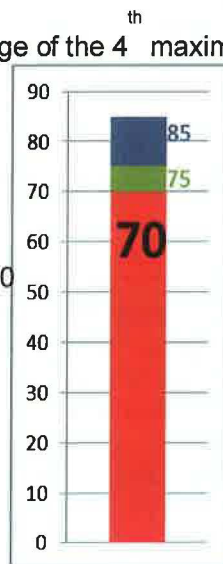
## New Hampshire's Ozone State Implementation Plan:

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

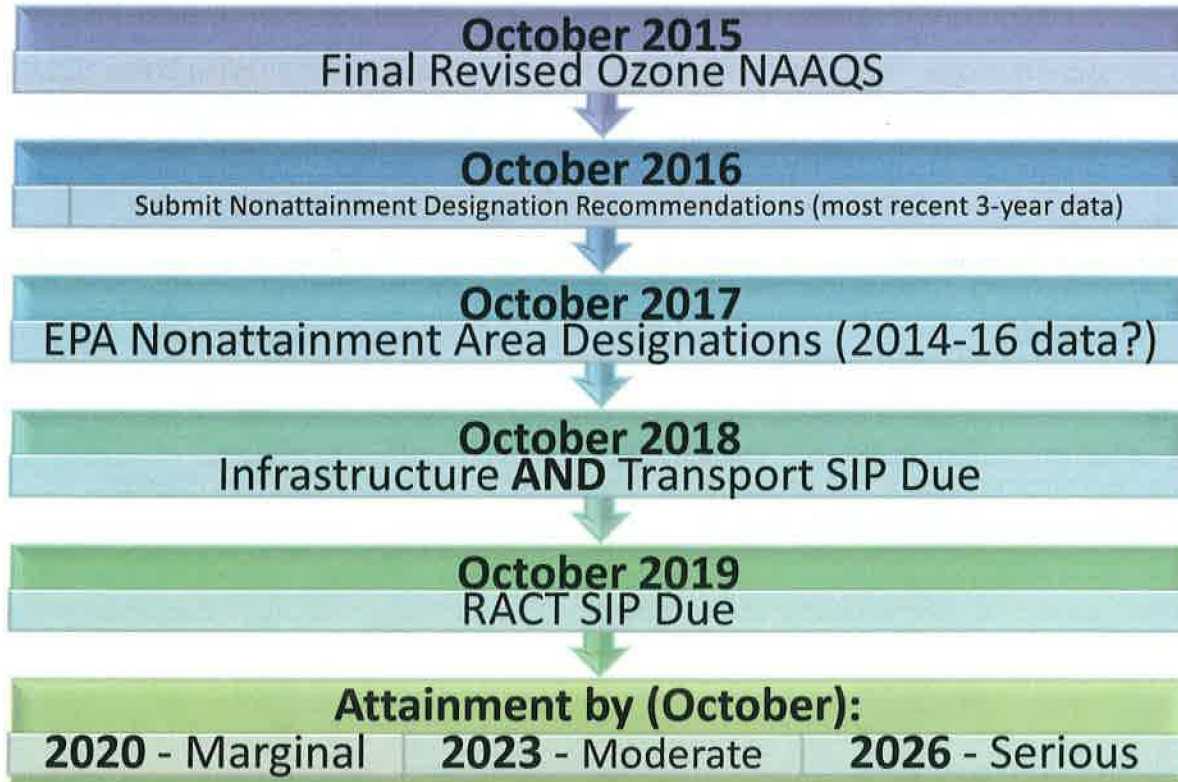
Dr. Underhill described the New Ozone National Ambient Air Quality Standard (NAAQS), which was revised on October 1, 2015, and includes:

- **70 ppb** 8-hour averaging period, 3-year average of the 4<sup>th</sup> 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
  - PAMS monitoring updates
  - VOC and NOx species updates
  - Carbonyl testing frequency increased
  - Network being modified

Dr. Underhill reported that beginning in 2017, the ozone season will begin on March 1<sup>st</sup>, instead of April 1<sup>st</sup>. 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:



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:

	DV 2011-13	DV 2012-14	DV 2013-15P
Laconia-B	62	62	58
Keene	62	62	60
Summit Mt Washington	69	68	69
Mt Washington Base	61	59	57
Lebanon	60	61	59
Woodstock		59	57
Nashua-Gilson	67	66	64
Peterborough	67	70	67
Concord-B	64	63	62
Portsmouth-Pierce Island	66	68	66
Rye-Ordiorne State Park	67	68	68
Londonderry-Moose Hill	68	67	65

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.



# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
Council Clerk (non-appeal related): (603) 271-1386; Appeals Clerk (appeal related only): (603) 271-6072  
TDD Access: Relay NH 1-800-735-2964  
Council Website: <http://nhec.nh.gov>

### NOTICE OF MEETING November 16, 2015

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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

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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.





# THE STATE OF NEW HAMPSHIRE

## Air Resources Council

Robert Duval, Chairman

PO Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095  
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### NOTICE OF MEETING

December 14, 2015

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**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**

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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**



**AIR RESOURCES COUNCIL  
MINUTES OF MEETING #236  
12/14/15**

**MEMBERS PRESENT:** Chairman Robert Duval, Vice-Chairman David Collins, Kris Blomback, Deborah Chabot, Carmela Amato-Wierda, Georgia Murray (via. Conf. Call), Mark Lambert, Raymond Donald

**MEMBERS NOT PRESENT:** Ryan Bielagus, William Smagula

**NHDES – ARD PERSONNEL:** Craig Wright, Michele Roberge, Padma Baru, Gary Milbury, Todd Moore, Karla McManus

**OTHERS PRESENT:** Anne Keach

**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 CO<sub>2</sub> allowances for the clearing price of \$7.50. 15,374,274 CO<sub>2</sub> 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 CO<sub>2</sub> 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.**

