

ANNUAL REPORT
Of The
AIR RESOURCES COUNCIL
2017

SUBMITTED TO

His Excellency, Governor Christopher T. Sununu



Executive Council

The Honorable Joseph D. Kenney
The Honorable Colin Van Ostern
The Honorable Christopher C. Pappas
The Honorable David K. Wheeler
Commissioner Robert Scott

RESPECTFULLY SUBMITTED
Robert Duval, Chairman
January 16, 2017

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 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 and 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 21-0 (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 BLOMACK, Henniker
November 6, 2013 to October 24, 2017
(Municipal Government)

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, 2010
(General Public)

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

RESIGNED

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

AIR RESOURCES COUNCIL

MEMBERSHIP CONTACT INFORMATION

CHAIR/AT LARGE/PUBLIC INTEREST

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

Work: 472-4488
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Home:

rduval@tfmoran.com

Term Exp: 11/21/18

VICE-CHAIR/FUEL OIL INDUSTRY:

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Rath, Young & Pignatelli, PA
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Term Exp: 09/06/19

AT LARGE/ENVIRONMENTAL INTEREST:

Georgia Murray
Staff Scientist, Appalachian Mountain Club
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Conway, NH 03818

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Term Exp: 10/24/17

gmurray@outdoors.org

AT LARGE/RECREATION INDUSTRY:

Kris Nils Blomback
203 Highland Drive
Henniker, NH 03242

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Home:
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Term Exp: 10/24/19

kris@patspeak.com

AT LARGE/PUBLIC INTEREST:

VACANT

Work:
Home:
Fax:

Term Exp: 12/06/18

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J. Ryan Bielagus
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47 Heritage Hill Rd
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Term Exp: 12/9/19

ryan@andoverconsulting.com

STEAM POWER GENERATING INDUSTRY:

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

Work: 634-2851
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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

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

Term Exp: 10/04/19

AT LARGE/HEALTH CARE PROFESSIONAL:

Deborah Chabot
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Hancock, NH 03449

Term Exp. 10/24/18

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debychabot@aol.com

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:

January 9, 2017
February 13, 2017
March 13, 2017

April 10, 2017
May 8, 2017
June 12, 2017

July 10, 2017
August 14, 2017
September 11, 2017

October 16, 2017
November 13, 2017
December 11, 2017

AIR RESOURCES COUNCIL RECORD OF ATTENDANCE

RECORD OF ATTENDANCE Air Resources Council 2017

	January	February	March	April	May	June
Robert Duval	Present	Canceled	Present	Canceled	Canceled	NO QUORUM
David Collins	Present	Canceled	Present	Canceled	Canceled	NO QUORUM
Ryan Bielagus	Present	Canceled	Absent	Canceled	Canceled	NO QUORUM
Kris Blomback	Present	Canceled	Present	Canceled	Canceled	NO QUORUM
Deborah Chabot	Present	Canceled	Absent	Canceled	Canceled	NO QUORUM
Raymond Donald	Absent	Canceled	Present	Canceled	Canceled	NO QUORUM
Mark Lambert	Present	Canceled	Present	Canceled	Canceled	NO QUORUM
Georgia Murray	By Phone	Canceled	Absent	Canceled	Canceled	NO QUORUM
William Smagula	Present	Canceled	Present	Canceled	Canceled	NO QUORUM

RECORD OF ATTENDANCE
Air Resources Council
2017

	July	August	September	October	November	December
Robert Duval	Canceled	NO QUORUM	PRESENT	Absent	Canceled	NO QUORUM
David Collins	Canceled	NO QUORUM	PRESENT	PRESENT	Canceled	NO QUORUM
Ryan Bielagus	Canceled	NO QUORUM	Absent	PRESENT	Canceled	NO QUORUM
Kris Blomback	Canceled	NO QUORUM	PRESENT	PRESENT	Canceled	NO QUORUM
Deborah Chabot	Canceled	NO QUORUM	PRESENT	PRESENT	Canceled	NO QUORUM
Raymond Donald	Canceled	NO QUORUM	PRESENT	RETIRED	Canceled	NO QUORUM
Mark Lambert	Canceled	NO QUORUM	Absent	PRESENT	Canceled	NO QUORUM
Georgia Murray	Canceled	NO QUORUM	PRESENT	By Phone	Canceled	NO QUORUM
William Smagula	Canceled	NO QUORUM	PRESENT	PRESENT	Canceled	NO QUORUM

AIR RESOURCES COUNCIL

MEETING AGENDAS

&

MEETING MINUTES

NOTICE OF MEETING

January 9, 2017

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, January 9th, 2017 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 #242)**
3. **Air Resources Division Report**
Craig Wright, Director
 - Legislative Update
 - Significant Permit Activities
 - Other ARD Activities
4. **Env-A 3800, Voluntary Greenhouse Gas Emissions Reductions Registry**
Karla McManus, Rules Coordinator
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 #243
01/09/2017**

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, Deborah Chabot, William Smagula, Kris Blomback, Raymond Donald, Georgia Murray (via. Conf. Call) Mark Lambert and J.Ryan Bielagus.

MEMBERS NOT PRESENT: Raymond Donald

NHDES – ARD PERSONNEL: Craig Wright, Evan Mulholland, Karla McManus, Joe Fontaine

OTHERS PRESENT: Shelley Marshall

Call to Order:

Chairman Duval called Meeting #243 of the Air Resources Council (ARC) to order at 9:02 a.m. on Monday, January 9, 2017. 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 #242. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #242 of December 19, 2016, were approved and accepted by the ARC.

Division Activities and 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

Title 5 permit \ Eversource Schiller Station:

A public hearing was held on December 14, 2016, at the Portsmouth Public Library to receive public comment regarding Section 126 Petition filed by the Sierra Club. Director Wright advised that the DES has received comments about rule interpretations, guidance from EPA, and how the process unfolded. William Smagula expressed concerns with the new emission standards and how they were calculated, noting that the differences between the old and new emission standards were significant.

2017 Session Bill Tracking Matrix

Director Wright briefed everyone on the Tracking Matrix chart, and how NHDES keeps track of such things as Bills, LSR, Sponsors, and Hearings.

Governor Sununu’s Executive Branch Regulatory Review letter

Director Wright passed out a letter to the Air Council that NHDES (ARD) had just received from Governor Sununu regarding Administrative Rules. He asked to withdraw the rule from the agenda in light of the Governor Sununu’s letter. The letter states to immediately establish a pause on any proposed adoption, amendment, re-adoption, or re-adoption with amendment of administrative rules until March 31, 2017.

NOTICE OF MEETING
March 13, 2017

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, March 13th, 2017 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 #243)**
- 3. Air Resources Division Report**
Craig Wright, Director
 - Legislative Update
 - Significant Permit Activities
 - Other ARD Activities
 - Stationary Source Fee
- 4. Rules – *Karla McManus, Rules Coordinator***
- 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 #244
03/13/2017**

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins,
William Smagula, Kris Blomback, Raymond Donald and Mark
Lambert

MEMBERS NOT PRESENT: Deborah Chabot, Georgia Murray and J.Ryan Bielagus.

NHDES – ARD PERSONNEL: Craig Wright, Evan Mulholland, Gary Milbury

OTHERS PRESENT: Shelley Marshall

Call to Order:

Chairman Duval called Meeting #244 of the Air Resources Council (ARC) to order at 9:01 a.m. on Monday, March 13, 2017. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:

William Smagula entered a motion to accept the minutes of meeting #243. David Collins seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #243 of January 9, 2017 were approved and accepted by the ARC.

Division Activities and 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:

State Budget:

Director Wright stated that ARD requested from the Governor's office a small capital appropriation to be used to update and modernize our Air Monitoring network. The Governor's proposed budget did not include the ARD request as repairs to state owned dams were deemed a higher priority.

2017 Session Bill Tracking:

Director Wright advised that there are two bills that still remain active that ARD is still tracking and they are HB-463-FN and SB-181. HB-463-FN an act for regulating groundwater pollution caused by polluting emissions in the air. This bill allows ARD to adopt rules regarding air pollutants that deposit on soils and water and cause a violation of ground water standard. SB-181 is an act relative to the regulation of biodiesel. This bill includes biodiesel in the definition of exempt fuel.

Permitting:

Director Wright advised that a public hearing was held on the Schiller Title V Operating Permit on Wednesday December 14th, 2016 at the Portsmouth Public Library. After the public comment period closed on December 19, 2016, ARD learned that one of the options used in the EPA modeling program had a technical flaw, which required ARD to re-run the S02 modeling. As a result of this revised analysis, NHDES concluded that the appropriate S02 emission limit for Schiller Units SR4 and SR6 should be 0.83 lb. /MMBtu as averaged over a boiler operating day. Since this represents an increase ARD decided to re-notice the draft permit and a hearing is scheduled for April 4.

Rules:

Per Governor Sununu's Executive branch regulatory review letter requesting a hold be placed till March 31, 2017; there aren't any at this time.

Compliance Update

Evan Mulholland informed the council that ARD has settled 3 Administrative fines since January. Sturm, Ruger & Co, in Newport agreed to a fine of \$4,200.00. The cities of Dover and Somersworth were both fined for applying generators into businesses without having permits. Both cities were fined \$1,000.00 each.

Status of Appeals

Currently, there are no appeals before the ARC.

New Business

None

Other Business

None

Public Commentary

No members of the public were present.

Adjourn

Having no further business to discuss, Chairman Robert Duval suggested a motion to adjourn, moved by Vice-Chairman Dave Collins, seconded by Raymond Donald. All were in favor. Meeting #244 of the Air Resources Council adjourned at 9:52 on March 13, 2017.

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 September 11, 2017



The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, September 11, 2017, 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 #244)**
3. **Air Resources Division Report**
Craig Wright, Director
 - Legislative Update
 - Significant Permit Activities
 - Other ARD Activities
4. **C & D amendments to Env-A 3300, Municipal Waste Combustion**
Felice Janelle, SIP Planning Analyst
Karla McManus, Planning and Rules Manager
5. **Readoption of Env-A 1400, Regulated Toxic Air Pollutants**
Cathy Beahm, Air Permit Programs Manager
Karla McManus, Planning and Rules Manager
6. **Review of Draft Rule Env-A 705.03 (g), Calculation of Emission-Based Fee**
Evan Mulholland, Administrator IV
Karla McManus, Planning and Rules Manager
7. **New Business**
8. **Public Commentary**
 - Opportunity for the public to comment on matters affecting the Air Resources Council or the Air Resources Division
9. **Adjourn**

**AIR RESOURCES COUNCIL
MINUTES OF MEETING #247
09/11/2017**

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, William Smagula, Kris Blomback, Raymond Donald, Deborah Chabot, Georgia Murray,

MEMBERS NOT PRESENT: J. Ryan Bielagus and Mark Lambert

NHDES – ARD PERSONNEL: Mike Fitzgerald, Karla McManus, Felice Janelle, Evan Mulholland, Gary Milbury, Cathy Beahm, Sonny Strickland, Dave Larson, Todd Moore, Paul Gildersleeve, Shelley Marshall

OTHERS PRESENT: John Tuthill, Simon Thomson, Fred Bruneau, and Rick Glisser

Call to Order:

Chairman Duval called Meeting #247 of the Air Resources Council (ARC) to order at 9:11 a.m. on Monday, September 11, 2017. Chairman Duval announced that a quorum was present.

Approval of Minutes:

Raymond Donald entered a motion to accept the minutes of meeting #244. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting 244 of March 13, 2017 were approved and accepted by the ARC.

Division Activities and Legislative Update:

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

Legislative:

Assistant Director Fitzgerald spoke of two Senate bills. SB 51, establishing a committee to review subsidies for energy projects provided by the renewable portfolio standard, and SB 125, establishing a committee to study transmission, distribution, generation, and other costs in the state's electricity systems. Both are in study committees that were requested by Senator Kevin Avard.

Assistant Director Fitzgerald stated that on July 1, 2017 a new statute was put in place for House Bill 336, relative to standards for outdoor wood-fired hydronic heaters. Prior to July 1, 2017 all heaters are grandfathered under the new statute.

NOTICE OF MEETING
October 16, 2017

The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, October 16, 2017, 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 #247)**
- 3. Air Resources Division Report**
Michael Fitzgerald, Assistant Director
 - Legislative Update
 - Significant Permit Activities
 - Other ARD Activities
- 4. Compliance Update – Evan Mulholland**
- 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 #248
10/16/2017**

MEMBERS PRESENT: Vice-Chairman David Collins, William Smagula, Kris Blomback, Deborah Chabot, J. Ryan Bielagus, Mark Lambert, Georgia Murray (via conference call)

MEMBERS NOT PRESENT: Chairman Robert Duval

NHDES – ARD PERSONNEL: Mike Fitzgerald, Shelley Marshall, Karla McManus, Felice Janelle, Evan Mulholland, Gary Milbury, Pat North

OTHERS PRESENT:

Call to Order:

Vice-Chairman Collins called Meeting #248 of the Air Resources Council (ARC) to order at 9:00 a.m. on Monday October 16, 2017. Vice-Chairman Collins announced that a quorum of the ARC was present.

Approval of Minutes:

William Smagula entered a motion to accept the minutes of meeting #247. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #247 of September 11, 2017 were approved and accepted by the ARC.

Division Activities and Legislative Update:

Vice-Chairman David Collins introduced Michael Fitzgerald Assistant Director of the Air Resources Division (ARD). Assistant Director Fitzgerald briefly updated members of the ARC regarding issues relative to the ARD, including:

Council Retirement:

Assistant Director Fitzgerald announced that ARC member Raymond Donald has retired from his position on the Air Resources Council after 21 years of service. Mr. Fitzgerald invited all members of the ARC to the State House on October 25th where Governor Sununu was going to give Raymond Donald a proclamation. Mr. Fitzgerald also announced that the Air Division had a State seal that we would also be issuing to Raymond Donald on the same day framed, with signatures from the Air Resources Council members and the Air Resources Division.

Legislative:

There was no legislation to report.

Permitting Activities:

Wheelabrator Concord - Title V Permit:

Assistant Director Fitzgerald advised that on August 7, 2017, the public comment period ended on the draft Title V Operating Permit for the Wheelabrator Concord facility. No comments were received during the comment period, although shortly after the end of the comment period, one interested party claimed that they did not receive adequate notice of the draft permit. They said they didn't recall receiving the draft permit materials in the mail. As a result, ARD put the draft

permit out to public notice again, and received several requests for a public hearing. ARD has scheduled a public hearing at the DES Offices, 29 Hazen Drive, Concord, NH on Tuesday November 7, 2017 at 6:00.

Recognizing FlexEnergy (Portsmouth) in assisting with efforts to restore power to hospital in Puerto Rico:

Assistant Director Fitzgerald advised that FlexEnergy, a company in the Pease TradePort that manufactures and tests micro turbine power systems, is in the process of completing some research & development testing on their micro turbine systems under a R&D approval from the ARD. Within a week of notifying the Division that this particular R&D effort had been completed, FlexEnergy contacted ARD to say that the R&D turbines were desperately needed at Doctor's hospital in Puerto Rico, which suffered extensive damage as a result of Hurricane Maria. ARD issued the R&D extension that same day and the final micro turbine testing was done. The unit is on its way or may already be in Puerto Rico at this time. This is an example of the efforts of a NH company that is deploying clean, low emissions technology to assist those fellow citizens who are in desperate circumstances.

Compliance Update

Vice Chairman Collins introduced Evan Mulholland, ARD Compliance Bureau Administrator. Mr. Mulholland shared his power point presentation with the ARC members which he had presented at the NHDOT headquarters at 7 Hazen Drive on Wednesday August 16, 2017 at 10:30 A.M. The presentation regarding air emission-based fees and a discussion of potential modifications to this method of funding ARD's work was shown to Emissions Stakeholders. Please see attachment.

Slide number 12 showed a chart of how the Criteria Pollutant Emissions has had 70% reduction over the past 10 years. Vice Chairman Collins stated how phenomenal our States reduction was and asked Mr. Mulholland if other States were showing the same numbers as New Hampshire. Mr. Mulholland stated that all of the New England states do compare with New Hampshire.

Georgia Murray stated that she feels that the Health factor is imperative and should also be brought to the attention of the Emission Stakeholder Workgroup.

Status of Appeals

Currently, there are no appeals before the ARC.

New Business

William Smagula was pleased about the sale of Eversource's Power Plants. Attached is a news release from Eversource Energy dated October 12, 2017 detailing the sale.

Public Commentary

No members of the public were present.

Adjourn

Having no further business to discuss, Vice-Chairman David Collins suggested a motion to adjourn, moved by Deborah Chabot, seconded by Mark Lambert. All were in favor. Meeting #248 of the Air Resources Council adjourned at 10:13am.

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

December 11, 2017

**The New Hampshire Air Resources Council will convene at 9:00 a.m.
Monday, December 11, 2017, 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 #248)**
- 3. DES Commissioner**
Robert Scott, DES Commissioner
- 4. Air Resources Division Report**
Craig Wright, ARD Director
 - Legislative Update
 - Significant Permit Activities
 - Other ARD Activities
- 5. Compliance Update – Evan Mulholland**
- 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 #249
12/11/2017**

MEMBERS PRESENT: Chairman Robert Duval, Vice-Chairman David Collins, William Smagula, Kris Blomback, Deborah Chabot, Mark Lambert, Georgia Murray (via conference call)

MEMBERS NOT PRESENT: J. Ryan Bielagus

NHDES – ARD PERSONNEL: Mike Fitzgerald, Evan Mulholland, Cathy Beahm

OTHERS PRESENT: Shelley Marshall, John Tuthill

Call to Order:

Chairman Robert Duval called Meeting #249 of the Air Resources Council (ARC) to order at 9:02 a.m. on Monday December 11, 2017. Chairman Duval announced that a quorum of the ARC was present.

Approval of Minutes:

Mark Lambert entered a motion to accept the minutes of meeting #248. Kris Blomback seconded the motion. All were in favor. The motion carried. The minutes of ARC meeting #248 of October 16, 2017 were approved and accepted by the ARC.

Welcome New DES Commissioner

Chairman Robert Duval introduced the new Department of Environmental Services Commissioner Robert R. Scott.

Division Activities and Legislative Update:

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

1. Eliot ME Section 126 Petition Withdrawn - On November 9th, the Eliot Board of Selectman voted on an article to withdraw the town's Clean Air Act Section 126 Petition with EPA. Our understanding is that prior to voting on the article, the Board reached out the Eliot Conservation Commission, who in turn consulted with Sierra Club, and both groups recommended withdrawing because the substantive concerns alleged in the petition have been resolved (by addressing the Title V Petition for Schiller Station).
2. **** Update - Wheelabrator Concord – Title V Operating Permit Renewal:** On November 7th, ARD held a public hearing in regard to the draft Title V Operating Permit for the Wheelabrator facility in Concord. This is a renewal of their operating permit. Approximately 20 people attended the 2 ½ hour hearing. Citizen testimony primarily focused on concerns about lead, mercury, and dioxin/furan emissions from the facility, the impacts of cumulative deposition of these pollutants to soil and water bodies over the past 25+ years. and emissions monitoring/testing

**AIR RESOURCES COUNCIL
APPEALS
&
ACTIVITY RELATIVE TO APPEALS
DOCKETED IN PRIOR YEARS**

2017 AIR RESOURCES COUNCIL APPEALS

No Appeals were filed with the Air Resources Council in 2017.