

**AIR RESOURCES COUNCIL  
MINUTES OF ONLINE MEETING #275  
03/14/2022**

**MEMBERS PRESENT:** Chairman Robert Duval, Jay Leduc, Elizabeth (Lynn) Tillotson, Georgia Murray, David Cribbie,

**MEMBERS NOT PRESENT:** Mark Lambert, J. Ryan Bielagus, Kris Blomback, and Rudy Cartier Jr.

**NHDES – ARD PERSONNEL:** Director Craig Wright, Assistant Director Mike Fitzgerald, Cathy Beahm,  
Tim White

**OTHERS PRESENT:** Shelley Marshall and Mike Haley

**MEMBERS OF  
THE PUBLIC PRESENT:** John Tuthill

**Call to Order:**

Chairman Robert Duval called meeting #275 of the Air Resources Council (ARC) to order at 9:07 a.m. on Monday March 14, 2022. Chair Robert Duval announced that the council had a quorum.

**Approval of Minutes:**

A motion to approve the minutes of meeting #274 moved by moved by Elizabeth (Lynn) Tillotson and seconded by Jay Leduc. All were in favor, motion passed.

**Division Activities and Legislative Update:**

Chairman Robert Duval introduced Director Craig Wright of the Air Resources Division (ARD), who updated members of the ARC regarding issues relative to the ARD, including:

**New Staff in ARD:**

Pat North – Pat, a former administrator of ARD’s Environmental Health Program, has returned on a part time basis to assist with our rollout of the new air toxics rule and to assist with some permitting projects. She will also be providing her expertise to the Environmental Health Program as needed.

Jennifer Galbraith – Jen previously worked at DES in the early 2000s as an air quality modeler. She left to teach at the NH Technical Institute for several years and worked in the solar industry prior to returning to DES as an air permit engineer.

Dr. Kelly Thrippleton-Hunter – Kelly has joined the Environmental Health Program as a health risk assessor in our APPLETREE Program. Prior to coming to DES, Kelly was a professor at Southern NH University.

Director Wright mentioned that David Smith who is one of ARD's Inspector in our Compliance Bureau is on active military leave with the Army Reserves – Mr. Smith is expected to be gone 4 months minimum.

#### Open Recruitments – 7 Positions

3 positions in the Technical Services Bureau

3 positions in the Compliance Bureau

1 position in the Director's Office

Future Retirements – Currently estimate that 8 senior level staff will retire within 3 years.

#### Permitting Environmental Health Updates:

1. **Presentation to NH Chapter of American Council of Engineering Companies (ACEC):** On January 21<sup>st</sup>, 2022, the NHDES Environmental Health Program presented an overview of their program to the NH chapter of the ACEC. The presentation covered the work the Environmental Health Program is doing to establish ambient groundwater quality standards, as well its work under a (3-year) cooperative agreement with the Centers for Disease Control and Prevention, Air Toxics Substances and Disease Registry (CDC-ATSDR).

#### 2. **Updates to Chapter Env-A 1400, *Regulated Toxic Air Pollutants*:**

Changes to Env-A 1400, *Regulated Toxic Air Pollutants* were most recently adopted on February 3, 2022. Sources subject to the air toxics rule have 90 days from adoption of the most recent updates to evaluate their compliance status and demonstrate that their emissions comply with the revised rule. If a new permit or permit revision is needed, facilities need to submit a compliance plan and permit application by May 3, 2022.

#### **Budget Related Items**

DES received an additional \$149,000 from EPA in our Section 103 Grant to establish a new air monitoring site in Laconia. The new site will monitor for both PM2.5 and ozone.

We have started the FY 24/25 budget process for both the Operating and Capital Budgets

Our first step is related to Capital Budgets – for the last 3 cycles we have requested and received about \$200,000 for each 2-year cycle

ARD's first request this year is to double that request – pending approval by the CO

## Federal Updates:

EPA proposed a new Cross State Air Pollution Rule on March 11

Supreme Court held oral arguments on a climate case related to EPA's authorities on February 28. A decision is expected in June

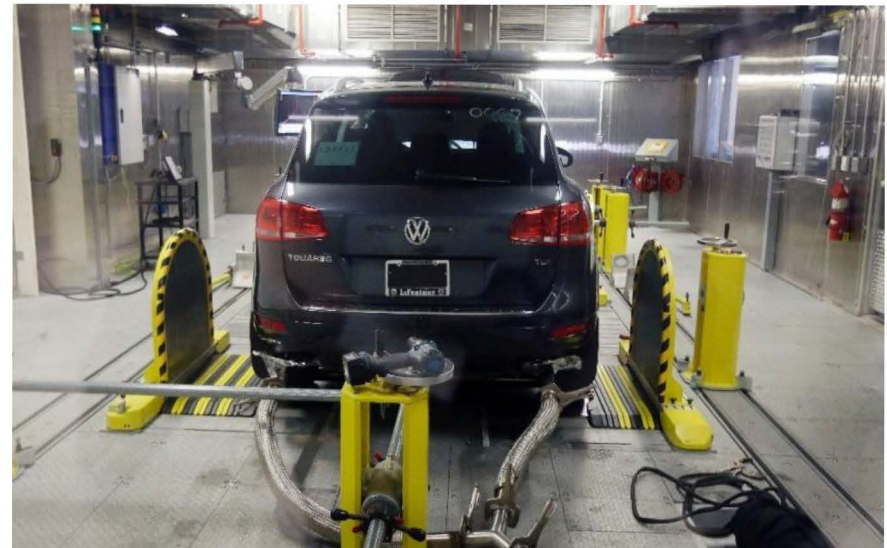
On March 9 EPA reinstated the California waiver which allows California and other 177 states to enforce more stringent auto emission standards. 16 other states have adopted the California Standards. NH has not adopted CA standards. The waiver was revoked under the previous administration

## **ARD Technical Service Update:**

Tim White, Supervisor VII gave an update on the Volkswagen Settlement. The following is a handout of a power point presentation that Mr. White went over with the council.

# Volkswagen Settlement Update Air Resources Council

**March 14, 2022**



# VW Environmental Mitigation Trust/NH Settlement

- Settlement between federal Government/State of CA/VW Corp.
- CAA violations - Illegal Levels of Nitrogen Oxide
- Established Environmental Mitigation Trust
- NH became Beneficiary in 2018 - \$30.9M - Beneficiary Mitigation Plan
- Ten Eligible Mitigation Activities
- NH Lead Agency



# VW Environmental Mitigation Trust/NH Settlement

## Public/Government Vehicles and Equipment

50 percent (\$15.5 million) - replace state and municipal vehicles and equipment under categories 1, 2, 6, and 10 (60% municipal/40% state)

## Electric Vehicle Supply Equipment

15 percent (\$4.6 million) - acquisition, installation, operation and maintenance of electric vehicle charging stations

## Competitive Project Solicitation

20 percent (\$6.2 million) - available to all entities, public and private, through a competitive solicitation for projects in categories 1, 2, 6, 7 and 10

## Administration Costs

15 percent (No more than \$4.6 million) - utilized for administrative costs –with un-used funds being added to the competitive project solicitation.

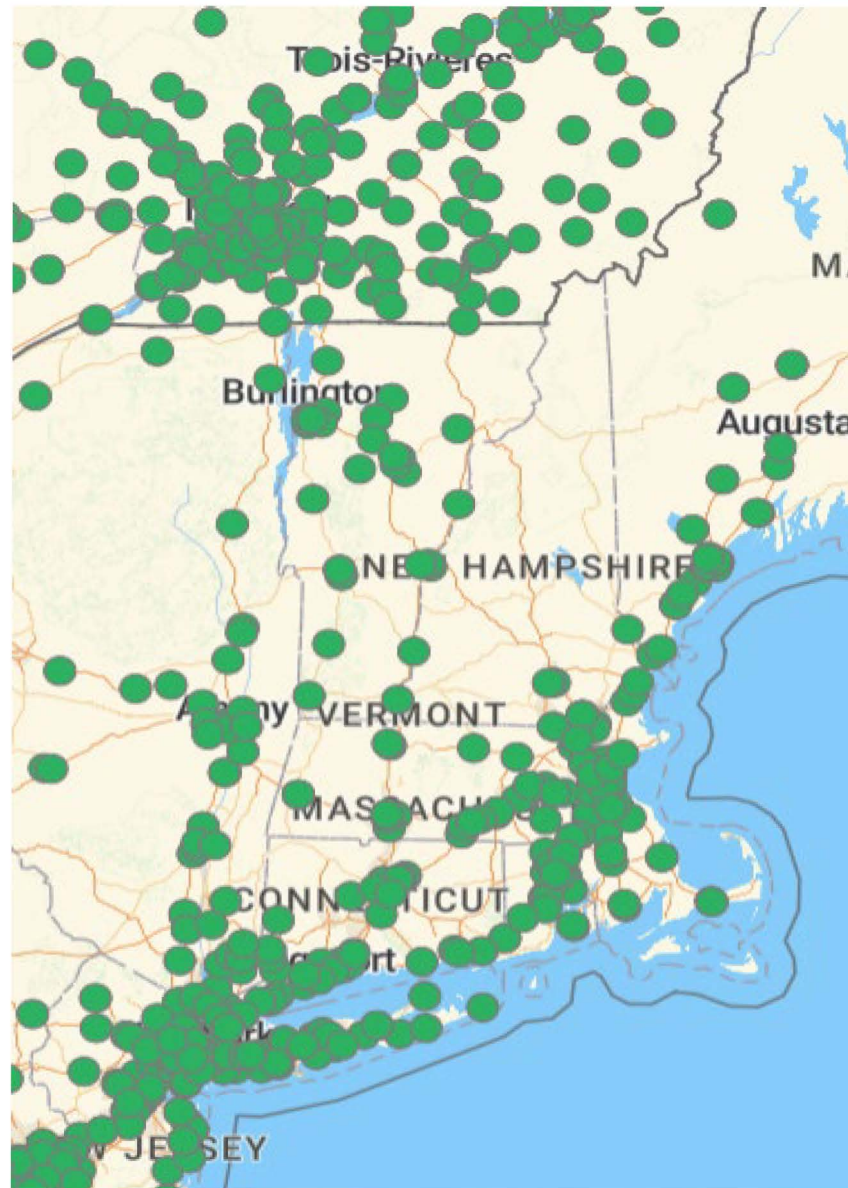


# VW Mitigation Trust – NH Project Updates

- State/Municipal Agency Vehicle Replacement Projects
- Green Street Level 2 EVSE Project
- CMAQ Level 2 EVSE Project
- Direct Current Fast Charging RFP



# VW Mitigation Trust – NH Project Updates





# Infrastructure and Investment Jobs Act Build Back Better Act

## National Electric Vehicle Formula Program

- \$5B to States for projects in FY 2022-2026
- EVSE projects located along designated alternative fuel corridors
- Projects at locations open to the general public
- 80 percent Federal share

## Charging and Fueling Infrastructure Program

- \$2.5B to for projects in FY 2022-2026
- Eligible entities – States, MPOs, local governments, public authorities with a transportation function
- Projects located along designated alternative fuel corridors/  
Community Grants
- Federal share – not to exceed 80 percent

## Build Back Better Act

- Economic Investment package currently being debated in Congress
- Clean energy projects including transportation electrification



# NH State Clean Diesel Program

- EPA DERA Funding/VW Matching Funds
- Project Purpose – Reduction of Diesel Emissions
- 3-Year Funding totals – approx. \$2.46M
- Link to Program Information:

<https://www.des.nh.gov/business-and-community/loans-and-grants/dera>



**New Business:**

Mike Haley the Attorney from the New Hampshire Department of Justice addressed the Council in reference to updating Rule ENV-AC 200 *Procedural Rules-Air Resources Council*. Mr. Haley stated that the Wetlands Bureau has recently updated theirs and feels that the Air Council should compare Wetlands rules with the existing rules that are already in place for the Air Council. This will be a topic of discussion at our next Air Council meeting that is scheduled for Monday April 11, 2022.

**Public Commentary:** None at this time

**Adjourn:**

Having no further business to discuss, a motion to adjourn was moved by Jay Leduc and seconded by David Cribbie. All were in favor motion passed. Meeting #275 of the Air Resources Council adjourned at 10:14 am on March 14, 2022.