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NEW HAMPSHIRE ENVIRONMENTAL COUNCILS

Air Resources Waste Management Water Wetlands

December 1, 2025

Her Excellency, Governor Kelly A. Ayotte
And the Honorable Council
State House
Concord, New Hampshire 03301

INFORMATIONAL ITEM

Pursuant to RSA 21-O:11 III, the New Hampshire Air Resources Council hereby submits its annual report for year ending 2024. The report highlights all member information, meeting agendas, minutes, attendance, appeals, and docket activity.

If you have any questions regarding this report, please feel free to contact the Council Secretary, Cassidy Menczywor, at Cassidy.R.Menczywor@des.nh.gov.

Respectfully Submitted,

Robert Duval
Council Chairman

ANNUAL REPORT

Of The

AIR RESOURCES COUNCIL

2024

SUBMITTED TO

Her Excellency, Governor Kelly Ayotte

Executive Council

The Honorable Joseph D. Kenney
The Honorable Karen Liot Hill
The Honorable Janet Stevens
The Honorable John Stephen
The Honorable David K. Wheeler
Commissioner Robert Scott

RESPECTFULLY SUBMITTED
Robert Duval, Chairman
December 2025

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:11

ROBERT DUVAL, Manchester-Chairman
September 17, 2003 to November 21, 2026
(General Public)

KRIS NILS BLOMBACK, Henniker
November 6, 2013 to October 24, 2027
(Recreation Industry)

GEORGIA MURRAY, Conway
January 11, 2006 to October 24, 2025
(Environmental Interest)

DAVID CRIBBIE, Bow
November 14, 2018 to November 1, 2026
(Manufacturing)

J. RYAN BIELAGUS, Moultonborough
January 4, 2005 to December 6, 2027
(General Public)

ALEC O'MEARA, Exeter
August 7, 2024 to October 4, 2027
(Natural Gas Industry)

JAY LEDUC, Portsmouth
June 2, 2021 to September 6, 2027
(Fuel Oil Industry)

VACANT
(Health Care Professional/Practicing Physician)

RUDOLPH A. CARTIER JR., Candia
September 23, 2020 to October 24, 2025
(Municipal Government)

ELIZABETH TILLOTSON, Bow
January 24, 2018 to October 24, 2025
(Steam Power Generating Industry)

VACANT
(General Public)

NAME	ADDRESS	PHONE #	EMAIL	AFFLIATION	TERM EXP DATE
APPOINTEES					
DUVAL, ROBERT	TFMORAN, INC. 48 CONSTITUTION DR BEDFORD, NH 03110-6000	W: 603-472-4488 x315	RDUVAL@TFMORAN.COM	CHAIRMAN/AT LARGE/GENERAL PUBLIC	11/21/2026
CARTIER, JR, RUDOLPH (RUDY) A.	89 WINAUKEE RD MOULTONBOROUGH, NH 03254	C: 603-540-9149	2RACBS@COMCAST.NET	VICE CHAIR/MUNICIPAL GOVERNMENT	10/24/2025
BIELAGUS, J. RYAN	ANDOVER CONSULTING GROUP, INC. 170 SOUTH RIVER RD BLD 1 BEDFORD, NH 03110	W: 603-668-7046 x503	RYAN@ANDOVERCONSULTING.COM	AT LARGE/GENERAL PUBLIC	12/6/2027
CRIBBIE, DAVID	583 SOUTH MAIN ST FRANKLIN, NH 03235	W: 603-393-4973	dcribbie@win-waste.com	MANUFACTURING	11/1/2026
O'MEARA, ALEC	UNITIL 6 LIBERTY LANE WEST HAMPTON, NH 03842	W: 603-773-6404	omeara@unitil.com	NATURAL GAS INDUSTRY	10/4/2027
LEDUC, JASON (JAY) A.	SPRAGUE RESOURCES GP LLC 185 INTERNATIONAL DR PORTSMOUTH, NH 03801	W: 603-430-7298	JLEDUC@SPRAGUEENERGY.COM	FUEL OILS INDUSTRY	9/6/2027
MURRAY, GEORGIA L.	APPALACHIAN MOUNTAIN CLUB PO BOX 1747 92 HILLSIDE AVE CONWAY, NH 03818	W: 603-466-8111	GMURRAY@OUTDOORS.ORG	AT LARGE/ENVIRONMENTAL INTEREST	10/24/2025
BLOMBACK, KRIS	203 HIGHLAND DR HENNIKER, NH 03242	W: 603-428-3245	KRIS@PATSPEAK.COM	AT LARGE/RECREATION	10/24/2027
TILLOTSON, ELIZABETH (LYNN) H.	GRANITE SHORE POWER 431 RIVER RD BOW, NH 03304	W: 603-230-7968	ELIZABETH.TILLOTSON@GRANITESHOREPOWER.COM	STEAM POWER GENERATING INDUSTRY	10/24/2025
VACANT				AT LARGE/PRACTICING PHYSICIAN	
VACANT				AT LARGE/GENERAL PUBLIC	
ADMIN					
MENCZYWOR, CASSIDY	NHDES, AIR RESOURCES DIVISION PO BOX 95 CONCORD NH 03302-0094	W: 603-271-1386	CASSIDY.R.MENCZYWOR@DES.NH.GOV	NH DEPT OF ENVIRONMENTAL SERVICES (NHDES)	
LEGAL					
SAMUEL, JOYCE	NH DEPT OF JUSTICE CLIENT COUNSELING UNIT OFFICE OF THE ATTORNEY GENERAL 1 GRANITE PLACE SOUTH CONCORD NH 03301	W: 603-271-3111	JOYCE.J.SAMUEL@DOJ.NH.GOV	NH DEPT OF JUSTICE (NHDOJ)	
DOUCETTE, MICHELLE	NH DEPT OF JUSTICE CIVIL LAW BUREAU OFFICE OF THE ATTORNEY GENERAL 1 GRANITE PLACE SOUTH CONCORD NH 03301	W: 603-271-1287	MICHELLE.A.DOUCETTE@DOJ.NH.GOV	NH DEPT OF JUSTICE (NHDOJ)	
VACANT, NHDES LEGAL UNIT ADMINISTRATOR	NHDES, AIR RESOURCES DIVISION PO BOX 95 CONCORD NH 03302-0094				

NOTICE OF MEETINGS

The Air Resources Council scheduled meetings at 9am on the following dates at the New Hampshire Department of Environmental Services 29 Hazen Drive, Concord, New Hampshire:

January 8, 2024	April 8, 2024	July 8, 2024	October 21, 2024
February 12, 2024	May 13, 2024	August 12, 2024	November 18, 2024
March 11, 2024	June 10, 2024	September 9, 2024	December 9, 2024

RECORD OF ATTENDANCE
Air Resources Council
2024

	January	February	March	April	May	June
Robert Duval	Cancelled	Present	Cancelled	Cancelled	Present	Cancelled
Jay Leduc	Cancelled	Present	Cancelled	Cancelled	Present	Cancelled
Ryan Bielagus	Cancelled	Not Present	Cancelled	Cancelled	Present	Cancelled
Kris Blomback	Cancelled	Present	Cancelled	Cancelled	Not Present	Cancelled
Rudy Cartier	Cancelled	Not Present	Cancelled	Cancelled	Present	Cancelled
David Cribbie	Cancelled	Present	Cancelled	Cancelled	Not Present	Cancelled
Alec O'Meara	Cancelled	N/A	Cancelled	Cancelled	N/A	Cancelled
Georgia Murray	Cancelled	Via Conf. room phone	Cancelled	Cancelled	Via Conf. room phone	Cancelled
Elizabeth Tillotson	Cancelled	Present	Cancelled	Cancelled	Present	Cancelled
Mark Lambert	Cancelled	Present	Cancelled	Cancelled	Present	Cancelled

	July	August	September	October	November	December
Robert Duval	Cancelled	Cancelled	Present	Present	Present	Present
Jay Leduc	Cancelled	Cancelled	Not Present	Not Present	Present	Present
Ryan Bielagus	Cancelled	Cancelled	Present	Not Present	Not Present	Present
Kris Blomback	Cancelled	Cancelled	Present	Not Present	Present	Not Present
Rudy Cartier	Cancelled	Cancelled	Present	Not Present	Present	Present
David Cribbie	Cancelled	Cancelled	Present	Present	Present	Present
Alec O'Meara	Cancelled	Cancelled	Not Present	Present	Present	Present
Georgia Murray	Cancelled	Cancelled	Via Conf. room phone	Via Conf. room phone	Present	Via Conf. room phone
Elizabeth Tillotson	Cancelled	Cancelled	Present	Present	Present	Present
Mark Lambert	Cancelled	Cancelled	N/A	N/A	N/A	N/A

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
February 12, 2024
#287

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, February 12, 2024
Rooms 112 & 113 1st floor
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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1. **Call to Order**
2. **Approval of Minutes (Meeting #285)**
3. **Air Resources Division Report:** *Craig Wright, Director Air Resources Division*
   - Legislative Update
   - Significant Permit Activities
   - Other ARD Activities
4. **Status of Appeals** – *Michelle Doucette, Legal Assistant, NHDOJ*
5. **Rules – Env-A 103.41, *Hazardous Air Pollutants,*** and **Env-A 104.47, *Regulated Air Pollutant***
   Karla McManus, Planning and Rules Manager
   Lisa Camire, SIP Planning Analyst

   Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutants
   Karla McManus, Planning and Rules Manager
   Lisa Camire, SIP Planning Analyst
6. **Presentation – Climate Pollution Reduction Grant**
   Jennifer Galbraith, Climate & Energy Program Manager
   James Tilley, Climate Planning Manager
   Kurt Yuengling, Community Engagement Specialist
7. **Review of Annual Report**
8. **New Business**
9. **Public Commentary**
10. **Adjourn**

AIR RESOURCES COUNCIL

MINUTES OF MEETING #287

02/12/2024

MEMBERS PRESENT:	Chairman Robert Duval, Dave Cribbie, Mark Lambert, Jay Leduc, Kris Blomback, and Elizabeth Tillotson
MEMBERS PRESENT BY PHONE:	Georgia Murray
MEMBERS NOT PRESENT:	Vice Chair Rudy Cartier Jr, J. Ryan Bielagus
NHDES – ARD PERSONNEL:	Director Craig Wright, Assistant Director Mike Fitzgerald, Gary Milbury, Todd Moore, Lisa Camire, Jennifer Galbraith, James Tilley, Kurt Yuengling, Brendan Wyman
OTHERS PRESENT:	Michelle Doucette, NHDOJ, R. Jessie Webb, NHDES Water Division
THE PUBLIC PRESENT:	Steven Poggi and Gail Lynch, Waste Management, Viggo Fish, McLane Middleton

Call to Order:

Chairman Duval called meeting #287 of the Air Resources Council (ARC) to order at 9:04 am on Monday February 12, 2024, and announced the Council had a quorum present.

Approval of Minutes:

A motion to approve the minutes of meeting #285 was moved by Jay Leduc and seconded by Lynn Tillotson. 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:

Retirement: Shelley Marshall retired on January 31, 2024. The position is posted and open for internal recruitment statewide. The intention is to have this position continue in the role of providing assistance to the ARC. Thanks to Cathy Beahm and Jessie Webb for helping prepare for today's meeting.

Meeting in Nashua to Discuss Air Permitting Process for Proposed Hot Mix Asphalt Plant: ARD held a meeting in late 2023 with local community leaders in Nashua. The purpose of the meeting was to discuss the Department's efforts to involve a Nashua neighborhood where a new asphalt production plant has been proposed. This area has been determined to fall within an environmental justice area of the state, which has a large non-English speaking population among other factors. Community leaders were present to express their concerns about the proposed facility, but also offered suggestions as to how the Department could better contact/communicate with the local residents in planning for a community-wide public information meeting. This community-wide meeting is planned for tonight (2/12) at 6 p.m. at the Nashua South High School. The plan is to provide a presentation on the air permit process and to answer any questions they may have.

New $PM_{2.5}$ Standard: On February 7, 2024, EPA announced a final rule to lower the National Ambient Air Quality Standard (NAAQS) for fine particles (particulate matter less than 2.5 µm in diameter, $PM_{2.5}$). EPA is intending to lower the current primary (health based) annual $PM_{2.5}$ standard from 12.0 µg/m^3 to 9.0 µg/m^3. The standard will be evaluated based on air quality data over the three-year period 2022-2024. Based on currently available air monitoring data for 2020-2022, NH will be able to demonstrate attainment for the lower standard, but further analysis will need to be conducted as additional monitoring data becomes available. Once the NAAQS is promulgated, NH will have one year to make a designation recommendation to EPA.

Climate Pollution Reduction Grant (CPRG): We continue to work very hard on preparing our Priority Climate Action Plan (PCAP) under our $3M Climate Planning Reduction Grant we received from EPA. Later this morning the ARC will be given a briefing from our team of Jen, James, and Kurt. I just want to give the team a big shout out for their efforts on this project – the timelines we have had to meet are incredibly short and the team has done a fantastic job.

VW Granite State Clean Fleets: $10 million municipal VW program for diesel and electric vehicle replacement projects.

- In response to the Request for Proposal (RFP): 43 eligible projects received from 26 applicants, totaling approximately $14 M.
- Scoring results: 19 projects selected from 14 applicants, totaling approximately $7.4 M.
- The first two contracts are expected to be at Governor and Executive Council later this month.

Community Fueling Infrastructure (CFI): NHDES did not receive funding from Federal Highway. NHDES had requested $10 M for EV charging infrastructure. NH DOT also did not receive funding for EV charging along Alternative Fuel Corridors. NH DOT has requested a briefing from Federal Highway.

Status of Appeals:

Michelle Doucette, Legal Assistant, NHDOJ, stated there are two complete and timely submitted appeals that have been filed with the NHDOJ. Both are waiting for a hearing officer to be appointed. Discussion ensued regarding the acceptance of the two appeals. In order to move the process forward, ARC member Mark Lambert moved to accept both appeals. The motion was seconded by Jay Leduc and all ARC members voted in favor except for one abstention by David Cribbie. In answer to a question about "standing" by member Kris Blomback, Chair Duval pointed out that under new ARC rules all questions of law, including questions of standing, are determined by the Hearing Officer, who is yet to be appointed for these appeals, and acceptance of the appeal by the Council is just a procedural first step.

Rules:

Env-A 103.41, Hazardous Air Pollution and Env-A 104.47, Regulated Air Pollutant: Lisa Camire, SIP Planning Analyst gave a brief overview of the proposed changes to this rule. ARC member Jay Leduc motioned to start the 15-day clock and Kris Blomback seconded the motion. All voted in favor. The motion passed.

Env-A 500, Standards Applicable to Certain New or Modified Facilities and Sources of Hazardous Air Pollutant: Lisa Camire, SIP Planning Analyst gave a brief overview of the proposed changes to this rule. ARC member Jay Leduc motioned to start the 15-day clock and David Cribbie seconded the motion. All in favor. The motion passed.

Presentation- Climate Pollution Reduction Grant:

Jennifer Galbraith, Climate & Energy Program Manager, James, Tilley, Climate Planning Manager, and Kurt Yuengling, Community Engagement Specialist presented an overview of recent work associated with the CPRG. (presentation attached)

Review of Draft Annual Report: Need to amend the report to add the appeals. Also, Jay Leduc stated his contact information is not correct.

New Business: None

Public Commentary: None

Adjourn: Having no further business to discuss, motion to adjourn was made by ARC member Jay Leduc and seconded by Kris Blomback. All were in favor and Meeting #287 of the ARC adjourned at 10:13 a.m.

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
May 13, 2024
#288

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, May 13, 2024
Room 114
NH Department of Transportation
7 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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11. Call to Order

12. Introduction of new NHDES Assistant Commissioner Adam Crepeau

13. Approval of Minutes (Meeting #287)

14. Approval of 2023 Annual Report

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

6. Status of Appeals – *Michelle Doucette, Legal Assistant, NHDOJ*

7. Rules – None

8. New Business

9. Public Commentary

10. Adjourn

AIR RESOURCES COUNCIL

MINUTES OF MEETING #288

5/13/2024

MEMBERS PRESENT:	Chairman Robert Duval, Vice Chair Rudy Cartier Jr., Mark Lambert, Elizabeth Tillotson, J. Ryan Bielagus and Jay Leduc
MEMBERS PRESENT ONLINE:	Georgia Murray
MEMBERS NOT PRESENT:	Dave Cribbie, Kris Blomback
NHDES – ARD PERSONNEL:	Director Craig Wright, Cathy Beahm, Sheri Eldridge, Lisa Camire and Gary Milbury
OTHERS PRESENT:	R. Jessie Webb (NHDES Water Division), Adam Crepeau (Assistant Commissioner), Michelle Doucette, (NHDOJ Appeals Clerk) and Mark Dell'Orfano (NHDOJ Assistant Attorney General)
THE PUBLIC PRESENT:	None

Call to Order: Chairman Duval called meeting #288 of the Air Resources Council (ARC) to order at 9:06 am on Monday May 13, 2024, and announced the Council had a quorum present.

Approval of Minutes: A motion to approve the minutes of meeting #287 was moved by Member Tillotson and seconded by Member Leduc. All were in favor, motion passed. Member Cartier abstained.

Division Activities and Legislative Update:

- Assistant Commissioner Adam Crepeau introduced himself to the Council.
- 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:

    - More retirements at ARD. Two long term employees retired from ARD: the Technical Services Bureau (TSB) Administrator with 25 years of service and a Program Assistant with 30 years of service. Six long term retirements with about seven more to come. A replacement has been announced for the TSB Administrator. One employee in Compliance on military leave for approximately 6 months. Also, many vacancies. Currently seeking replacements for the Technical Services Bureau Program Assistant and an Administrative Supervisor in the Director's Office. There are two open positions in the TSB and three open positions in the permitting group.

    - Climate Pollution Reduction Grant - A 117-page plan was submitted to EPA on March 1 for the Priority Climate Action Plan (PCAP). The PCAP identified 5 Priority Measures where the state could achieve carbon reductions: Transportation, Residential Building Sector, Local Government Building and Facility Sector, Waste and Materials Management and Workforce Development. On April 1, a state application was submitted for approximately $50 M to address the five priority areas. Also, we submitted a New England coalition grant applications for residential heat pumps. Finally, we partnered with 12 other states led by Hawaii for local resilience efforts. These two coalition grants could be up to $50 M each. In total, we submitted for over $150 M in implementation grants.

    - Inflation Reduction Act Grants – Air Monitoring - $722K investment to locate a new PM2.5 monitoring site in northern NH. The plan is to purchase and upgrade existing monitors at other existing sites and purchase some low-cost sensors for potential use in local communities.

- Legislative Update– SB 449 Air Permit Timeline – ARD requested SB 449 relative to timelines for the issuance of air permits. Current statutory requirements under RSA 125-C:12, II require action on applications within a reasonable time and do not specify a duration. Because there is no specific timeframe under RSA 125-C, the default timelines in RSA 541-A:29 would come into effect – NHDES believes these timelines are unworkable. Default statutory requirements under 541-A:29 include 30 days to determine completeness of an application and 60 days for a final decision. Additionally, under 541-A:29-a failure to act will result in the permit being "granted". SB 449 was requested by NHDES to address this conflict. SB 449 passed the Senate with a permit issuance timeline of 180 days. In the House, BIA objected to the 180 days, so NHDES reached an agreement with BIA to shorten the time period to 120 days with the ability to extend the time frame with written agreement from the applicant. This amendment passed the committee and now NHDES is waiting to see if it passes the full House.

- RGGI program review underway. Anticipate completion this summer with recommendations for program moving forward.

- Discussion ensued.

Approval of annual report: The motion to accept the 2023 Annual Report was made by Member Tillotson and seconded by Member Jay Leduc. The motion carried.

Status of Appeals:

- Michelle Doucette, DOJ, Attorney General's office, Appeals Clerk gave an update on the status of three existing appeals stating there are no updates. NHDOJ hired outside counsel for the hearing officer role for the Air Council and should be ready by the June or July Air Council meeting.

- Mark Dell'Orfano, DOJ, Assistant Attorney General, discussed some of the challenges in finding a hearing officer. Another hearing officer will be working on the backlog for other Councils as well as the Air Council.

  Mr. Dell'Orfano also mentioned NH has joined a coalition of states in challenging a new rule released last week by EPA: New Source Performance Standards and Emission Guidelines for GHG emissions from fossil fuel-fired power plants. The rule requires carbon capture sequestration equipment for some facilities. The state may have to provide a place to store or transport captured emissions. Within six to ten years these systems would need to be in place. In NH due to the deregulated power market, independent power producers would carry the costs associated with the carbon reduction measures. Long-term planning and coordination with sister states is necessary to determine if NH can implement the requirements. The new rule replaces the Affordable Clean Energy Rule. DOJ is coordinating at the agency level as well as with NH Department of Energy, the NH Office of the Consumer Advocate and others and is gathering input for the approach going forward. Member Cartier requested a presentation at some point in the future. Discussion ensued.

- Chairman Duval raised a question about acceptance of recent appeals received by the Council. Mr. Dell'Orfano clarified that under current Council rules, the DOJ-appointed Hearing Officer is responsible for accepting or dismissing appeals, not the Council as under previous rules.

- Since the minutes of its February meeting show that the Council accepted two appeals, the Council wishes to clarify the status of pending appeals as follows:

*<u>*Correction to February 12, 2024, Meeting Minutes:</u>*

At the February 12 meeting, the Council voted to accept pending appeals 23-17 ARC (Lajoie) and 24-02 ARC (GSP). Based on current Council rules, the DOJ's Hearing Officer is responsible for accepting or dismissing appeals. Therefore the Council's vote to accept these two appeals at the February meeting has no effect. These and other pending appeals will not be officially accepted until so ruled by the DOJ's Hearing Officer.

New Business: No new business was presented before the Council.

Public Commentary: No public commentary was presented before the Council.

Adjourn: Having no further business to discuss, motion to adjourn was made by Member Jay Leduc and seconded by Member Cartier. All were in favor and Meeting #288 of the Air Resources Council adjourned at 10:14 am.

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
September 9, 2024
#289

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, September 9, 2024
Room 208C
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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16. Call to Order

17. Introduction of Air Resources Division Administrative Supervisor Cassidy Menczywor

18. Introduction of NHDOJ Assistant Attorney General Joe M. Fincham II

19. Approval of Minutes (Meeting #288)

20. Air Resources Division Report: *Craig Wright, Director Air Resources Division*

- Legislative Update
- Significant Permit Activities
- Other ARD Activities

11. Status of Appeals – *Michelle Doucette, Legal Assistant, NHDOJ*

12. Rules – **Env-A 300, *Ambient Air Quality Standards***
Karla McManus, Planning and Rules Manager
Lisa Camire, SIP Planning Analyst

Env-A 4200, *Architectural and Industrial Maintenance Coatings*
Karla McManus, Planning and Rules Manager
Dave Healy, Chief Scientist

Env-A 4300, *Other Solid Waste Incineration*
Karla McManus, Planning and Rules Manager
Lisa Camire, SIP Planning Analyst

13. New Business

14. Public Commentary

15. Adjourn

AIR RESOURCES COUNCIL
MINUTES OF MEETING #289
09/09/2024

MEMBERS PRESENT:	Chairman Robert Duval, Elizabeth (Lynn) Tillotson, J. Ryan Bielagus, Rudolph (Rudy) Cartier Jr., David Cribbie, Kris Nils Blomback, Alec O'Meara
MEMBERS NOT PRESENT:	Jason (Jay) R. Leduc, Georgia L. Murray
NHDES – ARD PERSONNEL:	Craig Wright, Director; W. Mike Fitzgerald, Assistant Director; Catherine Beahm, SIP Planning Administrator; David Healy, Chief Scientist; Lisa Camire, SIP Planning Analyst; Karla McManus, Rules & Planning Manager; Karen Craver, Environmental Health Program Administrator; Liam O'Rourke, Health Risk Assessor
OTHERS PRESENT:	Mark Dell'Orfano, NHDOJ; Michelle Doucette, NHDOJ; Nathan Kenison-Marvin, NHDOJ
MEMBERS OF THE PUBLIC PRESENT:	None

Call to Order:
Chairman Robert Duval called meeting #289 of the Air Resources Council (ARC) to order at 8:59 a.m. on Monday, September 9, 2024. Chair Duval announced that the council had a quorum. Alec O'Meara introduced himself as a new member of the Council.

Introduction of Air Resources Division Administrative Supervisor Cassidy Menczywor:
Chairman Robert Duval introduced Cassidy Menczywor as the new Administrative Supervisor of the Air Resources Division's Director's Office.

Introduction of NHDOJ Assistant Attorney General Joe M. Fincham II:
Chair Duval introduced Nathan Kenison-Marvin and Mark Dell'Orfano as Assistant Attorney Generals at the Department Justice (DOJ). Kenison-Marvin and Dell'Orfano both discussed their roles with respect to the Council. Kenison-Marvin is the new full-time Hearing Officer for all the Environmental Councils. Dell'Orfano provided insight on the appeals process. Chair Duval explained the preference of the Air Council to schedule hearings on regular meeting days, and to have as many members as possible attend hearings because of each members' individual expertise.

Approval of Minutes (Meeting #288):
A motion to approve the minutes of meeting #288 was moved by Rudy Cartier and seconded by J. Ryan Bielagus. All were in favor, with one abstention by Alec O'Meara due to absence at Meeting #288. Motion passed.

Air Resources Division Report: Craig Wright, Director Air Resources Division:
Legislative Update – Director Wright announced the reconfirmation of J. Ryan Bielagus, Kris Nils Blomback, and Jay Leduc in August for the Air Resources Council. Wright explained the two current vacancies on the council, At-Large and Medical. Wright plans to reach out to Breathe New Hampshire and Medical Society for outreach. Wight informed the Council of the NH Business and Industry Association (BIA), Air, Water, and Waste Regulatory Conference tomorrow, September 10, 2024. Wright discussed the involvement or five Air

Division employees at the conference and the benefits of this conference.

Significant Permit Activities – Wright discussed a proposed asphalt plant in Nashua, NH siting that received a lot of local attention. He added that the planning board denied approval of the facility, but that NHDES continued to process their air permit application since there is no provision in state law to discontinue that process on the basis of Planning Board denial. Public meetings were held to share information with citizens and leadership. The applicant appealed and filed a lawsuit over the Planning Board decision, which was later dropped, and the air permit application was withdrawn. Director Wright pointed out this was the Division's first experience with the Environmental Justice process. Karen Craver discussed the two principles in Environmental Justice, fair treatment and meaningful involvement. Craver shared references for additional tools.

Links provided by Karen Craver, as referenced meeting:
NHDES Civil Rights and Environmental Justice
NHDES Environmental Justice Statement
US EPA EJ Screen
NH DHHS Social Vulnerability Index
https://www.epa.gov/system/files/documents/2022-12/EJ%20in%20Air%20Permitting%20Memo.pdf

Discussion was had on the referenced items. Dell'Orfano introduced Michelle Doucette who serves as the Councils' Appeals Clerk from DOJ

Other ARD Activities – Craig Wright announced the hard work being put into the FY26-27 Air Division operating budget. Submittal of draft budget from Air Division and Department of Environmental Services (DES) will be within the month (September). Wright explained budget and department changes, as well as a change of governor within the budget submittal. As discussed in a previous meeting, the Climate Pollution Reduction Grant from the Environmental Protection Agency (EPA) for $3,000,000 is being used for Climate Action Plans, such as a priority climate action plan, submit in March of 2024. Wright also announced the submittal of three Implementation Grant applications to EPA, one as an individual state was denied. Two were coalition applications, a Local Resiliency Grant led by the state of Hawaii, which was denied, and the other was led by the state of Connecticut to include all New England states, besides Vermont, for a Heat Pump Accelerator Program to help facilitate change of heat pump installation and reduce carbon emissions, which was accepted. $450,000,000 was awarded to the region, which $40-50,000,000 will go to NH. When more information is available, Wright will provide it to the Council. Further discussion was had on the implementation of this grant. Discussion moved to home heating oil in NH. Wright moved the conversation to the need to fill positions within Air Resources, as there are nine open positions to recruit for. Three of those positions are within Permitting, three in Mobile Sources, one in Compliance, an Environmental Toxicologist, and a Technical Program Manager. Discussion moved to the NOx Budget, and Wright stated that he will investigate the status of the program. Discussion moved to the SP499 Air Permit timeline, in which Wright stated that the Business & Industry Association (BIA) of NH agreed to 120 days with the ability to request extensions. Discussion moved to the possible new sources' performance standards for greenhouse gas emissions, and no updates were made at present, though litigation is ongoing.

Status of Appeals – Michelle Doucette, Legal Assistant, NHDOJ:
Doucette stated that there's only one current outstanding appeal; Thackston Consolidation Holdings. Doucette announced the appeal of Katie Lajoie was dismissed due to lack of standing and the absence of an appealable department decision. The appeal of GSP Merrimack was resolved between DES and GSP. The Carol Nicholaris Appeal was dismissed due to lack of an appealable department decision. Nathan Kenison-Marvin stated he will contact the attorneys for the Thackston appeal to setup a pre-hearing conference within the coming weeks. Kenison-Marvin will perform a thorough screening of the appeal beforehand, to verify standing and Council

jurisdiction.

Rules:
Env-A 300, Ambient Air Quality Standards, Karla McManus, Planning & Rules Manager, gave a brief overview of the proposed changes to this rule, to be readopted with a few amendments. Discussion was had on these changes and the process the EPA follows, then moved to Exceptional Events and the impact on NH. A motion to start the 15-day clock was made by Rudy Cartier Jr and seconded by David Cribbie. All voted in favor and the motion passed.
Env-A 4200, Architectural and Industrial Maintenance Coatings, McManus gave a brief overview of the proposed readoption, due to expiration of the rule on January 1, 2025. It was discussed that the rule is kept the same, but with minor edits. Discussion was had on the changes. A motion to start the 15-day clock was made by Kris Nils Blomback and seconded by Lynn Tillotson. All voted in favor and the motion passed.
Env-A 4300, Other Solid Waste Incineration, McManus gave a brief overview of the proposed readoption, with minor edits, due to expiration of the rule on January 22, 2025. Discussion was had on the averaging times for test and isokinetic runs, which appeared to be inconsistent with EPA practice. McManus stated there was enough time before the rule expired to allow this to be resolved. The proposed rule was withdrawn to allow DES and EPA to work out any differences between protocols and bring the proposed rule back to the Council.

New Business:
No new business was discussed.

Public Commentary:
Mark Dell'Orfano requested the Air Resources Council move public comment to the beginning on the agenda, going forward. Discussion was had on the pros and cons of this change. Chair Duval ultimately chose to examine that option further, before deciding.

Adjourn:
A motion to adjourn was made by David Cribbie and seconded by Lynn Tillotson. All were in favor and Meeting #289 of the Air Resources Council adjourned at 10:11 a.m.

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
October 21, 2024
#290

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, October 21, 2024
Room 208C
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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21. Call to Order

22. Approval of Minutes (Meeting #289)

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

16. Status of Appeals – *Michelle Doucette, Legal Assistant, NHDOJ*

17. Rules – **Env-A 4300, *Other Solid Waste Incineration***
Lisa Camire, SIP Planning Analyst

18. New Business

19. Public Commentary

20. Adjourn

AIR RESOURCES COUNCIL

MINUTES OF INFORMATIONAL MEETING #290

10/21/2024

MEMBERS PRESENT:	Chairman Robert Duval, Elizabeth (Lynn) Tillotson, David Cribbie, Alec O'Meara
MEMBERS PRESENT BY PHONE:	Georgia L. Murray
MEMBERS NOT PRESENT:	J. Ryan Bielagus, Rudolph (Rudy) Cartier Jr., Kris Nils Blomback, Jason (Jay) R. Leduc
NHDES – ARD PERSONNEL:	Craig Wright, Director; Catherine Beahm, SIP Planning Administrator; Lisa Camire, SIP Planning Analyst
THE PUBLIC PRESENT:	John Tuthill

Call to Order:

Chairman Duval called meeting #290 of the Air Resources Council (ARC) to order at 9:15 a.m. on Monday, October 21, 2024. Chair Duval brought to the council's attention Georgia Murray's participation via telephone meant there were only four members physically present. After a brief discussion, Chair Duval advised that this meeting #290 will be an informational meeting only due to lack of quorum, and items on the meeting agenda can be discussed, however no official action can be taken

Approval of Minutes:

Director Craig Wright pointed out a grammatical error in the minutes from meeting #289, and Cassidy Menczywor agreed to fix this issue. Chair Duval noted that a vote on these minutes will wait until meeting #291.

Air Resources Division Report:

Legislative Update:

Director Wright announced the Air Resources Division (ARD) will officially be receiving an Inflation Reduction Air Monitoring Grant, worth $720,000 from EPA (Environmental Protection Agency) to spend over the course of five years. Discussion was had on the ARD's different budgets.

Director Wright explained plans to put the money towards new/replacement equipment, and a Fine Particulate Matter (PM) site in Northern NH, amongst other things. Discussion was had on new monitors for Fine PM. Director Wright moved the conversation to the submittal of ARD's 2025 operating budget plan to the governor's office. Director Wright suggested a high-level overview presentation of the division's operating budget to be done by himself or Catherine Beahm at a future ARC meeting.

Director Wright announced there will be a public hearing on November 14, 2024, before the governor's advisory panel, of which NH Department of Environmental Services (NHDES) will be doing a presentation and answer questions. Our new governor, elected on November 5th, will be making the final decisions.

Director Wright announced new staff members, Toxicologist Dr Kim Aviado and Michael Rieger (Technical Services Programs Manager), as well as two verbal offers to applicants for the Environmental Health and Mobile Source Programs. Discussion moved to presentations from ARD bureau administrator staff every other ARC meeting.

Chairman Duval suggested an air toxics presentation and Georgia Murray recommended a presentation on mercury pollution and the status of the Mercury Air Toxic Rule at EPA, which has current court cases pending. Director Wright suggested a high-level presentation on various federal actions.

Director Wright also discussed the possibility of policy direction changes ahead with a new governor in place. Director Wright shared that ARD is tracking Legislative Service Requests (LSR). He added that Michael Fitzgerald will come to a future ARC meeting for a legislative update

Significant Permit Activities:

Director Wright discussed that few new bills have been filed, but one that he found of interest would require NHDES to dissolve its equity and civil rights policy and stop work on Environmental Justice policies.

Other ARD Activities:

Director Wright discussed the success of the NH Business and Industry (BIA) 2024 Environmental Regulatory Conference. Lynn Tillotson discussed the need for new representation from the Department of Justice (DOJ) for ARC, as Mark Dell'Orfano has been nominated to fill an open seat on the state's Public Utilities Commission but has not been confirmed yet. Chair Duval will reach out to DOJ once confirmed to ensure DOJ representation for ARC.

Status of Appeals:

Chair Duval pointed out the *Stipulation of Dismissal, In Re: Thackston Consolidated Holdings & Management Company, Docket No. 24-14 ARC* provided by Michelle Doucette which leads to closure of this appeal. He also pointed out a recent filing in the Katie Lajoie appeal of a motion for reconsideration, however, no final ruling has been made.

Rules:

Env-A 4300, Other Solid Waste Incineration:
David Cribbie stated that, after further research, he finds that the proposed rule is correct as written. Discussion was had on rule timeframe and Chair Duval stated ARC will take official action on Env-A 4300 next meeting, November 18, 2024. David Cribbie noted he will be in attendance.

New Business:

No new business was discussed.

Public Commentary:

John Tuthill questioned what came of the study of air toxics in which NHDES was tracking the Manchester sludge incinerator project. Tuthill expressed concern whether there will be any destruction of per- and poly-fluoroalkyl substances (PFAS) compounds. Tuthill suggested a public discussion take place on this issue.

Director Wright discussed the complexity of PFAS and how it crosses all three divisions within NHDES. Catherine Beahm shared the possibility of discussion on a recent tele study. Member Murray suggested ARC receive an update from the PFAS coordination team on the big picture, as well as a public meeting.

Tuthill recommended ARD give updates on leachate treatment and air emissions of landfills. Member Murray recommended ARD provide an update on policy for biosolid incineration as well. Director Wright stated ARD will look further into these ideas. Chair Duval also supported hearing from the PFAS coordination team.

Adjourn:

Chair Duval adjourned the ARC informational meeting #290 at 9:43 a.m.

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
November 18, 2024
#291

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, November 18, 2024
Room 208C
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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24. Call to Order

25. Approval of Minutes (Meeting #289)

26. Air Resources Division Report: *Craig Wright, Director Air Resources Division*

- Legislative Update
- Significant Permit Activities
- Other ARD Activities

21. Status of Appeals – *Michelle Doucette, Legal Assistant, NHDOJ*

22. Rules – **Env-A 4300, *Other Solid Waste Incineration***
Lisa Camire, SIP Planning Analyst

23. New Business

24. Public Commentary

25. Adjourn

AIR RESOURCES COUNCIL

MINUTES OF MEETING #291

11/18/2024

MEMBERS PRESENT:	Chairman Robert Duval, Rudolph (Rudy) Cartier Jr., Kris Nils Blomback, David Cribbie, Alec O'Meara, Jason (Jay) A. Leduc, Georgia Murray, Elizabeth (Lynn) Tillotson
MEMBERS NOT PRESENT:	J. Ryan Bielagus
NHDES – ARD PERSONNEL:	Craig Wright, Director; Catherine Beahm, SIP Planning Administrator; Lisa Camire, SIP Planning Analyst; Karla McManus, Rules & Planning Manager
OTHERS PRESENT:	Michelle Doucette, NHDOJ
MEMBERS OF THE PUBLIC PRESENT:	John Tuthill

Call to Order:

Chairman Duval called meeting #291 of the Air Resources Council (ARC) to order at 9:08 AM on Monday, November 18, 2024. Chair Duval announced that the council had a quorum.

Approval of Minutes (Meeting #289):

A motion to approve the minutes of meeting #289 was moved by Kris Nils Blomback and seconded by David Cribbie. All were in favor and the motion passed. Chair Duval noted that the minutes from meeting #290 do not need to be voted on since it was informational only and requested correction of the #291 agenda be made by council secretary Cassidy Menczywor.

Air Resources Division Report:

Legislative Update: Craig Wright explained that the results of the federal and state elections will result in navigating possible changes for the Air Resources Division (ARD). Director

Significant Permit Activities: Director Wright announced that ARD's permitting group is going through transition under senate bill 449, with conflict between ARD's state statute RSA 125-C and RSA 541-A in terms of time allowed to the agency to issue state air permits. ARD will work with the Business and Industry Association (BIA) on the time requested and received. Director Wright added that the bill allows for request of extra time. Director Wright noted the need for an annual report to legislature for processing air permit applications, which is due in February 2025.

Other ARD Activities: Wright shared that ARD currently has ten vacancies and is actively trying to fill eight of those positions, including two permit engineers. Three positions have extended offers, one in permitting, one in mobile sources, and one in environmental health. Wright added that three more retirements are expected before the end of the year. Wright noted that House members have until November 22nd to file a Legislative Service Request (LSR). He added there are currently 331 LSR's listed on the General Court website, in which NH Department of Environmental Services (NHDES) Is tracking approximately 40 of those. Wright speculated that those numbers may triple by the end of the week. Wright shared that Assistant Director Michael Fitzgerald will present updates on tracked LSR's by ARD in January or February at an Air Resources Council (ARC) meeting. Conversation moved to the 2026-2027 budget for ARD, and submittal of the maintenance request to Governor Sununu's office. He updated that on November 14th a presentation by ARD was given to the Governor's budget team, with attendance of Kelly Ayotte as well. Discussion was had on possible budget cuts. Discussion moved to the legislative process and details of ARD's budget request. Director Wright

discussed presentation by ARD staff at a future ARC meeting on ARD's budget details, such as sources of revenue, positions funded, and programs supported.

Status of Appeals – Michelle Doucette, Legal Assistant, NHDOJ:

Doucette shared two current appeals waiting to be officially dismissed, docket #2414 Thackston Consolidation Holdings, in which an agreement between NHDES and the party to revise the administrative order and a stipulation was filed for dismissal. Docket #2317 Appeal of Katie Lajoie has an order of dismissal as well, in which a motion for reconsideration was filed, which was denied. The Appeal of Katie Lajoie will be removed from the status report for next hearing. Chair Duval suggested adding closed after all appeals that are closed on the ARC website. Doucette stated she will update this.

Rules:

Env-A 4300, Other Solid Waste Incineration, Lisa Camire, State Implementation Planning Analyst, gave a brief overview of the proposed readoption, with minor edits, due to expiration of the rule on January 22, 2025. Chair Duval put on record that David Cribbie's concerns on testing parameters had been resolved and Cribbie agreed the rule is good as written. Rudolph (Rudy) Cartier Jr questioned the need for Title V permits and discussion was had on who this would apply to. A motion to start the 15-day clock was made by Rudy Cartier Jr and seconded by Elizabeth (Lynn) Tillotson. All voted in favor and the motion passed.

New Business:

Discussion was had on how ARC appointments are affected by having a new governor in office.

Public Commentary:

None.

Adjourn:

A motion to adjourn was made by Jason (Jay) A. Leduc and seconded by Georgia Murray. All were in favor and Meeting #291 of the Air Resources Council adjourned at 9:34 AM.

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: https://www.nhec.nh.gov/air-resources-council

NOTICE OF MEETING
December 9, 2024
#292

The New Hampshire Air Resources Council will convene at:
9:00 am Monday, December 9, 2024
Room 208C
NH Department of Environmental Services
29 Hazen Drive, Concord, New Hampshire 03301
Please note this meeting will be held in-person at the location specified above

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27. Call to Order

28. Approval of Minutes (Meeting #291)

29. Air Resources Division Report: *Craig Wright, Director Air Resources Division*

- Legislative Update
- Significant Permit Activities
- Other ARD Activities

26. Status of Appeals – *Michelle Doucette, Legal Assistant, NHDOJ*

27. Rules – Env-A 702.05, *General State Permit (GSP) Registration Fee for Emergency Generators*
Cathy Beahm, SIP Planning Administrator
Karla McManus, Planning and Rules Manager
-Env-A 1400, *Regulated Toxic Air Pollutants*
Pat North, Environmental Program Manager
Karla McManus, Planning and Rules Manager

28. New Business

29. Public Commentary

30. Adjourn

AIR RESOURCES COUNCIL

MINUTES OF MEETING #292

12/09/2024

MEMBERS PRESENT:	Chairman Robert Duval, Rudolph (Rudy) Cartier Jr., J. Ryan Bielagus, David Cribbie, Alec O'Meara, Jason (Jay) A. Leduc, Elizabeth (Lynn) Tillotson
MEMBERS PRESENT BY PHONE:	Georgia L. Murray
MEMBERS NOT PRESENT:	Kris Nils Blomback
NHDES – ARD PERSONNEL:	Craig Wright, Director; Catherine Beahm, SIP Planning Administrator; Lisa Camire, SIP Planning Analyst; Karla McManus, Rules & Planning Manager; Patricia North, Environmental Program Manager; David Larson, Health Risk Assessor; Aron Johnson, Legal Coordinator; Shannon Ouellette, Paralegal
OTHERS PRESENT:	Mark Dell'Orfano, NHDOJ
MEMBERS OF THE PUBLIC PRESENT:	None

Call to Order:
Chairman Duval called meeting #292 of the Air Resources Council (ARC) to order at 9:02 AM on Monday, December 9, 2024. Chair Duval announced that the council had a quorum.

Approval of Minutes (Meeting #289):
A motion to approve the minutes of meeting #291 was moved by Rudy Cartier and seconded by Lynn Tillotson. All were in favor and the motion passed.

Air Resources Division Report:

Significant Permit Activities: Director Craig Wright announced a public hearing for a draft air permit for the Granite Shore Power White Lake Station in Tamworth, NH on Wednesday, December 11, 2024, evening. Wright added public comment will be open until December 19. The hearing will take place at the Tamworth Town House, in person.

Other ARD Activities: Wright announced the NH Department of Environmental Services (NHDES) Awards Ceremony on Thursday, December 12, 2024, at NHDES in the main lobby. Wright shared air permit fees and dollar/ton fee rates are being analyzed, due to changes in budget. In the new year, 2025, notifications will go out on changes. Discussion was had on the process of charging for fees. Chairman Bob Duval suggested a presentation on fees and funding sources within the Air Resources Division (ARD) to the council. Director Wright stated an ARD budget 101 presentation will take place at the next council meeting. Discussion was had on what the presentation would contain in detail. Director Wright shared a rulemaking workgroup will start up in the spring to look at fee structure. Rudy Cartier discussed the possibility of application fees instead and discussion moved to how other states run their programs. Lynn Tillotson suggested an extensive stakeholders' group to raise issues. Discussion moved to revenue and inflation.

Status of Appeals – Michelle Doucette, Legal Assistant, NHDOJ: None.

Rules:

Env-A 702.05, General State Permit (GSP) Registration Fee for Emergency Generators, Karla McManus, Planning & Rules Manager, and Catherine Beahm, SIP Planning Administrator, gave a brief overview of the proposed readoption to this rule, with amendments. Discussion was had on which generators this rule would apply to, and calculation on heat input. Discussion moved to the rate of which the price has increased and the online program which now supports the process. Debate was had on the reasons for the increase. Discussion moved to how the online program helps streamline the process and the payment system. Beahm assured the council that outreach will be presented to the public. Discussion moved to the clarity of the rule. A motion to start the 15-day clock was made by Jay Leduc and seconded by Ryan Bielagus. All voted in favor and the motion passed.

Env-A 1400, Regulated Toxic Air Pollutants, Karla McManus, Planning & Rules Manager, and Particia North, New Construction & Planning Manager, gave a brief overview of the proposed readoption to this rule, with amendments. Discussion was had on updating in accordance with the American Conference of Industrial Hygienists (ACGIH) and the Internal Revenue Service (IRS) standards. Discussion moved to the formulas and calculations within the rule. David Larson, Health Risk Assessor, shared that there are reproductive and developmental effects due to occupational exposure. Discussion was had on the studies done to obtain this information. Discussion moved to public health and the experts providing the information, then further moved to how the emissions effect the body. The ability to record the data needed and get testing done was debated as well. Discussion was had on who this rule will apply to, where the numbers are coming from, and how often review is being done. Chairman Duval suggested a presentation be done at a future council meeting on this process. A motion to start the 15-day clock was made by Rudy Cartier and seconded by Ryan Bielagus. All voted in favor and the motion passed.

New Business:

Cartier expressed concerns with funding/grants being affected due to new presidency and discussion was had on the subject. Director Wright discussed status of grants and experience with changes in presidency. Secretary Cassidy Menczywor announced the notice of 2025 ARC meeting dates and agreed to send Outlook calendar invites to council members. Mark Dell'Orfano announced this would be his last ARC meeting, since he will be starting on the Public Utilities Commission (PUC) Friday, December 13. Dell'Orfano said all state agencies are currently looking at fee schedules and the accelerating cost of providing services. He expressed an appreciation for the hard work of Director Wright and all NHDES staff.

Public Commentary: None.

Adjourn:

A motion to adjourn was made by Ryan Bielagus and seconded by Lynn Tillotson. All were in favor and Meeting #292 of the Air Resources Council adjourned at 10:26 AM.

2024 AIR RESOURCES COUNCIL APPEALS

Received	Docket # / Council	Decision Appealed	Appellant; Relationship	Result	Further Action
5/21/24	24-14 ARC	4/22/24 Imminent Hazard Order & Order of Abatement No. 24-004	Thackston Consolidated Holdings	10/17/24 Dismissed without prejudice	12/5/24 Closed
3/8/24	24-04 ARC	2/7/24 Administrative Order No. 24-001 ARD	GSP Merrimack, LLC	5/22/24 Execution of an Amendment by Consent to Administrative Order	7/15/24 Closed
1/10/24	24-02 ARC	12/14/23 Air Enforcement Section of the Air Resources Division, Compliance Bureau, that an outdoor wood-fired hydronic heater installed and operating at the property of Brian and Karent Knapp at 25 McGuire Lane, Woodsville (Haverhill), New Hampshire is not subject to the provisions of RSA 125-R, based upon an unsupported and erroneous finding of fact that the OWHH was allegedly installed prior to the August 10, 2008 effective date of such statute.	Carol Nicholeris	8/21/24 Order to dismiss for lack of jurisdiction	10/30/24 Closed

2024 AIR RESOURCES COUNCIL PRIOR YEAR DOCKET ACTIVITY

Received	Docket # / Council	Decision Appealed	Appellant; Relationship	Result	Further Action
11/27/23	23-17 ARC	10/25/23 Findings of Fact and Director's Decision	Katie Lajoie	8/28/24 Order of dismissal with Prejudice. 9/27/24 Motion for reconsideration. 10/4/24 Objection to Motion for Reconsideration. 10/3/24 Motion for Reconsideration Denied.	Closed

END OF 2024 ANNUAL REPORT