

Metropolitan Washington Air Quality Committee
Suite 300, 777 North Capitol Street, N.E., Washington, D.C. 20002-4239
(202) 962-3358 Fax (202) 962-3203

MINUTES OF MAY 26, 2004 MEETING

Attendance:

Members and Alternates

Nat Bottigheimer, Maryland Department of Transportation
Hon. Sharon Bulova, Fairfax County
Rick Canizales, Prince William County
Sherry Conway Appel, Prince George's County
Julie Crenshaw, Chair, AQPAC
Hon. Redella S. Del Pepper, Alexandria
Hon. Thomas Dernoga, Prince George's County; MWAQC Chair
Hon. Paul Ferguson, Arlington County
Hon. Nancy Floreen, Montgomery County
Victoria Greenfield, Charles County
Hon. Dana Kauffman, Fairfax County
Maurice Keyes, District of Columbia Department of Transportation
Hon. Phil Mendelson, District of Columbia Council
Hon. Linda Smyth, Fairfax County
Joanne Sorenson, Virginia Department of Transportation
Hon. Mick Staton, Loudoun County
Hon. Patrice Winter, City of Fairfax

Others Present:

Kambiz Agazi, Fairfax County
Tom Bicsiaday, Fairfax County
Randy Carroll, Maryland Department of the Environment
Matthew Jalali, District of Columbia Department of Transportation
Howard Simons, Maryland Department of Transportation
Kanathur Srikanth, Virginia Department of Transportation
Flint Webb, Fairfax County Federation

Staff:

Mike Clifford, COG/TPB	Eulalie Lucas, COG/TPB
Stuart Freudberg, COG/DEP	Joan Rohlf, COG/DEP
Sunil Kumar, COG/DEP	Lee Ruck, COG General Counsel
Beth Low, COG/DEP	Jennifer Desimone, COG/DEP
Rich Denbow, for COG/DEP	

1. Call to Order, Public Comment Period

Chair Dernoga called the meeting to order at 12:10 p.m. No speakers signed up for the public comment period.

2. Approval of Minutes, Announcements, Chairman's Report

Mr. Dernoga called for a motion to approve the minutes of the April 28, 2004 meeting. The minutes were approved as written.

Mr. Dernoga delivered the Chair report. He said that the three state air agency representatives are meeting with EPA Region 3 in Philadelphia and are unable to be at the meeting. He reminded the Committee that last month he reported on a meeting with the State Secretaries Group regarding changes to MWAQC. Discussions have continued between the MWAQC leadership and the State Secretaries' Group. Earlier this month he reported on the situation to the COG Board of Directors. The states hope to have a proposal to the Governors by mid-June. In response to a question about what MWAQC is considering as far as restructuring, Mr. Dernoga said MWAQC is not leaning toward anything at this point. He said there was one initial proposal that would have most of the SIP work performed by the states with the local governments paying in part for the consulting work. The local governments and business groups would have an advisory role in the plan. MWAQC expressed a lack of willingness to support that proposal. Mr. Ferguson asked who makes the decision on that. Mr. Ruck says the Clean Air Act, Section 174, sets out the fact that there must be a collaborative effort between the states and localities on the matter but it leaves to the states the ability to define what that is. Mr. Dernoga stated that another provision regarding approving and implementing the SIP gives local jurisdictions a decision-making role. He said he believes the initial proposal took the local governments out of the decision-making role but still left them with a significant share of the costs. Mr. Bottigheimer said he believes that Mr. Dernoga is mischaracterizing the situation. Mr. Bottigheimer said as he understands it, this is the only air body of its type in the country where local entities have decision-making authority over state implementing agencies. He also believes the comments about costs were not accurate and that the proposal is that the local bodies be reimbursed by the states for SIP work and that local governments would fund other efforts for local emission reduction measures. He believes that the original letter should be made available. Mr. Dernoga said the presentation in the proposal was very unclear and has led to the perception he stated, and that Mr. Bottigheimer's characterization was clearer than anything he has heard yet.

Mr. Dernoga stated that EPA recently proposed an emissions trading program that is part of the Interstate Air Quality Rule, now known as the Clean Air Interstate Rule. This will be discussed under Item 8, New Business.

3. Committee Reports

A. Report of the Technical Advisory Committee

Mr. Kauffman reported that TAC met in May and heard a briefing on modeling for attainment to the 8-hour ozone standard and heard an update on SCR NO_x control technology on power plants. TAC also discussed documentation necessary for some of the voluntary emission programs in the SIP.

B. Report of the Air Quality Public Advisory Committee

Ms. Crenshaw, Chair of the Air Quality Public Advisory Committee (AQPAC), reported. AQPAC received an application for AQPAC membership to represent the urban Maryland position. Ms. Crenshaw reviewed the applicant's qualifications. It was moved to accept the candidate for membership on AQPAC. Ms. Floreen asked how AQPAC affiliation is broken out

because she believes it is important to have all kinds of stakeholders involved. Ms. Crenshaw said there has been a vacancy in the Maryland rural and Maryland urban slots for more than two years and that has been brought to the attention of MWAQC several times for applicant suggestions. She stated that membership positions reflect a split of rural and urban and other interests. The motion was seconded and passed unanimously.

Ms. Crenshaw said that there are attendance deficiencies with some AQPAC members. She showed attendance records and said that letters are being sent to these members about their membership requirements.

C. Report of the Clean Air Partners

Ms. Catherine Pugh, Chair of Clean Air Partners (CAP), provided an update of CAP activities. She said that in 2004 an integrated health message is being used to include ozone and particle pollution. She discussed surveys conducted between 1995 and 2002 and trends in responses. CAP will have a strategic planning retreat on June 17 to focus on next steps. Ms. Conway Appel said the change to include PM reporting has an effect on CAP because PM emissions are reported throughout the entire year. She suggested that if we are to look to CAP to be a year-round activity rather than just an ozone season activity then we need to address funding issues as a region. Mr. Bottigheimer asked that CAP think about what actions would be meaningful to reduce pollution. He said we don't know much about the speciation of PM and the science involved, and we need to look carefully at this.

Jennifer Desimone provided a report on the status of the ozone season. In the period of May 1 to May 25 there have been 16 code green days, 8 code yellow, and one code orange day for ozone. The highest 8-hour concentration was 97 parts per billion. For fine particles, there have been 10 code green days and 14 code yellow days.

4. State Air Agencies: Report

Ms. Rohlfs reported for the state air agencies because they are currently at a meeting with EPA.

In Virginia, DEQ is issuing a new operating permit for the Mirant Potomac River plant in Alexandria. The permit was included with the SIP submitted to EPA. It includes a cap on NOx emissions, and prohibits the plant from buying credits from other sources to meet requirements.

Ms. Rohlfs reported that the states have received letters from EPA regarding completeness of the submitted SIPs. The District and Virginia were notified that their SIPs are administratively and technically complete. Maryland received a letter saying their SIP is administratively and technically complete, however, there was a Federal Register notice that said that Maryland failed to submit its Section 185 fee. An 18 month sanctions clock will begin soon. The letter also says that EPA recognizes that the one-hour ozone standard will be revoked next year, so the Section 185 requirement will go away.

5. Draft 2002 Periodic Emissions Inventory

Mr. Kumar presented an overview of the 2002 Periodic Emission Inventory (PEI). The PEI is Clean Air Act requirement and represents an actual emissions inventory for VOC, CO and NOx for the nonattainment area. The VOC and NOx portions of the inventory will form the baseline for 8-hour attainment modeling. The nonroad portion of the inventory was compiled using EPA's

NONROAD model. Onroad sources were compiled with MOBILE6.2. Mr. Kumar presented graphs that show that most VOC emissions come from area sources, followed by mobile, nonroad and point sources, respectively. NOx emissions come primarily from mobile and point sources, while the largest CO emissions come from mobile and nonroad sources. He compared the 2002 PEI to the 1990 base year inventory. The comparison shows a decline in emissions from 1990 to 2002 for all sectors except for nonroad. Mr. Kumar noted that the 1990 and 2002 nonroad results are not comparable because the 2002 PEI uses the new NONROAD model. The states must submit the inventory to EPA by June 1, 2004. It was moved and seconded that MWAQC approve the 2002 PEI for submittal to EPA by June 1, 2004. The motion was approved unanimously.

6. Nonroad Diesel Engine Rule

Ms. Lowe provided a briefing of EPA's new rule regulating emissions from nonroad diesel-powered equipment. The rule, signed on May 10, 2004, requires that the sulfur content of diesel fuel used in nonroad engines be reduced by 99% and the emissions of PM, NOx, and VOC be reduced significantly. The full benefits of the rule will take a lot of time to accrue because the standards are required for new vehicles only and existing vehicles have a long useful life and will continue to operate. Ms. Lowe listed ways to encourage fleet turnover, including using state and local contract language to require cleaner equipment, grants to small businesses, and retrofits of existing equipment.

Ms. Conway Appel said that Prince George's County has investigated the use of contract language to require cleaner nonroad equipment. County staff discovered that if they were to do that they would be bearing the burden of higher costs to procure the cleaner equipment. She said MWAQC needs to look at this on a regional basis to share the burden as well as the benefit. She suggested a regional workshop or similar forum be held to address this. Mr. Dernoga said MWAQC would look at how to address this.

7. Proposed Schedule for 8-Hour Attainment Planning

Ms. Rohlfs presented a draft timeline of the schedule and tasks for developing the 8-hour ozone SIP by 2007. Ms. Rohlfs stated that the schedule is draft because EPA has not yet released the implementation requirements so we don't yet know what the specific requirements are. Ms. Rohlfs reviewed the tasks and schedule. Staff is talking with the states about photochemical modeling for the attainment demonstration.

Mr. Mendelson said the schedule seems to be too patient, that we need to submit the SIP by 2007 and meet the standard by 2009, which could put us in a bind. Ms. Rohlfs said if there is an interest in adopting controls sooner that can be done. Mr. Mendelson said he would like additional understanding of the attainment modeling schedule and who makes the schedule. Ms. Rohlfs suggested we have this discussion when the states are present since they will have the lead role in attainment modeling. Mr. Dernoga stated that the MWAQC Executive Committee will discuss this at the next meeting and look towards the fall after the EPA regulations are out.

8. New Business

Ms. Lowe discussed EPA's supplement to the proposed Clean Air Interstate rule. EPA provided additional implementation details about a model cap and trade program that would reduce NOx and SO2.

Mr. Bottigheimer stated that MDOT and MDE have collaborated to provide a gas can exchange in Maryland counties. Up to 6,800 gas cans will be exchanged. He also mentioned an event to exchange working gas mowers for new cordless or corded electric mowers for Maryland residents.

9. Date for Next Meeting and Adjourn

The next meeting of MWAQC is scheduled for July 28, 2004. The meeting was adjourned at 1:40 p.m.