

**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 March 27, 2013 MEETING**  
Approved 4/24/13

**Attendance:**

**Members and Alternates**

Tom Ballou, Virginia Department of Environmental Quality (VDEQ)  
Hon. Johanna Barry, City of Falls Church  
Lyn Erickson, Maryland Department of Transportation (MDOT)  
Hon. Jay Fisette, Arlington County  
Diane Franks, Maryland Department of the Environment (MDE)  
Maurice Keys, District of Columbia Department of Transportation  
Hon. Mary Lehman, Prince George's County  
Doris McLeod, Virginia Department of Environmental Quality  
Hon. Phil Mendelson, DC Council  
Hon. Leta Mach, Greenbelt  
Hon. Redella "Del" Pepper, City of Alexandria  
Hon. Linda Smyth, Fairfax County  
Ram Tangirala, District of Columbia Department of the Environment  
Hon. Hans Riemer, Montgomery County

**Other Attendees**

James Banks, for Councilmember David Grosso, District of Columbia  
Bill Becker, National Association of Clean Air Agencies  
Randy Carroll, Maryland Department of the Environment (MDE)  
Jessica Daniels, District of Columbia Department of the Environment (DDOE)  
Crispus Gordon, DC Council Staff  
Andrew Kambour, Vice Chair, ACPAC  
Sandra Jackson, US Federal Highway Administration  
Gwen Kennedy, Loudoun County (via conference phone)  
Nicole Rentz, for Councilmember Mary Cheh  
Larry Zaragoza

**Staff**

Amanda Campbell, COG/DEP  
Elena Constantine, COG/DTP  
Jennifer Desimone, COG/DEP  
Carolyn Engels, COG/DEP  
Stuart Freudberg, COG/DEP  
Jeff King, COG/DEP  
Sunil Kumar, COG/DEP  
Jane Posey, COG/DTP  
Joan Rohlfs, COG/DEP

## **1. Public Comment Period, Approval of Minutes, Chair's Remarks**

Chair Mach called the meeting to order at 12:07 am. The minutes from the December 19, 2012 meeting were approved with no changes. Chair Mach noted that Joan Rohlf's (COG/DEP) held an orientation before the meeting for new members Johanna Barry and Mary Lehman. Additional new members include Alison Silberberg (Alt. for Hon. Pepper), Hon. David Grosso (DC Council), and Billy Shreve, Frederick County.

Chair Mach recognized Larry Zaragoza for seventeen years of leadership and service to the Air and Climate Public Advisory Committee (ACPAC). Larry joined ACPAC at its inception in 1994, and served as Chair or Vice Chair for many of those years.

Chair Mach also thanked outgoing Metropolitan Washington Air Quality Committee (MWAQC) Chair Phil Mendelson for his dedication to the committee and serving as chair for five terms since 2001.

## **2. Committee Reports**

*Technical Advisory Committee (TAC), Ram Tangirala, in place of Cecily Beall, DDOE.*

TAC met three times in 2013, focusing on drafting responses to the Fine Particle Matter (PM<sub>2.5</sub>) Maintenance Plan comments. TAC also discussed the draft MWAQC comment letter on the amendment to the updated 2012 Constrained Long Range Transportation Plan, and discussed the FY14 Work Program.

*Air and Climate Public Advisory Committee (ACPAC), Andrew Kambour, Vice Chair*

ACPAC has met three times in 2013. The group received presentations on responding to extreme weather events, and Prince George's County's green and complete streets policy. In March the group heard a presentation on the National Climate Assessment from George Mason University faculty. In February, Caroline Petti was re-elected Chair for 2013, and Mr. Kambour was elected Vice Chair. ACPAC will miss Mr. Zaragoza after his many years of service. ACPAC has five new members with diverse backgrounds such as engineering, health, and sustainability. The next ACPAC Meeting is April 15<sup>th</sup>, 2013.

*Clean Air Partners Summer Re-Cap, Leta Mach, Chair*

Ms. Mach, outgoing Clean Air Partners (CAP) chair, reported that a new air quality mobile app is available on apple and android platforms.

Clean Air Partners (CAP) will launch the Summer Media campaign soon. CAP's education program includes awards for air quality-related science fair projects, and a poster contest for middle and high school students. Many creative posters have been received this year. Participants will be recognized on Thursday, May 2<sup>nd</sup> at the Kochland Science Museum during Air Quality Awareness week. Also that week, CAP planned a Green Drinks event in Baltimore and a Twitter party, and CAP co-sponsored the Potomac River Run marathon taking place on Sunday May 5<sup>th</sup>.

## **3. Action on 1997 Ozone Plan, Sunil Kumar, COG/DEP**

- **Ozone Mobile Budgets Approved (2009, 2010)**
- **Comment Letter to TPB on Amended Air Quality Conformity Update for 2012 Constrained Long Range Plan and TIP**

- **EPA Proposes Approval of Attainment Demonstration, contingency measures and MVEBS**

Mr. Kumar explained that the Clean Air Act requires EPA to review the standards for ozone and fine particles every five years through a comprehensive technical analysis. The conclusion of the review may or may not result in a revised standard. If the standard is revised, then EPA launches a process called designation to categorize areas of the country as in attainment or non-attainment for the new standard. Non-attainment has several levels: marginal, moderate, serious, severe, or extreme. If an area is labeled moderate or worse, then a State Implementation Plan (SIP) is required to describe how the state(s) will obtain the standard by an identified deadline.

EPA published an ozone standard of 84 parts per billion (ppb) in 1997. In 2007, the Washington region implemented a State Implementation Plan to meet the requirements under that standard. In 2008, EPA reviewed the standard and revised it to a stricter 75 ppb. The Washington region was designated 'marginal non-attainment' under the 2008 standard. Although a SIP was not required, the region still needed to meet the standard by the end of 2015.

EPA is due to conduct another review of the ozone standard in 2013. Indications are that EPA may decide to lower the standard to between 60 and 70 ppb by December 2013. However, due to process delays, EPA recently proposed to act on the SIP submitted in 2007 for achieving the 1997 standard (84 ppb).

EPA has already approved some components of the 1997 SIP, and is proposing to approve the remaining components including the 2008 motor vehicle emissions budgets (MVEBs) and possibly the 2009 and 2010 budgets. The Transportation Planning Board (TPB) conducts a conformity analysis to ensure that the region is on target to maintain air quality in future years through emissions modeling. The region achieved the standard by the 2010 deadline. Proposal details are here: <http://www.gpo.gov/fdsys/pkg/FR-2013-03-20/pdf/2013-06421.pdf>. Comments can be submitted by April 12, 2013 to:

Email: [fernandez.cristinia@epa.gov](mailto:fernandez.cristinia@epa.gov).

Mail:

EPA-R03-OAR-2013-0132,  
Cristina Fernandez,  
Associate Director, Office of Air Planning Program, Mail code 3AP30,  
U.S. Environmental Protection Agency, Region III, 1650 Arch Street,  
Philadelphia, PA 19103

Mr. Kumar explained that the 8-hour ozone trends are based on a three year average, and since 2009 was an unusually cool year, the most recent 2010-2012 ozone value is inching up to 87 ppb. Summer temperatures have some influence on the incidence of high ozone days, but not as much as previously since emissions have dropped over the last decade or more. Still, if the region does not meet the 75 ppb standard by 2015, the region will be bumped up to a moderate non-attainment designation and will be required to develop another State Implementation Plan.

Mr. Ballou said that the number of high ozone days per year still decreased from 2010 to 2012, and that overall air quality levels are continuing to improve if the 2009 data is disregarded.

Ms. Rohlfs asked state air agency representatives if they planned to comment on EPA's proposed actions regarding the 2007 SIP. Ms. Franks said that Maryland has not decided whether or not to submit comments, but they are concerned that the plan is outdated since the region may not be continuing to maintain the 84 ppb standard. Mr. Tangirala said that the District of Columbia has not yet decided whether to comment. Mr. Ballou said that Virginia plans to comment.

Chair Mach noted that MWAQC submitted a comment letter to the TPB on March 15<sup>th</sup> regarding the amendments to the Air Quality Conformity Update for the 2012 Constrained Long Range Transportation Plan (CLRP) and the FY 2013-2018 Transportation Improvement Program (TIP). The amendments included the 2009 attainment plan and the 2010 contingency plan mobile budgets that were part of the 2007 SIP (see letter in meeting materials).

#### **4. NACAA Report on Tier 3, Low Sulfur Gasoline Proposal, *Bill Becker, NACAA***

Mr. Becker explained that 43 of the 50 states and 116 local air pollution control agencies and territories are members of the National Association of Clean Air Agencies. Mr. Becker acknowledged the daunting task of meeting standards under the Clean Air Act that air agencies face. Implementing Tier 3 vehicle and reduced sulfur fuel regulations is one of the best and most cost-effective ways to achieve a significant, much needed reduction of emissions from vehicle tailpipes. Most stakeholders, including the automobile industry, support Tier 3 regulations. Although oil and gas industry representatives estimate it will raise gas prices up to 9 cents per gallon due to the costs of implementation, other studies estimate only 1 cent per gallon cost. NACAA estimates that several thousand jobs will be created to install and maintain refinery equipment to support the standard. Low-sulfur gasoline will show immediate results equivalent to taking 33 million cars off of the roads in 2017 when it is implemented. Mr. Becker asked MWAQC members to support the implementation of Tier 3 standards and to recommend that EPA propose a final rule within the 2013 calendar year.

#### **Letter to EPA: *Sunil Kumar, COG/DEP (ACTION)***

The letter was unanimously approved with the following amendments:

- change 'Acting Administrator' to his/her name,
- change the last sentence to 'MWAQC urges you to finalize this rule by the end of 2013 so that we don't delay and lose a full model year of emissions reductions.'

#### **5. Proposed FY 2014 MWAQC Work Program Overview**

*Joan Rohlfs, COG/DEP*

Ms. Rohlfs reported that the Work Program is not yet ready to be presented due to discussion regarding proposed changes. The proposed additional work is for MWAQC to conduct an analysis or scenario planning on what control measures it would take to achieve future ozone standards. The proposed study could draw on the TPB's projections of mobile emissions and other sources to 2025, 2030, and 2040. The Work Program team hopes to finalize the proposal in the next few weeks.

#### **6. Comments on PM<sub>2.5</sub> Maintenance Plan, *Joan Rohlfs, COG/DEP***

Ms. Rohlfs summarized the public comments received on the fine particle redesignation request and maintenance plan and responses from the state air agencies to those comments. She recapped

that in December, MWAQC members approved the fine particle redesignation request and maintenance plan to go out for public comment.

Comments were submitted by EPA, Sierra Club, and Dominion. EPA submitted comments to the District of Columbia, Virginia, and Maryland. The Sierra Club submitted comments to Maryland, and Dominion sent comments to Virginia.

One of the EPA's comments was related to the recent ruling by the District of Columbia Court of Appeals on the 1997 particulate matter standard implementation rule, which EPA is still interpreting. The Court asked EPA to implement the above standard under subpart 4 of part D of Title I of the Clean Air Act instead of subpart 1 of part D of Title I. The response is that the region currently shows compliance with the above standard and will keep doing so also in the future based on the projected reductions in emissions. Contingency measures in the fine particle maintenance plan will be implemented in an improbable event of the region violating the above standard in the future. Furthermore, the region will revise its fine particle redesignation request and maintenance plan in case EPA decides to revise the 1997 particulate matter standard implementation rule. Secondly, EPA noted that since the Court vacated EPA's Cross State Air Pollution Rule (CSAPR), it was evaluating the implications for redesignation requests and maintenance plans. The region's response is that the plan does not rely on CSAPR or the Clean Air Interstate Rule (CAIR).

The Sierra Club commented that the plan does not address ammonia and VOC compounds as PM<sub>2.5</sub> precursors, which need to be incorporated now in light of the above Court ruling. The region responded that the plan conforms to all requirements for the 1997 annual fine particle standard implementation rule. The region has had very low PM<sub>2.5</sub> levels and will have low levels in the future, and is unlikely to violate the standard in the future. VOC controls were adopted for quite some time as part of the ozone standard. SO<sub>2</sub> controls adopted in the region work in a more cost-effective manner than the additional VOC controls for reducing PM<sub>2.5</sub> levels. The Sierra Club also commented that the plan does not address recent ethanol waiver granted by EPA in the gasoline fuel used by motor vehicles. The response is that the plan ensures against changes and uncertainties in mobile emissions by establishing motor vehicle budgets for several key years. Regardless of changes in fuel, fleets, or vehicle miles traveled, mobile emissions must remain below these budgets. In addition, the plan contains a commitment to enact additional contingency measures if future violations of the 1997 PM<sub>2.5</sub> standard occur. The Sierra Club also commented that the redesignation request does not address the impacts the redesignation will have on Maryland's compliance with the 2006 24-hour PM<sub>2.5</sub> standard, 2013 annual PM<sub>2.5</sub> standard, and the regional haze. The response is that the region meets all conditions for redesignation to attainment for the 1997 PM<sub>2.5</sub> standard. The region also meets the 2006 24-hour PM<sub>2.5</sub> standard and will be recommending an attainment designation for the 2013 annual PM<sub>2.5</sub> standard. The controls in the fine particle maintenance plan should provide benefits toward these standards and toward regional haze.

Dominion requested that the language in the fine particle maintenance plan related to the proposed implementation of the 2010 SO<sub>2</sub> standard be reworded or removed as it was obsolete in light of the recent changes to this proposal. The response is to remove this language.

Since Maryland is still working with Sierra Club to address their concerns, the regional response to public comments is not complete yet. Once Maryland finalizes its response to Sierra Club

comments, the next step for MWAQC will be to approve the responses possibly in the next meeting in April 2013.

## **7. State and Local Air Reports**

### ***District of Columbia***

Nothing to report.

### ***Maryland***

Ms. Franks reported that Maryland is holding the first stakeholder meeting in May to move forward with strengthening the distributed generation rule. The rule is aimed at improving air quality in Baltimore but is expected to benefit the Washington region as well.

### ***Virginia***

Mr. Ballou commented that regional air agencies are embarking on an EPA process to examine interstate transport issues.

## **8. Set Date for Next Meeting, Adjourn**

The next meeting date is April 24, 2013 from 12 to 2pm. The meeting was adjourned at 1:45pm.