

Metropolitan Washington Air Quality Committee
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DRAFT MINUTES OF DECEMBER 9, 2009 MEETING

Attendance:

Members and Alternates

Tad Aburn, Maryland Department of the Environment
Tom Ballou, Virginia Department of Environmental Quality
Hon. John Britton, City of Rockville
Randy Carroll, Maryland Department of the Environment
Austina Casey, District Department of Transportation
Del. Adam Ebbin, Virginia General Assembly
Hon. Jay Fisette, Arlington County
Hon. Alan Imhoff, City of Frederick
Maurice Keys, District Department of Transportation
Hon. Leta Mach, City of Greenbelt
Hon. Andrea McGimsey, Loudoun County
Hon. Phil Mendelson, District of Columbia
Bob Owolabi, Fairfax County Department of Transportation
Hon. Redella Pepper, City of Alexandria
Tim Shepherd, Maryland Department of the Environment
Howard Simons, Maryland Department of Transportation
JoAnne Sorensen, Virginia
Kanti Srikanth, Virginia Department of Transportation
Ram Tangirala, District Department of the Environment

Staff:

Mike Clifford, COG/DTP
Jen Desimone, COG/DEP
Jeff King, COG/DEP
Sunil Kumar, COG/DEP
Joan Rohlfs, COG/DEP
Harriet West, Clean Air Partners

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

Chair Mendelson called the meeting to order at 10:15. The meeting minutes of June 24, 2009 were approved with no changes.

Mr. Mendelson made several announcements. EPA announced its Endangerment Finding, a ruling that greenhouse gases pose a danger to human health and the environment. The ruling paves the way for regulation of carbon dioxide emissions from vehicles, power plants, factories, refineries and other major sources. EPA also proposed a new National Ambient Air Quality Standard (NAAQS) for SO₂. The 60-day comment period ends February 8, 2010. He referred members to a copy of MWAQC's Annual Report for 2009. This summer the region had the fewest bad air days (Orange and Red) in a decade. The region was in attainment of the 2006 daily

fine particle standard, and EPA found that the region's data also shows attainment of the 1997 annual fine particle standard (a standard that is being reconsidered by EPA). The Air Quality Public Advisory Committee (AQPAC) was revitalized this year with its mission expanded to include climate change. MWAQC adopted new bylaws for AQPAC and appointed many new members in January this year.

2. Committee Reports

Technical Advisory Committee

Tom Ballou reported on the December 1, 2009 teleconference meeting of the Technical Advisory Committee. The topics addressed included the EPA reconsideration of the ozone NAAQS, proposed new NAAQSs for SO₂, NO₂, and lead, a comment letter on the Greater Washington 2050 targets for air quality, the transition to EPA's new Motor Vehicle Emission Simulator (MOVES) model, a proposed new low carbon fuel standard, and the Virginia State Air Pollution Control Board action on MWAQC's opacity petition.

Air Quality Public Advisory Committee (AQPAC)

Deron Lovaas reported on the AQPAC meeting held on November 19. The main area of focus was a review of the Greater Washington 2050 report air quality and climate change targets and consideration of potential comments on the goals. Members also heard a presentation on member research on public health issues related to air quality, including rates and causes of lung disease and a discussion of available epidemiological data.

Clean Air Partners

Harriet West provided the Clean Air Partners Report. The Managing Director and the Education Program Manager recently visited air quality monitoring stations in Ashburn, VA and Beltsville, MD as part of efforts to develop additional content for the web site and curriculum about the monitoring process and "green jobs" in the air quality industry. Representatives from the American Lung Association (ALA) of the Atlantic Coast attended the Clean Air Partners Executive Committee meeting on November 17, 2009 and provided an update on the organization's regional air quality initiatives. Clean Air Partners has started a blog page at the recommendation of Gary Allen, Chair of Clean Air Partners. Board members will be contributing to the blog on a monthly basis. The Managing Director and Marketing Consultant have been meeting with current sponsors to provide a recap of the 2009 season and present the 2010 sponsorship packages. A new Education Committee has been formed to work with the Education Program Manager and staff on several initiatives including planning and conducting the 2010 poster and video contest, updating the climate change unit, piloting air quality awards for science fair projects, overall marketing/promotion of the curriculum, and strategic planning activities. The final rebate for EU Services (a print shop located in Rockville, MD) was approved in September 2009. Six additional final rebates will be completed in FY 2010. The next Clean Air Partners Board meeting will be held on January 21, 2010 at COG. Dr. Ed Maibach, Director of the George Mason University Center for Climate Change Communication will be the guest speaker.

Interstate Air Quality Council (IAQC)

Tad Aburn reported on the IAQC. The IAQC was established to facilitate coordination of air quality policy between the secretaries of transportation and environment in Maryland, the District,

and Maryland. The group has not been very active in the last several months. There were no actions at the most recent meeting and the topics of focus primarily included informational briefings on new proposed air quality standards and discussion of how to integrate climate change and air quality efforts.

3. EPA Update: Ozone, NO₂, SO₂ Standards

Mr. King provided a timeline for development of a SIPs to meet EPA's 2008 8-hour ozone standard. States are currently undertaking activities to meet the 2013 deadline for SIP submittals for the 2008 ozone NAAQS. The core activities include developing inventories, conducting attainment modeling, and developing new control measures for regulatory development. States have indicated that they are trying to develop new regulations to be effective before the beginning of the 3-year period used to demonstrate compliance with the NAAQS before the attainment deadline. EPA has stated they intend to issue a replacement rule for CAIR in 2010. In 2009, EPA announced it would reconsider the 2008 ozone NAAQS and issue a proposal by December 2009. Final designations for the reconsidered NAAQS would occur by August 2011, but this process is not expected to change the 2013 SIP submittal deadline. EPA intends to release its new MOVES model by January 2010. EPA will require that MOVES be used to develop the mobile sector emission inventory for the SIP.

Mr. Mendelson said that meeting a new lower ozone standard may pose a significant challenge to the region because of high pollution levels being transported in from outside the region. Mr. Aburn said that meeting a new lower ozone standard will be very challenging and may force the region to look to changes in behavior to improve air quality, including such concepts of voluntary reductions in vehicle miles traveled. Ms. Sorenson said that new motor vehicle emission budgets will be required to meet the new standard which may pose significant challenges as well.

Mr. Kumar provided a timeline for implementation of the new NO₂ NAAQS. He then discussed EPA's proposal to revise the National Ambient Air Quality Standard (NAAQS) for Sulfur Dioxide (SO₂). The existing standards are annual average of 30 ppb and a 24-hour average of 140 ppb. EPA is proposing to discontinue both the annual and 24-hour average standards and to introduce a new 1-hour SO₂ standard between 50-100 ppb. They are also taking comments up to 150 ppb. EPA is also proposing to change the form of the standard to either the 3-year average of the 4th highest daily maximum 1-hour average concentrations or the 3-year average of the 99th percentile of the annual distribution of daily maximum 1-hour average concentrations. There will also be changes to the SO₂ monitoring network & reporting requirements. EPA would also revise the AQI based on the new 1-hour standard. The comment period ends on February 8.

The current SO₂ monitoring network is not configured to monitor locations of expected maximum short-term concentrations. The proposal is for two categories of monitors: monitors in certain Core Based Statistical Areas (CBSAs) based on a combination of population and SO₂ concentrations and additional monitors based on a state's contribution to national SO₂ emissions. States will determine the specific locations of these monitors. Both categories will be required to be source-oriented and situated to detect maximum ground-level concentrations. All new SO₂ monitors are to be operational by Jan. 1, 2013. States would report both the 1-hour and 5-minute averaged SO₂ data available in each hour of the day.

In response to questions, Mr. Kumar said that none of the existing monitors in the region currently exceed the standard. Mr. Aburn said there will be financing issues associated with the need to install and operate new monitors. In response to a question, Mr. Ballou said that EPA will have to designate the region as unclassifiable until new monitors are operational.

4. MWAQC Comment on Greater Washington 2050

Ms. Rohlf presented a recommended MWAQC comment letter on the Greater Washington 2050 report targets for air quality. The letter was reviewed and approved by the TAC and the Executive Committee. Members unanimously approved the draft letter with one change to the recommended language. Specifically, the letter will now state: "MWAQC proposes that the target be changed to read: Beginning in 2014, the region's air quality will be improving and ambient concentrations will be reduced below federal standards."

5. Low Carbon Fuel Standard

Tim Shepherd discussed development of a Low Carbon Fuel Standard. The Northeast States for Coordinated Air Use Management (NESCAUM) initiated efforts in the mid-Atlantic/northeast to develop a low carbon fuel standard similar to a program that was developed in California. If adopted by the states participating in the NESCAUM process (including MD, PA, DE, NJ, NY, MA, CT, RI, NH, VT, and Maine), the program will establish carbon intensity levels for transportation fuels. Fuel providers will need to either meet the required intensity level or purchase credits. The current timeline calls for implementation by 2012 and a 10% drop in greenhouse gas levels by 2020. Workgroups are addressing the issue of how to establish baseline fuel characteristics. Carbon intensity will be calculated based on a lifecycle analysis of the fuels. Inclusion of home heating oils was considered but it was decided that such fuels will not be included in the rule at this time. The same states are also working on a low sulfur home heating oil standard to go into effect in the 2015/2017 timeframe.

A MOU will be circulated to the state governors within the next week. Two stakeholder meetings have been held. There are six workgroup actively developing information needed to implement the proposal, including whether a CAA Section 211(c) waiver will be required. To date only the state environmental agencies have been involved in the rule development process. At some point, other state agencies such as energy and natural resources departments will need to be engaged in the process.

Mr. Mendelson asked that representatives for the District report back at the next meeting on the status of the District's potential participation in this initiative. Mr. Ebbin said that he would follow up with similar information for Virginia.

6. State and Local Air Reports

Mr. Aburn reported for Maryland. The Healthy Air Act is in its final stages of implementation. All controls that were planned have been installed allaying earlier fears about challenges in meeting the deadlines. Maryland has been active with the Ozone Transport Commission (OTC) to develop requests for EPA to develop new national programs to assist the region in meeting air quality targets, especially in light of the critical need to reduce pollutant transport. Maryland has recently completed a revised opacity rule. The 4th RGGI allowance auction will generate 15-20 million in revenue for investments in energy efficiency.

Mr. Ballou reported for Virginia. On November 20, the Virginia State Air Pollution Control Board approved the OTC VOC regulations. The board also voted to not grant the MWAQC petition to lower the opacity standard from 20 to 10%. If such a measure is considered a critical control measure for future SIPs, the decision may be reevaluated. He also referred to a court decision affecting the Virginia CAIR rule's no trading provisions. Needed emission reductions from the Mirant Potomac River facility may have to be secured through a permit revision rather than the state emission allowance allocation system under CAIR.

Ram Tangirala reported for the District. The District has completed a draft greenhouse gas inventory and action plan. There will be a stakeholder meeting in a couple of months. The OTC VOC regulations are going through an internal review. The current schedule is to have the regulations become effective before the beginning of the 2010 ozone season.

7. New Business: Diesel Anti-Idling Campaign

Ms. Rohlf said that COG is working under a subgrant agreement with the District to implement a diesel anti-idling campaign that will last through October 1, 2010. MDE and DDOT will also participate. Work is underway to select a contractor to assist with the project.

Mr. Britton said that the use of new control technologies on power plants is generating more ash causing the possibility of increased soil and water contamination from disposal of heavy metal-contaminated ash.

8. Nominations and Election of Officers for 2010

The nominating committee recommended the following slate of officers for 2010 -- Leta Mach, Chair, and vice chairs Jay Fisette, Phil Mendelson, and John Britton. A motion was made and seconded to approve the recommendations of the nominating committee. The motion was approved unanimously.

9. Set Date for Next Meeting, Adjourn, Next Meeting Date: The next meeting will be held on January 27 from 12:30-2. The meeting was adjourned at 11:37 pm.