Metropolitan Washington Air Quality Committee
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DRAFT MINUTES OF October 24, 2012 MEETING

Attendance:

Members and Alternates

George "Tad" Aburn, Maryland Department of the Environment (MDE)
Monica Backmon, Prince William County
Tom Ballou, Virginia Department of Environmental Quality (VDEQ)
Hon. Sharon Bulova, Fairfax County
Austina Casey, District of Columbia Department of Transportation
Hon. Reuben Collins, Charles County
Hon. Jay Fisette, Arlington County
Hon. Phil Mendelson, DC Council
Hon. Leta Mach, Greenbelt
Sam Moki, Prince George's County
Caroline Petti, ACPAC
Howard Simons, Maryland Department of Transportation
Kanti Srikanth, Virginia Department of Transportation
Hon. David Snyder, Falls Church
Didian Tsongwain, Prince George's County Department of Environmental Resources
Ram Tangirala, District of Columbia Department of the Environment

Other Attendees:

Rebecca Davis, Clean Air Partners
Scott St. Onge, Clean Air Partners
Randy Carroll, Maryland Department of the Environment (MDE)
Mike Lake, Fairfax County Department of Transportation
Kambiz Agazi, Fairfax County
Gwen Kennedy, Loudoun County for Supervisor Janet Clarke

Staff

Amanda Campbell, COG/DEP
Anant Choudhary, COG/DTP
Elena Constantine, COG/DTP
Jennifer Desimone, COG/DEP
Stuart Freudberg, COG/DEP
Jeff King, COG/DEP
Ron Kirby, COG/DTP
Sunil Kumar, COG/DEP
Erin Morrow, COG/DTP
Jane Posey, COG/DTP
Joan Rohlfs, COG/DEP

1. Public Comment Period, Approval of Minutes, Chair's Remarks
Chair Mendelson called the meeting to order at 12:12 pm. The minutes from the June 28, 2012 meeting were approved with no changes.

2. Committee Reports

Technical Advisory Committee (TAC)*, Tom Ballou, VDEQ*
Tom Ballou reported that the main focus of the Technical Advisory Committee meeting on October 9th was addressing EPA's comments on the proposed mobile emissions budgets in the PM2.5 Maintenance Plan. EPA sent five questions which was addressed. The committee reviewed the suggested revisions to the Maintenance Plan, they were approved and it was decided to proceed with the plan.. The PM2.5 Redesignation Request and Maintenance Plan was recommended to be presented to MWAQC to be approved to go to public comment.

Air and Climate Public Advisory Committee (ACPAC)*, Caroline Petti, Chair*
ACPAC met on October 15th. The group received a presentation on regional and national plastic bag policies from COG's recycling committee staff, and heard a green purchasing presentation. Members also heard an update on the revised mobile emissions budget proposal, and were cautiously optimistic that the proposal outlines a reasonable path forward.

Clean Air Partners Summer Re-Cap*, Leta Mach, Chair; Rebecca Davis, Education Coordinator, Scott St. Onge, Managing Director*

Clean Air Partners' (CAP) summer media campaign was funded by sponsorships, such as the web banner ad. Mr. St. Onge has been collecting more local images for the website. CAP procured four radio ads in Baltimore area, and four in the Washington area. CAP conducts a cost benefit analysis to determine the right mix of ads. CAP's social media arm is a successful new frontier. Donated items include raffle prizes and transit ad space.

3. States Dealing with Transported Air Pollution: CAA Tools, OTC Transport Working Group, *Tad Aburn, Air Director, Maryland Dept. of Environment*

Mr. Aburn reminded the committee that most of the states in the northeast and the Metropolitan Washington region are designated "marginal" nonattainment for the ozone standard, but the Baltimore region is designated "moderat." The Edgewood monitor in Baltimore measures the worst ozone in the East due to four factors: local emissions, short range transport, westerly transport, and southerly nocturnal transport. MDE studies found that a cloud of 100 parts per billion (ppb) ozone occurs at night on high ozone days 1500 to 6000 feet above the Washington-Baltimore area. In late morning the next day, the nighttime inversion breaks down and high ozone is measured at the ground level. About 70% of the pollution comes from upland states. Westerly transport is linked to power plants to the west. Short range transport travels from city to city at the ground level. The southerly nocturnal low sources travel hundreds of miles from southwest to northeast. Recent studies found that the southerly nocturnal low level jet increases ozone in Baltimore by 7 parts per billion (ppb). Inbound ozone routinely exceeds 75 ppb in the region.

The current ozone standard is 75ppb, but the scientific community recommends 60 to 70ppb.

Priority source categories include power plants, on-road vehicles, ICI boilers, cement kilns, marine engines, and locomotives. There have been some reductions in emissions from vehicles and power plants due to the implementation of regulations in prior years.

The Ozone Transport Commission charged the Air Directors to develop a technical and legal strategy to better address regional transported pollution. Federal measures such as the NOx State Implementation Plans (SIP) have resulted in lower ground level ozone and better protection of public health. EPA's Cross State Air Pollution Rule does not address the 2008 ozone standard, and is being challenged in court. Some final rules and rules that are being proposed are likely to be litigated and delayed.

There are several tools under the Clean Air Act to address transport of air pollution across regions. These include:

- Section 176A or 184 Petition.. These could create giant non-attainment areas consisting of 15 to 20 states. The area would include all regions that contribute to poor air quality in neighboring states. Connecticut, Delaware and Maryland are in discussion with EPA to move forward with this tool.
- Section 126 Petitions. This tool allows states to petition EPA to require controls on specific stationary sources that contribute to non-attainment in downwind areas.
- Section 110A2D "Good Neighbor" provisions. This tool requires upwind states to include control measures in their SIPs to address transport. There is no such regional control program for the 75 ppb standard. In the past, regional control programs have allowed upwind states to easily comply.
- Establish another state partnership effort, like the Ozone Transport Assessment Group (OTAG) in the 1990s.

Mr. Aburn said the best options may be to employ a Section 176A or 184 Petition. EPA could be petitioned to establish a new very large "Eastern States" Ozone Transport Region of 20 or 30 states, or to expand the current Ozone Transport Region. Another Ozone Transport Assessment Group could be formed. It could build on the successful technical partnership between the Northeast, Midwest, and Southern Regional Planning Organizations. A second option is to employ the Good Neighbor provisions, but this has not worked well in the past. A last resort option is to take legal action against the EPA and other states to compel reductions.

The timeframe to act is short. Marginal non-attainment areas must show clean air in monitors by 2013 in order to achieve a 2015 attainment date, and moderate non-attainment areas must show clean monitors between 2015 and 2018. Chair Mendelson said that since mobile sources have been regulated, it might be easier to achieve more reductions from other area sources.

Mr. Aburn clarified that industrial and commercial boilers and cement kilns are an area of opportunity. Implementing Tier 3 regulations with low sulfur fuel requirements is another possible area of reductions, which would work on old and new vehicles.

4. Mobile Vehicle Emissions Budgets in PM2.5 Maintenance Plan

Ms. Mach and Mr. Ballou re-introduced the emissions budgets plan developed by the transportation and air quality agency task force as it was presented in the August MWAQC meeting.

Mr. Ballou reported that after review, the EPA requested additional information, which was the subject of the October 9th Technical Advisory Committee meeting. Additional language was developed for inclusion in the SIP document. Contacts in Region 3 have approved the concept and wording provided. The revised wording does not change the core of the agreement; it details the safety margin levels added to the emissions budget. Also, VDEQ added language on the additional control measures that would be explored if needed, mainly motor vehicle inspections programs and ongoing energy efficiency programs.

5. PM2.5 Redesignation Request & Maintenance Plan, ACTION

Ms. Rohlfs presented the committee with the PM2.5 Redesignation Request & Maintenance Plan for approval.

The region is requesting redesignation as "attainment" for PM2.5, and the plan shows how the region will maintain attainment through 2025. Redesignation to "attainment" brings benefits such as official recognition and public awareness, and it reduces an obstacle for locating new cleaner generation capacity.

PM2.5 is a form of air pollution created by coal combustion, car and truck exhaust, and road construction. PM2.5 causes respiratory problems and impairs visibility. The Greater Washington region has been in attainment of PM2.5 standards since 2007. In order to be officially redesignated as an attainment area, the region must finalize a maintenance plan. This plan demonstrates the emissions inventories that have been conducted, identifies the sources of fine particle emissions in the region, and provides a plan for reducing these emissions through 2025, while meeting a 2017 interim benchmark. The Clean Air Act requires that transportation sector emissions stay at or below the ceiling through a process called conformity assessment. Transportation sector emissions are estimated whenever a new Transportation Improvement Program (TIP) is proposed. The TIP is one part of the State Implementation Plan (SIP).

Inventories and projections have been modeled for all sources of emissions (Point, Area, Non-Road, On-Road) for the milestone years 2002, 2007, 2017, 2025. Modeled mobile source emissions inventories and model projections for PM2.5 and NO_x reveal a declining trend between milestone intervals except 2040, which exhibits a slight emissions uptick. Still, models project 2025 emissions to be substantially lower than in 2002, indicating improving air quality.

Transportation conformity regulations allow Metropolitan Planning Organizations to set an emissions budget higher than the projected inventory levels, referred to as a 'safety margin' or 'buffer', if there are compelling reasons, and if overall maintenance requirements are met. In the agreement, a transportation 'buffer' is added to ensure that a slight increase in emissions would not jeopardize conformity status. This allows for uncertainty in estimating future average vehicle fleet age, regional growth and development, and possible changes in the MOVES model. The plan sets two mobile source budget ceilings for both NO_x and $PM_{2.5}$. The second tier would be implemented if an increase in modeled emissions occurred due to technical reasons, such as a change in models, in order to ensure conformity with the standards put forth in the plan.

The benefits of the plan include protecting public health by reducing emissions, it reduces NOx emissions which will help with future more stringent ozone and fine particle standards, and establishes mobile budgets that will conform to the plan and allow new transportation improvements to move forward.

The next step is to hold a public hearing and public comment period, respond to comments, and then once states approve the plan, it is submitted to the EPA in February/March 2013. The $PM_{2.5}$ Redesignation Request & Maintenance Plan was unanimously approved to go to public comment..

6. Energy Efficiency and Renewable Energy Projects for SIP Credit

Mr. King explained that the region has been a leader in energy efficiency and renewable energy (EERE) in several areas including green building codes and standards, renewable portfolio standards, wind energy purchases, and ARRA-funded EERE projects in the region. The region could consider including some of these actions in the State Implementation Plan (SIP) for credit. In order to receive credit under the SIP, actions must be permanent, quantifiable, enforceable, and surplus. EPA guidance suggests that approaches to include EERE measures in SIPs could involve including them in the baseline emissions projection, as a control measure, as an emerging or voluntary measures, and/or as weight of evidence. Wind energy purchases, clean energy rewards programs, LED traffic signal retrofits, and other green initiatives were included as EERE initiatives in the voluntary bundle in the last SIP. These measures accounted for about 0.30 reductions in tons per day of NOx emissions, which is small but significant. State and local energy and climate plans and programs involve significant renewable energy and energy efficiency initiatives, which have already yielded additional NOx reductions.

In order to achieve credit, EERE programs would need to be implemented at scale, and be enforceable, measureable and verifiable. It would require coordination among state air quality offices, public service commissions, and utilities. For more information, see the EPA's EERE manual at http://www.epa.gov/airquality/eere/manual.html.

In response to a question, Mr. King clarified that the impact of green building codes appear higher in Maryland and Virginia, compared to the District, because the data were only available at the statewide-level so include impacts beyond just the metropolitan suburban counties in the region. Mr. Freudberg said that staff would investigate whether the data could be disaggregated to identify the impacts specific to the region.

Ms. Bulova reported that the Fairfax County Board recently endorsed a private sector energy task force report, found on the county website. The report was a culmination of 18 months of work involving the private sector, Northern Virginia Community College, George Mason University, Washington Gas, and others. The chief recommendation was to establish a private sector energy alliance to move forward with energy sustainability, efficiency, and innovation. Another recommendation encourages redeveloping areas such as Tyson's Corner in a collaborative fashion to create shared energy opportunities.

7. State and Local Air Reports

District of Columbia

No updates to report.

Maryland

Mr. Carroll reported that the Maryland Air Quality Control Advisory Council has applied two regulations: increasing permit fees from stationary sources and public outreach relating to regulations and updates to air quality permits based on 2012 legislation on standing and judicial

review processes. Maryland is continuing to work with stakeholders on long range control plan target regulations with the aim to have the changes finalized by the end of 2012.

Virginia
Mr. Ballou reiterated that the Potomac River generation station was shut down at the beginning of October. VDEQ is completing paperwork with EPA to close out the plant's allowances.

8. Set Date for Next Meeting, Adjourn
Mr. Freudberg announced that the COG Annual Meeting will be held on December 12th from 11:30am to 2pm at the Marriott near Metro Center. MWAQC members are invited and should receive an email with registration information.

The next meeting date is December 19, 2012 from 9:30 to 11:45am. The meeting was adjourned at 1:57pm.