

Metropolitan Washington Air Quality Committee
Suite 300, 777 North Capitol Street, N.E., Washington, D.C. 20002-4239
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DRAFT MINUTES OF MARCH 25, 2009 MEETING

Attendance:

Members and Alternates

Tom Ballou, Virginia Department of Environmental Quality
Monica Backmon, Prince William County
Cecily Beall, District of Columbia Department of Environment
Hon. John Britton, City of Rockville
Hon. Sharon Bulova, Fairfax County
Del. Adam Ebbin, Virginia General Assembly
Diane Franks, Maryland Department of the Environment
Konrad Herling, City of Greenbelt
Hon. Alan Imhoff, City of Frederick
Hon. Phil Mendelson, District of Columbia
Pam Parker, Montgomery County Department of Environment
Mark Rawlings, District Department of Transportation
Hon. Linda Smyth, Fairfax County
Howard Simons, Maryland Department of Transportation
JoAnne Sorenson, Virginia Department of Transportation

Others Present:

Randy Carroll, Maryland Department of the Environment
Austina Casey, District Department of Transportation
Jessica Daniels, District of Columbia Department of Environment
Bhesh Dhamala, Fairfax County Department of Health
Brian Hug, Maryland Department of the Environment
Deron Lovaas, AQPAC
Doris McLeod, Virginia Department of Environmental Quality
Bob Owolabi, Fairfax County Department of Transportation
Molla Sarros, Maryland Department of the Environment
Kanti Srikanth, Virginia Department of Transportation
Harriet West, Clean Air Partners

Staff:

Mike Clifford, COG/DTP
Jen Desimone, COG/DEP
Stuart Freudberg, COG/DEP
Jeff King, COG/DEP
Erin Morrow, COG/DTP
Eulalie Lucas, COG/DTP
Joan Rohlf, COG/DEP
Lee Ruck, COG Counsel
Daivamani Sivasailam, COG/DTP

1. Call to Order, Public Comment Period, Approval of Minutes, Announcements

Chair Mendelson called the meeting to order at 12:05pm. The meeting minutes of February 25, 2009, were approved with minor changes. The minutes should identify the meeting date of the minutes that were approved. Also, Vice-chair Mach called the meeting to order.

Chair Mendelson said that an orientation for new members of MWAQC was held in the morning before the March 25 MWAQC meeting. He said that staff will report on proposed mandatory reporting requirements for greenhouse gas emissions. Staff will also report on a U.S. Court of Appeals remand of the annual fine particle standard.

2. Committee Reports

Report of the Technical Advisory Committee

Tom Ballou reported on the recent meeting of the Technical Advisory Committee. Members reviewed the status of SIP commitments. In the District and Virginia, implementation of the OTC VOC rules have been delayed so the regulations will not be in place by May 1, 2009. Members also heard a report on the implementation status of local voluntary measures included in the SIP. The region is on track in meeting its voluntary commitments. Staff presented a database of state and local energy efficiency projects including an analysis of emission reduction benefits. The proposal to defund air quality monitors in Fairfax County was discussed and will be on the MWAQC agenda.

Report of the Air Quality Public Advisory Committee

Deron Lovaas reported on the recent meeting of the Air Quality Public Advisory Committee (AQPAC). AQPAC members prepared a draft letter expressing concerns about the proposal to defund the air quality monitors in Fairfax. He asked that MWAQC consider forwarding the letter to the County before the end of the public comment period.

Report of the Clean Air Partners

Harriet West reported on recent activities of Clean Air Partners. Clean Air Partners will be encouraging the public to get involved with national and global campaigns to reduce global warming including efforts like Earth Hour and EPA's Change the World campaign. These events will be promoted through the Clean Air Partners web site and through the Air Quality Action Days database. Earth Hour will take place on Saturday, March 28 from 8:30-9:30 pm. This campaign is a global effort to engage individuals, businesses, governments, and organizations around the world to turn off their lights for one hour (Earth Hour) to make a collective statement of concern about climate change and to demonstrate commitment to finding solutions. Clean Air Partners is also exploring how to become a pledge driver for EPA's Change the World, Start with ENERGY STAR campaign, which encourages people to reduce energy consumption through energy-efficient purchases. This initiative is tentatively scheduled to be launched around Earth Day. The marketing consultant is working on the 2009 public awareness campaign which will include transit ads and two new radio ads. The Education Program Manager served as the Environmental Chair for the Loudoun County Science Fair held on March 19, 2009. The judges reviewed and evaluated nearly 50 environmental science projects, including numerous entries on air quality and climate change. In conjunction with the Annual Membership meeting, the Education Program Manager is coordinating an air quality poster contest with local schools. The

winning posters will be on display at the Annual Meeting and the first, second, and third place winners will be formally recognized by the Board at the meeting. One new application for the aqueous parts washer rebate program was received from a print shop in Rockville, MD and has been approved. To date, seven rebates have been approved since October 2007 including three for auto repair facilities, three for printers, and one for a bike shop. The Clean Air Partners' Annual Membership Meeting has been scheduled for Tuesday, May 12th at the Koshland Science Museum in Washington, DC, which features a permanent, interactive exhibit on climate change. There will be an education-base theme for this year's meeting – The ABC's of Air Quality, the Bay, and Climate Change. The Board Meeting to approve the FY 2010 Annual Work Plan and Budget will be held from 3:30 to 5:00 pm, followed by an awards presentation and reception to recognize the winners of the air quality poster contest.

3. Fine Particle Standard Remanded to EPA

Lee Ruck explained that the U.S. EPA promulgated a new lower daily National Ambient Air Quality Standard (NAAQS) for fine particles in 2006, but decided against lowering the annual standard. In response to litigation, the U.S. Court of Appeals remanded the 2006 fine particle NAAQS to EPA stating that EPA did not adequately explain why it believed that maintaining the annual standard provided sufficient protection of human health. EPA is now considering how to respond to the remand.

Joan Rohlf's discussed the implications of the remand on SIP planning in the region. Last year, MWAQC submitted a fine particle SIP to EPA even though the region's monitors are already showing attainment of the annual PM standard. Maryland and the District were actually plaintiffs in the litigation arguing that the annual standard should have been set lower to be more protective of public health. The region decided against requesting redesignation. Since that time EPA has not taken action on the SIP. If EPA decides to lower the annual standard, it will likely take several years before there are new SIP requirements. It's possible that EPA could take action on the motor vehicle emission budgets in the SIP and/or the region could decide to submit a new special SIP just to establish new motor vehicle emission budgets.

4. EPA: Proposed GHG Reporting Rule

Jeff King provided a summary of EPA's proposed greenhouse gas reporting rule. In general, the proposed rule calls for suppliers of fossil fuels or industrial greenhouse gases, manufacturers of vehicles and engines, and facilities that emit 25,000 metric tons or more of GHG emissions per year to submit annual reports to EPA. The first annual report would be submitted to EPA in 2011, for the calendar year 2010, except for vehicle and engine manufacturers, which would begin reporting for model year 2011. Most small businesses would fall below the 25,000 metric ton threshold and would not be required to report GHG emissions to EPA. EPA would be responsible for verifying the data. In the region, entities likely subject to the proposed requirements include electric power plants, municipal landfills, and large commercial boilers. Others could also include natural gas systems and distributors, suppliers of coal, natural gas, oil (importers, exporters, refiners), electronics manufacturers (including solar PV and LED), ethanol and cement producers, and industrial CO₂ or gas companies (manufacturers, importers, exporters). Auto fleet owners (manufacturers must report), and domestic wastewater treatment facilities would not be covered.

5. MWAQC FY 2010 Work Program and Budget

Joan Rohlfs presented the proposed FY 2010 MWAQC work program and budget for approval. Work program elements include participating in developing regional SIP modeling inventories for ozone, PM SIPs; evaluation of EERE measures for the SIP in terms of PM_{2.5} and greenhouse gas reductions; tracking local government Supplemental Measures in the ozone and PM SIPs; developing tracking metrics for regional greenhouse gas emissions (GHG) inventory; coordinating air quality planning with state and local Clean Energy programs; tracking state and local energy efficiency initiatives; coordinating public policy for air and climate change among the states and local governments in the region; transitioning to the new MOVES model for use in transportation conformity (early 2010); and reviewing transportation conformity analyses for ozone, fine particles, winter carbon monoxide, and greenhouse gases. The budget for the core work program remains unchanged from FY 2009. There is a small increase for the local government initiatives tasks.

A motion was made and seconded to approve the work program and budget. In response to questions, Stuart Freudberg said that COG will not be providing a cost of living increase for staff this year though all staff are eligible for merit increases. The work program was approved unanimously.

6. Status of Local Air Quality Commitments

Jeff King reviewed local government SIP commitments and discussed the annual reporting of accomplishments for the Voluntary Bundle. One of the commitments made in the ozone and fine particle SIPs is to track progress in meeting bundle commitments annually and to prepare a true-up evaluation report every three years. The next evaluation report is due in March 2010. Annual survey forms were circulated and results indicate that the region is on track to meet its commitments.

One outstanding item is for states to establish an EERE NO_x allowance set aside program so that allowances can be retired commensurate with NO_x reduction credits taken in the voluntary bundle for EERE projects. Virginia and Maryland have a set-aside program. The District is working to finalize its CAIR rule which will have a set-aside component.

7. Air Quality Monitor Network: Proposed Changes

Joan Rohlfs discussed issues related to funding and operation of air quality monitoring sites in Fairfax County. The proposed Fairfax County budget includes elimination of funding for the Fairfax County operated air quality monitors. A public hearing on the proposal will be held on March 30, 31, and April 1. The monitors are used to track concentrations of ozone and fine particles.

Ms. Bulova said that she wanted it to be clear that the county supports having the monitors but has an issue about funding responsibility. In response to questions, staff said that the states are responsible under EPA regulation to maintain an adequate monitoring network. Staff also said that monitors that have shown an exceedance of the standard within the last 5 years cannot be eliminated. Members unanimously agreed to allow the AQPAC letter to be sent to Fairfax County as part of the record, with an attached explanatory note about the funding concerns expressed by Ms. Bulova.

8. State and Local Air Reports

Tom Ballou reported for Virginia. Virginia DEQ has submitted a request to EPA to recognize an "exceptional event" that affected air quality monitoring values in the region. The request package contains a wealth of information about the impact of smoke plumes from the forest fires in North Carolina and southern Virginia. Virginia is requesting that certain outlier monitoring readings directly caused by the exceptional events be excluded from the official record per EPA policy. The Virginia State Air Pollution Control Board will meet on April 24 and will consider again the MWAQC petition to lower the opacity standard as well as proposals to extend the OTC VOC rules to other areas in Virginia.

Cecily Beall reported for the District. Regulatory initiatives in the District include the OTC VOC rules, CTG RACT, and CAIR. A sustainability plan is being prepared and ICLEI has been hired to prepare a greenhouse gas inventory and Climate Action Plan. Work is underway to propose projects for funding under the Diesel Emission Reduction Act (DERA).

Diane Franks reported for Maryland. The Air Quality Control Advisory Council (AQCAC) will meet on April 20 to consider a new opacity regulation. A public hearing will be held on MDE's wood boiler regulation that will set standards for future purchases. The RGGI auction was held on March 13 and raised \$20 million in allowance revenue for the state.

9. New Business

Jeff King said that the states have submitted designation recommendations to EPA for the new 2008 ozone NAAQS. All states recommended maintaining the existing nonattainment area boundaries. Maryland wrote that it would support the current boundary approach only if the EPA would commit to promulgating new tougher controls across a larger domain.

Joan Rohfs said that the USA Today published an article about a research study to document potential air toxics risks at public schools. The approach was to use EPA toxic emission release data as well as local monitoring to rank schools in terms of air toxics risks. EPA has started a new air toxics at schools monitoring initiative. More information on this new EPA program will be available once EPA announces its plans moving forward.

10. Date for Next Meeting and Adjourn: The next meeting will be held on May 27, from 12:00 - 2:00pm. The meeting was adjourned at 1:45pm.