

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

DRAFT MINUTES OF May 24, 2006 MEETING

Attendance:

Members and Alternates

Tad Aburn, Maryland Department of the Environment
Hon. Joy Austin-Lane, Takoma Park
Hon. John Britton, City of Rockville
Hon. Sharon Bulova, Fairfax County
Rick Canizales, Prince William County
Hon. Redella S. Del Pepper, Alexandria
Jill Engel-Cox, JCET/AQPAC
Hon. Paul Ferguson, Arlington County
Hon. Nancy Floreen, Montgomery County
Hon. T. Dana Kauffman, Fairfax County
Maurice Keys, District of Columbia Department of Transportation
Hon. Leta Mach, Greenbelt City Council
Hon. Phil Mendelson, District of Columbia City Council, MWAQC Chair
Mary Richmond, Montgomery County
Marie Sansone, District of Columbia Department of Environment
Howard Simons, Maryland Department of Transportation
Hon. Linda Smyth, Fairfax County
JoAnne Sorenson, Virginia Department of Transportation
Hon. Mick Staton, Loudoun County
Jim Sydnor, Virginia Department of Environmental Quality
Stanley Tracey, District of Columbia Department of Environment
Hon. Patrice Winter, City of Fairfax

Others Present:

Charley Baummer, Metropolitan Washington Airports Authority
Tom Biesiadny, Fairfax County Department of Transportation
Randy Carroll, Maryland Department of the Environment
Julie Crenshaw Van Fleet, AQPAC
Deirdre Elvis-Peterson, District of Columbia Department of Environment
Bill Skrabak, City of Alexandria
Kanathur Srikanth, Virginia Department of Transportation
Harriet West, Clean Air Partners

Staff:

Joan Rohlfs, COG/DEP	Jennifer Desimone, COG/DEP
Jeff King, COG/DEP	Mike Clifford, COG/TPB
Sunil Kumar, COG/DEP	Ron Kirby, COG/DTP
Eulalie Lucas, COG/DTP	George Nichols, COG/DEP
Stuart Freudberg, COG/DEP	Dave Robertson, COG, Executive Director

1. Call to Order, Public Comment Period

Vice-Chair Floreen called the meeting to order at 12:10 p.m. One public commenter, Julie Crenshaw Van Fleet, asked that MWAQC provide feedback regarding a memorandum sent by AQPAC to MWAQC in March. She also asked that MWAQC Executive Committee review policies on committee membership and determine whether representatives from Mirant should be allowed to sit on all three committees (AQPAC, MWAQC Technical Advisory Committee, and Clean Air Partners). She commended MWAQC for including comments on mercury hotspots in a draft letter being considered for approval under Agenda Item 9.

2. Approval of Minutes, Announcements

Ms. Floreen made several announcements. The MWAQC Executive Committee sent a letter to the Interstate Air Quality Council (IAQC) urging them to support dedicated funding for Metro. David Snyder raised the issue at the MWAQC Work Session in April, and earlier this month the Executive Committee approved sending the letter to the Secretaries of Environment and Transportation (i.e., Interstate Air Quality Council). Clean Air Partners hosted a media event on May 17 to kick off "Air Awareness Week". The event was co-hosted by EPA and National Oceanic and Atmospheric Administration (NOAA) and was held at Lady Bird Johnson National Park. On May 8, EPA announced another settlement with Mirant Corporation. The original settlement in 2004 was renegotiated and now includes new emissions caps for the four Mirant plants in Maryland and Virginia. Austan Librach who is with the City of Austin, TX will discuss a campaign to promote plug-in hybrid electric cars.

Mr. Mendelson called for a motion to approve the draft minutes of the March 22, 2006 meeting. A motion was made and seconded. The minutes were approved unanimously.

3. Committee Reports

A. Report of the Technical Advisory Committee

Mr. Sydnor reported on the activities of the TAC. He referred members to the one page summary of relevant policy issues. Staff work to prepare the 8-hour ozone SIP is proceeding as scheduled. The emission inventories are being finalized. Preliminary attainment modeling results indicate that the region will make good progress towards meeting the standard by 2009. Upcoming attainment modeling will be updated to reflect pending OTC decisions on regional controls strategies, expected in early June.

Ms. Floreen said that it is important to get the message out about what clean air efforts are underway. Jim Sydnor said that having the draft plan available for public review in the next couple of months will be useful in informing the public about air quality improvement initiatives.

B. Report of the Air Quality Public Advisory Committee

Ms. Engel-Cox, Chair of the Air Quality Public Advisory Committee (AQPAC), reported on a recent meeting. She said that AQPAC heard a report from Ram Tangirala of the District of Columbia Department of Environment. Members also watched a video and discussed the Plug-in Hybrid Campaign. She said that the committee is continuing to try to fill several openings for new members of the AQPAC. The June AQPAC meeting was rescheduled to accommodate scheduling conflicts and will now be held on June 26, 2006.

C. Report of the Clean Air Partners

Ms. West, Clean Air Partners (CAP) managing director, reported. The FY 2007 Work Program and Budget was approved by the membership at the Annual Meeting on May 11, 2006. The approved work program and budget of \$631,950 includes seven major program areas. The work program also includes recommendations for several potential new initiatives including the expansion of the air quality curriculum to the District of Columbia and Maryland, an anti-idling campaign at elementary schools, a gasoline-powered lawn mower exchange, and a child-care center initiative. Implementation of these initiatives is contingent on the availability of funding. Several new Board members were elected. Kim Greer, Director of Corporate Communications for Washington Gas, will serve as Chairperson for FY 2007.

To date, Clean Air Partners has received sponsor commitments of \$107,500 from Constellation Energy, Fairfax County, Lockheed Martin, Mirant, Montgomery County, and Prince George's County. Several additional commitments will be forthcoming. The current commitments exceed the sponsor commitments of \$85,000 received last year and surpasses the 2006 goal of \$100,000.

Clean Air Partners teamed with EPA and the National Oceanic and Atmospheric Administration to conduct a media event on May 17, 2006 at Lady Bird Park in Arlington, Virginia as part of National Air Quality Awareness Week. The purpose was to educate the public about the environmental and health risks associated with poor air quality especially at the Code Orange and Code Red levels. In addition, representatives from the Virginia Department of Environmental Quality (DEQ) tested and compared the emissions from various sources of air pollution (SUV, gas-powered lawn mower, and gas-powered trimmer) to demonstrate why it's important to reduce or postpone these activities on poor air quality days.

The printer survey was distributed to printers in Northern Virginia in April 2006 using a mailing list provided by the Printing Industries of Virginia. An additional mailing will be sent to printers using a larger mailing list available through Virginia DEQ. The survey results will be used to help develop the voluntary program with printers.

Clean Air Partners is continuing to work with curriculum development consultant, Environmental Education Exchange, to pilot the new air-quality curriculum in Northern Virginia middle-schools later this year.

D. Report of the Interstate Air Quality Council (IAQC)

Mr. Aburn, Maryland Department of the Environment, reported. The IAQC continues to work on developing a suite of regional measures to reduce transport of pollution into the Washington, DC region and the mid-Atlantic. These efforts include not only the 13 states of the Ozone Transport Commission (OTC), but states in the mid-west and southeast, forming a super-regional effort involving 27 states called the State Collaborative. Some of the measures being developed include a second round of regulations on consumer products and portable fuel containers, as well as new initiatives to control emissions from industrial adhesives and sealants. Consideration is also being given to controls on large boilers at industrial, commercial, and institutional facilities, a regional fuels program, and a program to achieve reductions at power plants that go beyond the federal requirements. IAQC staff is preparing for a joint meeting with the IAQC and MWAQC in July.

Phil Mendelson asked why the interstate effort is expanding. Tad Aburn said that there are two reasons. One reason is that now there has been enough compelling research completed to demonstrate the role of transported air pollution on local nonattainment problems. The second reason is that the new 8-hour ozone and PM_{2.5} standards now apply to areas that were not previously in nonattainment.

Phil Mendelson asked if the IAQC had met recently. Tad Aburn said that the next meeting will be in July and that recent conference calls have involved only the IAQC staff. The meeting in July will be a joint meeting of the IAQC and MWAQC leadership. Agenda items should be coordinated with MWAQC and COG staff.

4. Mirant Settlement: Update

Mr. Sydnor, Virginia DEQ, reported on the status of a recent settlement between the U.S. Department of Justice (DOJ), U.S. EPA, Maryland, Virginia, and Mirant. The settlement was lodged in federal court and will be published in the Federal Register for a 30-day comment period. Under the terms of the settlement, Virginia DEQ will be preparing a new operating permit to limit emissions from the Potomac River Power Plant in such a manner that there are no air quality violations. The draft permit will be available for stakeholder input sometime next month. Once that process is complete there will be a formal public comment period. There is a \$500,000 penalty associated with the settlement. An additional \$1 million will be required to be invested in pollution control at the plant, mainly to control dust. The settlement establishes NOx emissions limits that are in-line with the requirements of recent multipollutant legislation in Virginia. The limits will provide for reductions that occur earlier than what would be required under EPA's Clean Air Interstate Rule. The settlement also covers the Mirant facilities in Maryland.

Ms. Pepper said the City of Alexandria has serious concerns about the amended Consent Decree. She referred to an April 24 letter that summarizes a meeting that occurred on March 27 among representatives of the City of Alexandria, Virginia DEQ, the U.S. EPA, U.S. DOJ, and MDE at the Virginia DEQ regional office. The letter covers the concerns of the City of Alexandria. The city also intends to submit public comments and will file a motion in the U.S. District Court in the Eastern District of Virginia. She said the City of Alexandria believes the amended Consent Decree provides questionable benefits. She said the city supports the region-wide approach to reduce NOx emissions. There are concerns that the amended Consent Decree would allow higher NOx emissions during the ozone season through 2010. She said the existing ozone season NOx limit from 2004 for the Potomac River Power Plant should be maintained. Ms. Pepper expressed concern that the amended Consent Decree does not address other pollutants at the plant, most importantly PM_{2.5}. She referred any questions to John Britton, the attorney for the City of Alexandria on this matter.

Mr. Ferguson asked about the plans for the \$500,000 penalty. Mr. Sydnor said that the amount is to be split between Virginia and the U.S. EPA. He said that Virginia has not yet made a final decision, but that initial plans are to pay for a study on mercury deposition required by Virginia's recent multipollutant legislation. Mr. Ferguson asked that an update be provided in the future. Mr. Sydnor said that the study milestones include a draft report in January 2007 and a final report in January 2008.

Ms. Floreen said that she was under the impression that the plant would be taken out of service after new transmission lines become operational. She asked how the amended Consent Decree affects that situation. Mr. Sydnor said that the plant is operating under a federal order from the U.S. Department of Energy due to concerns about electricity reliability. Once the transmission lines are operational in 2007, Mr. Sydnor assumes that the Department of Energy would withdraw its order that the plant be run for reliability, which could affect how the plant is operated. Long-term operation of the plant will be regulated by Virginia DEQ under an operating permit that will require that the plant be operated without causing violations of the NAAQS. The Commonwealth of Virginia does not have the authority to require that the plant be shut down.

Ms. Floreen asked how the amended Consent Decree compares to the requirements of recent legislation and regulation affecting the facilities in Maryland. Mr. Aburn said the amended Consent Decree will provide earlier reductions in Maryland.

Mr. Mendelson asked why the amended Consent Decree allows higher emissions levels than the levels mentioned by Ms. Pepper. Mr. Sydnor said that the lower value is associated with the emissions levels associated with the NO_x SIP call, which also allows trading of emission allowances. The amended Consent Decree would not allow trading.

Mr. Skrabak said that Virginia DEQ had proposed a hard cap with no trading in 2004. The City of Alexandria supported that proposal and is now concerned that the recent negotiations on the Consent Decree may result in additional reductions in Maryland at the expense of the residents of Alexandria.

5. SIP Development: Update

Ms. Rohlf's provided an update on SIP development. Staff are awaiting decisions on regional control measures by the Ozone Transport Commission in June. The selected set of control measures can then be incorporated into the attainment modeling efforts. The attainment modeling results will be used as evidence in the SIP to demonstrate that the region will attain the 8-hour ozone standard by 2009. Another important component of the SIP will be a weight-of-evidence analysis which will consider trends in air quality data to support the attainment modeling results. Staff are beginning to identify potential contingency measures which will be a required component of the SIP. Emissions inventories are nearly complete. The 2009 mobile emission inventory is still being developed. The most recent attainment modeling results indicate that the region will need additional new measures to meet the 8-hour ozone standard by 2009. The control measures workgroup will advance measures for inclusion in the control strategy, including measures to be developed as model rules. The Local Government Initiatives Subcommittee is developing a list of priority measures for voluntary adoption by local governments. The SIP is due in June 2007. A draft SIP should be available for MWAQC this fall.

6. Reasonable Further Progress Analysis

Mr. Kumar presented a draft reasonable further progress (RFP) analysis. The SIP must contain a demonstration that the region will reduce emissions by 15 percent between 2002 and 2008. The reduction can be any combination of VOC and NO_x. The draft analysis assumes that the reduction target is split evenly between VOC and NO_x. Based on projections for 2008, the reductions occurring between 2002 and 2008 will result in actual controlled emission levels below the RFP target requirement.

Mr. Aburn said that even though this analysis suggests that the region will achieve the 15 percent reduction requirement for RFP, additional reductions may be needed to demonstrate attainment. Mr. Aburn also said that many of the existing programs adopted for the 1-hour ozone SIP continue to provide the region with significant reductions through 2009.

7. Control Measure Strategy Update

Mr. King provided an update on control strategy development. Modeling indicates that the region will not meet the ozone standard in 2009 unless additional steps are taken to reduce emissions. Some combination of state efforts, local government initiatives, and OTC/State Collaborative efforts will likely be needed to reach attainment. Potential initiatives that may be adopted at the state level are being driven mainly by the efforts of the Ozone Transport Commission (OTC).

Mr. King referred to lists of priority measures under consideration, both by the TAC workgroup as well as the OTC. The leading candidates at this time are phase II rules affecting architectural and industrial maintenance coatings and consumer products, and new emission standards for industrial, commercial, and institutional boilers. States must also recertify that the large stationary sources in the region have all Reasonably Available Control Techniques installed. The OTC also has a multipollutant workgroup which is considering options to further reduce emissions associated with electricity generation. Additional information on selection of control measures will be available next month at the OTC annual meeting.

The Local Government Initiatives Subcommittee is attempting to advance voluntary measures through a bundling concept. Initiatives being considered for voluntary local adoption include diesel retrofits, installation of auxiliary power units to reduce idling, potential efforts to reduce emissions from construction projects, increasing purchases of renewable energy, renewable portfolio standards, and certain pollution prevention activities mainly focused on solvent use at small auto repair shops.

Mr. Mendelson asked for clarification on the lists of measures. Mr. King said that the OTC list of measures includes measures that have already been adopted in the Washington region because the OTC is working with states that have not yet adopted many of the programs required for areas in nonattainment of the 1-hour ozone standard. The reductions achieved throughout the OTR will be incorporated into the attainment modeling. Mr. Sydnor said that sensitivity analyses may be performed to assess the impact of various control strategies on attainment.

Mr. Mendelson asked about the measures in the Gold Book. Ms. Rohlf said that the Gold Book measures are being considered as potential local voluntary measures. Ms. Rohlf said that commitments from the local governments will be required in order for them to be incorporated into the SIP.

8. Plug-in Hybrid Technology

Joan Rohlf introduced Austan Librach from Austin Energy who participated in the meeting via conference call. She said the plug-in hybrid initiative may provide energy and air quality benefits. Various COG committees, including the Energy Policy Committee, are considering the plug-in hybrids campaign as action items.

Austan Librach provided information on the National Plug-in Hybrid Campaign. The goal of the campaign is to demonstrate to auto manufacturers that there is demand for plug-in hybrid vehicles. He hopes more local governments will consider making "soft" purchase orders. To date, more than 1,000 soft orders have been received by the campaign. Plug-in hybrids may be commercially available within 2-3 years. Mr. Librach said that nearly all of the major cities on the east coast have made soft purchase orders, including New York, Boston, Philadelphia, and Baltimore. Chicago has also recently committed to purchasing 850 vehicles.

There are three reasons to endorse a nationwide plug-in hybrid campaign: 1) to reduce dependence on foreign oil and thereby improve national security; 2) environmental benefits of reduced pollution; and 3) reduced demand for oil. He said that the plug-in hybrids include more battery capacity so that the vehicle can operate on electric-only mode. Prototype vehicles are achieving greater than 100 miles per gallon.

Mr. Mendelson asked about the net emissions and efficiency from charging the batteries using electricity from coal-fired power plants. Mr. King said that recharging can occur at night when power plants are already operating with excess capacity, thereby providing some level of efficiency.

Ms. Rohlf said that this is a future technology that may not be available for inclusion in the SIP. Mr. Librach said that commercial production could begin within 2-3 years.

Members watched a video on plug-in hybrid technology provided by the National Plug-in Hybrid Campaign.

Ms. Pepper asked how car owners without access to electricity could recharge their vehicles. Mr. Librach said that new infrastructure would be needed.

Ms. Floreen said that Montgomery County has recently committed to purchasing hybrid buses at a higher cost than a conventional vehicle. She asked about the anticipated incremental cost for a plug-in hybrid vehicle. Austan Librach said that hybrids are currently \$3,000-\$4,000 more expensive than conventional vehicles and that plug-in hybrids may be \$3,000-\$4,000 more expensive than traditional hybrid vehicles. Some sort of rebate program or tax incentive may be needed during the initial stages of market commercialization.

Mr. Ferguson proposed that MWAQC support the plug-in hybrids campaign and send a letter to the COG Board encouraging local jurisdictions to consider making soft purchase orders. Mr. Mendelson expressed concern about the lack of understanding of the net environmental impact. Mr. Ferguson said that residents of Arlington County have expressed concerns about dependence on foreign oil and that plug-in vehicles could reduce such dependence. Ms. Floreen said she was reluctant to endorse soft purchase orders on behalf of Montgomery County at this time. Mr. Librach explained that soft purchase orders are not binding. Ms. Winter said that Fairfax County Board of Supervisors has endorsed the idea of soft purchase orders for plug-in hybrids. She said she supports Mr. Ferguson's motion. Jill Engel-Cox said AQPAC was also briefed on this issue and members, while generally supportive, also urged that the plug-in hybrid technology be considered as part of an overall energy strategy. Ms. Floreen said that it is important to not single out a particular technology and said the letter should contain a comment such as that suggested by

AQPAC members. Mr. Ferguson and Ms. Winter agreed. The motion was approved unanimously. Mr. Mendelson asked that COG staff develop a letter for review by the MWAQC Executive Committee.

9. Other Business: Virginia Mercury Rule

Paul Ferguson, Arlington County, said that at the last meeting members discussed trading of mercury and concerns about potential hotspots in the region. The City of Alexandria and Arlington County recommended that a draft comment letter be prepared. Mr. Ferguson offered the letter for approval. Mr. Mendelson treated the approval as unanimous consent. There were no objections. Mr. Mendelson agreed to sign and send the letter to the Chair of the Virginia Air Pollution Control Board.

10. Air Agency Report

The District had nothing to report.

Jim Sydnor said that in the next few weeks Virginia will begin to issue notices to owners of high emitting vehicles detected through the roadside remote sensing program. The initial notices will be advisory only. After that, the notices would be notices of violation.

Tad Aburn reported that the Healthy Air Act has passed. The Act is similar to the Clean Power Rule (CPR). The Act will also require that Maryland join the Regional Greenhouse Gas Initiative (RGGI). He said there are a variety of state regulatory initiatives underway, including New Source Review, mercury, CAIR, and OTC initiatives. He said that there is a lot of SIP development work statewide, including four areas with ozone SIPs, three areas with PM_{2.5} SIPs, and a regional haze SIP for the entire state. Also, MDE has been holding a series of stakeholder meetings. A third stakeholder meeting will be held during the summer.

8. Date for Next Meeting and Adjourn

The next meeting, a work session, will take place on June 28. The meeting was adjourned at 2 pm.