

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 FEBRUARY 25, 2009 MEETING

Attendance:

Members and Alternates

Tom Ballou, Virginia Department of Environmental Quality
Cecily Beall, District of Columbia Department of Environment
Hon. John Britton, City of Rockville
Hon. Sharon Bulova, Fairfax County
Hon. Jay Fisette, Arlington County
Hon. Nancy Floreen, Montgomery County
Diane Franks, Maryland Department of the Environment
Hon. Alan Imhoff, City of Frederick
Hon. Leta Mach, City of Greenbelt
Hon. Andrea McGimsey, Loudoun County
Hon. Phil Mendelson, District of Columbia
Pam Parker, Montgomery County Department of Environment
Mark Rawlings, District Department of Transportation
Hon. Redella Pepper, City of Alexandria
Howard Simons, Maryland Department of Transportation
Hon. Linda Smyth, Fairfax County
Hon. Ryan Spiegel, City of Gaithersburg
JoAnne Sorenson, Virginia Department of Transportation
Didian Tsongwain, Prince George's County

Others Present:

Randy Carroll, Maryland Department of the Environment
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
Greg McFarland, Northern Virginia Transportation Commission (NVTC)
Bob Owolabi, Fairfax County Department of Transportation
Caroline Petti, AQPAC
Molla Sarros, Maryland Department of the Environment
Harriet West, Clean Air Partners

Staff:

Mike Clifford, COG/DTP
Jen Desimone, COG/DEP
Stuart Freudberg, COG/DEP
Jeff King, COG/DEP
Ron Kirby, COG/DTP

Sunil Kumar, COG/DEP
Joan Rohlf, COG/DEP
Daivamani Sivasailam, COG/DTP
Tanisha Williams, COG/DEP

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

Chair Mendelson called the meeting to order at 12:05pm. The meeting minutes were approved with no changes.

There were several announcements. New appointments to MWAQC in the last month include: Mary Cheh, DC Council; George Hawkins, Director, DC Dept. of Environment; Gabe Klein, Director, DDOT; Ryan Speigel, City Council, City of Gaithersburg; and Steven Strombres, City Council, City of Fairfax. There will be an orientation and briefing for new members before the March meeting.

Last month MWAQC sent a letter to EPA Region 3 through MDE to request that the Metropolitan Washington Region be designated in attainment, or meeting, the 2006 daily fine particle standard. The letter opposed EPA's proposal to include Montgomery County and Prince George's County as part of the Baltimore nonattainment area for the daily PM_{2.5} standard. The letter was also signed by Penny Gross, Chair of the COG Board of Directors, and Charles Jenkins, Chair of TPB. This month Maryland sent 2008 data to EPA demonstrating that Baltimore also meets the daily PM_{2.5} standard. EPA has not taken final action yet.

Also MWAQC sent a letter to Virginia Governor Tim Kaine urging him to have the State Air Pollution Control Board take action on MWAQC's request of last September that the Board lower Virginia's opacity standard to 10%. The State Air Pollution Control Board has not taken action on MWAQC's request. This week MWAQC received a letter from Preston Bryant, Secretary of Natural Resources stating that the State Air Pollution Control Board voted to discuss the petition on opacity at their next meeting in April.

The U.S. Court of Appeals in the District of Columbia remanded the 2006 fine particle standard back to EPA. Maryland and the District joined other states in suing EPA because the level of the annual fine particle standard 15 $\mu\text{g}/\text{m}^3$ was too weak to protect public health. The Washington region submitted a PM_{2.5} SIP last year even though the data showed compliance with the standard since 2005. The EPA science advisors wanted an annual standard of 12-14 $\mu\text{g}/\text{m}^3$.

2. Committee Reports

A. Report of the Technical Advisory Committee (TAC)

Mr. Ballou reported on the recent meeting of the TAC. Maryland Department of the Environment's review of 2008 air quality monitoring data indicates that the Baltimore region has attained the 2006 daily fine particle standard. If EPA agrees, this could resolve the issues related to EPA's proposal to include Montgomery and Prince George's counties in the Baltimore nonattainment area.

The states have recently received guidance from EPA regarding the designation process for the 2008 8-hour Ozone NAAQS. Recommendations from the states are due to EPA by March 2009.

EPA must make final designations by March 2010. States are in the process of deciding on area recommendations and will present draft recommendations to MWAQC in February.

Several northeastern and mid-Atlantic states, including Maryland, have agreed to develop a new low carbon fuel standard. The proposed program will be developed in 2009.

Maryland has proposed a rule addressing emissions from distributed electricity generation units. Owners must limit operation of their equipment to less than 10 hours during the ozone season or become permitted and meet performance standards for the units.

EPA has proposed a revised Air Quality Index (AQI) for fine particles to correspond to the new lower 2006 NAAQS. Under the revised AQI, code orange would begin at $35.5 \mu\text{g}/\text{m}^3$ and would represent an exceedance.

Staff are collecting annual reports of progress in implementing local voluntary commitments, including energy efficiency, green power purchases, and tree canopy programs.

B. Report of the Air Quality Public Advisory Committee (AQPAC)

Ms. Lovaas reported on the recent meeting of AQPAC. Seventeen new members recently appointed by MWAQC were in attendance. Lots were drawn for terms. Deron Lovaas was elected chair and Larry Zaragoza was elected vice chair. With the recent change in the bylaws, AQPAC will now also be considering issues related to climate change.

C. Report of the Clean Air Partners

Harriet West reported on activities of Clean Air Partners. The Marketing Committee will meet in early March to begin planning for the 2009 public awareness campaign.

More than 1,000 students have received information from the curriculum and outreach programs including 320 from the District of Columbia, 525 from Maryland, and 180 from Virginia. In addition, the curriculum materials have been downloaded from the Clean Air Partners' website by nearly 30 other individuals from public and private schools and homeschool programs in the District, Maryland, and Virginia, as well as the State of Tennessee and the Delaware Division of Public Health.

The Education Program Manager will be participating in the Maryland Association for Environmental and Outdoor Education conference February 27 – March 1 and presenting at the EPA National Air Quality Conferences in early March.

One new application for the aqueous parts washer rebate program was received from a bike shop in Arlington, VA. To date, 5 units at 4 facilities have been approved.

Marketing efforts have included outreach to specific facilities that use this type of equipment (i.e. car dealerships) and equipment vendors who in turn market the rebate program to their customers. All of the applications submitted to date have been those received as a result of vendor referrals.

Clean Air Partners conducted an all-day strategic planning session on February 5, 2009 at MDOT headquarters. The meeting was well attended with 20 Board members (including all major

fundings), staff, and consultants participating. The facilitator helped the Board identify the organization's strengths, opportunities, problems, and threats, and begin the process of revising the mission and vision statement. The Board also identified three likely strategic focus areas: education/public awareness, thought leader/catalyst, and sustainability. These focus areas will be the topic of future Board meetings and incorporated (as deemed appropriate) in the FY 2010 Work Plan and Budget.

3. New 2008 Ozone Standard <75 ppb

Ms. Rohlfs and Mr. Kumar discussed recent EPA guidance on area designations for the 2008 ozone NAAQS of 75 ppb. State recommendations for nonattainment areas are due to EPA by March 12, 2009. EPA will propose area designations no later than March 2010. Analysis of recent monitoring data indicates a significant number of monitors along the eastern seaboard are recording pollution levels above the new standard. All of the existing counties in the current DC/MD/VA nonattainment area would be in nonattainment based on the recent monitoring data.

Mr. Hug said that Maryland is considering two options. First, Maryland may recommend that the existing ozone nonattainment areas be designated as nonattainment for the new standard. The second option being considered is to designate the entire state as nonattainment if EPA cannot commit to implementing strong national controls by 2011. The second option is more in-line with the science that suggests reductions are needed across a larger area to bring the existing nonattainment areas into compliance. For example, the Garrett County monitor in Western Maryland, installed to detect levels of pollution being transported into the region, shows concentrations that already exceed the new standard.

Ms. Beall said that the District is still discussing potential recommendations. Monitoring data indicate that the District is currently in nonattainment with the new standard.

Mr. Ballou said that Virginia will use 2008 monitoring data to support the recommendations. He does not anticipate a change in the recommendation for the metropolitan Washington area. Caroline County is one possible area in Virginia that may be a new nonattainment area based on monitored data.

Mr. Mendelson said that the next steps are for states to send the recommendation letters to EPA and for EPA to propose the designations by March 2010.

The Ozone Transport Commission (OTC) and the states have started to develop proposals for new control measures to meet the new lower ozone standard. Some of the leading candidates under consideration include tougher controls on power plants under the CAIR program, a program to control emissions from Industrial, Commercial and Institutional (ICI) boilers, controls on distributed electricity generation sources on high electricity demand days, and a new round of OTC VOC controls. Negotiations are underway with the midwest to institute controls across a broader area to reduce transport. There has also been discussion of having EPA institute more stringent emission controls on mobile sources.

Ms. Bulova said that there is a budget proposal being considered in Fairfax County to eliminate funding for air quality monitors owned and/or operated by the County. Virginia DEQ is communicating with Fairfax County officials regarding potential contingencies. The Mt Vernon

monitor cannot be eliminated because it is a lead Design Value monitor. The budget decision will be made on April 27. If adopted, the decisions would be effective on July 1.

4. Report on Gold Book Measures and Voluntary Commitments in Washington Region SIPs

Mr. King reported on local innovative measures to improve air quality. The Gold Book, first prepared in 2003 and updated in 2006, contains an overview of local measures addresses transportation and land use planning, energy consumption, vehicles and fuels, and other measures such as urban heat island mitigation and tree planting. There is no formal mechanism to track progress with the Gold Book measures. The most recent review of regional programs was performed as part of a project of the Institute for Regional Excellence (IRE) which conducted a survey of local government projects that ultimately served as the basis for the COG publication entitled "National Capitol Region: Best Practices to Reduce Greenhouse Gas Emissions."

The ozone and fine particle State Implementation Plans (SIPs) also include local innovative measures in the voluntary bundle and/or weight of evidence section of the attainment demonstration. Staff are currently collecting data on progress in meeting voluntary bundle commitments and can provide a status report at a future meeting.

Mr. Mendelson asked that staff review and update the Gold Book with potential new measures.

5. State and Local Air Reports

Tom Ballou Reported for Virginia. The State Air Pollution Board considered MWAQC's request to lower the opacity limit at its December 2008 meeting, but was unable to reach a decision. The issue will be on the Air Board agenda in April. There is a new proposal being advanced to construct a new 600 MW natural gas fired power plant in Prince William County. Local permits have not yet been received and if the project advances, emission offsets and nonattainment area permitting will be required.

Diane Franks reported for Maryland. Maryland is currently focusing on SIP development for the new ozone standard through the Ozone Transport Commission (OTC). States in the Ozone Transport Region (OTR) are sharing the SIP development task load.

Cecily Beall reported for the District. Active regulatory initiatives include the OTC VOC rules, CTG regulations, Conformity SIP regulations, and CAIR. The District is also considering a distributed generation regulation and increases to its permit fees. The District is preparing a Sustainability Plan that will also include a Climate Action Plan, which should be completed by Earth Day. There is also focus on developing clean diesel projects as a result of new federal dollars to support diesel retrofits.

7. Date for Next Meeting and Adjourn: The next meeting will be held on March 25, from 12:00 - 2:00pm. The meeting was adjourned at 1:40pm. Chair Mendelson said that there will be an orientation for new members at 10:30 on March 25.