

Copy of Comments Made by Tad Aburn
MWAQC Meeting
May 24, 2023

tadaburn@gmail.com
(443) 829-3652

Mr. Chairman, MWAQC members, thank you for providing the opportunity to provide public comment today.

My comments today focus on the draft State Implementation Plan or SIP that you will vote on later in today's meeting.

My name is Tad Aburn. In October of 2022, I was the Chair of MWAQC TAC. For the past 10 years I was the MDE Air Director and an MWAQC member. I have helped write and have submitted over 30 SIPs to EPA over my career. I am now retired ... doing volunteer work for overburdened communities in Prince George's County ... and commenting today as a concerned citizen.

I commend MWAQC for the work they have done to help make the dramatic progress over the past 10 years in cleaning up ozone and other air pollution. That said, I believe the SIP, as currently drafted, is missing a critical element and will be deemed "incomplete" by the USEPA.

During the last MWAQC meeting, Dr. Russell Dickerson provided a briefing on air quality progress. As part of that briefing he also discussed the serious remaining challenge of high-risk, air pollution hot-spots in environmental justice communities. He called the measured air pollution levels in the District's Ivy City environmental justice area "alarming". MWAQC Chair Bonds expressed concern over this problem. This issue of addressing environmental justice as part of SIPs is the major flaw in the draft SIP.

Specifically the SIP includes no section discussing how the SIP will ensure that environmental justice problems are not created by the implementation of the measures in the SIP. EPA is now requiring this and developing detailed guidance.

During the interim period before the EPA guidance is finalized, EPA expects MWAQC and the States to include language in the SIP that requires that the emission reduction measures contained in the SIP and the implementation of those measures will not create environmental justice problems or make environmental justice problems in already overburdened communities of color, or other environmental justice communities worse. The SIP should also include detailed descriptions of how MWAQC jurisdictions plan to enforce that requirement.

Additional information on the concerns I have over the draft SIP and sample language for inclusion in the SIP are included in the attached 5/24 letters to MWAQC and CEEPC. These letters also include additional information on the issues raised in my comments during the February 22, 2023 MWAQC meeting. I respectfully request that MWAQC provide a response, consistent with MWCOG public participation policy, to those earlier comments and to the comments that I am submitting today.

In summary, MWAQC should not approve the SIP until it includes the required information on environmental justice.

Thank you again for providing the opportunity to provide public comment.

Tad Aburn
39724 East Sun Drive, Unit 213
Fenwick Island, DE 19944
tadaburn@gmail.com
(443) 829-3652

May 24, 2023

Anita Bonds, Chair, MWAQC
Kenny Boddye and Tom Dernoga, Vice Chairs, MWAQC
Committee Members, MWAQC
777 North Capitol St. N.E.
Suite 300
Washington, DC 20002

RE: Additional Information for the 05/24/2023 MWAQC Meeting

Chairwoman Bonds, Vice Chairs Boddye and Dernoga, MWAQC members ... Thank you for the work you do and the opportunity to provide public comment during the March 24, 2023 MWAQC meeting. This letter is the letter containing the additional information mentioned in my short public comment for the 05/24/2023 MWAQC meeting.

My name is Tad Aburn. Last year I was the Chair of the MWAQC Technical Advisory Committee. I was an MWAQC member for over 10 years. For almost 20 years I was the director of the air pollution program in Maryland. I have an environmental engineering degree from Brown University. I am now retired and commenting today as a volunteer for several environmentally overburdened communities in Prince George's County and as a member of the general public .

My comments and letter for today, again focus on the two key air pollution issues discussed in my February 22nd comments and letter to MWAQC that are now critical in the Washington, DC metropolitan area ... the key roles that air quality planning has in addressing environmental justice and climate change. I am also submitting a comment on the draft State Implementation Plan or SIP that you have scheduled for approval on your agenda today.

The earlier issues that I have commented on can be summarized as follows:

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- MWAQC needs to develop a plan to address the inequitable exposures to air pollution and climate change injustices in environmental justice communities.

These communities are often communities of color. The data is very clear that these inequities exist and that there are “air pollution hot-spots” in and around communities of color. EPA will now be requiring that SIPs address this issue.

- MWAQC should provide oversight and ensure that critical laws and policies (directly or indirectly included in the SIP) that are designed to reduce exposure and risk from air pollutants and to address climate change are actually being implemented.
- MWAQC should work with CEEPC and the MWCOG Board to strengthen the region's climate change goals to be consistent with the current science and goals set in other leadership areas. This is critical as TPB is developing strategies that could be inadequate to address climate change. These transportation strategies could also be extremely expensive and not cost-effective.
- MWAQC should work with TPB to require that the routine (usually annual) process for ensuring that new regional transportation plans are consistent with regional air quality goals also include climate change goals, not just air pollution goals. This process called “transportation conformity” currently only looks at air pollutants, not greenhouse gasses ... even though the data for greenhouse gasses is available as part of the modeling process used.

I have submitted several earlier letters to TPB, MWAQC and other Committees at MWCOG. These letters provide additional information on these environmental issues and are available from MWCOG staff. Several of the more important letters include: The attached letters listed below provide additional information on these issues.

- The March 24, 2023 letter to CEEPC
- The January 30, 2023 letter to ACPAC,
- The February 15, 2023 letter to TPB,
- The January 10, 2023 letter to the District of Columbia, and
- The December 30, 2023 letter to MWAQC and the COG Board.

Recent letters to TPB Tech also provide information on available data and analyses linked to the issues I am raising.

During your meeting on the 24th, you will be asked to approve a draft SIP for public comment at the State level. I believe MWCOG should ask for public comments on the draft regional SIP. I believe the SIP as currently drafted will be returned by EPA as incomplete.

Specifically, to the best of my ability to understand, the SIP includes no section discussing how the SIP will ensure that environmental justice issues are not created by the implementation of the measures in the SIP. EPA is now requiring this and developing detailed guidance. During the interim period before the EPA guidance is finalized, EPA expects MWAQC and the States to include language in the SIP similar to the language below:

“A core requirement of this SIP is that the emission reduction measures contained in the SIP directly or indirectly, and the implementation of those measures will not create or make worse environmental justice problems in already overburdened communities of color, or other environmental justice communities.”

The SIP should also include detailed descriptions of how MWAQC jurisdictions and the States plan to enforce that core element.

Environmental justice and climate change will be amongst the most important issues that MFCOG and MWAQC will need to address over the next 10 years. I urge you to show real leadership and begin to address these difficult issues.

Please do not hesitate to contact me. I look forward to the leadership I expect you to show on these very difficult issues.

George S. Auburn Jr.

Tad Auburn
tadaburn@gmail.com
(443) 829-3652

Cc: MWAQC Members
Takis Karantonis, Chair CEEPC
Dr. Sacoby Wilson, UMCP CEEJH

Tad Aburn
39724 East Sun Drive, Unit 213
Fenwick Island, DE 19944
tadaburn@gmail.com
(443) 829-3652

May 24, 2023

Takis Karantonis, Chair, Climate, Energy and Environment Policy Committee (CEEPC)
CEEPC Committee Members
777 North Capitol St. N.E.
Suite 300,
Washington, DC 20002

Chairman Karantonis and CEEPC members:

I am writing to request an opportunity to provide short public comment at your meeting on Wednesday, May 24, 2023. I understand that there is not a routine opportunity for public comment provided at CEEPC meetings, but that public comment can be included as part of the meeting with approval of the Chair. I believe that CEEPC, being a policy committee, should revisit its public comment policy and always provide an opportunity for public comment as part of CEEPC meetings.

Should the Chair be unable to accommodate my request because of a full agenda or other reasons, I respectfully request that this letter, which is addressed to the full Committee, be made available to the Committee in advance of the meeting and also included as part of the meeting package for May 24.

My name is Tad Aburn. Last year I was the Chair of the MWAQC Technical Advisory Committee. I was an MWAQC member for over 10 years. For almost 20 years I was the director of the air pollution program in Maryland. During my time at the Maryland Department of the Environment, I was lead staff to the State's Climate Change Commission and the Commission's Mitigation Working Group. I have an environmental engineering degree from Brown University. I am now retired and commenting today as a volunteer for several environmentally overburdened communities in Prince George's County and as a member of the general public.

This letter builds from my letter submitted for consideration at your March 22, 2023 meeting that provided comments on critical climate change, energy and environmental issues facing the Metropolitan Washington region that have not been fully discussed by CEEPC. Examples of these critical issues include:

- The need for the region to strengthen its climate change goals to be consistent with the current science and goals set in other leadership areas. A discussion of this issue began at your March 22, 2023 meeting.
- The need to ensure that the routine (usually annual) process for ensuring that new regional transportation plans are consistent with regional air quality goals also include climate change goals, not just air pollution goals. This process called “transportation conformity” currently only looks at air pollutants, not greenhouse gasses ... even though the data for greenhouse gasses is available as part of the modeling process used.
- The need to develop a plan to address the inequitable exposures to air pollution and climate change injustices in environmental justice communities. These communities are often communities of color. The data is very clear that these inequities exist and that there are “air pollution hot-spots” in and around communities of color. At the February MWAQC meeting Dr. Russell Dickerson called the measured air pollution levels in the Districts Ivy City environmental justice area “Alarming”.
- The need to ensure that critical laws and policies designed to reduce exposure and risk from air pollutants and to address climate change are actually being implemented.

I have submitted several earlier letters to TPB, MWAQC and other Committees at MWCOG. These letters provide additional information on these environmental issues and are available from MWCOG staff.

As the region’s key policy advisory group on climate change, environmental and energy issues, CEEPC can play a key role in paving the way for the other MWCOG policy committees to establish specific programs to address these difficult, but critical issues.

CEEPC and MWCOG are recognized nationally for being a leader on addressing these kinds of issues. That said, it is important for CEEPC to discuss and make recommendations on these issues for the MWCOG region to continue to be on the leading edge of environmental policy. As a local laboratory of environmental innovation,

the MWCOG region can actually drive national policy. I urge you to discuss and take action on these issues ... It is a critical time for environmental policy.

In closing, I would also like to respectfully request a response to my recent letters consistent with MWCOG public comment and participation policy. I believe that given that my concerns all focus primarily on mobile sources and how environmental issues are addressed in the transportation planning process, that the TPB public participation guidance is most relevant.

Thank you again for allowing public input. I would be happy to discuss these comments during a future meeting or with a smaller group of CEEPC leadership.

George S. Aburn Jr

Tad Aburn

tadaburn@gmail.com

(443) 829-3652

cc (to be distributed to MWCOG members by MWCOG staff):

Kate Stewart, Chair, MWCOG BOD

Anita Bonds, Chair, MWAQC

Tom Dernoga, Vice Chair, MWAQC

Reuben Collins, Chair, TPB

Dr. Sacoby Wilson, UMCP CEEJH