



## METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE (MWAQC)

September 28, 2022  
12:30 P.M. – 2:00 P.M.  
Hybrid Meeting

Chair: Takis Karantonis, Arlington County

### MEETING SUMMARY

#### MWAQC MEMBERS AND ALTERNATES

- Takis Karantonis, Arlington County (Chair)
- Peter Kovar, City of Takoma Park (Vice Chair)
- Tom Ballou, Virginia Department of Environmental Quality
- Michele Blair, City of Laurel
- Tamara Blake-Wallace, Calvert County
- Collin Burell, District of Columbia
- Tom Dernoga, Prince George's County
- Sylvia Glass, Loudoun County
- Penny Gross, Fairfax County
- Jason Groth, Charles County
- Joseph Jakuta, District Department of Energy and Environment
- Keith Levenchenko, Montgomery County
- Jim Ponticello, Virginia Department of Transportation
- John Rigg, City of College Park
- Tom Ross, City of Fairfax
- Michelle Russell, Prince George's County
- Dave Snyder, City of Falls Church
- Kari Snyder, Maryland Department of Transportation
- Roger Thunnel, Maryland Department of the Environment
- Kristen Weaver, City of Greenbelt

#### OTHERS

- Hannah Ashenafi, District Department of Energy and Environment

- Richard Dooley, Arlington County
- Tara Failey, Air and Climate Policy Advisory Committee
- Matthew Gaskin, District Department of Transportation
- Kathie Hoekstra, City of Alexandria
- Regina Moore, Virginia Department of Transportation
- Catherine Salarano, Maryland Department of the Environment
- Jason Stanford, Northern Virginia Transportation Alliance

#### COG STAFF

- Chuck Bean, COG Executive Director
- Leah Boggs, COG Department of Environmental Programs
- Maia Davis, COG Department of Environmental Programs
- Jen Desimone, COG Department of Environmental Programs
- Katie Dyer, COG Department of Environmental Programs
- Lyn Erickson, COG Department of Transportation Planning
- Steve Kania, COG Office of Communications
- Jeff King, COG Director Climate, Energy and Air Programs
- Sunil Kumar, COG Department of Environmental Programs
- Tim Masters, COG Department of

- Environmental Programs
- Mark Moran, COG Department of Transportation Planning
- Erin Morrow, COG Department of Transportation Planning
- Monica Beyrouiti Nunez, COG Executive Office
- Wanda Owens, COG Department of Transportation Planning
- Jinchul Park, COG Department of Transportation Planning
- Jane Posey, COG Department of Transportation Planning
- Kanti Srikanth, COG Deputy Executive Director
- Dusan Vuksan, COG Department of Transportation Planning
- Patricia Warren, COG Executive Office

## 1. PUBLIC COMMENT PERIOD, APPROVE MINUTES, CHAIR'S REMARKS

*Takis Karantonis, MWAQC Chair*

Chair Takis Karantonis called the meeting to order. There were no public comments. The May MWAQC meeting summary was approved without any changes.

## 2. COMMITTEE REPORTS

MWAQC Technical Advisory Committee (TAC) – Sunil Kumar (COG Staff)

MWAQC-TAC held a call on September 17:

- TAC discussed air quality data from this year's ozone season, as well as planning activities related to the current ozone National Ambient Air Quality Standard (NAAQS). Members discussed updating the 2008 ozone standard Maintenance Plan. This will be discussed further in Item 6.

Air and Climate Public Advisory Committee (ACPAC) – Tara Failey (Chair)

ACPAC held a webinar meeting on September 19:

- ACPAC concluded judging the awards for the [2022 Climate and Energy Leadership Awards Program](#) in August. Two awards will be awarded this year in the government and non-governmental organization (NGO) sectors. The winners will be announced at the October COG Board of Directors meeting.
- With the committee's renewed focus on equity and environmental justice, ACPAC is putting together a proposal to update the [Environmental Justice Toolkit](#) that ACPAC published in 2017. At the last meeting, ACPAC discussed preliminary ideas and timeframe for this update. ACPAC aims to have the update proposal completed in the coming months and look for MWAQC and CEEPC's approval to move ahead in the new year.
- The next ACPAC meeting is November 14.

Clean Air Partners – Jen Desimone (COG Staff)

Clean Air Partners have been involved in the following:

1. Ozone Action Month (August):
  - The month of August was designated Ozone Action Month – to heighten awareness of air quality during the hottest time of the summer. Activities during the month included pop-up events, eco-driving exhibits, and expanded social media.
  - Pop-Up Events were at four farmers markets through-out the Baltimore-Washington Region, including Arlington, Uptown Market (DC), Towson, and Fells Point. Outreach focused on motor vehicle tips that residents could do to reduce their emissions.
  - The Eco-Driving Exhibit was installed at Westfield Wheaton Mall and Arundel Mills Mall. The exhibit displayed air quality messages and real tips on how to reduce mobile-source emissions.

It included a head-turning visual – a vehicle encased in a clear plastic bubble, trivia questions, and a selfie wall.

## 2. Car Free Day 2022

- Clean Air Partners and Commuter Connections continued their on-going partnership to build engagement around Car Free Day and promote Commuter Connections pledge through a social media campaign.
  - Posts began the week of September 12, promoting the participation of Car Free Day and driving traffic to take the pledge. The campaign also includes working with 12 digital influencers with a following of 10,000-15,000 people on Instagram - expected cumulative reach is 50,000-100,000.
  - Campaign results will be compiled at the completion of the campaign and provided to Commuter Connections in a recap.
- ## 3. Nationals Park Exhibit
- Clean Air Partners and Washington Gas partnered to bring the eco-driving exhibit to the Nationals Ballpark. The exhibit was available to attendees during the September 27 game.

### Climate, Energy, and Environment Policy Committee (CEEPC) – Jeff King (COG Director Climate, Energy and Air Programs)

CEEPC held a hybrid meeting on September 28:

- The September 28 CEEPC meeting focused on the work going on with the region's military installations. The Department of Defense's Office of Local Defense Community Cooperation (OLDCC) funds a number of resiliency projects for military base communities. The Northern Virginia Regional Commission is running a Military Installation Resilience Review (MIRR) program in the Northern Virginia area. COG is involved with the military bases in DC. There's also some work on this in Maryland. CEEPC also received a panel presentation on electric vehicles (EVs), which will be highlighted in Item 7.

## 3. LOCAL AND STATE UPDATES

### *Local Members and State Air Agencies*

- Rich Dooley (Arlington County) informed the group of Arlington County's [Think BIG!](#) event in partnership with the City of Alexandria, where EVs and other clean energy technologies will be showcased and there will be speakers on a variety of topics related to cleaner transportation.
- Tom Ballou (Virginia Department of Environmental Quality) said that Virginia's Department of Transportation submitted a statewide [National Electric Vehicle Infrastructure \(NEVI\) Formula Program](#) application for EV infrastructure deployment, which was approved for funding. The District and Maryland submissions were also approved for funding.

## 4. MWAQC NOMINATING COMMITTEE FOR 2023 OFFICERS

### *Takis Karantonis, MWAQC Chair*

In preparation for the 2023 election of officers, Chair Karantonis appointed a Nominating Committee. The Nominating Committee will propose a slate of officers for election by the membership at the December meeting.

**Action: Chair Karantonis appointed Collin Burell (District of Columbia), Michele Blair (City of Laurel), and Tom Ross (City of Fairfax) to the Nominating Committee.**

## 5. OZONE SEASON UPDATE

### *Sunil Kumar, COG Environmental Engineer*

The ozone season started on March 1 and will end on October 31. Most of the ozone exceedance days

occur between the end of April and the first week of September. So far this season, the region has had only three code orange days, 64 code yellow days and the rest are all code green, with no code red days. All three code orange days occurred in June. The highest value of these three code orange days was 77 parts per billion (ppb), which occurred on June 15. This has been the second cleanest year on record for the COG region. Based on the 2019-2021 data, the region has attained the 2015 Ozone National Ambient Air Quality Standard (NAAQS) with a design value of 70ppb. Based on the 2020-2022 preliminary data, the region remains in attainment with a design value of 67ppb. The reason that the region has made such good progress in reducing the ozone design value is due to a number of emission control programs that were implemented at the federal, state and local levels. To violate the 2015 ozone NAAQS, the ozone level needed in 2023 would have to be very high, which is unlikely.

In conclusion, 2022 is the second lowest year for ozone exceedances (2020 was the lowest). Despite favorable weather (high temperatures, low wind) observed on many days, ozone exceedances were very limited in number. Exceedances in recent years indicate that most of the factors (high temperatures, low wind, recirculation, ozone transport, local emissions, and smoke) need to be present on any given day for an exceedance to occur. Alongside this, the region had the lowest freight vehicle miles traveled (VMT) observed in June/July 2022 since 2018. This could indicate an economic slowdown leading to low ozone levels for this year. Violation of ozone NAAQS is not impossible in 2023 after 2020 data is no longer included in the dataset. It is too early to say whether this low number of exceedance days is a temporary phenomenon or the start of a new trend of low ozone levels. Climate change may also be impacting changing weather patterns, which play an important role in the region's air quality conformity.

#### Discussion:

- MWAQC members agree that the data shows a positive trend regarding the region's air quality. However, members also agree that there is always the possibility to go backwards, and the region needs to sustain the progress that has been made and continue working on collective actions at the national, state, and local level to make air quality improvements.

## 6. OZONE PLANNING ACTIVITIES

*Sunil Kumar, COG Environmental Engineer*

The metropolitan Washington region was initially designated as a Marginal Nonattainment Area (NAA) for 2015 Ozone Standard. The region failed to attain by the deadline (August 2021) based on 2018-2020 design value (DV) data. EPA recently bumped up the region to Moderate NAA. The Moderate NAA SIP would be due on January 1, 2023, and the deadline to attain will be August 3, 2024, based on 2021-2023 DV. Certified 2021 data shows ozone NAAQS attainment (70 ppb), and the 2020-2022 DV is 67 ppb (yet to be certified). EPA is expected to issue a Clean Data Determination (CDD) of the 2019-2021 data that shows region attained the 2015 NAAQS. COG staff will draft a letter to EPA to expedite the CDD. This would suspend the requirement to submit an Attainment SIP and allows a request to be redesignated as an attainment area and submit a Maintenance Plan. The MWAQC work program and budget provided for work to begin with an Attainment Plan and switch to Redesignation Request & Maintenance Plan (RR/MP). With two years of clean data demonstrating attainment, staff will begin transitioning to work on RR/MP. There is no federal due date to submit a RR/MP. A schedule will be developed by COG staff for the earliest submittal of RR/MP.

Current motor vehicle emission budgets (MVEBs), used by the Transportation Planning Board (TPB), are derived from 2008 Ozone NAAQS. The 2015 Ozone NAAQS required no new SIP, hence no new MVEB. The new 2015 Ozone NAAQS MP will establish new MVEBs using latest data and the new EPA approved model (MOVES3). The 2008 Ozone MP MVEBs will be applicable for regional transportation conformity, even if EPA revokes 2008 Ozone NAAQS (no plans at this time); unless new MVEBs are approved or found adequate in the 2015 Ozone NAAQS MP (timing not known). There have been substantive changes in the models and data used to set 2008 Ozone MP MVEBs. TPB plans to update its

transportation conformity in 2024. Thus, the MVEBs will need to be updated to ensure consistency in data and the model used. The region should plan to update the 2008 ozone MP and the MVEBs. Staff will develop a work scope and schedule to get updated MVEBs approved by the end of 2023 for use by TPB in 2024.

## **7. COG BOARD ELECTRIC VEHICLE PRIORITY**

*Jeff King, Climate, Energy, and Air Program Director*

To move the region toward meeting its climate goals, the COG Board has prioritized the expansion of electric vehicles (EVs) throughout the region. Jeff King provided a briefing on EV initiatives to meet these goals. On September 14, the COG Board of Directors adopted a resolution calling for COG to convene a regional EV Work Group, and have COG serve as an information clearinghouse for the region. The goal of this resolution is to better understand what each of COG's jurisdictions is doing regarding EV and EV infrastructure deployment. Part of this work will also include identifying the best practices around the concept of deal structures, partnerships, agreements, and financing deployment of EVs and EV infrastructure. The transition to cleaner vehicles clearly has benefits for air quality in the region. This is one of the key co-benefits of EV deployment as it relates to MWAQC: the impact on nitrogen oxides (NOx), ozone and fine particulate matter pollution. The COG Board has identified several priorities in addition to the sharing of information. One of those is to think about the role of government in supporting deployment of EV infrastructure. Another is fostering regional cooperation and collaboration to pursue federal and state grant funding opportunities. There is recognition of other actions areas that need focus too. Vehicle miles traveled (VMT) reduction is an important factor in meeting the region's climate goals, as well as improving air quality. Investing in transit will be crucial. Additionally, weaving equity into all these initiatives and COG's planning efforts. COG staff will focus on the information clearinghouse effort over the Fall and will establish the EV Work Group closer to the New Year.

## **8. SUPREME COURT RULING – EPA'S AUTHORITY TO REGULATE GREENHOUSE GASES**

*Tim Masters, COG Environmental Planner*

On June 30 this year, the Supreme Court ruled to limit EPA's authority in setting standards to reduce greenhouse gas emissions for existing power plants. At issue was EPA's Clean Power Plan and the Affordable Clean Energy (ACE) Rule, which address coal-fired power plants. The ruling states that EPA does not have the authority to create a broad system of cap-and-trade regulations to limit carbon emissions from existing power plants, because these types of systems are transformational to the economy and therefore need to be authorized by Congress. The decision cited the "major questions doctrine" to justify the ruling, which holds that with issues of major national significance, a regulatory agency must have clear statutory authorization from Congress to take certain actions.

EPA has authority under the Clean Air Act to monitor and regulate GHG emissions. The Supreme Court decision has not impacted this authority. Instead, the court's decision focuses on Section 111 of the Clean Air Act. As such, it does not impact EPA's authority to regulate pollution at stationary sources; however, their decision states that EPA cannot dictate which power plants will run or not. EPA is currently evaluating additional opportunities to achieve GHG emission reductions from power plants under the Clean Air Act.

The EPA can still take other actions to regulate emissions from stationary sources, such as imposing smokestack scrubber technologies, or requirements that individual power plants meet certain efficiency standards. There are also several other ways the EPA can regulate pollutants including NOx, sulfur dioxide (SOx), ozone, particulate matter, and the EPA regulates air toxics from coal-fired power plants that have considerable mercury emissions associated with them. EPA could strengthen regulations on all these pollutants and thus indirectly reduce GHG emissions. Additionally, EPA can still limit GHG emissions and propose new carbon regulations that take the Supreme Court's analysis into account.

The Supreme Court decision has no bearing on state emission reduction programs or carbon trading programs such as the Regional Greenhouse Gas Initiative (RGGI), which the State of Maryland and the Commonwealth of Virginia participate in. Also, Renewable Energy Portfolio Standards (RPS) remain unaffected by the Supreme Court decision. These programs will continue to deliver GHG emission reductions within the region. Currently, there are no regulations in place at the state level within the metropolitan Washington region that specifically regulate GHG emissions from power plants. Although, there are regulations in place that pertain to power plant emissions of NO<sub>x</sub>, SO<sub>x</sub>, and mercury.

Discussion:

- Regulations in place to control NO<sub>x</sub>, SO<sub>x</sub>, and ozone will not be affected by the Supreme Court decision. These pollutants are directly regulated by the Clean Air Act and the Supreme Court decision will not impact control measures that are in place to improve the region's air quality.

**9. ADJOURN**

*Takis Karantonis, MWAQC Chair*

Chair Takis Karantonis adjourned the meeting. The next MWAQC meeting will be virtual and is scheduled for December 7, 2022.