



Metropolitan Washington Air Quality Committee (MWAQC)

MEETING SUMMARY: MAY 23, 2018

MWAQC MEMBERS AND ALTERNATES IN ATTENDANCE (*on phone):

Kambiz Agazi, Fairfax County*
Paolo Belita, Prince William County*
Patty Bubar, Montgomery County
Sharon Bulova, Fairfax County*
Robert Day, College Park*
Jason Groth, Charles County*
Erik Gutshall, Arlington County
Peter Kovar, Takoma Park
Leta Mach, City of Greenbelt
Hans Riemer, Montgomery County (Chair)
Brandon Todd, District of Columbia
Bridget Warren, Prince George's County*

Tom Ballou, Virginia Department of Environmental Quality*
Cecily Beall, District of Columbia Department of Energy and Environment
Alex Brun, Maryland Department of the Environment*
Tina Casey, District of Columbia Department of Transportation
Jim Ponticello, Virginia Department of Transportation*
Ram Tangirala, District of Columbia*
Colleen Turner, Maryland Department of Transportation

OTHERS IN ATTENDANCE:

Gretchen Goldman, ACPAC Chair
Joshua Fleitman, representing Brandon Todd, District of Columbia (Vice Chair)
Mike Lake, Fairfax County*
Alexandra Catena, District of Columbia*
Joseph Jakuta, District of Columbia*

COG STAFF IN ATTENDANCE:

Amanda Campbell, COG Environmental Programs
Jen Desimone, COG Environmental Programs
Jeff King, COG Environmental Programs
Sunil Kumar, COG Environmental Programs
Tim Masters, COG Environmental Programs
Steve Walz, COG Environmental Programs Director

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

Chair Riemer opened the meeting at 12:07pm. There were no public comments. The summary from the December 2017 meeting was accepted with no changes. The agenda order was modified to allow time to gather a quorum for the FY19 Work Program and Budget approval.

2. COMMITTEE REPORTS

A. MWAQC Technical Advisory Committee (TAC) (Cecily Beall, TAC Chair)

At their most recent meeting, MWAQC-TAC discussed the ozone season summary. TAC provided comments on the What We Can Do project report and discussed the FY19 Work Program. TAC also discussed EPA's proposal for strengthening transparency in regulatory

science, and the ruling on the re-issuance of the 1997 standard. TAC members discussed the next steps after the region was designated as 'marginal' non-attainment by EPA.

B. Air and Climate Public Advisory Committee (ACPAC) (*Gretchen Goldman, Chair*)

ACPAC is looking forward to the What We Can Do analysis presentation and hearing MWAQC's comments on how it can inform local actions to improve air quality. The Climate & Energy Leadership Awards are open for applications and nominations through June 29 – please help spread the word, nominate a project, or apply. Awards categories are educational institution, government, and NGO.

A. Clean Air Partners (CAP) (*Jen Desimone, COG Environmental Programs*)

CAP promoted Air Quality Awareness Week by pushing out content to social media, including graphics to raise awareness of how individuals can respond on days with different levels of air quality (code green, yellow, orange, red) and links to download the Air Quality app. Clean Air Partners' summer campaign will kick off with a press conference and awards recognition event on June 21. Poster contest winners from grades 4-8 will be recognized at the event. Winning students hailed from schools in Anne Arundel, Montgomery County, and Baltimore. The summer campaign includes outreach at events throughout the Baltimore-Washington region. The 4th annual BreatheEasy concert promotion, sponsored by WGL, will be held in July. Individuals can submit their actions to improve the air for a chance to win concert tickets to the Jay-z/Beyoncé concert. New 'Skywriting' visually-appealing ads that feature the Baltimore and Washington skyline will be launched with transit ads, social media, and online.

3. WHAT WE CAN DO

Steve Walz, COG Environmental Programs Director

Mr. Walz introduced the What We Can Do report, available on the meeting website. The report qualitatively ranks measures that could reduce NOx emissions to achieve no code orange or worse unhealthy air days. A summary table ranks the measures by NOx benefits, costs, cost considerations, and proposed priority based on feasibility and scalability. In developing the report, staff sought feedback from MWAQC-TAC and others to ensure the measures included are viable.

Measures include clean energy generation and energy storage, renewable portfolio standards, high performance buildings, green infrastructure and urban heat island reduction, and sustainable land use planning. The report also examines on-road and non-road retrofits and repowers and anti-idling. Some state-level measures such as after-market catalytic converters are included. Continued advocacy for federal actions and avoiding rolling back current standards will be important for maintaining healthy air quality. Using available estimates, the region could see 30 tons per day reductions in NOx emissions if all of the high priority measures are fully implemented across the region, and an additional 5 tons per day if the medium priority measures are also implemented. This could result in a 7 to 11-day reduction in code orange days which is a significant leap towards eliminating the 12 code orange days experienced on average in the last several years. (Note: The report relies on Virginia Department of Environmental Quality study to estimate the ozone benefits of implementing the high-priority measures and the medium-priority measures).

COG staff plans to solicit additional guidance from local member air and energy staff to explore how we can work together to move the actions forward.

Ms. Mach said that the report should include education and outreach, highlighting the need to communicate information to residents to implement many of the actions. Chair Riemer thanked staff for their work on the report, and said it provided a roadmap for reducing code orange days.

4. FEDERAL ACTIONS AND THEIR AFFECT ON THE REGION'S AIR

Sunil Kumar, COG Environmental Engineer

A. 2015 Ozone Standard Designations

On April 30, EPA signed a notice designating the region as marginal nonattainment based on 2014-2016 data and resulting design value of 72 parts per billion. The notice is expected to be published in the Federal Register soon. There are no changes to the nonattainment area boundaries. The region is required to develop a comprehensive base year emissions inventory, transportation conformity demonstration, and reasonable available control technology (RACT) determination. The attainment date is three years from the effective date of designation. The base year inventory must be submitted in two years.

B. Strengthening Transparency in Regulatory Science

EPA proposed a rule called “Strengthening Transparency in Regulatory Science” which would require data that are used in scientific studies for developing significant regulatory actions (such as determination of air quality standards) to be made available to the public. The rule contains no examples of cases in which public review may have better served the agency’s mission than the current process of scientific peer review and working through EPA’s clean air science advisory panel. In effect, the rule would result in excluding much of the public health studies used in air quality recommendations, as these types of studies contain private identifying information about individuals. If the new proposal were to be applied to previous NAAQS rules resulting in a roll back of standards, there would be significant impact to the region. Comments are accepted until May 30, 2018. MWAQC is asked to discuss a comment letter requesting EPA to extend the deadline by 60 days to allow more time to compile substantive comments from the region.

Mr. Walz shared that MWAQC-TAC discussed the need to have the widest range of information available to EPA’s advisory panels as they make decisions, and the need not to retroactively re-consider previous EPA actions. Ms. Goldman said that ACPAC would have concerns that the rule could make it easier for EPA to make decisions on air quality standards that are not protective of public health. Several members proposed that COG staff draft a comment letter requesting an extension of the comment period and including the concepts on slide four of the presentation shown by Mr. Kumar. Members unanimously agreed that staff draft a letter as outlined and circulate it with the appropriate members for review.

C. Back to Basics Memo

EPA Director Scott Pruitt issued a so-called “Back to Basics Memo” to EPA staff on May 9 which outlines guidance for implementing the Clean Air Act standards reviews. The guidance directs agency staff to meet statutory deadlines, consider economic costs when setting standards, recognize that standards can include a margin of safety (the risk does not need to be zero), and that clean air standard setting is a decision based not just on science, but also on policy. This is an internal memo that does not have a public comment period.

D. Light Duty Vehicle Greenhouse Gas Emission Standards

EPA published a notice finding that the current GHG emission standards for model years (MY) 2022-2025 light-duty vehicles presents challenges for auto manufacturers due to feasibility and practicability, raises potential concerns related to automobile safety, and results in significant additional costs on consumers, especially low-income consumers. Therefore, EPA believes the MY 2022-2025 GHG emission standards are not appropriate and should be revised. EPA, in partnership with NHTSA, will further explore the appropriate degree and form of changes to the program through a notice and comment rulemaking process.

E. 1997 Ozone Standard

EPA appealed a recent court decision that had asked EPA to re-issue the 1997 ozone standard, finding flaws in the manner that some of the anti-backsliding provisions were implemented. EPA had revoked the standard in April 2015.

5. FY 2019 WORK PROGRAM AND BUDGET

Jen Desimone, COG Air Program Chief

The FY19 Work Program priorities consist of the following:

- developing the baseline inventory for the 2015 ozone NAAQS, including participating in the Ozone Transport Commission and the Mid-Atlantic Regional Air Management Association, and assisting transportation staff with modeling inputs;
- identifying local control measures, which will involve finalizing the What We Can Do project and working on implementation, including providing technical support to members and identifying opportunities for funding;
- reviewing transportation conformity assessments as part of the Constrained Element of the Visualize 2045 transportation plan and the 2019-2024 Transportation Improvement Plan;
- conducting outreach and public participation, including supporting the Air & Climate Public Advisory Committee, and developing opportunities for outreach by MWAQC members and updating existing communication tools to share achievements and encourage continued progress; some tasks may include an online air quality dashboard, additional blogs and press releases;
- conducting a strategic planning assessment, which will involve hiring a facilitator to help members form recommendations for forming new long and short-term priorities, given MWAQC's mandate, and that air quality has vastly improved yet keeping up momentum to work on continued progress.

The work program also includes program management and administrative tasks.

Overall funding for FY19 has stayed the same, but some resources were shifted to respond to changing needs and priorities. For more information, see full work program on the meeting website.

Members discussed the need to enforce idling restrictions such as in cases in which utility trucks that are performing hours-long work. Many jurisdictions do not have the authority to enforce idling laws. One idea proposed was to add idling stipulations to contracts with local utility companies.

Ms. Turner asked to amend the Work Program to indicate that Maryland Department of Transportation will fund the program in place of Maryland Department of the Environment.

With the amendment accepted, the FY19 MWAQC Work Program and Budget was approved unanimously.

6. STATE AND LOCAL REPORTS

DC: *Cecily Beall, District Department of Energy and Environment:*

The state plan for the Volkswagen Settlement funds will be submitted to the trust sometime in July.

MD: *Brian Hug, Maryland Department of the Environment:*

No report.

VA: *Tom Ballou, Virginia Department of Environmental Quality:*

Virginia is doing a RACT analysis on northern Virginia sources, such as Possum Point, as part of ongoing work. They expect to draft permits to submit to EPA soon. Virginia has a number of areas that are considered 'orphan' areas which would need transportation conformity and maintenance plans completed if the 1997 standard is re-issued. Virginia does not support that action.

7. ADJOURNMENT