

Metropolitan Washington Air Quality Committee
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DRAFT MINUTES OF April 24, 2013 MEETING

Attendance:

Members and Alternates

Tom Ballou, Virginia Department of Environmental Quality (VDEQ)
Hon. Johanna Barry, City of Falls Church, via conference phone
Austina Casey, District of Columbia Department of Transportation
Lyn Erickson, Maryland Department of Transportation (MDOT)
Hon. Jay Fisette, Arlington County
Diane Franks, Maryland Department of the Environment (MDE)
Doris McLeod, Virginia Department of Environmental Quality
Hon. Phil Mendelson, DC Council
Hon. Leta Mach, Greenbelt
Hon. Redella "Del" Pepper, City of Alexandria
Caroline Petti, Chair, Air and Climate Public Advisory Committee
Hon. Linda Smyth, Fairfax County
Hon. David Snyder, City of Falls Church
Kanti Srikanth, Virginia Department of Transportation

Other Attendees

Jessica Daniels, District of Columbia Department of the Environment
Barbara Hardy, Fairfax County
Edward Nantamu, Fairfax County
Aaron Pritchard, Chief of Staff to DC Councilmember David Grosso
Scott St. Onge, Clean Air Partners
Khoa Tran, City of Alexandria

Staff

Amanda Campbell, COG/DEP
Elena Constantine, COG/DTP
Jennifer Desimone, COG/DEP
Karin Foster, COG/DTP
Jeff King, COG/DEP
Ron Kirby, COG/DTP
Sunil Kumar, COG/DEP
Joan Rohlfs, COG/DEP

1. Public Comment Period, Approval of Minutes, Chair's Remarks

Chair Mach called the meeting to order at 12:07 am. The minutes from the March 27, 2013 meeting were approved with no changes. The agenda was approved with three changes: 1) moving the PM2.5 Maintenance Plan item to the last item on the agenda before adjournment in hopes of reaching a quorum by that time; 2) postponing the FY2014 Work Program and

Budget presentation to the May 22, 2013 meeting to allow the Budget Committee more time to work through the details; and 3) adding the item “New Business” to the Agenda.

2. Committee Reports

Technical Advisory Committee (TAC), Jessica Daniels, for Ram Tangirala, DDOE.

TAC met on April 9th. Committee members discussed the responses to the Fine Particle Matter (PM2.5) Maintenance Plan comments received from EPA, Dominion, and Sierra Club. The committee heard a presentation on the CEEPC Action Plan for 2013-2016, and a presentation on EPA proposals regarding the 1997 Ozone State Implementation Plan (SIP) and Tier 3 Rule. The main concern was whether the MOVES model would incorporate Tier 3 standards. Finally, COG staff briefed the committee on EPA’s Interstate Air Transport Meeting in North Carolina held April 8th. The workshop was held as part of EPA’s process to develop a replacement rule for the Cross State Air Pollution Rule (CSAPR).

Air and Climate Public Advisory Committee (ACPAC), Caroline Petti, Chair

ACPAC met on Monday, April 15th, 2013. ACPAC discussed the 2013-2016 Climate Action Plan, and ways the committee could assist jurisdictions to meet targets such as conducting a greenhouse gas inventory. COG staff described how progress on reducing greenhouse gases is being measured using electricity consumption data from electric and gas utilities. Ms. Rohlf gave an overview of clean air issues including the Tier 3 regulation and the 1997 Ozone SIP. The committee is concerned about recent trends in air quality and meeting the 2008 standard and future more stringent standards.

Clean Air Partners Summer Re-Cap, Scott St. Onge, Managing Director

This spring, CAP’s air quality-related science fair project awards program involved new categories and saw increased participation. This year, CAP held a new infographics challenge, involving students from 19 schools. CAP conducted outreach at six community events and plans to visit six more in coming weeks. Participants and winners of the poster contest for middle and high school students will be recognized at the CAP Annual Celebration on Thursday, May 2nd at the Kochland Science Museum during Air Quality Awareness week. Also that week, CAP has planned a Green Drinks event in Baltimore and a Twitter party, and CAP co-sponsored the Potomac River Run marathon taking place on Sunday May 5th. The marathon event will also include a Tap It campaign-sponsored tap water stop.

Jeff King, COG staff, noted that the Region Forward blog highlighted a three-year effort to reduce emissions by replacing old engines in several boats. The effort was made possible through a Diesel Emissions Reduction Grant from EPA Region 3 and partnership with the District Dept.of Environment.

3. Briefing on TPB Congestion Mitigation and Air Quality (CMAQ) Responsibilities under MAP-21, Ron Kirby, COG/DTP

Mr. Kirby explained that the new transportation bill, MAP-21, contains significant policy changes. The big changes are the inclusion of performance management and that funding will be mostly formula-driven. Since MAP-21 was authorized for only one year, Congress is currently looking for funding to authorize the bill for a full six years. The US Department of Transportation (USDOT) Secretary will decide on simple, high-level performance measures, but

the region will have an opportunity to fine-tune measures and set targets for the region. MAP-21's National Goals focus on safety, state of good repair, congestion mitigation and air quality together, and freight movement. Targets must be realistic; if states do not achieve their targets, then they must explain the challenges. The Rural Road safety performance measure is unique in that it contains a specific penalty, requiring states to obligate funds toward safety if fatality rates increase.

The TPB is beginning to address their responsibilities under the new requirements. Mr. Kirby said that air quality performance measures will likely be based on the current system under the Clean Air Act of analyzing transportation conformity with State Implementation Plans. The bill directs the USDOT to create a new database of projects and their impacts on reductions in congestion and emissions. The bill requires regions in nonattainment or maintenance for fine particles to spend 25% of CMAQ funds towards reducing fine particle emissions. Mr. Kirby said the region is well-positioned to meet that requirement. The region already implements programs such as Commuter Connections and the Metropolitan Area Transportation Operations Center (MATOC), but target-setting will be a new undertaking. Transportation measures could be defined in a more varied fashion by area in the region to illustrate a more nuanced approach than the current congestion measure. For example, in some high density areas, congestion is accepted, and many people may be traveling by other means than vehicles.

Various associations submitted comment letters to the USDOT during the performance measure rulemaking process. TPB is proposing to comment on performance measures and target-setting, recommending that measures rely on readily available data and methods, are meaningful to the general public, and are amenable to disaggregation to reflect local priorities. TPB proposes to recommend that target-setting be based on local cost-effectiveness and cost benefit analyses, and that it be bounded by available resources.

In response to Mr. Fiset's question, Mr. Kirby said that what is new is that MAP-21 is more prescriptive. It requires some new targets, and requires other goals to be uniform, although the region can set its own targets. Mr. Fiset stated that some are concerned that the emphasis in this bill has moved to roads and away from alternative transportation and transit. Mr. Kirby responded that the issue may be due to the nature of the regional congestion measure, which does not count person-throughput. What is new in MAP-21 is the focus on state of good repair and safety.

Mr. Snyder inquired about the fact that the Washington Metropolitan area was rated number one in congestion, yet had high transit use compared to other regions. Mr. Kirby said that congestion is a result of growth and development, and lack of expansion of highway capacity. The Washington region has similar transit use as San Francisco, Chicago, and others. Growth has helped the region economically, though.

Chair Mach asked for more information about MATOC. Mr. Kirby responded that MATOC is a program that has been evolving over the last ten years since it began after the 2001 attacks. Recently, other incidents such as snow events, storm events, and the earthquake brought to light the need for a regional transportation information system. Under the program, two or three staff monitor the transportation system for 18 hours a day to identify small incidents that may cascade into regional problems. The team has recently strengthened links with the Office of Personnel Management and the National Park Service. The goal of the program is to minimize the impact

of incidents by communicating to the public areas to avoid, which reduces congestion and emissions.

4. Interstate Air Transport Issues: EPA and State Options to Address, Joan Rohlfs, COG/DEP

Ms. Rohlfs explained that air pollution travels from one region to another through three wind mechanisms: short range ground level, westerly long range transport, and southerly nocturnal low level jet stream transport. Options to minimize interstate transport of air pollutants include federal controls -- Clean Air Interstate Rule (CAIR) and Cross State Air Pollution Rule (CSAPR) -- and the Clean Air Act's Good Neighbor Provisions. A fourth option is legal action by the states.

Under the 'good neighbor' portion of the Clean Air Act, EPA requires upwind states to reduce their significant contributions to a downwind state's nonattainment. EPA drafted CSAPR to quantify 'good neighbor' emissions reduction. In August, 2012, the court ruled that EPA went beyond its statutory authority in drafting CSAPR, and remanded it to EPA to address those concerns. Various legal tools exist to address transport under the Clean Air Act that individual states or a group of states could initiate.

Interstate transport of air pollutants is complex. Upwind states are often downwind of other states. In recent weeks, EPA held one meeting with eastern states in North Carolina, and another meeting with western states in Denver, and EPA will meet with tribal representatives next week to gather information on how states and tribes view their responsibility with regard to cross-state air pollution. EPA is considering options and will announce their next steps after the meeting with tribal representatives.

5. Annual Progress Report for Climate & Energy Action Plan (CEEPC), Maia Davis, COG/DEP

Ms. Davis reported that three-quarters of the region's jurisdictions have conducted greenhouse gas inventories for government operations, and 68% have implemented or are in progress on creating community-wide inventories. The goal for 2012 was to reach 100 percent, so additional resources and technical assistance may be needed to reach the goal.

Under energy efficiency, 91% of local governments are tracking and benchmarking building energy use, and 68% have streetlight replacement strategies in place. In terms of renewables, the region is 32% of the way toward its goal of having 5,000 renewable energy systems in place by 2012. In the last two years, 500 systems have been installed, so progress is being made on this ambitious goal. Three quarters of jurisdictions have implemented green fleets, and many are pursuing sustainability outreach programs to engage the public on these issues.

Many of the goals in the 2016 Action Plan are similar to the goals in the 2012 Action Plan. The Resource Guide is a new document, developed over the last two months, which provides background information for each goal in the proposed 2016 plan. For each goal, the Resource Guide defines key terms and provides local best practices and links to national resources.

6. State and Local Air Reports

District of Columbia

Nothing to report.

Maryland

Ms. Franks reported that Maryland Department of the Environment (MDE) is drafting a small boiler rule for biomass sources such as chicken litter. MDE is implementing changes after the Regional Greenhouse Gas Initiative (RGGI) greenhouse gas emissions cap was lowered.

Virginia

Mr. Ballou reported that Virginia Department of Environmental Quality (VDEQ) published one infrastructure State Improvement Plan (SIP) for the new NO₂ National Ambient Air Quality Standard (NAAQS). Also, the revisions to the parts of the SIP that relate to the GenOn/Mirant power plant, which is now permanently shut-down, are available for public comment.

7. New Business

Chair Mach introduced a resolution to allow electronic meeting participation.

Ms. Rohlfs explained that MWAQC bylaws do not allow members participating via phone or webinar to vote, but that MWAQC may by resolution allow meetings to be electronically attended. If passed, electronic participants shall be able to vote on committee matters. The COG Board revised its bylaws similarly in March, limiting electronic participation to two meetings per year per member. According to MWAQC bylaws, if passed, the change would take effect at the following MWAQC meeting in May.

Twelve members were in favor of the electronic meeting participation bylaws amendment; one opposed. Resolution passed.

8. PM 2.5 Redesignation Request and Maintenance Plan (ACTION), *Sunil Kumar and Joan Rohlfs, COG/DEP*

Due to the lack of a quorum, this item is moved to next month's MWAQC meeting.

Mr. Ballou acknowledged Leta Mach's leadership on the Maintenance Plan process, and thanked the Virginia delegation for attending. Mr. Ballou expressed disappointment that the vote did not take place after all of hard work going into the plan, and he hopes that the committee will approve the plan soon.

9. Set Date for Next Meeting, Adjourn

The next meeting date is May 22, 2013 from 12 to 2pm. The meeting was adjourned at 1:25pm.