

Air Quality Public Advisory Committee

Suite 300, 777 North Capitol Street, N.E. Washington, DC 20002-4239 (202) 962-3360 Fax: (202) 962-3203

<http://www.mwcog.org/environment/committee/>

The Air Quality Public Advisory Committee (AQPAC) is an advisory body to the Metropolitan Washington Air Quality Committee (MWAQC).

DRAFT Meeting Minutes

Monday, July 14, 2008

Room 3

5:00 pm -6:55 pm

Members Present:

Elise Ann Brown, Washington Academy of Science

Brian Holmes, Maryland Highway Contractors Association

Rodney Livingston, District Interracial Coalition for Environmental Equity

Julie Crenshaw Van Fleet, Episcopal Stewardship of Creation – Virginia

Bill Butler, Mirant

Larry Zaragoza, Northern Virginia

COG Staff:

Jeff King, COG DEP

Joan Rohlfs, COG DEP

1. Call to Order, Adoption of Agenda

Dr. Larry Zaragoza opened the meeting with the explanation that Chair Deron Lovaas could not be present. Sally Kane was contacted by conference phone and it was determined that she would be unable to participate in the meeting. The meeting was called to order at 5:05 pm.

Due to the recent loss of 4 members, the number for quorum was revised to five instead of seven. A motion to approve the April and June minutes was approved, with Rodney abstaining.

2. Staff report on MWAQC, TAC and CCSC

Staff reported about the TAC meeting on July 8. MDE Air Manager Diane Franks reported on new OTC strategies to meet the new ozone standard. These include ICI boiler controls, a Distributed Generation Rule, updates to AIMs coating regulations, expanding controls on power plants and high electric demand day initiatives. The TAC agreed to begin investigating a PM2.5 redesignation request. The Climate Change Steering Committee finalized a draft report which the COG Board released for public comment on July 9. The report and public comment page are available online at www.mwcog.org/environment/climate/public. Dr. Russ Dickerson, University of Maryland, presented research that climate change could cause a 2-9 ppb increase in ozone concentrations as a result of higher temperatures in the Mid-Atlantic region.

The TAC approved a comment letter on the conformity analysis for the new Transportation Improvement Program (TIP) and Constrained Long Range Plan. EPA's comment period for the new 8-hour ozone budgets ended on April 21, 2008, and the budgets may be approved as soon as August.

The City of Alexandria and Mirant reached a settlement regarding the Potomac River Generating Station. Under the terms of the agreement, the facility will proceed with the stack merge, will comply with new lower pollution limits, and will establish a fund to study and install additional controls at the facility. Bill Butler said Mirant needs to get permits for the settlement. There is \$34 million for new air pollution controls in the settlement. Julie Crenshaw Van Fleet said that the Wise County power plant permit was approved by the State Air Pollution Control Board.

Dr. Larry Zaragoza requested that staff provide AQPAC members with a copy of the University of Maryland powerpoint (presented to TAC) and with links to climate reports in Maryland, Virginia and the District. He suggested that preparing comments on the climate change report is important and may require an August meeting. Staff said there was a comment during the COG Board discussion about the climate change report that since Virginia is a Dillon Rule state, local jurisdictions need state permissions to work on increasing tree canopy, for example. Larry said AQPAC needs to identify issues like that that need enabling legislation. Julie agreed and added that there may be other advocacy positions for AQPAC to support. Ann Brown expressed support for more buses and mass transit.

Jeff King reported on the recent U.S. Circuit Court of Appeals decision on the Clean Air Interstate Rule (CAIR). The court vacated the rule, which is included in the attainment modeling for the region's PM2.5 SIP.

3. AQPAC Workplan

It was agreed to defer discussion of the workplan until Sally Kane is present, since she proposed the workplan.

4. Report on DC Dept. of Health Speaker

Julie Crenshaw Van Fleet wrote an email to Council Member Phil Mendelson regarding COG staff's lack of response from the D.C. Dept. of Health to inquiries on the River Terrace CDC report. She plans to attend the MWAQC meeting and ask Mr. Mendelson if he's gotten a response. The Committee asked staff to call Mr. Mendelson to remind him about the request.

5. MWAQC/AQPAC Draft Bylaws Revision

Larry Zaragoza said that the MWAQC/AQPAC Review Committee has not met yet and he expects that it will meet in September. Ms. Rohlf's said staff drafted a bylaws revision to address the points of concern expressed by COG Counsel Lee Ruck. She reviewed the bylaws revision which includes an expanded mission to include climate change, and a 3-year term for organizational and individual members. She asked for comments in the next month as the proposed revision will be presented to the Review Committee in September.

Julie Crenshaw Van Fleet said that it's very difficult to find representatives to AQPAC from organizations. There is little interest and it takes time to get people up to speed. Ann Brown offered to get someone from toxicology associations they she belongs to. Brian Holmes said the subject matter is daunting. We haven't been able to get AAA, the Board of Trade or Chambers of Commerce to participate. There should be an Air Quality 101 to prepare prospective members. Julie said traditionally members have four years experience on the committee before serving as chair. She opposed setting terms for members. Bill Butler asked if the categories will remain the same. Staff replied that the categories will remain the same because of the need for balance on the committee.

Larry said the bylaws is in draft form. He urged committee members to contact others who might be interested. He asked that members send their comments and observations to staff.

6. New Business

Rodney Livingston said the Town Meeting needs to be established. He referred to the National Capital Planning Commission Framework plan and said there was no reference to air quality.

Julie gave details about the settlement between the City of Alexandria and Mirant. She said the Air Pollution Control Board has to approve the settlement. VDEQ will have to redo the permit for the stack merger. The APCB will meet in Alexandria on July 30 to discuss the settlement. Bruce Buckheit, a member of the APCB and a former EPA employee, negotiated the settlement between the City and Mirant. The settlement includes \$34 million in escrow to cover pollution control devices and a study, including \$2 million to control fugitive dust. The Mirant Community Monitoring Group will monitor the settlement. Some PM2.5 CIMS monitors will be required and installed in 12 months. Larry proposed drafting a letter of appreciation for the effort on all sides to settle the issue.

Larry said there is a need to have a Vice Chair. He has been unable to meet with the Nominating Committee, but he offered to serve as Vice Chair for the remaining six months and the Nominating Committee (Julie, Brian) agreed. Committee members thanked Larry for volunteering.

Larry mentioned the BRAC issue. He said there are problems with the EIS for the military move from Crystal City to Ft. Belvoir. By moving to Ft. Belvoir, the military will need to rely on contractors who will have to drive since there is no public transportation in the area. The EIS didn't consider the collective impact of the contractors, which will be bad for air quality. He urged people to speak up. The move will require road improvements and mass transit.

7. Next meeting – It was agreed to meet on August 18 to discuss the climate change report and possible comments to COG. The committee adjourned at 6:55 pm.