



## METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE (MWAQC)

February 24, 2021  
12:00 P.M. – 2:00 P.M.  
Webinar

Chair: Robert Day, City of College Park

### MEETING SUMMARY

#### MWAQC MEMBERS AND ALTERNATES

- Robert Day, City of College Park (Chair)
- Anita Bonds, District of Columbia (Vice Chair)
- Takis Karantonis, Arlington County (Vice Chair)
- Tad Aburn, Maryland Department of the Environment
- Kambiz Agazi, Fairfax County
- Tom Ballou, Virginia Department of Environmental Quality
- Kenny Boddy, Prince William County
- Tanisha Briley, City of Gaithersburg
- Alexandra Brun, Maryland Department of the Environment
- Collin Burell, District of Columbia
- Virginia Burke, Maryland Department of Transportation
- Austina Casey, District Department of Transportation
- Kelly Crawford, District Department of Energy and Environment
- David Farajollahi, City of Manassas
- Penny Gross, Fairfax County
- Dawn Hawkins-Nixon, Prince George's County
- Haseb Javed, City of Manassas Park
- Peter Kovar, City of Takoma Park
- Janeese Lewis George, District of Columbia
- Leta Mach, City of Greenbelt
- Doris McLeod, Virginia Department of

#### Environmental Quality

- Denise Mitchell, City of College Park
- Del Pepper, City of Alexandria
- Jim Ponticello, Virginia Department of Transportation
- Tom Ross, City of Fairfax
- Michelle Russell, Prince George's County
- Dave Snyder, City of Falls Church
- Kari Snyder, Maryland Department of Transportation
- James Walkinshaw, Fairfax County

#### OTHERS

- Grace Barnhill, Arlington County
- Michelle Blair, City of Laurel
- Rebecca Davis, Clean Air Partners
- Kent Erwin, District of Columbia
- Katherine Eyster, District of Columbia
- Matthew Gaskin, District Department of Transportation
- Kathie Hokstra, City of Alexandria
- Joseph Jakuta, District Department of Energy and Environment
- Pieter Sheehan, Fairfax County
- Sam Stephens, District of Columbia

#### COG STAFF

- Chuck Bean, COG Executive Office
- Leah Boggs, COG Department of Environmental Programs
- Maia Davis, COG Department of

- Environmental Programs
- Jen Desimone, COG Department of Environmental Programs
- Lyn Erickson, COG Department of Transportation Planning
- Jeff King, COG Department of Environmental 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
- Wanda Owens, COG Department of Transportation Planning
- Kanti Srikanth, COG Executive Office
- Dusan Vuksan, COG Department of Transportation Planning

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

*Robert Day, MWAQC Chair*

Chair Robert Day called the meeting to order. There were no public comments. The December meeting summary was approved without any changes.

## 2. COMMITTEE REPORTS

MWAQC Technical Advisory Committee (TAC) – Kelly Crawford

The MWAQC-TAC held a call on February 9 to discuss the following:

### **EPA's Vehicle and Engine Tampering Policy & MWAQC After-Market Catalytic Converter Comment Letter**

- COG Staff briefed committee members on a Notice of Availability on the vehicle and engine tampering policy recently published by EPA in January TAC meeting. EPA had asked for comments on its 1986 anti-tampering policy in the above Notice.
- A joint MWAQC/TPB comment letter was discussed in February, which was later on approved by the MWAQC-Executive Committee on February 10<sup>th</sup> and TPB Steering Committee on February 5<sup>th</sup> and then submitted to EPA.

### **Updates on EPA Rules**

- Members were briefed on the following rules:
  - Final Benefits and Costs Rule
  - Final PM NAAQS Rule
  - Final Ozone NAAQS Rule
  - Final Science Transparency Rule
  - Court Decision on ACE Rule

### **2015 Ozone NAAQS Planning Options**

- Members discussed different planning options along with their implications for the 2005 ozone standard in light of nonattainment of the standard based on the draft 2018-2020 ozone design value data.

Air and Climate Public Advisory Committee (ACPAC) – Leah Boggs

ACPAC held its first meeting of the year on January 25 to discuss the following:

- January's meeting was a planning session focused on 2021 programmatic priorities for ACPAC, CEEPC and MWAQC.
- ACPAC voted on new officers for the committee and Guillermo Ortiz was elected as Chair, representing Virginia, and Tara Failey as Vice Chair, representing the District of Columbia.

- From November to mid-December a robust recruitment process was underway to fill 12 vacancies on the committee. There were over 20 applicants. Most of the applicants had climate and energy expertise, but none has air quality experience. In 2020, COG engaged in a regional 2030 climate and energy goal-setting process concluding with the release of a plan this past November. This process likely impacted the overwhelming number of applicants ACPAC received with interest and expertise in climate and energy.
- On February 10, the MWAQC Executive Committee approved a quorum, a roster for 12 members, including 6 reappointments and 6 new appointments. A second recruitment round is underway to fill the 6 remaining vacancies with appointments with an air quality background. The deadline for applications is March 19. The MWAQC Executive Committee will appoint the remaining new members at their April meeting.
- Regarding the 2021 ACPAC priorities, they include:
  - Ozone planning - an extension of the attainment date for the 2015 Ozone Standard.
  - Ozone season update and COVID-19 impacts.
  - 2030 Action Plan implementation and Environmental Justice interface - looking closely at the equity.
  - Updates on local climate action plans across the region.
    - Fairfax County
    - Frederick County
    - Montgomery County
    - The City of Rockville
    - Prince George's County
  - Looking at the feasibility of having the 2021 Climate and Energy Awards.
    - In 2020, the awards program was postponed due to COVID.
    - ACPAC will discuss the viability of having them this year.
  - Regional transportation impacts to air quality including clean cars, bus initiatives, and resiliency and adaptation studies.
- The next ACPAC meeting is March 15.

#### MWAQC Executive Committee – Jen Desimone

The MWAQC Executive Committee held a meeting on February 10 to discuss the following:

#### **MWAQC/TPB Joint Comment Letter – EPA 1986 After-Market Catalytic Converter Policy**

- MWAQC's Executive Committee discussed a joint MWAQC/TPB comment letter on EPA's 1986 After-Market Catalytic Converter Policy.
- EPA solicited comments to help the agency make future decisions on whether and how to update or withdraw the policy. Comments were due by February 12<sup>th</sup>.
- Catalytic converters are installed in vehicles to reduce nitrogen oxide emissions, which contribute to the formation of ozone.
- On behalf of MWAQC, the Executive Committee approved a comment letter which support EPA's review, the establishment of a nationwide policy, and enforcement.

#### **ACPAC Appointments and Recruitment**

- The Executive Committee appointed 12 members to the Air and Climate Public Advisory Committee. Appointments were a combination of renewing and new members and most had a background and experience in Climate and Energy.
- There are currently six seats that remain open.

- In an effort to solicit members with air quality experience, the ACPAC recruitment process has been re-opened. Deadline for applications is March 19<sup>th</sup>.
- The Executive Committee will review new applications and appoint additional members during their April meeting.

#### Clean Air Partners – Jen Desimone

Clean Air Partners have been involved in the following:

##### **Poster Contest**

- The Clean Air Partners annual Poster Contest is open for submissions. The contest is open to local students in grades 4-8. Posters should have a theme of air or climate. The deadline is March 26<sup>th</sup> with winners announced on April 22<sup>nd</sup>.

##### **Science Fairs**

- This year Clean Air Partners will again be involved in local science fairs throughout the region. This year, the science fairs will be virtual. Projects relating to air quality and climate will be evaluated to win a Clean Air Partners sponsored community award. Fairs include Prince Williams, Fairfax County (including Falls Church), Loudoun County, Frederick County/city, NOVA (includes Arlington/ Alexandria), Montgomery (DC submitting with Montgomery Co), Prince George County, Anne Arundel County.

##### **Summer Campaign**

- Clean Air Partners is in the process of planning this year's summer campaign. The campaign will be kicked-off during Air Quality Awareness Week, which is the first week of May. It will be a digital campaign including paid social media, partnering with local social media influencers, and outreach to the media and meteorologists. Each day will have a different air quality related theme or challenge.
- Additional campaigns will be planned throughout the year.

#### Climate, Energy, and Environment Policy Committee (CEEPC) – Jeff King

CEEPC held its first meeting of the year on January 27 to discuss the following:

- CEEPC welcomed their new Chair, Deni Taveras from Prince George's County, and new Vice Chair, Koran Saines from Loudon County. Mary Cheh from the District of Columbia is continuing in her role as Vice Chair.
- CEEPC heard committee and member updates, including updates from the Built Environment and Energy Advisory Committee (BEEAC). Gina Mathias from Takoma Park chairs BEEAC. BEEAC will be focused on the following priority areas for 2021: building decarbonization, resiliency and adaptation, as well as high performance buildings.
- After completing the 2030 Climate and Energy Action Plan, CEEPC is focusing on how to support local and regional implementation of the action plan. COG has been supporting members with local Climate Action Plan development. Alongside this work, COG is developing a new regional climate collaborative website.
- Regional Clean Cities Coalition members including the Greater Washington Regional Clean Cities Coalition, as well as Virginia and Maryland Clean Cities have won a \$6 million grant from the US Department of Energy to support electric vehicle system development, including lots of pilots and infrastructure investments.
- Kanti Srikanth is COG's new Deputy Executive Director and will be working with the Climate and Energy team as it shifts focus to the multi-sector implementation support to address climate change and achieve the 2030 goals.
- CEEPC heard from Montgomery County about the development of their local Climate Action Plan. CEEPC also heard from the Tree Canopy Subcommittee, which has been working on a

“cookbook” of recommended local ordinances to address tree canopy conservation. COG Environmental Planner, Katie Dyer, provided a legislative outlook regarding the various legislative initiatives in the District of Columbia, Maryland, and Virginia.

### **3. LOCAL AND STATE UPDATES**

#### *Local Members and State Air Agencies*

- Del Pepper (City of Alexandria) said that on February 22, the City of Alexandria had the first meeting between two different boards; the Planning Commission and the Environmental Policy Commission. The rulings from the Planning Commission can have a direct impact on the city’s action plan, that the Environmental Policy Commission is developing.
- Virginia Burke (MDOT) said that Bloomberg reported the biggest electric bus deal in the US was approved in Maryland. This is an electric school bus pilot project in Montgomery County. The Maryland Energy Administration’s Clean Fuels Incentive Program (CFIP) was instrumental in making this pilot happen.
- Kelly Crawford (DOEE) said that the comment period for the Ozone Transport Commission (OTC) Clean Air Act Section 184(c) petition was extended. Both air agencies from Maryland and the District of Columbia will be commenting on the rule and are working with MWAQC to develop a comment letter. This is not due until April. The comment letter will be circulated with MWAQC members soon.
- Doris McLeod (VDEQ) said that the General Assembly of Virginia has passed HB 1965, which allows VDEQ to adopt regulations for a clean car program, including low and zero emission standards beginning in 2025. The General Assembly also passed SB 1282, which allows VDEQ to adopt regulations to develop an update and enhance the statewide emissions inventory of greenhouse gases (GHGs).
- Tad Aburn (MDE) said that this week MDE released it’s 2030 GHG emissions reduction plan. This is a plan required by their 2009 and 2016 laws that require a 40% reduction in GHG emissions by 2030. The plan actually achieves about a 50% reduction in GHG emissions by 2030. It has a very positive impact on job creation and Maryland’s economy. The inventory is available on their website.

### **4. UPDATES ON AIR QUALITY PLANNING ACTIVITIES**

#### *Sunil Kumar, COG Environmental Engineer*

Sunil Kumar updated members on the following EPA rules:

#### **A. Court Decision: Affordable Clean Energy Rule**

EPA issued the Affordable Clean Energy (ACE) Rule on June 19, 2019. As part of this rule, EPA repealed the Clean Power Plan (CPP) for reducing GHG emissions from existing EGUs. While developing the ACE Rule, the EPA did not consider more cost-effective alternatives. Instead, it only chose add-ons or retrofits confined to the level of the individual fossil-fuel-fired power plant. On January 19, 2021 the U.S. Court of Appeals for the DC Circuit vacated EPA’s ACE Rule and its implementation timeline.

#### **B. Final Rule: Increasing Consistency in Considering Benefits and Costs in the Clean Air Act Rulemaking Process**

On December 9, 2020, the EPA announced the final Benefit-Cost Analysis (BCA) rule. According to EPA, this rule will ensure a consistent approach to the EPA’s BCA, provide transparency by requiring the generation of relevant information in all significant rulemakings, provide clarity regarding EPA’s rulemaking considerations, and will ensure future regulations are accompanied by a transparent BCA using the best available information and practices from the science community. An Executive Order issued by the current Administration asked EPA to review this rule by July 2021.

### C. Final Rule: Science Transparency Rule

On December 30, 2020, the EPA finalized a rule called “*Strengthening Transparency in Pivotal Science Underlying Significant Regulatory Actions and Influential Scientific Information*”. The rule establishes how EPA will consider the availability of underlying dose-response data that it relies upon to promulgate significant regulatory actions and develop influential scientific information. The U.S. District Court for the District of Montana vacated the rule on February 1, 2021.

### D. Final Rule: PM National Air Quality Standard

On December 18, 2020, the EPA finalized its decision to retain the current National Ambient Air Quality Standard (NAAQS) for particulate matter (PM) without revision. The decision to retain the current standards applies to the primary and secondary NAAQS for PM2.5 and PM10. The decision for primary PM2.5 standards is not in line with recommendations made by EPA staff and a minority of current CASAC members though it is consistent with the majority of current CASAC members. An Executive Order issued by the current administration asked EPA to review this rule by July 2021. 17 states and New York City filed a lawsuit against this rule.

### E. Final Rule: Ozone National Air Quality Standard

On December 31, 2020, the EPA finalized its decision to retain the current primary and secondary NAAQSs (70 ppb) for ozone without revision. The EPA also retained the form of the NAAQS. An Executive Order issued by the current administration asked EPA to review this rule by July 2021. Environmental groups, 15 states, and 2 cities have filed lawsuits against this rule. The EPA designated the COG region as a Marginal nonattainment (NAA) area for the 2015 ozone NAAQS (70 parts per billion, ppb) on August 3, 2018. The Washington region was expected to attain the standard by August 3, 2021 (based on the full ozone season periods between 2018 and 2020). The region did not attain the NAAQS. Having missed the attainment deadline, the region now has to decide on the next course of action:

1. Voluntary Reclassification (Bump Up)
2. Request 1-Year Extension
3. No Regional Action

Regardless of whether the region opts for the voluntary bump-up, 1-year extension, or simply chooses not to take either of the two actions, it needs to start working on RFP and attainment demonstration SIPs as soon as possible given the limited time available to develop and submit them in case they are needed. This will ensure the region’s ability to comply with federal requirements in a timely fashion.

#### Discussion:

- Depending on what action the EPA takes with these rules, it may certainly help the metropolitan Washington region, particularly if they come up with a different rule that allows more reduction in greenhouse gas emissions, as this would have co-benefits that reduce precursors to ozone and fine particulate matter. If the EPA revises these rules, a greater reduction of those criteria pollutants and their precursors would be expected and this would help the region achieve the current ozone standard, depending on the timeline. The region missed the first deadline for attaining the standard. If the region gets redesignated to moderate, then the region will have more time to attain the standard. This depends on when the EPA will implement those new rules and whether these rules will be stricter. Another consideration is that the EPA may reduce the standard’s requirement of NOx levels from 70 parts per billion (ppb) to less than 70 ppb. If this occurs, the region will have more work to do to attain the standard.
- The 184(c) petition was the region’s best opportunity to drive reductions that would actually help achieve attainment in this current ozone season. It is disappointing that the hearing was significantly delayed. There is no feasible way for EPA to take action in time to impact this calendar year 2021 ozone season. If the region took the extension year, this would be the last year to demonstrate attainment. This is why the region is entertaining the idea of taking a voluntary bump up to moderate. It gives certainty on what years will be used to demonstrate

attainment, and it will allow for the inclusion of regional programs that are already in progress. The benefits of those programs will be seen in the 2022/23 ozone seasons. That will give the region time to realize and capture those benefits to demonstrate attainment, especially considering that in 2020, the region had a great ozone season and still did not demonstrate attainment. It would not be prudent to wait and see what happens. Even if the region decided to take a voluntarily bump up to moderate, it will still be a very aggressive timeline to submit all of the documentation and do the necessary regional coordination. The EPA has encouraged the region to make a decision before May. The region will have to make a decision before seeing what this ozone season looks like. The region wouldn't want to lose six months' worth of planning and efforts that will go a long way to develop the SIPs. Taking this action to voluntarily bump up would put the region closer to being prepared for a stricter standard in the future.

- Having missed the NAAQS attainment deadline, the region has three options that Sunil Kumar outlined. MWAQC-TAC will be discussing these options on their March 9 call. Regardless of the action that is chosen, COG will need to move forward with the SIP planning process, as it is a large undertaking. The MWAQC-TAC call will also be an opportunity to discuss timelines and potential control measures. Since the region did not attain the standard, and regardless of whatever action is chosen, the region will have to submit a SIP. Choosing the most aggressive approach, which would be to ask for a voluntary bump up, would mean that the region has to develop the SIP in a given timeframe. Requesting an extension would still require the region to develop the SIP.

## **5. CLEAN AIR PARTNERS “ON THE AIR 2020” CURRICULUM**

*Rebecca Davis, Clean Air Partners Education Program Manager*

Clean Air Partners recently launched their redesigned school curriculum “On the Air 2020,” which is a standards-aligned air quality curriculum that supports science education for students in grades 5-12. The curriculum continues the commitment to supporting local educators in their efforts to teach a new generation of informed, active young people about their role in protecting themselves and the planet from air pollution. On the Air attempts to engage students by way of hands-on experience with air quality monitoring equipment. The students use their school yard as a laboratory where they can test air quality. This informed the revamping of the air curriculum. It is designed for middle schools and is aligned with the Next Generation Science Standard (NGSS). The curriculum is driven by phenomenon-based science; using scientific knowledge to explain or predict observable events. The curriculum uses the 5E Model; Engage, Explore, Explain, Elaborate, Evaluate. The curriculum is inquiry-based, student-centered, and is considered authentic science. There are five modules that tie air quality to health impacts, as well as looking at the Air Quality Index (AQI) in the community. Students look at potential sources of pollution in the community and the Chesapeake Bay. The last module focuses on air and climate change. Each module has activities and an “Air Quality Champion”; someone who lives in the community and addresses the issues of that particular module.

Discussion:

- Regarding outreach, at the beginning of October each year, Clean Air Partners go through the websites of all the schools in the region and aggregate the contacts of all the science teachers, art teachers and English teachers and communicate with them. In addition, they collect contact information for all the science supervisors and science curriculum developers. Clean Air Partners has two contests; a slogan contest in the fall and a poster contest in the spring.

## **6. 2030 CLIMATE AND ENERGY ACTION PLAN**

*Maia Davis, COG Environmental Planner*

CEEPC recently adopted the Metropolitan Washington 2030 Climate and Energy Action Plan which outlines collaborative actions the region should take to meet its shared climate goals. Originally, the

COG Board adopted emission reduction goals in 2008. This included a 10 percent below projected levels by 2012, a 20 percent reduction below 2005 levels by 2020, and an 80 percent reduction below 2005 levels by 2050. In October 2020, per CEEPC's recommendation, the COG Board adopted (and TPB affirmed) the climate mitigation goal of 50 percent greenhouse gas emission reductions below 2005 levels by 2030. The plan looks at mitigation actions and resilience actions that can be implemented by local governments to achieve these goals.

The single biggest action that influences emission reductions in the COG region through to 2030 is implementation and achievement of the state Renewable Portfolio Standards (RPS). Rooftop solar deployment is another important action, as well as all new construction being net zero energy by 2030. A high level of zero emission vehicle deployment is also crucial to achieving the region's goals. Mode shift and travel behavior actions are really reflective of the aspirational elements of the TPB's Visualize 2045. Additionally, efforts are underway to support expansion of the role of sequestration in this plan. With regard to resilience, to be Climate Ready by 2030, all local governments must assess current and future climate risks, and be actively integrating climate planning across government plans, operations, and communications. To be a Climate Resilient Region, the region must have the ability to adapt and absorb against disturbances caused by current and future, acute and chronic climate impacts and successfully maintain essential functions. COG has also aimed to incorporate equity throughout this climate planning process.

## **7. ADJOURN**

*Robert Day, MWAQC Chair*

The meeting was adjourned at 11:57am. The next MWAQC meeting is scheduled for May 26, 2021.