



METROPOLITAN WASHINGTON AIR QUALITY COMMITTEE (MWAQC)

September 27, 2023
12:30 P.M. – 2:00 P.M.
Hybrid Meeting

Chair: Anita Bonds, District of Columbia

MEETING SUMMARY

MWAQC MEMBERS AND ALTERNATES

- Anita Bonds, District of Columbia (Chair)
- Tom Dernoga, Prince George’s County (Vice Chair)
- Hannah Ashenafi, District Department of Energy and Environment
- Sarah Bagley, City of Alexandria
- Tom Ballou, Virginia Department of Environmental Quality
- Paolo Belita, Prince William County
- Virginia Burke, Maryland Department of Transportation
- Stan Edwards, Montgomery County
- Shauna Fulcher, City of Takoma Park
- Penny Gross, Fairfax County
- Jason Groth, Charles County
- Dawn Hawkins-Nixon, Prince George’s County
- Takis Karantonis, Arlington County
- Keith Levenchenko, Montgomery County
- Doris McLeod, Virginia Department of Environmental Quality
- Kristin Mink, Montgomery County
- Shannon Moore, Frederick County
- Amalia Pleake-Tamm, Calvert County
- Jim Ponticello, Virginia Department of Transportation
- Laurie-Anne Sayles, Montgomery County
- Maria Sinner, Virginia Department of Transportation

- Dave Snyder, City of Falls Church
- Kristen Weaver, City of Greenbelt

OTHERS

- Tad Aburn, Citizen
- Sophia Cortazzo, Maryland Department of Transportation
- Richard Dooley, Arlington County
- Kristin Mielcarek, Frederick County
- Regina Moore, Virginia Department of Transportation
- Lisa Nissley, Maryland Department of the Environment

COG STAFF

- Kelsey Boatwright, COG Department of Environmental Programs
- Alissa Boggs, COG Department of Environmental Programs
- Leah Boggs, COG Department of Environmental Programs
- Robert Christopher, COG Department of Environmental Programs
- Jen Desimone, COG Department of Environmental Programs
- Sunil Kumar, COG Department of Environmental Programs
- Wyetha Lipford, COG Department of Environmental Programs
- Tim Masters, COG Department of Environmental Programs

- Jane Posey, COG Department of Transportation Planning

- Erin Morrow, COG Department of Transportation Planning

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

Anita Bonds, MWAQC Chair

Chair Anita Bonds called the meeting to order, and the May MWAQC meeting summary was approved without any changes. Tad Aburn (private citizen/former Chair of MWAQC-TAC) provided public comment that focused on concern over delays in addressing environmental issues in environmental justice (EJ) communities in the region. Tad recommended that MWAQC create a subcommittee focused on an EJ plan and expedite its development. Tad also recommended that MWAQC not approve the Ozone Standard Maintenance Plan, claiming the plan would make the air dirtier, not cleaner, and primarily benefit the transportation planning community. Further details on this issue are provided in comment letters provided by Tad (available [here](#)).

2. COMMITTEE REPORTS

MWAQC Technical Advisory Committee (TAC) – Tom Ballou (VDEQ)

MWAQC-TAC held a call on September 12:

- COG staff provided a brief update on staff efforts to advance the development of an approach and resources for handling equity in air quality, energy, and climate program activities.
- COG staff briefed TAC members on the 2023 ozone season data and the status of attainment of the 2015 ozone National Ambient Air Quality Standard (NAAQS).
- COG staff summarized EPA's Exceptional Events guidance and presented a list of candidate dates that could be considered and included in states' exemption requests.
- Regarding the 2008 Ozone NAAQS Maintenance Plan Update, responses to public comments received were still being developed and they could not be presented to the committee. However, COG staff shared them with the committee on September 15.
- COG staff discussed the proposed National Highway Traffic Safety Administration (NHTSA) rule and the draft joint MWAQC/CEEPC/TPB comment letter. MWAQC-TAC recommended the letter to be sent to MWAQC for review and approval.

Air and Climate Public Advisory Committee (ACPAC) – Leah Boggs (COG Staff on behalf of ACPAC leadership)

ACPAC held a webinar meeting on September 18:

- Projects for the 2023 Climate and Energy Leadership Awards have been judged and winners selected across the 3 categories: government, NGO, and educational institution. Winners will be announced along with a press release at the October 11 COG Board meeting.
- ACPAC met last week where they discussed the climate and weather conditions leading to wildfire smoke air quality events in the metropolitan Washington region.
- In March, MWAQC and CEEPC provided approval for ACPAC to update the 2017 Environmental Justice Toolkit. COG staff has been working to coordinate its equity-related work across the climate, energy and air programs.
- ACPAC's next meeting is November 13, 2023.

Clean Air Partners – Jen Desimone (COG Staff)

Clean Air Partners have been involved in the following:

- 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 and eco-driving exhibits. Events were held at:
 - Tanger Outlets – Prince George’s County
 - Dulles Town Center – Loudoun County
 - Arundel Mills Malls – Anne Arundel County
- Clean Air Partners and Commuter Connections continued their on-going partnership to build engagement around Car Free Day (September 22) and promote Commuter Connections pledge at all of the Ozone Action Months events and through September activities.
- 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 21 game.

Climate, Energy, and Environment Policy Committee (CEEPC) – Takis Karantonis (CEEPC Chair)
CEEPC held a hybrid meeting earlier today (September 27):

- CEEPC discussed and approved a letter to be sent as a comment on federal fuel efficiency standards, which is part of agenda item number 8 for today’s MWAQC meeting.
- Leah Boggs (COG Staff) delivered a comprehensive briefing on equity and climate energy programs, corresponding to agenda item number 7 for today’s MWAQC meeting.
- Jeff King (COG Director Climate, Energy and Air Programs) provided a detailed update on the EPA’s Climate Pollution Reduction Grant (CPRG) program, which is federal funding aimed at helping the region meet its climate goals.
- The COG Board has made a request to CEEPC for recommendations on strategies and actions to accelerate the adoption of renewable and solar energy in the region. To address this, the committee had a roundtable discussion with representatives from various agencies and government bodies, aiming to develop recommendations for a COG Board resolution by November. The committee plans to engage on this topic throughout October.
- The update concludes the speaker’s report on the committee meeting, summarizing the main discussions and actions taken.

3. LOCAL AND STATE UPDATES

Local Members and State Air Agencies

- Tom Ballou (Virginia Department of Environmental Quality) said that Virginia also received a CPRG funding for planning work related to priority and comprehensive climate action plans. They are collaborating with other regions, including Richmond and Hampton Roads, which also received regional grants. VDEQ is working diligently to identify projects that can help mitigate climate change and move closer to the state’s climate goals.
- Hannah Ashenafi (District Department of Energy and Environment) provided a brief update stating that the District is also working on the CPRG program. Additionally, DOEE has recently finalized new regulations related to odor, nuisance and visible emissions. These regulatory updates are in progress. DOEE is also working on a pilot program for hyper-local monitoring. Data has been collected, and they are now in the process of analyzing the data. The aim is to make this data available to the public, focusing on specific communities in the District.
- Kristin Mink (Montgomery County) said that Montgomery County has just passed a ban on gas-powered leaf blowers. The ban on sales starts in July 2024 and a ban on use starts in 2025, and there will be a rebate program that’s paired with that.
- Dave Snyder (City of Falls Church) said that Falls Church has approved their public sector environmental plan and are near the final stages of their community environmental plan.

4. MWAQC NOMINATING COMMITTEE FOR 2024 OFFICERS

Anita Bonds, MWAQC Chair

In preparation for the 2024 election of officers, Chair Bonds appointed a Nominating Committee. The Nominating Committee will propose a slate of officers for election by the membership at the December meeting. The Nominating Committee includes Kirk McPike (City of Alexandria) and Shannon Moore (Frederick County). A member from the District of Columbia will be appointed to the Nominating Committee soon, as none were available to volunteer at the meeting.

5. 2008 OZONE STANDARD MAINTENANCE PLAN

Sunil Kumar, COG Environmental Engineer

Sunil Kumar provided an update on the Washington region's efforts to revise the 2008 ozone National Ambient Air Quality Standards (NAAQS) maintenance plan. The goal is to incorporate updated motor vehicle emissions budgets (MVEBs) based on the latest EPA on-road vehicle emission model, MOVES3.0.4, replacing the older MOVES2014a model. This transition is due to the requirement for the TPB (Transportation Planning Board) to use MOVES3.0.4 for demonstrating transportation conformity. Preliminary analysis indicates that MOVES3.0.4 generates higher NO_x emissions compared to MOVES2014a, which could raise challenges for meeting MVEBs.

Regarding public hearings and comments, the District, Maryland, and Virginia have completed their respective processes. Comments have been received on three main issues: Environmental Justice, the use of safety margins in MVEBs, and public access to criteria pollutant and greenhouse gas (GHG) emissions data. Concerning Environmental Justice, the comment highlights that the District's State Implementation Plan (SIP) lacks requirements to address EJ issues adequately, but the response emphasizes following existing EPA-approved technical guidance and ongoing initiatives to prioritize EJ. The comment on safety margins in MVEBs expresses concerns about their impact on public health, while the response justifies the use of safety margins for the Washington region and their historical application in conformity analyses. Finally, comment was received on public access to GHG emissions data during transportation plan discussions, with the response explaining that GHG emissions estimates are available to TPB and that TPB has committed to GHG reduction targets and other climate-related actions.

Discussion:

- A concern was raised about the interpretation of the statement that EPA's [Legal Tools for Advancing Environmental Justice](#) does not prescribe when and how specific actions should be taken. EPA's document provides a range of options and opportunities for addressing EJ issues but lacks specific guidance on how to incorporate these issues into regional plans. The document is considered a legal document with general guidelines, and the staff and states are expected to follow those guidelines when developing plans. However, without specific guidance, the document's suggestions can be addressed separately from the formal plan. The emphasis is on regional flexibility to determine the best tools and approaches to make progress on EJ issues despite the absence of detailed guidance.
- A member of the committee expressed concern about whether the current procedures prevent the committee from taking more proactive actions related to EJ issues. They suggest seeking legal counsel to explore options for implementing additional measures in order to ensure that the committee takes the most effective actions to address EJ issues.
- The presentation mentions that 50 percent of the proceeds from the Regional Greenhouse Gas Initiative (RGGI) are dedicated to low-income energy efficiency projects, which is seen as a practical approach to EJ. The member is concerned about the potential impact of Virginia's withdrawal from RGGI under the current administration. The funds collected thus far will be allocated in this way, but Virginia is scheduled to withdraw from RGGI.
- Committee members expressed concerns about the 20 percent safety margin related to

MVEBs and its implications for emissions. The safety margin is explained as a provision that allows for changes in modeling, not for adding new projects. The safety margin is intended to ensure that the emissions remain below a baseline level. The conversation raises concerns about whether the 20 percent safety margin might incentivize less emission reduction and whether a lower percentage could be used. The discussion emphasized that the safety margin is a modeling issue and not a means to add new projects but is needed for updating modeling, maintaining conformity, and securing federal funding for the region. It is suggested that a presentation in the near future could help clarify the issue for the committee.

Action: MWAQC voted to approve the 2008 ozone Standard Maintenance Plan with one abstention (Tom Dernoga, Prince George's County).

6. AIR QUALITY SEASON UPDATE

Sunil Kumar, COG Environmental Engineer

The 2023 ozone season in the region experienced notable exceedances of the ozone NAAQS (1 code red day and 14 code orange days for ozone, and 3 code red days and 5 code orange days for PM2.5), largely attributed to smoke originating from Canadian wildfires. As a result, the region's Design Value, which is determined based on three consecutive years of data, is expected to indicate violations of the ozone NAAQS when finalized in May 2024. To address this issue, the EPA offers a process known as the Exceptional Events Exemption Request and Determination. Exceptional events are described as significant occurrences beyond the region's control or caused by human activities that are unlikely to reoccur at a specific location. These events can substantially impact measured air pollution levels.

States in the region are actively preparing analyses and are in the process of submitting Exceptional Events Exemption Requests to the EPA for the specific days of concern during the ozone season. If granted, these exceptional events could be excluded from the calculation of the region's Design Value, ensuring compliance with the ozone NAAQS. The identified days of concern for ozone violations in 2023 include June 29 with very high smoke levels and elevated ozone readings at three monitoring sites, as well as June 1-2 and July 17-18 with high smoke levels and ozone measurements exceeding expectations at one or more monitoring stations. The exclusion of these days holds the potential to resolve the issue of ozone NAAQS violations, possibly allowing the region's ozone standards to remain within compliance and providing a buffer for future, stricter NAAQS regulations.

7. EQUITY/ENVIRONMENTAL JUSTICE IN AIR QUALITY PLANNING

Jeff King, Director, Climate Energy, and Air Programs

Leah Boggs, COG Senior Environmental Planner

MWAQC adopted a work program for FY24 in May 2023, with an emphasis on incorporating a racial equity perspective into its activities. This includes developing a new document addressing environmental justice in air quality planning. Several initiatives are being pursued to align with this objective. ACPAC is tasked with updating its 2017 Environmental Justice Toolkit. Additionally, the CPRG climate plan program for the Metropolitan Statistical Area (MSA) will require extensive community engagement, particularly focusing on Justice40 (J40) and Low-Income Disadvantaged Areas (LIDAC). Consultant proposals, which encompass equity and community engagement components, are currently under review.

The proposed approach involves a multi-pronged strategy. This approach aligns with the MWAQC's May resolution and COG's Region United Framework. It will also adhere to the requirements for the CPRG Plan. A key component is the development of a resource guide document, which aims to outline best practices across various sectors, identify and quantify environmental inequities attributed to policies and projects, identify contributing factors, and explore opportunities to mitigate these inequities. The

next steps include surveying and conducting focus group discussions with COG member staff and experts, planning community engagement efforts, and hiring a consultant to assist in updating the Environmental Justice Toolkit and crafting the EJ Resource Guide Document. Public participation is encouraged, with various means to provide input, such as through email, public comment, or attending technical committee meetings. Sharing resource ideas and recommending experts to participate in focus groups and community engagement is welcomed to enhance equity and environmental justice in air quality and climate planning.

Discussion:

- Participants brought attention to the existence of varying air quality measurements across different regions and the importance of addressing these discrepancies, which ultimately affect communities' health and well-being. Members agreed with the proposal to develop a racial equity toolkit and a resource guide as tools to effectively implement policies related to environmental justice and equity in the context of air quality planning. To facilitate the management of these initiatives, a suggestion was put forth to create a subcommittee tasked with overseeing and guiding the development of the toolkit and resource guide. There was also discussion around the need to ensure that the subcommittee is representative of the region and includes state and local representatives. Among the subcommittee's proposed responsibilities is the task of clarifying definitions and establishing success criteria for the initiatives at hand. Some members volunteered to work on the subcommittee. It was agreed that the Chair and COG staff would collaborate on shaping the subcommittee's formation and approach.

Action: MWAQC voted to create an Environmental Justice Subcommittee (unanimously).

8. PROPOSED NHTSA FUEL EFFICIENCY RULE & JOINT MWAQC/CEEPC/TPB COMMENT LETTER

Tim Masters, COG Environmental Planner

Back in May, MWAQC, together with the TPB and CEEPC, approved two comment letters in support of EPA's Light Duty and Medium Duty Vehicle Greenhouse Gas Emissions Standards and EPA's Heavy Duty Vehicle GHG Emissions Standards. In the past, EPA and the U.S. Department of Transportation (DOT) have worked on rulemakings addressing GHG standards and Corporate Average Fuel Economy (CAFE) Standards together. This year, EPA proposed new GHG emissions standards for vehicles separately, and now the National Highway Traffic Safety Administration (NHTSA) has proposed new CAFE Standards.

On July 28, the National Highway Traffic Safety Administration (NHTSA) announced a new proposal for Model Years 2027-2032 CAFE Standards (passenger vehicles and light trucks) and Model Years 2030-2035 Heavy-Duty Pickup Trucks and Vans Vehicle Fuel Efficiency Improvement Program Standards. The proposed rule was published in the Federal Register on August 17. NHTSA currently projects that the proposed standards would require an industry fleet-wide average for passenger cars and light trucks of roughly 58 miles per gallon (mpg) in MY 2032 and an industry fleet-wide average of roughly 2.6 gallons per 100 miles for HDPUVs in MY 2038. Comments on the proposed rule are due by October 16, 2023. There will also be a virtual public hearing on September 28, 2023. Both the TPB and CEEPC have approved this joint comment letter. COG staff recommend that MWAQC approves the comment letter.

Action: MWAQC voted to approve the comment letter (unanimously).

9. ADJOURN

Anita Bonds, MWAQC Chair

Chair Anita Bonds adjourned the meeting. The next MWAQC meeting is scheduled for December 6, 2023.