

Metropolitan Washington Air Quality Committee

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TECHNICAL ADVISORY COMMITTEE

Date: February 17, 2009

Time: 10 am to 12 pm

TELECONFERENCE

Call In Number: 1-888-898-8635

Passcode: 774715

DRAFT Agenda

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- 10:00 1. Call to Order and Review of Meeting Summary (January 12, 2008)**
Chairman Tom Ballou, Virginia Department of Environmental Quality
- 10:10 2. EPA Guidance on Area Designations for the 2008 Ozone NAAQS**
Jeff King, COG DEP, will discuss recent EPA guidance on Area Designations for the 2008 Ozone NAAQS.
- 10:30 3. Initiatives to Reduce Emissions from Motor Vehicles**
Sunil Kumar, COG DEP, will discuss the low-carbon fuel standard proposed in Massachusetts and other New England and MidAtlantic States. COG DTP staff will discuss analyses of the greenhouse gas benefits of various transportation measures.
- 10:45 4. Initiatives to Reduce Emissions from Distributed Generation**
Brian Hug, Maryland Department of the Environment, will discuss Maryland's proposed Distributed Generation Rule.
- 11:00 5. Revised AQI for Particulate Matter**
Sunil Kumar, COG DEP, will discuss EPA's revised AQI for fine particles.
- 11:10 6. Local Government Voluntary Initiatives Annual Reporting**
Jeff King, COG DEP, will review local government SIP commitments and discuss the annual reporting of accomplishments for the Voluntary Bundle.
- 11:25 7. Conformity Scope of Work**
Jane Posey, COG DTP, will discuss the conformity scope of work released by TPB for public comment.
- 11:40 8. Other Business**
-- Vehicle Registration Data
- 11:45 9. State and Local Air Agency Report**
-- Virginia Opacity Rule
- 11:55 10. Set Date for Next Meeting, Future Agenda Items, Adjourn**
Next TAC Meeting: March 10, 2009



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**MWAQC Technical Advisory Committee
Meeting Summary
January 12, 2009 10am to 12pm
Training Center**

Present:

Cecily Beall, District Department of Environment
Tom Ballou, Virginia Department of the Environmental Quality
Randy Carroll, Maryland Department of Environment
Bhesh Dhamala, Fairfax County Department of Health
Diane Franks, Maryland Department of Environment
Candice Hall, U.S. Navy, DoD Regional Environmental Coordinators Office Region III
Pat Haddon, Calvert County
Brian Hug, Maryland Department of Environment
Maurice Keys, District Department of Transportation (by teleconference)
John Kinsman, Edison Electric Institute
Bob Owolabi, Fairfax County Department of Transportation
Pam Parker, Montgomery County Department of Environment
Jim Ponticello, Virginia Department of Transportation
Mark Rawlings, District Department of Transportation (by teleconference)
Molla Sarros, Maryland Department of Environment
Walt Seedlock, Metropolitan Washington Airports Authority
Bill Skrabak, City of Alexandria
Howard Simons, Maryland Department of Transportation
Kanti Srikanth, Virginia Department of Transportation
Didian Tsongwain, Prince George's County Department of Environmental Resources
Chris Voigt, Virginia Department of Transportation
Flint Webb, Fairfax Federation of Citizens Association

Staff:

Mike Clifford, COG/DTP
Stuart Freudberg, COG/DEP
Jeff King, COG/DEP
Ron Kirby, COG/DTP
Sunil Kumar, COG/DEP
Eulalie Lucas, COG/DTP
Erin Morrow, COG/DTP
Jane Posey, COG/DTP
Joan Rohlfs, COG/DEP
Daivamani Sivasailam, COG/DTP

Observers/Participants:

Charley Baummer, MWAA
Bill Butler, Mirant
Julie Crenshaw Van Fleet, AQPAC
Gary Erenrich, Montgomery County

Martin Kotsch, EPA Region III
Ana Prados, Fairfax Federation of Citizens Association
Brian Rehn, EPA Region III
Nathan Rushing, Competitive Power Ventures
Hon. David Snyder, City of Falls Church
Paivi Spoon, Prince George's County
Sara Tomlinson, Baltimore Metropolitan Council
Victor Weissberg, Prince George's County

1. Call to Order and Review of Meeting Summary (December 9, 2008). Mr. Ballou called the meeting to order at 10:05. The minutes of the December 9, 2008 meeting were approved with no changes.

2. EPA 2006 PM_{2.5} Daily Standard Designations

Joan Rohlfs provided background information for the discussion. On December 5, 2008 EPA sent a letter to Governor O'Malley indicating their proposal to designate Prince George's and Montgomery Counties as part of the Baltimore nonattainment area for the 2006 24-hour PM_{2.5} NAAQS. In August, EPA had initially proposed that the entire Washington, DC-MD-VA planning area be designated as attainment. This proposal was supported by air quality monitoring data indicated that the Design Value for the region is below the 2006 24-hour NAAQS. After EPA proposed the attainment designation for the region in August comments were received asserting that the Washington, DC-MD-VA region should be designated as nonattainment because of its significant contribution to the Baltimore nonattainment area. Based on the comment received and a 9-factor analysis, EPA decided that Prince George's and Montgomery Counties do significantly contribute to Baltimore's nonattainment so reversed its initial position. EPA's main reasons for singling out Prince George's and Montgomery Counties were that based on the inventory their emissions are high and they are contiguous to the Baltimore region.

After the last TAC meeting, staff collated questions from members to send to EPA. EPA then responded to questions. COG staff provided copies of the questions and answers and asked EPA staff to further clarify several issues raised by members.

Martin Kotsch discussed the near term requirements to demonstrate conformity should the proposal be finalized. The region would have one year to demonstrate conformity or face a lapse. In the absence of new SIP motor vehicle emission budgets, the region can choose on of the approved interim tests -- build no greater than no-build or build no greater than base year emissions. There are two options to deal with the different transportation planning areas within the proposed nonattainment area. The first option is for two MPOs to demonstrate conformity separately. Each would have to use the same milestone years and emission test, and would have to complete the determination along the same timeline, including public comment. One of the federal highway offices (located in either the DC or Baltimore region) would be assigned the lead. The second option is for one of the MPOs to demonstrate conformity for the entire region. This option has never been chosen by agencies in nonattainment areas with two MPOs.

If one of the MPOs has a change to their TIP, the other would either have to demonstrate conformity or send a letter of affirmation that there are no changes and that the most recent

conformity determination is valid.

Martin Kotsch emphasized that the region must have the conformity demonstration approved within one year. If it is due in April 2010 (one year after the proposal is finalized), the demonstration would need to be submitted to EPA by February 2010.

Martin Kotsch then described how the conformity process would work over the longer term. Maryland would be responsible for developing a SIP for the entire Baltimore nonattainment area. The SIP could include one motor vehicle emission budget for the entire area, or subregional budgets could be established with one covering Prince George's and Montgomery County, and the other covering the remaining portions of the nonattainment area. If subregional budgets were found adequate, then the MPOs could act separately.

In response to questions, Martin Kotsch said that an early SIP could be submitted that would establish a motor vehicle emission budget for a year prior to the 2014 attainment year. The early SIP would have to demonstrate emissions reductions to be considered a SIP strengthening measure. He referred to Mercer County as a good example of an early SIP submittal.

Diane Franks said that if EPA's proposal is finalized the conformity process will be much more convoluted. She suggested that an early SIP may not be feasible for the DC region given the potential for lawsuits from the environmental community. She said EPA's proposal will not result in a more efficient approach to addressing air pollution in the region. She also mentioned that governments are facing significant budget shortfalls and adjusting programs in response to EPA's action would not be an efficient use of government resources. Brian Hug added that the proposal would add a paperwork and administrative burden but would not result in any new emission reductions or air quality improvements.

In response to questions, Martin Kotsch said that if SIPs for the Baltimore region were disapproved and a conformity freeze was triggered, the Washington, DC MPO would also be in a conformity freeze.

Sunil Kumar said that EPA's 9 factor analysis included inaccurate VMT growth estimates and relied on a 2005 National Emissions Inventory that EPA has acknowledged is not as robust as the NEI for 2002. He also said that EPA is not using a threshold to determine significant contribution, and that the same CES scores were used to justify different conclusions.

Diane Franks expressed concern that EPA evaluated two-rings of counties to the north but only one ring of counties to the south. This doesn't make sense because the prevailing winds are from the south. Also, the large coal-fired power plant in Montgomery County is actually farther away from Baltimore than the large coal-fired power plant located in the City of Alexandria. She questioned why EPA would exclude from consideration the other counties in the Washington, DC/MD/VA nonattainment area. Ana Prados said that the pending stack merge at the Mirant Plant in Alexandria may also increase pollutant transport into the Baltimore region. Brian Rehn said that the area of analysis started with the nonattainment areas for the 1997 standards. Because the region includes two contiguous nonattainment areas, only one ring of counties was analyzed to the south. Emissions from the Mirant plant were not considered because it wasn't in the area of analysis. Evaluating only one ring of counties is not a national standard.

Brian Hug said that the 2006-2008 data is being evaluated. It is possible that the most recent data indicate that the Baltimore region has attained the 2006 PM NAAQS.

In response to question from Howard Simons, Brian Rehn said that this is the only situation in the country where a region was told it was in attainment and then EPA reversed its decision.

Joan Rohlfs said that Dave Snyder has asked that a joint comment letter be prepared. Staff will draft a letter that may be adopted and co-signed by MWAQC, TPB and the COG Board. The letter will be sent to MDE for transmittal to EPA before the February 3 deadline. Kanti Srikanth asked for the opportunity to review and comment on the letter.

Julie Crenshaw Van Fleet said that she is concerned that EPA is not allowing the public to comment on the December 5 proposal. She expressed concern that EPA is asking the states to jump through hoops that don't make sense and that the proposal will create difficulties. She asked that EPA Region III make an effort to better understand the metropolitan Washington and Baltimore regions so that it can make better decisions. She said the process needs to be streamlined and made more logical. She also expressed concern that EPA does not provide timely responses to SIP submissions from the region.

Mike Clifford expressed concern that Northern Virginia and the District could be impacted by SIP issues in Maryland in which it has no formal involvement in the SIP development process.

Ron Kirby said that he is concerned that EPA is still not clear about the implications to the MPOs in the event of a conformity lapse or freeze, even with subregional budgets in place. He asked EPA to clarify such potential consequences.

Tom Ballou expressed his gratitude for EPA staff taking the time to travel to Washington to discuss these important matters.

3. Virginia Opacity Standard

This item was tabled due to time constraints.

4. Maryland Distributed Generation Rule

This item was tabled due to time constraints.

5. Clean Air Interstate Rule (CAIR)

This item was tabled due to time constraints.

6. Stakeholder Applications for 2009

Joan Rohlfis discussed stakeholder applications for 2009. She said that Flint Webb decided to not reapply. Candice Gay, John Kinsman, and Walt Seedlock all reapplied. A new application was received from Ana Prados from the Fairfax Federation of Citizens Associations. Final decisions will be made at the MWAQC Executive Committee.

7. Other Business

There was no other business.

8. State and Local Air Agency Report

Tom Ballou said Virginia had nothing to report.

Diane Franks reported for Maryland. An emergency regulation was passed to establish performance standards for outdoor wood boilers.

Cecily Beall reported for the District. The next IAQC meeting is scheduled for January 13. The District is actively developing a plan to address charter bus idling anticipated during the inauguration.

9. Set Date for Next Meeting, Future Agenda Items, Adjourn. The next TAC Meeting will be held on February 17, 2009. The meeting was adjourned at noon.