

Air Quality Public Advisory Committee

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<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, January 23, 2006
Room 3
5:00 P.M.-7:00 P.M.

In Attendance:

Jill Engel-Cox, Joint Center for Earth Systems Technology
Bill Butler, Mirant
Jim Clarke, Washington Regional Network of Livable Communities
Julie Crenshaw, Stewardship of Creation
Brian Holmes, Maryland Highway Contractors Association
Rodney Livingston, District Interracial Com. Environmental Equity (DICEE)
Charlie Grymes, Virginia Rural
Lee Schoenecker, American Planning Assn

COG Staff
Joan Rohlfs, Air Quality COG staff

1. Call to Order, Adoption of Agenda

Chair Jill Engel-Cox called the meeting to order. After the addition of an item on Mirant/Alexandria and decision to postpone Standards of Conduct item until Larry Zaragoza is present, the Agenda was adopted.

2. Approval of Minutes

The December 19, 2005 minutes were approved without revision.

3. Note-Taking and Minutes in 2006

Note-taking will be organized with three-month volunteers, starting tonight with Charlie Grymes.

4. Mirant Update

Julie distributed synopses of two newspaper articles about Mirant. On January 20, a judge ruled that Alexandria had violated due process before ruling Mirant had violated zoning. Virginia is a Dillon Rule state, and city must go through the State Air Pollution Control Board to address air quality problems. City may appeal, or act through General Assembly.

Mirant is now authorized to bring all units online whenever there is a risk the transmission line may fail (during maintenance on transmission lines, for example). The plant is now in process of

renewing its nitrogen oxide permit and Mirant is out of bankruptcy. The court ruling was based on failure of city to follow the correct process, and did not address the substantive issues of pollution reduction. Julie will provide link to ruling when it is posted.

5. Report on MWAQC and TAC Activities

MWAQC is not meeting in January; both VA and MD legislatures are in session.

The Virginia CAIR rule has been drafted, with set-asides for renewables, and public comment will open soon. The mercury rule was not adopted; the last Attorney General was opposed to trading mercury. VA DEQ has not analyzed EPA clarifications on mercury yet. Base case modeling is now underway, and will need future controls information from Maryland power plants. Florida Power purchase of Constellation has forced Maryland to revisit planned controls negotiated earlier by Constellation with MDE.

COG is working on mobile inventories for next SIP, needed by March to determine progress since 2002. Priority measures are tied to Ozone Transport Commission measures, and they expect to propose about a dozen. The Ozone Transport Commission expects to issue model rules by June. There are OTC Control Measure Committee meetings January 23 through January 26 at BWI. Results from OTC photochemical modeling is due in late January.

Additional control measures beyond CAIR may be required to bring areas into attainment for ozone, and those measures may bring areas into compliance for particulates/haze at the same time. Maryland anticipates Clean Power Act will get the state 90% towards ozone attainment. Virginia is requiring modeling to confirm more measures (e.g., low sulfur heating oil for residences) are needed.

DC wants MWAQC subcommittee chairs to rotate, changing leadership between VA/MD/DC of the Attainment Modeling Subcommittee, Executive Committee, and Technical Advisory Committee and the Conformity Subcommittee.

All four stakeholders were reappointed to TAC. Julie is attending meetings for AQPAC. Discussion on communications with TAC revolved around how COG staff initiated/responded to communications from Jim Sydnor, and concluded with decision that Julie will send a letter to MWAQC on the issue of AQPAC's participation in TAC.

DC will adopt Clean Air Interstate Rule regulations by September. Virginia General Assembly is considering exempting new cars from vehicle emission inspections for 5-6 years, and that alters assumptions in the modeling.

Governor Ehrlich has released a Clean Power Rule; the draft is being considered by the Air Quality Control Advisory Council (AQCAC). The Maryland process requires involvement before rule is published in Maryland Register, and then goes to Board of Public Works for final adoption.

The Clean Smoke Stacks legislation could be reintroduced in Virginia General Assembly, based on North Carolina law that includes carbon dioxide. The Virginia governor and legislature are

considering land use controls, but the process at General Assembly moves too fast for AQPAC to comment as a group.

Most Northeastern states in Ozone Transport Commission signed on to Regional Greenhouse Gas Initiative (RGGI) but some states (Massachusetts, Rhode Island) have withdrawn support. RGGI has 7 members now. Maryland and DC are observers, not participants. A “Healthy Air Act” was introduced in the Maryland Senate which requires the Governor to either join RGGI or to enact controls on carbon dioxide as defined in the proposed bill.

6. Report on New Proposed PM_{2.5} standards

EPA is looking at health effects of fine particles, including revisions to the daily and annual standards. In December, they proposed lowering the level of the 24-hour fine particle standard from the current level of 65 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) to $35 \mu\text{g}/\text{m}^3$, retaining the level of the annual fine standard at $15\mu\text{g}/\text{m}^3$. A review of this issue by COG staff will be added to next month’s agenda.

7. Goals/Ideas for 2006

The Chair asked for suggestions on activities for AQPAC in the coming year. Suggestions included:

- rotate location of meetings into local jurisdictions occasionally, in order to focus on local issue
- have more guest speakers, such as speakers from Ozone Transport Commission or DEQ to describe their current and planned outreach efforts
- provide more feedback on public documents, including brochures and presentations to public meetings (including those for SIPs)
- development or revision of an “Air Quality 101” presentation, perhaps for orientation of new MWAQC members.

In the discussion that followed, it was mentioned that Alexandria has a hot local issue, but most attention is towards local transportation projects rather than local air quality issues. The consensus was that meetings will not be moved unless there is a specific local issue that would benefit from a different venue. The other suggestions were of interest to members of the committee.

8. New Business

No new business.

9. Next Meeting - February 13

The meeting was adjourned at 6:45 p.m. Julie will attend the TAC meeting on February 10 and Jill will attend the MWAQC meeting on February 22.