

# REGIONAL AIR QUALITY PLANNING COMMITTEE

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## MEETING SUMMARY

Thursday, May 28, 2009  
H-GAC Conference Room A  
3555 Timmons Lane, 2nd Floor  
Houston, Texas 77027

### **MEMBERS PRESENT:**

Charles Airiohuodion (Alternate)  
Bob Allen (Alternate)  
Dana Blume  
Patrick Buzbee  
Elena Craft  
Catarina Cron  
Dan Hoyt  
Mike Lindsey (Alternate)  
Badruddin Karachiwala

Mark McClelland (Via Phone)  
Snehal Patel  
Karl Pepple  
Cynthia Redwine  
Matthew Tejada  
G. Michael White (Via Phone)  
Beth Whitehead (Via Phone)  
Mary Ellen Whitworth  
Paulette Wolfson

### **STAFF PRESENT:**

Arturo Blanco (City of Houston)  
Lola Brown (TCEQ)  
Ed Fiesinger  
Ben Finley (H-GAC)  
Patricia Franco (H-GAC)  
Laura Hoff (H-GAC)

Graciela Lubertino (H-GAC)  
Crystal Spencer (H-GAC)  
Diana Sullivan (TCEQ)  
Shelley Whitworth (H-GAC)  
Carl Young (EPA)

### **MEMBERS NOT PRESENT:**

Jed Anderson  
Craig Beskid  
Robert Lanham  
Larry Mann  
Ronald Schultz

Kimberly Slaughter  
Adam Smith  
Jeff Suggs  
Julie Woodard

### **CALL TO ORDER:**

Matthew Tejada called the meeting to order at 2:05 pm and welcomed all attending members.

### **Approve Meeting Summary**

The March 26, 2009 meeting summary was approved. The April 30, 2009 meeting summary was approved with correction to attendance of Ms. Elena Craft. Ms. Craft was present at this meeting.

### **AGENCY REPORTS:**

#### **TCEQ Update – *Lola Brown***

1. The Southeast Texas Photochemical Modeling Technical Committee meeting is scheduled for Tuesday, June 23, 2009. Initial information is available on the TCEQ website:  
[http://www.tceq.state.tx.us/implementation/air/airmod/committee/pmtc\\_set.html](http://www.tceq.state.tx.us/implementation/air/airmod/committee/pmtc_set.html)
2. The following proposed rulemaking has been initiated.
  - a. *Volatile Organic Compound (VOC) Fugitive Emission Leak Detection and Repair (LDAR) Alternative Work Practice.*  
This proposed rulemaking would incorporate the recently finalized EPA alternative work practice (AWP) for leak detection and repair (LDAR) or a similar gas imaging technology alternative practice in the general VOC fugitive emission rules. Staff is in the process of organizing a stakeholder meeting.

b. *Highly Reactive Volatile Organic Compound Emissions Cap and Trade (HECT) Program Cap Reduction and Allowance Reallocation*

This rulemaking is proposed to reduce the existing HRVOC allowance cap in Harris County by 25%. It would also change the allowance allocation methodology to reflect a more equitable system. A stakeholder meeting is scheduled for June 10, 2009, at 2:00 p.m. at HGAC.

c. *Mass Emissions Cap and Trade (MECT) Program Cap Integrity for the HGB Eight-Hour Ozone Nonattainment Area*

This proposed rulemaking would preserve current nitrogen oxide (NOx) cap integrity by changing the current rule language to reflect elimination of allocation allowances for certain applicable facilities.

Ms. Brown clarified that proposed changes to the rule language are intended to eliminate the allocation of allowance after the effective adoptive day of the rules. Furthermore, the "Mass Emission Trade" rulemaking concept is meant to address some gaps within the existing rule that have not yet been identified.

3. The Air Check Texas Drive a Clean Machine Program for Fiscal Year (FY) 2009 shows that the HGB area has spent over \$9.5 million on replacements and approximately \$1 million in repairs. Local Initiative Projects for the HGB area are being implemented. Staff is working with counties for final proposal submittals.
4. The Federal Clean Air Act Section 185 Fees task team (part of the Clean Air Act Advisory Committee) has drafted a letter seeking guidance regarding the legality of the State to considering discretion on several items under the Section 185 or Section 172(e), for the EPA Office of Air and Radiation consideration. These items are listed in the letter which will be posted on the TCEQ website, and the address will also be included in the update. The TCEQ will hold a stakeholder meeting to seek input to assist the state in determining the most appropriate approach in developing rules to meet the federal requirements on June 12, 2009, at 9:30 am at HGAC. For more information, please visit the TCEQ website : <http://www.tceq.state.tx.us/implementation/air/industei/psei/sipsection185.html>

### **EPA Update – Carl Young**

1. Update on the Clean Air Act Advisory Committee Request

On May 15, 2009, the Clean Air Act Advisory Committee sent a letter requesting clarification on items on Section 185, specifically whether or not the State could exercise options. Section 185 calls for collection of fees associated with major points in areas like Houston where the region has failed to obtain the mandated 1 hour ozone standard by its specified containment date. A copy of the response will be available once finalized.

2. Ozone Joint Rule Making to Establish Federal Automobile Standards for Fuel Economy and Greenhouse Solutions

On May 19, 2009, the President announced an agreement with the automobile manufacturers in the State of California, stipulating the adoption of uniform federal standards on both fuel economy and greenhouse gas emissions for cars and light duty trucks. On May 22, 2009 the EPA and DOT published a Notice of Intent (NOI) to conduct joint rulemaking for this program in the Federal Register. The EPA and DOT will post rules pertaining to automobile model year 2012-2016, and will ultimately raise the average fuel economy to 35.5 miles per gallon (mpg) by 2016.

Federal standards for gas emissions will be set for greenhouse gases. More information is available on the EPA website: [www.epa.gov/otaq](http://www.epa.gov/otaq)

3. Proposed Findings for Greenhouse

On April 24, 2009, the EPA's proposed Greenhouse Gas (GHG) findings notices were published in the Federal Register with two distinct findings regarding GHGs under the Clean Air Act:

a. *Endangerment Finding*

EPA proposes to find that the current and projected concentrations of six key GHGs in the atmosphere threaten public health and welfare because of climate change:

- i. Carbon Dioxide (CO<sub>2</sub>)
  - ii. Methane (CH<sub>4</sub>)
  - iii. Nitrous Oxide (N<sub>2</sub>O)
  - iv. Hydrofluorocarbons (HFCs)
  - v. Perfluorocarbons (PFCs)
  - vi. Sulfur Hexafluoride (SF<sub>6</sub>)
- b. *Cause or Contribute Finding*
- EPA proposes to find that the combined emissions of four of the GHGs from motor vehicles and motor vehicle engines contribute to the atmospheric concentrations of four key greenhouse gases:
- i. CO<sub>2</sub>
  - ii. CH<sub>4</sub>
  - iii. N<sub>2</sub>O
  - iv. HFCs

Publication in the Federal Register triggers a 60 day comment period, which will end on June 23, 2009. Copies of the proposal and a Technical Support Document can be found through the EPA website at: [www.epa.gov/climatechange/](http://www.epa.gov/climatechange/)

Mr. Young supplied a copy of the clean Air Act Advisory Committee Letter for informational purposes. It will be posted to the H-GAC website.

#### **Regional Ozone Update – Diana Sullivan, TCEQ**

1. The Houston area was over the:
  - a. 2008 8-hour ozone standard for 3 days at regulatory stations
  - b. 2008 8- hour ozone standard for 3 days at the non-regulatory stations
  - c. 2008 1-hour ozone standard for 1 day at 1 non-regulatory station
2. The South Coast area was over the:
  - a. 2008 8-hour ozone standard for 24 days
3. An article that appeared in the May 28<sup>th</sup> Houston Chronicle published some incorrect data for the Sugar Land station for dates May 20<sup>th</sup> and May 21<sup>st</sup>. There were no 2008 8-hour ozone standard exceedences for these days.

#### **PRESENTATION:**

##### **TCEQ Monitoring in the Houston Area – Kristin Bourdon** (Please refer to handout)

This presentation included charts, studies, and maps. Ms. Bourdon noted that information could be obtained on the TCEQ website:

<http://www.tceq.state.tx.us/assets/public/compliance/monops/air/sigevents/09/event2009-05-30hou.html>

Brief questions followed this presentation.

Mr. Tejada requested information on:

1. A map of all the monitors in the Houston area, to include the 14 Ozone monitoring sites
2. Monitor location and data of the DFW / Central Texas area to draw comparisons

#### **ACTION ITEMS**

1. It was asked that an Ad Hoc Committee submit comments on EPA's CAA Section 185. It was noted that comments would need to be compiled by June 4<sup>th</sup> in order to be presented at the June 16<sup>th</sup> H-GAC Board meeting.
2. It was asked to the RAQPC members to individually submit comments on new the conformity determination. There will be a 30 day comment period after the calculations are completed. Dr. Graciela Lubertino will forward the information to RAQPC members once completed.

## **INFORMATION ITEMS:**

### **Multi Pollutant Plan Update – *Matthew Tejada, GHASP***

#### 1. Regional Air Quality Programs Update - *Karl Pepple*

A spreadsheet is being developed that will track the measures that have been implemented in this region. The spreadsheet will be modeled after the format used in the NCTCOG region. Mr. Pepple will distribute the spreadsheet to the members for review, comments, and or requested revisions, and will also enlist the HGAC staff to add some additional details.

#### 2. Public Outreach Update – *Lauren Hoff*

- a. Ms. Lauren Hoff reported that she is in the process of placing the Public Outreach database on the web, and made a brief presentation of how the database should appear and operate on the web. There are still some logistics to solve before it is ready for the public.
- b. Ms. Hoff also stated that she has been working with the Funding Source subcommittee to structure their list into a similar format as the Outreach database.

Members requested that Ms. Hoff inform the committee members of the database before it is made public. Ms. Whitworth stated that once the site is made active, it can be a “hidden site” in order for the committee members to review.

Mr. Dan Hoyt said that he receives updates on funding sources periodically and will forward them to Ms. Hoff.

### **Legislative Update – *Beth Whitehead, GHP***

#### 1. SB 16

- a. The deadline for the House to consider State senate bills on second reading or any senate bills in joint sessions has passed (May 27, 2009). SB 16 has died.
- b. Tomorrow (May 29<sup>th</sup>, 2009) is the last day the House may approve senate amendments.
- c. Senator Kip Averitt added several components from SB 16 to Representative Chisum’s HB1796 Carbon Captured Storage Bill. The amendments are the following:
  - i. Extends the TERP funding through 2019
  - ii. Requires the Department of Agriculture, TCEQ, PUC and RRC to collaborate in the federal government process for developing federal greenhouse gas reporting requirements and the federal greenhouse gas registry requirements
  - iii. Does not include:
    1. State-wide building energy efficient standards
    2. Idling of motor vehicles
    3. Maximum weight for vehicles with idle reduction systems
    4. Housing partnership program rebates
    5. Online emission databases
- d. The comments prepared by RAQPC and H-GAC regarding plug in hybrid purchase credits program were removed in the house committee substitute.

#### 2. Senator Averitt, working with Representative Jim Pitts, was able to attach an amendment the House Appropriation Bill that restores \$37 million to TERP.

A brief question and answer session followed.

### **H-GAC Update**

1. Ms. Whitworth introduced Ms. Lauren Hoff and Ms. Patricia Franco to the members. She noted that each will be involved in different sections of RACPQ and Air Quality issues.
2. The Advancing the Choice Conference will be held on Wednesday, June 24, 2009 at the Humble Civic Center in Humble, TX. H-GAC will be promoting clean diesel technology and alternative fuel infrastructures and the latest technology available. Most projects come from this conference.

3. The By Product Synergy Workshop will be held on Monday, July 27, 2009 at H-GAC, Conference Room A.
4. Clean Cities Deadline for the DOE stimulus grant is tomorrow, Friday, May 29, 2009. HGAC, the City of Houston, several school districts, HEB and other entities in our area are submitting applications. Ms. Whitworth stated that these projects require a 50% match.
5. Letters of support for 4 other proposals have been offered. The Railroad Commission and General Land Office supports propane and natural gas projects for infrastructure, vehicles, and outreach programs such as the Clean Cities Initiative.
6. Ms. Whitworth reported that H-GAC is still awaiting an announcement on BlueSkyWay and SmartWay funding. The anticipated announcement date has been postponed from May 2009 to June 2009.
7. TCEQ has recommended that for the new revisions of the State Implementation Plan (SIP), the area commit to 2.25 tons per day of NOx emission reductions instead of the 4 tons per day previously committed... This is due to the fact that these emission reductions will be implemented as VMEPS and they cannot exceed 3% of the total emission reductions needed.

**PUBLIC COMMENT:**

There were no public comments.

**ANNOUNCEMENTS:**

1. Ben Finley is the new staff contact for RAQPC. If you have an item you wish to be added to the agenda for a future meeting, please e-mail him at [ben.finley@h-gac.com](mailto:ben.finley@h-gac.com).

**NEW BUSINESS:**

1. Ms. Snehal Patel reported that she attended the Natural Resource Committee where they have a rule on how many meetings a member may attend through conference calls.
  - a. Mr. Tejada stated that letters to the members whom have missed 3 consecutive meetings will go out soon to inform these individuals that they are in violation of the RAQPC's attendance policy.
  - b. Mr. Finley will investigate the Natural Resource Committee's phone in policy to see how viable it can be to RAQPC.
2. The next RAQPC meeting is scheduled for June 25, 2009 at 2:00 P.M.

**ADJOURN:**

The meeting adjourned at 3:15 p.m.