

REGIONAL AIR QUALITY PLANNING COMMITTEE

MEETING SUMMARY

Thursday, June 25, 2009
H-GAC Conference Room A
3555 Timmons Lane, 2nd Floor
Houston, Texas 77027

MEMBERS PRESENT:

Bob Allen	Snehal Patel
Jed Anderson	Cynthia Redwine
Craig Beskid	<i>Ed Petry (Alternate for Kimberly Slaughter)</i>
<i>Rebecca Bruhl (Alternate for Craig Beskid)</i>	<i>(Via Phone)</i>
Dana Blume	<i>Reena Varghese (Alternate for Adam Smith)</i>
Patrick Buzbee	<i>Kristen Gauthier (Alternate for Jeff Suggs)</i>
Elena Craft	Matthew Tejada
Catarina Cron	<i>Laura Blackburn (Alternate for Mary Whitworth)</i>
Dan Hoyt	<i>(Via Phone)</i>
Badruddin Karachiwala (Via Phone)	Michael White
Larry Mann (Via Phone)	Paulette Wolfson
Mark McClelland	

STAFF PRESENT:

Carrie Paige (for Carl Young) (EPA)	Lola Brown (TCEQ)
Susan Ghertner (HEB)	Diana Sullivan (TCEQ)
Ben Finley (H-GAC)	Walker Williamson (TCEQ)
Lauren Hoff (H-GAC)	
Shelley Whitworth (H-GAC)	

MEMBERS NOT PRESENT:

Elvira Cardinal	Karl Pepple
Dee Ann Haney	Ronald Schultz
Matthew Kuryla	Beth Whitehead
Robert Lanham	Julie Woodard

CALL TO ORDER:

- 1 Matthew Tejada called the meeting to order at 2:10 pm and welcomed attending members.
- 2 The June 25, 2009 meeting summary was approved as presented.

AGENCY REPORTS:

1 TCEQ Update – Ms. Lola Brown

- a. The Houston-Galveston-Brazoria (HGB) 1997 Eight-Hour Ozone Attainment Demonstration and Reasonable Further Progress (RFP) State Implementation Plan (SIP) revisions are on track to be considered for proposal at a September 23, 2009, commissioners' agenda.
- b. Modeling activities have focused on conducting emission sensitivity modeling using the 2018 future and 2006 baseline years, including a flare sensitivity and a 25 percent reduction to the Highly Reactive Volatile Organic Compounds (HRVOC) Cap and Trade (HECT) program allocation, as well as continuing with documentation for the HGB SIP revision.

- c. The Southeast Texas Photochemical Modeling Technical Committee (SETPMTC) meeting, held June 23, 2009, the Texas Commission on Environmental Quality (TCEQ) presented recent emissions sensitivity modeling results. The modeling files are being posted to the FTP site. <http://www.tceq.state.tx.us/implementation/air/airmod/data/hgb8h2/hgb8h2.html>
- d. The Leak Detection and Repair Alternative Work Practice (LDAR AWP) Stakeholder Group meetings, which will be identical in content, have been scheduled in Austin, Irving and Houston. The Irving meeting was held on June 23rd. The Austin meeting on June 25th will be available in selected regions (Tyler, El Paso, Beaumont, and Corpus Christi) by video teleconference. The meeting in Houston will be held at the Houston-Galveston Area Council (H-GAC) on June 26th at 2:00 pm. The purpose of these meetings is to provide stakeholders with information about the goals of the LDAR AWP Stakeholder Group and to solicit stakeholder input on possible future LDAR AWP Stakeholder Group efforts. Issues to be discussed include requirements of use, monitoring, quantification, and SIP implications. Staff will be accepting informal written comments on the information discussed at these stakeholder meetings until July 14, 2009. More information is available on the LDAR AWP Stakeholder Group web page. Contact: Danell Zawaski, P.E., Stationary Source Programs Team, at 512/239-2389. http://www.tceq.state.tx.us/implementation/air/rules/ldar/ldar_awp.html
- e. A stakeholder meeting is scheduled for July 2, 2009, at 2:00 p.m. at H-GAC to provide an update on potential revisions to the HECT program allowance allocation methodology. More information is available on the HRVOC Stakeholder Group web page. Contact: Luke Baine, Stationary Source Programs Team at 512-239-5856. http://www.tceq.state.tx.us/implementation/air/sip/hrvoc_stakeholders.html
- f. Another project that is underway is the MECT rulemaking, which will clarify various components of MECT program. Contact: Brandon Greulich, Stationary Source Programs Team, at 512/239-4904. Both the HECT and MECT rule revision proposals are scheduled for the same agenda as the HGB SIP revisions.
- g. The proposed repeal of the portable fuel container rules is scheduled for consideration at commission agenda on August 26, 2009. (Chapter 115, Subchapter G, Division 2 –backup 8/7) The state rules are duplicative of a federal portable fuel container rule promulgated in February 2007. (A public hearing is scheduled in Austin on October 6, 2009) Contact is Lisa Shuvolov, 512-239-4484.
- h. The Air Check - Drive a Clean Machine, for FY09 Quarters 1 and 2, 866 HGB area vouchers totaling approximately \$472,000 were redeemed to assist vehicle owners with needed repairs to pass the emissions test. During the same time, the program issued 1,943 vouchers totaling \$5,830,500 to replace old, polluting vehicles with cleaner vehicles.
- i. For FYs 08/09, Local Initiative Projects for the HGB area have an allocated amount of approximately \$4 million. Staff continues to work with the counties and H-GAC to implement LIP projects.
- j. June 26, 2009 is the last day to submit stakeholder comments on the draft rule language to implement the Federal Clean Air Act Section 185 rule, which has been posted on the TCEQ web site. The proposed rulemaking is scheduled to be considered at a November 18, 2009, commissioners' agenda. <http://www.tceq.state.tx.us/implementation/air/industeipsei/sipsection185.html>

2 EPA Update – Ms. Carrie Paige

a. Update on National Air Toxic Assessment (NATA)

On Wednesday, June 24, 2009 the EPA released the third National Air Toxic Assessment (NATA). It is based on 2002 area air emissions data. The report assessed 180 air toxics plus diesel PM for mobile and stationary sources. The data provides broad estimates of risk for the geographic areas of the country and not definitive risks to specific individuals. The results are best used to prioritize pollutants and areas for further study; not to be the sole basis for regulation or rate reduction activities.

Since the 1990 Clean Air Act amendments, air toxic emissions have decreased by 40% from all sources. The data can be used to help all levels of government target further reductions in air toxic emissions. For more information on this data, a report may be reviewed at www.epa.gov/nata2002. For questions, please contact Mr. Ruben Casso at 214-665-6763 in the Region 6 office.

b. Update on Early Action Compact (EAC) Program

On Wednesday, June 24, 2009, an assessment on the Early Action Compact Program was released. The program began in 2002 and ended in 2007 from areas that were in attainment with the one (1) hour ozone standard but not expecting to be in attainment with the 1997 eight (8) hour ozone standard. These areas agreed to implement measures early to meet the 1997 standard by the end of 2007. This program was assessed by the EPA, and results are posted at www.epa.gov/air/ozonepollution/actions.html#eac.

The assessment was not a formal program evaluation and has several limitations. It did not compare emissions reductions from early action compact areas vs. non early action compact areas in terms of quantities and implementation time frames. It did not assess air quality for early action compact areas past 2007 and it did not compare these areas to non early action compact areas. Because of the assessment limitations it was difficult for the EPA to draw hard findings and conclusions.

Three (3) areas in Texas participated in the program: Austin area, San Antonio area, and Northeast Texas Longview/Tyler area. All seven (7) areas in Region 6 area that participated in the program met the 1997 ozone standard by the end of 2007, therefore the program was successful.

The EPA does support communities to take action to improve air quality and to improve local community environments. Local communities have not traditionally played a large role in air quality planning efforts. EPA recognizes the hard work and contributions that local governments and other stakeholders made in the success of the Early Action Compact program.

c. Update on 2008 Ozone Standard Litigation

On March 12, 2009 the Justice Department requested that the Federal Court refrain from hearing arguments for 180 days to give the current administration an opportunity to determine whether this standard should be maintained, modified, or otherwise reconsidered. To date, the administration has provided no comments on the review. The 180 day period began on March 12. Updates will be provided.

For questions, please contact Carrie Paige, regarding the Early Action Compact or the 2008 Ozone Standards. 214-665-6521.

3 Regional Ozone Update – Ms. Diana Sullivan, TCEQ

- The Houston area had 11 days of exceeding 8 hour ozone standards at regulatory stations;
- An additional three (3) days of exceedences were observed in the non regulatory stations;
- One (1) day exceed the one (1) hour ozone standard at regulatory stations;
- Two (2) additional days of exceedences were observed at non regulatory stations; and
- The California south coast area had 33 days exceeding the 8 hour ozone standards and have not exceeded the one (1) hour standard for 2009.

PRESENTATION:

How HEB Helps Out – Ms. Susan Ghertner, Environmental Affairs Manager

Ms. Susan Ghertner provided a presentation to the members on how HEB helps the communities and environment. She noted that HEB is committed to not harming the communities, maximizing resources, and protecting customers, partners, and employees. Highlights of Ms. Ghertner’s presentation include:

- HEB has recycled 820 million pounds of trash between 2005 and 2008;
- A new energy efficient HEB will open in the near future at Buffalo Speedway and Bissonet;
- Tires are recycled to Liberty Tire in Baytown and turned into rubber mulch;
- HEB donates food to the food bank;
- Customers are now able to purchase reusable bags; and
- HEB manages over \$130 million dollars in annual utility expenses with electricity being the largest expense.

Ms. Ghertner stated that she may be contacted at 210-938-6502 (shetner.susan@heb.com), and thanked the members for inviting HEB.

ACTION ITEMS

Mr. Tejada noted that these action items are the result of the non-enforcement of the committee bylaws. Mr. Finley reported that he and Ms. Shelley Whitworth reviewed the committee’s bylaws. This committee is a subcommittee of the HGAC Board and the Board has the actual authority for the sitting and removing of members. This committee may make recommendations to the Board.

Recommendations were made for the following actions:

- a. A motion was made to recommend replacing Ms. Mary Ellen Whitworth with her alternate. This replacement is requested by Ms. Whitworth and Ms. Blackburn.

It was noted that members of the committee do not need to be an employee or a member of the organization that has nominated them. Ms. Craft stated that if all areas are to be represented equally and if the attendance policy is going to be enforced, then there should be guidance in the bylaws on this issue. Mr. Tejada stated that he and Mr. Finley would review the bylaws on this issue and report back to the committee at the next meeting.

The motion to recommend replacing Ms. Whitworth with Ms. Blackburn passed.

- b. Mr. Craig Beskid reported that he would like to continue serving on the RAQPC committee and will make an effort to be present at the meetings.

No motion was made to recommend replacing Mr. Beskid.

- c. After the letter to Mr. Adam Smith was mailed, it was discovered that his alternate, Mr. Mike Leech, had been attending the meetings but was not signing for Mr. Smith.

No motion was made to recommend replacing Mr. Smith.

INFORMATION ITEMS:

1 Multi Pollutant Plan Update – Matthew Tejada, GHASP

a. Funding Programs – *Lauren Hoff-Ovshack*

Ms. Lauren Hoff-Ovshack reported that the website is running. A notification was e-mailed to the members. She reported that she has not received feedback from the members. Ms. Hoff-Ovshack reviewed the website with the members. Suggestions were made by the members.

2 Legislative Update

a. Mr. Tejada reported that Susanna Hildebrand has been named as TCEQ's Region 6 Chief Engineer as of July 1, 2009, replacing Mr. David Bower.

3 H-GAC Update – Shelley Whitworth, H-GAC

a. Ms. Shelley Whitworth reported H-GAC received a Department of Energy Clean Cities grant proposal for a number of entities including the city of Houston, Metro, several school districts, some local governments, Cisco, and HEB. The regional application is for \$15 million with a 50% match. A decision of approval is expected in July.

b. Ms. Whitworth reported that there has been no official decision from EPA on the DERA Revolving Loan fund, but a decision is expected soon.

c. Ms. Whitworth reported that there has been funding shifts, altering time frames, and shortfalls regarding transportation projects. Every time something is shifted before or after milestones and crossover projects, conformity must be run. The changes appear to be minor and should only slightly affect the end result.

d. The Cooperative Research Agreement with EPA is finalized, and TCEQ dollars are being transferred to EPA. EPA is spending additional dollars to research drayage trucks that work at the Ports. The research studies how to improve truck operations to identify emission levels. The information will be used in the EPA MOVES model that will replace MOBILE 6, the model that establishes and balances the emission budget.

4 Report on Attendance Policy

a. Mr. Finley reported that after a member misses two (2) consecutive meetings, a courtesy call will be placed to that member. After the third (3) consecutive missed meeting, a letter will be sent to the member, and at that point at the next meeting a discussion will be held regarding the member's lack of attendance.

b. Mr. Finley noted that he was requested to research the feasibility of changing the bylaws to reflect how many times a member may attend the meeting via phone line. The consensus was to enforce the bylaws as they are now to see if attendance improves.

PUBLIC COMMENT:

There were no public comments.

ANNOUNCEMENTS:

1 Mr. Tejada reported that maps of the Dallas-Fort Worth Area Ozone Monitors and the Houston Area Ozone Monitors Area have been included in the packet following a request at last meeting. He inquired if these maps were on the TCEQ website. A discussion followed.

2 Mr. Finley requested that items to be added to the RAQPC agenda be submitted in a timely manner to: ben.finley@h-gac.com.

- 3 The Synergy By Product Workshop will be held on Monday, July 27, 2009 from 1:30 to 5:00 p.m. in Conference Room A at H-GAC. Information will be forthcoming during the first part of July. The workshop will be opened to the private and public sectors.
- 4 Mr. Finley announced that the EPA Climate Showcase Community Grant is open. The full amount of the grant is \$10 million. Ms. Carrie Paige will e-mail the document to Mr. Finley.

NEW BUSINESS:

1. The next RAQPC meeting is scheduled for July 30, 2009 at 2:00 P.M.
2. Ms. Snehal Patel extended an invitation to the members to join the Air Quality Program Committee. A discussion followed.

ADJOURN:

The meeting adjourned at 3:35 p.m.