

# REGIONAL AIR QUALITY PLANNING COMMITTEE

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## MEETING SUMMARY

Thursday, October 29, 2009  
H-GAC Conference Room A  
3555 Timmons Lane, 2nd Floor  
Houston, Texas 77027

### **MEMBERS PRESENT:**

Craig Beskid	Cynthia Redwine
Dana Blume	<i>Edmund J. Petry (Alternate for Kimberly Slaughter)</i>
Patrick Buzbee	<i>(Via Phone)</i>
Elena Craft	<i>Arianne Robinson (Alternate for Adam Smith)</i>
Catarina Cron	<i>Kristen Gauthier (Alternate for Jeff Suggs)</i>
Dan Hoyt	<i>(Via Phone)</i>
<i>Dale Kornegay (Alternate for Robert Lanham)</i>	Mathew Tejada
<i>Ron Schultz (Alternate for Larry Mann) (Via Phone)</i>	<i>Melanie Oldham (Alternate for Tejada Mathew)</i>
<i>Rebecca Moring (Alternate for Matthew Kuryla)</i>	<i>Lisa Chisholm (Alternate for G. Michael White)</i>
Mark McClelland	<i>(Via Phone)</i>
Stuart Mueller	Paulette Wolfson
Karl Pepple (Via Phone)	Julie Woodard

### **STAFF PRESENT:**

Ben Finley (H-GAC)	Diana Sullivan (TCEQ) (Via Phone)
Crystal Spencer (H-GAC)	Carl Young (EPA) (Via Phone)
Lauren Hoff-Ovshak (H-GAC)	

### **MEMBERS NOT PRESENT:**

Laura Blackburn  
Elvia R. Cardinal  
Jamie Galloway  
Mike Leech  
Snehal Patel  
Beth Whitehead

### **CALL TO ORDER:**

1. **Ms. Paulette Wolfson called the meeting to order at 2:05 P.M. and welcomed attending members.**
2. **The September 24, 2009 meeting summary was reviewed.**  
The meeting summary was approved with no amendments.

### **AGENCY REPORTS:**

1. **TCEQ Update – Ms. Lola Brown**  
Ms. Brown was unavailable, and no update was given.
2. **EPA Update – Mr. Carl Young**
  - a. **PM2.5 Area Designations**  
In 2006 EPA revised the 24 hour PM2.5 standard to 35 ug/m3. On October 8 EPA announced area designations for the 24 hour fine particulate (PM2.5) national ambient air quality standard. No areas in Texas are violating the 24 hour PM2.5.

In a related action we will be considering a nonattainment designation for the Harris County area where monitoring from 2006 to 2008 shows that the annual PM<sub>2.5</sub> standard of 15 ug/m<sup>3</sup> is being violated. On October 8 we sent a letter to Texas Governor Perry requesting his recommendation on a nonattainment area designation for Harris County and any nearby areas that may be contributing to violations in Harris County. We requested his recommendation 120 days after receipt of our letter.

b. Proposal to Regulate Greenhouse Gas Emissions from Big Industrial Sources

In the October 27 Federal Register EPA proposed to require Clean Air Act permits for greenhouse gas emissions from big industrial sources. The permits would be issued under the Prevention of Significant Deterioration Program and the Title V program. The proposal can be accessed from the regulations.gov website (electronic docket number EPA-HQ-OAR-2009-0517). Comments on the proposal are due December 28, 2009.

c. Greenhouse Gas Mandatory Reporting Rule

The regulation on greenhouse gas (GHG) reporting is expected to be published in tomorrow's (October 30, 2009) Federal Register. More information on the new reporting system and reporting requirements, including a Question and Answer document, is available at: <http://www.epa.gov/climatechange/emissions/ghgrulemaking.html>. Also, there is a Greenhouse Gas Reporting Rule Hotline at: (877) 444-1188; or e-mail: [ghgmrr@epa.gov](mailto:ghgmrr@epa.gov).

**3. Regional Ozone Update – Ms. Diana Sullivan, TCEQ**

(Please refer to handout.)

a. 8 Hour Ozone Standards

The Houston area had 26 days of exceeding 8 hour ozone standard at regulatory stations. An additional four days of exceeding were observed in the non regulatory stations.

b. 1 Hour Ozone Standards

Four days exceeding the 1 hour ozone standard at regulatory stations. Two additional days of exceedences were observed at non regulatory stations.

c. Comparisons

The California south coast area observed 116 days exceeding the 8 hour standards and fifteen days exceeding the 1 hour standard for 2009.

**PRESENTATIONS:**

**1. “Greater Houston Partnership’s Review of EPA’s Action on Texas Air Quality Permitting Rules” – Ms. Rebecca Hengstenberg, Baker Botts LLP**

(Please refer to handout.)

- a. Industry lawsuit last year resulted in a proposed consent decree establishing action dates on NSR SIP “gap” rules.
- b. Dates EPA intends to take final action as required under the Consent Decree.
- c. In November of 2008 EPA issued a notice of proposed limited disapproval of Texas’ public participation program.
- d. Revisions were listed regarding September 08, 2009 EPA proposed disapproval to the Texas SIP.
- e. EPA outlines a detailed analysis of the rules and potential approval requirements.
- f. Official publication on September 23, 2009.
- g. Comment period ends November 23, 2009.
- h. EPA states that any future final disapproval of the SIP revisions in EPA’s proposed disapprovals issued this September will not result in sanctions for Texas, because the SIP revisions did not involve mandatory provisions.

- i. In October, EPA met with TCEQ commissioners, and representatives of industry and the environmental community, to discuss EPA's current posture on the Texas air quality permitting programs.
  - j. At the meeting, EPA asked the TCEQ to prepare a letter outlining action steps on seven issues, outlined in an email from EPA to TCEQ.
  - k. Seven questions to TCEQ.
  - l. More Title V remands pending resolution.
  - m. Gap Closure Rulemaking Steps.
  - n. Current permitting structure affirmed.
2. **“Reconsideration of the 2008 8-Hour Ground-Level Ozone Standards” – Mr. Carl Young , EPA**  
(Please refer to handout.)
- a. 1997 8-Hour Ozone Standards.
  - b. 2008 8-Hour Ozone Standards.
  - c. Reconsideration of the 2008 Standards.

#### **ACTION ITEMS:**

1. **Vote on Recommending H-GAC Board of Directors to Submit Comments on Corporate Average Fuel Economy (CAFE) and Greenhouse Gas (GHG) Standards**
- a. There was a motion to not submit comments to the H-GAC Board of Directors regarding the USEPA's Corporate Average Fuel Economy (CAFE) and Greenhouse Gas (GHG) Proposed Standards.

#### **INFORMATION ITEMS:**

1. **Discussion on Procedures to Establish “Comments” – Mr. Ben Finley, H-GAC**  
(Please refer to handout.)
- a. H-GAC Staff developed the “Ideal Outline for RAQPC Comments” flowchart to illustrate a desirable comment development process.
  - b. The “RAQPC Action Time Line by Week of the Month” circle graph visually shows the time issue. RAQPC needs two months notice if it wants to make comments by the deadline.
  - c. Mr. Finley stated that instead of submitting comments to the H-GAC Board in a letter format to which the RACPC had agreed, the Board prefers RACPC's recommendation in the form of a background paper. There was some discussion of this point among the RACPC members and the members requested that the Chair attend the next H-GAC board meeting to get further guidance from the Board.
2. **Report on Comment on SIP Revisions – Mr. Ben Finley, H-GAC Staff**
- a. RAQPC's comment on the SIP Revisions was approved by the H-GAC Board of Directors. The comment was slightly altered while keeping the content of RAQPC. The letter was submitted to TCEQ.
3. **Report on Multi Pollutant Plan – Ms. Lauren Hoff (H-GAC Staff), Mr. Matthew Tejada, and Ms. Paulette Wolfson**
- a. Public Outreach
    - i. The collected outreach information was stored on a large access database and forwarded to H-GAC's Agency Web Developer in May. H-GAC's Agency Web Developer recently notified Ms. Hoff that they now have time to begin the webpage project.
    - ii. Ms. Hoff is available to make revisions to the current webpage. Updates on the upcoming webpage will be submitted directly from the source.

- b. Funding Program
  - i. A recommendation was made to place the Funding Program on the same webpage with Public Outreach. The Public Outreach webpage will be the portal for viewers.
  - ii. Ms. Hoff will meet with H-GAC's Agency Web Developer to create a user friendly webpage.
  - iii. The database information will be distributed to everyone that is included in the database in an excel datasheet format before the webpage is completed.
  - iv. The webpage needs to be formatted to automatically update the database information on the webpage.

**4. Updating Reference Guide – Mr. Craig Beskid and Ms. Paulette Wolfson**

- a. The Reference Guide has a contacts list at the end. To update this, the updated information will be a link on the website.
- b. Updating the Reference Guide is a valuable effort for both the region and the RAQPC Committee to be recognized as being the home for creating a comprehensive, current, updatable, and user-friendly Air Quality Reference Guide. The goal is to bring consistency across the region by developing a common pool of information.
- c. The Greater Houston Partnership is going to sponsor an Air Quality Forum in April 2010. The Air Quality Forum's objective is education and outreach about the status of air quality in the region. It was suggested to have the updated Reference Guide available at the Air Quality Forum.
- d. The Center for Houston Future is undertaking an effort called The Environmental Indicator Project. The project includes compiling air quality standards, then benchmarking and publishing Houston's progress. The Reference Guide may be a useful tool for the Environmental Indicator Project.
- e. RACPC was asked if the Air Quality Reference Guide will be updated for use at a conference in the Spring. If so, there is a significant amount of volunteer work and staff support needed to be coordinated between now and the conference.
- f. The membership agreed that the Reference Guide should be updated and that it should be brought to the Board's attention that there needed to be a commitment of H-GAC Staff for this worthwhile project.

**5. Possible Comment Opportunities – Mr. Ben Finley, H-GAC**

- a. Comments on O<sub>3</sub> Standards Reconsideration (Informational)
- b. EPA Nonattainment Boundaries (Informational)

At this point the Comments on O<sub>3</sub> Standards Reconsideration and EPA Nonattainment Boundaries are not published.

**6. H-GAC Update – Mr. Ben Finley, H-GAC**

- a. H-GAC has received a national acclaimed award for collaborative work in establishing NuRide and Clean Vehicles. Ms. Shelley Whitworth is accepting the award at the AMPO conference.
- b. The Clean Vehicles Program entered into an agreement with Highland ISD for replacing school buses.
- c. H-GAC entered into a teleworking agreement with Hewitt Packard. The agreement involves 1,000 workers.

- d. H-GAC has established a loan committee for the DERA Program.

**PUBLIC COMMENTS:**

1. **Acknowledgement:**
  - a. No public comments available.

**ANNOUNCEMENTS:**

1. **Upcoming Events:**
  - a. Greater Houston Partnership Events:
    - i. State of METRO: Reshaping the Face of Houston (11/5/09)
    - ii. State of the Port: Stimulating Growth (11/11/09)
    - iii. State of the Airports – IAH 40<sup>th</sup> Anniversary Celebration with Former President George W. Bush (11/17/09)
  - b. National Brownfield Conference (11/16/09 – 11/18/09)
  - c. H-GAC Public Meeting on Regional Transportation Plan (11/10/09)
  - d. TCEQ Public Meeting on TM2.5 (11/20/2009) (Rescheduled to 11/19/2009)

**NEW BUSINESS:**

1. **The next RAQPC meeting is scheduled for December 03, 2009 at 2:00 P.M.**

**ADJOURN:**

The meeting was adjourned.