

REGIONAL AIR QUALITY PLANNING COMMITTEE

MEETING SUMMARY

Thursday, September 29, 2011 – 2:00 p.m.
Houston-Galveston Area Council of Governments
3555 Timmons Lane, 2nd Floor, Room A, Houston, Texas 77027

MEMBERS PRESENT:

Stuart Mueller (*Alternate for Bob Allen*)
Craig Beskid
Arturo Blanco
Dana Blume
Pat Buzbee
Lisa Chisholm
Steven Hansen

Gail Miller (Via Phone)
Snehal Patel
Carole Lamont (Snehal Patel's Alternate)
Dawn Steph (Via Phone)
Marise Textor
Julie Woodard (Via Phone)

STAFF PRESENT:

Carl Young (EPA) (Via Phone)
Lola Brown (TCEQ) (Via Phone)
Marissa Gonzales (TCEQ) (Via Phone)

Shelley Whitworth (H-GAC)
Melissa Bain (H-GAC)
Crystal Thomas (H-GAC)
Ben Finley (H-GAC)

MEMBERS NOT PRESENT:

Laura Blackburn
Elena Craft
Melissa Hagan
Robert Lanham
Mark McClelland
Edmund J. Petry

Ceil Price
Ron Sandberg
Ronnie Schultz
Jeff Suggs
Matthew Tejada
Rakesh Tripathi

CALL TO ORDER

1. Vice Chair Arturo Blanco officially called the meeting to order at 2:02p.m.
2. Vice Chair Arturo Blanco welcomed all people in attendance.
3. Approval of the July 28, 2011 meeting summary.
 - a. The July 28, 2011 meeting summary was motioned, seconded, and approved with no amendment.

AGENCY REPORTS

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1. TCEQ Update – Ms. Lola Brown

- a. HGB Reasonably Available Control Technology Update SIP and Chapter 115 Rule Revisions

Public comments and the hearing transcript for the HGB Reasonably Available Control Technology Update SIP revision and associated Chapter 115 rule revisions, which are scheduled to be considered for adoption at the November 16, 2011, Commissioners' agenda, are available on the HGB: Ozone, Latest Planning Activities at:
<http://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>.

These documents will be available on the Agenda Meetings and Work Sessions Web page at: <http://www.tceq.texas.gov/agency/agendas/agenda.html> on October 14, 2011.

Please contact Lola Brown, (512) 239-0348, Lola.Brown@tceq.texas.gov, for further information.

b. Reconsideration and Stay of the Cross-State Air Pollution Rule (CSAPR)

On September 8, 2011, the Attorney General for the State of Texas filed with the EPA a petition for reconsideration and stay of the CSAPR as it applies to Texas. The Attorney General for the State of Texas filed with the United States Court of Appeals for the District of Columbia Circuit a petition for review on September 20, 2011, and a motion for partial stay of the final rule on September 22, 2011.

The filed petitions, along with a TCEQ-staff developed presentation concerning CSAPR's impact to Texas, are available at the TCEQ's Final Cross-State Air Pollution Rule Web page at: <http://www.tceq.texas.gov/airquality/sip/the-epas-transport-rule>, which will be updated with additional information regarding CSAPR as it becomes available.

c. 2015 Clean Air Interstate Rule (CAIR) Nitrogen Oxides (NOX) Allowance

The preliminary 2015 Clean Air Interstate Rule (CAIR) nitrogen oxides (NOX) allowance allocations are available to view on the Emissions Banking and Trading Program CAIR Web page at: http://www.tceq.texas.gov/airquality/banking/Air_Banking_CAIR.html.

The Executive Director is required to submit the 2015 CAIR NO_x allowance allocations to the US EPA by October 31, 2011. The TCEQ is completing the 2015 CAIR NO_x allowance allocations to ensure that 2015 allocations exist should the outcome of any CSAPR litigation results in CAIR still being in place in 2015.

All comments regarding the preliminary allocations must be received by October 14, 2011. Contact: Shantha Daniel by phone at (512) 239-3930 or by e-mail at Shantha.Daniel@tceq.texas.gov. Please include "CAIR" in the e-mail topic line.

d. Texas Low Emission Diesel (TxLED) Stakeholder Group Meeting

A TxLED Stakeholder Group meeting was held September 1, 2011, at the TCEQ Headquarters in Austin. The agenda, presentation, and audio file of the meeting are available on the TxLED Stakeholder Group Web Page at:

http://www.tceq.texas.gov/airquality/mobilesource/TxLED_Adv_Grp.html#topic5.

Contact: Morris Brown, (512) 239-1438, Morris.Brown@tceq.texas.gov.

e. October 5, 2011, Commissioners' Agenda

The following items are scheduled for the October 5, 2011, Commissioners' agenda. These documents are available on the Agenda Meetings and Work Sessions Web page at:

<http://www.tceq.texas.gov/agency/agendas/agenda.html>.

- i. Proposal of the repeal of 30 TAC Chapter 101, System Cap Trading Program and Revisions to 30 TAC Chapter 117 (Rule Project No. 2011-018-101-EN). Contact: Shantha Daniel, (512) 239-3930, Shantha.Daniel@tceq.texas.gov.

- ii. Adoption of the General Conformity Rule Repeal (Project No. 2010-047-101-EN) and the General Conformity SIP Revision (Project No. 2011-002-SIP-NR). Contact: Amy Muttoni, (512) 239-6351, Amy.Muttoni@tceq.texas.gov.
- iii. Adoption of the Lead Infrastructure SIP Revision (Project No. 2011-016-SIP-NR). Contact: Shelley Naik, (512) 239-1536, Shelley.Naik@tceq.texas.gov.

f. Flare Task Force

The Flare Task Force Stakeholder Group Web page has been updated to include the TCEQ 2010 Flare Study Final Report. The final report and all other documents related to the study can be found under the TCEQ 2010 Flare Study section of the Flare Task Force Stakeholder Group Web page at: http://www.tceq.texas.gov/airquality/stationary-rules/flare_stakeholder.html.

g. TCEQ's 185 Fee Termination Determination Request

The EPA stated in a letter dated July 25, 2011 that it was unable to propose approval of TCEQ's 185 fee termination determination request at this time because the preliminary data for 2011 indicates that the HGB area is not monitoring attainment of the eight-hour ozone standard and the area has not yet attained the one-hour ozone standard.

The letter also addressed that the July 1, 2011, District of Columbia Circuit Court of Appeals vacated the EPA's suggested alternative in EPA's guidance memo relating to attainment of the eight-hour standard and that the guidance was not consistent with the Federal Clean Air Act. Staff is assessing the impact from the court decision and EPA's letter but no decisions have been made yet.

Contact: Kathy Pendleton, (512) 239-1936, Kathy.Pendleton@tceq.texas.gov for more information.

h. Southeast Texas Photochemical Modeling Technical Committee Meeting (SETPMTC)

A SETPMTC meeting is scheduled for October 19, 2011. More information is available on the SETPMTC Web page at:

http://www.tceq.texas.gov/airquality/airmod/committee/pmtc_set.html

2. EPA Update – Mr. Carl Young

a. Proposed Regulations for the Oil and Natural Gas Industry

On August 23, 2011, the EPA published a proposal to further regulate emissions for the oil and natural gas industry. Specifically the EPA is proposing:

- i. a new source performance standard for volatile organic compounds;
- ii. a new source performance standard for sulfur dioxide;
- iii. an air toxics standard for oil and natural gas production; and
- iv. an air toxics standard for natural gas transmission and storage.

The comment period is scheduled to close October 24, 2011. For more information, please the EPA website at: www.epa.gov/airquality/oilandgas/.

b. NAAQS for Ozone

The EPA was reconsidering the ozone standard of 75 parts per billion (ppb) that was issued in 2008. On September 2, 2011, the EPA received notice that President Obama requested

EPA Administrator Jackson to withdraw the ozone standard the EPA was considering issuing this year.

The President noted that work is already underway that will result in the reconsideration of the ozone standard in 2013. He also stated that he did not support asking state and local governments to begin implementing a new standard that will soon be reconsidered.

The EPA is beginning work to designate areas as “nonattainment”, “attainable” and “unclassifiable” for the 2008 ozone standard of 75 ppb. The EPA plans to use the quality assured ozone data from 2008 to 2010 to inform for “nonattainment” designations.

3. Regional Ozone Update –*Mr. Ben Finley*

Mr. Finley reported that the HGB area was having an excellent year with regards to exceedance days up to September. He will e-mail RAQPC Members once the data is confirmed.

PRESENTATIONS

1. East Harris County Manufacturers Association – *Mr. Jim Griffin*

a. Mr. Jim Griffin with the East Harris County Manufacturers Association (EHCMA) provided a presentation to the members discussing EHCMA’s role and contributions to the area. A brief overview of the presentation includes:

- i. **Structure** – EHCMA structure is the largest of its kind in the world. EHCMA consist of 131 facilities that represent 85 companies. EHCMA Board is composed of 17 plant managers. EHSMA Board new Chair will be Mr. Dean Thompson with DuPont. In addition, EHCMA has 10 working committees which include a chair and sponsor representing each committee.
- ii. **Mission and Objectives** – EHCMA mission and objectives began with internal focus and best practices such as; safety, emergency communications, and channeling mutual aid. EHCMA external work includes a Community Relations Group.
- iii. **Challenges** – The petrochemical and refinery industry is about 51% of Houston’s economy and most of the refineries are coal operated. Also, the industry is very competitive and capital decisions are global minded.
- iv. **Vision** – Companies are examining increase and expansion to the Ship Channel.

ACTION ITEMS

None

INFORMATION ITEMS

1. TERP Support Letter – *Mr. Ben Finley*

a. Mr. Ben Finley conveyed that Chair Elena Craft anticipates running the TERP Support Letter through RAQPC to get H-GAC to use it as a petition type supporting letter. A TERP Support Letter Draft will be presented at the next RAQPC meeting.

2. H-GAC Update – *Ms. Shelley Whitworth*

a. H-GAC Activities

i. Drayage Truck Fair was held at the Port of Houston on September 17, 2011

- ii. Clean Vehicles Workshops are currently being held throughout Harris County
 - iii. Freight Movement Workshops are currently being held throughout Harris County
 - iv. Clean Fleet Technologies Conference will be held at the Humble Civic Center on October 19, 2011
- b. H-GAC Board
- i. H-GAC Board approved \$307,338 of various funds to replace 5 heavy duty diesel engines for a NO_x reduction of 5.59 tpy.
 - ii. H-GAC Board approved to select a consultant to perform a Mobility Study for the City of Houston's East End District.
 - iii. H-GAC Board approved to select a consultant to perform an Incident Plan.
 - iv. H-GAC Board approved to accept \$422,520 in TxDOT funds to help the Select Traffic Enforcement Program (STEP).

PUBLIC COMMENTS

- a. Ms. Snehal Patel suggested a Round Table Dialogue Report be announced by the committee members at RAQPC's monthly meetings.

ANNOUNCEMENTS

- a. The Houston Bar Association Event will be held at the Petroleum Club on November 09, 2011

NEW BUSINESS

- 1. The next RAQPC meeting is scheduled for October 27, 2011 at 2:00 p.m.

ADJOURN

The RAQPC Meeting was adjourned at 3:22 p.m.