

HOUSTON-GALVESTON AREA COUNCIL MEETING  
3555 TIMMONS LANE  
SECOND FLOOR, ROOM A  
HOUSTON, TX 77027

1 like also to provide -- have you have an opportunity to  
2 provide comments on the measures that are on the poster  
3 boards.  
4 And if you don't feel comfortable writing  
5 it down and you'd prefer to give an oral comment, we  
6 have a court reporter up here in the front. And what I  
7 would ask you to do is just come up here, give your name  
8 and who you're representing and you can provide your  
9 comments verbally.  
10 In addition, we have an e-mail address.  
11 It's airquality@h-gac.com. And I'll flash that up on  
12 the screen at the end. And you can e-mail your comments  
13 in, too. The H -- the Houston Galveston Brazoria sip  
14 regions state implementation plan covers an eight county  
15 non-attainment region, and that is: Brazoria, Chambers,  
16 Fort Bend, Galveston, Harris, Liberty, Montgomery and  
17 Waller Counties. And so these measures that we will be  
18 discussing tonight, we would hope that they would be  
19 implemented throughout the region wherever appropriate.  
20 Ozone has several related health effects.  
21 And as you can see there, I don't need to read them to  
22 you, but one issue that is often not talked about is the  
23 cost to our region that is resulting from air quality  
24 health related impacts. And these costs may result from  
25 increased need for medical care for increased

1 PROCEEDINGS  
2 MS. WHITWORTH: If we can go ahead and get  
3 started. Good evening. Thank y'all for showing up and  
4 coming to our public meeting on our short list of the  
5 draft -- short list of the transportation and off road  
6 mobile control strategies measures. We have a few folks  
7 that I would like to introduce tonight. One is  
8 Commissioner Patterson from Fort Bend County. He is  
9 also the chair of our transportation policy counsel.  
10 We also have Theresa Pella here from TCEQ.  
11 And we have Lola Brown and Donna Huff. And was there  
12 anyone else from TCEQ that was here tonight? Okay. The  
13 three of them came down and -- for an evening meeting.  
14 And I really do appreciate y'all traveling for our  
15 second public meeting here.  
16 We have Katarina Crow here from the  
17 Judge's office with Harris County. And are there any  
18 other representatives of local governments that are  
19 here? And we have Allen Clark. That is my boss here.  
20 And with that, what I'm going to do is I'm  
21 going to give a brief overview this evening. And then  
22 I'm going -- for the balance of the public meeting time,  
23 I'm going to have staff go to each one of the stations  
24 by the poster boards around the room and at that  
25 location, we'll be able to answer questions and we would

1 hospitalizations. Also from -- there's other costs like  
2 increased absenteeism within our school district and  
3 also within our workplaces. And for that reason, it is  
4 a very important issue health wise and economically to  
5 our area.  
6 Ozone is generated by heat, volatile  
7 organic compounds or chemicals and nitrogen oxide. In  
8 our region, the reduction of ozone levels has been found  
9 to be more responsive to nitrogen oxide or NOx  
10 reductions. So while we do look at VOCs, we do  
11 concentrate primarily on NOx reductions. And as you can  
12 see here, our air quality in the region has improved.  
13 The one -- the red line that's going straight across is  
14 what the current 84 parts per billion standard is. As  
15 you all know recently, EPA did implement another ozone  
16 standard for the eight-hour standard. And it is not  
17 yet -- the guidance is not yet in place and we are still  
18 operating under the old 1997 standard. Right now our  
19 design value which is what is measured is approximately  
20 at 96 parts per billion. And you can see that is the  
21 blue line there, how it has gone down.  
22 When we look at the pie charts for the VOC  
23 omissions, you can see that there have been increases in  
24 VOCs overall and within our region. And to a large  
25 extent, that's the result of some emissions that

<p style="text-align: center;">5</p> <p>1 previously were not accounted for in our inventories.  2 And when you moved into the 2018 and they added those  3 in, it looks like there's a tremendous jump in our  4 emissions.  5 In the NOx emissions by 2018, the  6 emissions will have been reduced by almost 40 percent.  7 And to a great extent, these are the result of more  8 stringent federal manufacturing requirements on our  9 diesel engines, and the reductions are fairly  10 significant here.  11 Within the region, 95 percent of our  12 vehicles as you pass and you drive by everyday on our  13 roadways are light duty vehicles; however, they generate  14 only 60 percent of the on-road emissions whereas  15 five percent which is our heavy duty diesel engines from  16 trucks and buses for the most part result in only almost  17 40 percent of our emissions. So while they do not  18 generate as much emissions as the light duty vehicles,  19 we're looking at doing -- impacting only five percent of  20 the vehicle population.  21 Within the region on our baseline in the  22 off-road VOC inventory, the breakdown here is  23 primarily -- you can see the crosshatch for the blue  24 section is pleasure craft and the green cross-section is  25 the lawn and garden equipment. And the yellow there is</p>	<p style="text-align: center;">7</p> <p>1 the thing that's nice about this is that not only is it  2 reducing emissions, but it also helps with our  3 congestion issue. And then another one is the  4 pay-as-you-drive insurance. And while this can be very  5 low cost to the area, it's hard to mandate, (1), that an  6 insurance company is going to offer this type of  7 insurance; and (2), that people will choose to  8 participate in this type of insurance.  9 Other things that we look at are -- and  10 these would involve the more state commitment is  11 distributing cleaner diesel fuel. This also could be a  12 federal rule. And strengthening -- expand state run  13 programs, removing fuel subsidiaries, altering gasoline  14 taxes. We also looked at federal government commitments  15 such as heavy duty vehicle border inspection program.  16 And then business commitments, we looked at employee  17 cash out programs, mandatory or voluntary compressed  18 workweek and idle reduction restrictions again.  19 In the non-road control sections, we  20 looked at enhancing or extending a TERP like program,  21 government construction incentives, limitations on  22 idling, efficiency improvements on rail equipment,  23 increase fleet turnover for older vehicles, expand use  24 of cleaner fuels to marine vessels that maybe currently  25 aren't required to use the cleaner fuels. The Port of</p>
<p style="text-align: center;">6</p> <p>1 the commercial equipment.  2 And so when we're looking at doing  3 reductions for VOCs, we would want to look at those  4 larger categories. For the off road, the NOx inventory,  5 we would want to be looking at the -- primarily the  6 marine sector which would make up approximately this  7 category, this category and this category -- if y'all  8 can hear me -- is all resulting from the marine sector.  9 And then when you look at the bright yellow up here,  10 this is from the construction sector. And when you look  11 at the locomotives with the crosshatch and the orange in  12 here, that is from your locomotive.  13 So if you're trying to make an impact in  14 the NOx emissions for off-road, you need to look at  15 those sectors that are resulting in those categories.  16 If you look at the really small categories, it's going  17 to be very difficult to make the needed reductions.  18 Some of the control strategy measures that  19 we're looking at are, for instance, under local  20 government commissions. We would look at new solution  21 activities, idling reduction ordinances or rules,  22 transit activities, increased transit activities,  23 increased vehicle turnover, accelerating newer vehicles,  24 preferential parking for high occupancy vehicles,  25 computerize traffic signalization on our traffic. And</p>	<p style="text-align: center;">8</p> <p>1 Houston and the Clean Air Action Plan to minimize  2 emissions from ships, cargo equipment, on-road trucks  3 and other port-related activities.  4 One of the things that I think should also  5 be important is that just because you are a governmental  6 entity doesn't mean that you -- you may be looking at  7 not only on-road, but you could be looking at off-road.  8 The same is true for industrial mobile control  9 strategies. You may be looking at some construction  10 type of activities within your refinery or your industry  11 and -- but you can also be looking at electrification of  12 forklifts or retrofitting marine craft. If you are a  13 refinery or industry that is along the port, you could  14 be having measures that fall in more than one category.  15 And the airports, it's -- the same thing is true. They  16 are somewhat limited what they can do with their --  17 specifically with their aircraft, but they can look at  18 their off-road equipment electrification of their  19 equipment. They can also look at their shuttle  20 operations. And so the emissions might be accounted for  21 in more than one sector.  22 So one of the things that we need to keep  23 in mind is that primarily the emission reduction in the  24 mobile sector have to be voluntary in nature. None of  25 these are going to happen unless someone steps up to the</p>

1 plate and volunteers to make a commitment in that  
2 manner. And local governments and the state is  
3 prohibited by and large for the most part for mandating  
4 that rules be put in place to make these reductions  
5 greater than what they are currently.

6 Again, what I wanted to mention is that as  
7 you go forward, after I get through here, I want you to  
8 be able to go by each of these boards and if you have a  
9 comment, there are comments and pens at each of the  
10 stations that you can write down your comment. We have  
11 a box that's a yellow box that says "comment" on it  
12 that's back there by the door. You can provide and  
13 leave your comments there. You can also, if you would  
14 like, orally to come up here to the court reporter and  
15 provide your name and who you're representing and  
16 provide any comments that you wish to make regarding  
17 these proposed strategies.

18 In addition, if you want to use the  
19 regular postal service, you can mail your comments to  
20 the Air Quality Section, Post Office Box 22777, Houston,  
21 Texas 77227-2777. And all of this information is on our  
22 website. And if you go to  
23 [www.h-gac.com/tag/airquality/sip](http://www.h-gac.com/tag/airquality/sip), that will get you  
24 there. Also, if you go into the section, it will guide  
25 you through. There are icons if you just go to the

1 h-gac.com, and you can click on transportation and air  
2 quality. And you can look for -- there will be -- when  
3 you click on that, then it will go to air quality and  
4 then there will also be a line -- a link that you can  
5 click on that says state implementation plan or sip.  
6 With that, I know that Brandt mentioned -- indicated  
7 that he wished just to provide an oral comment. And I  
8 don't know if anyone else had prepared comments they  
9 wish to give regarding these strategies. But after  
10 they're finished, then we'll move to each of the  
11 stations. So Brandt...

12 MR. MANNCHEN: My name is Brandt Mannchen,  
13 B-R-A-N-D-T, M-A-N-N-C-H-E-N. And I'm here representing  
14 the Houston Regional Sierra Club and the Lone Star  
15 Chapter of the Sierra Club. And we have several  
16 comments we'd like to make about the control measure  
17 strategies that have been listed and are on the website.

18 We appreciate that HGAC has recognized  
19 that some control measures, while they don't result in  
20 very much in emissions, when bundled with others, do.  
21 We'd like to suggest that in those instances where that  
22 is, that you in the document declare that, show that so  
23 that you can see which measures are bundled together and  
24 which may not get much emissions reductions, but when  
25 put with others, help make that more effective control

1 measure.

2 We -- as we mentioned at the December  
3 meeting, we would like to see the criteria -- the EPA  
4 criteria permanent and quantifiable, surplus and  
5 enforceable defined in the document so that people  
6 understand what those terms mean.

7 Under Number 6, public agency clean fleet  
8 programs, the Sierra Club would prefer that public  
9 agencies and private companies commit to buying the  
10 lowest emission vehicles that are available in  
11 California, whether they're internal combustion or other  
12 technologies, so that a significant emission reduction  
13 over usual vehicle attrition occurs. We're also  
14 disappointed that in the Control Measure 63 through 66  
15 that adequate law enforcement is not really stressed.  
16 As we have mentioned before, going against traffic on  
17 the freeways, a lot of people are going 70 to 80 miles  
18 an hour versus the 60-mile-an-hour speed limit. And we  
19 would like to see a commitment from local agencies that  
20 have police forces to go out and do policing more than  
21 they do now so that we can start pulling people down and  
22 reducing not only emissions, but also a possibility of  
23 accidents and also having better fuel economy.

24 And while we realize that what we're going  
25 to say now are not control measures, we think it's

1 important and want to mention it. It might go under the  
2 category of either research or emissions inventory. We  
3 really need to monitor the emissions that are actually  
4 coming out of the tailpipe as the car drives down the  
5 road. They have done that in other states and they have  
6 shown very different results than what the models  
7 predict -- mobile model. And so we'd like to see that  
8 sort of testing and research done here in Houston.

9 We would also like to see, as has been  
10 done in other states, monitoring of the emissions inside  
11 the vehicle because indications are that people are  
12 breathing much higher emissions inside the vehicle than  
13 they would if they were outside just walking around.  
14 And we think that's really important from a health  
15 standpoint. And while that's not necessarily a control  
16 measure, that would help with the emissions inventory  
17 making it more accurate and would -- also could be used  
18 to let the public know why it's so important to reduce  
19 air pollution because you're getting a bigger dose out  
20 of your car.

21 We're also concerned that Number 13  
22 deferred trucks from non-attainment area control  
23 measure, we don't -- we favor this -- I mean, we don't  
24 favor this, but what we are concerned about is there's  
25 no control measure that's specific for dedicated truck

1 lanes. It would seem to make sense from not only a  
 2 congestion standpoint but also maybe an air pollution  
 3 reduction standpoint, if you put the big trucks  
 4 together, let them manage themselves in their lanes and  
 5 let other vehicles manage themselves in other lanes,  
 6 that you may get emission reductions. And we'd like to  
 7 encourage agencies to start thinking of doing that.  
 8 Because in other states, again, they have dedicated  
 9 truck lanes. And we don't seem to have that here.

10 We'd like under Number 19 to focus on  
 11 finding and penalizing extreme high emitters; and Number  
 12 139, enhance enforcement for smoking vehicles program.  
 13 There seems to be a little bit of a contradiction  
 14 between these two. Number 19 states questionable  
 15 regarding excess model reductions. And it talks about  
 16 having a 96 percent compliance; whereas Number 139  
 17 mentions that the -- essentially HGAC up in the Dallas  
 18 area estimates inspection maintenance compliance at  
 19 around 80 percent and not 96 percent. If that's  
 20 anywhere close to being true, that means there's a huge  
 21 number of vehicles in the Houston area that are out of  
 22 compliance with inspection maintenance limits. Even at  
 23 four percent we're talking a hundred thousand vehicles  
 24 if you assume two and a half million vehicles in the  
 25 Houston area. If you assume 80 percent and therefore,

1 we have a 20 percent that's not meeting inspection  
 2 maintenance requirements, then we're talking about  
 3 500,000 vehicles. And so we would like to see  
 4 definitely inspection maintenance tightened up and make  
 5 sure that we get a much better compliance rate.

6 We were also disappointed in Control  
 7 Measures 39 to 62. There's nothing about employer trip  
 8 reduction programs. At one time, those were mandated by  
 9 the Clean Air Act and then unfortunately Congress  
 10 because a lot of cities and counties and a lot of  
 11 companies raised a human cry and said, We don't want to  
 12 do that. And so Congress removed that as being a  
 13 requirement and said voluntarily, Well, this can be a  
 14 voluntary control measure. And it would make a lot of  
 15 sense since we said don't do it before and now we're in  
 16 the shape we're in, then maybe we should go ahead and  
 17 voluntarily start doing employee trip reduction programs  
 18 instead of going for reduction like we did in the past.  
 19 So we'd like to encourage that that be done.

20 We support Number 92 electrified bus  
 21 routes, Number 99 accelerate rail expansion, and Number  
 22 150 accelerate development in construction of mass  
 23 transit projects as providing people viable alternatives  
 24 to one-person-one-vehicle travel mode as well as  
 25 reducing air pollution.

1 We also support Number 124 which talks  
 2 about California low emitting vehicle program being  
 3 adopted. And we think that makes a whole lot of sense.

4 Under the non-road Number 5A and Number 5B  
 5 which talks about the Texas emission reduction program,  
 6 we're still concerned that publicly that information  
 7 about penetration into the different control measure  
 8 categories -- you know, we saw the pie charts where the  
 9 emissions are coming up from volatile organic compounds  
 10 and nitrogen oxide. We're still concerned that that  
 11 information is not really out there in the public. What  
 12 percent of the locomotives have had under TERP new  
 13 locomotives bought or new engines or whatever? That  
 14 basic information seems like ought to be in every one of  
 15 these presentations so that a person can know what we've  
 16 already done and what we still need to do, so that in  
 17 assessing control measures should we do more locomotive,  
 18 I can see what we've done as far as number of  
 19 locomotives also as amount of emissions and then decide  
 20 if I think further control measures are necessary for  
 21 locomotives, for instance. So we'd like to encourage  
 22 HGAC to put that information out there in the public and  
 23 make it really clear and plain.

24 We also support Number 37 under non-road  
 25 control measures for cargo handling equipment fleet

1 management; Number 45, development of a Port of Houston  
 2 Clean Air Action Plan to help minimize emissions from  
 3 ships, cargo handling equipment, on-road trucks and  
 4 port-related rail.

5 We've mentioned before we supported Number  
 6 124 which had to do with California low emitting vehicle  
 7 program. We're disappointed this didn't make the cut.  
 8 You know, for years and years, California has led the  
 9 nation and had much lower emissions standards than all  
 10 the other states. And it makes sense since we're having  
 11 such a problem in meeting the existing standard, not to  
 12 mention the new tighter standard that we do everything  
 13 we can. And California is a doable thing. It's being  
 14 done right now and has been done for years. And so we  
 15 would really hope that the state would volunteer to do  
 16 the California emissions standards.

17 So we appreciate this. We have a bunch  
 18 more to say, but we just wanted to mention some of the  
 19 high points. And I've given that to Shelly. And so I  
 20 appreciate this opportunity to speak. Thank you.

21 MS. WHITWORTH: Did anybody else want to  
 22 stand up and make a statement?

23 MR. LEHRMAN: My name is Russell Lehrman,  
 24 two Ss and two Ls, L-E-H-R-M-A-N. And I want to comment  
 25 on some of the measures that are on the sheets that were

1 passed out. Particularly Number 60, vehicle miles  
2 traveled and travel base taxes on how far the vehicles  
3 travel. I'm representing the Third Ward Coalition which  
4 is basically the near east end of downtown Houston, near  
5 the Oak Farms Dairy. We've had a lot of problems over  
6 there.

7 We have vehicles that aren't moving. We  
8 have 65 vehicles that are basically permanently running  
9 24 hours a day emitting diesel particulates and making  
10 our community sick. Since they're not moving, they  
11 wouldn't be considered as part of this. So this --  
12 maybe there should be some way that they would tax them  
13 if they're going to just stay there and keep emitting  
14 and emitting and emitting these particulates. There is  
15 another part of this which is Number 128, limitations on  
16 idling heavy duty vehicles. And it's suggested that  
17 they may require a city ordinance that will require  
18 additional power sources for local major events, local  
19 truck stops, et cetera.

20 I would think this would qualify under  
21 that; however, the city council or actually the city  
22 attorney has entered into an agreement with Oak Farms  
23 that they would do something about this and have an  
24 alternative way to go. And within a five-year period,  
25 they would install -- actually within the first 12

1 months I think -- install 24 electric plugs so that they  
2 could have this powered -- these 18-wheeler  
3 refrigeration units powered by electricity.

4 However, we're very disappointed by that  
5 because it's said that it would be at the -- at the  
6 dairy's discretion as they normally replace their  
7 equipment any time up to a five-year period. And most  
8 everyone on city council at the time that this was  
9 issued and certainly our mayor will be gone. So who is  
10 going to police it if it's not the citizens? That is a  
11 big problem.

12 Also, I've been doing a little bit of  
13 policing. And I've only noticed the year and a half  
14 that this has been in effect that they've plugged two  
15 trucks in out of the 24 of the 65. Actually the number  
16 of units have been increased. And we lobbied to try and  
17 get the city council not to close any more streets.  
18 Four of our streets have been closed. And they're --  
19 they have just recently -- two more have been fenced  
20 closed. And they're expanding what we call the parking  
21 lot where these trucks are running. And obviously there  
22 will be more trucks and there already are more trucks  
23 running. So particularly I want to comment on this one  
24 location and this one company, although I'm sure that  
25 there are other companies that are idling diesel trucks

1 and spewing out the particulates.

2 We've had people speak before the city  
3 council and before the mayor and privately we've had, of  
4 course, meetings where a number of our citizens have  
5 gone and spoke -- spoken to the city attorneys office.  
6 And unfortunately not nearly as much has been done. My  
7 friend who's here with me at the meeting today, her  
8 next-door neighbor died from the emissions. Her doctor  
9 told her she couldn't even go on her front porch. We  
10 purposely had a meeting on that front porch. And we've  
11 had some outsiders come. They got ill on the way home  
12 after only a 45-minute meeting there just from the  
13 emissions.

14 We have children that are on breathing  
15 machines over there. The grandfather testified. And  
16 one of those children was, I think 24 months; the other  
17 36. Another was nine years old at the time; another 11.  
18 On the younger children as on older people like  
19 Ms. Anderson's neighbor, these particulates are very  
20 dangerous. Their immune systems are not just built up  
21 yet. And the doctor for the -- that tended the younger  
22 children, when we had a lot of emissions one evening,  
23 they called and they had to make an appointment to go in  
24 and have sort of a breathing treatment. And the doctor  
25 said, You just can't do this any more. You can't wait.

1 It's too dangerous. You need to have a breathing  
2 machine at your location in your home because of the  
3 emissions that are so strong around this Oak Farms  
4 dairy. And that concludes my comment.

5 MS. WHITWORTH: Thank you. Does anyone  
6 else wish to make a statement? Okay. Well, then if you  
7 would like to help yourself to the refreshments in the  
8 back. And then you can make your way around each of the  
9 control strategies and provide written comments or you  
10 can, as I mentioned earlier, come up to the front and  
11 provide your name and who you represent and your  
12 comments for us. Thank you.

13 (Proceedings concluded.)

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1 Certified to by me on this \_\_\_\_\_ day of  
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