

**The Minutes of the
Air Improvement Resources Executive/Advisory Committee Meeting
Alamo Area Council of Governments
8626 Tesoro Drive, Suite 100, San Antonio, Texas
Wednesday, March 27, 2001, 9:00**

Executive Members Present

Mayor Patrick Heath, Chair, City of Boerne
Commissioner Jay Millikin, Vice-Chair Comal Co.
Walter Ague for Councilwoman Bonnie Conner
Gene Uptain, Greater Bexar CCC
Judge Marvin Quinney, Wilson Co.
Judge James Sagebiel, Guadalupe Co.

Advisory Members Present

Julie Klumpyan, Diamond Shamrock/Valero
Commissioner John Kight, Kendall Co.
Chris Treutler, USAA
Bill England, Neighborhood Asso.
Ken Bercaw, New Braunfels C of C
Mathew Warren, COSA , District Nine
Rebecca Gray, Am. Lung Asso.

Guests Present

Renee Green, Bexar Co.
Jeanne Geiger, MPO
David Bernal, MPO
Kate Williams, TNRCC
Susan Stuver, COSA
David Martinez, VIA
Jeremy Cooper, Amazing Grace Garage
John Bendele, TxDOT
Ken Zigrang, TxDOT
John Bryant, TxDOT
Scott Erickson, MPO

Staff Present

Al Notzon, AACOG Exec. Dir.
Dean Danos, Deputy Dir.
Peter Bella
Steven Smeltzer
Chris Langston
John Quebe
Dorothy Birch
Berti Vaughan

I. Roll Call

Roll call was conducted by Dean Danos. Subsequently, Mayor Heath called the meeting to order.

II. Citizens to be Heard

Mayor Heath asked if there were any citizens to be heard on any item of consequence or concern germane to the meeting. There were none.

III. Minutes

Mayor Heath asked the committee to review the minutes. Mr. Uptain moved to approve the minutes. Judge Sagebiel seconded the motion. The minutes were approved as submitted.

IV. Air Public Education Report

A. Air Quality Media Meetings

Dorothy Birch reported that several Air Quality Media Meetings had been held in March. These included the three major television networks; KMOL, HBC, KSAT. KENS TV was scheduled for March 27th (that same morning). She said she was still working on Express-News, Cox & Clear Channel Radio Stations, and Hispanic Television. She pointed out the

need to schedule meetings throughout April and that she would make individual calls to find out available times for interested committee members.

B. Ozone Season Kickoff Event Update

Ms. Birch reported that the Ozone Season Kick-Off Event was scheduled for Saturday April 6, 2002 from 8 in the morning through 3:00 in the afternoon at the CPS south side service center located on 509 Southwest Military Dr. She pointed to an outline she provided to the committee that outlined all the activities planned for the event. The events would be provided throughout the day with the only scheduled event being the presentation of awards and prizes for the students who wrote winning essays being the exception. The expanded activities were numerous and included remote sensing events, three classroom on wheels, mow down smog equipment turn in, an essay contest in cooperation with Tech Net on air Quality and Car Care, and free bike safety lessons.

C. Remote Sensing Events Update

Ms. Birch presented the committee with an outline containing specific information on each of the remote sensing events. She pointed out that the remote sensing events started on April 6th from 8 a.m. through 3 p.m. with the Ozone Season Kick-Off and continued on through Thursday, April 11th at different locations. The different locations and specific scheduling information was reported as follows: Sunday April 7 from 12 p.m. through 5 p.m. at the TXDOT Park and Pool Lot on IH35 and Old Austin Rd; On Monday April 8th from 7a.m.- 6 p.m. at Armstrong Automotive located at 101 West Oak Rd; On Tuesday, April 9th from 7:30-6:00 p.m. at Grissom Auto Repair on 8825 Fredericksburg Rd.; On Wednesday, April 10th from 7 to 6 p.m. at New Braunfels Chamber of Commerce at the Civic Center; and on Thursday on April 11 from 7:30 a.m. – 6 p.m. at Grissom Road Automotive on 7180 Grissom Rd. Mayor Heath asked Ms. Birch to give them the name of the underwriters for the events. Ms. Birch replied that donations were made by AACOG, USAA, HEB, The New Braunfels Chamber of Commerce and Grissom Automotive.

D. Recent and Upcoming Events

Ms. Birch reported that she and Isabel Chacon had participated in the successful launching of the Texas Clean Air Campaign on March 25th in Austin. She explained that the statewide campaign entitled “Drive Clean Across Texas” will provide banners and incentive items for the Ozone Season Kickoff. In addition the Drive Clean Across Texas campaign which will be given extensive media coverage on local television, radio ads as well as billboards all over the state will provide cross-promotion opportunities to increase frequency of message and branding locally. They will tag their messages with AACOG as the local contact and AACOG will tag our messages where appropriate with the Drive Clean Across Texas slogan. She pointed out that AACOG was the designated representative on the Drive Clean Across Texas Speaker’s Bureau, which should give the agency increased opportunities to get our message out to the public.

Ms. Birch also reported that AACOG was would be participating in the Earth Day activities at Woodlawn Lake on April 20th.

V. Ozone and Particulate Matter Report

Mr. Bella reported that the most recently recorded particulate matter (PM) readings remain well below the two applicable PM standards. However, he warned that a 78 part per billion (ppb) ozone reading was recorded at Calaveras Lake Monitor on February 14, 2002. He said that might be nature’s introduction to a high ozone season, which begins April 2002. Mr. Treutler asked Mr. Bella if he knew what direction the wind was blowing in relation physically to the power plant and the monitor. Mr. Bella replied no, that it was difficult for staff to match the ozone precursor sources to the occurrence without using the photochemical model. Ms. Greene said that a wind reversal was a typical cause of special incidents like this one.

VI. Development of the 8-hour ozone NAAQS Implementation Policy
A) EPA Public Meeting, Alexandria, VA. March 5, 2002

Mr. Bella explained that he, Renee Green, and Susan Stuver attended the public meeting in Virginia. Mr. Bella disseminated information that EPA presented using a slide presentation and hand out materials. The materials related the options being considering for the 8-hour ozone implementation policy. Mayor Heath explained that TNRCC was putting together a draft policy, the Early Action Compact, that would be proposed by TNRCC to EPA as part of the new eight hour standard policy development.

Mr. Bella discussed several subparts of the Clean Air Act, which relate to non-attainment designations and classifications. Subpart 1 allows flexibility to create policy, while subpart 2 provides little room for flexibility in policy. Ms. Green identified the EPA's intention to revoke the one-hour standard and to morph the one-hour non-attainment area policy into eight-hour policy provisions. During the meeting in Virginia, she pointed out to the EPA presenters that they were not giving adequate consideration to the cities that might become new non-attainment areas (e.g., San Antonio) under the new eight hour. She said they were spending too much time developing policy relevant to allow Dallas and Houston to transition into the eight hour standard.

Peter reminded everyone that the options presented by the EPA for the 8-hour implementation policy were not finalized yet. Mayor Heath pointed out that the EPA was trying to fit the new regulations within the existing Clean Air Act. Mayor Heath remarked that the two subparts were awkward and caused the EPA to pay more attention to treating the one-hour areas than the eight-hour areas. One hour non-attainment transitions are not of great concern to San Antonio, as we have not been in one hour non-attainment. Ms. Greene explained that none of the options they offered fit our attainment situation. Ms. Stuver remarked that the EPA was more than willing for us to come up with our own options. Mr. Bella went over several options presented by the EPA. He provided an overview of what the EPA was trying to do, their goals, and their schedule for adapting the goals. He felt that they were looking at trying to work with us to give us what we want.

Ms. Greene told the committee that she had an opportunity to speak to Chairman Huston during which she expressed her discouragement following the EPA public meeting. Chairman Huston remarked that the negativity that she had perceived on the part of EPA to early implementation policy was not the reality. He said that EPA was working with TNRCC on the Early Action Compact.

Mayor Heath asked Mr. Bella what the technical staff recommended as a response from the AIR Committee to EPA regarding these options. He also asked what the next steps would be. Mr. Bella responded that the AIR Technical Committee had provided answers to the questions within the following agenda item.

VII. TNRCC Early Action Compact

Mr. Bella reminded the committee that during the last meeting they had discussed the idea that the EPA and TNRCC were developing fresh guidance for an eight-hour policy. Mr. Bella presented the new draft guidelines, the Early Action Compact, in a slide presentation.

Mr. Bella gave a quick recap of several meetings. On March 5, staff met with EPA in public meeting, on March 18th the technical committee heard the report and began discussion on

draft language in support of flexibility for air quality planning and the eight hour NAAQS. It wasn't until March 20th that the EAC draft was released by TNRCC. Therefore, the technical committee has not met to review the EAC draft and provide recommendations on it to the committee. On March 22nd during the Texas Clean Air Working Group meeting TNRCC Chairman Huston introduced the protocol and said that he anticipated approval on the protocol in three to five weeks. He called for statements of interest written from city and county governments who might use that protocol in their early implementation planning for eight-hour standards.

Mr. Bella provided the committee with draft comments being circulated among the AIR Tech Committee membership regarding the options provided by the EPA during their public meeting. The AIR Technical Committee has not yet reviewed these comments during a regularly scheduled meeting. In addition he provided a draft letter of interest for the EAC as recommended by Chairman Houston designed to show the EPA our initial support for the EAC.

Ms. Greene explained that Chairman Huston had made a presentation during the Texas Clean Air Working Group on March 22 on the Early Action Compact. At that time, he had just been given information that approval from the EPA of the EAC would occur within three to five weeks. During his presentation, he listed the next steps; step one, the EPA approval of the EAC, step two, statements of interest from local governments and step three, was the drafting and execution of the EAC. He mentioned to her at the time that he wanted to see step one and two occur simultaneously and asked if she could obtain the statement of interests from the city and county.

Walter Ague asked for clarification on the letter of interest requested from the local governments. Mayor Heath explained it this way: The AIR Committee had been working for three years to develop an acceptable plan for cleaning our air which will be signed off by our local governments, the state agency and the EPA. Throughout the development of the plan the committee has had to adapt from time to time to changing rules or directions both from the state and federal levels, but primarily from the federal levels. Now, there is a breakthrough which could really be helpful to the committee and that is TNRCC has taken up this region's cause based on some of the work San Antonio and Austin have done. TNRCC has put together the draft Early Action Compact protocol. If EPA approves the protocol as is thought it will in the next few weeks, that's going to help this region achieve the kind of flexibility that Bexar County, The City of San Antonio, and all other participating counties have always pushed for. That is, to give the committee the flexibility from the federal government to clean up our air quicker than they want us to if they give us the flexibility in the way we do it. Mayor Heath continued, "Today what TNRCC is asking from this committee, and in the next few weeks from our member governments, is a letter saying we like the idea of TNRCC taking this up on our behalf. We think, on the basis of review by our committee and our technical staff, that this template/protocol is going to help us therefore we are expressing our interest in it."

Mayor Heath reminded the committee that the signatory member governments were being asked to consider the template letter provided. The letter would be signed by member governments and made available to TNRCC when they announced that the EPA has approved the Early Action Compact. Judge Quinney commented that it was his understanding that the letter bound them to nothing and that it demonstrates the interest that we all have in trying to create a plan that everyone can live with. Mayor Heath affirmed that the letter was not binding and pointed out two key sentences in the draft letter for their

consideration. In one, the AIR Committee simply “express their interest” in the draft EAC protocol. The other states that the “AIR Committee is prepared to review this protocol for possible adoption by the member governments”.

Commissioner Millikin asked why it was necessary to get the endorsement from other member governments since the AIR Committee Chairman and Vice Chairman were signing the letter. Mayor Heath replied that the Chairman asked for the signature of each member government.

Mayor Heath asked for a motion for the draft letter of interest in the Early Action Compact protocol to be sent to TNRCC on behalf of the AIR Committee. Judge Sagebiel made the motion. Mr. Uptain seconded the motion. Mayor Heath asked for further discussion and suggested if the committee did vote to send the letter to TNRCC that immediately after it is reviewed for minor changes, he suggested that it be made available to each member government and that staff be made available for presentations.

VIII. Other Issues

With time running out Mayor Heath asked if the remaining issues could be addressed at a later date. Chris Langston said the Off-Road Status Report could be addressed at a later date.

Peter asked the committee for an alternate meeting date for the June meeting because of the agency’s semi-annual meeting. Mayor Heath suggested that staff poll the members through phone calls or e-mail with proposed changed dates.

Peter made a short presentation on the Cities for Climate Protection and made written materials available. On April 2nd, a review would be held at AACOG of the software as related to Senate Bill Five.

XV. Adjournment

With no further business to conduct, Mayor Heath adjourned the meeting.