

**The Minutes of the
Air Improvement Resources Executive/Advisory Committee Meeting
Alamo Area Council of Governments
8700 Tesoro Drive, Suite 100, San Antonio, Texas
Wednesday, February 23, 2005, 9:00 a.m.**

Executive Committee Members

Chairman Jay Millikin, Comal Co. Commissioner
Vice Chairman Nelson Wolff, Judge Bexar Co.
Mayor Patrick Heath, City of Boerne
Mayor Pete Fleischhacker, Greater Bexar CCC
Judge Donald Schraub, Guadalupe County
Councilman Chip Haass, City of San Antonio
Mayor Adam Cork, City of New Braunfels
Judge Marvin Quinney, Wilson County

Advisory Committee Members

Stanley A. Dabney II, Alamo Cement Co.
Forrest Mims, Guadalupe Co.
Bill Bushman, AFCEE
Dan Titerle, SAWS
Mike Riley, City of Seguin
Pete Donahoe, Holt Co.

Technical Committee Members

Renee Green, Bexar County, Chair
Ken Zigrang, TxDOT
Sid Martinez, SA-BC MPO

Guests

Terri Landan
Bryan Kirk, Seguin Gazette-Enterprise
Pamela Bransford, COSA Enviro. Services
Tom Spaits, Capitol Cement

AACOG Staff

Al Notzon, Executive Director
Dean Danos, Deputy Director
Peter Bella, Director Natural Resources
Steve Smeltzer, Environmental Manager
Berti Vaughan, Administrative Assistant
Brenda Williams, Environmental Modeler
Isabel Chacon, Natural Resources Specialist

I. Roll Call Commissioner Millikin called the meeting to order. He asked that the roll be called. Dean Danos called the roll and declared a quorum.

II. Approval of Minutes Chairman Millikin asked the Committee for consideration of the December 23rd, 2005 minutes. Mayor Heath made the motion to approve the minutes. Mayor Cork seconded the motion. The motion carried. The minutes were approved.

III. Citizens to be Heard Forrest Mims signed up to speak later in the agenda. (During Agenda Item #Six)

IV. Particulate Matter Report Peter Bella presented slides regarding existing PM10 and PM2.5 standards, including the two averaging periods for each standard. He referred the committee to the particulate matter report handout from which he referenced tables listing locally monitored PM TEOMs concentrations. He concluded the report by saying that the locally monitored TEOMs concentrations remain well below the federal PM standards.

V. Report from the AIR Technical Committee

a. CAMS 23 Subcommittee report

- i. Action Item:** Receive the recommendations from the AIR Technical Committee regarding the findings of the CAMS 23 Subcommittee & take appropriate action

Renee Green, Chair of the AIR Technical Committee reported that the CAMS 23 subcommittee chaired by Tom Hornseth, County Engineer for Comal County, had met in response to a request made by the AIR Executive Committee asking the Technical Committee to determine if any new evidence existed that would question the validity of the CAMS 23 data. The AIR Executive Committee asked that the AIR Technical Committee take a look at the item before moving forward to send another letter to EPA or TCEQ. The question had been posed by Forrest Mims during an AIR Executive meeting. Mrs. Green said that the CAMS 23 subcommittee met with the TCEQ representatives on February 4th in New Braunfels and at the conclusion of the meeting, the subcommittee members unanimously approved the following two motions:

- 1) Report to the AIR Technical Committee that they had not found any new significant evidence that would question validity of the existing CAMS 23 data.
- 2) Dissolve the CAMS 23 subcommittee.

The AIR Technical Committee reviewed the information during the meeting of February 14th and determined that the subcommittee's findings be upheld and voted unanimously not to recommend that another letter be sent to EPA or TCEQ.

Commissioner Millikin asked if the CAMS 23 subcommittee vote was unanimous. Ms. Green replied yes.

Forrest Mims commented that the Technical Committee had found that there were no findings significant or new enough for this committee or TCEQ to change their minds about those data. However he had received assurance from the EPA that they are recommending a change in the ozone tolerance standard from the existing plus or minus 20% to plus or minus 7%. He said that was a major breakthrough in which the CAMS 23 issue played a major role. Secondly, there's a remaining question about the use of defective data in developing the models. He asked that Mr. Bella look at that with the TCEQ colleagues and the EPA. Mr. Mims said that in the past EPA has allowed people to use knowingly deficient data that met regulatory guidelines. They use that data to try to validate models. He said that he'd found where models have been shown to be wrong when in fact it was the instrument that was wrong. We also learned that TCEQ had informed AACOG of the error in 2002. Peter has agreed to tell us in the future if TCEQ informs him or someone at AACOG about errors. He continued that the AIR Technical Committee informally agreed to review the CAMS audits. He addressed Mayor Cork and said that the audit for CAMS 23 for the year 2002 using the deficient method showed an error of 13.6%. He made the comment that TCEQ does their best and are probably the best state environmental monitoring organization in the country. Mr. Mims said he queried them about reporting monitoring evaluations and their response is that they don't have the proper paper work or the proper web forms to do that but they are aware with his concerns and so he will be following up with them individually.

Chairman Millikin thanked everyone for their work on the subcommittee.

Peter Bella responded to Mr. Mims' comments. He said that it was in 2002 that there were questions on CAMS 23 and staff began a series of correspondence to Steve Spaw from TCEQ. Mr. Notzon followed up with a letter to Commissioner Huston who was Chairman of TCEQ at that time. Those letters were published then and remain on the AACOG internet website. He also pointed that in October of 2002 staff had contacted Dr. David Sullivan and Bryan Lambeth from TCEQ to make a presentation

to the committee on what they had found. That presentation has been distributed by and is available from AACOG.

Chairman Millikin asked what action would be appropriate to take on their findings. Mayor Cork moved that they accept the report and thank the committee for their work. Mayor Fleishhacker seconded the motion. The motion to accept the report and thank the committee for their work unanimously passed.

b. California Low Emission Vehicle II Standards

i. Action Item: Consideration and Possible Approval of Proposal to draft letter to TCEQ regarding CAL LEV II by the AIR Technical Committee

Steven Smeltzer presented on the CAL LEV II program. The presentation gave a historical background on the program and compared LEV II to the Tier 2 program. The report concluded that LEVII focuses on the reduction of VOC, and San Antonio is VOC sensitive. As a result of the report it was recommended that staff draft a letter to TCEQ to revisit the CAL LEV II program to see if it is more applicable now as compared to 1999.

Mr. Bella pointed to the section on the handout with the following statement of support. "The AIR Technical Committee recommends that a letter from the AIR Executive Committee be sent to the TCEQ requesting that the state identify any further emissions benefit analysis performed regarding the California LEV II rule and identify any further considerations made by the state to promote cleaner vehicles by rule."

Renee Green said that, having been involved in some of the discussions in 1999 when TCEQ looked at the CAL LEV II program vs. the Federal Tier II program, one of the deciding issues was that the 10% mandate for the zero emission was pretty much unachievable because the vehicles weren't available. Now that has changed so dramatically that a fresh look at possibly adopting the CAL LEV II program is timely since it does result in greater emission reductions at very little incremental increase in cost to the consumer per vehicle. She pointed that there was possibly a movement out of Dallas and Houston to look at this option. She reminded everyone that this program if adopted would have to be a state mandate.

Mr. Bella presented a historical perspective on the CAL LEV II program's consideration by the AIR Committee in the year 2000. The report included a resolution endorsing CAL LEV that was passed, signed by the then AIR Executive Committee Chairman Patrick Heath and Vice Chair Howard Peak and delivered to the Senate Natural Resources Committee. The resolution supported favorably the implementation of CAL LEV II.

Mayor Patrick Heath moved approval of the recommendation made by the AIR Technical Committee and that staff be authorized to draft a letter to be sent to the Texas Commission on Environmental Quality requesting that they pursue two items that are listed in their report to us. Judge Nelson Wolff seconded the motion.

During discussion, Judge Wolff suggested that stronger language was needed in support of the California LEV II program. He suggested that pursuing a clearer and stronger language was timely because the legislature was in session and they could turn up the lobbying effort. Councilman Haass agreed and asked how soon he could

expect to have a letter in place so he could make an attempt to include it in San Antonio's Legislative Initiatives Package. They were meeting the following day. Mr. Bella replied by the end of the day. It was agreed that a Mr. Bella draft a letter by the end of the same day with the authorization/approval of the letter be left up to Chairman Millikin and Vice Chairman Wolff.

Judge Wolff asked whether movement in this direction by us or the state helps us avoid the issue of vehicle emissions testing. Renee Green said she believed that was the case. She explained that as you implement this kind of program and time goes on the emission reduction benefit from any type of vehicle emission testing reduces significantly while the Cal Lev would increase reductions. Mr. Bella agreed and said that as the years go by there would be fewer tail pipe tested pre 1996 vehicles on the road.

Chairman Millikin called for the vote. The motion passed unanimously.

c. 2002 Emission Inventory of Quarries

Steven Smeltzer presented a power point presentation on the results of an emissions inventory of quarries found in Bexar, Comal, Guadalupe and Wilson. He reported there were 43 quarries in the 4 county Early Action Compact region however, they surveyed the seven largest only. He explained that quarries emit VOC, NOx, CO, & PM emissions and that there are three types of emission from quarry operations: point sources, non-road equipment, and emissions from processes. His presentation included graphs indicating a percentage of existing emissions from each source. The presentation included potential control strategies for emission reductions on cement kilns. Mr. Smeltzer explained that each individual kiln was different. A control strategy that works for one kiln might not be as effective for another kiln.

Mr. Dabney with Alamo Cement commended Mr. Smeltzer on his presentation, remarking that people often assume that each kiln runs similarly and can benefit equally from the same reduction strategy, which is not necessarily true. He brought up tire burning which everybody looks at as an alternative that can be used to reduce waste; in some kilns it is beneficial. Other kilns, however may have a BTU requirement that cannot be satisfied. As another example, with natural gas some processes do not get NOx reductions however if you mix fuels you may get significant change. Mr. Dabney explained that the biosolid injection process does not use straight sewage but rather the ammonia constituent. Alamo Cement was using ammonia injection and other strategies, such as water injection, to try to reduce NOx.

Mr. Smeltzer concluded that the next steps were to work with local cement companies to determine what control strategies are already being implemented and work with local cement companies through the Alamo Clean Air Partners Program to review potential control strategies.

Chairman Millikin thanked Mr. Smeltzer for his thorough report. He asked Mr. Dabney if his company's initiatives were industry driven or internal. Mr. Dabney replied that it was internal and sitting on the committee was a motivation. Judge Wolff asked if the information was going to be presented to the cement industry at some point. The answer was affirmative.

VI. Clean Air Plan Update

Forrest Mims asked to speak as a citizen to be heard. He presented a power point presentation about what he described as the worst ozone condition ever (September 2002) as a result of fires. He showed a MODIS satellite fire map showing fires in Arkansas, Louisiana, and East Texas. The fires from Louisiana and Arkansas are caused by sugar cane burning. He pointed to what the pollution looked like over Seguin. He commented that all the efforts to reduce ozone was dwarfed by the smoke. He was concerned that staff was worrying over controlling one tenth of a ppb of ozone reduction that will occur by certain strategies instead of concern over about the 40 ppb caused by smoke.

a. First review: draft 2004 Conceptual Model

Peter Bella presented the draft report document for their review. The document required their approval at the end of April.

Initial notification: Ozone Transport study released by HARC

Peter Bella pointed to the Houston Advanced Research Center report prepared by Environ. The AIR Technical committee would review the document and report back to the committee.

VII. AACOG Staff Updates

a. Update: Clean Air Partners Program

Brenda Williams reported that tasks had been completed on the emissions calculator a web based tool that allows businesses identify activities they are engaged in that contribute to air pollution and also helps to identify measures they can take to reduce those emissions. She said staff had also developed a tool kit that gives them step by step instructions on how to become a partner. In addition hard copies are available for one on one types of presentations that will be available on our websites. She reported that several presentations had been made and are ongoing and that they were stepping up their marketing campaign. She invited those representing a business or government to contact her if they were interested in showcasing their efforts to reduce air pollution in our region.

Chairman Millikin said it was a superb idea and asked that committee members approach their chamber of commerce's in the region to become involved in the effort.

Alison Young reported on marketing and air quality outreach efforts being made throughout the region. She reminded everyone that the Air Quality Health Fair was scheduled for April 9th, 2005 and discussed the participants, scheduled events, and marketing for the event. The Fair was being held at San Pedro Park from 10 to 2. She informed the committee that the Health Alert Flags had been ordered and would be available before the start of the Ozone Season.

VIII. Other Issues

Mr. Notzon commented that from his standpoint, 2005 is a critical year. He said it would be the first year that will be counted as part of a three year average so it was important that all of AACOG's partners were doing all they can to help change behavior patterns like commute solutions where people actually ride together all the time and, just as important, ride together on Air Quality Health Alert days. He said the goal of the agency is to make sure that people do ride when there is an a Air Quality Health Alert; potentially leave their car at work and ride with someone else home so that the next day they actually will not have to bring a car to work. He recommended

that everybody do their part to help reduce ozone this year. He informed everyone that he had taken delivery of a hybrid Ford Escape in time for ozone season and invited them to see it.

Mr. Notzon asked the Chair whether they could ask the Technical committee to look into possibly sending a letter to EPA and TCEQ to pursue the issue of burning in other states.

Chairman Millikin responded that he would so move if he could and when he had the chance.

Ms. Green gave a legislative report on Texas Emissions Reduction Program. She explained that TERP is the TCEQ grant program for diesel retrofit and is scheduled to terminate in 2008. Both Dallas and Houston have expressed a need to extend the program to 2010 for their particular state implementation plans. Ms. Green reported that San Antonio initially was somewhat opposed to that because in 2008 the funding from the rental of equipment goes away and the only thing that survives is the title fee that you pay on a new vehicle; that revenue was promised to go to the Texas Mobility Fund (TMF) for use throughout the state on highway improvements. She said that some of us were not happy over the request to move the title fee money away from the TMF. Knowing that there was a problem, the Senate Natural Resources Committee reported to the Texas Clean Air Working Group that their recommendations were going to be that TERP continue until 2010; however, those title registration fees that were slated to go to the Texas Mobility Fund would not be used for that extension. Those fees would go to the Texas Mobility Fund and the fees that were to go away, such as the surcharge for rental of equipment, would remain to fund TERP beyond that. We would also be eligible to participate in using those TERP funds. She said she had not seen the bill as yet. The bill was supposed to come from Harris out of the Senate and from Bonnen out of the House.

Mr. Notzon thanked Judge Wolff and county staff for the support during an occasion to meet with legislators in Austin on several issues one of which was air quality. The event was scheduled the following Monday, February 28th.

Chairman Millikin asked Councilman Haass to keep the city council informed on the committee's efforts related to air quality. Councilman Haass committed to make certain that the committee was supported by the city in their efforts.

IX. Adjourn

Having no further business to discuss Chairman Millikin adjourned the meeting.