

**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, May 28, 2003, 9:00 a.m.**

Executive Members

Com. Jay Millikin, Chairman, Comal Co
Judge Nelson Wolff, Co-Chair, Bexar Co.
Mayor Patrick Heath, City of Boerne
Gene Uptain, Greater Bexar CCC
Judge Marvin Quinney, Wilson County
Councilman, Ernest Hernandez, City of Seguin
Mayor Raymond Ramirez, City of Floresville
Walter Ague for Councilwoman Bonnie Conner,
MPO Vice Chair

Air Tech Members

Renee Green, Bexar County
Cyndi Levesque, CPS
Stanley A. Dabney, Alamo Cement
Charissa E. Barnes, TSIA

Guests

Edmund Ortiz, Primetime News
Chris Anderson, Express-News
Mike Magee, TCEQ
Ben Kindt, TEES
Susan Stuver, TEES
Theresa Haan, USAF
Dub Smothers, New Hope Mountain
Arthur Brown, St. Phillips College
➤ LeeAnne Lutz, COSA (AIR Tech Committee)
➤ Julie Brown, TxDOT (AIR Advisory Committee)
➤ Aleisha Knochenhauer, Martin Marietta (AIR Advisory Committee)
➤ Forrest Mims, Guadalupe Co. (AIR Advisory Committee)
➤ Dan Titerle, SAWS (AIR Advisory Committee)
➤ Charissa E. Barnes, TSIA (AIR Advisory Committee)

➤ These persons were formally accepted as AIR Committee members during this meeting

Advisory Members

Com. John Kight, Kendall Co.
Mike Riley, City of Seguin
Kevin Fareri USAA
John Kelley, TxDOT
Julie Klumpyan, Valero
Rebecca Gray, American Lung Asso.
Pete Donahoe, Holt Co.
Ken Bercaw, New Braunfels
Chamber of Commerce
Reagan Wagner for Susan Ghertner

Citizens to be Heard

Dorothy Butler
Charles Ruppert, Mayor, Cibolo

AACOG Staff

Al Notzon, Exec. Dir.
Dean Danos, Deputy Dir.
Peter Bella
Dorothy Birch
Steven Smeltzer
Isabel Chacon
Berti Vaughan

I. Roll Call

Chairman Millikin called the meeting to order and 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 April 23rd minutes. Chairman Millikin pointed to an error in Dorothy Birch's name and asked that it be amended to read "Birch" instead of "Birth". Mayor Heath motioned for approval of the minutes. Councilman Hernandez seconded the motion. Chairman Millikin asked if there was any discussion. There was none. Chairman Millikin called for the vote and the minutes were approved with that minor change.

III. Citizens to be Heard

Chairman Millikin said there were three citizens signed up to speak. He called upon the first speaker Forrest Mims to address the committee. Mr. Mims relinquished his allocated time to Dorothy Butler. Ms. Butler read a prepared statement as submitted. (Attached at the end of these minutes.)

Chairman Millikin called upon Mayor Charles Ruppert who had signed up to speak, to address the committee. Mayor Ruppert read a prepared statement as submitted. (Attached at the end of these minutes.)

IV. Ozone and Particulate Matter Report

Commissioner Millikin noted that the ozone season was young and there had already been three air quality health alert days with two exceedences thus far. Using a data report he provided to the committee, Peter Bella confirmed Chairman Millikin's observations. Mr. Bella reported that the Camp Bullis (C58) TCEQ monitor showed the three highest values of ozone concentrations as of May 27, 2003. In addition Mr. Bella pointed to the Fair Oaks Ranch monitor maintained by AACOG showing the three highest values of ozone concentrations. Commissioner John Kight expressed concern over the Fair Oaks Ranch high values. He asked Mr. Bella if there was an explanation on the high spiking of the episode. Mr. Bella remarked that the location was downwind from the urban core of San Antonio. Ms. Green also explained that the spike in the readings was based on an eight hour standard. Chairman Millikin reminded the committee that the first four monitors and their readings on the hand out were used in consideration of non attainment designation. The six San Antonio monitors were not. This included the Fair Oaks monitor.

Mr. Bella explained both tables on the Particular Matter Report. One reflected particulate matter of 10 microns or less (PM 10 at CAMS 301 in Selma). The other table reflected the Fine Particulate Matter of 2.5 microns or less. Each table showed data on the 24 hr. and annual average periods well below the three year averages standards of 155 $\mu\text{g}/\text{m}^3$ at the threshold highest for the 24 hr and 51 $\mu\text{g}/\text{m}^3$ for the annual averages. Mr. Bella pointed out the highest 24 hour average at CAMS 59 (Calaveras Lake) given during the months in 2003. The data showed the severity of the smoke episode in particulate matter with a large contrast in the highest 24 hr averages between January, and May. The monthly readings went from a 16.93 in March to 52 during the month of May which was uncharacteristic and was associated with the smoke episode period. Mr. Bella also noted that on the daily maximum eight hour ozone averages that period of time was during the first two weeks of the month and if compared to the particulate matter averages there was not a correlation between high ozone values and high smoke values. According to the ozone report during the first two weeks of the month there was very moderate ozone eight hour averages. Mr. Bella referred to the final page of the report which gave the committee a final glimpse of the values recorded for the smoke episode through a graph. Mayor Heath asked Mr. Bella if

according to the data on the reports there was no positive correlation between the high particulate matter readings and the high ozone readings. Mr. Bella replied yes.

V. AIR Public Education Committee Report

Dorothy Birch presented an air public education overview to the committee. She gave an air quality health alert update indicating the three health alert days. She reported that the current list status had increased to 321 fax recipients (10 new) and 348 (37 new) e-mail recipients since the April board meeting. She attributed the increase of interest to the smoke episode which could be seen by the community. She remarked that the use of Air Quality Health Alert instead of Ozone Action Day was a positive decision because it could be used to track particulate matter as well. This enabled her to send out media alerts to inform the public about the smoke episodes while using the air quality index.

Ms. Birch reported on recent outreach events. They included participation in: several Hike and Bike events, SAWS watershed festival, the San Antonio Manufacturers Association Trade Show, Solar Fest, and the KZEP community affairs program. She was continuing with presentations to neighborhood associations and participated in the South Texas Asthma coalition meeting. Next Ms. Birch reported on the following upcoming events: she planned to continue with follow up presentations for neighborhood associations, was offering summer camp lessons for kids at summer camps, was hosting a TCEQ sponsored small business and local government assistance open burning workshop at AACOG the following day and would be out at the neighborhood resource center annual neighborhood conference Saturday June 7th at Kelly Air Force Base.

V.a Frequently Asked Questions

Ms. Birch continued her presentation with an update on the web site and "Most Frequently Asked Questions" segment. She explained that AACOG.com/air web site had been on line since August of 2002 and that it was a constant work in progress having been updated on a weekly basis. The web site also consisted of the most relevant news articles, meeting schedules, meetings, and meeting agendas. In addition Ms. Birch reported that the web site made available the basics on ozone formation, current regional air quality reports and the clean air plan for viewing all written as much as possible in plain English language. She remarked that in the future she would like to place additional material in the site including "the Plain English Guide to the Clean Air Plan" and "Some Frequently Asked Questions". The questions most frequently asked were: "How are the ozone pollution standards set and why? Why are we held accountable for pollution that comes from other areas and more recently how have the recent Mexican smoke events affected our status? Why are Comal, Guadalupe, and Wilson Counties a part of this? Where are the ozone monitors and how are they run? How many clean air strategies are being considered? How do Clean Air Strategies qualify for consideration? How is public input considered? and How are final decisions being made?. Ms. Birch explained that the questions mentioned were some of the ones that were being asked at the Public Meetings and that attempts were being made to answer the questions and make them available on the web site as well.

Ms. Birch reported on the May 20th public meeting in Floresville. She said the meeting started as scheduled from 7 to 8:30 p.m. in Floresville. She reported that there were 25 individuals present. Sixteen citizens signed up to speak with several persons donated their time to others. Eight citizens gave spoken comments. Transcripts were provided to elected officials. Other transcripts would be provided upon request. Walter Ague asked if AACOG was still receiving support from the Express-News? Ms Birch replied yes. The Express-News had been putting their air quality health alert on the front of their metro section and

they are the only media outlet in town doing the air quality index on a daily basis. She also mentioned the excellent coverage and articles written by Chris Anderson the Express-News Reporter.

Chairman Millikin mentioned notifying WOAI to get some weather forecasting and using the number Ms. Birch had provided during the last meeting and that he received immediate notification that it was an air quality health alert day. He applauded her efforts. Councilman Hernandez asked Ms. Birch if she had had a chance to further her efforts of outreach to the inner city population in San Antonio about air quality problems. Ms. Birch responded that the public education committee was half way through the pay media plan which includes the Hispanic media and that she was looking forward to working with the new council representatives to get the word out to their communities.

Chairman Millikin reaffirmed Councilman Hernandez outreach concerns and the need for everyone in the City to know about what the Early Action Compact means in their lives. Chairman Millikin mentioned that during the smoke episodes in New Braunfels they received several phone calls to find out whether school was going to be opened or not. He pointed out that it was not an air quality health alert day but the smoke was visible. He remarked that what isn't visible are ozone exceedences and those air quality health alert days often times did not receive people's attention. "Consequently what is often seen registers a lot more strongly than those things you don't see." Ms. Birch concurred and said that until there was a state program so that smoke alerts could be issued as well, she would continue to issue media alerts using the air quality index as a tool.

Chairman Millikin thanked the City of Floresville and County Judge Quinney for hosting the public meeting.

VI. Citizen Comments: Fifth Public Meeting on the Clean Air Plan, May 20

Mr. Bella reiterated the report that Ms. Birch had given on the public meeting including the availability of the minutes. He added that during the meetings it continued to be difficult to obtain constructive criticism on the clean air strategies. He explained that the meetings were designed in part for educational purposes and in part to garner feedback on the clean air strategy set under consideration. He pointed to what was now a history of public meetings where the clean air strategies were not the focal point. He commented that staff would continue to make every effort to make the strategies and their consideration the focal point of the public meeting efforts to obtain citizen input to the constructive building of the clean air plan. Chairman Millikin added that during the five public meetings held there had not been any feedback on adding control strategies.

VII. Air Improvement Resource Committee Nominations

a. Confirmation of existing members under the new Bylaws:

Dean Danos read the roster of existing members on the Air Advisory Committee that had responded to whether they wanted to remain active on the committee or not. The list was read as follows:

Julie Klumpyan, Valero	YES
Susan Ghertner, HEB	YES
Commissioner John Kight, Kendall County	YES
Kevin Fareri, USAA	YES
Bill England, Harmony Hills Neighborhood Association	No Response Yet
Rebecca Gray, American Lung Association	YES
Mike Harris, San Antonio Manufacturers Association	YES

John Kelley **YES**

Mr. Kelley introduced Julie Brown as TxDOT's primary representative to the advisory committee and himself (Mr. Kelley) as the alternate to the committee. Mr. Kelley commented that it was very important that TxDOT had available representation to the committee and that he and Ms. Brown would alternate attending the meetings. Chairman Millikin thanked Mr. Kelley and welcomed Ms. Brown to the committee.

David Frost from VIA would be submitting a new representative, **YES**

Mark Brown from Zachary would be submitting another recommendation, **YES**

Pete Donahoe, Holt Company **YES**

Dean Word, Word Construction Company **YES**

Commissioner Adkisson, Neighborhood Association would remain.

David Splitek , Lackland ISD **NO**

would not remain active and recommended John Folks from NISD,

Ken Bercaw, New Braunfels Chamber of Commerce **YES**

Councilman Enrique Barrera, COSA **NO**

requested to be removed from membership but wanted to continue receiving minutes and agenda.

Councilman Schubert, COSA **No response yet**

Mike Riley, City of Seguin **YES**

Charissa Barnes remarked that her name had not been included in the roll call and wondered about the discrepancy. Mike Riley said that mention about membership had been made during the last meeting which alluded to their membership which had not been included in the minutes. Chairman Millikin pointed to the huge effort that went into providing complete and accurate minutes. He did not know of any other committee who went to that extent. Mr. Danos explained that Ms. Barnes was previously on the Air Tech Committee and was an ex-officio member to the Air Tech Committee. Ms. Barnes reminded Chairman Millikin that the Texas State Inspections Association submitted a formal letter requesting that she be designated to serve on the Air Advisory Committee. Mr. Danos replied that AACOG was not in receipt of that letter. Chairman Millikin said he had failed to give the letter to Mr. Bella and apologized to Ms. Barnes. Ms. Barnes said she would be happy to provide another. Ms. Barnes also asked that she be marked as present at the meeting. Mike Riley asked if the minutes would be corrected to reflect his presence at the meeting of the 23rd. Mr. Notzon asked why that didn't come up at the time the minutes were being approved. Mr. Riley replied he was in the back gathering material because the material had arrived late. Mr. Notzon said it was his understanding that new members would be added later in the meeting and Ms. Barnes would be under consideration then. Ms. Barnes said that it was her understanding that the association could put her appointment forward as there were no by-laws at that time. Mr. Notzon recalled that the committee had confirmed the people who were already on the committee before the by-laws were confirmed. He said the best way to describe her consideration was one "in process". Ms. Barnes asked if there was going to be a problem with her representation on the committee. Mr. Notzon replied that that was something that the executive committee had to decide. Mr. Millikin said she would have the opportunity to address the executive committee later on the agenda. Mike Riley asked if the discussion of who was on the committee during the previous meeting was to be included in the minutes. Mr. Notzon pointed to page eleven of the minutes where the discussion was recorded. Mr. Notzon recommended that they continue with the appointment of existing members and then consider the proposed committee members. He also recommended that Charissa Barnes be included in the list with the proposed committee members.

Mayor Heath recommended that the committee be clear that they were dealing with Item number VIII.a on the agenda and asked that a perfected list be read again for the sake of the committee's clarity. Mr. Danos read the perfected list as follows:

Julie Klumpyan, Valero
Susan Ghertner, HEB
Commissioner John Kight, Kendall County
Kevin Fareri, USAA
Bill England, Neighborhood Association
Rebecca Gray, American Lung Association
Mike Harris, San Antonio Manufacturers Association
Julie Brown, TXDOT and John Kelley as Alternate, TXDOT
David Frost, VIA Metropolitan Transit with new recommendation pending
Mark Brown, Zachary Corporation with new recommendation pending
Pete Donahoe, Holt Company
Dean Word, Word Construction Company
Commissioner Tommy Adkisson, Highland Hills Neighborhood Association
Councilman Carroll Schubert, City of San Antonio
Mike Riley, City of Seguin
John Folks from the Northside Independent School District
Ken Bercaw, New Braunfels Chamber of Commerce
Councilman Enrique Barrera, City of San Antonio declines

Chairman Millikin commented that it was his understanding that there was some necessary voting within the City of San Antonio that would perhaps replace Councilman Barrera. Chairman Millikin expressed his appreciation for the Councilman's support of the Early Action Compact.

Mayor Heath made the motion to confirm existing members of the Air Improvement Resources Advisory Committee as listed in the hand out and as perfected. Judge Quinney seconded the motion. There being no further discussion, there was a call for the vote. The motion passed unanimously.

Dean Danos read the list of existing members on the Air Improvement Resources Technical Committee. He presented the list as follows:

Peter Bella, AACOG
Renee Green, Bexar County
Joe Fulton, City Public Service and Alternate, Cyndi Levesque
Comal County, Ken Hornseth
City of Floresville, OPEN
Forrest Mims, Guadalupe County
Sam Sanchez, Metropolitan Health District
Jeannie Geiger, Metropolitan Planning Organization
City of New Braunfels, OPEN
City of San Antonio, David Newman, and Alternate Liza Meyer
Mike Riley, City of Seguin
TCEQ (ex-officio)
Ken Zigrang, TXDOT
USEPA (ex-officio)

Ana Sandoval, VIA Metropolitan Transit
Wilson County, OPEN

Mr. Bell pointed to some corrections. They were:

Comal County, Tom Hornseth (not Ken)
City of San Antonio, LeeAnne Lutz for David Newman

Charissa Barnes reminded the committee that she was an ex-officio member to the Technical Committee.

Mr. Mims remarked that Mike Stevens was named as his alternate to the Technical Committee.

Mr. Danos read the corrected list of the Air Improvement Technical Committee as follows:

Peter Bella, AACOG
Renee Green, Bexar County
Joe Fulton and alternate Cyndi Levesque, City Public Service
Tom Hornseth, Comal County
City of Floresville, OPEN
Forrest Mims and alternate Mike Stevens, Guadalupe County
San Sanchez, Metropolitan Health District
Jeannie Geiger, Metropolitan Planning Organization
City of New Braunfels, OPEN
LeeAnne Lutz and alternate Liza Meyer, City of San Antonio
Mike Riley, City of Seguin
TCEQ (ex-officio) OPEN
Ken Zigrang, TxDOT
USEPA (ex-officio) OPEN
Ana Sandoval, VIA Metropolitan Transit
Wilson County OPEN
Charissa Barnes, ex-officio member

Peter Bella pointed to Mike McGee as his point of contact with TCEQ and asked that he be included as ex-officio member on the Air Technical Committee.

Mayor Heath motioned to approve the list. Councilman Hernandez seconded the motion. Motion passed.

b. Consider appointment of new members:

Mr. Danos informed the committee that there were four names for consideration to the Air Advisory Committee: They were as follows:

Aleisha Knochenhauer, Martin Marietta Materials
Dan Titerle, San Antonio Water System
Forrest Mims, Guadalupe County
Charissa Barnes, Texas State Inspections Association

Mayor Heath moved to approve the proposed advisory committee members. Judge Quinney seconded the motion. Mr. Mims asked the committee for consideration of the nomination of Mayor Charles Ruppert of Cibolo to the executive committee as submitted in a

letter by Guadalupe County Judge Schraub. Mr. Notzon informed the committee that he had responded to Judge Schraub's letter and explained to him that the appointment of Mayor Ruppert would not be in accordance with the by-laws but that the appointment of Forrest Mims to the advisory committee as his representative would be acceptable. Chairman Millikin concurred with Mr. Notzon's explanation and called for the vote. The motion passed unanimously. Chairman Millikin invited the new members of the advisory committee to join the executive committee at the meeting table.

VIII. Clean Air Plan Update/AIR Technical Committee Reports

a. Submission of draft Clean Air Strategies: due June 16, 2003

Mr. Bella referred to two documents made up of deliverables under the Early Action Compact protocol. He explained that the milestone in the EAC called for the identification and description by no later than June 16th 2003 of local control strategies under local consideration for inclusion in the local Clean Air Plan. Mr. Bella provided three draft lists under consideration; 1. Creditable and Enforceable Clean Air Strategies, 2. Voluntary Clean Air Strategies, and 3. Potential Voluntary Clean Air Strategies. The lists were draft lists being considered for use in the Clean Air Plan and therefore: were not the final list from which strategies will be selected as required in the CAP. In addition other strategies may be added, and strategies may be modified to reflect new information, techniques and technologies. Mayor Heath asked for clarification on strategy # 24 under creditable and enforceable strategies: Volunteer lowering of Reid Vapor pressure from 7.8 to 7.2. He asked Mr. Bella if during the summer months it was now lowered from 9.0 to 7.8. Mr. Bella replied it was a current strategy required by the state at 7.2. Mayor Heath asked if this was a further lowering of Reid Vapor pressure? Ms. Green replied that currently the summer pressure was at 7.8 for the region. So it was a lowering of Reid Vapor pressure. Mayor Heath also asked what the acronym of RACT was in Strategy #42. Mr. Bella replied that it stood for Reasonably Available Control Technology. Mr. Bella explained they were strategies typically available to non attainment areas and were state (rules) law because of existing non attainment areas and could be useful to further lower point sources.

Judge Quinney commented on the public's concerns over inspection maintenance. He remarked that he had heard conflicting reports on its effectiveness. He urged the technical committee to look into the Dallas Ft. Worth and Houston area to quantify in order to articulate it to the citizens and what it meant before adopting vehicle inspection maintenance. Renee Green, Chairperson for the Technical Committee pledged to look at all the control strategies for their effectiveness. She mentioned that two weeks prior she had received new statistics relating to vehicle inspection testing in the above mentioned areas and that the current failure rate was 16% which was much higher than what was originally anticipated and approximately one third of that 16% were vehicles newer than 1996. Ms. Greene remarked that it was one of the strategies that would receive a lot of attention and that the technical sub committee would attempt to put not only estimated tons reduction to all these strategies but cost per ton as available.

Mr. Mims said he appreciated the Judge Quinney's remarks. He remarked that Houston had had some major ozone violations during the past few weeks even though they had automobile emissions testing. He said the ozone had exceeded 140 parts per billion at some sites. Therefore he thought the value saving 2.9 parts per billion by testing all cars was seriously jeopardized in the light of those new facts. He mentioned having a power point presentation that could illustrate some of those points. He asked for five minutes to make the power point presentation. Chairman Millikin remarked that most of the committee fully understood that Houston's air quality problems as far as vehicular traffic paled in

comparison to the San Antonio region. Mr. McGee with TCEQ added that the single largest NOx control strategy for Houston was going to achieve 600 tons per day of NOx and it was not Inspection and Maintenance (I/M). I/M was the second largest control strategy it was not the big bullet. Charissa Barnes stated that the Texas State Inspection Industry was monitoring the data and that it was very close to the data Rene had mentioned. Reagan Wagner representing HEB asked for an explanation on a strategy related to times of delivery. Renee Green said that Susan Ghertner from HEB had expressed concern over the control strategy and asked that it be removed, however, the committee left it in because it is a potential control strategy as is the entire listing of control strategies which will ultimately be considered. Chairman Millikin asked Mr. Bella to explain the process which had been used to develop the list. Mr. Bella explained that the technical committee had reviewed state implementation plans from the various Texas areas and across the nation. Ms. Green added that the Air Technical Committee had been meeting every two weeks since February for at least two and a half hours each meeting looking over control strategies one by one. She pointed out that the strategies were not fixed in any particular order and showed no preferences or recommendations at this time. Mr. Mims asked if strategy # 54 was the same as item #60 under point source strategies. Ms. Green replied yes and said CPS committed to making a presentation examining the potential for future point source reduction strategies and had agreed to put the item on the list. Joe Fulton from CPS would be making a presentation on this item during the next air executive meeting. Mr. Mims made the point that on the ozone exceedance of June 18th 2002 the TCEQ website reports that industrial sources at Calaveras Lake contributed to that ozone violation. Mr. Mims made reference to Commissioner Kight question on May 23rd exceedance of 91 on site 502 and said that the CAMS 58 exceedance of 88 was also traceable to CPS. The wind was blowing 150 degrees out of the southeast causing a minimum of two exceedances caused by the NOx coming from the coal burning power plants. He said that he would be recommending that CPS implement a strategy of cutting back the burning of coal on the really severe ozone days when the wind is from the southeast.

Chairman Millikin said it was not clear if the power plant was shut down who in the MSA runs without electricity on that day. Ms. Green said that in the presentation that Mr. Fulton showed the technical sub committee he addresses the issue of the plume originating from the Calaveras Lake area. He showed where that plume was when it crossed the monitors in correlation when those monitors saw the high ozone readings. Ms. Green remarked that the issue Mr. Mims presented had been debated and discounted by CPS and said that the presentation would help address that particular issue. Mr. Mims pointed out that the TCEQ stands by the report that industrial sources at Calaveras Lake contributed to the ozone exceedance of June 18th and there is a difference of opinion between the TCEQ and CPS and he thought it needed to be looked at very carefully by the committee.

Chairman Millikin pointed out that there were probably very few who don't have some concern by some organization, entity, or individual, over the list of potential control strategies. Chairman Millikin indicated that they would undergo the full scrutiny of the process of review and decision making. Mr. Notzon complemented the Technical committee for their work. He reminded everyone that it was important that they would look at all the control strategies, then run them through the model to determine their effectiveness and cost in order to arrive at a decision later in the process. Mike Riley asked how as a committee they could prevent caretaking the strategies they like or don't like based on the reports that vary in opinion. Mr. Notzon said that the determining line is that the decisions are local and will the local communities in fact stay in attainment as a result of the decisions made on the adoption of those control strategies. Mr. Notzon stated "The litmus test is not

just what we like and that it also keeps us in attainment." Mr. Riley commented that he would like to see that there be a fair playing field. Chairman Millikin replied that that ought to be the abiding concern of everyone in the room. Julie Klumpyan wanted to confirm that the cleaner vehicle and cleaner fuels is in the modeling and not in the control strategies. Peter Bella confirmed her question. He said all the changes to vehicles and fuels anything that has to do with state and federal legislation is all in the model due to that legislation given the timeline of the effective date of that legislation.

Chairman Millikin asked for a motion to approve the draft control strategies. Judge Nelson Wolff motioned to approve the control strategies. Gene Uptain seconded the motion. Chairman Millikin asked if there was any further discussion. There being none he called for the vote. The motion unanimously passed.

Judge Wolff requested a report on the efforts made by San Diego California in reversing their non attainment status to that of attainment. He thought it was important to know the control strategies they selected, their effectiveness and the timeline they used. Mayor Heath also asked for a non-technical analysis of what the sources of their particular ozone and particulate problems were for comparative purposes. Mr. Notzon warned that those who were successful in getting out of non attainment were under the one hour standard as opposed to the eight hour standard.

b. Review of 1st Biannual Progress Report: due June 30, 2003

Mr. Bella presented a handout to everyone reflecting a Biannual report which indicated the progress being made on the Clean Air Plan which was a milestone due on June 30, 2003 and needed to be approved by the June 18th 2003 meeting. He asked that everyone take the document home for review for discussion at the next meeting. He encouraged the committee members who had questions to e-mail him at pbella@aacog.com Forrest Mims pointed to page fifteen which referenced public meetings. He was concerned over the draft statement reading "the public meetings also provide citizen questions to be answered ". He commented that the statement was not accurate because they were not answering citizen questions during the meetings. Chairman Millikin reminded Mr. Mims that question had been addressed during the last meeting. Mayor Heath pointed out that Adam Cork, Mayor of New Braunfels, had addressed that question during the last meeting and said his comments were reflected in the minutes.

Judge Quinney said he wanted to be prepared to address and articulate why the clean air plan was or was not a good thing. He mentioned having a couple of commissioners at the meeting who heard a version that did not reflect everything. He said there was a lot of grandstanding, and a lot of name calling that did not belong in the meetings that occurred. And although he understood why it was difficult to provide answers to citizen comments but it was important that they be informed. Chairman Millikin responded that some were of the opinion that the public meetings are an opportunity for the public to provide its input to the Air Technical Committee and more appropriately to the Air Executive Committee, not as public debate forum. However the process was not at that point yet. Chairman Millikin said it was his intention to go back out to the public when they were ready to approve the control strategies to give the public the opportunity for further evaluation and discussion.

Mike Riley asked if there was a log being kept on the questions being asked by the public. Dorothy Birch replied yes not only were they keeping a log they were using the questions for their frequently asked questions segment on the website.

c. Publication: Proposed 8-hour average ozone NAAQS Implementation Policy

Mr. Bella mentioned that on the 14th of the month the EPA published their proposed eight hour implementation policy. Mr. Bella summarized that as a result of the flexibility the committee sought in developing the Early Action Plan, staff would be reviewing the 368 pages of proposed rules for details affecting air quality planning activities.

IX. Legislative Issues

Mr. Bella reported that he had no items to present. Mr. Notzon mentioned correspondence on legislation on Congressman Paul and asked that it be sent to the Air Technical Committee for their comments. Chairman Millikin agreed and asked that it also be sent to the AACOG Legislative Committee as well. Chairman Millikin said it needed to be made very clear that if there is any delay in the March 2004 date that the San Antonio MSA stands to be declared in non attainment for federal air quality standards. Chairman Millikin stated "he thought it ought to be of benefit to all of them to insure that does not happen."

Forrest Mims commented on the proposed amendment to the Clean Air Act. He felt the amendment would pass, but maybe not during the current session. He said he was working on other amendments as well and felt that as a community they should work together to solve some of the problems by negotiating with Louisiana and Arkansas that caused one third of our violations last year. He addressed Mr. Notzon and said he felt it was a whole new strategy that maybe some of the committee could work on and implement on the side and not only preserve us with the EPA and also clean our air.

Mr. Notzon reported on another item of legislation, The Texas Emissions Reduction Plan. Again, the funding issue of that is a subject that is before the legislature at this time but the appropriations act has been agreed to. It was in printing currently trying to get the final details have been difficult but his understanding is that there is a funding mechanism for emissions reduction. A good percentage of that funding would be going to the Houston and Dallas state implementation plans but there will be some available for the local area and hopefully fleet owners could take advantage of some of the opportunities that are presented under the emissions plan.

Mike Riley asked for the house bill number to the emissions legislation. Ms. Greene responded that she wasn't sure since the legislation was under two separate bills.

X. Other Issues

a. Adopt-A-School-Bus Program

Mr. Bella asked the committee's support to submit a grant for the adopt-a-school bus for consideration by the AACOG Board of Directors. The Adopt-A-School Bus program will be a cooperative partnership between the Alamo Area Council of Governments, EPA, State agencies, local elected officials, and corporate sponsors. The program's strategy combines grant monies raised through corporate sponsorship with matching school district funds which will result in the accelerated replacement of the area's oldest and most polluting diesel buses. The program will be established as a non-profit grant program to aid area school districts replace or retrofit their aging diesel school buses with new "clean fuel" buses. Gene Uptain motioned to approve the program. Judge Quinney seconded the motion. The motion passed.

XI. Adjournment

With no further business to conduct the meeting was adjourned.

Attachments: Citizens To Be Heard Comments

The following are comments offered by Mayor Charles Ruppert and Dorothy Butler during the Citizens To Be Heard section of this meeting. Citizens speaking during the "Citizens To Be Heard " agenda item may request their words to be transcribed verbatim.

Submitted by Mayor Charles Ruppert:

Good morning Ladies and Gentlemen. I have two issues to bring to the attention of this committee.

The first, on April 30th, 2003, Texas Congressman Ron Paul introduced for consideration in the United States House of Representatives H.R. 1891. This bill would amend Section 307 of the Clean Air Act. Specifically, it would prohibit liability on any State or political subdivision for acts that occur beyond their jurisdiction. These acts include volcanic eruptions, dust storms, accident, war, terrorism, or fires related to land clearing agriculture, ecological restoration, and management. The last act, fires, is most applicable to our region. Since all ozone violations to date were the direct result of smoke from fires originating in Mexico, Louisiana, and Arkansas along with other pollutants from the Tennessee Valley Authority, this bill would relieve the AACOG region from any further threat of non-attainment status by the Environmental Protection Agency.

On May 13th, 2003, the City Council of Cibolo unanimously passed Resolution 1248 in support of H.R. 1891. At the May 20th public meeting in Floresville, I passed out numerous copies of this resolution. In addition, a copy of the resolution was mailed to all 32 Texas members of the House of Representatives, Senators John Cornyn and Kay Bailey Huchison, State Senator Jeff Wentworth, State Representative Edmund Kuempel, the Guadalupe County Commissioners Court, San Antonio Express-News Environmental writer Chris Anderson, and AACOG Executive Director Al Notzon.

If ever there was an issue that we can all agree upon it is this: at the time of signing the Early Action Compact, no one wanted the EPA telling us how to improve air quality in the four county region. This bill, H.R. 1891, effectively gets the EPA off our backs. The blame game against the federal government could end; our liberty and freedom would be restored. It is by all accounts a win-win situation.

I also requested a similar resolution be placed upon today's agenda. I hope this will be addressed during the "Legislative Issues" item. I urge all committee members to support such a resolution and then mail a copy of it to our elected officials in Washington, D.C.

Second issue: on May 13th, the Commissioners Court of Guadalupe County in regular session voted unanimously in favor of my appointment, as County Judge Donald Schraub's alternate with voting powers on this committee. As a second -term mayor of the third largest city in Guadalupe County, I sincerely hope this committee will support the action of our Commissioners Court which will ensure our county has representation at all future meetings. Thank you for your attention.

[Presented by Dorothy Butler](#)

[Why the Early Action Compact Should be Delayed](#)

[Forrest M. Mims III Geronimo Creek Observatory](#)

[1. The EPA has just announced two major options for the new 8-hour ozone standard. It is premature to implement the EAC until the EPA finalizes the rules we will be expected to follow should we not approve the EAC.](#)

2. The San Antonio MSA will soon be expanded by as many as four counties. It is essential that these counties have the option of participating in the EAC process.

3. Pending legislation in the Congress (H.R. 1891) will exempt cities from ozone violations caused by smoke and natural events. Based on ozone violations in 2002, this will exempt San Antonio from at least a third of its ozone violations and return the city to compliance with EPA ozone rules..

4. The EPA is now reviewing its +/-20% calibration tolerance rule for ozone measurements. This will have a major impact on ozone measurements in San Antonio.

5. TCEQ Chairman Huston admitted in a letter to Al Notzon that TCEQ had stopped using an adjustment procedure that had altered the data from ozone monitors in San Antonio. AACOG must continue to insist that such "adjusted" data be deleted from the record.

6. CPS states that it produces 6 to 7 percent of ozone precursors in Bexar County, which is double the savings of universal emissions testing. TCEQ has concluded that industrial sources at Calaveras Lake contributed to the ozone violation of June 18, 2002. CPS has agreed to discuss with the AIR Technical Committee options for idling of its coal burning power plants on ozone action days when the wind is from the southeast. These discussions have yet to be held.

7. An important new paper in ATMOSPHERIC ENVIRONMENT has announced that chlorinated swimming pools are a major source of ground-level ozone. TCEQ is a co- author of this paper, yet TCEQ has not yet met with the AIR technical Committee to discuss this major new control strategy.

8. The public participation milestone of the Early Action Compact has not been met. For example, the Early Action Compact requires:

a. Public Involvement Milestones

Conducted in all stages of the planning and implementation process. Public education programs used to raise awareness regarding issues, opportunities for involvement in the planning process, implementation of control strategies. Interested stakeholders involved in the planning process as early as possible.

AACOG has ignored inputs by various stakeholders and refused to allow them to participate beyond "citizens to be heard." Citizens have often been cut off in mid- sentence when their three minutes expire.

b. Planning meetings open to the public, with posted meeting times and locations.

None of the public meetings or the AIR tech planning meetings have been posted or properly publicized.

9. The AIR Tech Committee has included emission testing among its strategies, even though the National Academy of Sciences sternly rebuked the EPA for the poor science behind its tailpipe testing programs (Evaluating vehicle emissions I/M programs, National Research Council, National Academy of Science, 2001).