

**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, August 25, 2004, 8:30 a.m.**

Executive Committee Members

Chairman Jay Millikin, Comal County Commissioner
Mayor Patrick Heath, City of Boerne
Councilman Chip Haass, City of San Antonio
Walter Ague for Mayor Ed Garza
Judge Donald Schraub, Guadalupe County
Judge Marvin Quinney, Wilson County
Councilman Ernest Hernandez, City of Seguin
Mayor Adam Cork, City of New Braunfels

Technical Committee Members

Renee Green, Bexar County, Chair
Ana Sandoval, VIA, Vice-Chair
Liza Meyer, City of San Antonio
David Newman, City of San Antonio
Kate Williams, TCEQ (available by phone)
Ken Zigrang, TXDOT

AACOG Staff

Al Notzon, Executive Director
Dean Danos, Deputy Director
Steve Smeltzer, Environmental Manager
Berti Vaughan, Administrative Assistant
Alison Young, Commute Solutions, Public Ed. Prog.
Brenda Williams, Environmental Modeler
Isabel Chacon, Natural Resources Specialist
Peter Bella , Director Natural Resources

Advisory Committee Members

Commissioner John Kight , Kendall County
Susan Ghertner, HEB
Dan Titerle, SAWS
Rebecca Gray , American Lung Association
David Casteel, TXDOT
Pete Donahoe, Holt Co.
Stanley A. Dabney II, Alamo Cement Company
Forrest Mims, Guadalupe County
Gary Raba, S. A. Chamber of Commerce
Mike Riley, City of Seguin

Guests

Bryan Kirk, Seguin Gazette-Enterprise
Debra Engler, SAWS
Bill O'Connell, Wilson County News
Teri Landan, Guadalupe County
Audrey McNaughton, City of San Antonio
Anton Caputo, Express-News
W. D. Montjoy

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 June 23rd, 2004 minutes. Mayor Cork moved to approve the minutes. Chairman Millikin asked for discussion. Forrest Mims asked that his comments on page two; the second paragraph in the second sentence which read "he estimated that every violation" be altered to "he stated that every violation". Mr. Mims also pointed to page three on the first paragraph which read "Mr. Mims was concerned over the idea" be changed by leaving out the three words "over the idea". Chairman Millikin called for the vote to adopt the minutes as corrected. The motion passed unanimously.

III. Citizens to be Heard

Chairman Millikin asked staff for the list of citizens signed up to speak. There were six citizens signed up to speak.

Citizen # 1 Terry Landan and Citizen #2 Mike Riley relinquished their time to Mark Langford.

Citizen # 3 Mark Langford presented a power point presentation which he submitted and which has been included at the end of these minutes. After his presentation Mr. Langford asked that the remainder of his time be given to Nancy Strack.

Citizen # 4 Nancy Strack read a prepared statement which she submitted and which has been included at the end of these minutes.

Citizen #5 Dub Smothers extended an invitation for those present to attend the 14th Annual San Antonio Manufacturer's Association Environmental Seminar scheduled for October 14, 2004.

Citizen #6 David Montjoy's verbatim comments are provided at the end of these minutes.

Chairman Millikin thanked the speakers for their comments.

IV. Ozone and Particulate Matter Report

a. Action Item: Letter regarding PM 2.5 Exceedances

Peter Bella directed the committee to the ozone and particulate matter report handout. The document indicated the region had exceeded the allowable limits under federal air quality standards on the three-year averaging system under the National Ambient Quality System Standard. He pointed out that in 2002-2004 two monitors exceeded the standards. Mr. Bella said that the Early Action Compact Clean Air Plan contained provisions requiring that the public review the Clean Air Strategies. He explained that if the public requested additional strategies, enforcement and action in the region that would be a part of the consideration for the AIR Committees. That would be a topic at the next AIR Technical Committee meeting scheduled for September 9th.

Mr. Bella provided the Particulate Matter Report indicating values below the federal standards. He asked that the committee take into consideration a draft letter approved by the AIR Technical Committee. The letter was to be sent to the EPA requesting identification of specified events that could be considered exceptional events under EPA guidelines. Mr. Bella explained that none of the readings were designated exceedances for particulate matter. Renee Green, Chairman of the Technical Committee explained that the Technical Committee wanted to establish the fact that these particular days were an anomaly and there were some possible outside events that contributed to that anomaly. She said the committee recognized they were not exceedances however, they felt it was prudent to send up a red flag on the high particulate matter readings and wanted to get some guidance from EPA as to whether or not they considered them exceptional events.

Mayor Heath motioned that the committee authorize staff send the letter. Mayor Cork seconded the motion. Mayor Cork preferred that the letter include what "we believe the answer should be" and a request for clarification. Mayor Heath concurred. Chairman Millikin also asked staff to recognize that the monitor is not a TCEQ monitor in the letter. Chairman Millikin asked for a vote. The motion unanimously passed.

V. Public Education Committee Report

Peter Bella introduced Alison Young as the new Public Education Program Manager to the Committee. Chairman Millikin welcomed Ms. Young and reiterated the importance of public education to the committee. Chairman Millikin asked Ms. Young for a report during the next meeting on the results of the letter that was sent out to various public and private entities asking that they purchase air quality health alert flags.

VI. Clean Air Plan Update

a. Action Item: Approval of updates to the proposed SIP revisions

Steve Smeltzer reported that the following updates in Appendix K. had been completed by staff. He explained each topic as presented in the report and said that the additional evidence had been approved by the AIR Technical Committee.

- i. Transportation Demand Management
- ii. Energy Generated from Wind
- iii. Transportation Emission Reduction Measures
- iv. Texas Emission Reduction Plan
- v. Alternative Fuel Vehicles

Steve Smeltzer reported that the updates in Appendix L had been completed by staff and approved by the AIR Technical Committee. He presented a short power point presentation demonstrating graphs on the 2012 Projected Photochemical Modeling Emissions Inventory.

Chairman Millikin asked the committee for a motion to approve the updates. Mayor Cork made the motion to approve the updates. Councilman Haass seconded the motion. The motion passed unanimously.

b. Action Item: Endorse receiving credit for Energy Efficiency Projects: TCEQ/SECO

Mr. Bella gave the committee an overview on Senate Bill 5 and the creation of the TERP program. He pointed to the TERP program's contribution to the region through its Energy Efficiency Grant Program and the Texas Building Energy Performance Standards whose goals were to achieve energy conservation in residential, governmental, commercial, and industrial construction. He explained the partnerships created between TCEQ, the Energy Systems Laboratory (ESL) and AACOG to certify the emission reductions and asked that the committee endorse the emissions reductions credits presented to the TCEQ by the ESL for use in the local revisions to the State Implementation Plan proposed for the San Antonio region. Mr. Bella presented the committee a draft resolution endorsing the efforts and associated pollution reductions as given in Senate Bill 5 for their consideration and said that there had not been any time to present the item to the AIR Technical Committee for their review prior to presenting it to the AIR Executive Committee. Mayor Cork asked if there was anyway the resolution could be presented to the AIR Technical Committee. Mr. Bella asked Kate Williams with TCEQ about the timeline. Ms. Williams said comments were due by August 30th which was the comment period.

Mayor Cork made the motion to approve the resolution. Councilman Hernandez seconded the motion. Renee Green said that the item would be discussed during the next AIR Technical Committee and if there were any negative concerns they would present them to the committee during the next meeting. Chairman Millikin asked for the vote. The motion unanimously passed.

VII. AIR Technical Committee Updates

a. Action Item: NAFTA Truck Traffic Letter

Chairman Millikin reported that on September 3rd, several committee members met with Congressman Charlie Gonzales and one of the items of discussion was related to the NAFTA truck traffic. On August 10th, Chairman Millikin met with representatives from Congressman Lamar Smith's office in the Seguin area on the same issue and in Austin on August 13th during a TAC meeting he had a brief discussion with Senator Hutchinson on the same subject. He then turned to Mr. Bella to present information on the draft letter.

Mr. Bella explained that the letter was based on the anticipation of the US/Mexico border being opened to long-haul truck traffic under the provisions of the North American Free Trade Agreement (NAFTA) and some central issues that were of concern to the region. Concerns center on the unknowns of the polluting qualities of Mexican domiciled trucks and their potential effects on the region's air quality. He pointed to the fact that diesel trucks were a big source of pollution and the US federal government was addressing the issue with cleaner fuel standards in 2006, and cleaner diesel fuel standards by 2007. There was concern over the potential air quality effects of trucks leaving Mexico not having similar emissions standards as exist for US trucks. Mr. Bella remarked that the letter recognizes the importance of commerce between the US and Mexico and the goal was to offer potential solutions which would benefit the people of the US and Mexico. Mr. Bella pointed to the bullets in the letter which requested the following actions: research requiring low sulfur diesel for the NAFTA truck corridor; work with Mexico to increase use of low sulfur diesel in the interior and other proactive air quality projects which are mutually beneficial to both countries, require truck emission inspections at the border, and request access to any of the basic research which was performed regarding the air quality impacts of NAFTA traffic. Mr. Bella concluded that the letter could be addressed to the EPA, the state Senate Committee on International Relations and Trade, the US Department of Transportation, the local Federal Delegation and the Federal Motor Carrier Safety Administration. Mr. Bella said the letter was reviewed and approved by the AIR Technical Committee.

Rebecca Gray asked what would be done to trucks that did not meet emissions inspections at the border and would the trucks be sent back? Mr. Bella said a snap idle particulate soot test existed but did not know the consequences.

Mayor Cork asked if that test was required of trucks in Texas? Mr. Bella replied no. Mayor Cork remarked that it would be difficult to require testing of trucks coming across the border when testing was not required in the state as opposed to California that had emissions testing for all vehicles. Mayor Cork said they needed to identify to whom the letter needed to be addressed. Renee Green asked if his concern was the third item which was an action item as opposed to a question for information. Mayor Cork replied that the third bullet definitely needed to be eliminated but he still wanted to determine who was to receive the letter. He recommended they decide the letter go to US senators who were receiving political pressure to open the border. They could ask the appropriate questions to the right agencies that have influence so they could feel comfortable in making their decisions. Chairman Millikin remarked that it was his impression on having spoken to two congressmen and one state senator that they have not given this question a great deal of thought. Chairman Millikin suggested that, given the conversation, the action item be tabled in order to advise who would be the recipient of the letter and tighten up some of the language. Renee Green said she would take the letter back to the AIR Technical Committee for review during the October meeting.

Mayor Heath remarked that, in keeping with the remarks made by Mayor Cork, the AIR Technical Committee consider sending it “first and perhaps only to our federal legislative delegation.” He remarked that their staffs would know where to send it within the federal system. Mayor Heath recommended that the letter be amended as follows: We ask that you consider reporting the following actions: first, research requiring low sulfur diesel for the NAFTA truck corridor, second, continued work with Mexico to increase use of low sulfur diesel etc. third, opening access to regional air quality planning committees to any of the basic research which has already been performed regarding the air quality impacts of NAFTA traffic and with those comments Mayor Heath moved that the item be remanded back to the AIR Technical Committee. Mayor Cork seconded the motion. Chairman Millikin opened the floor for questions. There being none he called for the vote. The motion passed unanimously.

b. Action Item: Consideration and possible approval of letter asking TCEQ to withdraw all measurements by CAMS 23 during calendar years 2000, 2001, and 2002.

Citizen # 7: Forrest Mims signed up to speak on this item. Verbatim comments are included at the end of these minutes.

Mr. Bella responded to Mr. Mims' comments by saying that during the AIR Technical Committee he specifically requested that Mr. Mims provide any new information related to this topic. Mr. Bella said he had not heard any new information from Mr. Mims other than the concept that Michael Morton is a marine biologist. Mr. Bella informed the committee that Michael Morton's graduate degree was in marine biology and his doctorate degree was in environmental management. However, he didn't know what that had to do with the CAMS monitoring station. Mr. Bella explained what the letter showed was the history of requests made by Mr. Bella, Mr. Notzon and the committee to EPA and TCEQ on this very subject. That was why he didn't vote for the data request. He pointed to the long history of correspondence with the EPA and the final bullet points on the letter indicating that EPA had the final say on the acceptability of the monitor data and has ruled that the ozone data was acceptable. Therefore, Mr. Bella said, the state couldn't do anything about it even if it disagreed with EPA's ruling which it does not. Mr. Bella said he was not in favor of bad data. He pointed out they had already queried TCEQ and EPA on the value and accuracy of the data as well as the precision of the data. TCEQ and EPA responded firmly that the data would be preserved. Mr. Bella mentioned that during the AIR Technical Committee as recorded and approved in the minutes of January 24, 2004, Tom Hornseth, Comal County Engineer, had stated that “this question just keeps coming up. This issue has been thoroughly investigated and from a regulatory standpoint this was a dead issue and we continue to beat this dead horse”. Bella left it to the committee to consider whether or not it is appropriate to ask again.

Chairman Millikin remarked that his personal opinion was that “they had beat this horse to death”. He was willing to support a recommendation coming from the Technical Committee but he didn't believe there was a consensus on that recommendation because Mr. Mims didn't agree with the draft letter. Chairman Millikin suggested that the item be tabled and that it go back to the AIR Technical committee for a re-write.

Judge Schraub made the following statements: “We may have beat this horse to death, ladies and gentlemen, but I have to remind you that Galileo was almost burned at the stake for saying the earth is round.” To set matters straight, he said, they didn't want the data

destroyed but wanted EPA to admit that it is faulty. He believed that EPA had seen the error of their ways and willing to correct this error of 20% "that was ridiculous." He said 20% range in information was like tossing a coin... that's 50/50. He wanted it stated in the letter that the information is faulty. He said that in the final analysis, you could not beat the EPA but that "we could keep beating on the jolly giant even if we have questionable doubts about their authority to act in the first place." He said "he thought he would accept that the item go back to the Technical Committee and rewrite the letter and specifically come to some kind of conclusion as to what we want to say because it now it skews in the other direction again." He recommended it go back to the AIR Technical Committee to "see if we can come out with a letter that substantiates what I think all of us can agree to."

Chairman Millikin asked if that was a motion. Judge Schraub responded he believed so.

Mayor Cork seconded the motion to send the letter back to the AIR Technical Committee with the following comments. He stated the following: "In addition to having or receiving back a letter that's been authorized by the AIR Tech Committee as opposed to an idea that the letter be sent, I want a narrative that identifies how this is substantially different from where we were eight months ago when we were talking about it before. If we acknowledge that we are beating a dead horse, everybody but the dead horse will know it, so I don't see any benefit in doing that. Let's take the new data and let's analyze that. If there is something new that says that this is a good thing then we will consider that part of the issue. Other than that I see no reason to go forward with it and I'll forecast my vote to be a don't send it unless I get something valid that I can put next to it that says you guys need to reconsider your position because..."

Chairman Millikin concurred with Mayor Cork's friendly amendment and asked if there were any further questions on the motion. There were none. The motion passed unanimously.

Restatement of motion: return draft CAMS 23 letter to the AIR Technical Committee with directions that the letter reflect the consensus of the AIR Technical Committee and contain a narrative identifying changes that have occurred since the last discussion on this topic by the AIR Executive/Advisory Committees.

VIII. Other Issues

a. Letter to Chairman White regarding TERP funding allocations

Mr. Bella referred to a letter previously sent to Chairman White requesting that the region scheduled to receive a 5% gross allocation from the available TERP funding be increased to 8.5% in equity with Austin. Mr. Bella reported that the reconsideration request was successfully and the region's allocation was increased to a funding parity with Austin. Mr. Bella added that the TERP reduction incentive grants for the FY 2004 second round applications recommended for selection in the San Antonio Region was included in their packets.

b. Approval by EPA of the 3rd Semi-Annual EAC Report

Mr. Bella noted that the EPA had received and approved the third semi-annual report.

c. EAC/SIP Public Hearing, AACOG Board Room, August 26, 2004.

Mr. Bella reported that TCEQ was conducting two public hearings the following day at 10 a.m. and at 7 p.m. with a Q&A session beginning thirty minutes before the public hearings.

Adjourn

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

Attachments: Comments/Statements Made or Submitted by Citizens to be Heard:

Citizen #3: Power Point Presentation provided by Mark Langsford, Citizens Organized for Good Science as presented to the committee. (without graphs)

High Ozone Events of 2004.

San Antonio's Fourth Highest 8 hr. Ozone average goes over 84.9 ppb. At CAMS 58 on August 9th

- An outbreak of usually strong, summer cool fronts caused our normal summer airflow patterns to switch from the SE, to East and Northeast. As usual, transported pollution from the Ohio and Tennessee Valleys caused our zone levels to increase to above the EPA standards.

We need to change EPA Transport Policy

- Once San Antonio is "unprotected" from the Early Action Compact in 2007, we will fall into "non-attainment" again if our summer breezes turn to the NE or East, regardless of the control strategies that are in place.

Please contact our local Congressmen and ask them to endorse HR 1891

- Every high ozone event this year can be blamed on transported pollution from "continental air" from the northeast of us.
- I have use sulfate aerosol forecasts from the Navy to chart the high ozone events.

Before July Cool Front=Low Ozone on July 12th and 13th (2)graphs

July Cool Front=High Ozone July 19th and 20th (2)graphs

1st August Cool Front=High Ozone Aug. 4th and 5th. Winds started blowing from the East on Aug. 1st (4) graphs

Light winds continued to blow primarily from the NE and East through the 9th of August. . . creating high ozone. (4) graphs

A second August cool front arrived on the 12th of August. Fortunately, the wind speed remained at near 10 mph and temperatures stayed under 90 degrees. (4) graphs

Rural areas, upwind from San Antonio experienced high ozone

- The Lagrange area, to the East recorded an 8hr ozone average of 91 ppb on the 5th and 17th of August .higher than San Antonio's EPA monitors on the same dates.
- Seguin reported an 8hr ozone average of 79 ppb on the 8th of August

Citizen # 4 Written statement provided by Nancy Strack as presented to the committee.

Tomorrow the citizens in San Antonio have the opportunity to participate in two SIP hearings. San Antonio is the only city in Texas to have an evening hearing in addition to the daytime one. The TCEQ has held all of its other hearings during the day when people are at work. Public participation in the Clean Air Act is an important part of the Act that cannot be ignored but sadly, the TCEQ does not seem to care. Our rights would have been denied as well had Forrest Mims not intervened.

I thank you all for your work on this committee. Additionally, Mr. Millikin is to be commended for his work concerning environmental issues. He serves as a member of a group called environmental issues. He serves as a member of a group called Environmental Defense that I am very glad to say wants to see more done about coal burning power plants. It is important for you to decide, however, if his support of their agenda regarding emissions testing is a conflict of interest with the work of this committee.

I also thank Mr. Langford and Mr. Mims for the results of hours of research that they share with you. What they do is backed by years of technical experience and good, not "junk", science. They have been publicly and privately ridiculed because they do not have what certain people deem "proper credentials." Speaking of proper credentials did you know that the EPA coordinator for Region 6 air quality was a toxicologist related to hazardous waste dumps and has no expertise in air quality?

I recently asked Mr. Millikin, who has been critical of the public because we lack credentials, to define proper credentials. He replied, (quote) "credentials, expertise, or skills that are beneficial, I believe for us to work our local clean air challenge relate to math, computer modeling, meteorology, related sciences/engineering, etc. And I say that knowing that our elected officials generally don't have that background which is the reason that the AIR Tech Committee was formed to provide guidance to those of us who make the ultimate decisions." (end quote) If members of the AIR tech committee lack the credentials just listed and have nothing to offer, do you and they simply continue accepting information from AACOG staff as the only truth?

I appreciate the time and work of the AIR tech committee and the AACOG staff. But please, for obvious reasons, do not take their word as the final word. It must be balanced and supplemented with information you receive from members of the public and with your own research.

I am not a rocket scientist. I'm a realtor. But I have a friend who works with NASA at their request. He travels the world tracking pollution and measuring ozone and is invited to speak about his findings throughout the world. He designed equipment used to measure ozone and helped NASA correct a problem with one of its satellites that measures ozone. He's a well-respected author in scientific and technical journals. Please accept his service and respect him as the professional that he is. His name is Forrest Mims. By the way, Judge Wolfe, Mr. Mims asked the tech committee to ask AACOG, using free software that's easily available and doesn't require anyone to be on site where they might be in the way to assist in emergencies such as the chlorine leak. Despite the potential for future events with loss of life, they voted it down.

Citizen # 6 **Mr. Montjoy's comments verbatim as presented to the committee.**

Moved to SA 45 years ago. There were 180,000 people. The air was clean and his sinuses didn't bother him. That was true of only one or two other areas in the country. However in the last several years I've noticed a horrendous increase in what you call pollutants. I was at the gas station the other day and there was a little sign on the gas pump that said "beware that carbon monoxide in cigarettes can kill you". I had to laugh because it was so ironic that they failed to mention that carbon monoxide is a natural constituent of combustion. That brings to mind the fact that every combustion engine whether a jet engine or automobile or whatever that burns fuel produces several things; carbon monoxide, carbon dioxide, water and lots of heat. And because engines are not theoretically stoichiometric perfect it produces a lot of unburned fuel. So what we really have coming out of the tail pipe is a cocktail of carbonated water and gasoline or diesel fuel mix. If you like drinking that kind of stuff all you got to do is put a cap on your gas tank and drink it. So as you drive the streets of San Antonio today you are literally drinking gasoline and diesel fuel. There is no doubt about it you can smell it, you can taste it, you can feel it on your skin if you follow a Ford pickup truck it will drive you nuts unless you are driving around in air conditioned Mercedes Benz because it is pretty good at filtering out some of these smells. However if you drive around with your windows down it is almost impossible to breathe the smell is so bad that you want to throw up. So, what concerns me the most is the lack of attention to the fact that the basic constituents of combustion are a function of the population. And the number of automobiles and vehicles are combusting hydro-carbon fuels. The only thing that does not produce these things is pure hydrogen. Pure hydrogen when its mixed with oxygen produces nothing but water and heat. *Note: Mr. Montjoy's time ran out during presentation.*

Citizen #7: Forrest Mims' Verbatim Comments as presented to the committee.

Forrest Mims: My name is Forrest Mims and I am an air quality representative for Guadalupe County. Before I make my statement, I have a question. The letter in your package was that provided today for the first time or was it mailed out to us earlier?

Peter Bella: It was mailed out earlier.

Forrest Mims: Who wrote the letter?

Peter Bella: Essentially me.

Forrest Mims: Mr. Bella wrote the letter. Mr. Bella how did you vote on the motion to provide this letter to the committee today?

Peter Bella: I voted against it.

Forrest Mims: So the letter you are reading was opposed by the gentleman who wrote it and that gives me great concern because the letter is not exactly what I had in mind when I made the motion to the Air Tech Committee. The motion to the Air Tech Committee was very simple. That we recommend your committee the Air Executive Committee ask TCEQ to withdraw all measurements by CAMS 23 during calendar years 2000, 2001, and 2002. The data has never been certified and are known to include significant and unexplained errors. But then I arrive at today's meeting and receive the copy of the letter that we requested in our motion—a very lengthy letter that makes the case for not doing what our motion was. And so I object to that Peter. I believe that the letter should have explained that there are lots of new developments since January 22. Number one, Citizens Organized for Good Science has found problems on the monitor's drip line, trees hanging near the monitor violate the EPA's site specifications and regulations, number two, TCEQ to this day has not certified the data and number three, a TCEQ document which I received after January 22 stated that some CAMS 23 data supplied to the EPA exceeded the plus or minus 20% standard. That might be a violation of the law. And then there is nothing in the letter about the new developments of the EPA so let me read my brief statement. CAMS 23 data must be retracted from the official record because the bad data were known to and concealed to by TCEQ. I don't know how it was concealed but at least six months. TCEQ concealed serious errors in ozone measurements in San Antonio until I found a 10 point 4 percent positive bias in the data from CAMS 23 during the year 2002. Minutes after I informed TCEQ Dave Sullivan wrote, quote "I see a political storm brewing unless we act fast " unquote. Dr. Sullivan then listed three options in an e-mail to his colleagues. The first being throw out all CAMS 23 data since 1/1/2000. Number two, the bad data caused San Antonio to have the highest ozone in Texas on some days while future environmental historians know the data are defective. Number three, region six upheld the bad data decision in January but now it can be revealed that region six's air quality specialist who is responsible for ozone non-designation of some of our counties is unqualified to play a role in this decision and that's because he is an aquatic biologist not a quote air quality specialist unquote that his business card claims. I am speaking about Michael Morton of the EPA who has attended some of our meetings and I thought was an atmospheric chemist. I did not realize he was an aquatic biologist. Michael Papp of the EPA's ozone work group of research at Triangle Park has finally agreed that the plus or minus 20% standard is wrong. I've been in correspondence with Mr. Papp for two years about this. He's been informed apparently that we introduce the proposed legislation in the Congress that the EPA standard be significantly reduced. We didn't give a number but I was looking for 3% . This committee recommended 5% that was voted now. But Mr. Papp's group is now considering a plus or minus 7% standard. That's another reason to throw out the bad data. And finally, the real question is this. Why do regulators debate what to do with that data when real scientists immediately throw it out. The bad data reflects poorly on San Antonio and they are scientifically wrong as the TCEQ's Doctor Sullivan wrote throw out all CAMS 23 data since 1/1/2000. The problem is the letter that Mr. Bella will get the TCEQ support for now throwing out the data, so I am concerned about the letter. Folks I just returned from a meeting at Goddard Space Flight Center. They flew me out to give a talk about ozone science at NASA. And when I told the scientist I spoke with that the EPA has a plus or minus 20% standard the response was laughter. They could not even believe that. So I hope that we will throw out this bad data. But I hope that the letter can be amended with a paragraph that supports throwing out the data and not what Mr. Peter Bella has included.