

**The Minutes of the
Air Improvement Resources Executive/Advisory Committees Meeting
Alamo Area Council of Governments
8700 Tesoro Drive, Suite 100, San Antonio, Texas
Wednesday, August 24, 2005, 9:00 a.m.**

Executive Committee Members

Chairman Jay Millikin, Comal Co. Commissioner
Councilman Chip Haass, City of San Antonio
Mayor Patrick Heath, City of Boerne
Judge Donald Schraub, Guadalupe County
Judge Marvin Quinney, Wilson County
Mayor Raymond Ramirez, City of Floresville
Councilwoman Ellen Alkire, GBCCC

Guests

Mark Still, USAA
David Newman, City of San Antonio
Nick Page, MPO
Debra Engler, SAWS
Stanley A. Dabney, Lackland AFB
Kristen Lagow, SAMHD
Reggie Wolfe, Raba-Kistner

Advisory Committee Members

Kevin Butt, Toyota
Forrest Mims, Guadalupe Co.
Susan Ghertner, HEB
Dan Titerle, SAWS
Mike Riley, City of Seguin
Gary Raba, San Antonio Chamber of Commerce
Billy Gibbs, Alamo Cement Company

Technical Committee Members

Renee Green, Bexar County, Chair
Liza Meyer, COSA

AACOG Staff

Al Notzon, Executive Director
Dean Danos, Deputy Director
Steve Smeltzer, Environmental Manager
Brenda Williams, Program Manager
Berti Vaughan, Administrative Assistant

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. Citizens to be Heard There were none signed up to speak.

III. Approval of Minutes Chairman Millikin asked the Committee for consideration of the June 22, 2005 minutes. Chairman Millikin asked that Mayor Heath's name be removed from page two as having helped write a letter to the editor. Mayor Heath moved for approval of the minutes as corrected. Judge Quinney seconded the motion. Chairman Millikin called for the vote. The minutes were approved.

IV. AIR Public Education Committee Report/ Clean Cities Update/Alamo Clean Air Partnership Report

AIR Public Education Committee Brenda Williams referred the committee to a handout containing a compiled report on all the outreach events for the past two months. She summarized the contents of the report, which included the number of media interviews, school presentations, special outreach events and ongoing multiple ad campaigns in a variety of radio, and television stations. She announced that in October, AACOG and several agencies would be conducting the first annual Walk and Roll challenge. The program provided several options encouraging alternatives to driving. Persons are encouraged to sign up on the website and keep a daily log of the miles walked, biked, or carpooled. Prizes would be awarded in each category for the most miles accumulated. **Clean Cities Program**, Mrs. Williams reported that on August 5th, Bexar County announced they would be opening a dual fuel station at their fleet maintenance facility located on I-35. She reported that this would be the first dual fuel station in Texas that

offers two alternative fuels, in this case E85 and propane that will be accessible to the public and will be opening in October. Mrs. Williams also said the Clean Cities program will be hosting a workshop on October 20th at the Hilton airport regarding anti-idling initiatives. The focus will be on idle reduction policies and technologies for heavy-duty vehicles. The re-designation application will be submitted to the DOE this week. A re-designation ceremony will be held in November and will provide more information regarding that ceremony at the October AIR Executive meeting.

Clean Air Partners Program Mrs. Williams reported that they were recognizing charter members of the Alamo Clean Air Partnership Program later in the program. She drew their attention to the description of efforts provided in the handout that these charter agencies were making to improve air quality in the San Antonio region.

V. Ozone and Particulate Matter Report and Particulate Matter Report: Steve Smeltzer summarized the ozone and particulate matter report, which had been handed out to the committee. He reported that there had been a total of 12 Air Quality Health Alert Days to date and that two of the dates, June 21 and 22 had exceedences; with 86 ppb at C23, and C58 on June 21 and 88 ppb at C58 on June 22. Mr. Smeltzer explained that the average of the annual fourth highest daily 8-hour maximum over a three-year period was holding at 84 ppb. Mr. Smeltzer said that particulate matter both PM 10 and PM 2.5 remained well under the federal standards.

VI. Reports from the Air Technical Committee

a. Energy Policy Act of the 109th Congress: Synopsis Renee Green

Renee Green reminded the Committee that back in April the AIR Executive Committee had asked the Air Technical Committee to develop a position paper on the Energy Policy Act. At that time the Energy Policy Act had gone through the House but was not yet through the Senate. In July, the federal government passed the Energy Policy Act. Consequently, the Air Technical Committee reviewed the ten-page synopsis of the actual Act in its entirety and prepared the two-page handout that focused on titles that would have an affect on the region. Mrs. Green said the Air Technical Committee agreed that Title VII would have the most direct impact on the region. Title VII would provide funding, tax credits, or other incentives that aim to reduce emissions through deployment of alternative fuels and technologies, and diversify the sources of energy. Mrs. Green cited programs like clean school buses and fleet modernization, deployment of idle reduction technology, and diesel emissions reductions as a focus of Title VII. Mrs. Green informed the Committee that the ten-page policy act was available through the AACOG Natural Resources Department. Mayor Heath requested a copy.

b. Cap & Trade under the Clean Air Interstate Rule: Position Paper

Mrs. Green apologized for not having a position paper for the Committee on the Clean Air Interstate Rule. She said that the AIR Technical Committee had not been able to come to a conclusion even after a TCEQ representative presented information on the rule during the last AIR Technical Committee meeting. She said that after meeting with TCEQ the committee concluded that TCEQ has yet to develop an idea on how much the cap and trade rule would affect the state. She would continue to pursue obtaining information on the rule as it became available.

VII. Clean Air Plan Update

a. Action Item: Approval of Trend Analysis for the San Antonio Early Action Compact Region, due Sept. 30; EAC Deliverable

Mr. Smeltzer presented a power point summary on the EAC Trend Analysis. After the presentation, Chairman Millikin asked why Wilson County was being included in the

purpose statement. Mr. Smeltzer said it was still being included because they were signatories in the EAC. Chairman Millikin also inquired why CPS had been included as a potential new point source for Emission Growth. It was his understanding that there would be a net reduction in emissions through use of the new CPS coal power plant yet an increase was showing on the graphs. Mr. Smeltzer said the growth included all of the CPS power plants and Toyota point sources. However, in the final analyses a decrease in all point sources was predicted in 2012. Chairman Millikin asked for a motion from the committee to consider approval of the Trend Analysis. Councilman Haass made the motion to approve the Trend Analysis for the EAC. Mayor Heath seconded the motion. The motion passed.

b. Update: New York State Department of Environmental Conservation's Letter and

i. Review of TCEQ Support or San Antonio Regional Planning Effort

Mrs. Green reported that on Monday August 22, 2005 the EPA approved the final rule for the promulgation of the Air Quality Implementation Plan specifically, the attainment demonstration of the San Antonio Early Action Compact Area effective September 21, 2005. She said that in the federal register EPA stated that they had received one adverse comment from the New York State Department of Environmental Compliance. Mrs. Green said the Committee was aware of the situation and the situation had been discussed in the previous meeting. She reported that the comment stemmed from the inability of the New York State Agency to get their planning and materials put together in a timely enough fashion to benefit from that particular rule. She said that the register did include that the adverse comment made by the New York Agency was in relationship to the EAC not the state implementation plan or SIP approval. She said that the question still remained as to whether New York would continue to question the validity of the EPA being able to enter into EACs, nevertheless the region's non-attainment SIP was approved and our attainment demonstration was accepted by the EPA.

1. Review of TCEQ Chairman White's letter, dated July 28, 2005

Mrs. Green said that copies of letter from TCEQ were made available in their packets. She reminded the Committee that they had previously expressed their concern over the New York Agency comments through a letter and asked for TCEQ's response. Chairman White replied that she was committed to defending the EAC process and supported their efforts. Mrs. Green concluded by saying that there were links available containing the entire registry document if they wanted access to it. Mr. Notzon commended TCEQ's prompt respond to their concerns.

2. Review of TCEQ Commissioner Soward's editorial, dated July 18, 2005

Chairman Millikin reported that Commissioner Soward's editorial had been printed in the Express-News on July 18, 2005. Chairman Millikin said that Mark Langford had provided a letter to the editor which had been printed. He thanked and commended Mr. Langford for his efforts.

Mayor Heath asked that the committee look at the registry printout in their handout under Roman numeral three that said "In a separate notice, EPA will consider comments regarding its legal authority to issue such deferrals in the final rulemaking action on the deferral." Mayor Heath suggested that the AIR Technical Committee continue monitoring the New York State/EPA situation. Mrs. Green concurred.

ii. Planning Scenarios and Timelines: After the Early Action Compact

Steve Smeltzer presented a power point presentation on future planning after the Early Action Compact. Mr. Smeltzer said that after the Early Action Compact there were three scenarios to consider which would require setting different planning efforts. The three scenarios presented were: 1) New York State Department of Environmental Conservation brings a suit which ends the EAC, 2) EAC ends Dec. 31, 2007 & SA region found in Non-Attainment in April, 2008, 3) EAC ends Dec. 31, 2007 & SA region

found in Attainment in April, 2008. Mr. Smeltzer explained that the assumption that staff was working on was that the SA Region be in Non-Attainment in April of 2008 which would require 36 months prior to TCEQ submittal with the start date for the planning on or about August 15, 2005. Mr. Smeltzer concluded that for safe planning purposes they would assume scenario # 2. Mr. Smeltzer said that timelines and scenarios had been presented to other Near Non-Attainment partners on August 9, 2005 and discussions were underway to establish timelines and consider the scenarios.

Presentation of Clean Air Partner Awards: Mr. Notzon presented the first award to the HEB Company. HEB was the first company to become a Clean Air Partner on June the 21st. Mr. Notzon presented the award to Susan Ghertner, representing the HEB Company.

Mr. Notzon presented the next award to the Raba-Kistner Company which became a Clean Air Partner on June 30th. The award was accepted by Gary Raba.

Mr. Notzon presented the next award to the San Antonio Water System. The award was presented to Dan Titerle representing SAWS.

Mr. Notzon presented the next award to USAA. The award was presented to Mark Still representing USAA.

Chairman Millikin thanked the recipients on behalf of the Committee for their support.

iii. AIR Technical Committee and Staff findings

Referring back to the New York State Department of Environmental Conservation's comments, Donna Hessong informed the Committee on her findings after contacting EAC programs. Mrs. Hessong reported that all EAC region representatives with whom she spoke were aware of the NY Department of Environmental Conservation's position regarding EAC's. They stated that NY and several environmental groups have voiced opinions of the EPA authority to grant EAC deferrals since Dec. 2002. However, public comments are everyone's right and by placing them, NY was voicing its opinion on the subject. She reported that all regions, except Colorado held the following general opinions:

- The opposition began after NY was denied an EAC program because they didn't get the required paperwork submitted on time to be considered
- Other regions were also pressed for time; though they began working on the requirements ahead of time, instead of waiting until it was officially announced.
- Everyone knew it was coming and what would be required.
- Voicing opposition is interesting considering NY originally wanted to participate in the EAC program.
- The other regions also stated that they did not plan to pursue a response and that the comments by NY were not directed to their region or state. These public comments were directed to the EPA and they feel it is not their place to respond to these types of comments.
- However, if statements are directed to their state our EAC regions, then they most certainly would respond.
- No indication was given on the type of this response as they feel it is highly unlikely.

Colorado hadn't looked into the matter, but felt that if the EPA was sued over the EACs, that the EAC regions should press their cause with the EPA

IX. AACOG Staff Updates

Action Item: Approve Residential Lawn & Garden Survey RFP candidate

a. Steven Smeltzer reported that AACOG had released an RFP for the implementation of a residential Lawn and Garden Survey which was to be part of the 2005 Emissions Inventory. Two responses were received for consideration; one from Ipsos-Insight and one from Zogby International. Mr Smeltzer provided a complete report on the evaluation made of each bid by the selection subcommittee. Ipsos-Insight adequately addressed the cost of the project, qualifications necessary, related previous experience and a comprehensive technical approach for completing the project. Therefore staff unanimously recommended the selection of Ipsos-Insight for contract negotiations. Chairman Millikin asked for a motion to approve the contract recommendation. Mayor Heath made the motion to approve. Councilman Haass seconded the motion. The motion passed.

b. Texas Emission Reduction Plans: Grant Award Updates

Brenda Williams presented a TCEQ listing of all the 2005 2nd round applications recommended for Funding by Area through the Texas Emission Reduction Plan (TERP). Mrs. Williams cited the program as a very successful one with over twelve applications funded and an estimated 2743.7 total tons of projected NOX reductions anticipated for the area.

IX. Other Issues

Chairman Millikin said that he had a letter from Councilman Haass asking that David Newman be placed as a new member of the AIR Advisory Committee. He would see to it that it would be considered during the next meeting.

Chairman Millikin said that during the last AIR Executive Committee meeting he had indicated that he would like to meet with the new Mayor of San Antonio, Mayor Hardberger. He had expressed concern over the lack of participation from the City of San Antonio Area and the lack of their Leadership in Air Quality issues.

Chairman Millikin reported that he had met with Mayor Hardberger along with Judge Wolff, Mr. Notzon, Rene Green, and Councilman Haass on July 11. He reported that they had a very good informative meeting. He was very appreciative of Mayor Hardberger's interest in the program. Mayor Hardberger mentioned that he is a pilot and that twenty years ago the skies were pristine when he flew into the city. They no longer were. Chairman Millikin said that indications were that the city of San Antonio had the leadership to increase their involvement.

Chairman Millikin asked for a motion to adjourn the meeting. Chairman Millikin took notice of the speedy execution of the meeting in Mr. Bella's absence.

X. Adjourn

Mayor Heath motioned for adjournment. Judge Quinney seconded the motion. The meeting was adjourned.