



Capital Area Council of Governments

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Clean Air Coalition (CAC) Meeting
Wednesday, December 17, 2008
CAPCOG Board (Pecan) Room
6800 Burleson Road, Building 310, Suite 165
11:00 a.m. – 1:00 p.m.

MARKED AGENDA

A quorum was established and the meeting called to order by Austin Mayor Will Wynn, CAC Chair.

CAC members or designated representatives attending: *Mayor Will Wynn – City of Austin – CAC Chair; Judge Sam Biscoe – Travis County- CAC Vice Chair; Mayor Alan McGraw – City of Round Rock; Gary Boyd – Williamson County; Mayor Marc Holm – City of Elgin; Judge H.T. Wright – Caldwell County; Derek Dowdell – City of Bastrop*
CACAC representatives: *Bill Gill – CAPCOG; Shana Norton – CAMPO; Cathy Stephens – CAMPO; John Dean – City of Round Rock; Adele Noel – Travis County; Thomas Weber – Travis County; Fred Blood – Austin Energy; Deanna Altenhoff – Clean Air Force;*

1. Public Comment (3 minute limit per speaker)

None

2. Nonattainment Designation for New Ozone Standard

a. Timeline for designation

Mayor Wynn asked if additional counties besides Travis were recommended to be added to the existing nonattainment counties in Texas. New nonattainment counties include Bexar in the San Antonio area, and Gregg, Rusk and Smith in the Tyler area. El Paso County and Hardin, Jefferson and Orange Counties in the Beaumont area just came into attainment of 1997 standard and are now nonattainment for 2008 standard.

b. TCEQ's recommendations

TCEQ changed their designation recommendation to be sent to the Governor after the recent Commissioners' Agenda to recommend that only Travis County be designated nonattainment for the Austin Round Rock MSA. Travis is only county in the area that has a monitor showing nonattainment. The EPA classification for the area is most likely to be "marginal" nonattainment status.

c. Actions required of all nonattainment areas

i. General conformity (See backup material)

Applies to Federal projects (i.e. Corps of Engineers, Airport, Military Projects)

ii. Transportation conformity (See backup material)

CAMPO is currently updating their 2035 Plan update which includes modeling and analysis of emissions in 2013, 2015, 2025 & 2035 (to be

Clean Air Coalition:

Chairman
Mayor Will Wynn
City of Austin

Vice-Chair
Judge Samuel Biscoe
Travis County

Commissioner Clara Beckett
Bastrop County

Mayor James Bertram
City of Lockhart

Commissioner Ron Morrison
Williamson County

Mayor Mike Hendricks
City of Luling

Mayor Marc Holm
City of Elgin

Mayor Alan McGraw
City of Round Rock

Mayor Susan Narvaiz
City of San Marcos

Commissioner Karen Ford
Hays County

Mayor Terry Orr
City of Bastrop

Judge H. T. Wright
Caldwell County

done by Texas Transportation Institute) to show that they will be less than emissions in 2008 in order to continue with the plan and move forward. If you can't show emission reductions, then federal funds can be delayed and will need additional approval. If designated nonattainment, transportation conformity plan will have to be updated every 4 years instead of every 5 years. Transportation plan is due June 2010, EPA designation is March 2010. Mayor Wynn, Mayor McGraw, and John Dean engaged in discussion concerning specific conformity requirements apply for 20 years after area is back in compliance for all regionally significant projects (i.e. arterials, tying into an interstate) if using federal money. CAA requires 2-10 year maintenance plans. Would CAMPO have to pull in Caldwell County if it was designated nonattainment? Cathy Stephens of CAMPO stated that if a non MPO county is designated nonattainment the state department of transportation takes over the requirements. Sean Moran asked that Bill Gill address how transportation conformity affects economic development. The nonattainment NSR requirements are the ones that can impact economic development (see backup for next item)

iii. Nonattainment new source review

Thomas Weber with Travis County asked if there is a threshold below which nonattainment permit review would not require. Bill stated that nonattainment review is required when a source emits greater than 100 tons per year. John Dean asked how this will look from a development stand point will interested industrial developers have to get a permit? Bill stated yes, they will have to get a permit, but that is something they would have to do anyway. The only change is that they may have to meet more stringent requirements.

iv. Reasonably Available Control Measures (RACM)

Judge Biscoe asked what controls are available that we are not requiring already. Look at surface coating facilities that would be a source of VOCs. The EAC already included RACM that may be required with nonattainment. The EAC control measure list was developed by looking at other requirements in nonattainment areas. Caldwell County Judge Wright says that he thinks the permitting and conformity requirements discourage blue color jobs. Bill stated that there are requirements for cleaner equipment and cleaner fuels, so that covers the construction end of the requirements. Cathy mentioned that the attainment for marginal areas could be required at the same time as the plan to come into attainment is required by the EPA to be submitted from the State. Judge Wright asked if the weather affects the design value just as much as doing additional emission reduction measures. Bill stated that weather does have a lot to do with monitored levels of ozone.

d. Actions required under different EPA classifications

As a marginal area, you have 3 years to come into compliance with the standard. The TCEQ has the same 3 year time period to come up with a plan on how to get you into compliance. If a marginal area does not meet the standard after the 3 year time period, the area could be bumped up to a moderate status. A-RR MSA has the O3 Flex Plan in place/signed which designed to help us reduce ground-level ozone in the meantime.

3. Ozone Monitoring Results

2008 ozone season design value and projections for 2009 we've seen a general downward trend in 8-hr ozone design values. EPA will look at 2007, 2008, 2009 in designation determination. It's clear that weather has a significant impact on ozone monitoring.

4. 2009 Ozone Season "Big Push"

CAPCOG will work on the technical evaluation for the "Big Push," CAPCOG will work on the technical side of any emission reductions. Cathy discussed details in "Big Push" (see backup material). Betty asked when the technical evaluation will be done for the Big Push. Bill stated that U.T. is doing some modeling and CAPCOG is working with a contractor to do the evaluation(including looking at TxLED with additive supplied to all trucks, bulldozers, etc in our region in which case we could get as much as 2 tons/day NOx emission reductions). Products from these efforts should be available within a few weeks after Christmas. Industrial component: CAPCOG has talked with Austin Energy and will talk with LCRA and UT to see what can be done at the power plants on high ozone days. Bill has talked to Texas Lehigh Cement Plant in Buda and they've recognized things they can do to reduce NOx on predicted high ozone days. Betty stated that we need to take all of the Big Push ideas and put them into one documents and distribute it to all groups in jurisdictions. Judge Biscoe requested that something in laymen terms be put together. Mayor McGraw said that he feels that we need to get people's attention with economic development. Sean Moran mentioned that CAPCOG is working on a laymen terms presentation for the Executive Committee in January. Mayor Wynn mentioned that doctor's have seen links with asthma and high ozone and recommended to include something from a health standpoint in the "Big Push" about how it affects the individual.

- a. Season kickoff event**
- b. Targeted outreach activities**
- c. Plans for maximizing emission reductions in attempt to achieve attainment of 2008 standard**

5. 8-Hour O3 Flex Clean Air Plan Update

Full report will be available on the CAPCOG Web site at http://www.capcoq.org/documents/front_page_documents/files_for_front_page_articles/1st_8-O3%20Flex_SEMI_ANNUAL_Report.pdf

John Dean asked if NOx takes ozone out of the air in large concentrations. Bill stated that studies have shown that concentrated levels of NOx can actually temporarily decrease ozone formation. Mayor Wynn mentioned that the COA only had one violation of the new ozone NAAQS and Travis County also had one. Mayor Wynn mentioned that 55% of COA fleet is now alt fuel. Mayor Holm of Elgin asked what they could do to get some funds like Travis and Williamson Counties receive. Cathy requested that the Mayor Holm send a contact for more information to be sent about

RCRS. Tom Weber asked if there were any other emission reduction measures that could be implemented associated with alt fuels or something like getting better fuel from Flint Hill. Bill mentioned that Flint Hills may be the distributor for all of the MSA. Mayor of Caldwell mentioned that Flint Hills may be building a new pipeline in the region.

Next steps: Judge Biscoe asked if what we did on ozone action days is more important than measures that we do throughout the year. Bill stated that things done during ozone season and days of predicted high ozone are most important to reduce the ozone design value. Whether things are being done during ozone season, or throughout the year, they all add up to a health benefit. Judge Biscoe asked what the one thing we can do that would make the biggest impact. Bill stated that the Texas Low Emission Diesel could have a significant effect on the area because it is what is used in all of the vehicles that are fueled in our region. Diesel engines from on-road vehicles are responsible for around 50% of on-road emissions even though diesel trucks only make up about 4-5% of total vehicles on-road. Currently Travis County and the City of Austin add a NOx reducing additive to their diesel during ozone season. Judge Biscoe recommended that we go through the legislature to require additives for diesel in our region. Cathy mentioned that this request has been made of Flint Hill before, and in the past they did not want to do it.

- a. Review of draft 1st semi-annual 8-Hour O3 Flex Progress Report (Draft posted on CAPCOG Web site)**
- b. Status of O3 Flex commitments (HDV idling restriction MOA and implementation plans, etc)**
- c. TERP program application submittals**
- d. Update on inviting new jurisdictions to participate in the CAC**
- e. Use of local initiative project funds**
- f. O3 flex press event (Spring 2009)**

6. Review of significant proposed air quality legislation and consideration of adopting resolution and sending letter of support to region's legislative delegation

Williamson County suggested that some language be added to the resolution to broaden the scope of LIP usages. Travis County agreed with this recommendation.

Support legislation for LIRAP that increases the availability of funding.

Betty mentioned that the TCEQ requested to add additional areas to the Rider funding without adding additional funding. Judge Biscoe said that he would like to propose language that closes the loop hole for TXLED requirements. The loop hole allows companies that supplied TXLED in past years to bank credits so that they do not have to supply low emission diesel. Add to the resolution that credits can be used, unless the area is near nonattainment or nonattainment. Travis County Judge stated that we

should request emergency legislation to require TXLED without credits for the Austin Area in 2009. Add wording to resolution concerning receiving TXLED in the Austin Area.

Betty and Mayor Wynn agreed that the resolution would be good to have to send out to CAC member so that they can send it to their local delegations.

Mayor McGraw motion to approve resolution with changes to include TXLED resolution for requiring no credits in Austin Area. The motion was seconded by Judge Biscoe. All in favor: motion passed unanimously.

7. Other Business and Next Meeting Date

Mayor Wynn asked if it was practical to have Hays County included in an I/M program by 2009. Mayor Wynn said that he would have the conversation with the Mayor of San Marcos to determine their interest in an I/M program. Bill said that an I/M program could not be up and running by 2009. Mayor Wynn mentioned that having San Marcos on board would at least help us in the years going forward. Betty mentioned that it would be good to discuss with the San Marcos Mayor potential involvement in the Clean Air Coalition.

Next meeting date: February meeting for Legislation and “Big Push” update. Work with Mayor Wynn to set up meeting.

Action Items

- Put together a document containing all ideas for the “Big Push” including implications of attainment vs. nonattainment and how it would affect economic development in laymen terms. Distribute to all groups in all jurisdictions.
- City of Elgin (Mayor Holm) to send a point of contact to CAMPO to receive information on RCRS.
- Judge Biscoe recommended that we go through the legislature to require NOx reducing additives for diesel in our region from Flint Hills
- Add language to the adopted resolution to air quality legislation being sent to the region’s legislative delegation to broaden the scope of usages of LIP funds.
- Add language to the adopted resolution concerning receiving TxLED in Austin area.
- Work with Mayor Wynn to set up February meeting for Legislation and “Big Push” update.