

Clean Air Coalition Advisory Committee
Monthly Meeting
Thursday, January 13, 2011 from 1:30 – 3:00 pm
CAPCOG Offices
6800 Burleson Road, Building 310, Suite 165
Austin, Texas
Conference Call*

MARKED AGENDA

Attendees: Bill Gill (CAPCOG), Cathy Stephens (CAMPO), Shana Norton (CAMPO), Andrew Hoekzema (CAPCOG), Pharr Andrews (City of Austin), Shelley Naik (TCEQ); Natalie Houssain (LCRA); Sandy Guzman (Senator Watson's Office); Carrie Paige (EPA Region 6); Liz Preswick (TxDOT); Vince Cleland (Environmental Systems Products); Adele Noel

1. Welcome, Introductions and Citizens Comments

No citizen comments.

2. EPA and TCEQ Update

EPA: Ozone standard to be finalized in July, CO standard to be proposed January 28th (court-mandated date), PM standards to be proposed in February. Someone from EPA will send us an e-mail summarizing the status of the permitting issue in Texas.

TCEQ: January 20th: information session on TCEQ staff's SO₂ designation recommendation that all areas of the state be designated "unclassifiable." This recommendation is because both monitoring and modeling are required, and the modeling is not yet available. HDDV idling rule change to be proposed on January 26th.

3. EPA Ozone Standards/Implementation Issues

• **Delay in designation for 2008 standards**

EPA says it won't be issuing designations for 2008 standard because it has already said that the 2008 standard isn't protective.

• **Delay in final 2010 standard and implementation rule promulgation**

EPA says that implementation rule may be proposed ahead of finalization of the reconsidered standard in order to accelerate implementation. At this point, implementation rule proposal will be largely along the lines of what EPA discussed in material it circulated to states last year. This documentation suggested that EPA was planning on implementing the primary standard using subpart 2, but might use a different method for determining classifications than it did for the 1997 standard, and that it was considering using subpart 1 for the secondary standard. There will be a call on the implementation rule next week.

• **Travis County letter to TCEQ asking for rescission of nonattainment recommendation**

Bill Gill (CAPCOG), Co-Chair
6800 Burleson Road, Austin TX 78744
512.916.6066 • fax 512.916.6001
bgill@capcog.org

Cathy Stephens (CAMPO), Co-Chair
505 Barton Springs Road, STE 700 Austin, TX 78704
512.974.1861 • fax 512.974.6385
cathy.stephens@campotexas.org

Despite what EPA says about the 2008 designation recommendation, CAPCOG staff suggested that Travis County proceed with requesting to be removed from the list of counties recommended to be designated nonattainment for the 2008 standard.

- **Discussion of comments on implementation rule**

CAPCOG requested that members review backup material on implementation rule from last meeting and submit any suggestions and thoughts to Andrew Hoekzema by the close of business Wednesday, January 19th, so as to incorporate them into a letter being drafted on the implementation rule for CAC. Cathy suggested that we highlight the reasons why EPA's previous approach to subpart 1 was wrong, but why our proposal is okay. Andrew will monitor the OMB site and notify the group when the implementation rule proposal is posted there.

4. Discussion of Jan 12th CAC Meeting summary and results

- **Agenda notes**

CAC directed staff to draft letters on implementation rule, invitation for new jurisdictions to join, and a letter to the Central Texas legislative delegation requesting a specific penalty for idling (\$500 perhaps?). There will be another meeting on February 9th.

- **Renew/refocus on regional air quality goals**

Not much interest, but at least one member wanted further discussion in the future.

- **Review role and composition of CAC membership**

Not much interest in this either. Topic to be brought up later if or when area transitions to nonattainment for a new standard.

- **New members**

Judge Tom Bonn from Caldwell County and Commissioner Ray Whisenant from Hays County are now on the Coalition; there is still no representative from San Marcos.

- **New Officers**

Judge Sam Biscoe re-elected as Chair, Mayor Alan McGraw re-elected as Vice Chair, Councilman Chris Riley elected as Vice Chair.

5. Heavy-duty Vehicle Idling restrictions

- **TCEQ rule change proposal**

TCEQ will propose changes to the state's heavy duty idling rule, including adding an exemption for armored cars, reinstating the sleeper berth exemption for government-mandated rest periods, removing the prohibition on idling in residential areas, near schools, and near hospitals, and extending the enforcement time period to year-round. CAPCOG staff and CAMPO staff expressed concern that the sleeper berth exemption would seriously undermine enforcement of the rule and that the removal of the prohibition of idling in residential areas was unnecessary and, combined with the sleeper berth exemption, opens all residential areas, hospitals, and school areas to

extended idling. CAPCOG will draft comments, and will present them to the CAC on February 9.

- **8-O3 Flex implementation issues**

More attention needs to be paid to implementation plans in MOAs.

- **CAPCOG HDV idling activity survey project**

CAPCOG & CAMPO will be conducting a study to assess the total amount of emissions from idling starting soon.

6. Possible air quality issues arising during 82nd legislative session

Aside from HDDV idling, there might be some permitting bills related to review for ozone impacts. There might also be a bill related to City of Austin's and LCRA's sovereign immunity for alleged Pecan crop damage from SO2 emissions from Fayette Power Project.

7. CACAC officer selection

Bill and Cathy reelected co-chairs by unanimous vote.

8. Other 8-O3 Flex Implementation Items

None

9. Other Business

None

*You may join the meeting via conference call by dialing 512.974.9300 and pressing 123568 at the prompt.