



Air Improvement Resources Committee

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Resolution

Hon. Jay Millikin
Chairman,
AIR Executive Committee
Comal County
Commissioner

Hon. Nelson Wolff
Vice-Chairman,
AIR Executive Committee
Bexar County
Judge

Hon. Gaylan Schroeder
AACOG Board of Directors
Kendall County
Judge

Hon. Justin Rodriguez
City of San Antonio
Councilman

Hon. Marvin Quinney
Wilson County
Judge

Hon. Mike Wiggins
Guadalupe County
Judge

Hon. H.A. "Dan" Daniels
City of Seguin
Councilman

Hon. Jim Tremblay
Greater Bexar County
Council of Cities
City of Windcrest
Councilman

Hon. Bruce Boyer
City of New Braunfels
Mayor

Hon. Diana J. Bautista
Atascosa County
Judge

Hon. Bill Carroll
City of Pleasanton
Mayor

WHEREAS, the San Antonio region, acting together through the Air Improvement Resources (AIR) Committee of the Alamo Area Council of Governments, was one of the first regions to partner with the US Environmental Protection Agency (EPA) by signing an Early Action Compact (EAC), and continues to work proactively to improve regional air quality and reduce ozone-forming pollution;

WHEREAS, the AIR Committee does strongly support the science-based goal of protecting the health of our citizens as our efforts and successes of recent years demonstrate, and we look forward to cooperatively working with the EPA to improve the nation's air quality and our collective public health. However, the health-based studies cited to support the proposed revisions to the standard were conducted in areas known for chronic ozone exceedances; the AIR Committee questions the applicability of these studies to all areas of the Country, such as San Antonio, which experience only occasional episodic ozone exceedances;

WHEREAS, analysis of surveillance data gathered from hospital emergency departments in the San Antonio region by the San Antonio Metropolitan Health District suggest little or no correlation between asthma-related emergency department visits and occasional ozone exceedances. This may be credited to work done on Air Quality Health Alert days (formerly Ozone Action Days) and better asthma management by parents, physicians, school nurses, and the students themselves;

WHEREAS, transport of polluted air plays a significant role in development of higher ozone levels in our region. If the standard is lowered to the point that air coming into our region exceeds the standard, local controls by definition cannot and will not bring us into attainment. Traditional nonattainment tools, which depend on implementation of local controls within the nonattainment region, are inadequate to meet the ozone challenge we face;

WHEREAS, given the effects of transport, EPA should work with states to consider changing the permitting of and the effects of significant pollution sources from which emissions are transported over hundreds of miles. For example, recently the Houston-Galveston-Brazoria (HGB) area successfully petitioned for reclassification from "moderate" to "severe" 8-hour ozone nonattainment. It is not practical to allow nonattainment areas such as HGB to reach attainment by 2019 or 2020 while mandating that areas such as central Texas attain by 2014 despite overwhelming transport from HGB or other nonattainment areas;

WHEREAS, EPA's Clean Air Scientific Advisory Committee could not agree conclusively upon a methodology by which to determine a secondary ozone standard;

WHEREAS, EPA's Clean Air Scientific Advisory Committee could not identify a "bright line" to establish a clear cut standard;

WHEREAS, local voluntary measures continue to have a positive impact and have increased in number and impact value since the EAC expired in 2007, and the San Antonio region has remained in attainment of particulate matter and all other criteria pollutants, and the local leadership remains committed to continuing to improve air quality in the San Antonio region. Those local voluntary measures include:

- *Implementation of electricity demand reduction projects through CPS Energy's Save For Tomorrow Energy Plan totaling 771 megawatts through conservation, energy efficiency and demand reduction by the year 2020;*
- *Implementation by CPS Energy of renewable energy in its supply portfolio which includes more than 700 megawatts of wind and landfill gas energy already in operation, and an additional 190 megawatts under development including 41 megawatts of large-scale solar energy;*
- *Implementation by the City of San Antonio of a green, high-performance building code for new residential and commercial buildings requiring energy savings at 15% above code;*
- *Initiative by the City of San Antonio to build a 21st Century urban energy infrastructure in San Antonio with distributed and renewable energy sources;*
- *Aggressive program by Bexar County replacing Heavy Duty Diesel Trucks with Hybrid Diesel Trucks and replacement of County Parks vehicles with electric vehicles;*
- *Aggressive Bexar County Energy Policy which includes energy efficient retro-fit of existing buildings and LEED certification on all new facilities.*

WHEREAS, the local leadership also hopes to further our understanding of the health risks associated with ozone in our region by conducting a local health study which would assess, inventory, and take into account impacts from the pollution source mix particular to our region;

WHEREAS, the AIR Committee objected in 2007 to the EPA's proposal to revise the 8-hour average ozone standard to 75 parts per billion (ppb); and

WHEREAS, the EPA requests comments only on the level of the 8-hour standard, which was set at 75 ppb in the primary and secondary standards of the 2008 final rule;

NOW THEREFORE BE IT RESOLVED THAT:

1. The San Antonio region does not agree with lowering the 8-hour average ozone standard from the current level without balancing credit acknowledging transport into our airshed.
 - The EPA must recognize the role of both interstate and intrastate transport in the calculations and implementation of ozone standards. While we welcome discussions with the EPA and the TCEQ on methods to mitigate local

contributions to ozone formation, we cannot enact reduction strategies which act beyond our jurisdiction.

2. The primary and the secondary ozone standard should remain the same standard.
3. Permitting rules need to require an evaluation of ozone impacts using photochemical grid modeling. Permits should be modified or denied if adverse health impacts or violations of the NAAQS will occur as a result of permit action.
4. Timetables for attainment unduly disadvantage some downwind areas. There are areas upwind of the San Antonio region which are currently in nonattainment of ozone standards, and which may not reach attainment for years to come. Since transport can have an important impact on ozone levels in the San Antonio region, transport from nonattainment elsewhere is likely to delay attainment locally as well.
 - In order to align these timelines for different regions, we ask for a gradual implementation of any reduction in the ozone standard to allow for more timely and accurate scientific data to be evaluated.
5. The Air Improvement Resources Committee requests that the Federal government provide the funds to conduct a fully independent, impartial and objective epidemiological study to ascertain the effects, if any, of the region's air quality on the health of its citizens and visitors.

PASSED and APPROVED this 3rd day of March, 2010.

Signed,


Chair, AIR Executive Committee


Vice-Chair, AIR Executive Committee