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May 5, 2025

Chairwoman Kristin Mink
Chairman David Snyder
MWAQC EJ Subcommittee
Metropolitan Washington Council of Governments
777 North Capitol St. N.E., Suite 300
Washington, DC 20002

RE: Final Comments on the MWAQC EJ Action Plan

Chairwomen Minks and Chairman Snyder:

Thank you again for trying to push for a meaningful action plan. I'd also like to acknowledge the efforts made by current MWAQC Chair Dernoga and past MWAQC Chair Boddye. You have all invested significant time and energy into trying to make progress on this critical ... very real ... public health issue and it is appreciated.

Unfortunately, the action plan is unlikely to drive the changes that need to happen to protect the health of the individuals who live in the air pollution hotspots created by the SIPs you have approved. The SIPs create these very high risk hotspots when they are implemented using current, outdated policies for land-use, zoning and transportation. The SIPs have driven clean air for the vast majority of the region, unfortunately, the health of a small portion of the region's population has been sacrificed for the greater good. In many cases, the unfortunate individuals that live in the hotspots are individuals of color.

When I was the Air Director for the State of Maryland, I was often asked ... "Would you live in my neighborhood?" I would not live in the hotspots created by the Washington area SIP.

The action plan is really not an action plan at all ... There are no requirements or commitments from anyone to do anything. It is a nice, pretty, fluffy tool kit that is unlikely to ever be used by any MWAQC member. Like most fluffy documents, it is

likely to be put on the shelf and never used. This is unfortunate as the tool kit/plan actually has a lot of good information in it. A lot of people worked hard on it.

Politically, this may be the best product that the EJ Subcommittee could support at this time. EPA is totally backing away from environmental justice, many states appear to be following EPA's lead and funding for environmental protection efforts is shrinking. This is very discouraging.

I am re-submitting my very detailed earlier comments in Attachment 1 as very few of them have been addressed. Given the effort you have pushed for public participation ... Will there be a "response to comments" type of document? Seems like there should be to make sure that the public does not feel like their input was ignored.

One final question ... Will there be annual reviews of the plan to see if anyone is actually doing anything or will the effort to protect the health of communities overburdened by air pollution just sort of fade away?

In closing, thank you again for trying.

Respectfully,

Tad Aburn

Tad Aburn ...

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Retired MWAQC Member
Community Volunteer

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cc: MWAQC EJ Subcommittee
MWAQC Chair Ted Dernoga
CEEPC Chair Sarah Bagley
ACPAC Chair William Washburn

ATTACHMENT 1

March 20, 2025 Comments

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March 20, 2025

Chairwoman Kristin Mink
Chairwoman Anita Bonds
Chairman David Snyder
MWAQC EJ Subcommittee
Metropolitan Washington Council of Governments
777 North Capitol St. N.E., Suite 300
Washington, DC 20002

RE: Initial Comments on the Early Draft of the MWAQC EJ Action Plan

Chairwomen Minks and Bonds and Chairman Snyder:

I am submitting these initial comments to the MWAQC EJ Subcommittee on the undated, partially complete, early draft of the MWAQC EJ Action Plan that was released in late February. Thank you all again for allowing public comment and participation as part of this critical effort.

The early draft document represents a reasonable first draft of a **small piece** of an action plan. That said, it is far from complete. The document contains some very useful materials, but it is also missing quite a few critical elements of what is needed to have an effective action plan that will actually result in improved air quality and reduced risk in overburdened environmental justice (EJ) communities in the MWAQC region. These missing elements have been consistently supported in the numerous comments you have received from communities, advocacy groups, academic institutions and other stakeholders.

The largest concern is that the early draft action plan is really not an action plan at all. It is a resource guide. It contains things that could be done, but no commitment on anyone's part to actually do anything. Probably the most important theme that has come out of the public participation process is that the plan is about addressing a serious public health problem and that the plan must be action oriented, drive immediate action by MWAQC members and have some form of tracking or accountability system. The current early draft includes none of those things.

This letter summarizes the six most important missing pieces of the draft MWAQC EJ Action Plan that must be added if the plan is expected to be effective and reduce emissions and risks in EJ areas across the MWAQC region.

Attachment 1 provides a proposed framework that provides details on the planning process, the goals, the deadlines, the responsible parties and the accountability systems that must be part of an MWAQC EJ Action Plan if it is to be effective and meaningful. Attachment 2 and 3 provide a sample timeline for a community-based action plan consistent with the framework and a rough proposal for how to begin to address cumulative exposures to multiple air pollutants at the same time. Attachment 4 includes additional comments on language in each Chapter that is inaccurate or incorrect.

Critical Missing Elements in the Early February Draft of the MWAQWC EJ Action Plan

1. **ACTION ... The plan needs to drive real action** - The MWAQC EJ Action Plan needs to drive real action, not just be a resource guide/guidance document that MWAQC members can choose to use or ignore. History shows that guidance documents with no follow up or accountability system are often simply “put on the shelf” and never used. Given the work accomplished by the MWAQC EJ Subcommittee and the COG staff and its consultants over the past year, it is now very clear that, despite the much cleaner air breathed by the vast majority of residents in the MWAQC area, that certain communities, often communities of color, are breathing air that is much, much dirtier and much more unhealthy than the air breathed by the vast majority of the primarily white air breathers in the District of Columbia, Maryland and Virginia (DMV) area (or the MWAQC region).
2. **GOALS AND ACCOUNTABILITY ... The plan needs to have specific goals, responsible parties and a system of accountability** - All meaningful action plans establish goals, benchmarks or some other trackable metric that will show how well the action plan, in this case the MWAQC EJ Action Plan, is working. Attached to the goals, there needs to be some kind of accountability system that

tracks the progress being made by each responsible party to meet the goals and the timeframes attached to those goals.

3. **SPECIFIC AREAS - The plan must identify specific EJ areas/communities where the MWAQC EJ Action Plan will be implemented** - There needs to be a process for identifying and prioritizing specific EJ areas that will be covered by the action plan. Because the planning and implementation process for the action plan is a large, relatively new effort, areas should be prioritized and some kind of phased approach needs to be used to ensure that the areas of greatest concern are prioritized and acted on quickly and that all areas suffering from inequitably high air pollution risks are, over time, addressed.
4. **IMPLEMENTATION PLAN AND DEADLINES ... The plan needs to spell out an implementation plan with a detailed schedule and deadlines** - All credible plans include a series of steps that are built into an implementation plan. The implementation plan must include timeframes (or deadlines) for when each step must or should be completed by each responsible organization. Because the MWAQC EJ Action Plan is both aggressive and a relatively new priority for the members of MWAQC who are responsible for implementation, the implementation plans and deadlines must be both aspirational and reasonable. Again, a phased approach needs to be used to use available resources to address highest priority areas first while addressing all areas over time.
5. **ACCOUNTABILITY - The plan needs to have a system to ensure that all responsible parties are held accountable for meeting goals and for accomplishing all interim actions in a timely manner needed to meet those goals** - Virtually all credible plans that are trying to address a serious public health problem have some form of an accountability system that keeps track of whether or not goals are being met and if responsible parties are meeting the interim action benchmarks identified in an implementation plan that are necessary to meet the public health protection goals.
6. **BUILDING FROM REAL WORLD SUCCESS STORIES ... The plan needs to build from the real world experiences of the communities in the MWAQC region that are implementing air pollution focused EJ action plans** - There are already several areas in the MWAQC region that are implementing community driven action plans. Some are fairly sophisticated. Others are more basic. There are many lessons, both positive and negative, to be learned from these ongoing community-based efforts to clean up the air in their community. One example is the Cheverly, Maryland area EJ partnership. Their effort literally

could be used as a model as it includes virtually all of the pieces needed to make progress. The Cheverly area has already seen a 25% reduction in fine particulate levels since the beginning of the partnership. The MWAQC EJ Action Plan is missing many of the pieces that helped the Cheverly area make progress.

In closing, thank you for requesting comment on this very early draft of the MWAQC EJ Action Plan. I hope that you will have several additional stakeholder meetings to address the serious issues raised in this letter and earlier public comment, before the plan is taken to MWAQC for approval.

Again, the current draft is not really a plan, it's a partially complete resource guide or guidance document. It has no goals, no specific areas to address, no commitments or responsibilities for any MWAQC members and no deadlines.

I would be happy to help COG staff pull together a stakeholder group to address these issues and to finalize the draft plan for approval by MWAQC as quickly as possible.

Respectfully,

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cc: MWAQC EJ Subcommittee
MWAQC Chair Ted Dernoga
CEEPC Chair Sarah Bagley
ACPAC Chair William Washburn
TPB Chair James Walkinshaw
MWCOG Board Chair Rodney Lusk
MWCOG Board Vice Chair Charles Allen

ATTACHMENT 1

3/20/2025

A Proposed Framework to Finalize the Adoption of the Regional Environmental Justice Action Plan by The Metropolitan Washington Air Quality Committee

Background

- Basis of the Proposal
 - This proposal builds from all of the Metropolitan Washington Air Quality Committee (MWAQC) discussions and the public input received by MWAQC since it unanimously voted to adopt an air pollution focused regional environmental justice (EJ) **action plan** in 2024.
 - The proposal also builds off of the considerable experience MWAQC, MWAQC members and the MWAQC staff have in developing, adopting and implementing State Implementation Plans or SIPs. MWAQC and its members are responsible for adopting and implementing SIPs under the Clean Air Act. The MWAQC effort on SIPs dates back to the 1990s.
 - A key element of the MWAQC vote and discussion was that the EJ Action Plan would be a “SIP-like” document, but not part of the SIP.
- Finalizing The MWAQC EJ Action Plan
 - One of the cornerstones of EJ action plans and the MWAQC EJ action plan process is the need to work closely with the actual EJ communities that are breathing air that is much more unhealthy than the air that the vast majority of residents in the MWAQC region now breathe because of the progress driven by the SIPs.
 - The air in 2025 on average is much, much cleaner than it was in 1990, except in certain areas where outdated land-use, zoning and transportation policies combine with low-cost housing to create very high risk “air pollution hotspots.”
 - These hotspots are often located in areas where many residents are individuals of color.
 - **This framework should be used as a template in a series of stakeholder meetings to finalize the MWAQC EJ action plan by the end of the year.**

- Many of the other advocates that I have collaborated with over the past two years would actually like a much more aggressive and formal plan than what is proposed in this framework.

Basic Requirements and Key Terms

- The Basic Requirements of the MWAQC EJ Action Plan
 - MWAQC should adopt a two-step regional plan to address air pollution in EJ areas across the MWAQC region.
 - In step 1, the MWAQC plan will require or strongly recommend that the air pollution problems in at least one EJ community in each County in the MWAQC region be **eliminated within 5 years** from the date the plan is adopted by MWAQC and that, **by the end of year 3 considerable progress has been made** in each area.
 - In step 2, the MWAQC plan will require or strongly recommend that the air pollution problems in other EJ areas be addressed as quickly as resources allow, but no later than 2035.
- Some Basic Definitions
 - The Regional Action Plan or “RAP” - A plan adopted by MWAQC to address air pollution hotspots in EJ communities that requires or strongly recommends that community implementation plans be implemented in the District of Columbia (DC) and each county in the MWAQC region.
 - The Community Implementation Plan or “CIP” - A plan adopted by an EJ community partnership to address air pollution issues within a community. Each CIP will be initiated by DC or the County in partnership with a community. Each CIP will require significant support from MWAQC members with regulatory authority, specifically the Maryland Department of the Environment (MDE), The District of Columbia Department of Energy and Environment (DOEE) and the Virginia Department of Environmental Quality (VDEQ) and the MWAQC staff. The CIP concept builds from the SIP process MWAQC is comfortable with.
 - The Regional EJ Support Center - A new function for the MWAQC staff and MWAQC contractors to provide a variety of technical and training support to assist the EJ partnerships with the development of CIPs. The center should be funded using the same approach MWAQC uses (state, local and transportation funding) to support SIP development. Examples of support provided by the center include EJ screening, the development,

funding and implementation of community air monitoring networks, the development of a model CIP, training on community engagement and emission reduction opportunities and technical support on how current emission reduction measures in the SIP and new emission reduction measures work and how effective they may be in specific CIPs.

- Reasonably Available Control Efforts or RACE - Mandatory efforts made by MWAQC members that are part of a community partnership implementing a CIP (state, county and municipal agencies with regulatory authority) to dramatically reduce emissions in the EJ area by meaningfully and intelligently increasing efforts to enforce existing laws and SIP measures to maximize emission reductions of criteria pollutants, toxic air pollutants, other air pollutants and air pollution nuisances from the following emission sources and source categories:
 - Diesel trucks and other diesel vehicles,
 - Stationary, mobile and area source of fugitive dust, and
 - Large and small stationary sources that have a construction, operating or Title V permit or are registered.

State data on enforcement efforts on these three sources or source categories appears to indicate that reasonably aggressive implementation of RACE could double or triple the emission reductions of multiple pollutants now being achieved and dramatically improve air pollution in EJ areas.

Timing

- Initial CIP Deadlines
 - The initial round of CIPs, which involve at least one CIP in DC and each MWAQC County, should be adopted by each community partnership within two years of the date that MWAQC adopts the RAP. The CIP should be developed and implemented in three phases.
 - Assuming that MWAQC adopts/finalizes the RAC on January 1, 2026, the schedule for the initial round of CIPs would be
 - January 1, 2026 - MWAQC adopts RAC
 - January 1, 2028 - At least 1 CIP approved in DC and each County through a community partnership (Phase 1)
 - January 1, 2029 - Significant progress made in reducing emissions for each area (Phase 2)
 - January 1, 2031 - Air pollution issues in each area are fully resolved (Phase 3)

- Deadlines for Other EJ Areas
 - Additional CIPs for other EJ areas in DC and each County, should be adopted by each community partnership as quickly as possible as resources allow but no later than 2035.
 - Assuming that MWAQC adopts/finalizes the RAC on January 1, 2026, the schedule for other CIPs would be
 - January 1, 2026 - MWAQC adopts RAC
 - ASAP but no later than January 1, 2032 - Additional CIPs approved in DC and each County through a community partnership
 - One year after adoption of additional CIPs - Significant progress made in reducing emissions for each area
 - Three years after adoption of additional CIPs but no later than 2035 - Air pollution issues in each area are fully resolved

Goals

- Overarching Goals
 - To get started, clean up the high-risk air pollution in the highest priority problem areas in DC and each County that is part of MWAQC
 - Make significant progress in each problem area in 3 years
 - Fully address the air pollution problems in each problem area in 5 years
 - Address other problem areas as quickly as possible given available resources
- Basic Goals of the CIP - What does significant progress mean?
 - Significant progress is required 3 years after the adoption of each CIP.
 - There should be four key elements of significant progress
 - A community air monitoring networks has been up and running for at least one year
 - A demonstration showing that levels of key criteria air pollutants being measured by the community air monitoring network indicate that measured levels are protective of public health (i.e. below the National Ambient Air Quality Standards or NAAQS). Ozone and PM 2.5 are the two criteria air pollutants that must be included in the community air monitoring networks.
 - A demonstration showing that levels of all air pollutants measured in the community monitoring network (criteria, toxic and other air pollutants) appear to not be increasing,

- A demonstration that RACE is being implemented in the CIP region to show that meaningful progress is being made to address and reduce the cumulative impact of multiple air pollutants being released into the community and breathed at the same time.
- Basic Goals of the CIP - What does “air pollution issues in each area are fully resolved” mean?
 - Each CIP must show that air pollution issues are fully resolved after 5 years.
 - This requirement should be left to be very flexible allowing each partnership that is submitting a CIP to determine what this requirement means for their area.
 - Examples of requirements that could be considered by each partnership submitting a CIP ... to demonstrate that air pollution issues are fully resolved ... include:
 - A requirement to have shrinking annual emission caps for individual emissions within the area
 - A requirement that Individual air pollutant levels measured in the community monitoring network be below health protective standards or benchmarks for each individual pollutant.
 - A requirement that the cumulative exposure to all of the air pollutants being measured in the community air monitoring network are not in the unhealthy or extremely unhealthy range (red or purple). See Attachment 3.
 - A moratorium on new large emission sources

Identifying Problem Areas

- How should the Areas that Must Develop and Implement CIPs be Identified?
 - In the first six months after adoption, DC and each County in the MWAQC region, with the support of other MWAQC members and staff should conduct analyses to identify and prioritize potential areas that may need to adopt a CIP.
 - Key data and analyses to be used to identify EJ areas that are overburdened by air pollution should include:
 - EJ screening prepared by the Regional EJ Support Center or partners from academic institutions,
 - Readily available emissions density analysis and lists of stationary, area and mobile emission sources prepared by the MWAQC Technical Advisory Committee (TAC), and

- Technical and other local input from communities within DC or each MWAQC County, DC and each County and local common sense input will be used to identify and prioritize areas.
- From this list of potential EJ areas, at least one area in DC and each MWAQC County will be identified for developing and implementing a CIP in the initial step/phase of the RAC.
- Additional areas will also be identified for potential inclusion in later steps/phases of the RAC.

Partnerships

- Who Should Be Responsible for the Initiation of the Community Partnerships that are Responsible for Adopting and implementing CIPs?
 - The CIPs will be developed and implemented through a community partnership
 - DC or the County should be responsible for initiating and creating the community partnerships.
 - The community, the State environmental agencies and the MWAQC staff (including consultants), through the Regional EJ Support Center should be mandatory partners in each community partnership.
 - Other interested parties, including but not limited to local academic institutions, advocacy groups, municipal governments, state and county transportation staff, foundation and local experts should also be part of the partnerships if appropriate.

The CIP - How Does It Work?

- DC and each MWAQC County must submit a CIP, through a community partnership, by the end of year 2.
- What needs to be in each CIP?
 - Monitoring
 - The process and a commitment to implement a community monitoring network by the end of year 1.
 - Expeditious Progress
 - A commitment to implement RACE as expeditiously as possible and a description of which parties will participate in implementing the RACE emission reduction initiatives.
 - A commitment to show that by the end of year 3, the CIP and other emission reduction measures have reduced concentrations in the community monitoring network to levels that indicate that the

NAAQS for ozone, PM 2.5 and other criteria pollutants are being met and that concentrations of all pollutants appear to not be increasing.

- Fully Addressing Community Air Pollution Concerns
 - A description of how the CIP will fully address the areas air pollution problems
 - Additional control measures as needed
 - Examples of potentially high priority additional control measures include
 - A moratorium on new sources with large emissions
 - The three new measures/regulations proposed by MDE to mandate:
 - Cumulative exposure requirements
 - Tougher fugitive dust regulations
 - Increased transparency in permitting
 - See the MDE AQCAC web page ...
mde.maryland.gov/programs/workwithmde/Documents/AQCAC/2022MeetingMaterials/AQCA%20Briefing%20ppt-6-3-22.pdf
 - Measures to reduce traffic, congestion and emissions in problem areas implemented by TPB as part of the TIP and CLRP.
 - Strengthened regulations for reducing diesel truck emissions
 - A demonstration showing that the cumulative exposure to multiple air pollutants within the community is improving. See Attachment 3.

Air Monitoring

- How will the air monitoring be set up and work?
 - By the end of year 1, each area required to submit a CIP needs to have a community air monitoring network started and in place.
 - The partnership will lead the effort on the monitoring
 - State and local environmental agencies and local academic institutions should play a major role in this effort
 - The number of sites in each community can range from 4 or 5 to over 30
 - Each network should include low-cost monitors/sensors for PM2.5, black carbon and ozone.

- Examples of these types of sensors include the PurpleAir fine particle sensors, the Modulair multi-pollutant sensors and the C-12 black carbon sensors
 - A real world example can be found in Cheverly Maryland where the network includes approximately 30 PurpleAir sites as the PurpleAir sensors are very low cost and 3 to 5 sites where the slightly more expensive Modulairs and C-12s operate
- How will the air monitoring be funded?
 - There are already monitors/sensors being installed throughout the MWAQC region.
 - Local Universities, including the University of Maryland, the George Washington University, Howard University, American University and Trinity University are all currently deploying monitors and sensors.
 - Because the sensors are generally low cost, a minimal community-based network can be set up for less than \$10,000. Much less expensive than the Clean Air Act monitors run by DC and the states which can cost over \$200,000 for a single monitor.
 - One of the responsibilities of the Regional EJ Support Center would be to keep track of the many available funding opportunities to support EJ focused initiatives. These opportunities currently exist from foundations, academic institutions, state and local government and carefully framed federal grants.
 - Local academic institutions can play a major role in the monitoring process by helping communities set up, repair and maintain the sensor networks.

Tracking Progress and Accountability

- All plans that are effective have both goals and an accountability system that tracks progress and ensures that each participant in the partnership that has responsibilities is meeting their commitments.
- Because the MWAQC RAP is driven by very general legal authority in the states to ensure that public health is protected from air pollution ... and the recognition of MWAQC elected officials that there is a real issue that needs to be addressed ... The accountability system for the MWAQC RAP can not be as aggressive or stringent as the accountability system under the SIP, where significant constraints on building new sources and the withholding of federal highway funds can occur when goals are not met.
- Under the MWAQC RAP, the COG staff, under the direction of MWAQC, should prepare an annual report that includes County-by-County, area-by-area progress

reports that include meeting CIP deadlines, implementation of RACE and progress being made each year in each area based upon each areas community monitoring network.

- The report should be presented each year at the first MWAQC meeting each year and the public should be allowed to comment.

ATTACHMENT 2

3/20/2025

A Sample Schedule for the Adoption and Implementation of a CIP for One Community in One County that Includes Actions, Deadlines and Responsible Parties

DATE	ACTION	RESPONSIBLE PARTIES
January 1, 2026	MWAQC Regional EJ Action Plan (the MWAQC RAP) Adopted	MWAQC
Sample Schedule for the Adoption and Implementation of a Community Implementation Plan (CIP) for 1 Problem Area In 1 County. DC and All Other Counties in the MWAQC Region also Adopting and Implementing a CIP on the Same Schedule (ACTIONS ... ACCOUNTABILITY)		
January 2026	Regional EJ Support Center (RSC) Established	MWAQC, MWAQC Staff/RSC
July, 2026	DC/County selects at least one Community. Community partnership starts	DC/County, MWAQC Staff/RSC, Community, Other MWAQC Members
July 2026 to January 2027	Partners with regulatory authority begin to implement RACE in the community and strive for a 50% reduction in priority emissions in the selected community	State and DC Air Agencies, Counties, Municipalities, DOTs
December 2026	First Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
January 2027	Community Monitoring Network - Up and Running	DC/County, Community, MWAQC Staff/RSC, Partners
Early 2027	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC
December 2027	Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
January 1, 2028	CIP Action - Community	Community Partnership

	Partnership Approves the CIP	
Early 2028	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC
December 2028	Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
January 1, 2029	CIP Demonstration - Significant Progress Achieved	Community, DC/County, State, Partners
Early 2029	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC
December 2029	Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
Early 2030	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC
December 2030	Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
January 1, 2031	CIP Demonstration - Air Pollution Issues in each Area are Fully Resolved	Community, County, State, Partners
Early 2031	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC
Decembers 2031 and beyond	Annual EJ Action Plan Progress Report Finalized	MWAQC Staff/RSC, MWAQC
Early 2031 and each Year Thereafter	1st MWAQC Meeting of the Year Focuses on the Progress Report, Awards and a Press Release	MWAQC, MWAQC Staff/RFC

ATTACHMENT 3

3/20/2025

A Sample Methodology for Calculating a Cumulative Exposure Air Quality Index (CE-AQI) that Could Be Used in Public Communication Efforts and to Track Annual Progress Being Made by DC and Each County Implementing a CIP as Part of the MWAQC RAP/EJ Action Plan

10/31/2024 - TA

BACKGROUND

One of the most significant challenges in EJ Communities is that the air is polluted by ... not just one ... but maybe up to 100 air pollutants at the same time. This is called cumulative exposure to air pollution.

The public health protection community is actively working on how to address this issue, but at this time, there are not scientifically accepted approaches to calculating the health risks from cumulative exposures.

That said, a less precise tool for estimating and tracking potential public health risks from cumulative exposure to air pollution could be developed and implemented and used to gauge progress over each year or shorter time intervals.

One example of a rough methodology for calculating a daily CE-AQI is described below.

WHERE TO START

- Build from the current color-coded existing AQI system used by EPA and the States.
- Same colors - same health categories - same cutpoints
- Assumes that communities have built a reasonably good community monitoring network that looks at multiple priority air pollutants.
- Consider some kind of AQI range linked to uncertainty ... Doing the very best we can to communicate to non-experts what the air quality looks like based upon the sensor network.
- Would want to run the concept and any proposed methodology by EPA and health experts.

- There will be naysayers who argue we need years of research before moving forward ... It is important to recognize that the government has a responsibility to do the very best it can to communicate what the community collected data means in terms of public health protection ... saying nothing is irresponsible.

THE SPECIFICS

To make it a “Cumulative Exposure” AQI or CE-AQI ... add the following.

Add new pollutants.

- Treat Diesel PM (DPM) as a new pollutant (i.e. not just the criteria pollutants)
 - Use 33ng/m³ ... 10⁻⁴ EPA de minimis cancer risk ... and the 600 ng/m³ non-cancer benchmark as the equivalents of the NAAQS used in the current AQI
 - Use the black carbon (BC) measurements to calculate the DPM levels using the CA factors.
 - For the daily AQI ... for DPM
 - Use the rolling annual average concentration to calculate the daily AQI for cancer risk
 - Use the max 8-hr daily level to calculate the AQI for non-cancer effects
 - Whichever is higher becomes the daily AQI for DPM for that day
- Consider adding benzene as a new pollutant
 - Pretty much the same process as above for cancer and non-cancer effects

Include cumulative exposure adders to address additive or synergistic effects

- One of the pollutants will drive the AQI
- For all of the other pollutants
 - If the other pollutant is 80% to 100% of the standard add a 1% adder
 - If the pollutant is 100% to 120% of the standard add a 2% adder
 - If the pollutant is greater than 120% of the standard add a 3% adder

Include a nuisance dust adder

- For days with PM₁₀ between 100 and 150 ug/m³ add a 1% adder
- For days with PM₁₀ greater than 150 ug/m³ add a 2% adder

AN EXAMPLE FOR HOW THE METHODOLOGY WOULD WORK

- BC/DPM is the individual pollutant that drives the daily CE-AQI.
- Levels are high so it alone is 190 AQI or code red ... unhealthy.
- Ozone and PM are also above the standard and both drive a 2% adder.
- Benzene is high as well and also adds a 1% adder
- It's also a very dusty day at this site with high PM 10 ... this drives a 1% adder

You apply the adders to the BC/DPM starting point AQI and you end up with a CE-AQI of 201 - this bumps the AQI into code purple ... very unhealthy

- CONSIDER ANIMATION

- Use the same basic near real time approaches used in the current color-coded, animated AQI maps.
- Use same kriging techniques used by EPA

- ONE OTHER KEY ISSUE THAT COULD BE CONSIDERED

- Community specific information on pre-existing community sensitivity to air pollution because of issues like lack of health care could be included in the calculation of the CE-AQI

ATTACHMENT 4

3/20/2025

A Few Additional Specific Comments on Inaccurate or Incorrect Language

By Chapter and Section

General

- There are many, many parts of the early draft plan that are left blank ... i.e. “to be filled in later”. This makes it very difficult to understand the full draft document. There must be a second opportunity to comment provided once the full draft plan is completed.
- To finalize the plan, a series of stakeholder meetings should be held over the next two months ... where specific Chapters are focused on and specific language is discussed and agreed upon. The 3/20/25 comments from the larger group of communities and advocates offered to help the COG staff set up that kind of fast-track stakeholder process.

Chapter 1

- The most important piece of the background/history section is to describe the MWAQC process, decision and approved motion that created the MWAQC EJ Action Plan. This is not included at this time.
 - The current draft does not accurately reflect the decision that was made by MWAQC to adopt an “action oriented” EJ Action Plan similar to the SIP that includes goals, deadlines and an accountability system. The videos of the two meetings where the decisions were made are readily available on the MWAQC web page. The MWAQC action was ... to not include an EJ Action Plan as part of the SIP but to adopt a “SIP-Like”, stand-alone regional plan ... the motion, the debate and the final action are very clear that this is what the elected officials wanted. They were very clear that they did not want a soft, resource guide or menu-of-options.
 - The current early draft plan is not an action plan ... it is a resource guide or toolkit ... and not consistent with the action taken by MWAQC.
- Purpose Section - The draft reads “This document is neither a policy or a mandate, but rather, recommendations that are voluntary for **stakeholders** to consider and use.” This has to be a mistake. This is not what MWAQC voted to

do. The concept that a community can fix its own problems without any regulatory or legal authority to take action is ludicrous.

- The public comment has been very clear ... MWAQC and the government agencies who are MWAQC members need to do their job and protect the health of individuals living in EJ areas with inequitable, high-risk exposures to air pollution that have been created by ill-informed, historical air quality, zoning and transportation policies and decision making.

Chapter 2

- Section on ... Air Quality 101 ... Air Quality Regulation and Control ... Air Quality in Metropolitan Washington - These sections are very weak from an EJ perspective and appear to be primarily borrowed from existing work that is used to describe the SIP (which focuses on criteria air pollutants ... not all of the different air pollutants that are problematic in EJ areas) and have little to do with the inequitable, high-risk exposures to air pollution in EJ areas
 - It is very clear that, in general, air pollution has improved dramatically and that the majority of the residents, the primarily white residents, of the MWAQC region are breathing air that is much healthier in 2025 than it was in 2005.
 - What is not described is how the SIP has helped many, but it has also created high-risk air pollution hotspots in areas where ill-informed local zoning and transportation policies have driven the development of excessive numbers of stationary air pollution sources and heavily trafficked highways and roads. Because these areas are often surrounded by low cost housing, the residents who often live in these areas are often communities of color and are sometimes described as EJ areas. They could also be called “sacrificial lamb” or “scapegoat” communities as they live in areas where the SIP has actually created unhealthy air pollution in communities so that the majority of residents in the MWAQC region can breathe healthy air.
 - Pollutants - Again primarily borrowed from existing work from the SIP and inaccurate in the context of EJ areas. SIP pollutants are actually not the drivers of risk in EJ areas. Diesel particulate matter, black carbon, air toxics like benzene, acetaldehyde, toxic fugitive dust (asbestos and heavy metals) ... some of the largest risk drivers in EJ areas ... are not even mentioned. These air pollutants are critical in addressing EJ problems.
 - Health Concerns - Again this language is mostly borrowed from existing SIP work and ignores critical health risks like very high cancer risks and

birth defects and totally ignores other nuisance burdens in EJ areas like odors, explosions, dust and noise.

- Measuring and Monitoring - Again, this section appears to be mostly borrowed from the previous work done for the SIP and not accurate in the context of EJ areas. A tremendous amount of information has been submitted to COG describing the EJ focused measurements and monitoring going on in and around EJ areas. This includes hyper-local stationary networks (like the network in Cheverly MD) and mobile monitoring (like the work done for DC by ACLIMA). This information needs to be included and it is much more important to this EJ focused air pollution effort than what is in the early draft plan.

Chapter 3

- Section on Defining Equity and Environmental Justice - The language in the document is good language for the general issue of Equity and overall EJ, but it is not specific to the MWAQC action which is to adopt an EJ Action Plan focused on air pollution.
 - The key issue that must be explained is how existing policies (including the SIP) have unintentionally created very high-risk, inequitable air pollution hotspots in EJ areas. Local zoning, land-use and regional transportation policies push a disproportionate number of businesses with very large emissions and heavily travelled roads and highways into industrial zoned areas. These areas are also usually low-cost housing areas often populated by communities of color. You add all of those government driven policies together and you end up with the very unhealthy, high-risk air pollution hotspots in EJ areas across the region. This is not a complicated concept and should be explained in the plan.

Chapter 4

- Section on improving air quality regulations. The three proposals from MDE focused on addressing EJ should be described and recommended regionally across the MWAQC area. See:
<https://mde.maryland.gov/programs/workwithmde/Documents/AQCAC/2022MeetingMaterials/AQCAC%20Briefing%20ppt-6-3-22.pdf>
- Section on reducing vehicle emissions. The list of strategies provided in earlier comments and emails to the COG staff, DC and state air agencies and MWAQC on local, State, federal and community-based emission reduction efforts to reduce diesel particulate matter and black carbon emissions needs to be

described, discussed and recommended in the plan. An example would be the information and list of control options submitted by the Cheverly MD area on the series of meetings focused on “Understanding Black Carbon”. Diesel particulate matter exposure may be the single highest risk exposure observed in EJ areas across the MWAQC Region. Diesel particulate matter is also likely the most significant contributor to high risk cumulative air pollution exposure. Cancer risks in EJ areas are generally two orders of magnitude higher than the EPA de minimis risk triggers used by EPA to drive serious additional emission reduction actions.

Chapter 5

- The recommendations and priorities do not fully match what MWAQC has heard from the many stakeholders that have commented on this issue. A more robust process ... perhaps a 3-hour meeting with stakeholders ... or a series of stakeholder meetings ... should be held to rework the recommended strategies and priorities. Two examples of actions that need to be treated as very high priorities (from the perspective of EJ air breathers) include:
 - Fixing the land-use and zoning processes that continue to dump dirty businesses and roads on EJ communities, over-and-over again ... and
 - Immediately implementing moratoriums on any new business that will increase emissions in EJ areas.

Chapter 6 - Call to Action?

- There is no call to action. No MWAQC member is asked to do anything. To quote from the draft plan:

“This document is neither a policy or a mandate, but rather, recommendations that are voluntary for **stakeholders** to consider and use.”

If the MWAQC EJ Action Plan is to be credible, it must require ... or at least strongly recommend ... that MWAQC members take the type of actions spelled out in Attachment 1.

- The call to action must be specific and identify specific actions by specific MWAQC members or community partnerships and also include a system of accountability to ensure that responsible parties are living up to their commitments ... or at least making serious efforts to live up to those commitments.