

MWAQC Technical Advisory Committee
Meeting Summary
January 12, 2021, 10:00 AM to 10:55 AM

Present:

Kelly Crawford, District Department of Energy & Environment
Tom Ballou, Virginia Department of Environmental Quality
Doris McLeod, Virginia Department of Environmental Quality
Sonya Lewis-Cheatham, Virginia Department of Environmental Quality
Marcia Ways, Maryland Department of the Environment
Karl Munder, Maryland Department of the Environment
Alex Brun, Maryland Department of the Environment
Peggy Courtright, Maryland Department of the Environment
Ram Tangirala District Department of Energy & Environment,
Joseph Jakuta, District Department of Energy & Environment
Jim Ponticello, Virginia Department of Transportation
Chris Voigt, Virginia Department of Transportation
Virginia Moore, Virginia Department of Transportation
Virginia Burke, Maryland Department of Transportation
Kary Snyder, Maryland Department of Transportation
Tina Casey, District Department of Transportation
Scott Fincham, Loudoun County
John Kinsman, Edison Electric Institute

Staff:

Sunil Kumar, COG/DEP
Jen Desimone, COG/DEP
Tim Masters, COG/DEP
Jane Posey, COG/DTP
Jinchul Park, COG/DTP
Mark Moran, COG/DTP
Dusan Vuksan, COG/DTP
Wanda Owens, COG/DTP
Erin Morrow, COG/DTP

1. Call to Order and Review of Meeting Summary

Kelly Crawford called the meeting to order at 10 am. The December 8th meeting summary was approved without any changes.

2. Milestone Year Discussion for Conformity Analysis

TPB is undertaking the next round of transportation conformity analysis. Jane Posey talked about the issue of milestone years that need to be decided before the analysis. She asked if the issue of 1-year extension of the 2015 ozone standard attainment deadline has been settled. If the extension is granted, then TPB will develop 2022 instead of 2021 as the attainment milestone year. Tom and Kelly said that the issue has not be settled yet so they suggested TPB to proceed with both 2021 and 2022.

3. EPA's Vehicle and Engine Tampering Policy & MWAQC After-Market Catalytic Converter Comment Letter

Sunil Kumar briefed members on a Notice of Availability on the vehicle and engine tampering policy recently published by EPA. The Policy does not supersede or replace the 1986 enforcement policy that is specific to the replacement of catalytic converters on light-duty gasoline motor vehicles that are beyond their emissions warranty. EPA requests in this notice information relevant to its ongoing evaluation of the 1986 catalyst policy to help the agency make a future decision on whether and how to update or withdraw that 1986 policy. EPA specifically requests information relevant to the five following policy considerations:

1. Whether the agency has accomplished the goals of the 1986 catalyst policy namely, supporting fledgling state and local vehicle inspection programs by encouraging them to require their citizens to replace catalysts that were missing, lead poisoned, or otherwise ineffective; and encouraging the development of inexpensive, multiple application catalysts, and to confirm the effectiveness of these products.
2. Whether EPA should establish a consistent enforcement policy for all types of replacement after-treatment systems for vehicles and engines.
3. Whether and how the 1986 catalyst policy affects the market for aftermarket catalysts.
4. On the effect of EPA enforcement policy on catalyst costs.
5. Regarding an appropriate timeline for an orderly transition to a new enforcement policy in the event the EPA replaces the 1986 catalyst policy.

Sunil also mentioned that COG staff will work with TPB to develop a joint MWAQC and TPB comment letter in response to comments sought by EPA on the 1986 After-Market Catalyst rule in the above notice and will bring that for review for members in the February meeting.

4. Updates

A. Final Benefits and Costs Rule

EPA published on December 9, 2020 the final rule for the Benefits-Cost analysis for future rulemaking. According to EPA, the final rule establishes processes EPA will undertake when promulgating regulations under the CAA to ensure that information regarding the benefits and costs of regulatory decisions are developed in a consistent and transparent manner and considered to the extent allowed by law.

The goal of this rule is to ensure that all future significant regulations promulgated under the CAA are accompanied by a benefit-cost analysis (BCA) using the best available scientific information, in accordance with best practices from the economic, engineering, physical, and biological sciences, and ensuring transparency of the BCA.

This rule will ensure a consistent approach to the EPA's CAA benefit-cost analyses and will provide transparency by requiring the generation of relevant information in all significant rulemakings. It will provide clarity for states, local communities, industry, and other stakeholders regarding EPA's rulemaking considerations.

B. Final PM NAAQS Rule

December 18, 2020 - EPA finalized its decision to retain the current NAAQS for particulate matter (PM) without revision. Decision to retain the current standards applies to the primary and secondary NAAQS for PM2.5 and PM10.

- Annual primary PM2.5 standard – 12 µg/m³
- Annual secondary PM2.5 standard – 15 µg/m³

- 24-hour primary and secondary PM2.5 standards – 35 µg/m³

Primary PM2.5 standards - Decision not in line with recommendations made by EPA staff and a minority of current CASAC members though it is consistent with the majority of current CASAC members.

C. Final Ozone NAAQS Rule

On December 31, 2020, EPA finalized its decision to retain the current NAAQS (70 ppb) for ozone without revision. EPA also retained the form (3-year average of the annual 4th-highest daily maximum 8-hour average ozone concentrations) of the NAAQS. Regarding the primary standard, while one part of CASAC concluded that the primary standard should be retained, another part expressed support for a lower standard. Regarding the secondary standard, all CASAC members agreed that the current evidence supported retaining the current standard without revision.

5. Potential Topics for 2021

Sunil Kumar presented a list of potential topics for 2021 for discussion in MWAQC-TAC. Kelly suggested COG staff to contact Amazon about their sustainability efforts. Jeff talked about AMTRAK projects that he is working on and can present them.

6. Announcement of 2021 Stakeholders

Kelly Crawford announced that John Kinsman (Edison Electric Institute) will continue as a MWAQC-TAC stakeholder for 2021.

7. State & Local Updates

There were no updates.

The conference call ended at 10:55 am.