

MINUTES OF THE  
MARICOPA ASSOCIATION OF GOVERNMENTS  
AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING

Thursday, January 28, 2010  
MAG Office  
Phoenix, Arizona

MEMBERS ATTENDING

Doug Kukino, Glendale, Chairman  
Gaye Knight, Phoenix, Vice Chair  
Sue McDermott, Avondale  
Elizabeth Biggins-Ramer, Buckeye  
#Jim Weiss, Chandler  
#Jamie McCullough, El Mirage  
Kurt Sharp for Tami Ryall, Gilbert  
Cato Esquivel, Goodyear  
#Greg Edwards for Scott Bouchie, Mesa  
Maher Hazine for William Mattingly, City of Peoria  
#Larry Person, Scottsdale  
#Antonio DeLaCruz, Surprise  
Oddvar Tveit, Tempe  
#Mark Hannah, Youngtown  
#Ramona Simpson, Queen Creek  
\*Walter Bouchard, Citizen Representative  
\*Corey Woods, American Lung Association of Arizona  
Grant Smedley, Salt River Project  
Brian O'Donnell, Southwest Gas Corporation  
Mark Hajduk, Arizona Public Service Company  
#Gina Grey, Western States Petroleum Association  
\*Randi Alcott, Valley Metro/RPTA  
\*Dave Berry, Arizona Motor Transport Association  
Jeannette Fish, Maricopa County Farm Bureau  
\*Russell Bowers, Arizona Rock  
Products Association

\*Greater Phoenix Chamber of Commerce  
\*Amanda McGennis, Associated General  
Contractors  
\*Spencer Kamps, Homebuilders Association of  
Central Arizona  
\*Mannie Carpenter, Valley Forward  
Erin Taylor, University of Arizona Cooperative  
Extension  
Beverly Chenausky, Arizona Department of  
Transportation  
Leonard Montenegro for Diane Arnst, Arizona  
Department of Environmental Quality  
\*Wienke Tax, Environmental Protection Agency  
Jo Crumbaker, Maricopa County Air Quality  
Department  
#Duane Yantorno, Arizona Department of  
Weights and Measures  
\*Ed Stillings, Federal Highway Administration  
\*Judi Nelson, Arizona State University  
Christopher Horan, Salt River Pima-Maricopa  
Indian Community

\*Members neither present nor represented by proxy.  
#Participated via telephone conference call.  
+Participated via video conference call.

OTHERS PRESENT

Lindy Bauer, Maricopa Association of Governments  
Julie Hoffman, Maricopa Association of Governments  
Randy Sedlacek, Maricopa Association of Governments  
Cathy Arthur, Maricopa Association of Governments  
Dean Giles, Maricopa Association of Governments  
Patrisia Magallon, Maricopa Association of  
Governments  
Adam Xia, Maricopa Association of Governments  
Feng Liu, Maricopa Association of Governments  
Taejoo Shin, Maricopa Association of Governments  
Dan Caitlin, Fort McDowell Yavapai Nation  
Shane Kiesow, City of Apache Junction  
Michelle Wilson, City of Glendale  
Heather Hodgman, City of Apache Junction  
Scott DiBiase, Pinal County Air Quality

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee was conducted on January 28, 2010. Doug Kukino, City of Glendale, Chair, called the meeting to order at approximately 1:32 p.m. Jamie McCullough, City of El Mirage; Greg Edwards, City of Mesa; Gina Grey, Western States Petroleum Association; Mark Hannah, Town of Youngtown; Larry Person, City of Scottsdale; Ramona Simpson, Town of Queen Creek; Duane Yantorno, Arizona Department of Weights and Measures; Antonio DeLaCruz, City of Surprise; and Jim Weiss, City of Chandler, attended the meeting via telephone conference call.

2. Call to the Audience

Mr. Kukino stated that, according to the MAG public comment process, members of the audience who wish to speak are requested to fill out comment cards, which are available on the tables adjacent to the doorways inside the meeting room. Citizens are asked not to exceed a three minute time period for their comments. Public comment is provided at the beginning of the meeting for nonagenda items and nonaction agenda items. He noted that no public comment cards had been received.

3. Approval of the December 10, 2009 Meeting Minutes

The Committee reviewed the minutes from the December 10, 2009 meeting. Oddvar Tveit, City of Tempe, moved and Elizabeth Biggins-Ramer, Town of Buckeye, seconded and the motion to approve the December 10, 2009 meeting minutes carried unanimously.

4. 2008 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area

Cathy Arthur, MAG, provided an update on the 2008 Implementation Status of Committed Measures in the MAG 2007 Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area. Ms. Arthur indicated that this item was on the December 10, 2009 Committee agenda; however, no action was taken. She indicated that the item is on the agenda today for action. Ms. Arthur noted that two minor changes have been made to the document since the December meeting. She stated that Measure 51 was previously not in the table since the City of El Mirage is the only entity that committed to that measure. Ms. Arthur added that since that time, MAG obtained the input from El Mirage on Measure 51 and it is now included in the table on page 18. She commented that the information received for the measure indicates a preliminary unpaved road inventory was conducted by El Mirage in 2008. Ms. Arthur added that this inventory was finalized in 2009 and will be updated in the 2009 report.

Ms. Arthur mentioned that the other change to the document occurred on the chart showing the PM-10 concentrations. She stated that the 2008 data had one exceedance day listed. There were actually 12 exceedance days; however, 11 of those days are being considered as natural/exceptional events. Ms. Arthur mentioned that the change is reflected in the chart on page 27.

Ms. Arthur stated that this item is on the agenda for information, discussion, and recommendation to forward the 2008 Implementation Status of Committed Measures in the MAG Five Percent Plan for PM-10 in the Maricopa County Nonattainment Area to the Governor's Office, Legislature, Arizona Department of Environmental Quality (ADEQ) and the Environmental Protection Agency (EPA). Ms. Arthur stated that if the Committee recommends approval, the item will go to the MAG Management Committee, the MAG Regional Council, and subsequently be forwarded to the mentioned agencies.

Brian O'Donnell, Southwest Gas Corporation, inquired if the Committee approved the list of measures. Ms. Arthur responded that the Committee worked hard to develop the measures that were included in the Five Percent Plan for PM-10. She added that the Committee went through a protracted process to refine a suggested list of measures. Ms. Arthur indicated that commitments for those measures were received from the implementing entities and were included in the Five Percent Plan submitted to EPA in December 2007. She mentioned that MAG committed to track the implementation of those measures. Ms. Arthur commented that this report is the 2008 implementation status of those measures. She added that MAG will also report back to the Committee with the implementation status of the measures in 2009 and 2010.

Mr. O'Donnell made a motion to forward the 2008 Implementation Status of Committed Measures in the MAG Five Percent Plan for PM-10 for the Maricopa County Nonattainment Area to the Governor's Office, Legislature, Arizona Department of Environmental Quality and the Environmental Protection Agency. Gaye Knight, City of Phoenix, seconded, and the motion passed unanimously.

5. Update on PM-10 Certified Street Sweeper Projects for FY 2010 CMAQ Funding

Dean Giles, MAG, provided an update on the PM-10 Certified Street Sweeper Projects for FY 2010 Congestion Mitigation and Air Quality Improvement (CMAQ) Funding. Mr. Giles stated that the Committee recommended a prioritized list at the December 10, 2009 meeting to be forwarded to the MAG Management Committee. He added that the list included sweepers for the Town of Gilbert, City of Phoenix, Maricopa County, City of Peoria, City of Tempe, City of Apache Junction and the City of Scottsdale. He added that the MAG Management Committee endorsed the recommendation of the Air Quality Technical Advisory Committee at its January 13, 2010 meeting. Mr. Giles noted that the Prioritized List of PM-10 Certified Street Sweeper Projects for FY 2010 CMAQ funding was approved by the MAG Regional Council at its January 27, 2010 meeting.

Mr. Giles stated that for FY 2010, the new transportation authorization and apportionments have been approved by Congress through February 28, 2010 under a series of continuing resolutions. He added that all of the funding is currently not in place; therefore, MAG will be mailing a letter to the recipients of funding and city/town managers advising them of the availability of funding as MAG is apprised by the Arizona Department of Transportation (ADOT) and Federal Highway Administration.

6. Proposed Revised Eight-Hour Ozone Standard

Lindy Bauer, MAG, provided an update on the Proposed Revised Eight-Hour Ozone Standard. She stated that EPA proposed strengthening the primary eight-hour ozone standard to a level within the range of .060-.070 parts per million (ppm). Ms. Bauer added that the standard is decreasing from the .075 ppm standard. She indicated that EPA also proposed a secondary standard within the range of 7-15 ppm-hours. Ms. Bauer noted that the secondary standard is designed to protect vegetation and fish. She stated that EPA will be taking comments on the proposal through March 22, 2010. Ms. Bauer mentioned that the plans will stay on the same schedule with a due date of December 2013. She stated that according to the notice, the attainment dates would range between 2014 and 2031 depending on the severity of the problem. Ms. Bauer added that looking at the monitoring data, the lowest values for the current three-year average was approximately .063 ppm. She noted that only a few monitors came close to that value so this would be a significant tightening up for the region. Ms. Bauer commented that EPA intends to go final with the standards by August 31, 2010.

Mr. O'Donnell commented that the region attained the .08 ppm standard when the .075ppm standard was announced. He stated that the region should have a chance to implement the measures for the

.075 ppm standard before EPA indicates that the region is not in attainment for the lower standard. Ms. Bauer responded that MAG submitted a plan in June 2007 showing that the region could attain the .08 ppm ozone standard; however, EPA did not take action on the plan. She added that the region was a Subpart 1 Area which was legally challenged making the region fall into a grey zone. Ms. Bauer noted that the region attained the .08 ppm standard at the monitors. She stated that the maintenance plan for the .08 ppm standard was submitted to EPA in February 2009 and EPA tightened the standard to .075 ppm in March 2008. She commented that only one monitor was over .075 ppm at the end of the 2009 ozone season; however, in September 2009, EPA announced that the standard was going to be reconsidered. Ms. Bauer indicated that there are areas of the country that have yet to meet the one-hour ozone standard of .12 ppm. She added that the old standards will stick with regions until they are met; however, EPA intends to recall the .075 ppm standard.

Mr. O'Donnell discussed the region being designated under the new standard prior to the measures being fully implemented to meet the old standard. Mr. O'Donnell commented on sending a letter to EPA. Ms. Bauer responded that we need to see where EPA lands on the standard. She added that the measures have been implemented for several years. She indicated that no new measures have been needed for ozone since the region has been incrementally getting cleaner. Ms. Bauer commented that EPA intends to make designations for the new standard in August 2011. She noted that the standard is still proposed. Ms. Bauer indicated that, generally, around the Country there is concern about the standard getting close to background conditions.

Ms. Knight mentioned that she thought the region was designated attainment for the 1997 standard. She inquired if EPA took action on that plan. Ms. Knight added that she thought the Federal Register notice that proposed the .075 ppm standard also determined that the region was in attainment for the .08 standard. Ms. Bauer responded that the region was officially designated attainment for the one-hour ozone standard of .12 ppm. Ms. Knight inquired if that was the 1997 standard. Ms. Bauer responded that the .12 ppm standard was before 1997. She noted that the 1997 standard is .08 ppm. Ms. Bauer added that the 2007 nonattainment plan and the 2009 maintenance plan were submitted for the 1997 standard. She indicated that there is a Federal Register notice where EPA has put the region in the attainment bin to indicate that this region has met the standard; however, there is no official redesignation to attainment. Ms. Bauer noted that the standard has been attained and the Federal Register notice is probably the best source to use.

Ms. Knight mentioned that she thought it was certain that the region would violate the .075 ppm standard and inquired if Ms. Bauer stated that only one monitor violated the standard in 2009. Ms. Bauer responded that is correct. Ms. Knight indicated that the region might meet the .075 ppm standard and now the standard will become more stringent. Ms. Bauer responded that the region does not meet the .075 ppm standard since there is one monitor violating; however, the numbers have been decreasing. Ms. Knight commented that it may be due to the federal fuels and cleaner cars. Ms. Bauer mentioned that the Tier 2 tail pipe standards, heavy-duty engine standards as well as clean fuels have contributed to the region experiencing fewer ozone exceedances.

Duane Yantorno, Arizona Department of Weights and Measures, inquired if there are plans to submit written comments on behalf of MAG with regard to the designations. Ms. Bauer responded that EPA just proposed the standards and MAG does not typically comment on the standards since they are designed to protect public health. She added that MAG staff does not have the expertise in public health to comment. Ms. Bauer noted that perhaps ADEQ and Maricopa County have submitted comments in the past. Jo Crumbaker, Maricopa County Air Quality Department, stated that the County commented on the last PM proposals; however, the County typically leaves the commenting

to ADEQ. Ms. Crumbaker indicated that in some instances the County will choose to comment and be directed by the Board to provide a comment, but it is not consistent.

Jeannette Fish, Maricopa County Farm Bureau, mentioned her frustration with the constantly moving target. She added that it seems that when the region takes one step forward, we are told it is a step away. Ms. Knight stated that when EPA set the .075 ppm standard last year it was the first time they went against the independent Scientific Advisory Board. She added that the numbers selected under the last administration did not match what the Board stated. Ms. Knight noted that under the Federal Clean Air Act, the Board is mandated to look at the standards every five years. She mentioned that she also shares the same frustration that every time the region meets the standard a more stringent standard is added. Ms. Knight indicated that we need to keep in mind that there are a lot of people with asthma and suffering from the air pollution levels. She commented that the Board is composed of scientists and health professionals which look at the research every year. Ms. Knight added that the standard was not consistent with how standards were previously set and it was originally proposed more stringent.

Grant Smedley, Salt River Project, noted that the designations would be based on more recent data. He added that the economy has slowed down significantly and it is unknown what the ozone data may look like in the next few years. Mark Hajduk, Arizona Public Service Company, commented that the plan required modeling for ten years into the future. He inquired about the numbers and concentrations projected in the modeling analysis. Ms. Bauer responded that MAG could bring that information back to the Committee. She added that MAG staff modeled up to year 2025. Ms. Bauer noted that the region has to show that the standard will be met for those years. Mr. Hajduk stated that it would be a good idea to see the modeled concentration levels and where the region stands in the future. Ms. Arthur responded that the numbers are around .08 ppm for the maximum and were not much lower than what was modeled for 2008. Mr. Hajduk commented that it sounded like the readings at the monitors are lower with the exception of one. Ms. Arthur responded that is correct and added that last summer was very mild and there was a recession. She added that it is great that the numbers have come down; however, it is yet to be determined whether it was an aberration.

7. Proposed Additional Funding for an Existing Air Quality Project for the MAG FY 2011 Work Program

Ms. Bauer discussed the proposed additional funding for an existing air quality project for the MAG FY 2011 Work Program. Ms. Bauer stated that MAG is going through the process of developing the MAG FY 2011 Unified Planning Work Program and Annual Budget. She added that \$280,000 is being proposed for the existing Air Quality Technical Assistance On Call Project. Ms. Bauer indicated that this funding will be needed to assist with research, especially in the area of PM-10.

8. Call for Future Agenda Items

Mr. Kukino commented that the Air Quality Technical Advisory Committee 2010 schedule has been provided at each place. He inquired if the information was available for those that were not present at the meeting. Ms. Bauer responded that the schedule was sent out in the December agenda packet and the meetings will also be posted on the MAG website.

Ms. Knight indicated that the Federal Register stated that EPA proposed a new nitrogen dioxide (NO<sub>2</sub>) standard to address emissions along heavily traveled roads. She inquired if a brief status report could be provided on this item and the potential impacts on the region. Ms. Crumbaker responded that the standard is final. She added that the change between the proposal and final was that EPA went from

the 99<sup>th</sup> percentile to the 98<sup>th</sup> percentile. Ms. Crumbaker noted that EPA also chose to go with the 100 parts per billion (ppb) one-hour standard. She indicated that the values in the region under the 99<sup>th</sup> percentile for the last three years were 93 ppb and fell to approximately 79 ppb when looking at the 98<sup>th</sup> percentile. Ms. Crumbaker stated that the Greenwood NO<sub>2</sub> monitor is the only monitor that can be considered near road which is about 80 meters away instead of 50 meters. She added that this new siting criteria will be very difficult to meet. Ms. Crumbaker mentioned that the County will work with ADOT and the cities to determine how to get within 50 meters of a major roadway safely. She stated that one regional scale monitor is required for the monitoring; however, the County is required to have two near road monitors since the region has a population greater than 2.5 million. Ms. Crumbaker added that other criteria include near roadway monitoring when a roadway carries more than 250,000 vehicles. She noted that she did not know what the difference will be when moving the monitor from 80 meters to less than 50 meters. Ms. Kukino inquired if Ms. Knight would like to have a discussion at a future meeting. Ms. Knight thanked Ms. Crumbaker and indicated that she would let MAG decide whether this would be a future agenda item for further discussion.

Mr. Kukino announced that the next meeting of the Committee has been tentatively scheduled for February 25, 2010 at 1:30 p.m. With no further comments, the meeting was adjourned at 2:03 p.m.