

November 26, 2013

TO: Members of the MAG Air Quality Technical Advisory Committee

FROM: Philip McNeely, Phoenix, Chair

SUBJECT: MEETING NOTIFICATION AND TRANSMITTAL OF TENTATIVE AGENDA

Tuesday, December 3, 2013 - 1:30 p.m.  
MAG Office, Suite 200 - Ironwood Room  
302 North 1<sup>st</sup> Avenue, Phoenix

A meeting of the MAG Air Quality Technical Advisory Committee has been scheduled for the time and place noted above. Members of the Air Quality Technical Advisory Committee may attend the meeting either in person, by videoconference or by telephone conference call. Those attending by videoconference must notify the MAG site three business days prior to the meeting. If you have any questions regarding the meeting, please contact Chair McNeely or Lindy Bauer at 602-254-6300.

Please park in the garage underneath the building, bring your ticket, and parking will be validated. For those using transit, Valley Metro/Regional Public Transportation Authority will provide transit tickets for your trip. For those using bicycles, please lock your bicycle in the bike rack in the garage.

In 1996, the Regional Council approved a simple majority quorum for all MAG advisory committees. If the MAG Air Quality Technical Advisory Committee does not meet the quorum requirement, members who arrived at the meeting will be instructed a legal meeting cannot occur and subsequently be dismissed. Your attendance at the meeting is strongly encouraged. If you are unable to attend the meeting, please make arrangements for a proxy from your entity to represent you.

Pursuant to Title II of the Americans with Disabilities Act (ADA), MAG does not discriminate on the basis of disability in admissions to or participation in its public meetings. Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Jason Stephens at the MAG office. Requests should be made as early as possible to allow time to arrange the accommodation.

TENTATIVE AGENDA

COMMITTEE ACTION REQUESTED

1. Call to Order

2. Call to the Audience

An opportunity will be provided to members of the public to address the Air Quality Technical Advisory Committee on items not scheduled on the agenda that fall under the jurisdiction of MAG, or on items on the agenda for discussion but not for action. Members of the public will be requested not to exceed a three minute time period for their comments. A total of 15 minutes will be provided for the Call to the Audience agenda item, unless the Air Quality Technical Advisory Committee requests an exception to this limit. Please note that those wishing to comment on action agenda items will be given an opportunity at the time the item is heard.

3. Approval of the October 24, 2013 Meeting Minutes

4. Draft 2014 MAG Conformity Analysis for the Draft FY 2014-2018 MAG Transportation Improvement Program and Draft 2035 MAG Regional Transportation Plan

The Draft 2014 MAG Conformity Analysis concludes that the FY 2014-2018 MAG Transportation Improvement Program (TIP) and Draft MAG 2035 Regional Transportation Plan meet all applicable federal conformity requirements and are in conformance with the applicable air quality plans. Following a 30-day public review and comment period, a public hearing was conducted on November 25, 2013 on the Draft TIP, 2035 Regional Transportation Plan, and Conformity Analysis. At the meeting, the comments received and the response to the public comments will be discussed. Please refer to the enclosed material.

2. For information.

3. Review and approve the October 24, 2013 meeting minutes.

4. Recommend approval of the Draft 2014 MAG Conformity Analysis for the Draft FY 2014-2018 MAG Transportation Improvement Program and Draft 2035 MAG Regional Transportation Plan.

5. Update on the MAG 2012 Five Percent Plan for PM-10 and Exceptional Events

On September 12, 2013, the Environmental Protection Agency (EPA) published a notice that the PM-10 motor vehicle emissions budget in the MAG 2012 Five Percent Plan for PM-10 was being reviewed for adequacy to enable it to be used for conformity purposes. In addition, U.S. Senator Jeff Flake conducted an Arizona Only Listening Session with the Environmental Protection Agency on November 20, 2013 to provide an opportunity for Arizona stakeholders to discuss Exceptional Events issues. In the first or second quarter of 2014, EPA anticipates proposing revisions to the Exceptional Events Rule and finalizing them in 2015. To date, there have been six exceptional event days in 2013 due to regional dust storms, thunderstorms and high winds. Please refer to the enclosed material.

6. Update on the MAG 2013 State Implementation Plan Revision for the Removal of Stage II Vapor Recovery Controls

The Maricopa Association of Governments has been preparing a Draft MAG 2013 State Implementation Plan Revision for the Removal of Stage II Vapor Recovery Controls through a coordinated effort among the Arizona Department of Weights and Measures, Arizona Department of Environmental Quality, and Maricopa County Air Quality Department. The plan revision would request that the Environmental Protection Agency (EPA) remove the requirement for Stage II vapor recovery in this area for new gasoline dispensing facilities in 2014 and for existing facilities beginning in 2016, before a regional disbenefit begins to occur in 2018. In September 2013, EPA reevaluated the approaches for the region to remove Stage II, just as the draft plan revision was nearing completion. Following the end of the federal government shutdown, the Arizona agencies conducted a conference call with EPA on November 15, 2013 to further discuss

5. For information and discussion.

6. For information and discussion.

approaches for removing the Stage II systems.  
A status report will be provided.

7. Call for Future Agenda Items

The next meeting of the Committee has been tentatively scheduled for **Thursday, January 23, 2014 at 1:30 p.m.** For your convenience, the Tentative Meeting Schedule for the MAG Air Quality Technical Advisory Committee for January-December 2014 is provided. The Chair will invite the Committee members to suggest future agenda items.

7. For information and discussion.

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

Thursday, October 24, 2013  
MAG Office  
Phoenix, Arizona

MEMBERS ATTENDING

Philip McNeely, Phoenix, Chairman	Dan Duffy for Steve Trussell, Arizona Rock Products Association
William Mattingly, Peoria, Vice Chair	Claudia Whitehead, Greater Phoenix Chamber of Commerce
Daniel Culotta, Avondale	# Amanda McGennis, Associated General Contractors
* John Minear, Buckeye	Spencer Kamps, Homebuilders Association of Central Arizona
# Jim Weiss, Chandler	# Mannie Carpenter, Valley Forward
* Jamie McCullough, El Mirage	Kai Umeda, University of Arizona Cooperative Extension
Jessica Koberna, Gilbert	Beverly Chenausky, Arizona Department of Transportation
Doug Kukino, Glendale	Diane Arnst, Arizona Department of Environmental Quality
Cato Esquivel, Goodyear	* Environmental Protection Agency
Kazi Haque, Maricopa	Thomas Ekren, Maricopa County Air Quality Department
# Greg Edwards for Scott Bouchie, Mesa	Michelle Wilson, Arizona Department of Weights and Measures
Tim Conner, Scottsdale	Ed Stillings, Federal Highway Administration
Antonio DeLaCruz, Surprise	Mariana Garay for Judi Nelson, Arizona State University
Oddvar Tveit, Tempe	Stan Belone , Salt River Pima-Maricopa Indian Community
* Youngtown	
* Ramona Simpson, Queen Creek	
* American Lung Association of Arizona	
Kristin Watt, Salt River Project	
Rebecca Hudson, Southwest Gas Corporation	
* Ann Carlton, Arizona Public Service Company	
# Gina Grey, Western States Petroleum Association	
* Robert Forrest, Valley Metro/RPTA	
* Dave Berry, Arizona Motor Transport Association	
Jeannette Fish, Maricopa County Farm Bureau	

\*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	Dianne Barker, Citizen
Matt Poppen, Maricopa Association of Governments	John Rusinek, Citizen
Julie Hoffman, Maricopa Association of Governments	Corky Martinkovic, Maricopa County Air Quality Department
Kara Johnson, Maricopa Association of Governments	Bob Huhn, Maricopa County Air Quality Department
Feng Liu, Maricopa Association of Governments	Joonwon Joo, Arizona Department of Transportation
Adam Xia, Maricopa Association of Governments	Matt Tsark, Strand Association Inc.
Patrick Shaw, Maricopa Association of Governments	Joe Gibbs, City of Phoenix
Cathy Arthur, Maricopa Association of Governments	Mangas Slinkey, Salt River Pima-Maricopa Indian Community
Taejoo Shin, Maricopa Association of Governments	
Randy Sedlacek, Maricopa Association of Governments	
# Scott DiBiase, Pinal County	

## 1. Call to Order

A meeting of the Maricopa Association of Governments (MAG) Air Quality Technical Advisory Committee (AQTAC) was conducted on October 24, 2013. Phil McNeely, City of Phoenix, Chair, called the meeting to order at approximately 1:30 p.m. Greg Edwards, City of Mesa; Jim Weiss, City of Chandler; Amanda McGennis, Associated General Contractors; Mannie Carpenter, Valley Forward; Gina Grey, Western States Petroleum Association; and Scott DiBiase, Pinal County, attended the meeting via telephone conference call.

Chair McNeely indicated that copies of the handouts for the meeting are available. He noted for members attending through audio conference, the presentations for the meeting will be posted on the MAG website under Resources for the Committee agenda, whenever possible. If it is not possible to post them before the meeting, they will be posted after the meeting.

## 2. Call to the Audience

Chair McNeely 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 that fall under the jurisdiction of MAG and nonaction agenda items. Chair McNeely noted that two comment cards were received.

Chair McNeely called forward Dianne Barker for public comment. Ms. Barker stated that she resides in Phoenix District 7. She commented on seeing Chair McNeely at the Phoenix Food Drive. Ms. Barker indicated that air quality is related to the goals of the Phoenix Food Drive event. She indicated that she had received an email thanking her for volunteering at the event. The email also indicated that her parking could be validated. Ms. Barker had asked for a bus pass because she uses bicycle, light rail, and bus for transportation. However, she was told a bus pass could not be provided. Ms. Barker commented that she has spoken with policy-makers on reducing pollution and congestion and not expecting people to travel using a certain mode of transportation. Ms. Barker mentioned speaking with policy-makers on not validating parking unless other modes of transportation are being supported as well. She commented on the expansion of the transportation corridor into Pinal County. Ms. Barker noted the issues with PM-10 and PM-2.5 in that area. She stated that the PM nonattainment areas will need to be addressed with the right kind of plans. Ms. Barker indicated that she submitted comments to the Environmental Protection Agency (EPA) prior to September 27<sup>th</sup> on public participation to create control measures that lead to sustaining the particulate matter standard for three years and into the future. Chair McNeely thanked Ms. Barker for her comments and for volunteering at the City of Phoenix Food Day.

Chair McNeely called forward John Rusinek for public comment. Mr. Rusinek stated that he lives in Phoenix District 6. He indicated that he has a dust problem on a driveway and that he has kept a log of it for eight years. Mr. Rusinek commented that on May 1, 2012 he met with the City of Phoenix. He stated that the City had agreed to look at the driveway. On May 21, 2012, Mr. Rusinek stated that he received a call stating that they would not be coming to inspect the property and that the inspectors at Neighborhood Services indicated the driveway was not used enough to constitute a violation. He mentioned that Neighborhood Services stated that the driveway and right-of-way needed to be dusty enough to show footprints. Mr. Rusinek commented that the driveway and the right-of-way show footprints in the dust. He mentioned Section 39(7)-G of an ordinance that states motor vehicles or trailers

should not be parked or stored upon a lot or area within the City that is not dustproofed. Mr. Rusinek stated that he is speaking under the Call to the Audience to state that nobody has come to see the footprints in the dust. He indicated that the driveway is 81 feet and is not dustproofed. Mr. Rusinek commented that they have tried to dustproof it three times without success. The first 13 feet from the road are not dustproofed. Mr. Rusinek mentioned that according to the City ordinance, the driveway and the right-of-way should be dustproofed. He mentioned that instead of using gravel, decorative rock was used that does not stay in place. Mr. Rusinek stated that the driveway is in worse condition now than when they did nothing. Chair McNeely thanked Mr. Rusinek for his comments.

3. Approval of the August 22, 2013 Meeting Minutes

The Committee reviewed the minutes from the August 22, 2013 meeting. Greg Edwards, City of Mesa, inquired about the information on page nine regarding 2012 being the 112<sup>th</sup> hottest year out of 118. Mr. Poppen replied that the information is correct and that the data was provided by Environ. Spencer Kamps, Homebuilders Association of Central Arizona, moved and Oddvar Tveit, City of Tempe, seconded, and the motion to approve the August 22, 2013 meeting minutes carried unanimously.

4. Update on the MAG 2012 Five Percent Plan for PM-10 and Exceptional Events

Lindy Bauer, Maricopa Association of Governments, provided an update on the MAG 2012 Five Percent Plan for PM-10. She discussed the completeness determination issued by EPA on July 20, 2012 for the plan that stopped the 18 month and 24 month sanctions clocks. Ms. Bauer mentioned that EPA has started into the approval process of several statutes in the plan. Ms. Bauer mentioned the lawsuit filed on April 30, 2013 by the Arizona Center for Law in the Public Interest against EPA for failure to take action on the MAG 2012 Five Percent Plan for PM-10 by February 14, 2013. She stated that on July 1, 2013, EPA completed its review of the 2011-2012 exceptional events documentation. Ms. Bauer indicated that collectively, EPA has concurred with 17 of the 18 packages of exceptional events documents submitted by the Arizona Department of Environmental Quality (ADEQ). The results seem to indicate that the region has clean data for the three year period. There were no exceptional events and no violations in 2010. EPA has concurred with the exceptional events documentation for years 2011 and 2012.

Ms. Bauer stated that on August 23, 2013, EPA proposed approval of additional statutes for the measures in the Five Percent Plan. On August 28, 2013, EPA proposed a consent decree to address the Arizona Center for Law in the Public Interest lawsuit against EPA for not acting on the plan. Ms. Bauer noted that according to the proposed consent decree, EPA would propose action on the plan by January 14, 2014 to either approve the plan, promulgate a federal implementation plan, or approve the plan in part with promulgation of a partial federal implementation plan. She stated that a partial approval equals a disapproval under the Clean Air Act. Ms. Bauer noted that the region does not want any of those options except plan approval. The proposed consent decree also proposes final action by June 2, 2014. She noted that the proposed EPA consent decree has not yet been finalized. Ms. Bauer mentioned that ADEQ and MAG have been hearing positive remarks from EPA. Ms. Bauer discussed another positive update; on September 12, 2013, EPA published a notice that the PM-10 motor vehicle emissions budget is being reviewed for adequacy. This is a step normally taken by EPA before adequacy on the budget is proposed. Ms. Bauer stated that the motor vehicle emissions budget is used for demonstrating conformity for the regional transportation plans.

Ms. Bauer discussed exceptional events. She stated that there have been six exceptional event days in 2013. MAG is working with ADEQ to provide the exceptional event documentation to EPA. Ms. Bauer indicated that MAG staff is currently working on documentation for four of the six exceptional event days. She discussed that on September 6, 2013, United States Senator Jeff Flake hosted a meeting at the Arizona Chamber of Commerce and Industry to discuss that EPA will be opening up the EPA exceptional events rule and may make some changes. Ms. Bauer indicated that this meeting also provided an opportunity for business and industry to voice concerns on the exceptional events rule, and many of the concerns shared are the same as those voiced by the MAG member agencies. Senator Flake is arranging to have an Arizona only listening session with Gina McCarthy, EPA, to give the State an opportunity to convey concerns directly to EPA. The listening session was scheduled for October 1, 2013, however the session did not occur due to the government shutdown. It is in the process of being rescheduled, potentially around November 20, 2013. Ms. Bauer indicated that she will keep the Committee updated on these events. Chair McNeely thanked Ms. Bauer for the update.

5. Update on the MAG 2013 State Implementation Plan Revision for the Removal of Stage II Vapor Recovery Controls

Ms. Bauer provided an update on the MAG 2013 State Implementation Plan (SIP) Revision for the Removal of Stage II Vapor Recovery Controls. She indicated that as discussed at the last meeting MAG has been preparing a Draft 2013 State Implementation Plan Revision to remove Stage II vapor recovery systems at the gasoline stations. This was prompted by a May 2012 final rule published by EPA indicating that the Onboard Refueling Vapor Recovery (ORVR) devices are in widespread use in the motor vehicle fleet and that states may evaluate removing the Stage II control strategy. MAG has been working with the Arizona Department of Weights and Measures, the regulatory agency for Stage II, as well as, ADEQ and the Maricopa County Air Quality Department. The plan revision drafted was to request that EPA remove the requirement for Stage II vapor recovery in this area for new gasoline dispensing facilities in 2014 and existing facilities beginning in 2016, before a disbenefit occurs in 2018. Ms. Bauer indicated that EPA methodologies were used to calculate when the disbenefit would occur. She commented that the type of Stage II controls in the area are not compatible with the ORVR devices on cars. The incompatibility causes a pressure problem in which emissions are released at the gasoline dispensing facilities.

Ms. Bauer stated that the intent of the Arizona agencies in drafting the SIP revision was to prepare and send it to EPA by the end of 2013. This would allow for EPA approval of the revision before the decommissioning of the existing facilities begins. Ms. Bauer noted that the State has been sued before over the removal of measures in air quality plans prior to EPA permission for removal.

Ms. Bauer discussed that at the last meeting, it was reported that emission reductions credits from the closure of Penn Racquet Sports was going to be used as offsets for the small, temporary emission increase the area may experience during the decommissioning of Stage II. However, since the last meeting, it was discovered that this is not a viable option. Ms. Bauer indicated that Maricopa County had then suggested the federal gas can rule because of the air quality benefits of this rule. She mentioned that the Arizona agencies pursued the gas can rule with EPA and EPA had indicated that the rule could be used since it has continuing benefits for several years and adequacy to cover the temporary emission increases from decommissioning Stage II. However, on September 17, 2013, EPA indicated that it had reevaluated the approach for this region to remove Stage II vapor recovery. EPA noted that the Maricopa area has not yet attained the 2008 eight-hour ozone standard of 0.075 parts per million (ppm). The region has a

December 31, 2015 attainment date as a Marginal area. Ms. Bauer stated that this standard is not currently being met at the monitors, however, 2013, 2014, and 2015 are the years that will determine attainment. Ms. Bauer stated that the three year average of the annual fourth high is required for this standard. EPA emphasized that the focus should be on attaining the standard by 2015, rather than on using offsets for temporary emission increases, between 2014 and 2017, which is the same time period that the areas should be attaining the standard. Ms. Bauer commented on the uniqueness of this situation in that the substitute measure, the ORVR devices, are on the vehicles and EPA has indicated that it is in widespread use.

Ms. Bauer reviewed the four options described by EPA for removing Stage II controls keeping in mind the challenge of meeting the 2008 ozone standard by 2015. She stated that to justify a removal schedule for new facilities in 2014 and existing facilities in 2016-2017, the Arizona agencies could do one of four options. The first option is to do a technical demonstration that the area will attain the 2008 eight-hour ozone standard of 0.075 ppm by 2015 and that the increase in emissions will not impact attainment. Ms. Bauer indicated that this option is not possible since the base year that would be used is over the standard. She added that the region may still attain the standard at the monitors by 2015 and noted that no modeling is required for attainment of a Marginal area. The second option is to pass a new control measure to offset the increase in emissions. Ms. Bauer stated that for Marginal areas, EPA has assumed no additional control measures are necessary and attainment will be reached with existing control measures by December 31, 2015. Therefore, a new measure may not be needed. The third option is to request a voluntary bump-up of the nonattainment area to Moderate, which has a later attainment date (six years to attain the standard from designation date). However, this option is not attractive since Moderate areas have more requirements to meet. Ms. Bauer mentioned that it is too early to tell if the region will attain the standard. As an alternative, the fourth option is to keep the 2014 date for removal of Stage II requirements for new facilities and switch to a later 2017-2018 date to decommission existing facilities. This option would then require documentation on how the emission differences are small and temporary. Ms. Bauer noted that Arizona agencies have discussed all of EPA's options.

Ms. Bauer indicated that a new analysis was prepared in response to the EPA options. The analysis was conducted to demonstrate to EPA that during the decommission of Stage II controls the temporary increase in emissions are smaller than leaving the current Stage II vapor recovery requirements in place. Ms. Bauer noted that according to the Federal Register notice, EPA stated that they do not want to cause an unnecessary burden to American business. She added that the increase in emissions is very small. The three scenarios put forward to EPA include: remove Stage II for new facilities in 2014, existing facilities in January 2016 - December 2017; remove Stage II for new facilities in 2014, existing facilities in January 2017 - December 2018 (EPA suggestion); and remove Stage II for new facilities in 2014, existing facilities in October 2016 - September 2018 (decommission after 2016 ozone season). The Arizona agencies preferred the first option which is driven by the disbenefit year of 2018. Ms. Bauer reported that the three scenarios were compared against retaining the current Stage II controls. She mentioned a discussion with EPA with regard to enforcement discretion in which new facilities would not have to install Stage II vapor recovery controls beginning January 1, 2014. EPA replied that they would consider those options and follow up with the Arizona agencies. A conference call between EPA and the Arizona agencies was scheduled for October 1, 2013, however the call did not occur due to the federal government shutdown. The conference call is now being rescheduled. Ms. Bauer stated that the Arizona agencies will need to work together to pursue the best option for removing Stage II controls in the region to avoid any unnecessary burden to Arizona business.

Matt Poppen, Maricopa Association of Governments, presented a table of data for the three scenarios and for retaining Stage II controls. He noted the emissions presented are displayed in metric tons per ozone season day. Mr. Poppen commented that all of the emission increases are very small. He reported that there are no emission increases associated with retaining Stage II controls until the year 2018. After 2018, the disbenefit of retaining Stage II controls increases every year. Compared to the other three options presented to EPA, retaining Stage II controls produces the greatest emission increase. Mr. Poppen stated that the emission increases in the years 2014 and 2015 for the three scenarios are strictly from the installation of new facilities without Stage II controls since existing facilities would not begin removal until 2016 at the earliest. Mr. Poppen indicated that emission increases in the years 2014 through 2017 are the result of removing Stage II controls and emission increases in the years 2018 and 2019 are the result of retaining Stage II controls. All scenarios produce very small emission increases.

Mr. Poppen discussed actions taken by other states to remove Stage II controls. He stated that the information researched online is current, but is subject to change as states move forward with their rule-making processes and submit State Implementation Plan revisions to EPA for approval. Mr. Poppen indicated that many states are choosing to issue enforcement discretion or compliance waivers to allow for the removal of Stage II controls, however, this differs greatly among different regions and states. He noted that the removal of Stage II controls is largely occurring in the ozone nonattainment areas, as opposed to state-wide removal. There are only four states that have required Stage II controls state-wide: Connecticut, Rhode Island, New Jersey, and California. Mr. Poppen reported that Connecticut issued enforcement discretion allowing new facilities to construct without Stage II controls beginning in February 2012. Indiana has issued enforcement discretion for the removal of Stage II controls at new and modified facilities beginning in April 2013. Major construction to a facility, like installing new dispensing pumps, is an example of a facility under going modification. Massachusetts has issued two enforcement discretion letters for the removal of Stage II controls. The first for new or modified facilities beginning in July 2012 and the second for all facilities as of July 2013. Massachusetts is also requiring enhancement of Stage I systems as part of the Stage II removal process. Missouri initially issued enforcement discretion for new and modified facilities beginning in August 2012, but currently allows all facilities to remove Stage II controls as of March 2013 upon department approval. New York issued enforcement discretion for new and existing facilities to remove Stage II controls beginning January 2011. Pennsylvania issued enforcement discretion for new facilities beginning in July 2012. Texas issued enforcement discretion for new and modified facilities to remove Stage II beginning in May 2012 and Virginia has issued enforcement discretion for new facilities beginning in July 2012.

Mr. Poppen stated that some states have passed statutes or rules allowing for the removal of Stage II controls. Connecticut passed a statute that prohibits the installation of Stage II on or after June 18, 2013 and that all facilities must remove Stage II by July 1, 2015. Florida removed Stage II by rule at new facilities beginning in 2007 and existing facilities in 2010. On June 1, 2009, EPA approved the Florida rule in a Federal Register notice (74 FR 26103). Kentucky has a proposed rule for the removal of Stage II in the Louisville area, however no specifics on the rule were available. Maine repealed Stage II by rule on January 1, 2012 in which all facilities are to remove Stage II by January 1, 2013. New Hampshire had Stage II requirements removed by rule beginning in January 2012 with all facilities required to remove Stage II by December 22, 2015. Ohio exempted new facilities from Stage II by rule beginning April 2013. Mr. Poppen noted that Ohio also has a proposed rule in which all facilities must decommission Stage II by 2017 and install low vapor permeation dispensing hoses. Rhode Island passed a statute in 2012 which exempts new and modified facilities from Stage II requirements. Additionally, Rhode Island proposed a rule to allow decommissioning of all facilities after the effective date of rule, with all facilities

required to decommission by December 22, 2017. The Rhode Island proposed rule also updates Stage I controls. Texas has a proposed rule that requires all facilities to decommission Stage II by August 31, 2018 and that allows decommissioning to begin 30 days after EPA approval of the rule. Vermont passed a statute in 2009 that phased out Stage II for new facilities; all facilities are allowed to decommission beginning January 1, 2013 and have two years to decommission. Virginia has a proposed rule that would allow for all facilities to begin decommissioning on January 1, 2017. Lastly, Wisconsin passed a statute in 2011 that allowed removal of Stage II controls for all facilities upon EPA determination of widespread use which was made in May 2012.

Mr. Poppen presented Clean Air Act 110(l) demonstrations in State Implementation Plan (SIP) revisions that seek to remove Stage II controls. He commented that revisions to the SIP must demonstrate that removal of Stage II controls will not interfere with attainment or progress towards attainment. The following demonstrations were made by states to demonstrate that removing Stage II controls will not interfere with attainment of the ozone standard in their respective areas.

Rhode Island has a disbenefit for Stage II controls beginning in 2018. The Rhode Island revision proposes that all facilities are to decommission by December 22, 2017 and includes updates to Stage I controls. Mr. Poppen stated that their 110(l) analysis states that the emission increases from the removal of Stage II are small and will not interfere with attainment. Currently, Rhode Island is designated unclassifiable/attainment for the 2008 ozone standard, however one of the Rhode Island monitor is recording levels above the 2008 ozone standard.

Mr. Poppen discussed that the Virginia disbenefit of Stage II controls occurs in 2017. The Virginia revision proposes to remove Stage II requirements beginning January 1, 2017. The 110(l) analysis states that decommissioning begins during the disbenefit year and also discusses how declining emissions from other sources more than compensates for any Stage II benefit that might be lost. The 110(l) analysis also includes a demonstration that NO<sub>x</sub> reductions are more effective than VOC reductions in the area; this area is in attainment of the 2008 ozone standard.

Mr. Poppen stated that Wisconsin has a disbenefit year of 2016. The Wisconsin statute and revision allows for removal of Stage II controls after the EPA widespread use determination which was made in May 2012. The 110(l) analysis uses emission credits from closed point source facilities to offset benefits of Stage II controls before the disbenefit year. On June 11, 2013, EPA proposed to approve this demonstration in a Federal Register notice (78 FR 34966). Mr. Poppen noted that this is currently the only recent EPA proposed approval of a 110(l) analysis for removal of Stage II controls. Parts of Wisconsin are designated as a Marginal nonattainment area for the 2008 ozone standard.

Mr. Poppen reported on the 110(l) analysis for Texas. He stated that Texas does not have a disbenefit from Stage II controls because the gasoline dispensing facilities are ORVR compatible. However, Texas proposes that all facilities decommission Stage II by August 31, 2018. The Texas 110(l) analysis shows that benefits of Stage II are less than one percent of the VOC inventory. Texas also presents ozone modeling that shows a maximum 0.02 parts per billion increase in ozone concentrations after removal of Stage II controls. Texas has one Moderate and one Marginal nonattainment area for the 2008 ozone standard.

Mr. Poppen discussed that Missouri does not have a disbenefit year from Stage II controls due to ORVR compatibility at gasoline dispensing facilities. No firm date has been set in the draft Missouri revision for Stage II removal, however in March 2013 the state has allowed the decommissioning of Stage II at

all facilities under department approval of each facility that requests removal. The 110(l) analysis demonstrates that mobile source emissions decline after removal of Stage II controls and that the benefits of Stage II controls are small. The analysis also provides a comparison of current mobile source inventories against mobile source inventories in the approved SIP. The current mobile source inventories are smaller than what is in the SIP, thus arguing that the SIP has surplus mobile emissions that could be used to offset the increase in emissions from the removal of Stage II controls. The St. Louis area is designated a Marginal nonattainment area for the 2008 ozone standard.

Mr. Poppen stated that several states have not taken any action on Stage II, such as Nevada. California has decided to retain Stage II controls. He commented on the wide variety of approaches with regard to Stage II controls. Mr. Poppen thanked the Committee.

#### 6. Status Report on the Eight-Hour Ozone Monitoring Data

Julie Hoffman, Maricopa Association of Governments, gave a status report on the eight-hour ozone monitoring data. She stated that the Maricopa ozone nonattainment area is currently classified as a Marginal area for the 2008 eight-hour ozone standard of 0.075 ppm. The region has a December 31, 2015 attainment date. MAG has been closely tracking the ozone monitoring data. She indicated that a list of ozone exceedances for the 2013 ozone season have been provided at each place. This year there were a total of 53 ozone exceedances that occurred on 13 different days. Ms. Hoffman noted that these numbers are considerably lower than what was experienced in 2012. She commented that the region had over 100 exceedances on 28 different days in 2012.

Ms. Hoffman referred to another table provided at each place that displays the three year average of the annual fourth high, which is how the standard is calculated. For the 2011-2013 time period, there are 10 violating monitors that are highlighted in bold. This is one more violating monitor than 2012. Ms. Hoffman noted that the highest three year average of the annual fourth high remained the same at 0.081 ppm and is again at the North Phoenix monitor. She mentioned that the number of violating monitors has stayed high due to the elevated ozone levels the region experienced in 2011 and 2012. The concentrations for 2013 are more similar to 2010 values. Ms. Hoffman noted that with the December 31, 2015 attainment date, it will be the 2013 through 2015 data will be used to determine attainment of the standard.

#### 7. Winter Holiday No Burn Campaign

Chair McNeely introduced Corky Martinkovic, Maricopa County Air Quality Department, and Bob Huhn, Maricopa County Air Quality Department, to present the Winter Holiday No Burn Campaign. Ms. Martinkovic presented a graph of PM-2.5 emissions from December 2012 to January 2013. She noted the spikes in PM-2.5 emissions over the holiday season, especially Christmas Eve and New Years Day. Ms. Martinkovic indicated that these spikes in PM-2.5 emissions are the reason for the No Burn Campaign. She discussed that Maricopa County is watching the activity at the monitors and will be conducting a speciation study to garner a better understanding of the increase in PM-2.5 emissions during the winter holidays. Ms. Martinkovic added that the County is involved in a cooperative task force with ADEQ to work on a campaign to address these spikes in PM-2.5 emissions. She discussed how the PM-2.5 standard is calculated and that these spikes impact two years since they usually occur in December and January. This campaign aims to address the PM-2.5 emission increases to keep the region in attainment of the PM-2.5 standard. Ms. Martinkovic stated that the campaign is geared toward the predominant activity during this time, which is woodburning in fireplaces, fire pits, and other types of

wood burning activities. The goal of the campaign is to educate people on the importance of not burning wood, which includes compressed logs, on no burn days.

Mr. Huhn discussed the No Burn Campaign. He indicated that the campaign is taking an aggressive approach to reach as many different areas and demographics as possible to avoid PM-2.5 nonattainment status. Mr. Huhn explained that the PM-2.5 spikes are observed all over the region; some monitors are recording almost three times the health standard, on days such as New Years Day. He commented that many stakeholders including City of Phoenix, Salt River Pima-Maricopa Indian Community, and Southwest Gas are currently aiding with the campaign. Mr. Huhn stated that more help and ideas with the campaign would be greatly appreciated.

Mr. Huhn presented the many media tools that will be used in the campaign. He displayed a campaign billboard with the slogan “No Burn Day? Don’t Burn Wood!” and the call to action is CleanAirMakeMore.com. Mr. Huhn reported that Lamar Advertising had donated billboard signs last year and more billboards will be purchased through them. He mentioned that the City of Mesa, as well as other municipalities, have donated the use of the City’s digital message boards. Mr. Huhn indicated that a special “No Burn Day” billboard has been created for billboards that have the option for different signage on specific days. He added that the “No Burn Day” sign will also be made into signage that can be used specifically on no burn days; he gave the example of having magnetized signs made to be placed on vehicles. Mr. Huhn mentioned that the Arizona Department of Transportation freeway signs will also be used on no burn days thanks to help from Amanda McGennis, Associated General Contractors. A poster was presented that will also be part of the campaign that includes the slogan “Don’t let our air go up in smoke.” Mr. Huhn mentioned working with the Grocers Association and Basha’s to have posters in grocery stores/supermarkets near where wood is sold. The poster will also be used by Valley Metro and other organizations. Mr. Huhn stated that the campaign is in the process of finalizing radio service announcements. Additionally, he indicated that the campaign just finished filming a television public service announcement (PSA) with Hall of Fame basketball player Ralph Sampson. Mr. Huhn discussed that there will be a 30-second and a 90-second PSA and that some television stations have already agreed to run the PSAs. He mentioned the potential to partner with news station meteorologists and smaller newspapers in the region. Mr. Huhn provided still shots of a previous PSA featuring a coughing camel. He stated that Valley Metro has given permission to revitalize the coughing camel PSA. He mentioned that using this notable PSA could bring more publicity to the campaign.

Mr. Huhn encouraged ideas and suggestions on tools to get the word about this campaign out to as many people as possible. Ms. McGennis stated that the Associated General Contractors Board of Directors has been notified about this campaign and are in agreement. She mentioned they will be sending out payroll notifications slips with the campaign message. Ms. McGennis discussed the impact nonattainment would have on Arizona industry. She also expressed interest in the magnetic signs for contractor vehicles on no burn days. Mr. Huhn thanked Ms. McGennis for her assistance with the campaign. He stated that additionally the campaign will be featured on public affair shows, including Horizon. Mr. Huhn discussed that the campaign will include a strong effort in the Spanish language community in a variety of formats: newspaper, television, and radio.

A member of the audience asked about raising the price of coal. Mr. Huhn replied that the key message of the campaign is to not burn wood on no burn days when PM-2.5 creates a health issue. The message is not to restrict wood burning activities completely. Rebecca Hudson, Southwest Gas Corporation, indicated that natural gas fireplaces, indoor and outdoor, can be used on no burn days. She stated that Southwest Gas Corporation will be including inserts in their November and December billings to remind

people of the campaign message. Mr. Huhn commented that natural gas fireplaces and EPA approved devices are okay to burn on no burn days, the message is not to burn wood on no burn days.

Doug Kukino, City of Glendale, inquired about the PM-2.5 exceedances. Ms. Bauer responded that the region does not want to become a PM-2.5 nonattainment area. She noted that the purpose of this campaign is to prevent the spikes in PM-2.5 emissions that may cause an exceedance of the standard. Ms. Bauer stated that the Maricopa region is in attainment of the PM-2.5 standard. Ms. Martinkovic added that monitors are now watched for PM-2.5 rapid response, similarly to the PM-10 rapid response program. Efforts will be mobilized when PM-2.5 levels are elevated. Ms. Martinkovic commented that all PM-2.5 sources are evaluated around the monitors. Mr. Kukino asked about enforcement. Ms. Martinkovic replied that there is a complaint process. The first step after a complaint is a warning letter and then a process for compliance. Ms. Martinkovic noted that many complaints are in residential areas which makes enforcement difficult and the goal is to inform people through the campaign. The County expects to see a spike in complaints this season in reaction to the campaign.

Mannie Carpenter, Valley Forward, inquired about fireworks and PM-2.5. Ms. Martinkovic responded that some states have analyzed the impact of fireworks on PM-2.5. She indicated that the County has not seen direct impact of fireworks on monitoring data, however PM-2.5 is a small particle that travels easily. Ms. Martinkovic indicated that the County will be analyzing the impact from other PM-2.5 sources besides woodburning.

Diane Arnst, Arizona Department of Environmental Quality, commented on the mobile phone application to receive no burn day notifications. Mr. Huhn stated that no burn days and more information can be found at the Clean Air Make More website and the Clean Air Make More mobile phone application. He stated that the mobile phone application will have no burn information, weather, alerts, and a way to submit air quality violations. Mr. Huhn reported that the mobile phone application has exceeded expectations, with 6,500 apps downloaded. He mentioned that the mobile application can be a tool to parents and educators with regard to family and education activities. Mr. Huhn thanked the Committee.

#### 8. Call for Future Agenda Items

Chair McNeely requested suggestions for future agenda items. He indicated that the next meeting of the Committee has been tentatively scheduled for Tuesday, December 3, 2013.

With no further comments, the meeting was adjourned at approximately 2:35 p.m.



DRAFT

# CONFORMITY ANALYSIS

FOR THE FY 2014-2018 TRANSPORTATION  
IMPROVEMENT PROGRAM AND THE  
2035 REGIONAL TRANSPORTATION PLAN

Executive Summary

NOVEMBER 2013



## EXECUTIVE SUMMARY

This report presents the 2014 MAG Conformity Analysis for the FY 2014-2018 MAG Transportation Improvement Program and the 2035 MAG Regional Transportation Plan. The Maricopa Association of Governments is the designated Metropolitan Planning Organization (MPO) for Maricopa County and portions of Pinal County including Apache Junction, Florence, and Maricopa. As a result of this designation, MAG prepares the Transportation Improvement Program and Regional Transportation Plan, and the associated conformity analyses. The FY 2014-2018 MAG Transportation Improvement Program and 2035 MAG Regional Transportation Plan includes an expanded MAG region in 2013. The FY 2014-2018 MAG Transportation Improvement Program serves as a detailed guide for preservation, expansion, and management of public transportation services. The 2035 MAG Regional Transportation Plan covers FY 2014 through FY 2035 providing the blueprint for future transportation investments in the region. The Regional Transportation Plan includes funding for freeways and highways, streets, regional bus and high capacity transit, as well as bicycle and pedestrian facilities, commensurate with available funding. This conformity analysis supports a finding of conformity on the FY 2014-2018 MAG Transportation Improvement Program and 2035 Regional Transportation Plan for the Maricopa Association of Governments metropolitan planning area.

On May 9, 2013, the MAG Metropolitan Planning Area Boundary was expanded due to the 2010 Census urbanized area updates. For transportation planning and programming purposes, the Federal Highway Administration regulations state that at a minimum, the Metropolitan Planning Area must encompass the entire existing urbanized area boundary as well as the contiguous geographic area(s) likely to become urbanized within the next 20 years. The updated urbanized area boundary for the MAG region included areas within Pinal County. Due to this expansion, the MAG Regional Council amended the MAG By-laws to recognize the new Metropolitan Planning Area Boundary and to provide for new members from Pinal County within the new boundary. The MAG Metropolitan Planning Area Boundary now includes the Town of Florence, City of Maricopa, the portion of the Gila River Indian Community within Pinal County, and unincorporated areas within Pinal County.

Also, on May 6, 2013, the new Sun Corridor Metropolitan Planning Organization was designated in the Pinal County area. The Sun Corridor Metropolitan Planning Area Boundary includes the cities of Casa Grande, Eloy, Coolidge, and unincorporated areas of Pinal County.

Both the MAG Metropolitan Planning Area Boundary and the Sun Corridor Metropolitan Planning Area Boundary include portions of the West Pinal PM-10 Nonattainment Area and West Central Pinal PM-2.5 Nonattainment Area located in Pinal County. Both

nonattainment areas are covered by the boundaries of the two metropolitan planning organizations. Consequently, transportation conformity is required to be demonstrated for both nonattainment areas by both metropolitan planning organizations. Please refer to Figure ES-1.

On July 1, 2013, the Federal Highway Administration notified the Governor of a transportation conformity lapse in the West Pinal PM-10 Nonattainment Area, effective July 2, 2013. The new West Pinal PM-10 Nonattainment Area had been designated by the Environmental Protection Agency, effective July 2, 2012. The Clean Air Act §176(c)(6) requires a metropolitan long range transportation plan and transportation improvement program conformity determination within twelve months of the effective date of an area being designated nonattainment. The twelve month conformity grace period had lapsed.

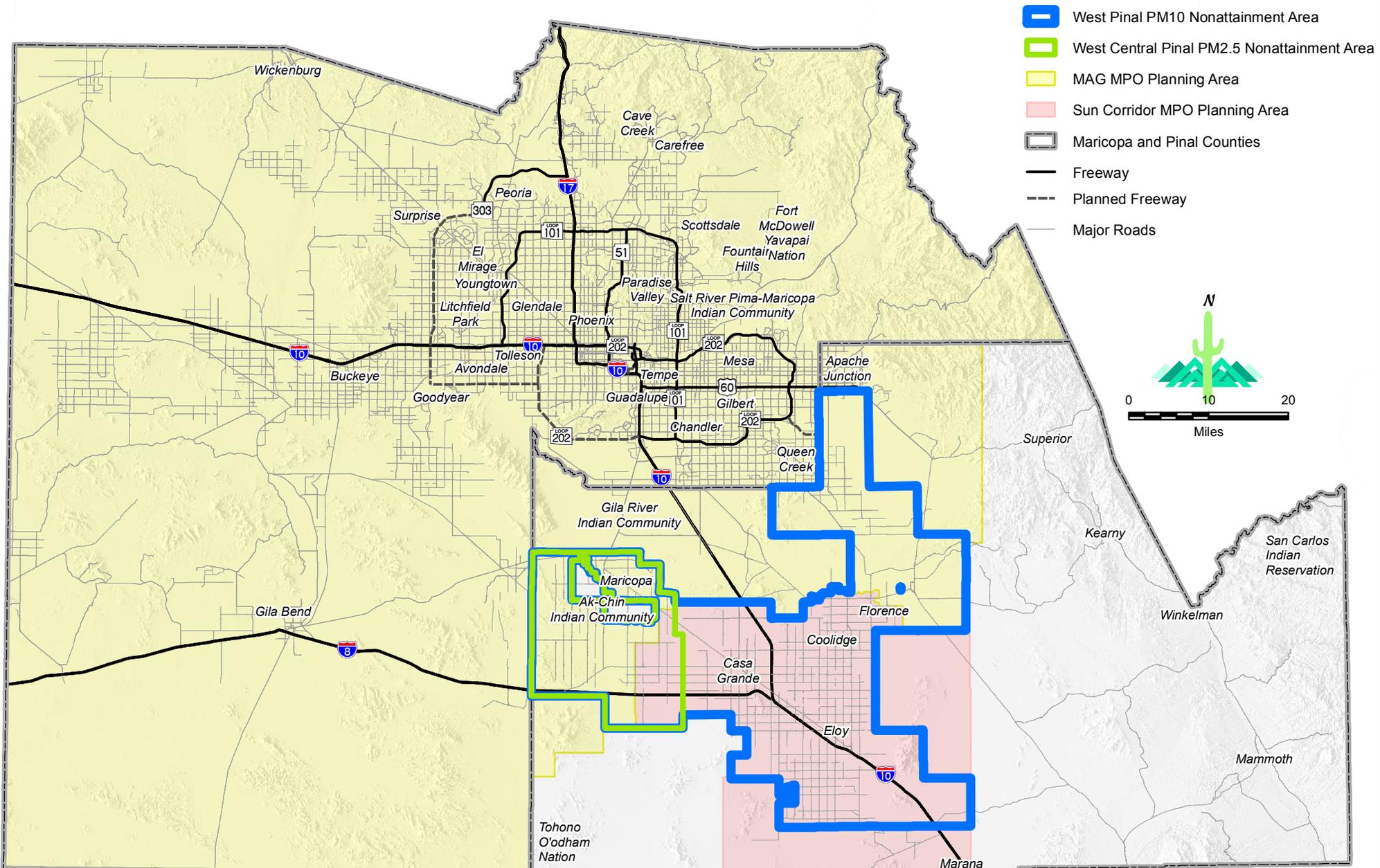
To provide assistance to the new Sun Corridor Metropolitan Planning Organization, MAG has prepared the initial conformity analysis for the PM-10 and PM-2.5 nonattainment areas in Pinal County, to enable transportation projects in both metropolitan planning organizations to proceed. At a June 17, 2013 meeting with the Arizona Department of Transportation, Sun Corridor Metropolitan Planning Organization and MAG, there was general concurrence that MAG would prepare the initial conformity analysis. The Maricopa Association of Governments is working through a cooperative effort with the Arizona Department of Transportation, Sun Corridor Metropolitan Planning Organization, and Pinal County on the conformity analysis necessary to remove the conformity lapse.

The 2014 MAG Conformity Analysis for the FY 2014-2018 MAG Transportation Improvement Program and the 2035 MAG Regional Transportation Plan includes results of the regional emissions analysis for carbon monoxide, eight-hour ozone, and PM-10 for the Maricopa County region as well as PM-10 for the West Pinal PM-10 Nonattainment Area and PM-2.5 and NO<sub>x</sub> for the West Central Pinal PM-2.5 Nonattainment Area located in Pinal County. Summarized below are the applicable federal criteria or requirements for conformity determinations, the conformity tests applied, regional emissions analysis results, and an overview of the organization of this report. Figures presenting the conformity test results and transportation control measure funding in the FY 2014-2018 MAG Transportation Improvement Program are provided at the end of the Executive Summary.

## **CONFORMITY REQUIREMENTS**

The federal transportation conformity rule (40 Code of Federal Regulations Parts 51 and 93) specifies criteria and procedures for conformity determinations for transportation plans, programs, and projects and their respective amendments. The federal transportation conformity rule was first promulgated in 1993 by EPA, following the passage of amendments to the federal Clean Air Act in 1990. The federal transportation conformity rule has been revised several times since its initial release to reflect both EPA rule changes and court opinions. The transportation conformity rule and court opinions are summarized in Chapter 1.

**Figure ES-1: MAG and Sun Corridor MPO Planning Areas and Air Quality Nonattainment Areas for the Pinal County Area, Arizona**



While every effort has been made to ensure the accuracy of this information, the Maricopa Association of Governments makes no warranty, expressed or implied, as to its accuracy and expressly disclaims liability for the accuracy thereof.

Source: U.S. Environmental Protection Agency  
Date: October 2013

The conformity rule applies nationwide to “all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan” (40 CFR 93.102). At this time, portions of Maricopa County are designated as a nonattainment or maintenance area with respect to federal air quality standards for three criteria pollutants, carbon monoxide (CO), eight-hour ozone, and particulate matter less than or equal to ten microns in diameter (PM-10), and portions of Pinal County are designated as a nonattainment area with respect to PM-10 and particulate matter less than or equal to 2.5 microns in diameter (PM-2.5). Metropolitan transportation plans, programs, and projects in the nonattainment or maintenance areas of both counties must satisfy the requirements of the federal transportation conformity rule. Under the federal transportation conformity rule, the principal criteria for a determination of conformity for transportation plans and programs are:

- (1) the TIP and Regional Transportation Plan must pass an emissions budget test with a budget that has been found to be adequate or approved by EPA for transportation conformity purposes, or interim emissions tests;
- (2) the latest planning assumptions and emission models in force at the time the conformity analysis begins must be employed;
- (3) the TIP and RTP must provide for the timely implementation of transportation control measures (TCMs) specified in the applicable air quality implementation plans; and,
- (4) consultation.

Consultation generally occurs at the beginning of the conformity analysis process, on the proposed models, associated methods, and assumptions for the upcoming analysis and the projects to be assessed, and at the end of the process, on the draft conformity analysis report. The final determination of conformity for the TIP and RTP is the responsibility of the Federal Highway Administration and the Federal Transit Administration.

The conformity tests specified in the federal transportation conformity rule are: (1) the emissions budget test, and (2) interim emissions tests. For the emissions budget test, predicted emissions for the TIP and RTP must be less than or equal to the motor vehicle emissions budget specified in the approved air quality implementation plan or the emissions budget found by EPA to be adequate for transportation conformity purposes. If there is no approved air quality plan for a pollutant for which the region is in nonattainment or no emissions budget found to be adequate for transportation conformity purposes, interim emissions tests apply.

## MARICOPA COUNTY NONATTAINMENT AND MAINTENANCE AREAS

For the Maricopa County nonattainment and maintenance areas, separate tests were conducted for carbon monoxide (CO), volatile organic compounds (VOC), nitrogen oxides (NOx), and PM-10. Budget tests were performed for the Maricopa County nonattainment and maintenance areas using EPA-approved budgets for transportation conformity purposes. On March 9, 2005, EPA published the final rule in the *Federal Register* approving the MAG 2003 Carbon Monoxide Maintenance Plan, including the conformity budgets, effective April 8, 2005. On June 13, 2012, EPA approved the MAG 2007 Eight-Hour Ozone Plan including the emissions budgets, effective July 13, 2012. In addition, on July 25, 2002, EPA approved the Revised MAG 1999 Serious Area Particulate Plan for PM-10 including the 2006 PM-10 motor vehicle emissions budget, effective August 26, 2002.

Chapter 1 summarizes the applicable air quality implementation plans and conformity tests for carbon monoxide, eight-hour ozone, and PM-10. For the 2014 MAG Conformity Analysis for the FY 2014-2018 MAG TIP and RTP, the emissions budget test was applied using the approved conformity budgets from the Carbon Monoxide Maintenance Plan. For eight-hour ozone, the emissions budget tests were performed for volatile organic compounds (VOC) and nitrogen oxides (NOx) using the approved conformity budgets from the MAG Eight-Hour Ozone Plan. For PM-10, the emissions budget test was applied using the approved conformity budget from the Serious Area Particulate Plan for PM-10.

### Results of the Conformity Analysis

For the 2014 MAG Conformity Analysis, a regional emissions analysis was conducted for carbon monoxide, the eight-hour ozone precursors (volatile organic compounds and nitrogen oxides), and PM-10 for the years: 2015, 2025, and 2035. All analyses were conducted using the latest planning assumptions and emissions models in force at the time the conformity analysis started on September 29, 2013. The major conclusions of the 2014 MAG Conformity Analysis are:

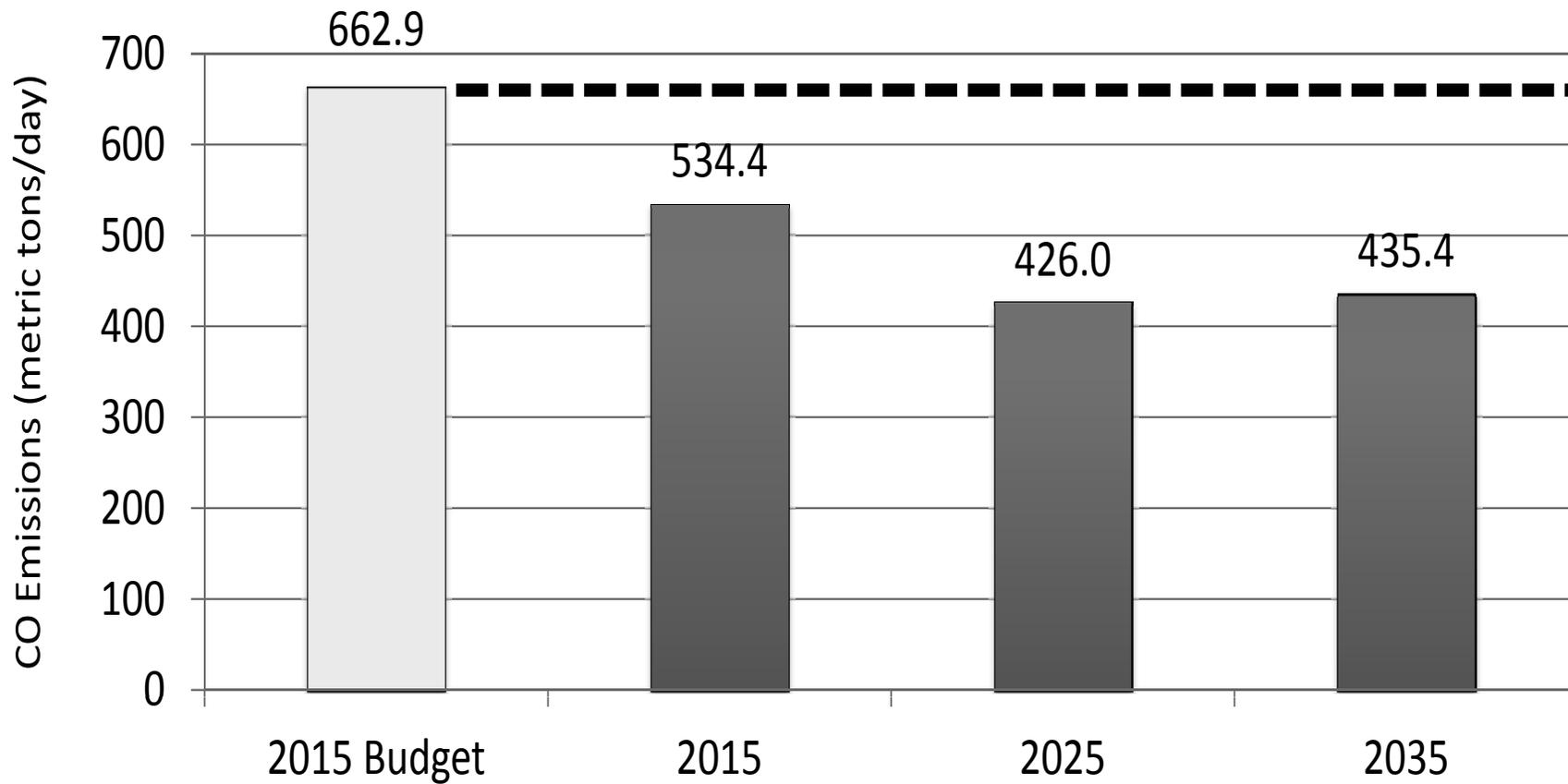
- For carbon monoxide, the total vehicle-related emissions associated with implementation of the TIP and Regional Transportation Plan for the analysis years 2015, 2025, and 2035 are projected to be less than the approved 2015 emissions budget. The applicable conformity test for carbon monoxide is therefore satisfied. The results of the regional emissions analysis for carbon monoxide are presented in Figure ES-2.
- For eight-hour ozone, the total vehicle-related volatile organic compound and nitrogen oxide emissions associated with implementation of the TIP and Regional Transportation Plan for the analysis years of 2015, 2025, and 2035 are projected to be less than the approved 2008 emissions budgets. The applicable conformity tests for eight-hour ozone are therefore satisfied. The results of the regional emissions analysis for eight-hour ozone are presented in Figures ES-3 and ES-4.

- For PM-10, the total vehicle-related emissions associated with implementation of the TIP and Regional Transportation Plan for the analysis years of 2015, 2025, and 2035 are projected to be less than the approved 2006 emissions budget. The conformity test for PM-10 is therefore satisfied. The results of the regional emissions analysis for PM-10 are presented in Figure ES-5.
- A review of the implementation status of TCMs in applicable air quality plans has indicated that the TIP and Regional Transportation Plan will provide for the timely implementation of the TCMs and there are no obstacles to the implementation of any TCM. The current status of TCMs identified in applicable air quality implementation plans is documented in Chapter 5 of this report. Figure ES-6 presents the total funding programmed in the TIP for transportation projects and programs that implement transportation control measures and other air quality measures.
- Consultation has been conducted in accordance with federal requirements.

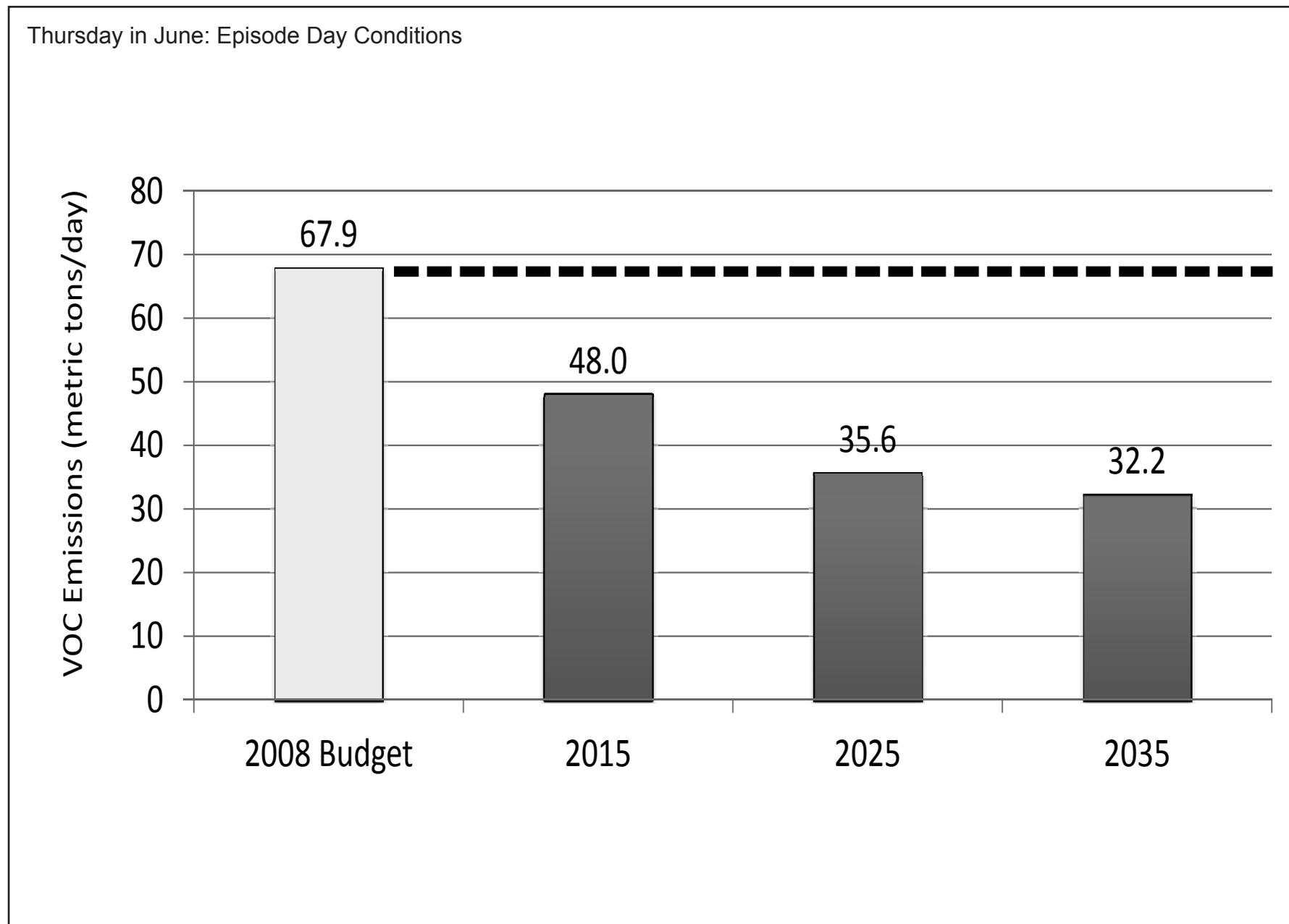
**Figure ES-2: Carbon Monoxide Results for Conformity Budget Test**  
Maricopa County Nonattainment and Maintenance Areas

Friday in December: Episode Day Conditions

ES-7

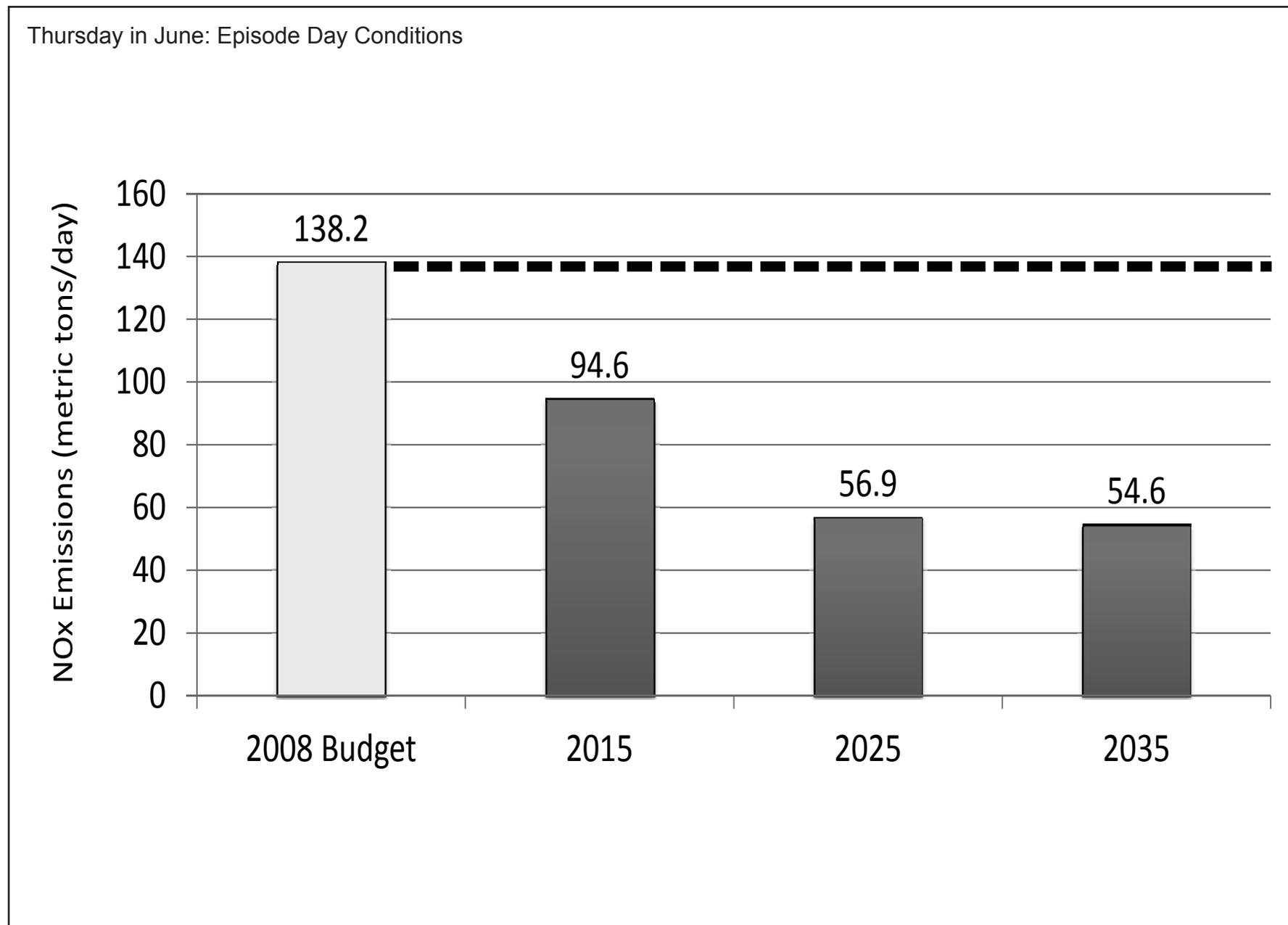


**Figure ES-3: Eight-Hour Ozone: Volatile Organic Compounds (VOC) Results for Conformity Budget Test**  
Maricopa County Nonattainment and Maintenance Areas



ES-8

**Figure ES-4: Eight-Hour Ozone: Nitrogen Oxides (NOx) Results for Conformity Budget Test**  
Maricopa County Nonattainment and Maintenance Areas



ES-9

**Figure ES-5: PM-10 Results for Conformity Budget Test**  
Maricopa County Nonattainment and Maintenance Areas

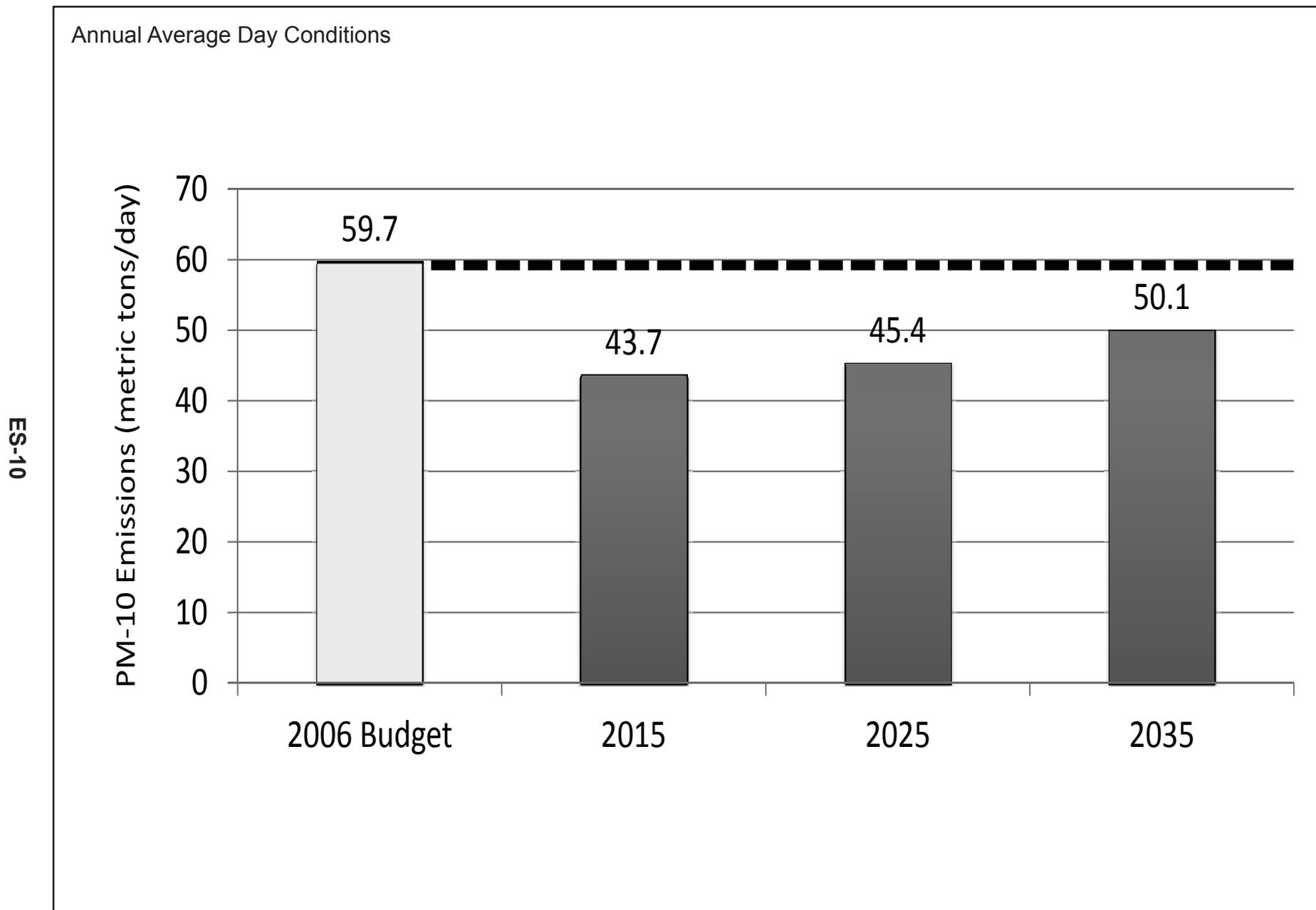
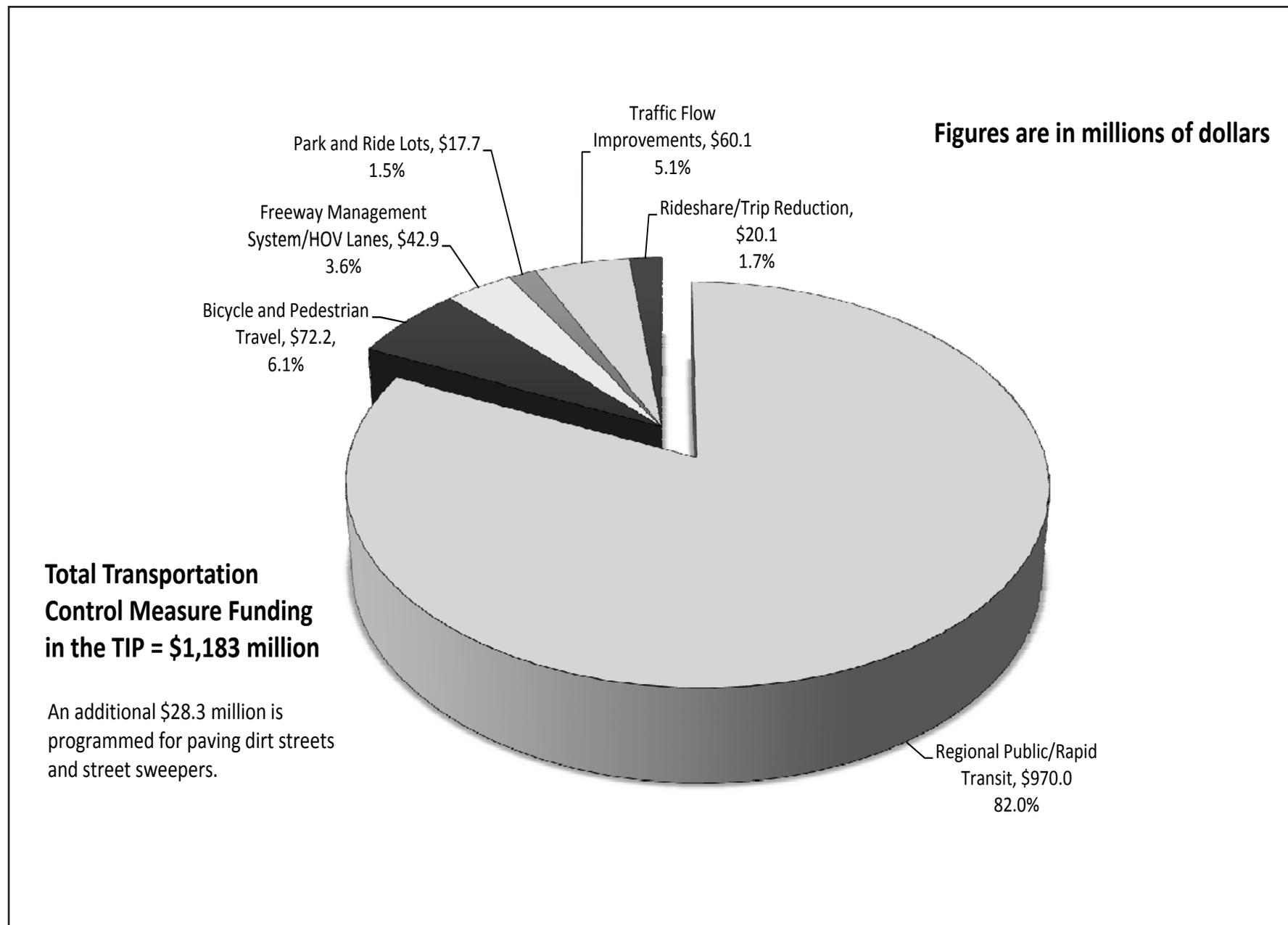


Figure ES-6: Transportation Control Measure Funding in the FY 2014-2018 MAG Transportation Improvement Program



## **PINAL COUNTY NONATTAINMENT AREAS**

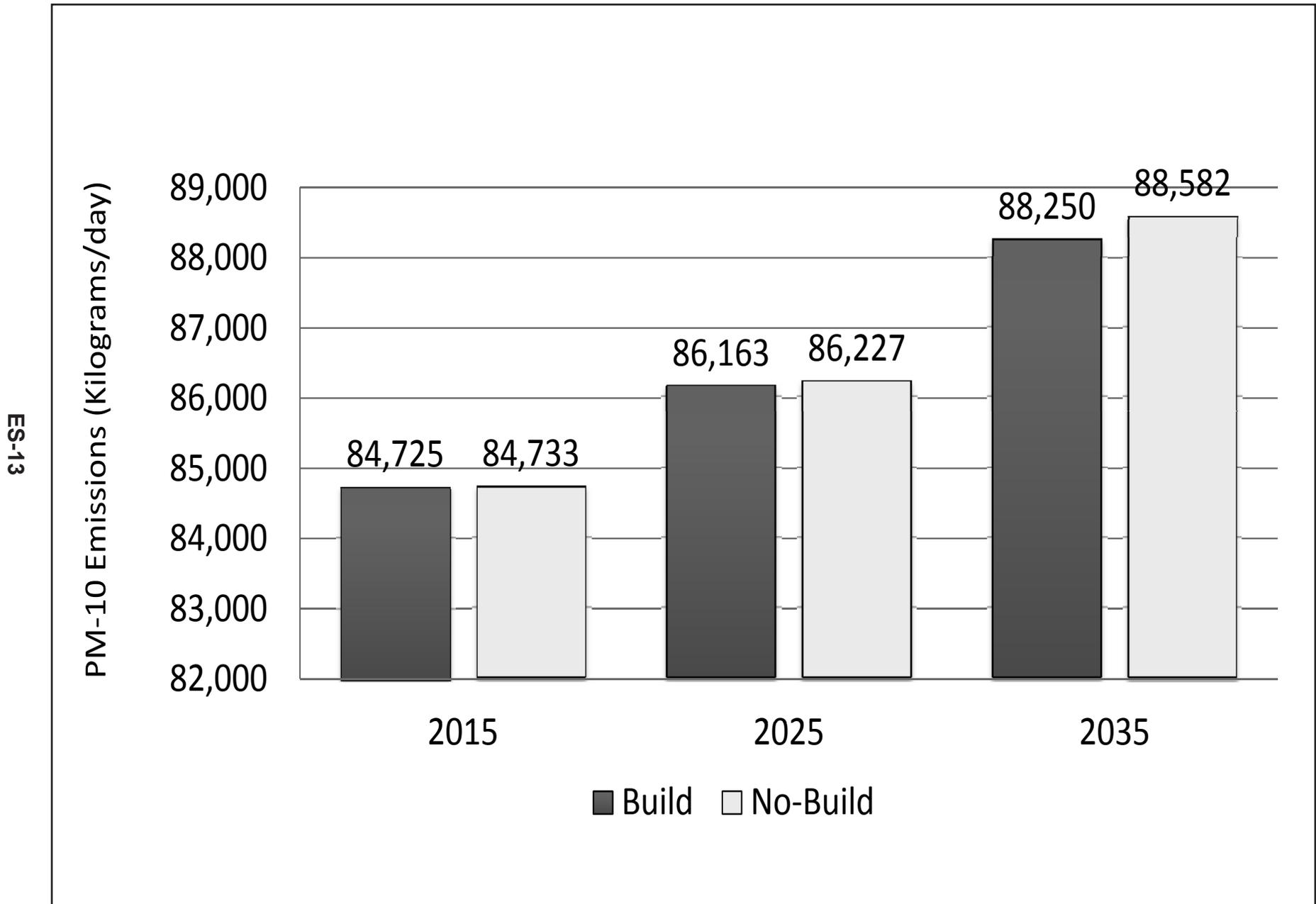
For the Pinal County nonattainment areas, there are no adequate or approved motor vehicle emissions budgets for conformity. Therefore, the conformity interim emissions tests were applied. The build/no-build tests were conducted for PM-10 for the West Pinal PM-10 Nonattainment Area and for PM-2.5 and NOx for the West Central Pinal PM-2.5 Nonattainment Area for the analysis years of 2015, 2025, and 2035. For each test, the required emissions estimates were developed using the transportation and emission modeling approaches required under the federal transportation conformity rule and summarized in this document.

For PM-10, for each analysis year the projected emissions for the build scenario are not greater than the projected emissions for the no-build scenario. Since the PM-10 emissions predicted for the build scenarios are not greater than the PM-10 emissions predicted for the no-build scenarios, the conformity interim emission test is satisfied. It is also reasonable to expect the build emissions would not exceed the no-build emissions for the time periods between the analysis years. The results of the regional emissions analysis for PM-10 are presented in Figure ES-7.

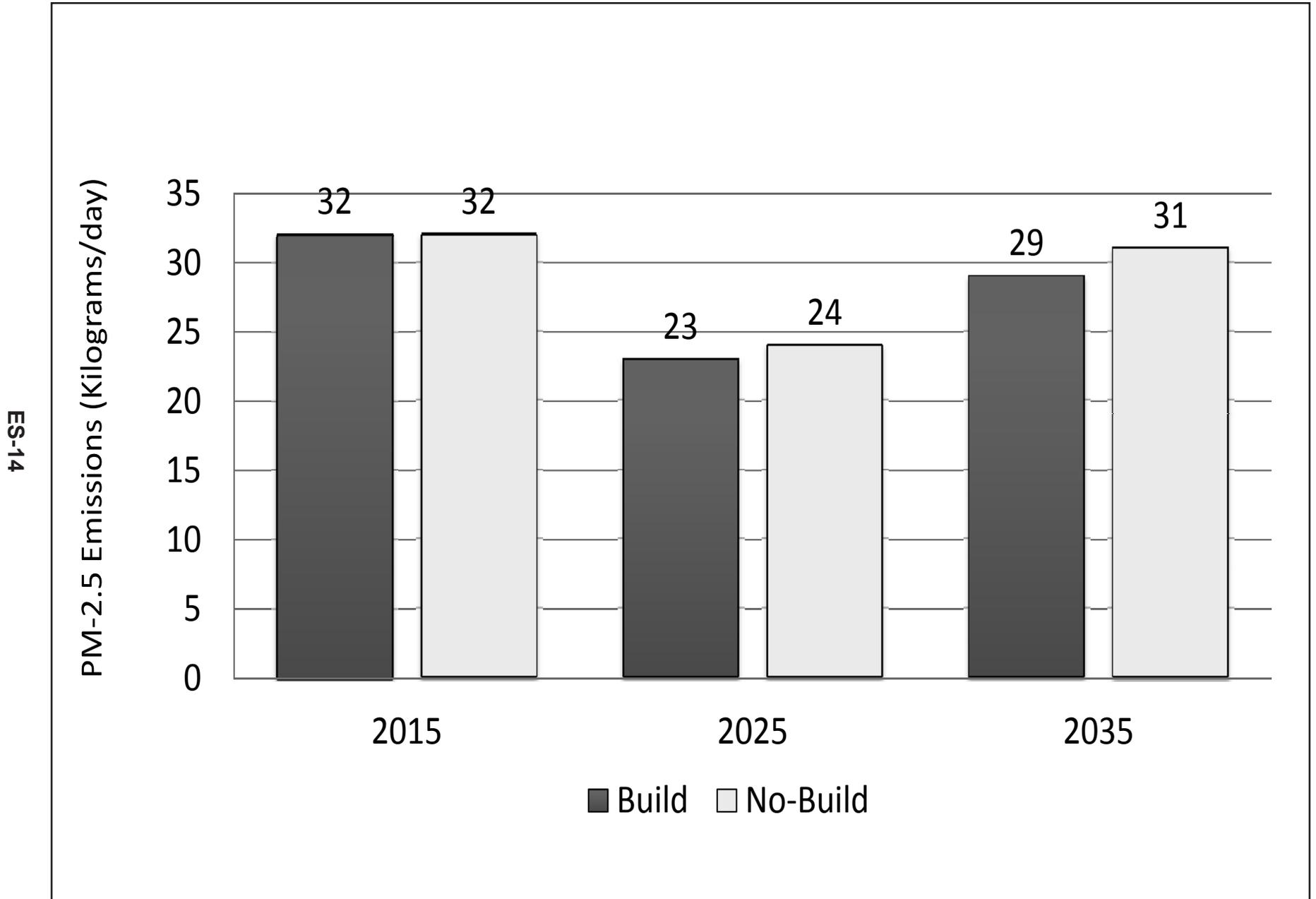
For PM-2.5, for each analysis year the projected emissions for the build scenario are not greater than the projected emissions for the no-build scenario. Since the PM-2.5 emissions predicted for the build scenarios are not greater than the PM-2.5 emissions predicted for the no-build scenarios, the conformity interim emission tests are satisfied. It is also reasonable to expect the build emissions would not exceed the no-build emissions for the time periods between the analysis years. The results of the regional emissions analysis for PM-2.5 are presented in Figure ES-8.

For NOx, for each analysis year the projected emissions for the build scenario are not greater than the projected emissions for the no-build scenario. Since the NOx emissions predicted for the build scenarios are not greater than the NOx emissions predicted for the no-build scenarios, the conformity interim emission tests are satisfied. It is also reasonable to expect the build emissions would not exceed the no-build emissions for the time periods between the analysis years. The results of the regional emissions analysis for NOx are presented in Figure ES-9.

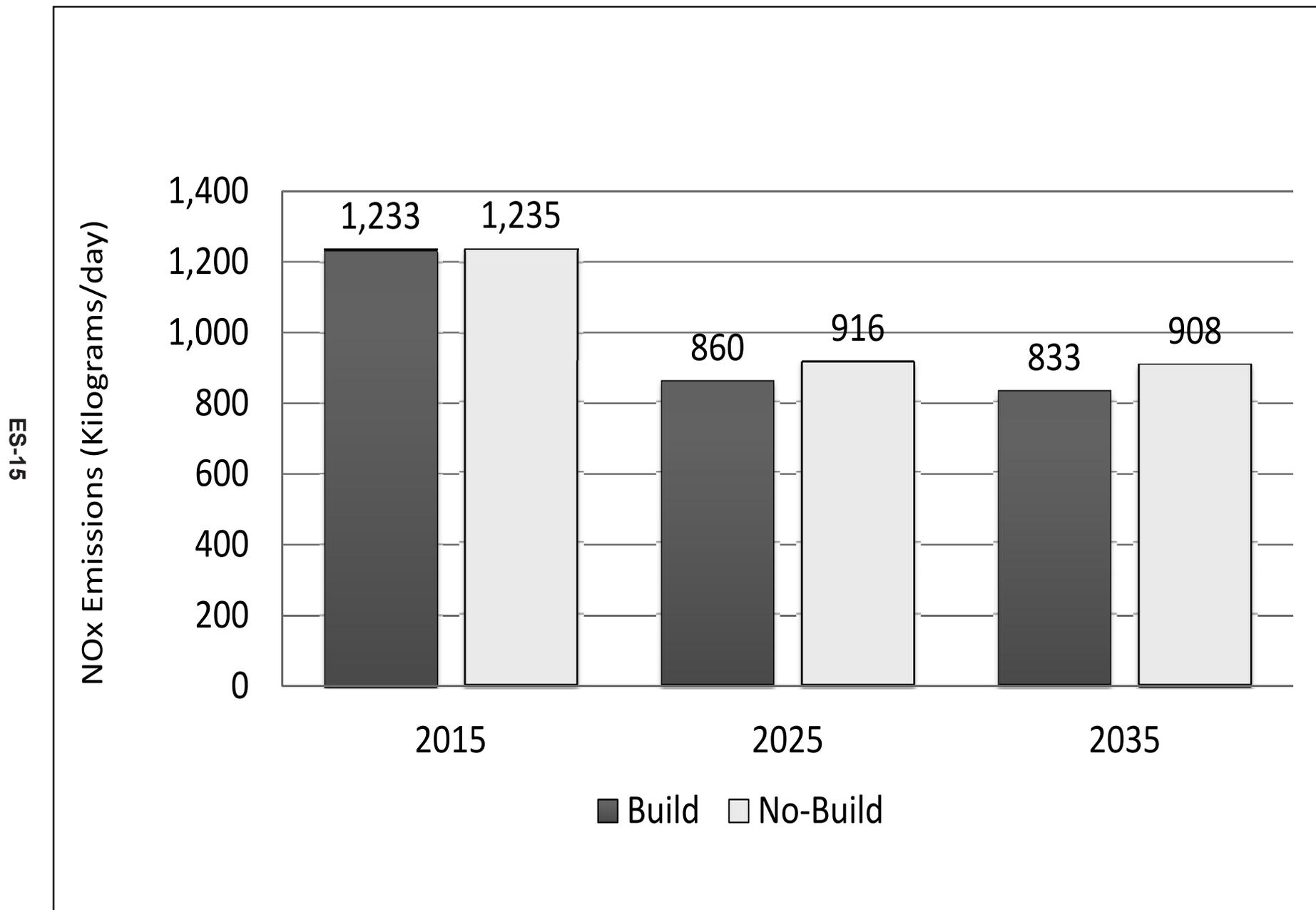
**Figure ES-7: PM-10 Results for Conformity Interim Emission (Build/No-Build) Test**  
Pinal County PM-10 Nonattainment Area



**Figure ES-8: PM-2.5 Results for Conformity Interim Emission (Build/No-Build) Test**  
Pinal County PM-2.5 Nonattainment Area



**Figure ES-9: NOx Results for Conformity Interim Emission (Build/No-Build) Test**  
Pinal County PM-2.5 Nonattainment Area



## **REPORT ORGANIZATION**

The report is organized into six chapters. Chapter 1 provides an overview of the applicable federal and state conformity rules and requirements, air quality implementation plans, and conformity test requirements. Chapter 2 contains a discussion of the latest planning assumptions. Chapter 3 includes a summary of the transportation model characteristics, key socioeconomic data, and other data related to the land use and transportation system forecasts, and Chapter 4 describes the air quality modeling used to estimate emission factors and mobile source emissions. Chapter 5 contains the documentation required under the federal transportation conformity rule for transportation control measures. The results of the conformity analysis for the MAG FY 2014-2018 Transportation Improvement Program and 2035 MAG Regional Transportation Plan and the new Pinal County nonattainment areas are provided in Chapter 6.

Excerpts from the applicable air quality plans, consultation documentation, and other related information are contained in the Appendices. The appendices include copies of memoranda previously circulated for consultation. The appendices of the final version of this report will also include a transcript of the public hearing to be conducted on the draft report. Any comments received and responses made as part of the final 30-day consultation period on this draft report will also be included in the appendices.

**Nov 20 2013**

## Sen. Flake Leads Listening Session with EPA, Arizona Stakeholders on Revised Exceptional Events Draft Rule

**Washington, D.C.** – United States Sen. Jeff Flake (R-AZ) today organized and participated in a listening session with the Environmental Protection Agency (EPA) and key Arizona stakeholders on the forthcoming content of the EPA's draft rule on the process by which "exceptional events" related to air quality standards are submitted to the EPA for review.

Background: Under the Clean Air Act (CAA), the EPA sets standards for air quality pollutants, including particulate matter, or dust. Air quality data, collected from a network of monitors, showing that standards have been exceeded can trigger a set of burdensome regulations that can ultimately lead to federally enforceable pollution control requirements.

In states like Arizona, exceedances caused by naturally occurring "exceptional events" – such as dust storms – are only exempted from air quality data through a complex EPA process that is unpredictable, long and expensive.

In 2011 and 2012, the EPA approved 18 exceptional-event demonstrations submitted by Arizona. Combined, the Arizona Department of Environmental Quality, Maricopa County Air Quality Department and Maricopa Association of Governments were forced to spend a total of \$675,000 and 790 staff hours to prove to EPA's satisfaction that a naturally occurring event caused each exceedance.

Over the past several years, the EPA issued a series of guidance documents to offer more clarity on the exceptional-events rule. Today's listening session is the latest in a series of stakeholder efforts led by Sen. Flake to inform the EPA on the effects of the Exceptional Events Rule on Arizona.

In addition, Sen. Flake is working to reintroduce the Commonsense Legislative Exceptional Events Reform (CLEER) Act, a bill he previously introduced in the House of Representatives, which would require the EPA to revise and reform the exceptional-events rule. With the EPA now agreeing to do just that, Sen. Flake has pledged to continue to work closely with Arizona stakeholders to advocate for the implementation of a streamlined, cost-efficient and regionally tailored review process.

In March 2012, the EPA announced that it would formally revise the exceptional-events rule. Today's Arizona-only listening session – the only such session the EPA has offered to a specific state – offers one of the final opportunities for stakeholders to influence the content of EPA's draft rule on exceptional events.

**"Even the EPA admits that this process is broken, but a feasible solution couldn't be found without the input of those participating in today's call,"** said Flake. **"Those of us on the call stressed that because the rule regarding exceptional events was intended by Congress to ease the regulatory burdens faced by states affected by uncontrollable, naturally occurring events, the EPA's revised rule ought to uphold that intent. I will continue to work with Arizona's stakeholders and the EPA to help make sure the final draft rule is reflective of this."**

Among the diverse group of participants were the Arizona Cattlemen's Association, Arizona

Department of Environment Quality, Arizona Public Service, Salt River Project, Arizona Chamber of Commerce and Industry, Arizona Farm Bureau Federation, Arizona Mining Association, Tucson Metro Chamber, Nature Conservancy, Southwest Gas, Arizona Department of Agriculture, Maricopa Association of Governments and Southern Arizona Home Builders Association.

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TENTATIVE MEETING SCHEDULE FOR THE  
MAG AIR QUALITY TECHNICAL ADVISORY COMMITTEE

JANUARY - DECEMBER 2014

Saguaro Conference Room

Thursday, January 23, 2014 - 1:30 p.m.

Thursday, February 27, 2014 - 1:30 p.m.

Thursday, March 27, 2014 - 1:30 p.m.

Thursday, April 24, 2014 - 1:30 p.m.

Thursday, May 22, 2014 - 1:30 p.m.

Thursday, June 26, 2014 - 1:30 p.m.

Thursday, July 24, 2014 - 1:30 p.m.            **IF NECESSARY**

Thursday, August 28, 2014 - 1:30 p.m.

TUESDAY, September 23, 2014 - 1:30 p.m.

Thursday, October 23, 2014 - 1:30 p.m.

Thursday, December 4, 2014 - 1:30 p.m.

Note: This schedule is subject to change. Flexibility is needed to meet federal Clean Air Act mandates and changes in guidance from the Environmental Protection Agency.