

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

Monday, May 23, 2005
MAG Office
Phoenix, Arizona

MEMBERS PRESENT

Stephen Cleveland, City of Goodyear, Chairman
Avondale: Michael Powell
*Buckeye: Carroll Reynolds
Chandler: Jim Weiss
*El Mirage: Lucky Roberts
*Gilbert: Tami Ryall
Glendale: Doug Kukino
Mesa: Scott Bouchie
Phoenix: Gaye Knight
Scottsdale: Larry Person
Surprise: Jim Nichols
Tempe: Oddvar Tveit
*Citizen Representative: Walter Bouchard
*American Lung Association of Arizona: Bill Pfeifer
#Salt River Project: Dan Casiraro for Sunil Varma
Southwest Gas Corporation: Brian O'Donnell
*Arizona Public Service Company: Jim Mikula
*Western States Petroleum Association: Gina Grey
Valley Metro: Randi Alcott
Arizona Motor Transport Association: Dave Berry
Maricopa County Farm Bureau: Jeannette Fish
Arizona Rock Products Association: Steve Trussell
for Rusty Bowers
*Greater Phoenix Chamber of Commerce: Michelle Rill

*Associated General Contractors: Amanda McGennis
Homebuilders Association of Central Arizona:
Bert Acken for Connie Wilhelm-Garcia
*American Institute of Architects - Central Arizona:
Stephen J. Andros
*Valley Forward: Peter Allard
University of Arizona - Cooperative Extension:
Patrick Clay
Arizona Department of Transportation: Beverly
Chenausky
Arizona Department of Environmental Quality: Peter
Hyde
Environmental Protection Agency: Wienke Tax
Maricopa County Air Quality Department: Jo
Crumbaker
*Arizona Department of Weights and Measures:
Duane Yantorno
*Federal Highway Administration: Ed Stillings
*Arizona State University: Judi Nelson
*Salt River Pima-Maricopa Indian Community:
B. Bobby Ramirez
*Citizen Representative: David Rueckert

*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
Dean Giles, Maricopa Association of Governments
Julie Hoffman, Maricopa Association of
Governments
Cathy Arthur, Maricopa Association of Governments
Paul Ward, Maricopa Association of Governments
Jeff Baxter, Stevens & Stevens, P.C.

Robert Kard, Maricopa County Air Quality
Department
Scott Di Biase, Pinal County
Kathleen Sommer, Arizona Department of
Transportation
Laura Tsosie, Arizona Department of Transportation
Diane Arnst, Arizona Department of Environmental
Quality

1. Call to Order

A meeting of the MAG Air Quality Technical Advisory Committee was conducted on May 23, 2005. Stephen Cleveland, City of Goodyear, Chairman, called the meeting to order at approximately 1:40 p.m. Dan Casiraro, Salt River Project, attended the meeting via telephone conference call.

2. Call to the Audience

Mr. Cleveland 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 table adjacent to the doorway 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. Mr. Cleveland noted that no public comment cards had been received.

3. Approval of the May 5, 2005 Meeting Minutes

The Committee reviewed the minutes from the May 5, 2005 meeting. Gaye Knight, City of Phoenix, moved and Larry Person, City of Scottsdale, seconded and the motion to approve the May 5, 2005 meeting minutes carried unanimously.

4. Evaluation of Proposed CMAQ Projects for the Federal FY 2005 Interim Year End Closeout

Cathy Arthur, Maricopa Association of Governments, gave a presentation on the evaluation of proposed Congestion Mitigation and Air Quality Improvement projects for Federal FY 2005 Interim Year End Closeout. She indicated that approximately \$16 million would be available. The deadline for submitting projects was April 29, 2005 and 41 projects were evaluated. Ms. Arthur discussed the methodologies used in evaluating the projects and presented a summary of the projects submitted. The evaluation results were provided for a possible recommendation to forward to the MAG Transportation Review Committee (TRC) for use in prioritizing the projects. Ms. Arthur added that the Committee could rank the Air Quality Projects and forward this list for the May 26, 2005 TRC meeting.

Brian O'Donnell, Southwest Gas Corporation, inquired about the Fort McDowell Yavapai Nation project to pave dirt roads. Ms. Arthur responded that the project would pave 22.8 miles of dirt roads in the PM-10 nonattainment area. Mr. O'Donnell commented on the cost of \$7.5 million. Ms. Arthur replied that the Fort McDowell Yavapai Nation is only requesting \$471,500 for the design phase of the project. Wienke Tax, Environmental Protection Agency, asked if the emission reductions are based on the \$7.5 million. Ms. Arthur responded that was correct. Ms. Tax inquired about two Valley Metro projects with the same emission reductions. Ms. Arthur replied that the two separate projects are part of the same overall project and therefore share the same cost-effectiveness and total cost.

Michael Powell, City of Avondale, commented on using the mid-year of the life of the project to determine emission reductions. Ms. Arthur stated that an amortized approach to project benefits was discussed at the CMAQ Methodology Workshop held January 5, 2004. She added that the approach had been tested and that the cost-effectiveness numbers changed; however, the relative order of the

projects stayed about the same. Mr. Cleveland suggested that this discussion continue at the June 28, 2005 CMAQ Methodology Workshop and any changes to the methodologies would take effect next year.

Randi Alcott, Valley Metro, asked which projects would be funded with the \$16 million. Ms. Arthur responded that the estimated \$16 million would fund all projects through the Light Rail Project, if the projects were funded in the rank order of cost-effectiveness. Ms. Alcott inquired about the process since only \$3 million of CMAQ funds would be available for the Light Rail Project, which is requesting \$20 million. Paul Ward, Maricopa Association of Governments, indicated that in previous years, the Transportation Review Committee would allocate the funds to what was appropriate.

Dave Berry, Arizona Motor Transport Association, asked about the Bicycle Education Program. Mr. Ward responded that the program encourages the reduction in single occupancy vehicles. Mr. Berry inquired about the accuracy of the emission reductions. Mr. Ward replied that the emission reductions are based on the information provided on the CMAQ applications. During the authorization step, the specific design of the projects are submitted to the Arizona Department of Transportation and the Federal Highway Administration. If it is determined that the project is ineligible for CMAQ funding, the project would not move forward.

Mr. Berry asked if it would be possible to use CMAQ funds to assist Maricopa County with the critical issues facing the Air Programs, which will be discussed under Agenda Item 6. Mr. Ward responded that all projects must meet CMAQ eligibility requirements. Mr. Berry asked if CMAQ funds could be used to help Maricopa County hire more people. Mr. Ward replied that it may be possible through a public/private partnership. However, the project would need to result in direct reductions in motor vehicle emissions since transportation funds would be used. Mr. Berry suggested working with Maricopa County.

Lindy Bauer, Maricopa Association of Governments, indicated that, in August 2004, the Maricopa County Board of Supervisors approved \$1 million to hire 19 additional full-time employees to strengthen the enforcement of the Maricopa County Rule 310. Maricopa County has had difficulty filling these positions since they are budgeted as contract employees. She added that on May 18, 2005, the Board approved revisions to the fee rule, which will provide a permanent source of funding for the positions. It will also provide increased funding for the Maricopa County Title V Permit Program.

Jo Crumbaker, Maricopa County Air Quality Department, indicated that the revised fees will become effective July 1, 2005. At that time, Maricopa County will begin converting the positions from contract to permanent. She added that Maricopa County plans to conduct a marketing study to address employee turnover.

Mr. O'Donnell indicated that he concurred with the idea of possibly allocating CMAQ funds to address the critical issues facing Maricopa County. Mr. Powell inquired about a time schedule. Ms. Crumbaker indicated that Maricopa County has been working with the industry groups, and it appears that most industrial sweeper services do not have PM-10 efficient street sweepers. In addition, it is not clear whether CMAQ funds would be available to the private sector.

Mr. Ward indicated that a demonstration project would be a possibility; however, the CMAQ closeout funds are for transportation projects. The Maricopa County Title V Permit Program targets point sources. In addition, the CMAQ funds need to be obligated by September 30, 2005. Mr. Cleveland indicated that this discussion should continue at the June 28, 2005 CMAQ Methodology Workshop.

Mr. Powell asked if lease back programs could be funded with CMAQ funds. Mr. Ward stated that he will report back on this issue. Mr. Cleveland indicated that the Committee is being asked to recommend forwarding the CMAQ evaluation to the TRC for use in prioritizing projects. Mr. Berry suggested that MAG evaluate whether allocating CMAQ funds to Maricopa County for use in their Air Programs would be cost-effective.

Ms. Knight commented that the Committee previously approved the methodologies used in the evaluation. Beverly Chenausky, Arizona Department of Transportation, asked if the rank order of the Air Quality Projects in Attachment C would change once the Congestion Management System (CMS) scores become available. Mr. Ward replied that the CMS scores are now available and that there was no change to the rank order of the projects in Attachment C.

Ms. Knight moved to forward the CMAQ evaluation included in Attachment A to the MAG Transportation Review Committee for use in prioritizing projects. Jim Weiss, City of Chandler, seconded the motion. Mr. Berry asked if the motion is to forward all projects listed in Attachment A in rank order. Mr. Cleveland responded that all projects would be forwarded to the TRC. Mr. Berry inquired about only forwarding the projects that would be funded with the \$16 million available. Mr. Cleveland replied that, traditionally, the Committee forwards all projects.

Mr. Berry asked if the TRC typically accepts the recommendation made by the Committee. Ms. Bauer responded that the TRC does typically accept the recommendation made, especially when the Committee ranks the Air Quality Projects to be forwarded to the TRC. Ms. Tax asked for clarification on why two separate motions are needed. Ms. Bauer replied that Attachment A includes a wide variety of CMAQ projects that have air quality benefits. Attachment C lists projects that are directly tied to the air quality plans.

Mr. O'Donnell commented on existing public/private partnerships. He mentioned that the critical issues with the Maricopa County Air Programs need to be addressed. Mr. Cleveland suggested that the Committee make a separate motion to address the concerns raised with regards to the Air Programs. The motion to forward the CMAQ evaluation included in Attachment A to the MAG Transportation Review Committee for use in prioritizing projects passed unanimously.

Mr. Berry made a motion to recommend that MAG work with Maricopa County to determine if any CMAQ funds would be available for the Air Programs, and if so, evaluate the project to identify the cost-effectiveness and bring it back to the Committee. Mr. O'Donnell seconded the motion. Ms. Alcott asked to delay discussion on the motion until after Maricopa County provides an update on the critical issues with the Maricopa County Air Programs, Agenda Item 6. The Committee agreed to delay discussion.

Ms. Alcott moved to forward the Air Quality Projects to the TRC in rank order. Mr. Powell seconded the motion. Ms. Chenausky commented on the rank order of the projects in Attachment C. She indicated that the Fort McDowell Yavapai Nation project may be more of an air quality priority than the Mesa project, which is listed first, since it paves 22 miles of dirt roads. Ms. Arthur replied that the average daily traffic volume was higher for the Mesa project. Ms. Chenausky requested that the Transportation Review Committee be made aware that the Fort McDowell Yavapai Nation paving project was important and would benefit the State Highway System. Mr. Cleveland asked for a vote on the motion to forward Attachment C to the TRC in rank order. The motion passed unanimously.

5. Valley Telework and Ozone Outreach Program

Susan Tierney, Valley Metro, provided the Committee with an update on the Valley Telework and Ozone Outreach Program. Ms. Tierney mentioned the telework activities for 2005 and indicated that telework is the fastest growing “Alternate Mode/Work Option.” The Telework Campaign assists employers with implementing telework pilots or expanding and formalizing existing programs. She also mentioned the contest and public relations efforts that garnered great publicity for telework.

Ms. Tierney discussed the Ozone Campaign activities for 2005. She provided details on ozone advertising, media stories, and online contests. Ozone Education Employer Workshops were held in April and May to motivate and increase participation in the High Pollution Advisory Program. Ms. Tierney presented the results from the 2004 Ozone Campaign and indicated that three out of the four outcome measures for the Valley Telework and Ozone Outreach Program have been met.

6. Critical Issues with the Maricopa County Air Programs

Ms. Crumbaker provided an update on the strengthened enforcement efforts for the Maricopa County Fugitive Dust Control Rules. In August 2004, the Maricopa County Board of Supervisors approved \$1 million to hire 19 additional full-time employees for the Earthmoving Permit Compliance/Inspection Activity to improve the quality and number of earthmoving inspections. Ms. Crumbaker stated that the 19 positions include 12 inspectors, 4 supervisors, and 3 support staff. To date, 7 of the 19 positions have been filled. She added that Maricopa County has had difficulty filling the positions under contract status. The positions will be converted to permanent positions, which should attract more applicants.

Ms. Crumbaker indicated that monitored exceedances of the 24-hour PM-10 standard occurred on three days in 2004. However, the August 13, 2004 exceedance qualified as a natural/exceptional event. In addition, a request to flag the September 18, 2004 exceedance as a natural/exceptional event has been submitted to the Environmental Protection Agency. Ms. Crumbaker mentioned that one monitored exceedance has occurred in 2005. An analysis is being conducted to determine if this exceedance was caused by a natural/exceptional event. She presented monitoring data for both the 24-hour and annual PM-10 standards as of May 17, 2005. Ms. Crumbaker also provided details on the High PM-10 Surveillance Program.

Robert Kard, Maricopa County Air Quality Department, discussed the critical issues with the Maricopa County Air Programs. He indicated that on May 18, 2005 the Environmental Protection

Agency issued a Notice of Deficiency to Maricopa County for the County's Title V Clean Air Permit Program for industrial sources. Mr. Kard discussed how Maricopa County is addressing the concerns mentioned in the Notice of Deficiency.

Mr. O'Donnell inquired about the appeals process for Title V applicants. Mr. Kard responded that applicants can appeal to the hearing board. He added that appeals should be minimized since the applicants will now be more informed of the process. Oddvar Tveit, City of Tempe, asked if Maricopa County has a backlog of permits. Mr. Kard replied that Maricopa County is working on approximately six permit applications and stressed that they are being done "by the book."

Mr. O'Donnell referred to an earlier motion to recommend that MAG work with Maricopa County to determine if any CMAQ funds would be available for the Air Programs, and if so, evaluate the project to identify the cost-effectiveness and bring it back to the Committee. He asked if additional funding would help Maricopa County issue the permits faster. Mr. Kard responded that the Title V Permit Program needs to be funded by the fees collected. However, Maricopa County could use the funds for other projects, such as a vacant lot program.

Mr. Cleveland asked for clarification on the Title V Permit Program. Mr. Kard replied that it is a federal operating permit program for industrial sources. Mr. Person inquired about penalties. Mr. Kard responded that Maricopa County Rule 200 describes the permits required. If the permit fee is not paid, the application can be canceled.

Mr. Cleveland asked for discussion on the motion to recommend MAG work with Maricopa County to determine if any CMAQ funds would be available for the Air Programs, and if so, evaluate the project to identify the cost-effectiveness and bring it back to the Committee. Ms. Knight commented that since only 7 of the 19 additional staff have been hired, Maricopa County must have available funding.

Mr. Powell moved to amend the motion to recommend MAG work with Maricopa County to determine if any CMAQ funds would be available for the Title V Permit Program only, and if so, evaluate the project to identify the cost-effectiveness and bring it back to the Committee. Mr. O'Donnell seconded the motion. Mr. Person commented that since the member who made the original motion was no longer in attendance, it would be out of order to amend the motion.

Ms. Knight inquired about the schedule. Ms. Bauer responded that the Transportation Review Committee meeting is scheduled for May 26, 2005. Mr. Ward added that the final list of projects will go to the TRC in June, which will include contingency projects. However, the goal is to get all of the projects to the TRC by May 26, 2005 to allow sufficient time for review.

Ms. Crumbaker stated that due to the time constraint, Maricopa County does not wish to submit any projects for the Federal FY 2005 Interim Year End Closeout. Mr. O'Donnell indicated that he no longer seconds the motion to recommend that MAG work with Maricopa County to determine if any CMAQ funds would be available for the Air Programs, and if so, evaluate the project to identify the cost-effectiveness and bring it back to the Committee. Mr. Cleveland stated that with the removal of the second, there is no longer a motion.

7. Call for Future Agenda Items

Mr. Cleveland announced that the next meeting of the Committee has been tentatively scheduled for Thursday, June 23, 2005. He encouraged the Committee to provide MAG staff with suggestions for future agenda items.