

# REGIONAL AIR QUALITY PLANNING ADVISORY COMMITTEE

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## MEETING SUMMARY

Thursday, May 25, 2023 – 10:00 A. M.

Houston-Galveston Area Council

Virtual Teams Meeting

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### **MEMBER PRESENT**

City of Houston – Win Colbert  
Fort Bend County – Joel Patterson  
Waller County – Brooke Bacuetes  
Harris County Pollution Control – Latrice Babin  
American Lung Association – Charlie Gagen  
Harris County Precinct 2 – Kristen Lee  
Environmental Defense Fund – Grace Lewis  
ECHMA – Mary Jane Mudd  
DOW – Will Nipper  
Slackardco – Dale Kornegay

### **ALTERNATE PRESENT**

TxDOT – Charles Airiohuodion  
City of Houston – Darryl Tate  
Harris County Pollution Control – Stuart Mueller  
Air Alliance Houston – Harrison Humphries  
Houston Advanced Research Center – Ebrahim Eslami  
METRO – Vincent Sanders  
Baylor College Medicine – Elaine Symanski

### **OTHERS PRESENT**

Dow Chemical – Sherman Hampton

### **STAFF PRESENT**

Houston-Galveston Area Council – Andrew DeCandis  
Houston-Galveston Area Council – Cassandra Marshall  
Houston-Galveston Area Council – Carrie Evans  
Houston-Galveston Area Council – Lucinda Martinez  
Houston-Galveston Area Council – Diane Domagas  
Houston-Galveston Area Council – Ayo Jibowu  
Houston-Galveston Area Council – Craig Raborn  
Houston-Galveston Area Council – Veronica Waller  
Houston-Galveston Area Council – Shirley Li  
Environmental Protection Agency – Jeff Riley  
TCEQ – Vanessa DeArman  
TCEQ/TERP – Nate Hickman

### **BRIEFING**

#### **Overview**

- a. RAQPAC Members and Alternates were presented with agency reports (EPA update, TCEQ update, TERP Update and Regional Air Quality Monitoring update), and the meeting concluded with information items and no announcements.
- b. Go to <http://www.h-gac.com/board-of-directors/advisory-committees/regional-air-quality-planning-advisory-committee/meeting-material.aspx> to view the meeting materials for this meeting.

### **CALL TO ORDER**

#### **ITEM 1A. Introduction**

Grace Lewis called the meeting to order, and members were introduced.

#### **ITEM 1B. Approval of Meeting Summaries (01-26-2023, 03-30-23, 4-27-2023)**

Meeting summaries approved.

## **AGENCY REPORTS**

### **ITEM 2A. EPA Update (Jeff Riley)**

**A representative from the Environmental Protection Agency (EPA) briefed the committee:**

#### **Reconsideration of the EPA's December 2020 Decision to Retain 2012 Particulate Matter (PM) National Ambient Air Quality Standards (NAAQS)**

On January 6, 2023, EPA Administrator Regan signed the Agency's proposed decision to strengthen the primary (health-based) annual PM<sub>2.5</sub> standard from the current level of 12.0 µg/m<sup>3</sup> to within a range of 9.0 to 10.0 µg/m<sup>3</sup>. (soliciting comment low as 8 µg/m<sup>3</sup>, high as 11 µg/m<sup>3</sup>). EPA also proposed not to change the current:

- The secondary (or welfare-based) annual PM<sub>2.5</sub> standard,
- The primary and secondary 24-hour PM<sub>2.5</sub> standards (current level 35 µg/m<sup>3</sup>, EPA is soliciting comment on revising level to as low as 25 µg/m<sup>3</sup>), and
- The primary and secondary PM<sub>10</sub> standards.

In addition, EPA proposed revisions to other key aspects related to the PM NAAQS, including revisions to the Air Quality Index (AQI) to improve public communications about PM risks (revised breakpoints of good, moderate, unhealthy for sensitive groups, etc. based on proposed revised levels), and revisions to monitoring network design criteria to require monitoring in at-risk communities with anticipated effects from sources in the area contributing to poor air quality.

EPA's [informational webpage](#) contains the [signed & published proposed decision](#), as well as:

- Fact sheets detailing the proposed revisions;
- [Maps of counties](#) not currently meeting lower annual NAAQS values (at 9 & 10 µg/m<sup>3</sup> based on 2019-2021 monitoring data), and;
- An [overview presentation](#) providing a summary of the proposal and other PM information.

The proposed decision was published in the Federal Register on January 27, 2023, with a 60-day public comment period that ended March 28. EPA will now work to respond to comments and issue a final rulemaking which would determine if & how the PM NAAQS would be revised. Final rulemaking is anticipated late 2023. In the event of a revised PM NAAQS, the final rulemaking begins a 2-year process of designating areas nonattainment (1 year for state recommendations, 2<sup>nd</sup> year for EPA evaluation & designations).

#### **Clean School Bus Grants Notice of Funding Opportunity**

On April 24, 2023, EPA announced the 2023 Clean School Bus (CSB) Grants notice of funding opportunity (NOFO). Incorporating stakeholder feedback on the 2022 CSB Rebate program, EPA is providing two separate competitions under this single NOFO to address the unique needs and concerns of diverse recipients. EPA anticipates awarding approximately \$400 million in CSB funding. ([more info](#))

#### **Carbon Pollution Standards for Power Plants**

On May 11, EPA announced a proposal to establish emission limits and guidelines for carbon dioxide (CO<sub>2</sub>) from fossil fuel-fired power plants based on cost-effective & available control technologies. The proposals would set limits for new gas-fired combustion turbines, existing coal, oil, and gas-fired steam generating units, and certain existing gas-fired combustion turbines. The proposal for coal and new natural gas power plants would avoid up to 617 million metric tons of total carbon dioxide (CO<sub>2</sub>) through 2042, which is equivalent to reducing the annual emissions of 137 million passenger vehicles, roughly half the cars in the United States. Through 2042, EPA estimates the net climate and health benefits of the standards on new gas and existing coal-fired power plants are up to \$85 billion. The

proposals would also result in cutting tens of thousands of tons of PM<sub>2.5</sub>, sulfur dioxide, and nitrogen oxide. EPA will hold informational webinars on June 6 and 7. ([proposed rule](#) / [more info](#))

## **ITEM 2B. TCEQ Update (Vanessa DeArman)**

**TCEQ staff gave an update to the members on the latest information:**

### **Houston-Galveston-Brazoria (HGB) 2015 Eight-Hour Ozone National Ambient Air Quality Standard (NAAQS) Attainment Demonstration and Reasonable Further Progress State Implementation Plan (SIP) Revisions**

On May 31, 2023, the commission will consider proposal of the executive director's recommended HGB moderate area attainment demonstration and reasonable further progress SIP revisions.

The HGB 2015 eight-hour ozone NAAQS SIP proposal documents are available at the [HGB Latest Ozone Planning Activities](#) webpage (<https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>).

### **Houston Section 185 Fee Overview**

On April 27, 2023, the TCEQ held a meeting with the EPA to discuss federal requirements for stationary source fees. The meeting provided an overview of the FCAA Section 185 fee requirements for point sources and the fiscal burden the Houston area will face if the area fails to attain the 2008 eight-hour ozone NAAQS by July 20, 2027.

### **2023 Environmental Trade Fair and Conference (ETFC)**

The ETFC was held May 16-17, 2023, at the Austin Convention Center. During the two-day ETFC, Agency staff led over 100 courses and discussions. Topics included air and water permitting, oil and gas, industrial and solid waste management, compliance and enforcement, and remediation programs.

[Office of Air: Air Permitting, Air Quality, and Air Grants presentations](#)

([https://onlineevent.com/etfc/events/4209/event\\_sections/13072](https://onlineevent.com/etfc/events/4209/event_sections/13072)).

[All TCEQ ETFC presentations](#) (<https://onlineevent.com/etfc/events/4209>).

### **Public Information Meetings on Proposed Particulate Matter (PM) NAAQS Revision – Presentations**

PM presentations have been posted on the TCEQ [Air Pollution from Particulate Matter](#) webpage (about half-way down the webpage: <https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm>)

The specific [PM NAAQS presentation for Houston](#) ([https://www.tceq.texas.gov/downloads/airquality/sip/pm/designations/naaqs-pm25-2012/pm-naaqs-revision-meeting\\_houstonsetx\\_final.pptx](https://www.tceq.texas.gov/downloads/airquality/sip/pm/designations/naaqs-pm25-2012/pm-naaqs-revision-meeting_houstonsetx_final.pptx))

### **Quadrennial Review**

The TCEQ is conducting a review of agency rules in the Texas Administrative Code (TAC). This process is undertaken to comply with statutory requirements at Texas Government Code, Section 2001.039, and the regulations at 1 TAC Chapter 91, Subchapter D. The purpose of rule review is to determine if the need for the TCEQ's rules continues to exist and is limited to consideration of its rules for re-adoption, re-adoption with amendments, or repeal every four years. During this review, the commission will assess whether the reasons for initially adopting its rules continue to exist. Recommended changes to the rules in each applicable chapter of the TAC will not be considered for rule amendments as part of this review. Any such changes may be considered in a future rulemaking action by the commission.

To view the TAC chapters the commission is currently taking comment on, please visit the [Comment Online with TCEQ Public Comments](#) link on the TCEQ's [Rules and Rulemaking](#)

The draft *2023 Annual Monitoring Network Plan* was posted for public comment for 30 days from April 17 to May 17, 2023. On April 18, an announcement was provided to all Ambient Air Monitoring update subscribers. The final *2023 Annual Monitoring Network Plan (AMNP)* will be submitted to the EPA and posted on the TCEQ [Air Quality and Monitoring](#) webpage on June 30, 2023 (<https://www.tceq.texas.gov/airquality/monops>). The submittal will include

public comments received during the 30-day inspection period, TCEQ responses to the comments, and any appropriate changes based on the received comments.

The Monitoring Division reads, summarizes comments, and prepares responses in written format. This response to comments (RTC) is added to the AMNP as an appendix and the entire comments are added as a separate AMNP appendix. The AMNP and all appendices are posted on the TCEQ webpage. If you are not already signed up to receive TCEQ air quality monitoring email updates, please do so on the TCEQ Email and Text Updates webpage ([https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?qsp=TXTC EQ\\_202023](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?qsp=TXTC EQ_202023)).

## **ITEM 2C. TERP Update (Nate Hickman)**

**TERP staff gave an update to the members on the latest information:**

### **Texas Emissions Reduction Plan (TERP)**

TCEQ has opened and closed all of the TERP grant programs this state fiscal biennium. As in recent biennia, the TERP programs were over-subscribed, with the exception of the Texas Natural Gas Vehicle Grant Program. The next two-year cycle of TERP grants will begin after September 2023.

Visit [www.terpgrants.org](http://www.terpgrants.org) for the latest information on new program openings and other announcements, as well as program requirements, application forms, and project summary reports. Contact TERP staff by phone at (800) 919 TERP (8377) or by email at [terp@tceq.texas.gov](mailto:terp@tceq.texas.gov).

### **88<sup>th</sup> Texas Legislature**

The 88<sup>th</sup> Texas Legislature passed one bill that will impact the TERP programs: House Bill (HB) 4885.

If signed by the Governor, HB 4885 would become effective September 1, 2023, and would change the Texas Emissions Reduction Plan (TERP) programs to:

- redistribute funding amounts amongst the TERP initial program allocations and change the allocation for administrative costs from \$16 million per fiscal year to not more than 15 percent of TERP Trust revenue each biennium;
- establish the Texas hydrogen infrastructure, vehicle, and equipment (THIVE) grant program;
- increase the amount that TCEQ may contract with the Energy Systems Laboratory at the Texas A&M Engineering Experiment Station from \$216,000 per fiscal year to \$500,000 per fiscal year and add energy efficiency programs administered by the Public Utility Commission (PUC) or the State Energy Conservation Office (SECO), as well as the implementation of advanced building energy codes, to the types of projects that may be included in the contract; and
- add downstream “refining” oil and gas activities to projects eligible for New Technology Implementation Grant Program (NTIG) grants.

### **Texas Volkswagen Environmental Mitigation Plan (TxVEMP) Program**

The TCEQ will be opening a new Texas Volkswagen Environmental Mitigation Program (TxVEMP) grant round this summer with an estimated \$88 million in funding available to upgrade or replace vehicles and equipment operating in eligible areas with new electric models. Some entities may qualify to receive up to 100% reimbursement of the cost to adopt all-electric vehicles and equipment. [Sign up for TxVEMP updates](#) to learn more about this program. Please contact us at 1-800-919-8377 or [VWsettle@tceq.texas.gov](mailto:VWsettle@tceq.texas.gov) with any questions.

Visit [www.txvwfund.org](http://www.txvwfund.org) for the latest information on new program openings and other announcements, as well as program requirements, application forms, and project summary reports.

## **ITEM 2D. Regional Air Quality Monitoring Update (Andrew DeCandis)**

Since our last meeting in April, there have been six exceedances of the 2008 75 ppb ground-level ozone standard and eight exceedances of the 2015 70 ppb standard.

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So far for 2022, the region's maximum 4<sup>th</sup> highest value is 74 ppb as measured at the Park Place Monitor. Also, for the year the partial year regional design value for the 2021 through 2023 period is 78 ppb as measured at the Houston Bayland Park monitor followed by 75 ppb at the Houston Harvard Street monitor. We have already exceeded both of the current ozone standards for the year for our region.

Moving on to PM, you can see our most recent 12 months of PM2.5 for all our regional regulatory monitors. We also have the annual average concentrations for all the region's these stations within the region going back to 2001.

### **ACTION ITEMS**

#### **ITEM 3A.**

**None**

### **DISCUSSION ITEMS**

#### **ITEM 4A. State of the Air- (Charlie Gagen, American Lung Association)**

Charlie Gagen gave an update to the committee members on the current state of the air. Discussion continued with the focus on particle pollution and ozone, but the data is all based on data collected at the local level, so we do not collect any of this data after it is collected at the local level, it is reviewed at state and federal and then we collect it from the federal government to put into the report. Some 922 counties have grades, which is less than 1/3 nationwide, and then we look at both the cleanest and the worst pollution on each three of those metrics.

Well, particle pollution, as you all know, is a mixture of tiny solid and liquid particles, sometimes called soot, comes from everything from vehicle exhaust to power plants to burning and particularly fires.

Discussion continued with ozone pollution, which is a particular concern in the Houston area.

Ozone is caused when VOC's in an ox kind of cook in the sun to create ground level ozone, also known as smog.

Well, because these do affect your lung health particle, which you know zone affect everything from wheezing and coughing, asthma attacks, impaired cognitive function, and they can cause lung cancer.

Participation is being linked increasingly to lung cancer, so obviously as the American Lung Association, we want to do more to clean the air up and really reduce these factors for folks to live healthier lives.

But unfortunately, the report shows that more than three in ten Americans live in places with unhealthy levels of air pollution. Some particular hot spots and we also know that based on the report people of color are significantly more likely than their white counterparts to live in a county with three failing grades.

□

But unfortunately, as you see, Texas remains as one of the most polluted when it comes to ozone.

Unhealthy annual levels of particle pollution and 59th worst and unhealthy levels unhealthy particle pollution days the short term versus the long term there.

For Houston Metro, we look at 13 counties, but for ozone, only four of those counties have monitors where we can collect the data. The Harris County is the bulk of those unhealthy ozone days, followed by Brazoria, Galveston, and Montgomery. We have significantly improved the air quality going back in the last 20 years, but still more work needs to be done to get us below that level and earn a passing grade particle pollution.

And there has been recent meta study released by the Health Effects Institute that looked at, and the connection between traffic related air pollution and early death, and found strong connections exist between those.

If we broke it down for Texas specifically, we are talking \$104 billion in public health benefits and for the Houston metro area, you can see here that is some 333 billion dollars, 3000 premature deaths avoided, 130,000 asthma attacks avoided in over half a million lost workdays avoided.

If we were to transition away from these vehicle emissions, and so I would encourage you all, if you're not already, to join the American Lung Association and advocating for stronger standards and stronger and more funds to clean up our air quality.

**ITEM 4B. Texas. Legislative Update- (Andrew DeCandis, H-GAC)**

Andrew updated the members on the latest 8<sup>th</sup> legislative session. The session convened on January 10<sup>th</sup>, and it will end on May 29<sup>th</sup>, of this year. Discussion continued that coming up on the last month of the session and the last day for the governor to veto any bills that come out of the session is June 18<sup>th</sup>. Currently, we are at the 108<sup>th</sup> day of the session out of 140 days. It was further discussed that the bills grouped together first are further along in the process and the ones toward the end have progressed the least. The Current bills are as follows:

**SB1225-** would be a concrete batch plant rule that was left in committee. is not going anywhere.

**SB2102 -and HB4123** establishes registration and effects in inspection fees for rental vehicles and that was approved and sent to the governor.

**SB2152 and HB 4932-**Requires TCEQ to ascertain the contribution of foreign emissions detected at each federal air quality monitoring site and recommend potential updates to the tip to take those results into account.

I think originally when I talked about this last month, it was specifically looking at out of state emissions, but now it is which, I believe to be the most recent, specifically focuses on foreign emissions from outside the country. This was approved by the House and Senate, and it will be sent to the governor soon.

**HB4536** -would require TCEQ to reevaluate permits from time to time, and this was left in the committee.

**HB57** -would require TCEQ to develop climate change impact reports. That was left in committee.

It didn't go anywhere.

**SB784 and HB2211-**Make it so that municipalities or other sub political subdivisions cannot enact ordinances or other measures that directly regulate, regulate greenhouse gases, and that was approved by both houses and sent to the governor's.

**HP846** -would have created a climate change Impact Assessment Council that was left in committee,

**SB1860 and HB4930.**

**SB784-** that municipalities may not request motor approval for the addition of climate policy to a municipal charter unless approved by the legislature, and that was approved by both houses and sent to the governor.

**SB2243-**would have created a new TCEQ grant program for advanced clean energy projects. And that was left in the Senate committee.

**SB505-**with the \$200.00 fee on electric vehicles to pay for the use of roads and bridges.

This is basically a replacement for gas tax, specifically aimed at electric vehicles, so that was signed.

So, anyone electric vehicle is going to have to in the future pay \$200.00 fee in addition to their normal registration fee every year.

**HB21** -would have allowed state lands to be leased for EV charging stations and that is pending as Senate vote.

**SB1001.**-assures the public Chargers will be inspected by the Texas Department of Licensing and Regulation, which is the same. That was sent to the governor

**SP1002.**- assures that public charging services are provided competitively. Energy companies to or utilities to provide or to install electric chargers in certain cases, and that was signed by the governor,

**SB201212-** allowed EV users to, use energy storage from their EV back to the grid and that's left pending in the Senate.

**SB1732**-This ensures that adapters are present at all charging stations, it'll ensure that anyone can charge it any station.  
**HB3014**-Exempts battery electric vehicles from state, the state inspection and maintenance program, and that was sent to the governor.  
**HB3284**- increases weight limitations for natural gas and electric vehicles.

### **INFORMATION ITEMS**

#### **ITEM 5A. H-GAC Update**

Andrew updated the committee members that we are still in the process of developing our climate pollution reduction grant We are collaborating with partners from throughout the region and we are hopeful that we will be able to get that submitted by the deadline next Wednesday.

### **ANNOUNCEMENTS**

#### **ITEM 6A.**

None.

### **NEW BUSINESS**

#### **ITEM 7A.**

Next meeting: June 29, 2023

### **ADJOURNMENT**

Meeting adjourned at 10:52A.M.