

# REGIONAL AIR QUALITY PLANNING ADVISORY COMMITTEE

## MEETING SUMMARY

Thursday, June 27, 2024 – 10:00 A. M.  
Houston-Galveston Area Council  
Virtual Teams Meeting

<p><b><u>MEMBER PRESENT</u></b>                  Fort Bend County – Joel Patterson                  Baylor College Medicine – Winifred Hamilton                  American Lung Association – Charlie Gagen                  Harris County Pollution Control – Latrice Babin                  Environmental Defense Fund– Grace Lewis                  Port of Houston Authority– Trae Camble                  Waller County– Brooke Bacuetes                  EHCMA – MaryJane Mudd                  City of Houston– Win Colbert                  City of Houston – Nguyen Ly</p>	<p><b><u>ALTERNATE PRESENT</u></b>                  Houston Advanced Research Center – Ebrahim Eslami                  Port Houston –Kenneth Gathright                  Harris County Pollution Control–Stuart Mueller                  Metro–Vincent Sanders</p>
<p><b><u>OTHERS PRESENT</u></b>                  HCTX– Shannay Baradaren                  Doug Peterson</p>	<p><b><u>STAFF PRESENT</u></b>                  Houston-Galveston Area Council – Andrew DeCandis                  Houston-Galveston Area Council – Pharr Andrews                  Houston-Galveston Area Council – Cassandra Marshall                  Houston-Galveston Area Council – Sydni Ligons                  Houston-Galveston Area Council – Vincent Polignano                  Houston-Galveston Area Council – Susan Jaworski                  Houston-Galveston Area Council – Carlos Lugo                  Houston-Galveston Area Council – Jamila Owens                  Houston-Galveston Area Council – Maggie Isied                  Houston-Galveston Area Council – Carrie Evans                  Houston-Galveston Area Council – Qun Zhao                  Houston-Galveston Area Council – Gloria Brown                  Houston-Galveston Area Council – Ayo Jibowu                  TCEQ – Vanessa DeArman                  EPA – Jeffrey Riley                  TERPRon Hieser</p>

**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 no information items and 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**

Joel Patterson called the meeting to order, and members were introduced.

**ITEM 1B. Approval of Meeting Summary (03-28-2024 and 04-25-2024)**

Meeting summaries held for quorum.

## **AGENCY REPORTS**

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

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

#### **EPA Releases 2023 Design Value Reports**

On June 12, EPA released 2023 Design Value (DV) reports for all NAAQS criteria pollutants except for PM2.5, which was excluded due to EPA's ongoing efforts to update PM2.5 data from Teledyne T640/T640X PM mass monitors. The update of Teledyne T640/T640X monitor data should only affect one (1) Texas monitor, the Harris County Deer Park monitor. ([2023 Design Value Reports](#))

More information concerning EPA's data updates:

- The May 16 notice of updates to PM2.5 data from Teledyne monitors EPA's Update of PM2.5 Data from T640/T640X PM Mass Monitors – notice published in FR May 16 ([Notice](#)) / ([docket](#)) / ([supplemental info](#)) – on May 13, EPA posted the prepublication Federal Register Notice, a Supplemental Information memo on the Update of PM2.5 Data from T640/T640X Particulate Matter (PM) Mass Monitors, Summary of and Responses to Public Comments, and a Quick Reference Guide online.
- 2023 PM2.5 DVs will be released when NATIONAL data is ready, EPA OAQPS is working to release PM2.5 DVs once confident that the updated data are appropriately reflecting the revised Teledyne calculations as stated in the final notice. EPA's PM2.5 mapping tool to support area designations process will incorporate 2023 DVs once available, state/local/tribal initial area recommendations to EPA will use 2021-2023 data.

In development to support 2024 PM2.5 NAAQS area designations – EPA OAQPS is planning to hold webinars on the designations process for EJ communities potentially impacted by the revised PM2.5 NAAQS. No webinar dates are set yet, but OAQPS plans to hold the webinars before end of summer 2024.

#### **Final Rule: Clean Air Act Reclassification of the San Antonio, Dallas-Fort Worth, and Houston-Galveston-Brazoria Ozone Nonattainment Areas**

On June 20, EPA's Final Rule: Reclassification of the San Antonio, DFW, and HGB 2015 Ozone NAAQS Nonattainment Areas published in the Federal Register. ([Final Rule](#)) The final action reclassifies these three areas from Moderate nonattainment to the higher Serious classification under the 2015 ozone NAAQS, this action grants Governor Abbott's October 12, 2023 request to reclassify these areas over concern of the areas not meeting the Moderate area attainment dates (Aug. 3, 2024, for DFW & HGB/Sept. 24, 2024, for San Antonio). This final action sets Serious classification attainment dates, SIP submittal deadlines, and specifies certain moderate area provisions that are no longer required, as well as moderate area provisions that are still required to stop sanctions clocks which began in November 2023. For more information on these sanction clocks:

On October 18, 2023, the EPA published in the Federal Register a finding that 11 states failed to submit SIP revisions required by the CAA in a timely manner for certain nonattainment areas reclassified as Moderate for the 2015 ozone NAAQS. ([Final action](#)) This final action was effective on November 17, 2023, and triggered certain CAA deadlines for the imposition of sanctions if a state does not submit a complete SIP addressing the outstanding requirements and for the EPA to promulgate a Federal Implementation Plan (FIP) if the EPA does not approve the state's SIP revision addressing the outstanding requirements. <https://assessments.epa.gov/isa/document/&deid=359536>

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

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

### **HGB 2015 Eight-Hour Ozone National Ambient Air Quality Standard (NAAQS) State Implementation Plan (SIP) Revisions**

On June 20, 2024, the Environmental Protection Agency (EPA) published final approval granting the request from the Governor of the State of Texas to voluntarily reclassify the San Antonio, Dallas-Fort Worth (DFW), and HGB ozone nonattainment areas from Moderate to Serious for the 2015 ozone NAAQS (89 *Federal Register* 51829).

#### **Proposed Vehicle I/M SIP Revision**

On June 12, 2024, the commission approved proposal of the Vehicle I/M SIP Revision (Non-Rule Project No. 2024-014-SIP-NR) and 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles rulemaking (Rule Project No. 2024-013-114-AI). The proposed SIP and rule revision would implement House Bill (HB) 3297, which eliminates the mandatory annual vehicle safety inspection program for noncommercial vehicles and Senate Bill (SB) 2102, which extends the initial registration and inspection period for rental vehicles from two years to three years. The proposed rule would also adjust the maximum fee that inspections stations are allowed to charge for an emissions inspection. The proposed SIP and rule revisions would impact counties that participate.

The public comment period opened on June 14, 2024, and will close on July 29, 2024. A virtual public hearing will be held for the proposed SIP revision and rulemaking on July 24, 2024, at 7:00 p.m. and will require registration by July 17, 2024. The hearing will be conducted in English, and Spanish language interpretation services will be made available. For more information, please visit the [Proposed SIP Revisions and Public Hearing Information](https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips) section (<https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips>) of the [Texas SIP Revisions](https://www.tceq.texas.gov/airquality/sip/siplans.html) webpage (<https://www.tceq.texas.gov/airquality/sip/siplans.html>).

For additional information, please visit the [Vehicle I/M Program](https://www.tceq.texas.gov/airquality/mobilesource/im.html) webpage (<https://www.tceq.texas.gov/airquality/mobilesource/im.html>).

#### **Revised Fine Particulate Matter (PM<sub>2.5</sub>) NAAQS**

On February 7, 2024, EPA finalized its revision of the annual PM<sub>2.5</sub> NAAQS to 9.0 micrograms per cubic meter and published in the *Federal Register* on March 6, 2024.

TCEQ hosted a virtual (online) public information meeting on Wednesday, June 26, 2024, at 2:00 p.m. to 3:30 p.m. (CDT) for Harris and Montgomery Counties. The purpose of this public outreach meeting was to provide information on the potential impacts of the EPA's new primary annual PM<sub>2.5</sub> NAAQS of 9.0 µg/m<sup>3</sup>. Harris and Montgomery Counties may be potentially affected by the PM<sub>2.5</sub> NAAQS revision.

TCEQ will also hold an informal public comment period on the state designations considered by the commission before being sent to the Governor for his consideration for submittal to EPA.

For more information, please visit the [TCEQ Air Pollution from Particulate Matter](https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm) webpage (<https://www.tceq.texas.gov/airquality/sip/criteria-pollutants/sip-pm>). For updates, please join the TCEQ SIP/Air Quality update e-mail list: [www.tceq.texas.gov/airquality/sip/sipcontact.html](http://www.tceq.texas.gov/airquality/sip/sipcontact.html).

#### **Electronic Modeling Evaluation Workbook (EMEW) Version 2.4.1**

The Air Permits Division has posted EMEW v2.4.1. The workbooks have been updated to account for the revised annual PM<sub>2.5</sub> De Minimis level of 0.13 µg/m<sup>3</sup>. The revised De Minimis level was effective May 6, 2024. It is recommended applicants relying on the revised annual De Minimis level and NAAQS use Version 2.4.1 to document their air quality analysis.

The new versions can be found here: [New Source Review Application Tools](https://www.tceq.texas.gov/permitting/air/guidance/newsourcereview/nsrapp-tools.html) (<https://www.tceq.texas.gov/permitting/air/guidance/newsourcereview/nsrapp-tools.html>). A summary of the updates can be found here: [Updates on EMEWs](https://www.tceq.texas.gov/downloads/permitting/air/modeling/guidance/emewupdate.pdf) (<https://www.tceq.texas.gov/downloads/permitting/air/modeling/guidance/emewupdate.pdf>). If you have questions, please contact [ADMod@tceq.texas.gov](mailto:ADMod@tceq.texas.gov).

## **Emissions Banking and Trading of Allowances (EBTA) Program Annual Report Deadlines**

Annual reports for 2023 – 2024 compliance with the EBTA Program are due by June 30, 2024. Submit reports electronically through the [State of Texas Environmental Electronic Reporting System \(STEERS\)](https://www3.tceq.texas.gov/steers/) (<https://www3.tceq.texas.gov/steers/>). Guidance on how to complete annual reports in STEERS is available on the [EBT](https://www.tceq.texas.gov/airquality/banking/) webpage (<https://www.tceq.texas.gov/airquality/banking/>).

## **TCEQ Seeks Stakeholder Input on Upcoming Proposed Rulemaking**

TCEQ will host an in-person stakeholder meeting on July 18, 2024, at 6:00 p.m. to 8:00 p.m. (CDT) at the Houston-Galveston Area Council (second floor, 3555 Timmons Lane, Houston, TX 77027) to solicit informal comments on the non-statutory changes included in the proposed rulemaking to amend 30 TAC Chapter 39, Public Notice; and Chapter 55, Requests for Reconsideration and Contested Case Hearings; Public Comment. Spanish translation will be available.

The proposed rulemaking (Rule Project Number 2024-003-039-LS) will implement changes required by TCEQ's Sunset bill, Senate Bill 1397, and changes recommended in the Sunset Commission's report relating to public notice. It is these proposed changes for which the agency is soliciting comments.

You may submit written comments using one of the following methods:

- Mail: Program Supervisor, MC 205  
Texas Register/Rule Development Team - Office of Legal Services  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087
- Fax: [fax4808@tceq.texas.gov](mailto:fax4808@tceq.texas.gov)
- Online: [TCEQ Public Comment system](https://tceq.commentinput.com/) (<https://tceq.commentinput.com/>)
- All written stakeholder comments must be submitted by 11:59 p.m. on August 2, 2024.

For additional information on this proposed rulemaking, please contact Amy Browning at [amy.browning@tceq.texas.gov](mailto:amy.browning@tceq.texas.gov) or at 512-239-0891 and refer to rule project number 2024-003-039-LS. You can also view the public meeting notice on [TCEQ's event calendar](https://www.tceq.texas.gov/agency/decisions/hearings/events/tceq-stakeholder-meeting-proposed-rulemaking-rule-project-number-2024-003-039-ls-reunion-de-partes-interesadas-propuesta-de-reglamentacion-proyecto-de-regla-numero-2024-003-039-ls) (<https://www.tceq.texas.gov/agency/decisions/hearings/events/tceq-stakeholder-meeting-proposed-rulemaking-rule-project-number-2024-003-039-ls-reunion-de-partes-interesadas-propuesta-de-reglamentacion-proyecto-de-regla-numero-2024-003-039-ls>).

## **New Stakeholder Group for federal Clean Air Act Section (FCAA) Section 185 Fee**

TCEQ created an open participation stakeholder group to gather input on developing state regulations to implement the FCAA Section 185 fee in Texas. The FCAA requires a penalty fee if an area fails to meet its severe or extreme attainment date for an ozone NAAQS.

The [eight-county HGB nonattainment area](https://www.tceq.texas.gov/airquality/sip/hgb/hgb-status) (<https://www.tceq.texas.gov/airquality/sip/hgb/hgb-status>) must attain the 2008 eight-hour ozone NAAQS by July 20, 2027, based on 2024, 2025, and 2026 monitoring data. If the area does not attain by that date, the Section 185 fee is anticipated to be implemented as early as calendar year 2028.

The fee applies to major stationary point sources of nitrogen oxides (NO<sub>x</sub>) and/or volatile organic compounds (VOC) (ozone precursor pollutants). The fee is required each year after the missed attainment date until the area is redesignated as attainment by EPA.

Sign up for the [FCAA Section 185 Fee email group](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347) ([https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic\\_id=TXTCSEQ\\_347](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCSEQ_347)) to join the stakeholder group and stay up-to-date on the Section 185 fee rule development. The title of the email group is Penalty Fee for Major Stationary Sources Under the Federal Clean Air Act Section 185. The FCAA Section 185 Fee stakeholder group is open participation, and anyone is welcome to join.

The stakeholder group may be of particular interest to the owners/operators of major stationary [point sources](https://www.tceq.texas.gov/airquality/point-source-ei/psei.html) (<https://www.tceq.texas.gov/airquality/point-source-ei/psei.html>) of NO<sub>x</sub> and/or VOC located in the eight-county HGB area classified as severe nonattainment for the 2008 eight-hour ozone NAAQS. Owners/operators of smaller

stationary sources, known as [area sources](https://www.tceq.texas.gov/airquality/areasource/Sources_of_Air_Pollution.html) ([https://www.tceq.texas.gov/airquality/areasource/Sources\\_of\\_Air\\_Pollution.html](https://www.tceq.texas.gov/airquality/areasource/Sources_of_Air_Pollution.html)), non-road mobile sources, and on-road mobile sources are not subject to the FCAA Section 185 Fee but are welcome to participate.

A stakeholder meeting will be held virtually in late summer or early fall 2024. A schedule update will be sent to the [FCAA Section 185 Fee email group](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCEQ_347) ([https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic\\_id=TXTCEQ\\_347](https://public.govdelivery.com/accounts/TXTCEQ/subscriber/new?topic_id=TXTCEQ_347)).

Please visit the webpage [Stakeholder Group: Federal Clean Air Act Section 185 Fee](https://www.tceq.texas.gov/airquality/point-source-ei/185-fee) (<https://www.tceq.texas.gov/airquality/point-source-ei/185-fee>). If you have questions, please contact [185Rule@tceq.texas.gov](mailto:185Rule@tceq.texas.gov).

## **TCEQ Honors Texas Environmental Excellence Awards (TEEA) Winners at Environmental Trade Fair (ETF) and Conference Banquet**

The TCEQ welcomed back more than 4,000 registrants to its ETF and Conference at the Austin Convention Center, May 14-15, 2024, and the Governor's TEEA winners were honored at the banquet on May 15, 2024.

A full list honorees can be found on the [TEEA 2024 Winners](https://www.tceq.texas.gov/p2/events/teea/winners/teea-winners-2024/2024-winners) webpage (<https://www.tceq.texas.gov/p2/events/teea/winners/teea-winners-2024/2024-winners>).

The 2025 TEEA application period is now open through August 30. More information on how to apply for the 2025 awards can be found on the [TEEA webpage](https://www.tceq.texas.gov/p2/events/teea/about-teea) (<https://www.tceq.texas.gov/p2/events/teea/about-teea>).

Next year's ETF and Conference will be June 3-4, 2025, at the Henry B. Gonzalez Convention Center in San Antonio.

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

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

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

To-date, TCEQ has successfully opened and closed the [Light-Duty Motor Vehicle Purchase or Lease Incentive Program \(LDPLIP\)](#), the [Alternative Fueling Facilities Program \(AFFP\)](#), and the new [Texas Hydrogen Infrastructure, Vehicle, and Equipment Program \(THIVE\)](#), with sufficient demand to award all available funding under each of the grant programs (with the exception of the LDPLIP, which had limited demand for grants for natural gas vehicles).

TCEQ is currently accepting applications under the [Rebate Grants Program](#), the [Seaport and Rail Yard Areas Emissions Reduction Program \(SPRY\)](#), and the [Texas Clean School Bus Program \(TCSB\)](#).

**Rebate Grants** is offering grants on a first-come, first-served basis in eligible counties to upgrade or replace diesel heavy-duty vehicles and non-road equipment. At least \$92 million in funds are available under this program, and TCEQ has already received over \$80 million in requested funds. Rebate Grants will accept applications until the earlier of **July 29, 2024**, or until all available funds have been awarded. TCEQ anticipates that funding will go quickly so do not wait to apply! **Note:** a minimum of \$30 million has been set aside for small businesses under the program.

**SPRY** is offering grants on a first-come, first-served basis to replace older drayage trucks and equipment operating at eligible seaports and rail yards. SPRY will accept grants until the earlier of **March 4, 2025**, or until all available funds have been awarded.

**TCSB** is offering grants on a first-come, first-served basis to upgrade or replace older diesel school buses with new models. TCSB is accepting applications until the earlier of **October 14, 2024**, or all available funds have been requested.

## **Coming Soon:**



- TCEQ plans to open the [Emissions Reduction Incentive Grants \(ERIG\)](#) in July. ERIG will offer grants to repower or replace older locomotives, marine vessels, stationary equipment, or select non-road equipment to reduce NO<sub>x</sub> emissions in ozone nonattainment areas and affected counties in Texas (competitive selection).
- 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).

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

**Currently Open:** [TxVEMP All-Electric Grant Program](#) has over \$30 million remaining to upgrade or replace qualifying vehicles and equipment operating in eligible areas with new electric models. Grants can reimburse up to:

- 100% of the cost for government entities
- 75% of the incremental cost for non-government entities
- Eligible project categories include the replacement or repower of:
  - Class 8 Local Freight Trucks and Port Drayage Trucks
  - Class 4-8 School Bus, Shuttle Bus, or Transit Bus
  - Class 4-7 Local Freight Trucks
  - Airport Ground Support Equipment
  - Forklifts and Port Cargo Handling Equipment
  - Applicants purchasing on-road vehicles or non-road equipment may request additional funding for electric charging or hydrogen refueling infrastructure.

**Coming Soon:** TCEQ plans to open the [TXVEMP Ferry, Tug, and Switcher Grant Program](#) soon (possibly July). This new program will provide grants in priority areas to replace or repower older locomotives or repower marine vessels to reduce NO<sub>x</sub> emissions in Texas, with the option to request additional funding for on-site electric charging infrastructure.

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)**

Andrew notified the committee members that all these charts can be found on the “RAQPAC Meeting Agendas and Materials” website under the heading for today’s meeting. Since our last meeting in March, there have been eight exceedances of either the 2008 75 ppb ground-level ozone and twelve exceedances of the 2015 70 ppb standard.

So far, in 2024 the region’s maximum 4<sup>th</sup> highest value was 79 ppb as measured at the Houston Bayland Park monitor and Harvard Street monitor. Followed by 76 at the Park Place Street monitor. Also, the YTD regional design value for the 2022 through 2024 period was 83 ppb as measured at the Houston Bayland Park monitor. That means we have now exceeded both of our existing ozone standards for the year. Finally, here is our day-by-day design value chart, showing the current design value compared to the same time over the last 20 years. You can see the 2004 2023 in green, and the current design value for the 2022 through 2024 period in red. As of this month, we have exceeded the current 20-year average.

Moving on to the monitoring of PM 2.5 values. You can see the annual PM2.5 concentrations for all of the region’s regulatory particulate monitors since 2001, as well as the monthly average PM2.5 concentrations over the last year. The current NAC standard is in solid black, and the dashed line represents the new 9 micrograms per cubic meter standard.

## **ACTION ITEMS**

### **ITEM 3A.**

None

## **DISCUSSION ITEMS**

### **ITEM 4A. A Green AQI Means “Healthy”..or Does it?) – (Winifred Hamilton, *Baylor College of Medicine*)**

Dr. Winifred Hamilton from Baylor College of Medicine discussed the health effects of air pollution, focusing on particulate matter and ozone, and highlighted the long-term impact on cardiovascular and lung diseases. Dr. Hamilton also discussed the usage of the EPA's AirNow app and the limitations of the Air Quality Index (AQI) from a health perspective.

Overall, the meeting covered updates on various air quality programs and initiatives, as well as discussions on the health effects of air pollution and the limitations of the AQI. Attendees were encouraged to download the AirNow app and use air quality monitoring and forecasting tools to make informed decisions about travel and outdoor activities.

## **INFORMATION ITEMS**

### **ITEM 5A.**

None

## **ANNOUNCEMENTS**

### **ITEM 6A.**

Andrew DeCandis introduced Maggie Isied (Principal Planner) and Vinny Polignano (Planner Specialist) to the H-GAC Air Quality team.

## **NEW BUSINESS**

### **ITEM 7A.**

Next meeting: July 25, 2024

## **ADJOURNMENT**

Meeting adjourned at 11:34 A.M.