

REGIONAL AIR QUALITY PLANNING ADVISORY COMMITTEE

MEETING SUMMARY

Thursday, April 27, 2023 – 10:00 A. M.

Houston-Galveston Area Council

Virtual Teams Meeting

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
Harris County – Winifred Hamilton
Environmental Defense Fund – Grace Lewis

ALTERNATE PRESENT

TxDOT – Charles Airiohuodion
City of Houston – Darryl Tate
Harris County Pollution Control – Stuart Mueller
METRO – Vincent Sanders

OTHERS PRESENT

Dow Chemical – Sherman Hampton

STAFF PRESENT

Houston-Galveston Area Council – Andrew DeCandis
Houston-Galveston Area Council – Cassandra Marshall
Houston-Galveston Area Council – Gloria Brown
Houston-Galveston Area Council – James Garland
Houston-Galveston Area Council – Daniel Brassil
Houston-Galveston Area Council – Ayo Jibowu
Houston-Galveston Area Council – Craig Raborn
Houston-Galveston Area Council – Caroline Bailey
Houston-Galveston Area Council – Shirley Li
Houston-Galveston Area Council – Ben Finley
Houston-Galveston Area Council – Carlos Lugo
Environmental Protection Agency – Jeff Riley
TCEQ – Alison Stokes
TCEQ/TERP – Joe Shine

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 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)

Quorum not met.

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_{2.5} standard from the current level of 12.0 µg/m³ to within a range of 9.0 to 10.0 µg/m³. (Soliciting comment low as 8 µg/m³, high as 11 µg/m³). EPA also proposed not to change the current:

- The secondary (or welfare based) annual PM_{2.5} standard,
- The primary and secondary 24-hour PM_{2.5} standards (current level 35 µg/m³, EPA is soliciting comment on revising level to as low as 25 µg/m³), and
- The primary and secondary PM₁₀ 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/m³ 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/early 2024. 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, 2nd year for EPA evaluation & designations).

Heavy-Duty & Light/Medium Duty Vehicle Emissions Standards

On April 12, 2023, EPA announced new proposed federal vehicle emissions standards that will accelerate the ongoing transition to a clean vehicles future and tackle the climate crisis.

EPA's April 12 [press release](#)

- Proposed Rule: Greenhouse Gas (GHG) Emissions Standards for Heavy-Duty Vehicles – Phase 3 ([more info](#))
 - The Heavy-Duty (HD) Phase 3 GHG standards are the third step of the Clean Trucks Plan & build upon the Heavy-Duty nitrogen oxides (NOx)/criteria pollutant standards for model year (MY) 2027 & beyond that were finalized in December 2022. These new and stronger GHG standards phase-in over MYs 2027 through 2032 and apply to HD vocational vehicles (such as delivery trucks, refuse haulers, public utility trucks, transit, shuttle, school buses, etc.) and tractors (such as day cabs and sleeper cabs on tractor-trailer trucks). The proposal is projected to avoid 1.8 billion tons of CO₂ through 2055.
- Proposed Rule: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles ([more info](#))
 - The proposed Light & Medium-Duty multi-pollutant emissions standards build upon EPA's final standards for federal GHG standards for passenger cars and light trucks for MY 2023 through 2026. The

proposed standards would significantly reduce passenger car, light truck, and medium-duty vehicle emissions of GHGs, hydrocarbons, NO_x, and PM_{2.5}, which would result in widespread reductions in air pollution. The standards as proposed would phase in over MYs 2027 through 2032, and they align with commitments made by automakers and U.S. states as they plan to accelerate clean vehicle technologies in the light- and medium-duty fleets in the next 10 to 15 years.

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](#))

ITEM 2B. TCEQ Update (Alison Stokes)

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

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.

Draft 2023 Annual Monitoring Network Plan (AMNP)

The draft 2023 AMNP provides information on the current TCEQ ambient air monitoring network to demonstrate Texas is meeting or will meet federal monitoring requirements specified in 40 Code of Federal Regulations Part 58 and its appendices. Written comments about the draft 2023 AMNP may be submitted at any time during the 30-day public comment period until 5:00 p.m. on May 17, 2023.

A copy of the draft 2023 AMNP and instructions for submitting comments are available on the TCEQ's website: https://www.tceq.texas.gov/airquality/monops/network_review.html.

2023 Environmental Trade Fair and Conference (ETFC)

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

Attendee and exhibitor registration is now open. For more information, please visit the Environmental Trade Fair and Conference webpage (<https://www.tceq.texas.gov/@/p2/events/etfc/etf.html>).

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](#) webpage (https://www.tceq.texas.gov/rules/rules_rulemaking.html). Thirty-day public comment periods for the chapters being reviewed open as notices are published in the *Texas Register*. To view the complete rule review schedule, please visit the [View TCEQ's Rule Review Plan](#) link on the TCEQ's

Rules and Rulemaking webpage.

ITEM 2C. TERP Update (Joe Shine)

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

Currently, the only program accepting applications right now is our governmental alternative fuel fleet program, which assists with purchasing or leasing new vehicles that operate primarily on compressed natural gas. Liquefied natural gas supplied petroleum gas, hydrogen fuel cells or electricity. But we are very excited that we will be opening a new all electric Texas Volkswagen Environmental mitigation project around this summer busy getting that ready together, there will be an estimated 88million in funding available to upgrade or replace vehicles and equipment.

Operating in eligible areas with new electric models and some entities may be eligible to receive up to 100% reimbursement for expenses to switch to electric. Not too much on details right now, sorry about that. But we will provide more details and updates as soon as they become available. We encourage everyone if you have not done so, sign up for the Texas VMP list, serve on our website. It is different than our TERP hot topics list serve. So, if you want to stay up to date on the Texas Volkswagen information, you need to sign up for that one. We will only have one kind of announcement on the turf list saying, hey.

Sign up for Texas Volkswagen if you want to stay up to date, so definitely encourage you to sign up for that. In the meantime, if you have any questions or looking for more information on this, please feel free to reach out to their team at 800-919-8377 or you can e-mail us at VWW, settle at tceq.texas.gov.

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

Since our last meeting in March, there have been no exceedances of either the 2008 75 ppb ground-level ozone standard or the 2015 70 ppb standard.

So far for 2022, the region's maximum 4th highest value is 62 ppb as measured at the Houston Bayland Park, Houston Harvard Street, and Conroe Relocated monitors. Also, for the year the partial year regional design value for the 2021 through 2023 period is 74 ppb as measured at the Houston Bayland Park monitor followed by 73 ppb at the Houston Harvard Street monitor. And on the next slide you can see this year's design value in red compared to previous years.

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. Legislative Update- (Andrew DeCandis, H-GAC)

Andrew updated the members on the latest 8th legislative session. The session convened on January 10th and it will end on May 29th, 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 18th. Currently, we are at the 108th 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:

SB 2102 – Establishes registration and inspection fees for certain rental vehicles

- Passed the Senate 30-1

- The companion, HB 4127, has a scheduled public hearing

HB 4932 – Requires TCEQ to ascertain the amount of out-of-state emissions detected at each federal monitoring site and to update the State Implementation Plan in response to those results

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- Passed out of committee

SB 1555 – Adds additional rules relating to public hearings required prior for air quality permits for concrete batch plants

- Referred to committee
- The companion, HB 2905, is in committee

HB 4536 – Requires TCEQ to evaluate some permits at least once every six years to determine whether the authority to operate for that facility should be renewed

- Referred to committee

HB 4885 – Amends the TERP program to add a grant program to assist in the purchase of hydrogen infrastructure, hydrogen vehicles, and other related equipment

- Passed out of committee

HB 57 – Requires TCEQ to develop a climate change impact report to be completed by 6/1/2024 updated every four years and a subsequent climate action plan to be published 6 months after every

- Referred to committee

HB 846 – Creates a Climate Change Impact Assessment Council and charges the council to study impact of climate change on citizens health, safety and welfare and provide a report to the legislature by 01/01/2025

- Referred to committee

HB 1158 – Creates a new TCEQ grant program for advanced clean energy projects and certain other projects that reduce or eliminate carbon dioxide emissions. Eligible projects include those that utilize carbon capture, use, and reuse technologies and projects that are constructed next to petrochemical plants or electric generation facilities for coal, natural gas, hydrogen, or ammonia.

- Passed out of committee
- The companion, SB 2243, is in committee

HB 821 – Would allow state lands to be leased for EV charging stations

- Passed House 136 -12
- Senate companion to be announced soon

SB 1001 – The bill assures that public chargers will be inspected by the Texas Department of Licensing and Regulation, the same people who inspect gas pumps. It also creates a complaint process and ensures prices are clearly posted on chargers.

- Passed the Senate 28-3
- The companion, HB 3343, has passed out of committee

SB 1002 – Assures public charging services are provided competitively, requires fast-tracking of utility infrastructure upgrades needed to provide charging services, allows utilities to recover their costs, and allows utilities to install chargers in limited areas where no competitors have provided services.

- Unanimously passed the Senate
- The companion, HB 3508, has passed out of committee

SB 505 – \$200 fee on electric vehicles to pay for the use of roads and bridges.

- Unanimously passed the Senate
- The companion, HB 2199, will be voted on this week

SB 1732 – Would provide universal charging access and assure that adapters are present at all charging stations, allowing any EV to charge at any charging station.

- Passed the Senate 26-3
- The companion, HB 5120, has passed out of committee

SB 1212 – Allows EV users to reduce demand from charging or provide energy stored in their EV back to the electric grid for compensation.

- Unanimously passed the Senate
- The companion, HB 2793, is in committee

HB 4195 – Allows apartment renters to install EV charging at their own expense.

- Is in committee

HB 2191 – The Omnibus Electric Transportation Act requires numerous state agencies to develop a plan for assuring EVs have adequate charging, mitigate the possible overloading of the grid, and increase state grants for electrifying heavily polluting pickups and delivery vans and light duty vehicles.

- Not yet scheduled for a committee
- The companion, HB 2508, has not yet been scheduled for a committee

ITEM 4B. Climate Pollution Reduction Grant Update – (Andrew DeCandis, H-GAC)

Staff gave an update on the climate pollution reduction grants that were created as part of the Inflation Reduction Act. It should be an act, not grant. The purpose is to develop and implement plans, reducing greenhouse emissions and other harmful air pollutants. Discussion continued that this program will be administered by the EPA in two phases, but we are only focusing on phase one. It will be 250 million that will be available for non- competitive planning grants. It was further discussed that the funding announcement will be next year or in 2025. This will offer \$4.6 billion in competitive implementation grants. There are two separate tracks for this. There's \$3million that will be available to each state that includes DC, Puerto Rico. Also, \$ 1,000,000 available for each of the sixty-seven most popular metropolitan statistical area is the 5th largest in the nation. We are in line as a region to receive \$1,000.000.

To be eligible for the \$4.6 billion in implementation grants that are going to be available in phase two. Proposed projects must be covered by either state or MSA phase one planning grant. As a region, if we want to have any chance of getting any of that \$6.4/\$6.7 million in the future, we must work on this phase.

As for as eligibility is concerned, the regions EPA requires that an eligible entity be the lead applicant on behalf of an entire MSA to encourage regional climate planning, so when that is submitted there, the lead agency needs support letters.

INFORMATION ITEMS

ITEM 5A. H-GAC Update

None

ANNOUNCEMENTS

ITEM 6A.

None.

NEW BUSINESS

ITEM 7A.

Next meeting: May 25, 2023

ADJOURNMENT

Meeting adjourned at 10:49A.M.