

REGIONAL AIR QUALITY PLANNING ADVISORY COMMITTEE

MEETING SUMMARY

Thursday, December 14, 2023 – 10:00 A. M.

Houston-Galveston Area Council

Virtual Teams Meeting

<u>MEMBER PRESENT</u> City of Houston – Win Colbert Fort Bend County – Joel Patterson Waller County – Brooke Bacuetes Port Houston – Trae Camble Harris County Precinct 2 – Kristen Lee Baylor College Medicine – Winifred Hamilton American Lung Association – Charlie Gagen METRO – Edmund Petry EHCMA – Mary Jane Mudd	<u>ALTERNATE PRESENT</u> TxDOT – Charles Airiohuodion Harris County Pollution Control – Stuart Mueller Houston Advanced Research Center – Ebrahim Eslami METRO – Vincent Sanders Port Houston – Kenneth Gathright
<u>OTHERS PRESENT</u> NASA – Carl Mailings Caroline Wylie	<u>STAFF PRESENT</u> Houston-Galveston Area Council – Andrew DeCandis Houston-Galveston Area Council – Carrie Evans Houston-Galveston Area Council – Cassandra Marshall Houston-Galveston Area Council – Carlos Lugo Houston-Galveston Area Council – Pharr Andrews Houston-Galveston Area Council – Susan Jaworski Houston-Galveston Area Council – Eric Belmar Houston-Galveston Area Council – Sydney Ligons Houston-Galveston Area Council – Shixin Gao Houston-Galveston Area Council – Vincent Polignano TCEQ – Vanessa DeArman TERP – Nate Hickman EPA – Jeffrey Riley TCEQ – Alison Stokes

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

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

ITEM 1B. Approval of Meeting Summaries (9-28-2023 & 10-26-2023)

Quorum not met.

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AGENCY REPORTS

ITEM 2A. EPA Update (Jeff Riley)

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

Locomotive Preemption Final Rule

On November 1, EPA issued final revisions to its regulations addressing preemption of state & local regulation of locomotives and engines used in locomotives. This is the result of efforts started in November 2022 responding to citizen petitions for EPA to take action on locomotive emissions, EPA committed to look at the regulations to see if states have more authority to address locomotive issues. This final rule will implement changes to 40 CFR 1074, effectively removing a paragraph of 1074 to align the regulations more closely with CAA section 209. The resulting policy change provides for exclusive Federal regulation of new locomotives and new locomotive engines while preserving the ability of California and other States to adopt and enforce certain State standards regulating non-new locomotives and engines. The final rule published in the Federal Register November 8, 2023 ([final rule](#)) / ([more info](#))

Oil & Natural Gas Sector Final Rule

Announced at COP 28/the UN Climate Change Conference on December 2, 2023, EPA has issued a final rule that will sharply reduce emissions of methane and other harmful air pollution from oil and natural gas operations – including, for the first time, from existing sources nationwide. The rule includes New Source Performance Standards to reduce methane and VOCs from new, modified, and reconstructed sources. It also includes Emissions Guidelines for states to follow as they develop plans to limit methane emissions from existing sources.

These and other elements of EPA’s final rule will yield significant climate and health benefits for all Americans by achieving historic reductions in methane pollution, as well as smog-forming VOCs and toxic air pollutants like benzene and toluene. The rule will avoid an estimated 58 million tons of methane emissions from 2024 to 2038, which represents a nearly 80% reduction from projected methane emissions levels without the rule. As a co-benefit, the rule will also avoid 16 million tons of smog-forming VOC emissions and 590,000 tons of air toxics over the same period. The final rule has not yet published in the Federal Register, but more information and the pre-publication rule are available online – ([pre-publication final rule](#)) / ([press release](#)) / ([more info](#))

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

EPA’s final decision rulemaking is currently under Office of Management and Budget (OMB) interagency review, announcement of EPA’s final decision is anticipated shortly after the rulemaking package clears OMB review.

In the event of a revised PM NAAQS, the final rulemaking begins a 2-year process of designating areas nonattainment (1st year for state recommendations, 2nd year for EPA evaluation & final designations).

Environmental and Climate Justice Community Change Grants

EPA’s Environmental and Climate Justice Program (ECJ Program) was created by the Inflation Reduction Act (IRA) under CAA Section 138 to provide funding for financial and technical assistance for environmental and climate justice activities benefitting underserved and overburdened communities. Congress appropriated \$2.8 billion for financial assistance & \$200 million for technical assistance, EPA’s Office of Environmental Justice & External Civil Rights is tasked with implementing. EPA must award grants and technical assistance under the Environmental/Climate Justice Program by September 30, 2026.

A Notice of Funding Opportunity (NOFO) for these Community Change Grants was announced November 21, 2023, and it represents \$2 billion of the \$2.8 billion appropriated for financial assistance, and the entire \$200 million appropriated for technical assistance. The NOFO closes November 21, 2024 ([more info](#)) / ([Notice of Funding Opportunity](#))

ITEM 2B. TCEQ Update (Vanessa DeArman)

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

Houston-Galveston-Brazoria (HGB) 2008 Eight-Hour Ozone National Ambient Air Quality Standard (NAAQS) Attainment Demonstration and Reasonable Further Progress State Implementation Plan (SIP) Revisions, and Associated Rules

On November 29, 2023, the commission approved the proposal of the executive director's recommended HGB severe area attainment demonstration and reasonable further progress SIP revisions and proposed rulemakings to 30 Texas Administrative Code (TAC) Chapter 115 and Chapter 117.

The HGB 2008 eight-hour ozone NAAQS SIP proposal documents are available at the [HGB Latest Ozone Planning Activities](https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone) webpage (<https://www.tceq.texas.gov/airquality/sip/hgb/hgb-latest-ozone>).

The TCEQ will offer a public hearing in Houston on January 4, 2024, at 7:00 p.m. at the Houston-Galveston Area Council located at 3555 Timmons Lane, #100. The hearing is offered to receive testimony regarding proposed SIP revisions resulting from reclassification of the HGB area from serious to severe nonattainment for the 2008 eight-hour ozone NAAQS (Project Nos.: 2023-110-SIP-NR and 2023-108-SIP-NR). The hearing will also receive testimony regarding proposed rulemakings to 30 TAC Chapter 115 (Project No. 2023-116-115-AI) and Chapter 117 (Project No. 2023-117-117-AI). The hearing will be conducted in English, and Spanish language interpretation services will be made available. For more information, visit the [Texas SIP Revisions](https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips) webpage (<https://www.tceq.texas.gov/airquality/sip/siplans.html#prosips>).

Toxicology: A 90-day Public Comment Period for the Carbon Tetrachloride Proposed Development Support Document (DSD)

A 90-day public comment period (ending January 12, 2024) has begun for the [Carbon Tetrachloride Proposed DSD](#).

To submit comments: e-mail: tox@tceq.texas.gov or mail (must be received at the TCEQ no later than 01/12/2024) to: Toxicology Division, MC 168, TCEQ, P.O. Box 13087, Austin, TX 78711-3087 (or mail delivery services: Toxicology Division, MC 168, TCEQ, 12100 Park 35 Circle, Bldg. F, Austin, TX 78753)

Emissions Inventory (EI) Workshop

The TCEQ is virtually hosting the EI Workshop on January 25, 2024. The workshop will cover updates for the upcoming 2023 reporting year, basic terms and concepts, guidance for estimating emissions from equipment leak fugitive emissions sources, and Web-EI reporting.

Registration opened November 7, 2023. Workshop details and instructions for registration, are available on the [TCEQ Events](#) webpage (<https://www.tceq.texas.gov/p2/events/industrialemissionsinventoryworkshop>).

Environmental Trade Fair and Conference (ETFC)

The ETFC will be held May 14-15, 2024, at the Austin Convention Center. During the two-day Conference, 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 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.

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To view the TAC chapters the commission is currently taking comment on, please visit the *Comment Online with TCEQ Public Comments* link on TCEQ's [Rules and Rulemaking](https://www.tceq.texas.gov/rules/rules_rulemaking.html) 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 TCEQ's [Rules and Rulemaking](https://www.tceq.texas.gov/rules/rules_rulemaking.html) webpage.

Tax Relief for Pollution Control Property Advisory Committee Nominations

The Tax Relief for Pollution Control Property Advisory Committee provides recommendations to the TCEQ on matters relating to use determinations for pollution control property/equipment and the implementation of Texas Tax Code Section 11.31. The advisory committee is made up of members selected to represent the following groups: industry, appraisal districts, school or junior college district, taxing units, environmental groups, and members who are not representatives of any of those groups but have substantial technical expertise in pollution control technology and environmental engineering.

Tax Relief for Pollution Control Property Advisory Committee members serve four-year staggered terms. The TCEQ accepted applications for potential advisory committee members from the following affiliations: three industry representatives, one taxing unit representative, one environmental group representative, and one representative from a school or junior college district in which property is located that is or was previously subject to an exemption under Texas Tax Code §11.31. The TCEQ presented recommendations at the December 13, 2023, Commissioner's Agenda. For additional questions or information about the committee, please contact Elizabeth Sartain of the Tax Relief for Pollution Control Property Program at Elizabeth.Sartain@tceq.texas.gov.

Please visit the [Tax Relief for Pollution Control Property](https://www.tceq.texas.gov/airquality/taxrelief) webpage for information on the program (<https://www.tceq.texas.gov/airquality/taxrelief>).

ITEM 2C. TERP Update (Nate Hickman)

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

TCEQ began the FY 2024-2025 TERP grant cycle with the [Light-Duty Motor Vehicle Purchase or Lease Incentive Program \(LDPLIP\)](#), which offers first-come, first-served grants statewide for the purchase or lease of a qualifying new light-duty electric (EV) or natural gas vehicle. **As of December 14, 2023, TCEQ has received over 1,800 applications for the 2,000 EV grants available this biennium.**

TCEQ launched the new [Texas Hydrogen Infrastructure, Vehicle, and Equipment Program \(THIVE\)](#) on from November 29, 2023, and will accept applications until February 27, 2024. THIVE grants will be awarded competitively in eligible counties for hydrogen vehicles, equipment, and refueling infrastructure.

Coming Soon:

TCEQ plans to open the [Alternative Fueling Facilities Program \(AFFP\)](#) in January 2024, with \$12 million in competitive grants available for the construction or expansion of electric charging or alternative fueling stations.

TCEQ plans to open the [Texas Clean School Bus Program \(TCSB\)](#) in January February, with up to \$20 million available on a first-come, first-served basis to upgrade or replace older diesel school buses with new models.

Visit 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.

Texas Volkswagen Environmental Mitigation Plan (TxVEMP) Program

Currently Open: [TxVEMP All-Electric Grant Program](#) with over \$50 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.

[Sign up for TxVEMP updates](#) to learn more about this program. Please contact us at 1-800-919-8377 or VWsettle@tceq.texas.gov with any questions.

Visit 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 October, there have been no exceedances of the 2008 75 ppb ground-level ozone standard and no exceedance of the 2015 70 ppb standard.

So far for 2023, the region’s maximum 4th highest value is 90 ppb as measured at the Houston East Monitor. Also, for the year the partial year regional design value for the 2021 through 2023 period is 83 ppb as measured at the Houston Bayland Park monitor followed by 79 ppb at the Houston East Monitor.

Moving on to PM conditions, you can see the annual average concentrations for all the region’s regulatory PM 2.5 monitors region going back to 2001 as well as the readings for those same stations over the most recent 12 months.

ACTION ITEMS

ITEM 3A.

None

DISCUSSION ITEMS

ITEM 4A. Satellite Data & Air Quality – (Carl Mailings, Morgan State University/NASA)

Carl Mailings gave an overview regarding the resources that is available through NASA to support land, the air quality applications, and management of Regional Air Quality. Discussion continued with NASA role in air quality. Particularly satellite data and it’s specific applications. NASA along with other agencies around the world operate flat of earth orbiting satellite. They have a primary or secondary role of accessing the earths atmosphere. Generally, these satellites take sunlight, capture by satellite, and analyze data which is relevant for air quality. Look out for new and upcoming missions through an agreement with NASA were able to share with Tropomi.

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

Pharr Andrews gave an update to the members on climate pollution reduction act program some of the benefits of the program and how the region can benefit from implementing this program. Discussion continued with the primary goal for this program is to reduce greenhouse gases while supporting the creation of jobs, delivering cleaner air, and lowering energy costs for families. As well as looking into emissions produced from buildings and energy production industry,

agriculture, and waste. The program will be implemented in two phases by the EPA. There are many benefits to incorporating this program in our region. It will strengthen the regional collaborations and help build a platform to have conversations about climate related issues. Also, we can accelerate existing planning efforts by mirroring strategies in this planning process.

In closing, the end is to get ahead so these projects will help to build resiliency in our workforce development and stimulate the economy.

INFORMATION ITEMS

ITEM 5A.

Andrew DeCandis provided the RAQPAC 2024 meeting dates for the upcoming year.

ANNOUNCEMENTS

ITEM 6A.

Vincent Sanders updated the RAQPAC members that Metro will introduce the Autonomous shuttle and electric bus. Metro is headed in a new direction. This is the first of 20 new buses.

NEW BUSINESS

ITEM 7A.

Next meeting: January 25, 2024

ADJOURNMENT

Meeting adjourned at 11:20 A.M.