

Minutes
 49th Meeting of the
 Joint Advisory Committee for the Improvement of Air Quality in the
 Cd. Juárez, Chihuahua / El Paso, Texas / Doña Ana County, New México Air Basin
 Texas Department of Transportation-El Paso HQ, El Paso, Texas
 July 1, 2010

1. Welcome and Introductions

Bill Luthans (BL), USEPA Region 6, and Ana Maria Contreras Vigil (AMC), SEMARNAT, welcomed all to the 49th meeting of the JAC. A quorum was established.

JAC Members Present	
U.S.	México
Bill Luthans – EPA	Ana Maria Contreras – SEMARNAT
Kent Waggoner – TCEQ	** Sergio Zepeda- PROFEPA
Michael Baca – NMED	**Araceli Salazar – COESPRIS
Mariana Chew – Sierra Club	*Francisco Vigil – alt for S. Castro-Gob.Edo de Chih.
Albert Melero – City of El Paso	**Bernardo Escudero, DNA
John Quinn - Freeport Mc-MoRan	Ing. Rene Franco – MEM
Elaine Barron, M.D.	**Enrique Suarez – SADEC
** Dona Aña County Comm. Saldaña	Dra. Alba Corral – UACJ
Vacant – Private Sector	Ives Figueroa – CANACINTRA
*Hector Olvera for Wen-Whai Li, Ph.D., P.E.,	Alberto Ramírez – CCSD
George Pinal, El Paso MPO	**M. en C. Rosario Diaz – IMIP
* Alternate	** Not Present

2. Presentation and approval of current agenda and minutes.

The Agenda was approved. Minutes were approved with no revisions.

3. Message from the Co-Chairs

Bill Luthans reported that he is in process of reviewing the nominees to fill the vacancy. He should have someone in mind fairly soon and follow-up with discussions with US JAC members. Ana Maria Contreras (AMC) reminded everyone the Air Policy Forum will meet in Las Cruces the following week.

4. Public Participation – Jules “Jay” Bennett presented a description of material he markets to improve vehicle emissions and reduce fuel consumption. Jay reported he has many customers who have tried his product and achieved beneficial results.

5. JAC Discussion on Public Comments

Mariana Chew indicated the ASARCO issue should continue to pertain to the JAC forum because there has been no follow-up to the JAC resolution written months ago. This forum has taken the responsibility for taking the proper follow-up. The ASARCO issue is a binational issue that is affecting our air, water, and soil. There is

much more information on current developments the JAC needs to discuss and be aware of. It is EPA's and TCEQ's responsibility to inform all parties including the 350 former

BL responded that many questions raised in this comment have been considered by EPA. EPA will have a comprehensive response fairly soon regarding information requested. The response is being reviewed by various departments at EPA. The JAC will receive the response when it becomes available.

6. Air Quality Report

Victor Valenzuela (VV) presented an air quality summary from 1/1/2010 – 06/29/2010. VV presented the regional air quality monitoring sites identifying which sites tend to consistently present elevated contaminant levels. No CO exceedances were observed in El Paso or Juarez. The CO standard is violated at 9.5 PPM during an 8-hr averaging period. Mexico's standard is set at 11PPM / 8-hr averaging period. No O₃ (either 1-hr or 8-hr) exceedances were observed in either El Paso or Juarez. The 8-hr O₃ standard is being revised and the new standard is expected to be between 60ppm-70ppb during an 8-hr averaging period. The 8-hr O₃ standard was not exceeded during the 1st 6 months of 2010.

PM10 TEOM monitors reported no exceedances except during 1 sandstorm which occurred in March. VV presented a satellite image located at the TCEQ website showing the transport of regional dust during the high-wind event. Sunland Park continues to on occasion observe elevated low-wind PM10 exceedances. Winds are calm between 1-2 MPH on those days.

AMC added that the PM10 standard in MX has been revised from 150 µg/m³ to 120 µg/m³ during a 24-hr averaging period. The annual PM10 standard has also been revised from 50 µg/m³ to 30 µg/m³. AMC requested we have both standards presented in the air q. report to report the correct number of exceedances. SEMARNAT will be happy to work with Juarez to improve the air quality report to coincide with the revisions.

7. Presentations

- A) Texas Department of Public Safety (TXDPS) - El Paso Inspection and Maintenance Program
Melissa Duron provided a discussion of the El Paso I&M program which includes different types of tests conducted. One test for newer vehicles is On-Board Diagnostics which connects a terminal into the vehicle to "read" vehicle conditions such as oxygen-fuel mixture and vehicle computer functions. The tailpipe test conducted on older vehicles includes installing a sensor in the vehicle's tailpipe to measure exhaust emissions. This involves a 2-speed idle test of vehicle emissions under different engine loads. Vehicle revolutions per minute (RPMs) are dependant on whether the vehicle is 4, 6, or 8 cylinders.

TXDPS also conducts enforcement of the El Paso I&M station operators to assure compliance with program requirements and testing protocols are followed. TXDPS may conduct occasional audits of a sample of station operators to view testing procedures and also acts as a final arbiter in case a person does not agree with the results of the test. Should the owner of a private vehicle consider the test results invalid (usually caused by the denial of the vehicle I&M tag) the vehicle may be tested at TXDPS. The person may also conduct mechanical repairs if the vehicle continues to not pass the emissions test. In this case, a waiver may be issued by TXDPS indicating the person has performed reasonable repairs yet does not comply with the 2-speed idle emissions test.

- B) TCEQ presentation from Air Quality Planning
Fernando Mercado, TCEQ Air Quality Planning Division SIP Strategist, presented a review of Texas quality planning issues describing a Major Source as a site that emits or has the potential to emit the following:
- 10 Tons Per Year (TPY) or more of any single HAP as listed under the Federal Clean Air Act (FCAA);
 - 25 TPY or more of any combination of hazardous air pollutant listed under FCAA; or
 - 100 TPY or more of any air pollutant. (Title 30 Texas Administrative Code §122.10)

New Source Review for new and modified major facilities in areas that do not meet one or more NAAQS requires the following:

- Obtaining the Nonattainment NSR Permit
- Identify the most stringent emissions control for large facilities and “best” controls for small facilities;
- Provide applicable emissions offsets to mitigate the impact of the new or modified facility; and
- Justify that the benefits of the proposed location and project significantly outweigh the environmental and social costs of that location.

Federal Operating Permits involves the following requirements of major sources (as defined by 30 TAC section 122.10)

- Recording all air pollution control requirements that apply to the source;
- Requiring the source to make regular reports on how it is meeting its emission control requirements;
- Adding monitoring, testing, and/or recordkeeping requirements where needed;
- Requiring the source to certify each year whether or not it has met the air pollution requirements outlined in the FOP; and
- Making the terms of the FOP federally enforceable by the EPA and/or the TCEQ.

Transportation Conformity is a way of ensuring transportation projects are consistent with the state’s SIP. Conformity plans and determinations are required every four years.

Programs currently in place to comply with the El Paso ozone SIP include Stage I & II vapor recovery systems installed at local gas stations, low Reid Vapor Pressure gasoline distributed during the summer months, and the El Paso I&M program to name a few.

Two other points to consider in Air Quality Planning are

- Reasonably Available Control Technology-
 - The lowest emissions limitation that a particular source is capable of meeting by the application of control technology that it is reasonably available considering technological and economic feasibility; and
- Reasonably Available Control Measures-
 - Intended to advance a region’s attainment date with areas obligated only to adopt those measures that are reasonably available for implementation in light of local circumstances.

C) TCEQ update on regional air quality activities
Christine Ponce-Diaz discussed regional air program activities.

Enforcement and Compliance:

- 601 Compliance Investigations conducted in FY10
- 43 Complaint & Emission Event Investigations
- 52 Notices of Violation issued.
- 4 Notices of Enforcement issued
- \$38,972 Total penalties assessed

Violations were issued for the following:

- 115.242 Stage II Control Requirements
- 114.100 Oxygenated Fuel Requirements
- 115.252 Reid Vapor Control Requirements
- 116.115 NSR General and Special Conditions
- 115.246 Stage II Recordkeeping Requirements
- 114.20 Vehicle Emission Control Requirements
- 115.247 Stage II Submittal Requirements
- 116.110 NSR Permit Application
- 101.4 Nuisance

TCEQ participated in multiple outreach initiatives to include

- Annual Outdoor Burn Workshops throughout the region
- In-School Educational Presentations including Career Days
- General Public Information Programs
- Ozone Action Days Awareness Program
- The TCEQ Environmental Trade Fair, and the
- Annual Environmental Summit sponsored by Sen. Eliot Shapleigh

D) JAC Resolution on Eco-Driving

The JAC discussed and passed a resolution to present at the upcoming Air Policy Forum Meeting to be held in New Mexico. The purpose of the Eco-Driving resolution is to promote fuel-saving strategies in the transportation sector.

This resolution evolved from a presentation at the previous JAC meeting where Dr. Joe Zeitsmann presented his results of a study where vehicle emissions and fuel consumption were analyzed on drayage vehicles crossing the US-Mexico Border. Testing determined emission and fuel reductions associated with taking a softer approach to accelerator pedal usage.

Drayage vehicle operators tend to accelerate quickly to travel from 10-20 meters then quickly apply the brakes. By Eco-Driving, a vehicle operator creeps to the vehicle thereby reducing fuel consumption. A 5% fuel reduction may be achieved. This significant fuel reduction translates to reduced vehicle emissions as well as lower fuel costs to the over 3,500 drayage truck operators crossing the US-Mexico border in El Paso / Juarez on a daily basis. Deterioration of vehicle brakes is also delayed.

SEMARNAT reported that an Eco-Driving workshop was already in the planning process with local fleet operators within the coming months.

E) JAC discussion on the next iteration of the Border 2012 program. Bill Luthans advised those in attendance that EPA is accepting comments for the upcoming iteration of the U.S.-Mexico Environmental Program.

8. JAC Subcommittee Reports and Discussion

PM - Alba Corral, Ph. D., Chair – nothing to report

Mobile Sources - Bernardo Escudero, Chair nothing to report

Data - Mariana Chew, MPA, Chair nothing to report

Emerging Issues – Vacant nothing to report

Ways and Means - Silvia Castro, Chair nothing to report

9. Observations and Comments from the Public – No comments were provided.

10. Highlights and consensus items of the meeting.

- The JAC will start to follow-up on the “Eco driving” Resolution with the upcoming training to take place in Cd. Juarez.

11. Next meeting October 14, 2010 in Cd. Juarez

12. Adjourn