

**Air Quality Control Advisory Council Webinar Briefing Notes
November 9, 2015 @ 9:00 am
MDE Headquarters
1800 Washington Boulevard
Baltimore, MD 21230**

AQCAC MEMBERS PRESENT

Sania Amr, M.D.
Kevin Barnaba
Jonathan Kays
John Kumm
Lawrence Kasecamp
Ross Salawitch, PhD
Sara Tomlinson
Sue Garonzik
Hon. Leta Mach
Todd Chason
Lawrence Schoen

MDE-ARMA

George (Tad) Aburn
Randy Mosier
Carolyn Jones
Joshua Shodeinde
Kathleen Wehnes
Bill Paul

AQCAC MEMBERS ABSENT

John Quinn
Andrea Bankoski
Kevin Barnaba
Cindy Parker, M.D.
Julian Levy

VISITORS

Josh Berman – Sierra Club
Tom Weissinger – Raven Power
David Cramer – NRG

This is a summary of the November 9, 2015 Air Quality Control Advisory Council Webinar and serves as a record of the Council's vote on regulatory action items. The meeting is recorded and the digital file is maintained by MDE/ARMA. This digital file is considered public information and may be reviewed in its entirety by anyone who is interested in the details of the discussions.

Available at MDE website

<http://www.mde.state.md.us/programs/WorkwithMDE/MDEBoardsandCommissions/Pages/AQACmeetingminutes.aspx>

MEETING OPENING/OPENING REMARKS

MDE's Air Director, George (Tad) Aburn, Jr., opened the meeting by welcoming everyone to the webinar. Mr. Randy Mosier introduced the newest member of the AQCAC board, Mr. Todd Chason, who will be representing the Maryland Chamber of Commerce – Manufacturing Industry. Mr. Chason is an attorney with Gordon Feinblatt, LLC.

Webinar Briefing – Solving the Ozone Transport Problem

Mr. Aburn presented a briefing to the Council entitled “Solving the Ozone Transport Problem – An Update on Ozone Transport and ‘Good Neighbor’ SIPs”. A summary of the briefing is below.

In an effort to reduce ozone in Maryland, MDE has identified ozone transport as one of the primary sources contributing to high ozone days. Extensive research through partnerships with local universities confirmed that up to 70% of ozone in Maryland on bad ozone days is derived from ozone transported through weather patterns from other states. Analysis conducted by the EPA also acknowledges the ozone transport science that occurs in Eastern states. Fortunately, the implementation of federal programs, such as the 2003 NO_x SIP and Federal Tier 2 Vehicle Standards, have led to significant reductions in regional NO_x emissions - which, in turn, have led to reduced regional ozone. The EPA has also identified 24 states in a “Finding of Failure to Submit” Good Neighbor (GN) SIPs, which begins a clock of two years for these states to submit a GN SIP before a Federal Implementation Plan (FIP) is done. This means states have to have emission control measures to reduce the ozone precursor pollutants such as Nitrogen Oxides (NO_x) and Volatile Organic Compounds (VOC).

Maryland is taking steps to solve the ozone transport problem. Maryland continues to be a part of a collaborative partnership between about 25 Eastern states known as the “State Collaborative on Ozone Transport” (SCOOT). The high priority of SCOOT is focused on ensuring that EGUs in Eastern states are optimizing the use of existing control technologies. Maryland has analyzed emission data from EGUs and identified specific units which are and are not optimizing controls to reduce NO_x emissions. To experience maximum NO_x reduction in the Eastern states, Maryland proposes that other states adopt control requirements similar to the language included in the first phase of Maryland’s recently implemented NO_x regulations for coal-fired Electric Generating Units (EGU).

Larry Schoen inquired if Maryland has any seasonal data on ozone transport instead of daily data and whether other regulators recognize the ozone transport problem as an opportunity. MDE responded that there are other ways to look at the data. Ozone episodes seen on the highlighted days in the presentation appear when the data is viewed on a wide span of days. States do recognize the ozone transport problem and view it as an opportunity to reduce ozone. Thus, states have joined together in the SCOOT process. Many states, however, are concerned with the amount of authority the state may have to implement changes. Some states are unable to enforce regulations, for example, that are more stringent than federal requirements.

Sara Tomlinson inquired on the the cost to run controls. Ross Salawitch inquired about the possibility of working with legislators to increase the cost to purchase credits. MDE responded that the cost to run controls is about \$500 - \$1000 per ton while the allowance cost is about \$250. Instead of targeting cost directly, the current discussion is to add constraint to the trading program. Such a constraint will ensure EGUs meet tonnage caps and utilize control technology to meet a certain rate during the ozone season. Flexibility in the market based program has resulted in EGUs having the ability not to run their controls on ozone days. Currently, the federal rule lowers caps and there is a discussion between states and the federal government on adding emission rate constraints to the market based program.

Tom Weissinger inquired if MDE expects the EPA to lower caps in upwind states allowances based on recent decisions on CSAPR. MDE responded that MDE is currently waiting for the final proposal of the

CSAPR rule. The current CSAPR rule was to address the 85 ppb ozone standard, while the new CSAPR rule will address the 75 ppb standard.

John Kumm inquired if MDE envisions OTC expanding. MDE responded that the 176A petition, which was due to be active in June 2015, has not been acted upon. States that have petitioned the EPA are currently waiting to see the new CSAPR rule, and waiting on how the Good Neighbor SIPs play out. The states that have petitioned have not dropped the petition, nor have those states placed any additional pressure on the EPA. The 176A petitioners will put more pressure on the EPA if the federal processes in place do not work out.

Confirmation of Next meeting dates:

December 7, 2015 - Cancelled

March 7, 2016 - Cancelled

June 6, 2016

September 19, 2016

December 12, 2016

No voting actions were discussed during the webinar. The webinar and question and answer ended at approximately 10:50 a.m.