

TREASURE VALLEY AIR QUALITY COUNCIL

MEETING MINUTES

May 8, 2006

The Treasure Valley Air Quality Council (“Council”) convened at 2:10 p.m. on May 8, 2006, at the COMPASS public meeting room, 800 S. Industry Way, Suite 100, Meridian, Idaho.

Council members present:

Matt Beebe, Chairman, Canyon County Board of Commissioners
Tammy DeWeerd, Mayor, City of Meridian
William Eddie, Advocates for the West
Beth Elroy, Micron Technology
John McCreedy, Amalgamated Sugar
Gary Multanen, Best Bath Systems
Garret Nancolas, Mayor, City of Caldwell
Pete O’Neill, O’Neill Enterprises, Council Chairman
Alan Prouty, J.R. Simplot Company
Dr. Dale Stephenson, Boise State University
Rick Yzaguirre, Chairman, Ada County Board of Commissioners

Council members absent:

Michael Gifford, Associated General Contractors
Rick Stott, Agri Beef Company
Graye Wolfe, Wolfe Ranches

Department of Environmental Quality (“DEQ”) staff present:

Debra Cline, Management Assistant and Recorder
Leonard Herr, Airshed Coordinator, Boise Regional Office
June Hues, Airshed Manager, Boise Regional Office
Michael McGown, Administrator, Boise Regional Office
Robert Wilkosz, Mobile and Area Source Air Manager, State Air Quality Program

Others Present:

Phil Bandy, Idaho State Department of Agriculture
Dan Black, Idaho Press Tribune
Kris Kamann, Scott Peyron & Associates
Jay Witt, COMPASS

NOTE: All attachments referenced in these minutes are available on the Council’s Web site at: <http://air.idaho.gov> or by calling the DEQ Boise Region Office at (208) 373-0550.

Pete O’Neill, Chairman, called the meeting to order and asked if the Council was ready to act on the appointment of a vice-chairman for the Council. Chairman O’Neill suggested Dr. Dale Stephenson be appointed as vice-chairman. Other Council members have voiced strong support for Dr. Stephenson, and he has agreed to accept the appointment.

➤ **MOTION:** Mayor Tammy DeWeerd nominated Dr. Dale Stephenson as vice-chairman of the Treasure Valley Air Quality Council.

SECOND: William Eddie

VOICE VOTE: Motion carried unanimously.

Chairman O'Neill briefly discussed how media contacts with Council members should be handled. Chairman O'Neill reported that he, Dr. Stephenson, Kris Kamann and Scott Peyron recently visited with Dan Black and others at the Idaho Press Tribune to discuss the Council's mission and responsibilities. The Council may want to develop some ground rules for members to follow when dealing with the media. He asked for the Council member's input on the issue. Chairman O'Neill was not in favor of muzzling the members, but thought there should be a central contact, such as Kris Kamann, so the media has a coordinated response from the Council.

Chairman Matt Beebe commented it was important to keep in mind that the elected officials who are members of the Council have a first responsibility to their constituents. He works for 180,000 people in Canyon County, and his recent comments to the press regarding the Air Quality Board reflected a position he has always taken as a Canyon County Commissioner.

Chairman O'Neill stated Scott Peyron & Associates has prepared some draft guidance on media contacts for the Council's consideration, but it has not yet been reviewed. They also prepared an information paper (Attachment 1) with frequently asked questions that can be used for responding to questions about the Council. Chairman O'Neill asked members for their suggestions for additional questions that could be added to the document.

Mayor Garret Nancolas favored having brief standard responses to the most frequently asked questions, but felt more detailed questions should be referred to a central contact person.

Bill Eddie felt individual members should be able to express their thoughts and say what they want in their capacities as individual members; but if a media contact is seeking the position of the Council, he believed they should be referred to Kris Kamann first, then to the chair as central contact person to issue statements about what the Council is doing or its official opinion.

John McCreedy thought the information on the Web page and the information sheet looked good. He suggested individual members wishing to field questions might want to stick to the responses on the information sheet or refer them on to a central contact person. He stated he did not intend to field any questions from media.

Mayor Tammy DeWeerd thought the information sheet was very helpful and appreciated having a single point of contact for media referrals. As an elected official and chair of COMPASS it can be complicated because she may have one belief in her role as mayor, but a completely different statement in her role as chair of COMPASS. It can be a difficult balance.

Commissioner Rick Yzaguirre supported having Kris Kamann act as a central clearinghouse and initial point of contact. He can then direct the contact to the appropriate person as needed. It will provide consistency and allow an opportunity for individual comment as well.

Chairman O'Neill observed there seemed to be consensus on the matter. He felt any questions beyond what is on the information sheet should be referred to Kris Kamann. He also asked that any media contacts be reported to Kris Kamann so the Council could keep a running log of who has called. A campaign is in progress to hold informational meetings with all media.

Dr. Stephenson thought there might be some confusion with the public between the Air Quality Board and the Treasure Valley Air Quality Council. He thought it was important to differentiate between the two entities. Chairman O'Neill added that one important message he has had to make in some of the discussions they have had is what the Council is not—it is not a division of DEQ, it does not represent Ada County to push mandatory emission controls onto Canyon County or anywhere else; it is an independent council focused on achieving its responsibilities.

Chairman O'Neill said a formal statement will be distributed to Council members to provide guidance on dealing with the media.

Update on Drafting Process

John McCreedy distributed the draft he prepared of the section on *Future Air Quality Concerns*. This section takes a hard look at the documents distributed by DEQ and information found on line. From his best ability to gather information, it appears to come down to PM_{2.5} and ozone. NO_x and ammonia were also added because they seem to be consistently identified in the literature as very related to those two problems depending on whether it is a summer or winter problem. He said the section is brief and direct and welcomed the input of others. This is the only change to the prior draft.

Alan Prouty stated the goal is to have a new draft that will encompass Chapters 1, 2, 3, and portions of 4 and 5 at the next meeting on May 24. He felt the main issues going forward are PM_{2.5} and ozone. They are very complex issues because a number of pollutants come together to form them.

John McCreedy asked for DEQ's comments on whether PM_{2.5} and ozone are the place to start when considering control strategies. Leonard Herr responded that during a previous conversation of what the Council should focus on, it was discussed whether the focus should be national ambient air quality standard pollutants. There is a big universe of air quality issues including MACT control, nuisance pollutants like dust and odor, and health affect pollutants that do not have nonattainment issues associated with them. At that time, the Council indicated it wanted to focus on nonattainment issues. If that is still the case, PM_{2.5} and ozone are definitely the place to look, because those are the two issues in the Treasure Valley.

Mr. McCreedy asked for some statistics on previous exceedances of the ozone and PM_{2.5} 24-hour standard in Ada and Canyon counties. He felt the draft would benefit from the addition of the hard data. He asked the exact numbers, the location of the sampling, and the meteorological conditions. Mr. McCreedy felt it was important to know this information because of EPA's proposed reduction to the standard. He would also like to add a section regarding in-progress and planned studies, and asked for an update on the progress of those studies since DEQ's first report to the Council.

Mr. McCreedy asked, with the Council's permission, to add a statement to this section that the data available on PM_{2.5} and ozone, and perhaps NO_x and ammonia as well, is not as robust as it would like.

Mayor Nancolas commented it is important to know what the conditions were that caused exceedances, but felt it was also just as important to know what the conditions were when the air quality was good. It will help as the Council develops its recommendations, to know if there are conditions in play that cannot be controlled.

Dr. Stephenson suggested each Council member review the most current draft and provide their comments to the drafting subcommittee at the May 24 meeting. He commented it is important to understand what the numbers in the standards mean in relation to human health protection. He suggested the draft include language explaining why the numbers are set at certain levels. Then when the general public reads the report, they will know we are addressing national ambient air quality standards because those numbers are set to preserve and protect human health.

John McCreedy asked Council members to provide their comments on the draft within the next week so a revised draft can be prepared for the May 24 meeting.

William Eddie asked for clarification that the Council was just looking at nonattainment pollutants. There has been a great deal of discussion about other pollutants such as fugitive dust, for which the Council could develop recommendations. Mayor DeWeerd said the City of Meridian gets a lot of complaint calls regarding fugitive dust and the health issues and discomfort raised by the dust particles. While it is not a contributor to nonattainment, it is a health and quality of life issue Meridian has to deal with because of the amount of development going on in the area. She noted it was important to have the input of some of the Council members who represent construction and agriculture on this issue.

Chairman O'Neill noted most of the efforts to date have been directly related to the national air quality standards DEQ must enforce locally, but there are other issues such as fugitive dust that do not have national standards. June Hues stated PM₁₀ is a regulated pollutant, and fugitive dust is a precursor of PM₁₀. While it is not a nonattainment issue at this time, it has been in the past and could conceivably be in the future. Leonard Herr commented the only PM₁₀ exceedance in Idaho in the last five years was from fugitive dust. It was not a nonattainment issue because it was during a wind event. Fugitive dust is an issue of concern for DEQ because it is the number one source of complaints.

Chairman O'Neill thought it would not be wise to ignore the fugitive dust issue. The Council can decide later how it wants to address the issue in its report. DEQ will present information on actions other states are taking to address the problem. Mr. Eddie pointed out the legislation that created the Council does not limit the issues to pollutants contributing to nonattainment, but talks very broadly about air quality. He felt it would be a disservice to drop the issue of fugitive dust.

Dr. Stephenson believed the Council would find many issues that it will have to respond to and document somehow in its report. The Council may decide to make recommendations for control of those issues, or simply mention them in the report. He thought the process of how the Council addressed such issues would evolve as the report develops. Chairman O'Neill suggested such issues might be included in separate sections regarding future concerns and changing issues.

Alan Prouty commented the outline is focused on meeting air quality standards, but it can be adjusted to deal with other issues such as fugitive dust and what ordinances or rule changes might be needed to provide further control for those issues. He asked for input from Council

members who are in the public sector regarding whether they feel actions are needed at a local or state level.

Commissioner Matt Beebe thought it would be helpful to have issues divided into two sides; those that are caused by nature and cannot be controlled, and those that are not. Mayor DeWeerd pointed out that while nature-caused events cannot be controlled; there are often measures that can be taken to mitigate the problem.

John McCreedy said he had no problem with including a section addressing fugitive dust as part of PM₁₀, which is a national ambient air quality standard regulated air pollutant. DEQ's regulations require reasonable controls, and if the Council needs to help identify possible reasonable controls, he believed that fit well within the glove of the law and would be appropriate.

Commissioner Rick Yzaguirre suggested the report be worded so the average person will be able to understand the conclusions and recommendations of the Council. They will want to know what the problems are, what the options for solutions are, and what the benefits will be for them if they follow a suggested solution.

William Eddie thought it would be helpful for the Council to see a breakdown of the complaints DEQ receives regarding fugitive dust—the sources and locations. Alan Prouty agreed and asked if a brief memo could be prepared roughly outlining the number of complaints and the causes. June Hues responded DEQ has the information in a database that can easily supply the requested information. Beth Elroy asked if the information was intended to be included in the report with a summary of complaints historically received over a five-year period. Chairman O'Neill felt it would be useful to include a paragraph in the report outlining the issues.

Dr. Stephenson suggested Council members begin making a list of issues they feel should be included or referenced in the report. The Council may want to include a section for public awareness that includes issues it does not make recommendations on, but simply brings to the public's notice.

Review of Potential Control Strategies

Council members reviewed the current list of potential control strategies and discussed and categorized them as either Preferred, Maybe, or Issues for Discussion. The items are not ranked or listed in any particular order within each group. More items may be added to the lists later.

Preferred

- Homeowner wood stove education (educate homeowners on the proper maintenance and operation of wood stoves) – Leonard Herr will develop recommendations on how the current program can be improved and made more effective.
- Voluntary programs (best practices recommendations) – a communication strategy is needed to communicate with local government to get the word out about the programs.
- Education associated with air quality alerts and burn bans

- Tree planting in urban parking lots with preferred tree list and education (ordinance at some level)
- Uniform dust control ordinance
- Traffic signal synchronization
- Mandatory Stage 1 vapor recovery
- Trip reduction (included under voluntary measures)
- Transit/land use measures (Park N Ride, area-wide ride share, etc.) – Funding mechanism needs to be developed.
- Smoking vehicle ordinance (enforcement needed) – John McCreedy will check on current law and report back.
- Encourage stationary source programs like Gem Star (include under voluntary programs)
- Adopt California vehicle emission standards (need more information)

Maybe

- Lawn maintenance equipment rebate/buyout programs (need more information – replace with electric or more efficient gas models?)
- Airport ground equipment
- Fleet management (may have federal intervention)
- Truck stop electrification (need more information to see how many there are in the Treasure Valley and what the impact and cost will be)

Issues for Further Discussion

- Stationary sources – invite gas station owners for discussion of vapor recovery issues
- Compilation of air quality ordinances
- How to deal with gross polluters
- On road/off road diesel and retrofit (Leonard Herr will prepare report)
- Emission trading programs
- Vehicle inspection and maintenance program

Leonard Herr stated the only control measure for stationary sources in his list was for industrial natural gas combustion. This measure uses reasonable available control technology (RACT) to control NOx from smaller boilers (25 tons per year) that would not normally be required. It would require a rule change and approval by the legislature. It provides a good reduction, but is an expensive measure.

Leonard Herr explained how emission trading programs work. A white paper will be posted to the Council's Web site.

Council members discussed control strategies for stationary sources. After discussing the percentage of pollution from stationary sources, the cost-benefit ratio of possible control strategies, rulemaking requirements, and the state stringency law; members favored voluntary programs such as Energy Star and Gem Stars as the best way to educate and encourage industry to be good environmental neighbors.

Dr. Stephenson raised the question of whether there was a need to set certain levels of control for new large sources (150-200 tons) of NOx or VOCs. Should they be required to meet BACT? John McCreedy was concerned about setting such a precedent. Existing large facilities put a great deal of time, money, and reliance on the existing state of the law. The issue will be investigated for discussion at a future meeting.

The Council discussed the California new vehicle emission standards. Mr. Herr said about ten states, including Oregon, have now adopted the standards. Gary Multanen noted that California has proven the standards are beneficial, not only to air quality, but to the car owner. The increased cost is minimal (less than \$200) per vehicle.

The vehicle inspection and maintenance program was briefly discussed. It continues to be a controversial issue needing more consideration. The Air Quality Board submitted its written recommendations on the matter. The report will be distributed to Council members and discussed at the next meeting on May 24.

Commissioner Yzaguirre believed the current vehicle inspection and maintenance program was obsolete and was not cost-effective or efficient. The equipment is outdated and the end result is not productive. He felt it was not good to have the program only in Ada County, and thought a vehicle inspection and maintenance program would only be valuable if it included the entire Treasure Valley.

Set Agenda for the Next Meeting

Leonard Herr will develop more specific information on the control strategies needing more investigation. Most of the agenda for the May 24 meeting will address health related issues. The meeting will be held in the Canyon County Courthouse. A meeting is also scheduled for June 13 at 8:30 a.m. in Boise. The drafting committee will schedule a meeting for next week.

The meeting adjourned at 5:41 p.m.

/s/

Pete O'Neill, Chairman

/s/

Debra L. Cline, Management Assistant
and Recorder