

**Clean Air Act Advisory Committee**  
**October 6, 2010**  
**Crowne Plaza Washington National Airport Hotel**  
**Arlington, VA**

**Welcome and Opening Comments**

Rob Brenner, United States Environmental Protection Agency (USEPA) Office of Air and Radiation (OAR), welcomed the committee members and began the meeting by commenting that USEPA is in the midst of a process where we are doing the normal implementation for the Clean Air Act (CAA), as well as a lot of catch up work. We are also working on integrating climate and clean air work. Gina McCarthy, Assistant Administrator of USEPA OAR, has a lot of experience managing this type of work, including former acting as Commissioner of the Department of Environmental Protection for the State of Connecticut. She has a real commitment to public health, understands the states views and the challenges in managing air quality, and is creative and willing to try new approaches.

Ms. McCarthy welcomed and thanked the returning committee members for their hard work and the reports that they have produced over the years, as well as the new committee members. She stated that this is a whirlwind of a time for all of us, but it is an incredible opportunity to be involved in the process. There is an incredible richness among the table and among the staff. New members should not be afraid to ask people to provide background or explain issues before jumping into their presentations or discussion because we have a very diverse group. USEPA also wants to hear from people who have and have not been in the business for a long time, so they need to make sure they do not assume everyone knows everything.

First of all, Ms. McCarthy wanted to thank the committee for some of the reports they have produced. Mr. Svenson looked at the greenhouse gas (GHG) and best available control technology (BACT) issues, which was an enormous task. They can be sure that the GHG BACT topic will be an issue in which they will not reach consensus, but it is very helpful to gather all of the different viewpoints and get them into one document. USEPA will be regulating GHGs as a pollutant under the CAA as of January 2, 2011, which will need to be taken into account when they regulate industries and permits. Ms. McCarthy also thanked the states for working with USEPA through this process.

Ms. McCarthy gave thanks for everyone who worked on the voluntary partnership and community-based partnership report. There are many wonderful partnerships, including many that are associated with GHGs and climate change. Because GHGs have not been regulated, much of what the Agency did was through voluntary programs. These programs have proved to be tremendously effective throughout the Agency, and have provided them with the opportunity to get up to speed on GHGs in a way that allows them to begin at a good pace when they move to regulatory programs. However, this does not mean that all voluntary programs are still useful. Ms. McCarthy thanked members who submitted reports about the effectiveness of voluntary programs, and USEPA does not intend for this to be a one-time issue, but a constant process. While programs may have been successful, they may have achieved the goals they set forth, and

therefore, might no longer be necessary. They want to focus on areas that are constantly cutting edge and new, and they do not want to compete with NGOs, but rather to be able to shift resources where they are absolutely necessary.

Ms. McCarthy said that when she came into the Agency, looked at the workload, and met with constituents, it became clear that without a rethink of allocation and a rethink of what USEPA does and how they do it, they would not be able to get the job done. She said that she spent a good deal of time talking about what USEPA does and what they have been doing, and how to make it most efficient and effective. They have shifted significant resources to get some of the toxics work done because it was work that had been delayed for a significant period of time. They needed to be more creative in terms of regulating industries. This has led to their discussion of the multi-sector approach, which probably provides the best opportunity to coordinate their approach to achieve the goals they have set.

The effort to take a closer look at USEPA's voluntary programs is not just an effort to increase regulation. The voluntary programs are an essential component of the strategy, but they needed to take a careful look at their resources to match them with the most creative and compelling ways to get their messages out and reach the goals they are trying to meet.

Ms. McCarthy noted that she went to New Orleans the day before the meeting because she knew that people were unhappy with the decisions regarding Climate Leaders. Ms. McCarthy wanted to make sure that people know USEPA is going to be recognizing climate leadership, not just Climate Leaders, and to think about how their recognition has changed. Mandatory reporting does not take the place of real sustainable thinking, and they will have opportunities to continue to do the recognition, but at the same time they have many other organizations that are less established and influential, that need more of their support.

They are also going to move forward with some work they are doing with the tribes. Tribal issues continue to fall behind in the air program, and they have not reached a level of capacity-building that is needed in the tribes. They need to get the rules out to allow tribes to become more competent, in terms of capacity-building and increased information, to enable them to manage their own resources and lands more effectively.

Even as USEPA moves forward, there are still many challenges ahead. The CAA's 40<sup>th</sup> anniversary was quite a celebration, and it gave them the opportunity to remember the challenges faced as the Act began, and as the changes were put into place. They have managed to meet all of the standards and make the necessary reductions in a cost-effective way in the past, and they will manage to do it again. They will deliver what the public expects them to deliver because they are going to follow the laws that the public has put into effect.

Administrator Jackson's speech at the ceremony shows how fiery and committed she is to the Agency. She listed some principles regarding how she expects the Agency to deliver in the future. Many people question how the Agency will manage to regulate GHGs in a realistic way. Her principles acknowledged that USEPA knows the job they have to do, and that they will continue to work with all the parties to determine which options they have to achieve their goals in a cost-effective way. Similar messages were applied at the beginning of the CAA and in the

changes to the CAA in the 1990's, and they continue to be the same. They now need to identify the best strategies moving forward.

USEPA is moving forward with a bunch of initiatives right now. They work together very well with the Clean Air Act Advisory Committee (CAAAC) by asking the committee to look through strategies and communicate them to USEPA so they can develop a proposal that then goes to interagency review. Everyone often grumbles about the process but it is enormously beneficial and necessary. The process does work, and has been working, and they are producing rules that will not only meet the legal test, but will also meet the common sense test, and will not go beyond what the law allows.

Ms. McCarthy stated that one of the most exciting things she has been involved with, is starting to take a closer look at, and become more active in, some of the current international issues. Air pollution in the United States does not just exist in the United States, it comes from all over the world. There are a couple of initiatives she is becoming more active in, including the cook stoves issue and the problems associated with open burning and traditional cook stoves that are used all over the world. More than two thirds of world's population uses these cook stoves, resulting in at least a couple of million lives being shortened and lost each year. USEPA has developed a great international partnership around these issues. There are companies now that are producing cook stoves that eliminate these problems, and are sensitive to the cultures and fuels available in different regions of the world. She convinced the Administrator to take a look at this issue and the Administrator reached out to Secretary Clinton, who has taken an interest in this. They are looking forward to this becoming an aggressive, well funded, and visible issue moving forward.

Another issue that they are working on is the Methane to Markets program. The Methane to Markets program jumpstarts interest in developed and developing countries to make real progress with regard to methane, transforming it to a global methane initiative which now involves 38, almost 39, countries. This program provides another opportunity for USEPA to make tremendous progress.

USEPA has also put out a notice of intent to send a longer-term signal about light-duty vehicles. They want to look at what is possible down the road and what the technology of the future might be for transportation, in particular for cars and light-duty trucks, opposed to only focusing on what is possible for GHGs. This gives them opportunities to develop better engines, hybrids, and electric vehicles, as well as focusing on what needs to be done now to spur companies to keep moving forward with technology. They will build a regulatory structure in July, 2011, that will enable automakers to choose their own path moving forward.

They also have a GHG rule proposal for heavy-duty vehicles that is currently sitting at the Office of Management and Budget (OMB). This proposal takes the ideas used for light-duty vehicles and applies them to heavy-duty vehicles. One reason they are looking at increasing fuel efficiency and reducing GHGs is because mobile sources are becoming increasingly important as they are resurging maximum achievable control technology (MACT) standards. It is primarily the responsibility of the Federal government because as they develop more and more standards, the Federal government has to contribute to reaching these new standards.

The GHG BACT document is currently under interagency review, and USEPA is working on the ozone standard as well as an ozone implementation rule. They are looking at these two together because they have made some mistakes in the past by not looking at the NAAQS and implementation at the same time. They have a commitment to an end of October timeline for those rules to be completed.

These are clearly not the only initiatives USEPA is working on, but they give the new members a flavor of the breadth of opportunity and the challenges moving forward with this Agency. Ms. McCarthy congratulated everyone for being asked to sit around this table. CAAAC members are best able to understand the challenges we are faced with and provide ideas to move forward. Thus far, everyone has been dedicated and willing to go the extra mile because it is such an important time for this work.

### **Member Introductions and CAAAC Operating Principles**

Pat Childers, USEPA OAR, said that he wanted to lead a discussion rather than a presentation. He acknowledged the fact that there were many new members on the committee seated around the table, and spoke about the two reports they would be voting on. The reports are the products of many man hours and commitment, and so he wished to provide the new members with a clear sense of the procedure rules and their new responsibilities as CAAAC members. The process involves brainstorming ideas, breaking each idea down, and then providing the ideas to Ms. McCarthy for input. They must find topics on which they can give timely advice, and create workgroups to tackle specific topics. He explained how important it is to trust the opinions formed by the workgroups, since they are designed to be a balanced mix of opinions, and ultimately put in a great deal of time debating and discussing the topics they are charged with. The workgroups bring their reports to the full committee because the full committee is the only body that can formally bring recommendations to USEPA.

The agenda for the full committee meeting usually opens with an update from the Assistant Administrator, then ongoing business, then new business. The ongoing business can involve a report out from the workgroups, and the goal as a Federal Advisory Committee is to give advice that is meaningful and helpful to the Agency. He explained that a consensus vote on the reports presented during the meeting indicates that the committee deems the topics of the report important for the Agency to review. They are not asking that committee members agree with the exact views in the report, but rather indicate that they find the topic and the issues raised in the report to be important. The purpose of the vote is to indicate consensus that the report should get to USEPA so that they are able to respond to it. He asked that all members keep the purpose of the vote in mind as they make comments and vote on the reports. Mr. Childers then asked existing members if they had any input on what they felt the CAAAC has done successfully and what they would change in the future, and opened up the discussion for questions and comments.

Mr. Brenner told members that if they had a question or comment throughout the presentation they should raise their name tent, and he would call on them to speak.

Howard Feldman, American Petroleum Institute, addressed his question to Ms. McCarthy. As a member of the regulated community, he wanted to emphasize the importance of providing opportunities to understand the guidance. The hope was to have the information disseminated to the regulated community in practice, through means such as webinars or seminars, so that industry members have the opportunity to understand the procedures as well. He explained that having the opportunity for industry members to provide feedback to the Agency was equally important, as well as having the opportunity to provide input about any white papers that are being developed. Mr. Feldman urged that the members of the regulated communities be built into the process.

Ms. McCarthy agreed with Mr. Feldman's point. The Agency knows how important this GHG guidance document is, but emphasized that it is a guidance document and not a rule. This provided opportunities for flexibility that they would not have if it were a rule. She said that it is important that the underlying policy decisions behind the guidance were clear and technically accurate, and that they would work to ensure this as a group. As the guidance document goes out, there will be room to make adjustments and clarify parts, as this is an important part of the process.

Mr. Feldman said that the committee's reliance on the draft policy guidance from 1990 makes him wary of viewing a guidance document as flexible.

Ms. McCarthy said that while they are important, guidance documents do not need to go through the same rigor in terms of public comments and response. The most important part is that the document is understandable, and that it provides states with the information they need to make their decisions. She said that she is not interested in making this a formal process, but rather would like to do a lot of outreach and collaboration in order to create the best possible document.

Eddie Terrill, Oklahoma Department of Environmental Equality, thanked Ms. McCarthy and addressed his comment to Bill Harnett and Steve Page. He said that on November 1, 2010, the region 6 and 7 states would be meeting as a group to talk about air quality issues. He said that one of the issues they are most concerned with that has been under the radar, is how best to deal with the permitting issues associated with SO<sub>x</sub> and NO<sub>x</sub> NAAQS. Additionally, the most vexing issue they would be discussing is how to deal with the modeling issue for SO<sub>2</sub> attainment demonstrations. The goal of the meeting is to come up with scenarios they can all agree on, and he said they will likely come up with issues to bring to the CAAAC for advice. It is very important to have a clear sense of what their message is going to be and what tools they have available to them.

Janice Nolen, American Lung Association, said that, as someone who had served previously on a multi-year air quality management committee, it is a strong and powerful opportunity to learn about the process and voice opinions. She acknowledged that the commitment can be daunting, but insisted that it is something that should be taken advantage of and that new members of the committee should not be intimidated by the workload. The next point she made had to do with the regulations that were coming up over the course of the next year. She spoke to the fact that the Lung Association was responsible for bringing forth challenges to the old system, and the legal action that ensued. She thanked the CAAAC for accepting the challenge to make things

better and put the work in to move forward. The complex nature of the aspects discussed in all of these rules makes for a difficult process, and forces people to look creatively at how to arrive at the solution of reducing air pollution. She said the members of the Lung Association are aware of the challenges the committee has faced, and are excited to work together to improve public health through air quality.

Ms. McCarthy thanked Ms. Nolen and agreed that being part of a committee is a tremendous opportunity. She reiterated her point that there must be implementation rules that go out with the new standards because in the past, changes have been made to NAAQS without fully thinking through what the challenges were. Setting a standard is wonderful, but she is interested in achieving the set standard. The Agency recognizes the states' commitment to this as well, and believes it is critical to look at all of the implementation issues associated with these and to move them out at the same time.

Lee Kindberg, Maersk Incorporated, introduced herself as a new member of the group and apologized if she was asking about a topic that had already been covered. Her colleagues around the world are mystified by the level of prescriptiveness and enforcement that exists in the United States. The challenge is, when looking at the more global issues, such as GHGs and long distance transport of criteria pollutants, how we can ensure that other nations are living up to the set standards. She asked how these concepts can be balanced so that they are not taking a disproportionate approach and disadvantaging businesses that operate in the United States.

Ms. McCarthy responded that in all the work USEPA does, this becomes one of the major issues. A great deal of time is spent discussing the type of accounting to consider and what is equitable. A great deal of analysis goes into considering what impacts rules and standards will have on the viability of U.S. companies and what would be impacted by international changes. The United States' robust regulatory system does present a challenge, and they have to recognize that this is not the case with many other countries.

Mr. Harnett, USEPA Office of Air Quality Planning and Standards (OAQPS), commented that compliance and enforcement are always a difficult issue for everyone to deal with. In the long-range trans-boundary air pollution area the solution they came to was putting everyone on a different schedule. Everyone had to report all their compliance information annually with all of the treaties they may have agreed to on air pollution, and then an independent committee evaluates all of the submitted information and makes a determination about whether they have met the requirements. If someone falls short of the requirements, they receive a letter from the executive body that raises questions and demands answers, and they will insist that the individual country actually appears before the executive body to state their case. It is a very forceful mechanism and has been very effective.

Don Neal, Calpine Corporation, commented that one of the things Ms. McCarthy did not mention in her report was the transport rule, which has improved upon the Clean Air Interstate Rule (CAIR), and he wanted to compliment the Assistant Administrator on that. One issue that struck him while he was reading the rule related to the use of dispatch modeling for making policy decisions. He asked if Ms. McCarthy could comment on how dispatch modeling applied in the real world.

Ms. McCarthy responded that the finalization of the dispatch rule is approaching, and that the comment period for the rule ended October 1, 2010. The transport rule was the makeup for the CAIR, which had been vacated by the courts and remained back at USEPA. It called for significant reductions in pollutants that would help the downwind states both achieve and maintain attainment. It is a complicated rule, and she is very proud of the work that went into it and hopes that it can serve as a model that can be used for adjustments to the NAAQS. The rule involves a lot of creativity in how to approach the challenges that lie ahead. The current transport rule looks at energy from basic generating units, but as a result of comments, it may be expanded. It is important to look at how energy is dispatched, as significant reductions could be the product of the energy and environmental world working together. They are not going to make demands on the energy world about how to conduct business, but are simply examining how better to align themselves to derive where the most cost-effective solutions are. What has been very clear to the Agency is that President Obama considers clean energy to be one of his signature priorities, so they are trying to look at everything they do in the context of clean energy.

Mr. Svenson, PSEG Services Corporation, had several comments for Ms. McCarthy, and started by thanking her for commending the efforts of the subcommittee. He spoke about being involved in subcommittee work, how it had truly been an honor to serve as a subcommittee co-chair with Mark MacLeod and be able to work with amazing people from around the country. He explained that he was a newbie to the full committee, but that he has been involved in some way or another with the CAAAC for over 20 years, and in that time period has been able to see democracy in action through the diverse and vastly knowledgeable group that sits around the table. Many times there are viewpoints that do not agree, but it is one of the best processes in the world. His company has taken a very strong view on climate change over the years, and believes it is the preeminent environmental issue of the time. They are constantly examining what action must be taken and what scientific information is emerging. He spoke about upstream impacts, and how pertinent these are when dealing with GHGs and all of climate change. New alarming information is emerging about potential gas exploration activities and the upstream impacts of methane release, so he encouraged the Agency to look at the upstream impacts of gas as well as other fuel sources and make this a big priority in the near future.

Jason Walker, Northwestern Band of Shoshone Nation, thanked Mr. Page for coming to their ten-year celebration of educating and training tribes throughout the nation on the air quality issue. He further thanked the committee for allowing the tribes to have more of a presence, and said that the four tribe representatives feel honored to be able to work with the rest of the members. Regulations at the reservation level bring up many transportation issues, as they do not have title five sources on the reservations. Further, tribes in Alaska have global warming issues which hurt their hunting and fishing and sovereignty rights. His hope is that everyone on the committee will be willing to discuss these issues as they come up within subcommittees.

Ms. McCarthy responded that the Agency is really excited to have more representation of tribes on the CAAAC and is even more excited about the quality of representation present.

Pam Giblin, Chair of Baker Botts' Environmental Division, applauded USEPA's involvement in some of the international issues since they are a passion of many on the committee. She suggested it could be easy to gain knowledge from seeing how other nations take on these challenges as well.

Mr. Brenner responded that there had been two presentations recently, one on cook stoves and another on the forestry program that is active in parts of Africa and South America, and it may be beneficial to bring them back. Both projects have come a long way since originally presenting, and it would be interesting for the group to be able to see them.

Stacey Davis, Center for Clean Air Policy, said she also appreciated the involvement on the international front, and agreed that it is a very important issue to many on the committee. She mentioned how effective the Methane to Markets program has been, as well as the cook stove program from a public health standpoint. Developing countries are pulling together nationally important mitigation programs, and said that the United States should have an interest in making sure they are effective and ambitious, and she asked what USEPA saw as their role in insuring this is the case.

Ms. McCarthy responded first to the issues surrounding climate change. She said they will have a presence in Mexico and will lead discussions in several areas. She spoke about their expertise in Monitoring Review and Verification (MRV), and that they have a strong history in doing it domestically. This creates an opportunity for USEPA to play a leadership role in MRV, and they are having discussions on where funding will come from if this is in fact the case. There is also a need for capacity-building in this issue, and this begins with really good inventories. This is an interesting part of the shift from Methane to Markets to the Global Methane Initiative. Methane to Markets takes place in developing countries that have access to resources through mining, agriculture, and landfills that can capture methane and create electricity. In shifting to the Global Methane Initiative, the focus will be placed more broadly on sectors with mitigation strategies and the development of country-by-country action plans. Having individual countries look at their inventories provides opportunities for real action to happen that otherwise may have been missed. The ability to play such a role in the international community is one that USEPA is looking forward to playing.

Ms. McCarthy also brought up the boiler MACT and said it has significant cost as well as opportunity for reductions. The rule encompasses a couple hundred boilers and is scheduled to be completed in January 2011. The issue with this rule is how to address biomass, and how to understand its uniqueness and use it as a strategy to address climate change, while at the same time meet the obligation of looking at BACT for the reduction of carbon emissions. She thanked all members for their continued dedication, and all the new members for their willingness to jump into the issues.

Lisa Gomez, San Diego Gas and Electric, responded that she was glad Ms. McCarthy raised the issue of biomass. It is a very significant issue in California, as 3 percent of their generation comes from biomass and it is a utility that has an aggressive renewable portfolio standard goal. Her primary reason for commenting is to remind people that in the initial discussions as a CAAAC subgroup they began discussing this issue, yet decided it was outside of their scope. It



was tabled, but a lot of great discussion resulted from it, and she encouraged the Agency to tap into that.

Ann Weeks, Clean Air Task Force, added that it was more than a just discussion, and that there are white papers in the record. She encouraged them to look at regional implications of biomass and not just the national question, as it is quite specific to regional growth patterns.

Ms. McCarthy thanked everyone again and encouraged people to submit questions or comments whenever they have them.

Mr. Brenner thanked everyone for such a great discussion.

### **Voluntary and Community Programs - Report Out and Vote on Recommendations**

Kathryn Watson, Improving Kids' Environment, began by explaining to the committee that in May of 2010, Ms. McCarthy requested that CAAAC provide a guidance document that was to include information and recommendations on USEPA's voluntary and community-based programs. The guidance was designed to focus on ways to better enhance the strategic use of such programs with the limited resources available. A subcommittee was formed and formally convened in May of 2010 to create a draft of guiding principles describing when is best to invest in voluntary and community-based programs, how best to invest, and to provide a set of questions that needed to be addressed.

The terms "community-based" and "voluntary partnerships" are used to describe a wide ranging group of programs that USEPA sponsors. These are all non-regulatory programs and fall into two categories: community-based programs, which are programs that build capacity among communities to improve the environment (i.e. Sustainable Community grants, Smart Schools, and CARE grants); and partnership programs, which focus on industry and other sectors to promote sustainable practices (i.e. Smart Way and EnergyStar). While the report acknowledges this variation, it did not differentiate between recommendations that apply to one or the other.

The report lists a few key observations and recommendations. The first is the affirmation that these programs act to complement, but not replace regulatory programs. It set forth ways to determine which programs to invest in and how best to invest, design, and implement the programs chosen. The second key recommendation is that all partnership programs begin with a clear, consistent, written plan followed by a regular strategic review to continually improve the program. There needs to be consistency in the way these plans are developed, proposed, and operated. Third, partnership programs should maximize opportunities to leverage resources and seek opportunities to leverage resources with other groups, including resources from within the community, industry, academic organizations, foundations, and government entities. The final recommendation is to identify and share best practices within USEPA as well as with outside partners.

Tim Larson, Boss Associates, has done active consultation with different offices within USEPA to get an idea of the status and composition of USEPA programs. He quickly skimmed through the detail areas, highlighting recommendations that are particularly useful. The group organized

conversations on terms of the life cycle of programs: strategic principles, leverage opportunities, program design, program implementation and operations, measuring results and evaluating performance, and continuous improvement. In terms of principles and leverage, OAR's principles provide an effective tool for guiding design, implementation, and management of partnership programs; although improvements can be made to enhance the principles to ensure their effective use. It may also be advantageous to think about interagency leveraging opportunities. Additionally, towards the end of the report are a set of guidance documents that show states how to receive credit under the State Implementation Programs (SIPs). This may provide an example of how to utilize credit opportunities.

In terms of program design there are five areas the group thought would be helpful to cover, through a planning template. These areas are: goals, objectives, and milestones; how a plan will achieve results like a logic model or theory change; plan for measuring communications performance and results; assessment of third party programs; and funding that describes how the proposed program will consider the opportunities to leverage external resources.

In terms of program implementation, there is some thought that USEPA has tended not to engage stakeholders early enough in the design process. When stakeholders are involved there is a great buy-in that can lead to increased creativity and impact. In partnership programs and community-based programs, few small and underserved communities have the human capital to actively seek to participate. The subcommittee encourages USEPA, and USEPA Regional Offices to reach out to these groups and communities and help them become participants.

When thinking about strategic review, it is helpful to attain information of the relationships between achieved results and proposed results relative to the scale. Lastly, for the continuous improvements to be successful there must be a catalyst of information sharing and collaboration from within and among programs by supporting peer-to-peer networks. Climate Showcase Communities could act as a model for how to effectively write an RFP (request for proposal) and MOU (Memorandum of Understanding) to help programs become successful.

OAR has the task of deciding where to invest resources. Partnerships will change and evolve. The group was focused on making recommendations for how the Agency can make better decisions, and leverage resources when needed.

Mr. Brenner thanked the team that compiled the report, commenting that it did a great job providing both specific and broad suggestions. Mr. Childers has instituted a process that allows USEPA to provide an implementation plan for the recommendations given.

Joy Wiecks, Fond du Lac Reservation Environmental Program, commented that both Items 3.1 and 3.4 have tribal implications. Tribes would like to be considered for the voluntary programs in Item 3.1. They have been able to participate in conjunction with other groups, but would like full involvement. In regards to Item 3.4, tribes see themselves as co-regulators, not stakeholders. However, they do not have the resources to fully address problems such as mold, wetland-related issues, and home repairs.

Mr. Brenner responded that diesel retrofitting was an issue being worked on.

Margaret Gordon, West Oakland Environmental Indicators Project, participated with USEPA for a collaborative modeling for West Oakland. They collaborated with agencies, business, impacted

residents, and industry. They also have their own technical advisors and research groups. It should be noted that “impacted” is a more appropriate term to use in the place of “disadvantaged”. Evaluations are a good step, but they need to take into account the human impacts. There needs to be an evaluation of what entities are making these health impact assessments. There needs to be more thought given to economic development in these communities. There also needs to be more information regarding who this collaboration involves.

Mr. Brenner responded by stating that subset of the programs covered in the report are the community-based programs. USEPA should investigate how these programs are implemented.

Ms. Gordon suggested there should be an even playing field and an open, involved discussion of how best to move forward. If confusion or conflict arises there needs to be a pre-set and clearly defined resolution process to ensure that all participants are of equal understanding.

Nicky Sheats, Director of the Center for the Urban Environment at the John S. Watson Institute for Public Policy, stated that in terms of environmental justice communities, empowerment through education and leadership should be a priority. He noted that this was included in the lessons learned, but not in the principles of the report. The principles, he suggested, should include the early engagement of people in the community in the design of the program. It is understandably difficult to get the language in the guidance to apply simultaneously to both voluntary and community-based programs, but the early involvement is important. Additionally, he cautioned that the language used may convey the wrong message to some people in the environmental justice field. While he doubted that the guidance is attempting to “blame the victim”, people in the environmental justice community may see those undertones being used.

Mr. Larson agreed that careful phrasing is very important in order to avoid any misunderstandings. It may be necessary to use more program specific language, or to split the programs into two sections, so that the language from one type of program is not confused with that of another.

Ms. Watson confirmed that the comments in question were in fact aimed at industry and not communities. She added that programs should encourage long-term sustainable change. The subcommittee was interested in relaying the importance of longevity in these programs. For example, the Smart Schools program has been working on the behavior of school bus drivers by encouraging them not to idle while waiting for school children, which has been a success.

Ms. Watson, in response to Mr. Sheats concerns, agreed that mentioning this in the principles section may be helpful. Currently, capacity building is under Item 6: “What to do”.

Mr. Sheats responded that it may be helpful to mention the words “within communities”, “within community groups”, “involving community residents”, and “early collaboration” in the reports.

Ms. McCarthy stated that the interesting challenge being put forth is developing a plan before the program development plan that will include early collaboration. There is a need to define the measures of success and the goals on a project-by-project basis. If the definition of success and goals are not clearly stated, evaluation becomes increasingly difficult. Having a collaborative discussion early may be advantageous when moving forward. For example, the EnergyStar

program, takes industry's needs into account. The program may have been better served by discussing the positive impacts the program will have for consumers. Additionally, for the Climate Leaders program, one of the measures of success should have been to understand the value of good accounting practices. If there was a private sector consulting group or an NGO that was able to provide the same services, it would have been a success. There must be clearly defined measures of success included in the planning process.

The group decided to further explore these issues at a later date.

Mr. Neal said that Calpine has been involved in these voluntary programs and has enjoyed much success. The Climate Leaders program in particular has provided excellent internal and external visibility for participants. It is beneficial for both employee and investor morale and has provided tools and accounting measures. Power plants tend to measure emissions very well, however, in terms of how that information is organized and presented; the program has proved to be very valuable. Collaborations with likeminded companies have helped with efficiency improvement, which has come with large dividends. There are, however, a few criticisms of the way USEPA handles these programs. Firms should not have to choose between growing their business and maintaining participation in the program. When Calpine was entering a state of expansion they could no longer comply with an absolute cap on GHGs emissions. USEPA insisted Calpine have a contractor conduct a private measurement on emissions, which seemed to be a waste of Federal money and Calpine's time as they were able to assess their own emissions better than any outsider.

Mr. Terrill stated that the report was a reminder that there are beneficial outcomes from a voluntary program. The report mentions that these programs are designed to enhance the regulatory processes. State and local governments need carrots to remind us why these programs are important and recommend adaptation.

Ms. Nolen stated that it would be beneficial for all if these best practices were shared online. It would also be helpful to USEPA as it would provide a way for them to better understand the process of community participation.

Mr. Brenner stated that based on the comments given, the committee may want to make a few changes to the report to correct the points both Mr. Sheats and Ms. Gordon raised (emphasis for community programs, meaning of full engagement, and possible issues with the language used). He asked if it would be possible for the committee to move forward with the understanding that these changes will be made.

Mr. Childers added that the suggestions pertaining to the tribal issues should also be taken into account when making changes to the report. The changes will be made in the report, and everything said during the conference will be placed in the public record. The intent of the report is clearly stated, any changes to be made will be subtle tweaks. Once those tweaks are made, we will give committee members a week to raise any issues they see in the revised report before moving it forward to USEPA. He questioned whether everyone was in agreement that the final draft, once changed, can be moved onto USEPA.

The committee was in agreement.

Mr. Childers thanked everyone on the committee for their hard work.

## **Subcommittee Report Out: Economic Incentives and Regulatory Information Subcommittee and Mobile Sources Technical Review Subcommittee**

Keith Mason began the discussion by stating that USEPA is already moving toward a multi-pollutant strategy. They are synchronizing timelines and conducting multi-pollutant strategies to identify emission control strategies that maximize co-benefit reductions. The subcommittee is working toward building an integrated cost, technology, and environmental database. Efforts are underway for many sectors including electric utilities, petroleum refineries, chemical manufacturing, and iron and steel.

Mr. Mason explained that the progression to this approach is complicated because there is a forty year old Act and twenty years of history regarding how USEPA goes about making these rules. There are lots of issues surrounding the benefits we are looking for, and these have been debated for many years in different contexts.

The white papers presented by OAQPS and Patrick Traylor describe some of the steps the subcommittee is taking as they look at different sectors. The white papers address what the regulatory and legal challenges to implementing sector-based, multi-pollutant approaches are, as well as how the coordination of regulatory timelines and requirements should begin within a sector, and which advanced technologies will assist in controlling multiple types of air pollution. Some of these issues raised would best be dealt with by reopening and reorganizing the CAA. Workgroups could also be helpful to address some of the other challenges raised.

Mr. Mason stated that the main reason that USEPA is working in a sector-based process now, is because they have to. There are too many rules and deadlines that are due for review on periodic bases, most of which are still different. They are attempting to align themselves better so they can have a coordinated view in the process. However, they are not starting at the beginning. There are already rules in place, rules to be written and amended, and guidance in place. The real question is how to reset the clock to synchronize these timelines.

The challenge for every business in the United States is that every business has an energy budget which includes air pollution and emission numbers. Businesses are still developing strategies to integrate energy planning and environmental management and planning.

Some questions the subcommittee discussed include: 1) What are the market-based mechanisms that USEPA should be investigating for sector-based approaches that would help the sector to be more efficient, and is there advice from the past that should be brought in? 2) How can USEPA provide incentives for facilities to replace outdated or poorly performing equipment and improve energy efficiency while reducing malfunctions?

Mr. Mason listed some possible workgroup topics, including: exploring the challenges of reforming air pollution source category definitions from unit-by-unit to facility-wide definitions; exploring the challenges of developing emission standards for air toxics and criteria air pollutant programs based on a common set of regulated air pollutants; and exploring the challenges of utilizing work practice standards in situations where quantifiable emission limitations and

reductions are needed. They subcommittee might come up with some new techniques that might not be the traditional techniques or methods that everyone is used to. For example, it may be beneficial to use fence-line monitoring techniques to measure emissions and the risk to the community from that entire facility.

They are still unsure on the timeline of the workgroup because they would like to see who comes to the table and how big of a table they set for themselves first. However, they would like the workgroup to last months, rather than years.

Mr. Brenner announced that members should contact Mr. Childers if they are interested in joining the workgroup.

Bill Becker, National Association of Clean Air Agencies (NACAA), commented that it is a smart idea to develop a workgroup on this issue. If done right, this approach will lead to better health and welfare protection among other benefits. However, he urged caution in changing the way in which USEPA reviews policies and laws and protects public health under the CAA. He voiced caution in coordinating regulatory deadlines, and stated that if this is done improperly, some stakeholders could argue that it leads to less health and protection because it delays some regulations in order to implement all the changes at once. He also cautioned that if all of the regulations are lumped together, litigation on one standard could slow down or even stop all regulations.

Ms. Weeks suggested exploring the benefits of evaluating all of these programs. USEPA is good at evaluating how much things cost, but they are not always able to determine how many lives are saved. They need better mechanisms for evaluating the benefits. When thinking about the multi-pollutant, sector-based approach, they should look at how to evaluate the significant health and environmental benefits of reductions, and how to quantify reductions.

Mr. Brenner responded that USEPA has been focusing on figuring out what health effects they are avoiding with the regulations and how large the population is that has been able to avoid harm and risk. The Clean Air task force has been especially helpful in determining benefits.

Ms. Wiecks commented that from the point of view of many Midwest tribes, there is concern about mercury because it gets into the food chain through fish consumption. Therefore, there may be some situations where co-benefits and surrogate pollutants are not appropriate.

Ms. Gomez voiced her support for the multi-pollutant, sector-based approach, and encouraged USEPA's focus on this. Having participated in a number of subcommittees that have struggled with complex issues like this, she has noticed that one issue many subcommittees face is how to deal with ideas that go beyond the existing Act or charge. Ms. Gomez made a suggestion for the subcommittee to decide what the charge is and how to deal with ideas that are not consistent with the existing Act early on in the process. The subcommittee should make that decision clearly and document the decision so that time is not wasted rehashing this issue.

Ms. Gordon commented that the document is confusing and does not clarify whether the document is operating for an operational perspective or an administrative perspective. There are

also gaps in the current regulations, and this document does not clarify how to close the gaps when dealing with mobile and stationary sources. Coming from a public health perspective, it is important to determine whether you are dealing with risk or analyzing a health impact assessment.

Mr. Brenner responded that Ms. Gordon makes a good point, because of the way we approached the document in the discussion, taking pieces of the CAA and applying it to the multi-pollutant, sector-based approach, we did not separate out which pieces apply to whom.

Mr. Childers then led a presentation on the mobile sources technical review subcommittee. The subcommittee generally meets twice a year, once with the whole committee and once without, and the meetings run very similarly to CAAAC meetings. Some of the main meeting topics include the fuel economy labeling proposal, USEPA's notice of intent to set fuel economy standards for 2017 and later, the MOVES model for SIPs, as well as other issues of reporting and finance. Some possible ideas for future discussion include opportunities for vehicle mass reduction, a panel discussion on high emitters, with a highway vehicle focus, and the creation of a MOVES model review workgroup. There are also a few personnel changes coming up; Liz Etchells of the Office of Transportation and Air Quality will be taking over for John Guy as Designated Federal Officer (DFO). We will post information regarding the other subcommittee members on the CAAAC website.

### **BACT Workgroup Update – Report Out and Vote on Report from BACT/GHG Update**

Mr. Harnett introduced the second report the committee was to vote on during the CAAAC meeting, which came out of the permits, NSR, and toxics subcommittee. He explained that Mr. Svenson would do a presentation, and then they would move into a discussion of the report, and finally vote on whether to move it to USEPA.

Mr. MacLeod, Environmental Defense Fund, opened the discussion by complimenting the workgroup as one of the liveliest and most intense he has ever been a part of. He gave special thanks to his co-chairs Mr. Svenson and Mr. Harnett, as well as Pam Campos, for doing a tremendous job on the EEPT part of the subcommittee's report. On the second part of the report, inherently innovative technology, he thanked Ms. Weeks and Shannon Broom for pulling a great deal of the weight. He was very happy the Assistant Administrator charged them with looking into energy efficiency, because during Phase 1 it became very clear that this would be a major control strategy. He was thrilled the group was able to look into how to promote and accomplish energy efficiency and the BACT process. On the inherently efficient and lower emitting processes side, he commented that it was critical for USEPA to put out very clear guidance to ensure people know what the rules were from every level of the permitting process. A continuing dialogue between members of the regulating community, shareholders, and permitting authorities is going to be important to the future of the process. He then turned the presentation over to Mr. Svenson.

Mr. Svenson thanked Mr. MacLeod and spoke of how glad he was to co-chair the subcommittee through both phases. He gave additional thanks to Jeff Muffat and John Paul, as well as to the support of USEPA's staff and Raj Rao.

Ms. McCarthy tasked them with a charter, which was to figure out how BACT can be used to encourage energy-efficient processes and technologies (EEPTs), and how the development of innovative industrial technology measures and the promotion of inherently efficient low-emitting processes and practices for GHGs can be encouraged. The second part of this looked at how the Innovative Control Technology (ICT) waiver could be used or changed to better promote technology development and application. He said that 99 percent of the committee's focus was placed on the ICT aspect of this question. Over a three month period, the subcommittee had 24 conference calls, each about two hours in length, and three face-to-face meetings.

For the EEPT charge, they spent a lot of time talking about GHGs and if they were uniquely different than other criteria pollutants. He directed everyone to Page 2 of the report and read aloud about the diverging views on the subject. Some members held the view that PSD and top-down BACT had been effective in the past in achieving meaningful air quality and public health benefits as well as in promoting technology innovation that result in reductions. These members felt that PSD and top-down BACT will be useful in promoting EEPT. Other workgroup members argued that the PSD program inhibits and discourages projects that in the near term could thoroughly reduce GHG emissions. The workgroup then set aside these differences of opinions and focused on how EEPTs could be applied within the BACT framework, and what the implications of that would be. The members who argued against PSD and top-down BACT did not want their involvement in the later discussions to be construed as an endorsement, rather that they thought these issues were important to look into.

Mr. Svenson reminded committee members of the steps involved in top-down BACT and then explained how they looked at applying EEPTs to this approach. They divided the process into two areas: how EEPTs applied to new emissions units at an existing facility, and how EEPTs looked in modification to an existing unit, replacement units, or a greenfield facility. The first step was looking to see if there is any applicable benchmark information that may be useful during the initial stages of the GHG permitting process. Examples of benchmark information can be found in Appendix 3 of the report, but finding applicable sections can be tricky.

The next part of the process had to do with scope. There was a lot of debate over what was included during Phase 1 of the report process, and the committee was unable to find any closure so they turned the question over to USEPA for guidance. Before receiving guidance from USEPA, they looked at the equipment, facility, and production level when discussing the policy implications of top-down energy efficiency analyses. They examined when might each level of analysis be appropriate, and concluded that a facility-wide scope applied for the greenfield new source units. There was a difference of opinion between members when it came to new and replacement units, however, and Mr. Svenson summarized these opinions on his presentation slides. The next question they asked was whether or not the appropriate level of analysis was the same for all industries; the different views of the committee can be found on Page 10 of the report. One thing the committee did agree upon was that there is an incentive to the applicant to look beyond the emissions unit if they could net out from PSD applicability. He explained this as



a desire to look across the entire facility to come up with a netting approach. However, once the control application is determined for an EEPT, that energy efficiency may degrade over time unless there is some sort of intervention, so maintenance and production level controls become important. USEPA has put together some information about quantifying GHG emissions reductions when facilities improve their technology, but a precise value may be more difficult to determine. The overall recommendations were that USEPA should provide guidance on how to apply EEPT within the framework of top-down BACT based on what the committee discussed. Further, they are encouraging USEPA to provide guidance to permitting authorities and permit-seeking entities as soon as possible. They recommend that EEPTs and relevant benchmarking data be included in the GHG mitigation database.

For the second portion of the report, most of the workgroup's effort was spent focusing on the ICT waiver which exists in the current PSD program regulations. They discussed the statutory authority for the waiver as well as regulatory provisions that USEPA already has in place. He reviewed the PSD BACT waiver and the experience with the BACT Waiver Provisions to Date, using the *Kamine* Memorandum, the New Jersey Logan Generating, and proposed changes in the 1996 NSR reform package as examples. The workgroup agreed that there are issues with the waiver including the very limited availability of the waiver for a given technology and application under current USEPA policy. Also, the time frame within which the owner/operator has to meet the BACT limit under any waiver is discouraging. Finally, the degree of risk borne by the applicant relying on a new or innovative technology to achieve an emissions limit, should the technology fail and an entirely different control technology be required, is a huge deterrent in seeking a waiver. The committee recommends that USEPA encourage use of ICTs for GHGs authorizing waivers for innovative technological systems of continuous emission reduction. In order to achieve this, USEPA should disavow its policy set out in the *Kamine* Memorandum, should formally and publicly state its views about the availability of the waiver, and should reevaluate the appropriate maximum waiver length. This would encourage innovation in technology for individual entities.

He summarized that the overarching finding of the group was to encourage USEPA to commit to working expeditiously with permitting authorities that wish to issue permits, including BACT limits, based on new or innovative technologies (using the waiver provisions as needed). Also, USEPA should take steps to foster information sharing regarding cases in which permitting authorities use the flexibility under existing law to encourage new and innovative technologies.

Mr. Paul, Regional Air Pollution Control Agency, wanted to show some of the flavor of what the discussions were like within the workgroup. He provided the state and local perspective of the process and what they are looking for. Basically, he said that they are going to be issuing PSD permits possibly January 2, 2011. If the Agency could not provide guidance by that point, it does not change their obligation to issue these permits. The most important thing is to have a clear process and to convey this to their membership. Secondly, it is important that members document the process and the reason why they made the decisions they did in order to follow it. The potential for innovation is greatest right now, because people can achieve BACT and then try to implement innovative technology on top of that. He concluded by saying that most of the useful guidance was identified in Phase 1, and that Phase 2 brought the group to many of the same points. He is confident that going forward the permitting will be done correctly, and that USEPA will be right beside them the whole way.

Mr. Svenson encouraged Mr. Paul to share the guidance he had put together with other members.

Ms. Weeks said that the task of the workgroup really boiled down to purpose and how to encourage innovation. Encouraging people to take the next step and move towards deeper reductions is the goal, and how to accomplish this is important. They looked at whether the Agency's current model for encouraging people could use tweaking or if it was adequate in its goal. She thanked the members of the workgroup and encouraged the CAAAC to move the report forward.

Mr. Neal began by urging the CAAAC to adopt the report as written; it truly reflects the diversity of opinion in the room. He spoke on behalf of a company that is to be affected by the rule, and urged USEPA to take caution with how deep they get involved with energy efficiency to drive the BACT process.

Ms. Davis raised the topic of benchmarks, as there are different kinds of benchmarks included in the report. She explained that these could help inform the development of top-down BACT. Since not all technology answers are within reach, different benchmarks reflect what levels of efficiency have been done at existing facilities.

Kelley Green, Texas Cotton Ginners Association, wanted to know, if this report is approved by the CAAAC, how it would be merged with USEPA's GHG document that is already in existence at OMB.

Anna Marie Wood, Director of the Air Quality Policy Division at USEPA, responded that her division is responsible for the guidance. She said the work product that has been developed is extremely helpful. They have been actively engaged in both phases of the workgroup and feel well-informed about the effort that has gone into the process. Once the committee decides to send the report forward to USEPA, the policy division will review it and then properly include it into the final document.

Mr. Childers said that the next step in the process was to see if everyone was comfortable turning the report over to USEPA. He reminded the CAAAC that the report was a product of 25 phone calls and three face-to-face meetings, and asked that members say "I" if they are comfortable with the report and to turn their cards to the side if they were opposed. Seeing no turned cards, he declared the report to be unanimously moved.

Next, Ms. Wood provided the committee with an overview of the status of the GHG PSD permitting guidance. OMB is undergoing an interagency review of permitting guidance. The integrated review is expected to be released in the near future, and USEPA will provide an opportunity for public comment on the guidance. While USEPA will not respond to comments, there will be specific attention paid to comments pertaining to calculation and/or technical errors. The goal is to ensure that the guidance will address the specific concerns that have been raised. USEPA will continue to monitor the guidance implementation into 2011 and provide clarifications and supplementation as needed. USEPA will then assess whether additional guidance or clarification will be necessary after an assessment of the implementation experience.

One piece of the broader strategy is to ensure that states have the resources they need to conduct permitting by 2011. USEPA will create a GHG permitting website for technical polity and information resources. The Office of Research and Development will create a GHG mitigation strategies database that will include performance and cost data on current and developing GHG control measures. The website will also contain RACT/BACT/LAER Clearinghouse enhancements. These enhancements will include new GHG control and test data, links to state permits, and a GHG message board. The next piece of the strategy will be to provide as much information as possible on GHG control measures by issuing technical white papers. These will summarize technical information on sector-specific control options for each of the following sectors: EGU, cement, refineries, iron and steel, pulp and paper, industrial boilers, and nitric acid plants. Recently there was an internal launch of a USEPA permitting action team, which will work with states as the permitting process moves forward to set up time framing and guidance. It is important to note that many of these tools discussed came from recommendations from the workgroup. It is a good start, and we hope that the workgroup members will see their valuable contributions to the report.

Ms. Gomez commented that it was good to see additional detail given for the guidance process and that comments were being taken under advisement. Although it is not law, it is treated as law and therefore it was important that multiple stakeholders are consulted for the white papers. She also questioned whether there will there be a comment period.

Ms. Wood responded that there would not be a comment period for the white papers because it only contains technical material, no policy.

Ms. Gomez requested clarification that it will not take a position on whether a particular approach is feasible.

Ms. Wood responded that Ms. Gomez was correct, that it will not take a position on whether a particular approach is feasible.

Mr. Feldman asked if Ms. Wood could comment on how this guidance differs from the traditional BACT.

Ms. Wood explained that one of the recommendations in the Phase 1 reports stated that BACT works well for GHGs, and USEPA has taken that into careful consideration when drafting the guidance.

Mr. Neal asked if the guidance will include netting, as it is an important part of GHG regulation.

Ms. Wood stated that she cannot speak to the content of the document, as it is still undergoing an interagency review. She also stated that the white papers are technologically focused. The language included in the papers is a snapshot in time and should not be taken as the final word on the subject. Additionally, if there is not language stating the process by which it will be updated, then there should be.

Mr. Paul had a question regarding what the permits will look like and how energy efficiency will be placed in the permit and compliance monitoring. If there are any permits that have been issued, it will be suggested as a topic of an upcoming subcommittee.

Ms. Wood thanked Mr. Paul for his suggestion, and said that issue will be looked into further.

Mr. Becker observed that very few times in the history of the Agency has USEPA spent effort in helping these types of transitions. He predicted that come January 3, 2011, there will be a relatively seamless implementation of the program. There is usually a fair amount of angst with these types of programs, but the difference with other programs is that there was no guidance, or the type of assistance the Agency is currently providing.

### **Clean Air Excellence Awards Program Update**

Mr. Childers began by saying that these awards have a legacy of ten years of excellence. Since the year 2000, 152 outstanding organizations and efforts have been awarded through the Clean Air Excellence Awards Program. These awards are handed out for excellence in five categories: clean air technology, for both implementation and creation; community action, recognizing communities working together; education and outreach, to help increase communication and understanding within communities of environmental problems; regulatory and policy innovations; and transportation efficiency innovations, which often times overlaps with education and outreach.

It is encouraged that if CAAAC members see an interesting project taking place, that they encourage the people involved to apply for the award. There are two special awards worth mentioning, the Thomas W. Zosel Outstanding Individual Achievement Award and the Gregg Cooke Visionary Program Award. The latter is for those who did not necessarily stand out in one of the five categories, but who did show incredible accomplishment throughout the categories. Both awards are important and are presented only when an outstanding project presents itself.

Applications for the awards were due August 13, 2010. It is likely 75 applications will be submitted and somewhere around 12 to 15 will be winners. Winners will be determined by the Office of Enforcement and Compliance, with Ms. McCarthy making the final decision. The awards will be presented at the May 2011 conference. It is asked that CAAAC member attendance increase for the awards ceremony to show support for the winners and increase interaction between the awardees and CAAAC members. Mr. Childers asked if there were any suggestions on how to boost CAAAC member attendance, or if it would be easier to have the award ceremony during the lunch hour of the fall meeting.

Ms. Kindberg asked how the applicants are solicited.

Mr. Childers answered that they are solicited through mailing lists, press releases, searching for innovation, notices on the Federal Register, and through CAAAC members.

Mr. Paul commented that these awards are gratifying and informative.

Ms. Gomez suggested that there are two aspects that need to be strategized: first, outreach to capture the right group of awardees, and second, to increase attendance at the award ceremony. In order to gain a consensus on how to increase participation, perhaps it would be worthwhile to send a survey to committee members to see what time of day will work best. It may also be worth attempting to attract members of congress or NGOs from the area who may have an interest in attending.

Mr. Green asked if the luncheon would be in addition to an evening ceremony or in place of it.

Mr. Childers responded that it would be in lieu of the evening ceremony, and would be a part of the meeting. This is merely an alternative, what must be examined is if it honors the winners in the appropriate way.

Mr. Green commented on the importance of the award and suggested it would be a shame for the committee to decrease the quality of the award by skimming back on the ceremony.

Ms. Giblin suggested it would help if there were a letter, note, or invitation that committee members could distribute to those who may be likely or want to attend. Increasing the attendance at these events would also provide a wonderful networking opportunity.

Ms. Watson agreed with Mr. Green that it would be a shame to see the time awardees have to discuss their project be decreased. The reception and display tables at the ceremony also provide an excellent opportunity for networking and outreach. It is an excellent suggestion to invite dignitaries to the events.

Mr. Becker suggested that the Clean Air Excellence Awards should be mentioned, or easily found on USEPA's Clean Air website. There should also be easily accessible information about the awards as a means of increasing the exposure and applicant pool. He questioned whether it would be possible to encourage the Administrator to attend the event. The more support USEPA attaches to this event, the better received it will be throughout the country.

Mr. Childers stated that the award's event is listed on the CAAAC website, but it may be possible to also list it on the Air website as well.

Ms. Gordon asked if the CARE recipients were listed on the website and suggested that community participatory groups and the American Association of Public Health-type groups be solicited.

Mr. Childers stressed that an increase in suggested applicants is necessary. The award ceremonies provide a good venue to introduce people working in the same field, who would not have necessarily met.

Mr. Childers then opened the floor for comments from the public. No questions were asked.

## **Future Topics and Upcoming Meeting Plans**

Mr. Childers asked that anyone interested in participating in the workgroup for mobile source information technologies, please send him an email. The group will be in need of technical or public policy knowledge. The size of the group has yet to be determined, but will most likely remain small. There will also be a vote on the mobile model, MOVES. The recommendations that emerge from the workgroup will be moved forward to USEPA.

On Friday or Monday morning, Mr. Childers will send the report on voluntary partnership and community-based programs. Committee members should read the sections that have been changed or modified, especially language involving community and tribal concerns. Committee members should ensure that all concerns raised are addressed in the updated draft, after which the draft will be sent to Ms. McCarthy. Committee members should always feel free to submit potential new topics.

Mr. Becker stressed the importance that the committee takes advantage of the individual members' talents and backgrounds when addressing topics. There are some controversial topics that could and possibly should be raised. For example, the issue regarding industrial boilers that could potentially cause 10,000 people to lose their jobs could be a potential topic. It is controversial because the decision had to be made between jobs and toxins in the community. It is rare to have a venue like this and not use it to discuss the more controversial topics. Another suggestion would be to cover topics like GHG permitting. It would be interesting to hear stories from sources who have attempted to attain a permit from a permitting authority. They could present at the committee meetings and educate us on what the process is like. The committee could make additional effort and time to engage in these efforts. Covering controversial topics may prove to be a bit more difficult, but the benefits have the potential of being quite large.

Mr. Childers stated that the limitations of the committee's ability and time must be taken into consideration. If an issue arises before a meeting, it should be moved to the following meeting's agenda.

Mr. Becker suggested that whether it is made into an official recommendation to USEPA or not, the discussion of these topics could still prove useful.

Mr. Childers agreed that the educational aspect has always been part of the objectives of this committee; to relate what was learned during the meetings to committee member organizations and communities. The advisory committee is advisory, however, and there is a need to give formal results to the administration.

Mr. Paul agreed with Mr. Becker that there could be a lot of beneficial results from engaging in discussions of the modeling of attainment or non-attainment. These are large issues, and should be discussed by the committee to highlight what the different opinions on these issues are.

Mr. Childers agreed with Mr. Paul. He also added that it would be beneficial to cover these topics when Ms. McCarthy is at the table.

Ms. Giblin suggested that netting would be a good issue to discuss. There is a lot of curiosity about the ground rules for netting GHGs. Another smaller point for new members: all presentations are sent electronically and must be received prior to the meeting.

Mr. Childers stated that ideally they would be sent a week early. He also suggested a public health discussion could also be interesting and worked into the agenda.

Ms. Gordon made the suggestion that if these discussions will begin to happen, it would be nice to see them attached to something like a pilot program or new regulation. We should be building on a relevant subject.

Mr. Childers agreed with Ms. Gordon. The new members came on the tail end of this point, but we will be sure the discussions will build upon a relevant issue. Please submit the topics you wish to discuss, and we will work them into the agenda.

Ms. Davis agreed with the additional topics added.

Mr. Childers reminded the committee members that the next meeting will be held at this same location from January 11-12, 2011. The following meeting will be held in the first or second week of May.

Ms. Giblin asked whether the committee will have a field trip meeting in May.

Mr. Childers responded that unless there is a compelling reason, we will not go on the road. This is primarily due to costs of field trip meetings.

Mr. Feldman suggested it would be helpful if the dates for the next year of meetings were planned out in advance for individual scheduling purposes.

Mr. Childers answered that generally, the meetings will occur on the second Tuesday or Thursday of those two months. In May the committee tries to meet when the mobile source subcommittee meets.

Mr. Childers congratulated the members on a job well done, especially for new members. If there are any additional questions or comments, feel free to email him.

The meeting was adjourned.

**Clean Air Act Advisory Committee  
 October 6, 2010  
 Crowne Plaza Washington National Airport Hotel  
 Arlington, VA**

**List of Attendees**

Bill Becker	National Association of Clean Air Agencies (NACAA)
Robert Brenner	United States Environmental Protection Agency (USEPA)
Pat Childers	USEPA
Chuck Collett	National Association of Home Builders (NAHB)
Stacey Davis	Center for Clean Air Policy
Howard Feldman	American Petroleum Institute
Carey Fitzmaurice	USEPA
David C. Foerter	Institute of Clean Air Companies (ICAC)
Pam Giblin	Baker Botts
Jack Goldman	Hearth, Patio, and Barbeque Association
Lisa Gomez	San Diego Gas and Electric
Margaret Gordon	West Oakland Environmental Indicators Project
Kelley Green	Texas Cotton Ginners Association
Bill Harnett	USEPA
Vince Hellwig	Michigan Department of Natural Resources and Environment
Steve Hensley	USA Rice Federation
Jim Hunter	International Brotherhood of Electrical Workers
Dan Johnson	WESTAR
Robert Kaufman	Koch Industry
Lee Kindberg	Maersk Incorporated
Jerry Kurtzweg	USEPA
Tim Larson	Ross & Associates
Mark MacLeod	Environmental Defense Fund (EDF)
Gina McCarthy	USEPA
Brian McLean	USEPA
Don Neal	Calpine Corporation
Janice Nolen	American Lung Association
Ashlea Page	USEPA



Steven Page	USEPA
John Paul	Regional Air Pollution Control Agency
Raj Rao	USEPA
Nicky Sheats	Center for the Urban Environment at the John S. Watson Institute for Public Policy
Julie Simpson	Nez Perce Tribe
Syndi Smallwood	Pechanga Band of Luiseno Indians
Eric Svenson	PSEG
Eddie Terrill	Oklahoma DEQ
Peter Tsirigotis	USEPA
Mary Turner	Chrysler LLC
Jason Walker	Northwestern Band of Shoshone Nation
Kathryn Watson	Improving Kids Environment
Ann Weeks	Clean Air Task Force
Joy Wiecks	Fond du Lac Reservation
Anna Marie Wood	USEPA