

**Clean Air Act Advisory Committee Meeting
Mayflower Hotel, Washington, DC
March 24, 2003**

Summary of Meeting Minutes

Introduction and Opening Remarks – Assistant Administrator, Jeff Holmstead

Jeff Holmstead, EPA/OAR, began the meeting by thanking everyone involved in helping to put the Clean Air Excellence Awards ceremony together, especially Pat Childers, EPA/OAR.

Mr. Holmstead reviewed major personnel developments since the last CAAAC meeting. In addition to personnel developments, Mr. Holmstead said that there have been several new regulatory developments since the last CAAAC meeting. These regulatory developments include the Interstate Air Quality Rule (IAQR); two mercury proposals, MACT and a Cap and Trade Program; and the completion of the final four MACT standards. By April 15th, the EPA will make the final designation of areas in the U.S. that are in non-attainment of the eight hour ozone standard and will also submit a response to the court decision concerning the Regional Haze Regulations and the Best Available Retrofit Technology (BART) Guidelines. He also mentioned that under the President's 2005 budget, the EPA/OAR will receive 65 million dollars to fund the retrofitting of diesel school buses.

Mr. Holmstead also reviewed non regulatory developments including two of the topics on the agenda, the National Academy of Sciences Report and the SmartWay Transport Initiative. Other non regulatory developments include rolling out the Tier II standards and public outreach during Radon Action Month. In addition, the EPA continues to work on a number of voluntary climate programs, such as, Climate Leaders, Energy Star, and the Landfill Methane Outreach Program.

Presentation and Discussion of Recent NAS Report on Air Quality Management Strategies – NAS, Rob Brenner, Michael Bradley and Daniel Greenbaum

Rob Brenner, EPA/OAR, introduced Dan Greenbaum and Michael Bradley, the presenters for the NAS report.

Dan Greenbaum, Health Effects Institute/NAS, provided an overview of the NAS report process and results. The NAS committee was set up out of language in Congress with the support of EPA to step back and take a look at large at the Clean Air Act, how its been implemented, what the scientific and technical foundation of that has been and what could be done better.

The committee was broad in its disciplinary background, and was comprised of atmospheric chemists, health scientists, toxicologists, and a number of people with hands on experience implementing the Act either at the state or the federal level. The committee met for 10 meetings over two years and asked stakeholders and scientists in different regions what worked and what

did not work.

The report put forward recommendations to implement the Clean Air Act. The committee decided that the Clean Air Act Advisory Committee would be the panel that assists EPA with the implementation of the recommendations. The committee made it very clear that nothing that is being done to implement the Clean Air Act currently should stop while these recommendations are going on.

The NAS committee thought that science and technology would play a tremendous role in the Clean Air Act. The NAS report identified a number of areas where implementation of the Clean Air Act has been limited. Some of these areas include quantitative measurement, risk based analysis, ecological risk, environmental justice, a single pollutant system, a bureaucratic planning process, regional transport of pollutants, and air quality in the face of a changing climate. The committee identified a series of challenges ahead based on the areas for improvement and then identified some long term objectives and a series of specific recommendations.

The objectives the committee laid out are (1) to identify and assess the most significant exposures risks and uncertainties, (2) to take an integrated multi-pollutant approach in dealing with these, (3) to increasingly move to an air shed based approach, and (4) to emphasize results over process.

Michael Bradley, M.J. Bradley & Associates/NAS, went over the changes recommended by the committee. These changes were:

- Strengthen scientific and technical capacity
- Expand national and multi-state control strategies
- Transform the SIP process
- Develop integrated program for criteria and hazardous air pollutants
- Enhance protection of ecosystems and other public welfare

Strengthen scientific and technical capacity

Air quality monitoring program in the United States is one of the best in the world although there are places to improve in air toxics and urban environments. Tracking and implementation costs are an area for improvement especially for regional, state, and local programs. Federal, state, and local agencies need to receive the resources that allow them to keep making implementations.

Expand national and multi-state control programs

The committee was encouraged by the progress of national and multi-state control programs. Stretching technology goals has worked well in the air quality world for stationary and mobile sources and policy makers should continue to set standards that push technology. Market based

approaches, cap and trade programs have worked well and the committee embraced using those approaches more in the future, including programs that capture more sources. The committee mentioned the need to address the multi-state transport issue.

Transform the SIP process

EPA has made good progress with the NO_x SIP call, and the IAQR rule is another step in that direction. The committee believed that it was time to implement a multi-pollutant program that would integrate ozone, PM 2.5 and other pollutants. Hot spots and environmental justice are themes that need to be more adequately addressed in the SIP planning process. Transportation conformity has a dramatic impact on every area of the country that has tried to achieve various air quality goals.

Develop an integrated program for criteria and hazardous air pollutants

In the standard setting process there is a need to consider multi-pollutant exposures and look at the residual risk issue now that the MACT standard process is almost complete. Residual risk is in need of enhancement and additional scientific underpinning.

Enhance protection of ecosystems and public welfare

This is an area where EPA has quite a bit of authority and has the ability to set secondary standards. It has the ability to put strategies in place to deal with ecosystem exposures that are of concern. This is clearly an area that has been somewhat left behind.

This committee can be harnessed to assist EPA in wrestling with these recommendations and deciding what it can do with its current authority and what needs to be teed up for congressional consideration in the future. Another point that the committee saw over and over is the important relationship that continually needs to be fostered and supported between the federal government, EPA, and state and local agencies. That is key to success in the future.

Rob Brenner moderated a discussion from the Clean Air Act Advisory Committee members and the presenters, Dan Greenbaum and Michael Bradley.

The committee discussed several issues:

- multi-media/cross-media approaches to air quality management
- compliance and accountability issues
- the relationship between the national energy policy and the national air quality policy
- cost effective implementation
- risk based approaches to implementation and prioritizing risk
- the utility of the SIP planning process
- transportation planning and air quality

- continuous monitoring
- sector specific programs
- demand side strategies to improve air quality
- federal, state, and local roles

Presentation and Discussion of the Interstate Air Quality Rule – Peter Tsirigotis, Lydia Wegman, OAQPS, Sam Napolitano, OAP

Peter Tsirigotis, OAQPS, began the presentation by saying that the main goal of the IAQR is to help states, especially the eastern states to meet the new standards for fine particles and ozone. The IAQR's geographic coverage is based on a "significant contribution" of state NO_x and SO₂ to non-attainment of the 8-hour ozone and PM_{2.5} standards in another state downwind. Another key feature of the IAQR is the annual SO₂ and NO_x emissions caps. In addition, the IAQR includes an optional cap and trade program and flexibility for states to choose how to achieve reductions, including which sources to control and whether to join the trading program.

Sam Napolitano, Office of Atmospheric Programs, continued the presentation by saying that this rule alone would bring 28 more counties into attainment of the PM_{2.5} standard and 8 more counties into attainment of the ozone standard by 2015. He added that the rule will result in 82.4 billion dollars in health benefits in 2015, 1.4 billion dollars in visibility benefits in the Southeastern National Parks and Forests in 2015, and many other environmental benefits that cannot be quantified. He said that the benefits from this rule far exceed the costs with twenty-two dollars of benefits for every dollar of costs.

Questions and Comments-

Bill Auberle, Northern Arizona University, asked Mr. Napolitano if the data on the slide "Economic Growth Will Continue" is national or regional data.

Mr. Napolitano said that the reductions in emissions seen on the slide are regional reductions, but they are not that much different from what the national reductions would be around years 2010 or 2018. The GDP is representative of the whole economy.

Bill Becker, STAPPA/ALAPCO, said that it is laudable that the EPA is pursuing significant emissions reductions in the absence of federal legislation. He then asked if OAQPS and the Office of Atmospheric Programs have looked at the final compliance deadline of 2015 for utilities and compared that to the attainment deadlines that the CAA and federal regulatory proposals impose on states and localities, especially those before 2015. He also asked if OAQPS and the Office of Atmospheric Programs have looked at what additional emissions reductions they could have achieved and whether making these additional reductions would be more cost effective than making reductions using the less cost effective, SIP Process, after the rule becomes effective.

In response to Mr. Becker's first question, Lydia Wegman, EPA/OAQPS, said that while developing the compliance dates, OAQPS and the Office of Atmospheric Programs have been mindful of the attainment dates for ozone and fine particles in different areas and also of what is feasible. She said that the emissions reductions that will be achieved through 2010 because of this rule will help areas to reach their attainment dates.

In response to Mr. Becker's second question, Bill Harnett, EPA/OAQPS, said that they did not look at what it will take beyond the IAQR for areas to achieve attainment. He said they have received several comments on this, so they may look at the issue before the Final Rule is completed. He noted that they did look at whether local measures alone could result in attainment and found that they could not. This justified the development of a transport type rule.

In response to Ms. Wegman's comment about feasibility, Ken Colburn, Northeast States for Coordinated Air Use Management, said that anything is feasible, but it is a matter of cost. He said that, presumably, OAQPS and the Office of Atmospheric Programs looked at how setting the compliance date earlier would erode the billions of dollars of benefits and were able to find a compliance date at which the benefits sustained themselves. He expressed an interest in having that type of analysis shared with the committee in the future. He agreed with Mr. Becker that the EPA's work on this rule has been laudable. He added that the Northeastern states feel that this rule is superior to Clear Skies, which has problems associated with it, such as abrogation of states' rights and elimination of Mercury MACT. He said Northeast States for Coordinated Air Use Management will be submitting comments on the rule. An example of a concern that they will be including in their comments is the potential excessive use of NO_x credits during certain seasons.

Lisa Gomez, Sempra Energy, also applauded the EPA on its efforts to address emissions transport. She said that Sempra Energy prefers legislation to regulation and are happy to hear that the EPA will continue to support work on multi-pollutant legislation. She expressed concern that the SO₂ allowance early retirement methodology will disfavor new units and units not currently subject to Title IV. Ms. Gomez asked EPA to address this issue through an allowance set aside or something similar. She also noted that the rule defines electric generating units more broadly than in Title IV. She asked that EPA exempt from the rule and its continuous monitoring requirements those units that are exempt from Title IV and its continuous monitoring requirements. She stressed that Sempra Energy is strongly in favor of cap and trade programs and that they are concerned that states may opt out of trading. Ms. Gomez asked if EPA analyzed how the cost/benefit ratio would change if some states opted out of trading and if so what they found.

Mr. Napolitano said that several of the issues Ms. Gomez raised have also been raised by others and that the EPA is looking into those issues. He said that the cost/benefit model assumed that all states opted into the cap and trade program. He said that they have not yet modeled the effect states opting out of trading would have on the cost/benefit. However, he said that in similar modeling done for the NO_x SIP Call there was little effect seen from states opting out as long as

there was a fairly good sized market. He said that since the NOx SIP call has been in effect, all states have in fact opted into trading.

Ms. Wegman asked Ms. Gomez if she has any reason to believe states would not opt into trading under this rule.

Ms. Gomez said that Sempra Energy has no reason to believe that states will not opt into the trading program as they have with the NOx SIP Call. However they were curious about what effect there would be to this rule and to the market if states decided to opt out.

Jason Grumet, National Commission on Energy Policy, said that in light of the political climate, the EPA's work on this rule has been courageous and well directed. He asked how Oklahoma would be differentiated from 90% of its borders that are contained in the program.

Mr. Tsigotis explained that the EPA adopted a significance level of two parts per billion for ozone and 0.15 micrograms per cubic meter for particulate matter, which cause the map of the regions affected by the IAQR to look the way it does.

Mr. Harnett added that the EPA is aware that when cutoffs are necessary, lines end up being drawn which creates opposing incentives. He said the EPA is currently soliciting comments on this issue and whether the program should be broader.

Mr. Tsigotis said that the EPA is interested in comments on whether the area of plains and mountains to the west that are not covered by the rule, but have problems with regional haze should be somehow integrated into the rule. This area is currently not covered by the rule because it does not contribute to major non-attainment problems in the east according to the significance criteria.

Chuck Mueller, Texas Commission on Environmental Quality, said he would like to emphasize the importance of reconciling the SIP attainment dates and this rule. He said he believes that the Texas Commission on Environmental Quality will lose face if they have to revisit the ideas, such as banning construction in the morning or lowering speed limits because they weren't able to take full advantage of this program. He urged EPA to figure out a way for states to incorporate these benefits before they have to determine what else is necessary locally to meet the attainment dates.

In response to Mr. Mueller's comments, Ms. Wegman said that the EPA wants to help states to incorporate the benefits as they do the modeling and figure out the boundary conditions. She said that one of the goals of developing this rule, in light of the absence of legislation, is to make sure that the states know what they can assume from this rule before the SIP planning begins.

Vickie Patton expressed appreciation for the steps the EPA has taken with this rule. She suggested that the EPA use some of the economic benefits from the Cap and Trade Program to

further help public health and the environment. She also asked that the EPA take a hard look at requiring deeper reductions. She said that Environmental Defense used the EPA's own methods to quantify the state by state benefits, emissions reductions, and health benefits of raising the cost effectiveness threshold for SO₂ to \$2000 per ton. She said the result was benefits to the environment and public health which were higher than those found by the EPA in their own cost effectiveness analysis. In reference to Mr. Mueller's comments, she said that the states need to get every ton of emissions savings they can from the EPA, so they will be able to meet the standards. In light of the states' needs and the large environmental and public health benefits, she recommended that at the next CAAAC meeting the EPA show their analysis of alternative threshold levels, such as the Environmental Defense's levels. She said this will allow there to be a more informed discussion of deeper reductions and their viability. She added that the Environmental Defense is eager to work with EPA to expand this program westward.

Ms. Wegman said that they will take Ms. Patton's idea of presenting the EPA's analysis of alternative threshold levels at the next CAAAC meeting into consideration.

Patrick Rahe, Hogan & Hartson, asked Mr. Napolitano if during his economic analysis when he said there may be "a fairly reasonable increase in the cost of natural gas" he was basing that on a cost analysis that takes into consideration the pressures on natural gas now and in the future or basing it on a projection into the future of what the pressures and their effects have been on natural gas in the past.

Mr. Napolitano said that the EPA was able to model what the price increases will be in the future as demand for natural gas increases. He said they also plugged this information into a Macro Economic model to see what the effect of this modest price increase would be in various sectors. The overall effect was very small and upstream in sectors, such as manufacturing, chemical industries, and petroleum refineries, there wasn't a problem. He quantified the modest price increase saying it was a 1.7% [to (tape inaudible)] 3% increase between now and 2020.

Mr. Rahe suggested that the EPA take into consideration that currently the chemical industries are having problems because the natural gas prices are going up. He said that what is currently happening now is not consistent with the future modest price increase that EPA predicted.

Mr. Napolitano said that the EPA also completed a sensitivity analysis using the Department of Energy's higher gas prices. He said because the program drives people towards greater coal fired generation and new units with advanced pollution control, at the outset natural gas prices are actually somewhat cheaper than the EPA currently predicts they will be.

Mr. Rahe said he thinks that a problem may arise, assuming that this rule will be able to be used by states in the same way they were able to use the mobile source rules, which demonstrated what the states can use and what they can plan on in the future. The problem may arise when a state has made a plan, but has not fully implemented it and then the attainment demonstrations

come to the forefront and that state is technically in non-attainment. He asked if within this rule the EPA is going to address how this issue will be handled.

Ms. Wegman responded that the EPA is giving thought to this issue and welcomes comments on it. She said that this issue will not be addressed in this rule, but will be addressed in the implementation rule and guidance. She added that statutory deadlines are fairly well fixed, but there is some flexibility for areas covered under Subpart I, which have five to ten years to achieve attainment. However, she said the statute clearly says that attainment has to occur as expeditiously as practicable. So, while the EPA wants the localities and states to take these reductions into account, they also want the states and localities to go ahead and take any reasonably available (defined by states and localities in conjunction with the EPA) measures to improve air quality.

Michael Bradley, M.J. Bradley Associates, Inc., said he is speaking on behalf of the Clean Energy Group and its member companies. He said the Clean Energy Group and its member companies applaud the EPA on its efforts and hope that they will be able to move expeditiously towards finalizing the IAQR. In reference to Ms. Gomez's comments, he asked that the EPA take a look at the inherent injustices in the SO₂ allocation process in order to account for sources that have been built since the CAA was amended in 1990. He asked that the EPA reconsider some sources that have had a more negative outcome in the allocation process. He went on to say that it would make sense for there to be some sort of set aside for the future to eliminate barriers against new state of the art coal generation. He said he thinks that the 2010 NO_x target is achievable and has heard no one bring this target into question. He said that everyone learned from the NO_x SIP Call how effectively the SCR and the electric utility industry can respond to achieve compliance. Mr. Bradley said that he has heard different parties bring into question whether the 2010 SO₂ target date can be achieved. He added that there is a SO₂ allowance market developed from early reductions achieved by industry, that is conveniently in place to assist with any potential compliance short comings in 2010. He said that there seems to be an explicit linkage between the IAQR timing and the proposed mercury cap timing. He asked if significantly changing the target date for SO₂ would impact what can be achieved under the proposed Mercury Cap and Trade Program.

Mr. Tsirigotis said that all of the calculations that were done for the mercury cap and trade approach were dependent on the IAQR, so whatever changes within the IAQR will change mercury as well.

Ms. Wegman thanked all members for their encouragement to the EPA. She said the EPA will be putting out a Supplemental Notice of Proposed Rulemaking, which will address the Cap and Trade Program for the IAQR. If the EPA decides to propose extending the area that is covered by the rule westward, this will also be included in the Supplemental Notice. She said that the goal is to have the Supplemental Notice signed no later than the end of April and published in early May with a 45 day comment period.

Presentation and Discussion of EPA's Smartway Program – Suzanne Rudzinski, OTAQ

Suzanne Rudzinski, EPA/OTAQ, began the presentation by saying that SmartWay Transport Partnership is a new and exciting program that creates a win-win scenario with both environmental and business benefits. She said that this voluntary partnership program was fully launched on February 9th, but that the EPA has been working for over a year with its fifteen charter partners to develop the program. The goal of the program is to improve the environmental performance of ground freight operations including both truck and rail, while increasing the truckers' bottom line.

The SmartWay Transport Partnership has three components: corporate partnerships, National Transportation Idle-Free Corridors, and rail/intermodal aspects. Ms. Rudzinski explained that corporate partnerships are the main component of the program thus far. The EPA has formed partnerships with 54 shippers and carriers in the United States and Canada who voluntarily agreed to increase their fuel efficiency and adopt fuel efficient technologies. Ms. Rudzinski said that in the future, the SmartWay program would like to expand into new areas, such as working with State Transportation Agencies.

Ms. Rudzinski said that any committee members that are interested in finding out more information on the SmartWay Transport Partnership can go to the website, www.epa.gov/smartway, or they can call (734) 214-4767.

Questions and Comments-

Jeff Muffat, 3M, asked how much a trucker's gas mileage would change if they implemented the single tire change combined with the aerodynamic change.

Ms. Rudzinski said that the use of the single tire would result in about three percent fuel efficiency. The use of a more aerodynamic truck would also result in about three percent fuel efficiency. She added that typically a trucker will not make a change unless it has an immediate or no more than a two year pay off.

Mr. Muffat asked if Ms. Rudzinski had real numbers for the change. He asked if it would be almost a mile to every gallon.

Ms. Rudzinski said that Mr. Muffat's estimate of a mile to every gallon was correct. She added that CO₂ emissions are directly related to fuel efficiency, so any little improvement helps.

Michael Wright, United Steelworkers of America, asked if the SmartWay Transport Partnership has worked with any of the tire companies to supply the single wide tires or to work on the automatic tire inflation systems.

Ms. Rudzinski answered that the SmartWay Transport Partnership currently is partnered with Michelin and Bridgestone/Firestone. She said these two companies are interested in working

with the SmartWay Transport Partnership in the future on some of the technologies, but currently the two tire companies have joined to work on their own fleet performance.

In response to Mr. Muffat's question, Richard Ayers, Ayers Law Group, said that he gets six and a half miles to the gallon for an 80,000 pound load for his CDL and freightliner, so the savings could be calculated from these numbers.

Robert Avant, Texas Food & Fibers Commission, asked if the EPA or IdleAire Technologies has met resistance from the truck stop industry because their program/technologies will cut into the truck stop's fuel sales.

Ms. Rudzinski said that in the beginning, the truck stop operators usually had to foot the cost for electrification, which was a problem. She said that IdleAire Technologies has overcome this hurdle by taking on the cost of the infrastructure and by arranging a profit sharing agreement with the truck stops. She added that the truck stops have actually found that their sales inside the truck stop have increased after IdleAire has installed electrification. The increased inside store sales and the revenue generated from the profit sharing with IdleAire have seemed to balance out the revenue that the truck stops lost from fuel sales.

Ben Henneke, Clean Air Action Corporation, said that he knows one of the partners that went through the decision-making process of whether to join the SmartWay Transport Partnership. He said that this partner had a hard time determining what was in it for them at first. He added that throughout their decision-making process there was a lot of back and forth interaction between the SmartWay Transport Partnership and this company to help them see why the partnership was advantageous for them. Mr. Henneke said he wanted to congratulate the SmartWay Transport Partnership for all of this behind the scenes work.

Ms. Rudzinski said that the trucking companies themselves have become great promoters of the program.

Discussion of Early Action Compacts and Rapid Response Team – Ben Henneke, Co-Chair, Economic Incentives and Regulatory Innovation Subcommittee, Lydia Wegman, OAQPS, Suzanne Rudzinski, OTAQ

The Rapid Response Team is a group made up of people from EPA headquarters and regions. It is tasked with answering questions and making determinations on how to credit various clean air actions in the SIP planning process for the Early Action Compacts.

Ben Henneke, Clean Air Action Corporation, lead the presentation. States requested help from the Clean Air Act Advisory Committee to provide answers to the new EACs or non-attainment areas quickly on a whole range of issues. The Rapid Response Team clarified the questions in such a way that the Agency could answer them, and then provided quality assurance of the

answers coming back from the Agency.

The Early Action Compact cities have been successful. These areas have become much more educated about health issues, and the implications of non-attainment for economic development. They are more aware of where sources of air pollution are, their contributions, and modeling. They are also aware of state and local authority issues and state and national authority issues. They have looked at ways to clean up and at the grassroots level there is an enormous amount of frustration at how to solve the problem.

Results of the Rapid Response Team

States do not get SIP credit for the following activities:

- Fuel switching for stationary sources on ozone action days
- Capped sources through financial incentives on ozone action days
- Regional reductions from local mobile source programs such as I&M and voluntary fuel improvements
- Phase II of the NOx SIP Call.

States do get SIP credit for these activities:

- Diesel idling and electrification
- Low RVP fuels
- Energy efficiency projects that retire allowances

Other programs such as speed limit reduction, smart growth and energy efficiency projects required extensive modeling before they would count for reductions, so for all intents they would not happen.

There is a potential for large reductions in emissions from lowering speed limits. Currently, modeling does not calculate additional reductions from emissions that occur over 65 miles per hour. If these reductions were calculated, reductions in speed limits could be a very effective tool.

Next steps for EACs:

- EACs are to submit their plans by March 31st.
- Ozone non-attainment designations are April 15th.
- States will submit their SIPs December 31st.
- There is a reporting requirement for states May 31st.
- Regions will review the SIPs to determine if the EACs have demonstrated attainment.
- The environmental groups will then sue or not.
- In 2007, the monitors will demonstrate attainment or not.

A good resource for guidance documents for the Early Action Compacts is the EPA web site. http://www.epa.gov/ttn/naaqs/ozone/eac/index.htm#EAC_Main

EPA is planning to do an innovation conference later in the year in either late July or early August.

Subcommittee on Permits/Toxics and New Source Review – Bill Harnett, Co-Chair, OAQPS

Bill Harnett reported back on the NSR subcommittee meeting.

Mr. Harnett discussed EPA's on-going work with the western states organization WESTAR with increment consumption as it relates to PSD programs in National Parks and in attainment areas. There are a number of technical issues concerning the estimation of inventories back to 1975, estimating what was emitted on a 3 or 20-hour basis in 1975, as well as modeling increments and increment consumption. There are policy issues as well. When a state identifies a problem, it then only has 60 days to correct the problem. States are hoping EPA can modify policies to come up with a more reasonable timeframe. There was a request for a broader stakeholder group to be involved in these discussions, thus Mr. Harnett will return to the subcommittee with further updates at the June 2004 meeting. Potentially there may be a separate meeting to dedicate additional time to the western states issues.

Mr. Harnett described the task force being set up to look at implementation of Title V. EPA believes that it is appropriate to evaluate how well the program is working now that many permits have been issued. EPA wants to hear about experience with the Title V program from industry, state and local permitting programs, and from public interest groups. EPA will put out a Federal Register Notice to recruit members for the task force, the subcommittee has agreed on the charge and it will be circulated among the subcommittee members for additional comment. The subcommittee favors more inclusive rather than less inclusive meetings. There will be multiple full day meetings to hear from stakeholders about their experiences with the Title V program, specifics of what is working and not working. The task force then would seek to summarize and evaluate the information gathered at the meetings and potentially produced a final report containing the full range of problems and possible solutions.

Mr. Harnett discussed recent developments in the new source review arena. The Supreme Court came to a decision on the Alaska vs. EPA case, on whether EPA has the power to overrule a state's Best Available Control Technology (BACT) determination under certain circumstances. Other NSR items included NSR upcoming regulatory packages, litigation on two recently finalized rules, a status update on NSR enforcement, and how states are progressing on implementing adoption of the December 2002 rules, which are not stayed by the court, and are on a schedule for the states to take action by January 2006.

Mr. Harnett discussed the recently published Umbrella Monitoring Rule on Title V and monitoring requirements, moving to a slightly different monitoring structure. This was a final rule.

Mr. Harnett stated that EPA had received great input from representative stakeholders on the proposed Title V program evaluation. This input will lead to an effective Title V review process. There were numerous requests for meetings to be held in the western part of the country, and EPA will factor this into its meeting scheduling.

Subcommittee on Linking Energy, Land Use, Transportation and Air Quality, Bob Wyman, Co-Chair

Bob Wyman, Latham and Watkins, said there were three discussions covered at the subcommittee meeting. The first was a discussion about the NAS report. The second was a discussion about, over the next few months, developing an immersion workshop on Smart Growth issues to identify which areas would be best for the CAAAC to take a closer look at. Mr. Wyman added that when he has more details he will circulate an email to the full committee in case anyone is interested in attending the workshop. The third was a presentation by Dr. James Lents, Center for Sustainable Suburb Development, who is this year's Thomas W. Zosel Outstanding Individual Achievement Award winner. Mr. Wyman recommended asking future Zosel winners to present to the full CAAAC committee. Mr. Wyman said he will spend the rest of the time giving the CAAAC committee a sampling of the presentation about sustainable development that Dr. Lents gave to the subcommittee.

See attached presentation.

Questions and Comments

Rob Brenner, EPA/OAR, agreed with Mr. Wyman that it is a good idea to have the Zosel winner present to the full CAAAC committee and said they will plan on doing that in the future.