**Minutes**

86th Meeting of the Joint Advisory Committee for the Improvement of Air Quality in the

Ciudad Juárez, Chihuahua / El Paso, Texas / Doña Ana County, New Mexico Air Basin

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| **Hybrid Meeting:** June 15, 2023 | |
| JAC Members Attending (\*Alternate \*\* Not Present, virtual) | |
| U.S. | México |
| Guy Donaldson, US EPA | \*Biol. Gerardo Tarin/Dr. Marcos Delgado, SEMARNAT |
| \*Jesus Chavez, TCEQ (virtual) | \*Lili González, PROFEPA (virtual) |
| \*Michael Baca, NMED (virtual) | \*\*COESPRIS |
| \*\*Michael Kinney, City of Las Cruces | \*Melissa Zambrano, SDUE de Chihuahua (virtual) |
| Jason Sarate, City of El Paso | Brenda Nava, CANACINTRA Juárez |
| John Quinn, Freeport-McMoRan Copper and Gold | Lic. César Dίaz, Dirección de Ecología de Ciudad Juárez (virtual) |
| Larry Olsen, DrPH, Citizen | \*\*Ing. Alberto Nicolas López, IMIP |
| \*\*Alberto Correa, Capítulo Paso del Norte | Rene Franco, Franco y Asociados (virtual) |
| Dave DuBois, NMSU | Dra. Alba Yadira Corral, UACJ (virtual) |
| Wen-Whai Li, Ph.D., P.E., UTEP | Fernando Ortiz, NADB |
| \*\*Claudia Valles, El Paso MPO |  |
| Carlos A Rincón, US EPA - Liaison | Biól. Gerardo Tarín, SEMARNAT- Liaison |
| Eugenia (Gina) Posada, TCEQ - Liaison |  |

**Copresident Guy Donaldson** opened the meeting and introduced Biol. Gerardo Tarin representing Dr. Marcos Delgado of SEMARNAT. He welcomed everyone to the meeting and thanked the host at City of El Paso Environmental Services Department. He mentioned having a full agenda to make progress and fulfill the mission finding ways to improve air quality in this area.

**Gerardo Tarín** seating in for Dr. Marcos Delgado from SEMARNAT who represented Daniel López Vicuna who could not attend in person. Biol. Tarin welcomed and thanked everyone who participated in the meeting.

**Copresident Guy Donaldson** thanked Biol. Gerardo Tarin and introduced Commissioner Bobby Janecka of the Texas Commission on Environmental Quality.

**Welcoming remarks by Commissioner Bobby Janecka of TCEQ.**

Commissioner Janecka joined the meeting virtually. He welcomed the JAC members and the public to the City of El Paso, and all those joining virtually. He mentioned the agenda reflects the many binational initiatives that have thrived under its guidance. He highlighted some of those initiatives. He recognized the long-life commitment to air quality and environmental diplomacy by Dr. Carlos Rincón. He stated bilateral institutions such as EPA and TCEQ have a solid legal standing. However, their impact and fulfillment of the goals for the benefit of people depends on the dedication and sense of duty of those through daily work bring them to life. Over forty-five years Dr. Rincón has been a cornerstone of the US/MX collaboration enabling binational projects that have had a profound impact on the region. His network of longstanding personal and professional relationships is a testament to his character and loyalty. Dr. Rincón has been a mentor to the TCEQ- Border Affairs team which relies often on his advice and counsel. The Air Quality Excellence award that bears his name is a small tribute to his enduring legacy. He stated the award serves hopefully as an inspiration for the upcoming generations of environmental leaders, a reminder of the value of strong foundation, true friendships and respect for others, over transactional relationships. The second item he mentioned was the need to discuss in the adjustment of particulate matters standard. Paso del Norte is in a windy and arid region. Population growth and fast urban sprawling have given way to rapid urban expansion with infrastructure, including paved roads playing catchup. The convergence of three trade routes and one of the busiest ports of entry to the US is testament to the thousands of trucks crossing through the cities. Traditional brick kiln technologies continue with harmful emissions, although to a lesser extent than before. Increases in wildfires in California have impacted the region as well. In this context the threat to Paso del Norte residents must be addressed and increase the efforts and improve public health. The discussion on a more stringent PM standard will allow an open discussion of air quality strategies. The health burden of air pollution and the importance of binational engagement, or any meaningful improvements to occur. On the third item he stated the importance of basin wide emissions inventory. Under the leadership of the Copresident Daniel López, the project update and emissions inventory for the basin is well received by the TCEQ. Emissions inventories are a necessary tool to determine significant sources of Air pollutants and target actions. Furthermore, they enhance air quality modeling capabilities and allow us to assess the potential effects of regulatory actions. Periotic updates and methodological improvements are paramount for effective pollution reduction strategies. He mentioned Texas is an allied at TCEQ to support with logistics and funding the prompt implementation of a basin wide emissions inventory. The fourth topic mentions innovative funding and public/private partnerships. The 2022 report of the Binational Air Quality Fund reported binational collaboration at its best. By joining public/private funding sources for a common goal rapid progress is possible for projects that had been stagnant before. This is the level of response that the community demands, and it should be sustained and amplified. He mentioned the recent announcement by the NADB to increase its support to the Juárez Network by funding a network density in site placement study as an example of the great news coming from the work of these JAC subcommittees. He mentioned the inclusive air quality governance by Barrio Chamizal Hyper local monitoring project. As inclusion of air quality governance, citizen science, community lead networks and new technologies will complement and at times even challenge regulatory monitoring. Result of more information and involvement if done well, rigorous quality assurance and control can only lead to strengthening the understanding of air quality in the region. He thanked the JAC Copresidents and everyone attending the second in person meeting.

Biol. Gerardo Tarin thanked Commissioner Janecka.

Biol. Gerardo Tarin asked if the previous minutes were approved.

**Approval of Agenda and Previous Minutes**

Ms. Posada confirmed the approval of minutes via email by all voting members**.**

A motion was made for approval of the agenda.

**Copresident Donaldson introduced the registered person for public comment.**

**Public comments- Luis Salmeron (virtually)** greeted everyone and thanked the Copresidents for allowing him to participate and give comments as a citizen, commenting on the problem of air quality at the border that suddenly gives us surprises. During May 10 through May 15 there was a fire in the landfill. The fire had significant effects on air quality. Citizens in the Juárez region and in some sectors in El Paso County resented the smoke from toxic gas particles that were released by the fire that lasted four or five days to be controlled. In this sense, a group of people are concerned about the air quality, but more concerned about the inaction of the authorities of the three levels of government in Mexico. Neither SEMARNAT, nor the Department of Ecology of the State of Chihuahua, nor the municipal government in Ciudad Juárez did not alert citizens about the risk they are experiencing with the situation of the landfill fire and environmental contingency that we are experiencing. There was no alert. There were no recommendations. Due to this contingency, he wrote a letter to the municipal president Cruz Perez Cuellar, to the governor of the state of Chihuahua, Maria Eugenia Campos, and also to Dr. Marcos Delgado of SEMARNAT on the subject of the environmental emergency and air quality. He mentioned that participation in this forum is to request that actions be taken to alert citizens of these situations. Air quality is already history, in the year 2000 the municipal government gave air quality reports every hour through various radio stations. I am also concerned about Benito- the giraffe, but I am more concerned about the 2.5 million habitants who are breathing every day air quality that is not recommended. He mentioned that his request is that the Committee take joint actions to improve air quality and with respect to contingencies, it is given the validity and seriousness it deserves. No response has been received from government entities. He congratulated the Committee on its longevity, he thanked everyone for their attention and time.

Biol. Gerardo Tarín thanked Mr. Salmeron and asked if there were any comments from the committee members.

Biol. Gerardo Tarín thanked Luis Carlos for bringing the matter to the table. He mentioned that there was a precarious air quality condition those days, during May 9 through 15, due to the fire. He thanked the work of the team at the University that works with Dr. Adrián Vázquez, who prepared an air quality report for the event finding exceedances of PM2.5 and reduced visibility to less than 10 km. Given this concern, as SEMARNAT, he offered to strengthened the efforts that the ProAire Chihuahua is doing within the air quality management program in Chihuahua. It is a program where they meet monthly and he invited the group of citizens who have this concern to participate. With the purpose of analyzing the activation strategies to design a warning/notice program for atmospheric contingencies.

Fernando Ortiz of NADB mentioned that they are supporting the operation of four air quality monitoring stations in Ciudad Juárez. He stated that as part of this effort, UACJ who is operating these stations has set up a website providing real time data, if not real time, with a very short latency period and suggested following up with the Binational Fund Committee/ the Administrative Unit so to make the information available for the public or look for other mechanisms to make that information friendly for the population, e.g., cell phones. The tools to inform are already there.

Biol. Gerardo Tarín mentioned Cesar Diaz from the Municipality reported already having this application.

**Comments in the chat:**

Briselda Duarte stated regarding the emergency, B2025 program is implementing the preparation of the urban solid waste management plan for the Landfill in Ciudad Juárez. The corresponding progress can be presented at the next meeting.

**Discussion of Public Comments and JAC Member Comments**

Ms. Posada announced quorum was reached.

There was a motion virtually by Dr. Alba Corral to approve the agenda.

[**Air Quality Report for the Paso del Norte**](https://www.cccjac.org/uploads/9/1/9/2/91924192/jac_86_aq_report_2023-06-15_final.pdf) **by Dr. Carlos Rincón, USEPA**

**No comments in the chat.**

**No comments in the room.**

**[Proposed U.S. Standards for Particulate Matter](https://www.cccjac.org/uploads/9/1/9/2/91924192/2023_06_15_donaldson_jac.pdf) by Guy Donaldson, USEPA**

**No comments in the chat.**

**No comments in the room.**

**Copresident Donaldson introduced Isabel Keddy-Hector.**

[**The Rincón Award in Air Quality Excellence**](https://www.cccjac.org/uploads/9/1/9/2/91924192/06152023_rincon_award_presentation__1_.pdf) **by Isabel Keddy-Hector, TCEQ**

Copresident Donaldson called on voting members for approval of the award.

Virtual votes were also taken from the chat. The motion passed.

The question was whether the name of the award should be the Rincón Air Quality Excellence Award, or the Carlos Rincón Air Quality Excellence Award.

Members voted for the name to be the Carlos Rincón Air Quality Excellence Award.

**Break**

**Biol. Gerardo Tarin introduced Carrie Wheeler and Hugo Landa.**

[**Emissions Inventory**](https://www.cccjac.org/uploads/9/1/9/2/91924192/emissionsinventory_86thjacmeeting_061523.pdf) **by Carrie Wheeler, USEPA and Hugo Landa, SEMARNAT**

Biol. Tarín thanked both for their presentation.

No comments in the chat.

No comments in the room.

**Copresident Donaldson introduced Cemellí de Aztlan and Celia Aguilar.**

[**Barrio Chamizal Hyper-Local Air Monitoring**](https://www.cccjac.org/uploads/9/1/9/2/91924192/lmo_jac_epa_2023__1_.pdf) **by Cemelli de Aztlan, Celia Aguilar and** [**David Baake**](https://www.cccjac.org/uploads/9/1/9/2/91924192/baake_pm2.5_el_paso.pdf)**, La Mujer Obrera**

**Chat Question -** what is the period for the data.

Mr. Baake asked for which data, to be more specific. There were different slides that look at different time periods.

Particularly for the pollutants for PM and such, is that over a single point in time, or multiple points in time? He asked where is the smelting source.

Mr. Baake responded he does not know how the annual average is calculated, but the design value is average over a period of three years. The slide that shows the hot spots where the emissions patterns are likely similar in terms of the distribution of the impact.

David DuBois of NMSU asked if he can elaborate on what kind of data is going to be collected in the neighborhood.

Celia Aguilar responded the data that will be collected NOX, NO2, black carbon, O3, PM2.5, Methane, Ethane, Carbon monoxide.

Brenda Nava de CANACINTRA asked about the recycler that is close to her community, the laws in México require to have corridors between the waste so that fire contingencies can be mitigated and what she saw in the images is that they have an accumulation without corridors which makes it impossible to mitigate the fire. She asked about the regulations in the USA according to how recyclable waste would be accumulated. The other question is if they have measured all the contaminants, but from the Zaragoza bridge because there is more movement on this bridge. They return empty by the Chamizal, but they are loaded by Zaragoza.

Exports are going to grow, the situation is going to worse, and she wonders if they have contemplated it in the study.

Ms. Cemellí de Aztlan mentioned the Infrastructure Bill is funding the renovation at the Bridge of the Americas aka Puente Libre, they hope no lane is built for the trucks. They need the trucks out of the neighborhood. This is the only neighborhood with a port of entry and with that scale of import. Exploitation is happening at the port of entry, even when the community has been engaging in the process of renovation. The community is pushing for Biden’s intent to be represented in those plans as far as to meet the health and safety concerns.

Regarding the entering and exiting of the trucks, the City of El Paso has a bad policy that requires them to exit out of the same bridge they entered. They line up next to Zavala and the San Javier community as they wait. Regarding industrial zoning many of them are misclassified as far as zoning requirements are needed. So, names are hidden, or change business names or are grandfathered. They are shredding electronics and batteries behind the children’s school and not incinerating them. They have different standards that do not acknowledge what is happening. Workers in those places have protection from head to toe, but the children do not, they breathe it in as they play. JW Silver recycling facility was questioned, but they informed that they do not burn in the facility, so they do not have those requirements.

Carlos Diaz has a question for Copresident Guy Donaldson. Once the data is collected, depending on the findings, what kinds of plans should we expect to translate into public or government actions.

Copresident Donaldson answered as a regulatory entity there will be not anything direct. The data is only for three months. Regulations are something that requires action. The data should inform some next steps to follow. He thanked the presenters and requested them to come back once the study is complete.

Another question was regarding insurance and when PM or O3 was high, was there any correlation with ER visits due to respiratory issues.

Ms. Cemellí de Aztlan mentioned at community meetings there are talks about cancer clusters, and children getting sick. There is skewed data or lack of data. The lack of collecting data is a historic problem, ignoring the community as invisible is part of that mindset. The data collected by UTEP, and the Dept. of Public Health was inaccessible.

Dr Olsen asked if Congresswoman Veronica Escobar signed a letter and if so, what are the results of that action.

Ms. Cemellí de Aztlan mentioned the letter she signed concerning the standards being outdated, urging her colleagues to sign up for better standards.

Dr. Rincón invited them to present at the Environmental Health Task Force and requested to see if the Environmental Education Task Force could meet at the Mayapan to hold the meeting.

Daniel Partida virtually asked, has there been any consideration to do an environmental health impact assessment in the Chamizal neighborhood.

Ms. Cemellí de Aztlan mentioned that it has been in demand for the last seven years.

Jason Sarate commented on how the standard changes trickled down to the community.

Celia Aguilar said there are a great deal of loopholes, exemptions, and waivers as a border community.

**Biol. Gerardo Tarin introduced Charlie Hart.**

[**Overview of the El Paso Bridge of the Americas (BOTA) Land Port of Entry Modernization Project**](https://www.cccjac.org/uploads/9/1/9/2/91924192/230615_joint_advisory_committee_on_air_quality_gsa.pdf) **by Charlie Hart, GSA**

Maria Sisneros asked the date of the NEPA meeting.

Mr. Hart said it is taking place on June 29, 2023. He also mentioned there will be multiple meetings. The NEPA process will continue for a year.

As part of the project, Maria asked if they were looking at idle technologies, if the commercial part is to continue.

Mr. Hart mentioned that he is not familiar with idle technology. He said it has been rejected by Customs and Border Protection and they consult with them because they operate the port of entry.

Ms. Cemellí de Aztlan stated the modernization and expansion of BOTA as far as the planning and funding, it is the modernization of the bridge. The expansion seems to be your interpretation.

Mr. Hart mentioned expansion could be the increase in the volume of vehicles that are crossing over.

Ms. Cemellí de Aztlan stated that the bridge was not built for the trucks. She mentioned the alternatives do not meet the needs of the community. Regarding an assessment of reducing idling time, she asked is there an assessment for the PM. She mentioned the NEPA process has a great deal of holes and gaps. NEPA process is assessing the effects of construction, not evaluating the long-term effects of creating another lane for the trucks. The community has no hope in that process, she reported, they are concerned about the long-term effects. They are thrusting Executive Order 12898, 14008, and 13985. The group is requesting the Office of Environmental Justice and External Civil Rights at EPA to get involved.

Mr. Hart mentioned he has read all the Executive Orders. Most recent one said, “it is not enough to passively sit by, GSA is proactively seeking individual who are interested in the project.” Executive Orders do not come with resources, a non-funded mandate.

Robert Houston of EPA asked regarding the environmental review on what is the avenue to notify the public and other agencies.

Mr. Hart mentioned it will be in the federal registry. He also has a list with emails to communicate any activity on the project.

Copresident Donaldson thanked Mr. Hart for the presentation and introduced Dr. Marcos Delgado of SEMARNAT who attended the meeting in person.

**Reports from Subcommittees**

**Binational Air Quality Fund by Jose Luis Palacios -** **please see information at** [9th Meeting (cccjac.org)](https://www.cccjac.org/9th-meeting.html)

**No comments**

**Public Comments**

**No comments**

**Highlights and Consensus Items**

Copresident Donaldson mentioned it takes time to get used to in person meetings, but the hybrid option is nice. He mentioned nothing replaces the face-to-face meeting and the discussions that take place. He appreciated the participation of all, and the presentations and he is glad to see the advance the emissions inventory project is making. Emissions Inventory is the building block for any useful thinking about air quality improvement. He mentioned he Biden Administration has said environmental justices will be embedded in anything EPA does and thanked the Mujer Obrera for their presentation. Environmental Justice is part of the fabric at EPA. He mentioned is something new, a change that will take time to fully develop. There has been improvement in air quality, but they have not been equal and certainly there are communities that do not experience those improvements. He mentioned it is a challenge and reminder on how to address it. He mentioned that he looks forward to the finding in the study. He appreciated the presentation by GSA and the interest generated by the information. The Binational Air Quality Fund is starting to see air quality monitoring and the fruits of the work, and he recognized the efforts. The Carlos Rincón Award in Air Quality Excellence is a great tribute, and he looks forward to the work for the award when put together. He thanked the interpreter, City of El Paso, Gina and all others that contributed to a successful meeting.

Dr. Marcos Delgado apologized for arriving late to the meeting, but he coincided with Copresident Donaldson with all the comments regarding the meeting. Invito a las diversas instituciones a que participen en persona. Agradeció mucho al anfritrionia de la Ciudad de El Paso, la presencia de EPA y la logística realizada. Felicito a Carlos Rincón

Paso la palabra al Biol. Tarín para que diera comentarios.

Biol. Tarín mentioned in regard to the public comment and the concern about the landfill fire. He invited all present to participate on the July 30 meeting at the Offices of the State Government so that SDUE, the municipal government and UACJ to work on the technical part of the atmospheric contingency program. At least have an initial plan for Ciudad Juarez, at least for communication and activation.

**Establish Next Meeting Date – the next meeting date is for October 19, 2023, in the New Mexico Border Authority Office at Santa Teresa.**

**45 online attendees**

**20 in person attendees at City of El Paso Environmental Services Department**