

### **Minutes**

80th 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

<b>Virtual Meeting:</b> May 7, 2021	
JAC Members Attending (*Alternate ** Not Present)	
U.S.	México
Guy Donaldson, US EPA	Daniel López, SEMARNAT
Lorinda Gardner, TCEQ	**Lili González, PROFEPA
Armando Paz, NMED	**COESPRIS
**Jacob Kidd, City of Las Cruces	Dr. Felipe Siqueiros, SDUE de Chihuahua
Karl Rimkus, City of El Paso	**Gibrán Solís, CANACINTRA Juárez
John Quinn, Freeport-McMoRan Copper and Gold	Dra. Margarita Peña, Dirección de Ecología de Ciudad Juárez
Larry Olsen, <u>DrPHPh.D.</u> , Citizen	*Ing. Alberto Nicolas López, IMIP
**Alberto Correa, Capítulo Paso del Norte	<u>Rene FrancoPilar Leal</u> , Franco y Asociados
David Dubois, NMSU	Dra. Alba Yadira Corral, UACJ
Wen-Whai Li, Ph.D., P.E., UTEP	Mario Vázquez, NADB
Claudia Valles, El Paso MPO	
Carlos A Rincón, US EPA - Liaison	Biól. Gerardo Tarín, SEMARNAT- Liaison
Eugenio (Gina) Posada, TCEQ - Liaison	

#### **Welcoming remarks from Copresidents**

**Guy Donaldson, USEPA-Dallas** thanked everyone for joining the virtual 25<sup>th</sup> anniversary meeting. He mentioned that if this meeting were taking place in person it would be presided from El Paso. He introduced Mayor Oscar Lesser of El Paso to say a few words with opening remarks.

Copresident Donaldson gave the floor to Mayor Oscar Leeser of El Paso.

**Welcoming remarks from El Paso Mayor Oscar Lesser-** Mayor Leeser welcomed everyone to the meeting and wished everyone a happy Friday. He congratulated the JAC on their 25<sup>th</sup> anniversary. He mentioned the La Paz Agreement signed in 1983 by both countries and

where it recognized the Paso del Norte air quality region. He acknowledged air quality has no borders nor boundaries, and both countries work as one community. He also recognized this meeting being the 80<sup>th</sup> meeting and working together for the airshed. He stated air quality is so important for the health of both communities. He wished all success. He mentioned in Spanish the importance of the group and thanked everyone for their efforts through the years in accomplishing 80 meetings of air quality work. He was grateful for the opportunity to speak in this forum.

Copresident Donaldson thanked Mayor Leeser for his words.

**Daniel López, SEMARNAT-México** welcomed everyone to the meeting and thanked Mayor Leeser for his kind words. He mentioned the honor of working with everyone in this committee. He hoped that all the projects were geared to improving the air quality but mostly to positively impact the health of all. He thanked everyone for their time and efforts in this meeting.

Copresident Donaldson mentioned the meeting taking place in EPA's air quality week. He recognized the committee working in air quality issues for 25 years and 80 meetings. This creates air quality awareness and finds solutions for air quality issues. He observed international issues remarkably fitting for today's meeting and bringing air quality awareness throughout the world. He mentioned leading the committee has been an honor as well as working with such dedicated people. He introduced USEPA Regional Administrator David Gray. He explained the administrator is responsible for the implementation of environmental law in the five-state area of the South-Central United States.

#### **Remarks to Commemorate the 25<sup>th</sup> Anniversary of the JAC:**

**David Gray, USEPA Regional Administrator** welcomed and thanked everyone for the invitation to celebrate and recognize the committee. He thanked the Copresidents for their excellent work in serving in the committee. He mentioned the honor of spending a few minutes to congratulate the committee for 25 years of work for the improvement of air quality. He recognized his counterpart Gustavo A. Heredia from SEMARNAT and thanked Mayor Oscar Lesser for his kind words, and Judge Ricardo Samaniego for joining the celebration. He stated it is important to celebrate the work done together and the accomplishments. He recognized state partners such as Commissioner Bobby Janecka of TCEQ, Rebecca Roose of NMED, and Dr. Luis Siqueiros of SEDUE. He was grateful for everyone on this committee and the fantastic work accomplished in improving air quality and public health for the region. He touched briefly on the history of this committee. Air quality monitoring in the Paso del Norte region began in the 1970s. By the 1990s both the United States and the Mexican government realized air pollution was a problem. This was the impetus for the signing of the La Paz agreement in 1983. This agreement established the basic network for cooperation, information exchange between the signatures' and empowered the federal environmental authorities of both countries to undertake cooperative initiatives which were implemented in multi-year binational programs. In the early 1990s the Paso del Norte region including localities of both side of the border were challenged in meeting the air quality standard. The Regional Air Quality Task Force which was created in 1993 eventually became this Joint Advisory Committee. The TF recognized air quality improvements in the region that needed to be managed binationally at a local level; working together in legal and other barriers. On May 7, 1996 US and Mexican governments amended 1983 La Paz Agreement and recognized this group and its structure. Since then the JAC has served as a model for binational cooperation, not only in the US/Mexico border region, but worldwide. The JAC is one of the first groups of its kind formally bringing binational federal, state and local, private industry, air quality experts, academia, environmentalists, public health officials into

one decision making body. Over the past 25 years the JAC has proven this success, accomplishment after accomplishment. He mentioned the vehicle emissions reduction through introducing oxygenated gasoline in Ciudad Juarez, dedicated commuter lanes on the northbound international bridges, introducing clean burning fuels in brick kilns. It created enforcement, surveillance, and control of open burning, and helped expedite commercial trucking in international ports of entry. With these measures in place the region's air quality improved; decreasing concentrations of ozone precursors, carbon monoxide emissions, and bringing PM within the existing standards. This past year continues to make history again by establishing the binational fund which will foster air quality projects throughout the region. The NADB will manage this fund and it is aimed to bring long term sustainable binational solutions by giving not only the public but private entities the opportunity to support air quality in the region. Again, congratulation on 25 years of great outcomes. He observed moving forward there is still work to be done. He stated air quality challenges continue to exist facing communities on both sides of the border. He declared that commitment, effort and demonstration of binational cooperation and locally driven solutions are needed to be able to successfully move forward and address future challenges. He thanked Guy Donaldson for his leadership on this committee. He recognized Carlos Rincón for his service and dedication in the JAC and for being one of the founders of this binational air quality group. Although every JAC member has served honorably for many years, he recognized Rene Franco Ruiz who was a charter member of JAC and was also celebrating 25 years of voluntarism. He thanked everyone for their endless commitment and introduced Gustavo A. Heredia of SEMARNAT.

**Gustavo A. Heredia, SEMARNAT** he thanked everyone for the invitation and welcomed all to this meeting. He was grateful for Oscar Leeser hosting this meeting and David Gray for his words. He sent his best regards to Co-Chairs Donaldson and Daniel López. He thanked everyone for the time attending the 80th meeting of this great committee. He mentioned the celebration of 25 years and recognized the different profiles for this initiative. He stated the committee is a mechanism of three states and two countries where all citizens have been able to address their concerns, their environmental concerns, above all. Cohabit in an environment of social, economic and above all environmental spheres. He mentioned that in the committee there are many concerns, and the academic branch has ample space to demonstrate results, the scientific aspect of research will guide with alternatives of climate change and environmental problems. 25 years of work and positive impacts, a model of international collaboration. He acknowledged the participation and dedication of the advisory committee and the enthusiasm they reflect in all the work. Congratulations to all on these twenty-five years of history.

**Dr. Luis Siqueiros, Secretary of Urban Development and Ecology** he greeted everyone and mentioned he was part of the historical inception of this working group in 1996-2005. He commented that he worked for the IMIP back then. He greeted his colleagues from the federal governments from both countries, as well as his state counterparts. He recognized some of the achievements that David Gray mentioned. IMIP collaborated with the dedicated crossing lane. He stated more achievements are to come now with the binational fund and SEDUE wants to be part of the contributions and joint work. He mentioned international and inter-state relationships are important to advance many of society's concerns. He cited this as a committee where social sectors participate, as Gustavo Heredia mentioned. He thanked everyone and celebrated the special event.

**Bobby Janecka, Commissioner, Texas Commissioner on Environmental Quality** he greeted everyone and thanked Mayor Oscar Leeser for hosting the event virtually. He mentioned having to adapt to participating virtually but was thankful for having video this time and being

able to see everyone. He thanked everyone for the opportunity to say a few words. He declared this meeting marks the 25<sup>th</sup> anniversary of the JAC. He called this event the silver anniversary, because the JAC signifies a marriage of our two nations – the United State of America and the United Mexican States. He stated the JAC is an institution that endures, it keeps focus on all that is shared, and what connects us such as the air we breathe, our cultures, and friendships, business ties and mutual responsibility of the shared environment. He stated 25 years the committee has gathered in dialogue and cooperation about air quality because we know we can do more to improve air quality together, than we can separately. He highlighted Texas' legislative session this year. One of his proud accomplishments for TCEQ is his work in the binational border. He stated that in his confirmation hearing before the Texas senate, he shared that in February the JAC had a joint resolution to create the binational air quality monitoring fund. Today we continue to take steps to build the binational fund and operate air monitoring equipment this year. Working together ensures reliable air quality data, one of the most fundamental objectives of the JAC, and something only an institution like the JAC can really bring to fruition in a binational air basin. He is committed to work with all partners, state to state cooperation makes sure the technical committees and the binational fund both fulfill their goals. He looked forward to the meeting and learning from the presentations. Happy silver anniversary to all and may the next 25 years be even better!

**Rebecca Roose, Division Director of New Mexico Environmental Department**

She apologized for the technical difficulties but thanked everyone of the opportunity to speak on behalf of NMED and alongside esteemed colleagues of Texas and Chihuahua. On behalf of Secretary James Kenney, she expressed kind regards and gratitude to the Joint Advisory Committee members for the past 25 years of hard work and dedication. She mentioned the Paso del Norte airshed encompasses so many citizens and NMED has a responsibility to work together, to find solutions that benefits those within the Paso del Norte. She acknowledged those in New Mexico, that includes the communities of Anthony, Chaparral, La Union, Sunland Park and Santa Teresa. She shared just yesterday that NMED announced innovative and nationally proposed rules to reduce emissions precursors from the oil and gas industry. These proposed regulations are great news for air quality in New Mexico. She acknowledged this group knows better than most that the biggest changes come when we collaborate across state and national borders. She was encouraged by the possibilities the binational resolution and the creation of the binational air quality fund open to us all. She stated the environment department is looking forward to participating with membership on the fund committee, and considering all other ways that can contribute in these important efforts moving forward. She was grateful for the opportunity to address the audience today and remained committed for supporting the successes of the binational resolution and all the JAC's efforts that improve public health and the environment in the Paso del Norte.

**Proclamations enacted by Paso del Norte Government Administration:**

**Copresident Guy Donaldson** recognized the importance of the 25<sup>th</sup> anniversary and the Resolutions (or Proclamations) adopted by Ciudad Juárez, City of El Paso and City of Las Cruces. The El Paso County Commissioners Court passed a Resolution. Copresident Donaldson introduced El Paso County Judge Ricardo Samaniego.

**El Paso County Judge Ricardo Samaniego** thanked and joined Mayor Lesser in welcoming everyone to the meeting. He joined the meeting virtually from Fabens where he was participating in a vaccination event. He recognized working to improve health from the pandemic state and air quality is one factor that affects health. He mentioned the Regional and

binational relationships with Doña Ana and Ciudad Juárez that are important for improving air quality. He mentioned having the privilege to be with such a distinguished group. He read [the Resolution](#) submitted by Commissioner Stout and approved by Commissioners court.

Copresident Donaldson thanked the County Judge for his leadership.

**Approval of Agenda and Previous Minutes:**

Copresident López agreed that he was soon expecting to be in face-to-face meetings. He moved on to the adoption of the agenda. The necessary votes were obtained for the approval of the minutes.

The agenda was approved.

**Copresident Donaldson requested public comments.**

Bob Port asked a question concerning the extension of I10 in downtown around Sunset Heights. If TXDOT had submitted anything to this body on their plan to widen I10? If this body has any jurisdiction on the project?

Copresident Donaldson thanked Mr. Port.

He proceeded with introducing Dr. Rincón for follow up.

**[Paso del Norte Air Quality Report](#) by Carlos Rincón, USEPA**

**Comments by the public:**

No comments.

**[State of Chihuahua Meteorological Network](#) by Dr. Adrián Vázquez, UACJ**

**Chat questions:**

Bob Port asked if the project will affect both sides of the border.

Dr. Patricia Juárez of UTEP asked if there is a plan to connect the weather emergency network.

Dr. Adrián Vázquez replied that at this time they would like to add needs. The network will be as good as users utilize it. He stated not being familiar with the characteristics of the weather emergency network. He confirmed interest in exploring it and possibly making the connection.

**Comments by the public:**

Co-Chair López mentioned that they are having very good communication with the EPA about the emissions inventory. He mentioned INECC is advancing in a national modeling infrastructure so that the states can reach those levels and because meteorology is an important factor to achieve models with better accuracy. The question is whether Dr. Vazquez has spoken to the EPA.

Dr. Adrián Vázquez replied that there is a very broad collaboration agreement with the National Institute of Ecology (INECC by its acronym in Spanish). At the moment they are working on VOC's to contribute to the modeling of ozone generation on the side of Juarez. There are some challenges, but we already have budgets for travel and trainings at INECC. The meteorology part has not been addressed. Something very important is to have technical guidance especially for the control of the quality of the data and the production of modeling files. Rene Franco made the suggestion to work with weather data. We need to generate weather files and data that can be used for modeling. The international support of INECC through SEMARNAT would be very valuable.

Dr. DuBois asked if any of the stations have soil moisture.

Dr. Adrián Vázquez answered no to his question and mentioned they have soil temperature. In relation to Dr. DuBois' question, where it would be important to place those sensors.

Copresident Donaldson introduced Karl Rimkus.

**City of El Paso Levee Road Collaboration by Karl Rimkus, El Paso Environmental Services Dept.**

Mr. Rimkus thanked everybody for the opportunity to discuss the challenge with the members of the JAC. He showed the levee road location with dust issues. The map provided a visual of the area near the international boundary along the river channel. The elevated road is called the Levee Road which is unpaved and the source of very small particulate matter of dust. It is approximately 2.5 miles long, or 3.7 kms. It is located between the Chamizal area and the Ascarate golf course. The issue is that border patrol vehicles (SUV's) are frequently driving at high rates of speed. He proposed to approach his issue with best management practices concept to stabilize the soil that is along this roadway. He asked the committee direction to have the workgroup contact the federal authorities on the US side to start a discussion on soil stabilization. He reported city had used this concept on the landfill and it was used on many industrial roadway facilities. The additive is a mixture of water and earth minerals that can be sprayed on the surface. This forms a crust like material which with repeated applications builds a strong foundation. It is not considered paving, which helps the restrictions of paving in this area. This does not violate those requirements and it is cost effective. This approach should be a win win on both sides of the border with a common airshed. He requested a formal motion to focus on this challenge.

In the Mimosa monitor the City is collecting PM data. He informed PM can be seen visually. Hard data should be provided soon. Since the last committee meeting the voting members approved the project. He informed the group that he also seats on the IBWC Citizen Advisory Forum and will be approaching them with the challenge. The IBWC maintains that levee road. The milestones to reach are good neighbor and best management practices and achieve the reduction of PM10. The approach is not as a regulatory requirement. He mentioned wanting the buy in of all involved. The technical aspects of the application might be a challenge. The funding is also pending.

Dr. Rincón commented on the leadership by the city on this project. He acknowledged the participation of IBWC in the project as well as DHS. He invited Karl Rimkus to chat about the infrastructure projects funding DHS-Border Patrol mitigation efforts. [Dr. Rincón committed to meet with the West Texas Workgroup to add the levee road project to the DHS Border Wall construction project list.](#)

Karl Rimkus thanked Dr. Rincón and invited others to be part of the effort. He will provide an update at the next meeting.

Copresident Donaldson thanked Karl Rimkus for his efforts.  
Copresident López introduced Dr. Peña.

**Juárez Ecology Municipal AQ Monitoring Stations Update by Dra. Margarita Peña.**

She thanked everyone at this meeting and celebrated the 25<sup>th</sup> anniversary of the JAC. "This is the last session in which we will participate as representatives of the Municipality of Juarez." The mayor congratulates all of you. She started by showing the video of the cabildo of the 112 session that took place the night before in the Francisco I. Madero room where the highest authority of this municipality participated. She stated the Mayor sends his gratitude congratulating the JAC for the work done in the last 25 years. She informed the committee that a plaque was approved for the representatives of the two countries Maestro Donaldson and López recognizing their leadership in this committee and for organizing these binational works. (a video was shown)

Dr. Margarita Peña learned a great deal and thanked everyone for collaborating with her.

\*\*\*One-hour break\*\*\*

Copresident Donaldson wished all mothers a happy day. He informed the committee Carlos Rincón will wrap up the meeting on his behalf due to some other event that needs his attention.

**TCEQ Permitting Process and Public Participation** by Lorinda Gardner, TCEQ.

**Questions in the chat:**

No questions from the public.

**Copresident López introduced Marathon Petroleum Corporation.**

**Marathon Petroleum Corporation** by Luis Martínez and Rubén Iguarán

Dr. Rincón thanked them for the presentation.

**Questions in the chat:**

No questions from the public.

**Copresident Donaldson introduced Nohemi Perales.**

**Air Now: Air Quality Flag Program** by Nohemi Perales, NOAA Affiliate

**Comments by the public:**

Eddie Moderow asked about a binational air quality flag program.

Nohemi answered that it has come to mind. She is interested in pushing the idea forward.

Dr. Rincón answered with a suggestion to start a binational flag program indicating air quality in the Paso del Norte airshed.

Copresident Donaldson thanked everyone for the silver anniversary.

Copresident López introduced Eddie Moderow.

**Reports from Subcommittees:**

**Update on Binational Air Quality Fund by Eddie Moderow, TCEQ** congratulated Dr. Margarita Peña for all her efforts and accomplishments. He mentioned air monitoring in the region is an integral part of protecting and improving our air quality. The JAC is to strengthen the perspective of protecting the air we breathe. On February 11, a historical resolution was passed anonymously to create the binational fund. Specifically, two technical commissions were created to manage the binational fund. As RA Gray said, "one decision making body" that is what the JAC is. The binational fund is also that, and can now raise funds, procure goods and

services, and complete tangible work; in this case operating and maintaining a monitoring network. He recognized the effort of NADB, a silent partner, but are the hosts and managers of the funds and will do a great deal of work. They have done a lot of work over the past year, free of charge. This model can pay off. NADB has put in a lot of effort. They have developed a universal contract for contributors to this binational fund. TCEQ aims to use that contract to make our first contribution next week of \$25,000. EPA has committed to \$50,000.00 per year per two years. He heard Rebecca Roose of NMED itching to contribute to the fund. He encouraged members of the fund committee to consider a contribution. As the fund grows and matures and shows real results in the form of real time monitoring data in SINAICA, the Mexican platform for air quality data, we will open it for new contributions from foundations, industry and many other sources. He announced he was very excited to hear about Marathon's presentation, he enjoyed it. He knows industry plays a big part in our community. He planted the seed for their contribution to the binational fund. The NADB has its board meeting next week, on Thursday. During that meeting we are holding a signing to officially open the fund. The managing director of the NADB, TCEQ, SEDUE, are aiming to have a joint signing of that agreement. He sees the administrative unit as the heart and soul. They are going to be coordinating it from top to bottom. Cesar Fierro from SEDUE. Ricardo Aragon from Ecologia Municipal and Melanie Scruggs from TCEQ. Fund committee is composed of appointed officials. He anticipates the first meeting of the Fund Committee in 4-6 weeks. So those could occur together with the JAC meetings the day before or right after. The first meeting of the Fund Committee will focus on procurement and conflict of interest. He thanked everyone for their time.

Dr. Rincón said EPA has selected Mariama Mitchell to serve on the fund committee.

#### **Anapra Proposal by Dr. Adrián Vázquez, UACJ**

He suggested to consider using the booth that was at Delphi and relocating it somewhere else and add it to the Municipal network. He mentioned receiving a donation made by UTEP of an ozone analyzer, and NOX that require additional work. He proposed that the station be located at the Anapra fire station. He sought everyone's opinions. This would allow to have the entire strip with Texas and part of Anapra with NM. Another suggestion is to put it further south of Ciudad Juárez. He requested committee feedback on this suggestion.

Dr. Rincón mentioned involving the technical committee working group for the JAC to include SEDUE and INECC to consider this proposal. This is a very strong recommendation. Look at the whole urban area and justify the location for air quality monitoring.

Copresident López agreed with the suggestion.

Dr. Vázquez mentioned the growth of the city is to the east and generate baselines as well.

#### **Public Comments**

No public comments

#### **Highlights and Consensus Items**

Copresident López remarked that this has been one of the most emotive meetings of the JAC. He congratulated everyone on this great work. He emphasized the part of the binational fund and the signing. He acknowledged understanding of how the committees of the binational fund operate. Bob's comments regarding Interstate 10, to which EPA will respond. He stated the

letters of the Municipality and the state are also already, only lacking the federal one. We are awaiting the answer. He mentioned it was very important to integrate the petrochemical industry for this meeting. One of the very important sectors for energy and how it is reducing its emissions from both Mexico and the United States.

Jean Carlo asked regarding the access to the meeting record. Ms. Posada answered the question in the chat directly to Jean Carlo.

Dr. Rincón mentioned May is asthma awareness month and EPA provides tools and resources and he shared a webpage link. He mentioned that El Paso County wants to collaborate in the future, as well as Marathon Petroleum.

Dr. Rincón provided on behalf of USEPA RA letters of Appreciation to all US voting members of the Joint Advisory Committee.

**Establish Next Meeting Date and Adjourn: next meeting Tuesday, August 31, 2021.**