

## Minutes

36<sup>th</sup> Meeting of the  
Joint Advisory Committee for the Improvement of Air Quality in the  
Cd. Juárez, Chihuahua / El Paso, Texas / Doña Ana County, New Mexico Air Basin  
Ardivino's Desert Crossing, Sunland Park, New Mexico  
Thursday January 18, 2007

### 1. Welcome and Introductions

Bill Luthans (BL), EPA Region 6, welcomed all to the 36th meeting of the JAC. BL also welcomed Robert Ardivino, Chair of the Sunland Park Planning Commission and new JAC member representing the Doña County public sector.

JAC Members Present	
U.S.	México
Bill Luthans - EPA	Ana Maria Contreras V. - SEMARNAT
Arch Clouse - TCEQ	C. Martin Bermudez M. - PROFEPA
Jesus Revnoso - EPCCHED	MVZ Silvia Castro Arreola - Edo. de Chih.
Robert Ardivino - Sunland Park	Quim. Ma. Araceli Salazar M. - COESPRIS
Tom Ruiz - NMED	Alba Y. Corral A., PhD. - UACJ
Bob Currev	Ives Figueroa - Ecolov. Cd. Juárez
Luis Ito	Ind. Baltazar Granillo - CANACINTRA
Wen-Whai Li - UTEP	Dr. Enrique Suarez v Toreillo
Elaine Barron. MD	
Mariana Chew - Sierra Club	

### 2. Presentation and approval of current agenda

The Agenda was accepted. Approval of the minutes was postponed for 2 weeks given they were delivered to JAC members w/ little time before the meeting. After 2 weeks, minutes would be approved as delivered pending modifications.

### 3. Message from the Co-Chairs

### 4. Public Participation

No comments were provided.

## 5. JAC Discussion on Public Comments

No Comments were provided.

## 6. Air Quality Report

Victor Valenzuela provided a summary of air quality data for 2006 and presented the air quality report. Hydrogen sulfide continues to be a problem at the site where it is measured - CAMS36 in southeast El Paso on Loop 375 between Yarbrough and Zaragoza streets. In 2006 there were 2800 exceedances of the H<sub>2</sub>S standard (80ppb / 30 minute average) for a monitor located at a property fence-line. This monitor is located roughly 3/4 mile east of the nearest possible source. No carbon monoxide exceedances occurred in El Paso or Juárez. Two exceedances of the 1-Hour Mexican ozone standard (110 ppb) occurred. The 8-hr ozone standard was exceeded in El Paso a few times, but there were insufficient exceedances of the 3<sup>rd</sup> highest 8-hr O<sub>3</sub> average to cause a violation of the standard. Mexico currently does not have an 8-hr O<sub>3</sub> standard. Regarding PM<sub>10</sub> using non-continuous samplers, there were 2 exceedances of this standard in Doña Ana County (DAC). In 2006 there were multiple exceedances of the PM<sub>10</sub> standard observed by the TEOMS continuous monitors, but all occurred during high-wind events. The PM<sub>2.5</sub> standard was exceeded once in El Paso; no PM<sub>2.5</sub> exceedances occurred in DAC.

## 7. Presentations

### A) El Paso Ozone Action Day Program

Jim Dobbins, Environmental Specialist - TxDOT presented the Ozone Action Day program currently being developed by TxDOT. The focus of this program is to continue the Ozone Action Day program established several years. The program has several goals:

- § Educate the public about air quality issues.
- § Promote routine vehicle maintenance.
- § Encourage vehicle preventive maintenance.

A media campaign has been developed which includes English and Spanish-language billboards located at strategic spots in the community. The program also includes Gasoline Pump Toppers in English and Spanish. Messages on the Pump Toppers state the following:

- § Keep tires inflated.
- § Change air filters regularly.
- § Share rides.

TxDOT also developed radio spots to promote the program. A budget of \$168,000 was committed to the Ozone Action Days Program, and \$80,000 will fund a truck study.

B) EP Oxyfuels Program.

Jesus Reynoso, Manager of the Air Quality Program at the El Paso City County Health and Environmental District, provided a review of El Paso CO-season compliance inspections for the oxygenated fuels program. The oxyfuels program was established to assure oxygenated gasoline is distributed in El Paso between Sept. 1 - March 31 to reduce mobile source carbon monoxide emissions.

Samples are collected each year beginning September. A sample of each grade from each of the 340 facilities is collected. About 1,800 samples in all are collected during a 3 week collection period.

The last round of sampling produced 25 violations indicating a high level of compliance with the program. All Violations are submitted to TCEQ for Administrative Processing. Penalties range from \$500 to \$1,000. EPCCHED is encouraging the TCEQ to issue higher penalties or SEPS (supplemental environmental projects) as deterrent measures. Violators are asked to order a truckload of ethanol from the local fuel suppliers to bring the oxygenate content to required specifications.

Bob Currey recommended that violators' authorization to sell gasoline be suspended for 2-4 weeks. Rene Franco suggested that all violations be issued a SEP and all SEP projects be undertaken in Juárez. That motion was seconded, but not voted on. Bob Currey indicated this is an Emerging issue and will lead the effort to look into this issue.

C) El Paso Regional Air Quality Issues

Jesus Reynoso continued by discussing issues which are not being adequately addressed throughout the airshed. He mentioned emissions from 2 brick manufacturing plants; one in southeast Sunland Park and the other in Juárez continue unabated and uncontrolled. There is no effort by either of our neighbors to control emissions from these facilities while El Paso has undertaken quite a few activities to comply with the NAAQS.

Reynoso continued the hydrogen sulfide (H<sub>2</sub>S) emissions in the North Juárez Waste Water Treatment Plant continue to concern him. H<sub>2</sub>S emissions from this facility are unacceptably high and the city of El Paso continues receiving complaints from residents near the Shawver Park area regarding the putrid odors emanating from the direction of this plant. Reynoso added there seems to be no visible effort on behalf of government or the JMAS to reduce H<sub>2</sub>S emissions from this facility, there is no construction, no communication, and no noticeable improvement. Reynoso is aware that El Paso has its air quality issues and problems, but he seeks a higher level of cooperation from our sister cities in Juárez and Sunland Park.

AMC commented that this is a problem for the 3 states. Many air quality problems are derived from sources coming from the U.S. such as used tires and aging vehicles which are resold in Juárez. There are certain problems which may be difficult to improve in the short term. Tom Ruiz indicated he would look into this issue on behalf of NMED.

Elaine Barron asked that the JAC form a committee to work on regulations or rules regarding the importation of used vehicles into Mexico.

D) New NOM (Regulations) on Mexican Fuels.

Gerardo Tarin presented a discussion on NOM-086-SEMARNAT-SENER-SCFI-2005. This regulation addresses specifications on fossil fuels used in stationary and mobile sources. The new regulation replaces the 1994 regulation due to technological advances by PEMEX in the formulation of gasoline distributed in Mexico. Each region of Mexico has its own formulation of gasoline. New reporting requirements are established requiring notification of additives included in regional gasoline blends. PROFEPA and PROFECO will provide regulatory oversight of this new regulation.

The new rule addresses reductions in sulfur content as well as the oxygen content in gasoline. The rule calls for a maximum oxygenate content of 2.7% by weight which has not been previously seen. However, since October 3, 2006 there was a modification to the regulation not requiring the distribution of oxygenated gasoline in Juárez, which has exceeded the CO standard many times in past years, but not during the past 2 years. The ProAire group sent a letter to the Secretary of SEMARNAT to reconsider this action.

In the US, ethanol is the oxygenate of choice since moving away from MTBE, which caused multiple and persistent environmental problems to groundwater across the country. Since ethanol cannot be shipped via pipeline (between EP and Juárez) due to technical issues involving the introduction of ethanol into the pipeline, ethanol cannot be sold as an oxygenate in Juárez. Carlos Rincon requested that the NOM be modified and that Juárez be included in the column addressing these modified fuel standards in Mexico along w/ Guadalajara, Monterrey and the Mexico, D.F. region.

Luis Ito added that these regulatory short-comings are causing a disincentive for industry to locate in the region. For example, a major automotive manufacturing company recently decided to no locate in El Paso which was in nonattainment of the O<sub>3</sub> standard at the time and this manufacturing facility moved to a city which recently came into nonattainment. All the while El Paso has now become an attainment area. It's like you can't win for losing. Rene Franco added there is incongruence in the new NORM in that there are limits established to reduce air pollution in Juárez as a nonattainment area (zona crítica) in regards combustible materials when Juárez has not yet been designated a zona crítica.

Arch Clouse indicated that it appears from the air quality data that Juárez has not had any violations of the CO standard these past 2 years perhaps nullifying the need for oxygenated gasoline, but it would be good to send the decision to distribute oxyfuels in Juárez to regulatory authorities responsible for enforcing the rules as they currently exist.

AMC indicated she would take the issue of having Juárez designated a nonattainment area so that it may then require Juárez to distribute oxyfuels during the winter months.

Carlos Rincon added that it may be time for a JAC resolution requesting a reconsideration of this decision to not distribute oxyfuels and a JAC member should be involved in this committee.

Ignacio Legarreta, Delegado for SEMARNAT in the State of Chihuahua, recognizes the effort behind this endeavor, but it appears PEMEX cannot comply with requirements for distribution of oxyfuels due to infrastructure deficiencies. He recommends a meeting between PEMEX, local Juárez regulatory staff, and the JAC to see how PEMEX can comply with the regulation. Bob Currey indicated the One Basin Resolution recommends we try to do things in similar fashion across the airshed to achieve air quality improvement across the board.

E) NAFTA agreement on vehicle data between the US/MX/Canada  
Gerardo Tarin reported on a recent agreement signed on by SEMARNAT that recognizes as equivalent to the Mexican Standards for vehicle emissions NOM 041 (gasoline vehicles in use) and NOM 045 (diesel vehicles in use). Vehicle inspection certificates issued by US and Canadian authorities are now acceptable in Mexico as proof the vehicle complies with a certain level of safety and emissions.

This new agreement refers to NAFTA, under Chapter 906 paragraph 6 of the North American Free Trade Agreement on Compatibility and Equivalence, each Party shall, wherever possible, accept the results of a compliance assessment procedure conducted in the territory of another Party. "Provided that it is satisfied that the procedure offers an assurance, equivalent to that provided by a procedure it conducts or a procedure conducted in its territory the results of which it accepts, that the relevant good or service complies with the applicable technical regulation or standard adopted or maintained in the Party's territory".

The agreement was published in the DOF (November 3, 2006), and recognizes the US and Canadian emission certificates as equivalent, for temporary &/or permanent importation and other procedures of foreign-registered vehicles entering Mexico.

F) New remote sensor in Cd. Juárez  
In December 2006, Cd. Juárez Ecology Dept acquired a Remote Sensing Device - RSD-3000 and a 2007 URBAN van at a cost of \$900,000 pesos (~\$85,000 USD). Just 2 RSD-3000 systems are deployed throughout the whole of Mexico. One system is deployed by the Mexico, D.F. Environmental Department and the other operated by the Mexican Petroleum Institute.

This equipment functions as follows: The RSD-3000 measures three principal pollutants, hydrocarbons, carbon monoxide and oxides of nitrogen emitted through a vehicle tailpipe. A camera captures an image of the vehicle license plates; up to 3,000 vehicles per day may be monitored by this device. The RSD-3000 allows the integration of the vehicle emissions database with the Public Transit Police. Benefits of this system include being able to undertake campaigns to detect high-(air pollution)-emitting vehicles. The police will notify the vehicle owner (of record) when their vehicle

has been detected as a high emissions vehicle. This program detects which are the highest polluting vehicles in Juárez and allows us to focus policy initiatives and conduct long-term studies on mobile source vehicle emissions. The environmental aspect of this endeavor will help ensure improved air quality for the entire community.

G) UAM Air Quality Study in Juárez (Mario Molina Study) - not presented.

H) Cd. Juárez ProAire Program

Gerardo Tarin reported the Juárez ProAire Committee has met to discuss a variety of projects. Currently the State of Chihuahua has developed a program to provide pollution prevention technical assistance to industry, a PM reduction project has been developing that reduces particulate emissions in Anapra, Chihuahua through the planting of over 2,000 trees in the Anapra / Sunland Park region, the brickmakers' project is proceeding by seeking sites for the relocation of the brickmakers, the oxyfuels committee has met to discuss the issue of non-distribution of oxyfuels, and efforts are underway to develop a workplan in Cd. Juárez for a point source emissions inventory.

I) Public Transportation using Natural Gas in Juárez

Jon Lear discussed Natural Gas Liquefaction and International Mobility Initiatives currently undertaken by Sun Metro.

The objectives of the NG Liquefaction project are to:

- § Reduce Sun Metro Fueling & Operational Costs
- § Ensure Predictability & Reliability of Sun Metro Fuel Supply
- § Improve Maintenance & Service Capacity
- § Integrate Cutting Edge Transportation, Fuel & Identification Technologies into Planned International Bus Service to Expedite Border Crossings

The NGL project calls:

- § Installation of small-scale, NG Liquefier (approx. 18,000+/- gallon per day capacity)
- § L/CNG fueling facilities in the Mission Valley and in Cd. Juárez.
- § An LNG cryogenic tanker for fuel transfer
- § 3 additional ADA-Compliant, low-floor buses for use in international bus service
- § Electronic biometric rider ID system to expedite border crossings. About 53% of Sun Metro riders come from Cd. Juárez, and
- § Technical resource support for fueling, maintenance & service facilities

Benefits of this project include:

- § Air quality improvements through emission reductions of NO<sub>x</sub>, particulates, CO, & Kyoto-Qualified CO<sub>2</sub> emissions
- § Reduction in Sun Metro fueling & operational costs
- § Ensured predictability of Sun Metro fuel supply
- § Multiple fueling facilities increase schedule adherence
- § Improved customer service & reliability and the addition of international service options, and
- § Opportunity for collaborative service and operation between Cd. Juárez & El Paso

The Clean Border Trade Demonstration Project is a second initiative at Sun Metro. The goal of this project is the development of a border trade system that facilitates the creation of secure manufacturing zones in the border region which meets both countries' priorities to establish a sustainable economic growth strategy that promotes security, efficiency and clean air. Objectives of this project include:

- § Point-of-origin clearance of commercial cargo to increase efficiency and reduce costs to and wait times at ports of entry
- § Supply chain visibility and integration into high-priority transportation corridors to increase security
- § Improve regional air quality and public health through reductions in heavy-duty vehicle emissions
- § Proposed efforts are consistent with Camino Real Border Improvement Plan and endorsed by Border Governors' Conference & Border Legislative Conference

The project components include:

- § Vehicle deployment using natural gas engine technologies, vehicle locators, and security systems;
- § Fueling infrastructure;
- § Centralized data systems to analyze fleet movement, cargo and border crossing information;
- § A network ops center for vehicle dispatch and tracking, and
- § "Secure Manufacturing Zones" for the monitored and secure loading of commercial cargo.

This project has similar benefits to the NGL project.

## 8. JAC Subcommittee Reports and Discussion

-Ways and Means - Nothing to report

-PM - Alba Corral, Ph. D., Chair

Victor Valenzuela reported an initiative reduce PM levels in the Anapra region by planting at least 1000 trees continues under development. Trees will be planted in early February. This initiative will help create a dust barrier between Anapra and Sunland Park and perhaps reduce PM emissions in that area. The West Texas Urban Forestry Council and Texas Forest Service are actively involved in developing this initiative. Alba reported the initiative to move forward with relocating the brickmakers. Discussions have taken place with the State of Chihuahua to address land availability.

-Mobile Sources - Ing. Ives Figueroa, Chair

No report

-Data - Mariana Chew, MPA, Chair

There has been movement to continue gathering information to improve the JAC website.

-Emerging Issues - Bob Currey, Chair  
Nothing to report

9. Observations and Comments from the Public

No Comments were received.

10. Highlights and consensus items of the meeting

- \$ Arch Clouse will reinvigorate efforts to address H<sub>2</sub>S issues affecting Texas.
- \$ Mexico will receive copies of the audio prepared by TxDOT for the O<sub>3</sub> Action Day program.
- \$ Bob Currey will lead the initiative to look at enforcement issues surrounding the oxyfuels program as well as other enforcement activities.
- \$ Tom Ruiz will look at issues regarding air emissions from the brick plant in SE Sunland Park.
- \$ Elaine Barron recommended we form a committee to review vehicle importation rules in Mexico.
- \$ Ana Maria Contreras suggested she will follow-up with rules related to H<sub>2</sub>S emissions from industrial sources.
- \$ AMC offered to lead discussions in Mexico, D.F. to have Juárez designated a nonattainment area so that it may then require Juárez to distribute oxyfuels during the winter months.
- \$ The ProAire group will keep pressing SEMARNAT to re-institute the oxyfuels requirements for Cd. Juárez. Ignacio Legarreta will facilitate discussions between PEMEX and the JAC / ProAire groups.
- \$ The JAC will form a committee to meet w/ Sun Metro to help the NG Liquefaction and the Clean Border Trade Demonstration Project.

11. Next meeting date: April 19, 2007 in El Paso

12. Adjourn at 14:30