

Minutes

45th 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 June 18, 2009

1. Welcome and Introductions

Bill Luthans (BL), USEPA Region 6, and Gerardo Tarin (GT), SEMARNAT, welcomed all to the 45th meeting of the JAC. A quorum was established.

JAC Members Present	
U.S.	México
Bill Luthans – EPA	*Gerardo Tarin – Alt. For A.M. Contreras
Ramiro Garcia Jr. – TCEQ	**Seraio Zepeda - PROFEPA
Michael Baca – NMED	**Araceli Salazar – COESPRIS
Mariana Chew – Sierra Club	*Ina. Francisco Viail – Alt. for S. Castro
Elda Rodriguez – City of El Paso	*Hector Sandoval – Alt for B. Escudero
*Jill Kellev – Alt. for John Quinn	Ina. Rene Franco – MEM
Elaine Barron. M.D.	**Enrique Suarez - SADEC
Robert Ardivino – City of Sunland	Dra. Alba Corral – UACJ
Bob Currev	Ina. Ives Fiqueroa - CANACINTRA
*Tom Gill – Alt for Wen-Whai Li.	Alberto Ramírez – CCSD
* Alternate	** Not Present

2. Presentation and approval of current agenda and minutes.

The Agenda and minutes were approved.

3. Message from the Co-Chairs

Gerardo Tarin noted there was a meeting In Jz on used vehicles. Ana Maria Contreras requested several important items be mentioned at this meeting. A used vehicle working group recommends that imported vehicles be emissions' tested prior to entry into MX. SEMARNAT also proposes a BECC proposal covering the entire US-MX border addressing this recommendation. BL added the used vehicle task force was formed out of the Air Policy Forum meetings in Monterrey.

4. Public Participation

- a. Sharon Thomas, City of Las Cruces City Council Member, reported some long-standing dust issues that have recently been EPA-funded. The city of SLP looks forward to using these funds to increase enforcement on local dust ordinances.

- b. V. Valenzuela reported a Safari Night fundraiser will be held for the upcoming environmental summit sponsored by TX. State Sen. Eliot Shapleigh.
- c. Heather McMurray, who works on the ASARCO issue, asked about an item in the minutes indicating all issues addressing ASARCO will be referred to the Waste Workgroup. BL replied that the JAC ASARCO resolution had items addressing legacy soil contamination issues. The desire to refer to the Waste group is a regulatory / jurisdictional issue. There are no current air permitting issues given ASARCO requested the air permits be rescinded. Therefore just about all issues remaining at ASARCO have to do with soil contamination which will be addressed under RCRA.

HM asked that better information be provided associated with the period when ASARCO incinerated hazardous and military waste and that particular information be provided before moving the issue to another group. Elaine Barron asked that better information be provided regarding water & soil contamination, movement and disturbance of the current surface cover over the site, and how those legacy issues may be impacting the community surrounding the facility.

Mariana Chew added that not only the air, soil & water are contaminated, but until all these issues are address the JAC continue to be a forum at which ASARCO issues are addressed. There is little information regarding the manner or extent to which Mexico was contaminated by emissions from the ASARCO facility. We need a more comprehensive review of information available & not yet known before moving this issue out of the JAC forum.

While TCEQ assessed contamination in El Paso little was done to evaluate contamination in Mexico. EB added we should bring in experts who studied a similar issue in Tacoma, WA and how ASARCO conducted studies near a smelter in that part of the country. MC added that the only difference may be that hazardous materials were likely not incinerated at the Tacoma facility. Alberto Ramirez from CCDS & BECC stated funds have been provided to the UACJ to study soil contamination in that region of Jz.

Bob Currey stated that ASARCO is a facility w/ multi-dimensional environmental issues. Perhaps the JAC can develop a subcommittee to address issues surrounding this facility. Subcommittee membership can include members of the community. BL added that funds have been provided through the bankruptcy trust fund to address these legacy environmental issues. No one involved in the future clean-up is at this meeting. The JAC resolution recommended forming a Citizens Advisory Committee to address these legacy issues, but until we're in the same room w/ those involved w/ facility clean-up we'll just be talking to ourselves. EB added there are several knowledgeable people that can be part of that committee including members of the other task forces such as the Health & Water TF.

BL requested that the JAC fine-tune the resolution to allow it to participate in the clean-up at the facility which will be undertaken by the trustee. There are 2 parts to the resolution that have not been fulfilled: 1) Formation of a Citizens' Advisory Panel to work with ASARCO and 2) satisfaction of characterization of environmental media such as soil

and water. Perhaps we can form a committee at or before the next JAC meeting & figure out how to accomplish these 2 items. BL recommended the item be included on the next agenda, report back on how a trustee may operate to seek input and advice from the public, & formation of a JAC subcommittee recognizing the multimedia aspects (air soil, and water) recognizing whatever management structure exists to deal with the remaining clean-up at the facility.

BL asked Ramiro Garcia, TCEQ, if there is a component in the bankruptcy trust fund document that allows for establishment of a citizens' advisory panel & if one can be created. RG indicated he's not aware of any component of that type, but Lorinda Gardner will take it back to Legal in Austin to see if it is possible. BL asked who the manager of the trust fund is. LG responded TCEQ is in process of assessing nominees. If the JAC wants to tee this up it's consistent with the JAC Resolution to address the legacy issues so we need to figure out how to plug into that. BL asked for volunteers to form this subcommittee.

5. JAC Discussion on Public Comments - No JAC member comments were provided.

6. Air Quality Report

Victor Valenzuela (VV) presented the air quality report. VV provided a map of monitoring sites across the region. From 1/1/2009 – 6/16/2009 no CO exceedances were observed in EP or Jz. A CO violation occurs when more than one reading above 9.5 ppm is observed at the same monitoring site in the same calendar year. No exceedances of the 1-hr or 8-hr O₃ standard occurred. Data indicate EP has been in violation of the new 8-hr standard since 1986. The trend does not indicate O₃ air quality will improve. A final designation for El Paso may be made in 2010.

PM₁₀ data from local Wedding samplers indicate Juarez had 2 PM₁₀ exceedances during the 1st 6 months of 2009.

TEOMS – Tapered Element Oscillating Microbalance – data from several PM₁₀ and PM_{2.5} monitoring sites in EP & NM indicate exceedances of both standards, however all exceedances were observed during high-wind events. 3-year moving averages of PM_{2.5} concentrations in SPCY indicate there are no violations occurring at this site. H₂S data, which in the past has been problematic in SE EP County indicate a dramatic decrease.

Heather McMurray asked if there are any plans to replace Wedding samplers because they tend to under-report PM₁₀ concentrations. VV replied that there are no plans to replace those samplers at this time. (RG later responded the Wedding samplers will be removed by attrition).

GT added there is a project with NMED and Juarez to measure PM₁₀ concentrations in western Juarez. Hector Sandoval indicated Jz is working w/ NMED on the recent deployment of 6 eBAM samplers. The field study is completed and data currently being analyzed.

7. Presentations

- A) GHG Workshop in Monterrey - discussion on future directions that may impact the Paso del Norte airshed. Maria Sisneros reported on the Air Policy Mid-Course Refinement Objective, Status of U.S. states, Status of Mexican states, Border States' Climate Change: Monterrey, Nuevo Leon, U.S.-Mexico Border Region Greenhouse Gas Inventories and Policy.

Air Policy Mid-Course Refinement Objective: By 2012, build border greenhouse gas (GHG) information capacity using comparable methodologies and expand voluntary cost-effective programs for reduction of GHG emissions in the border area. By 2010, estimate GHG emissions in at least eight Border States and identify the sources and locations from which reductions may be achieved. Promote and/or expand voluntary energy efficiency and other GHG reduction programs (i.e. Methane to Markets, SmartWay, others) in at least two border States, and track the emissions reductions associated with those programs.

The status of US States indicates CA, NM, & AZ are in process of developing GHG registries. CA developed the Global Warming Solutions Act 2006. AZ created a 35-member Climate Change Advisory Group (CCAG), set a goal to reduce state's GHG state's emissions to 2000 levels by 2020 and to 50% below 2000 levels by 2040; and work towards developing an Arizona-Sonora regional inventory of GHG emissions. NM targets obtaining GHG to year 2000 levels by 2012; 10% below 2000 by 2020; 75% below 2000 by 2050; created the Climate Change Advisory Group (CCAG) to make recommendations for meeting targets, and mandated a state inventory and the development of an GHG impact report.

The status of northern Mexico states indicates Baja California entered a collaboration agreement with the State's Higher Education Institutions (IES), CICESESE, COLEF, and UABC; it is currently coordinating the development of local studies on climate change to prepare the 'State Climate Change Action Plan for Baja California, BC is working on a GHG EI with the Climate Change Strategies Group. Sonora completed a GHG inventory, it is working on a Climate Action Plan, it signed onto the Western Climate Change Initiative and the AZ-Sonora Climate Change Initiative, Chihuahua is working on a multitude of projects as described below. Coahuila is preparing a GHG inventory and developing a methane capture project with BECC. NL is working on a GHG inventory and action plan. Tamaulipas is establishing a state climate change committee, preparing a GHG EI, performing climate modeling, and proposing actions to reduce GHG emissions.

- B) Actions & activities to address GHG and climate change taking place with the State of Chihuahua include developing a GHG emissions inventory. Projects under development involve energy conservation & efficiency. Reduction and sequestration of GHG emissions. There is ample information being provided to municipalities across the state for construction of landfills and biodiversity conservation. Voluntary compliance and best

management practice initiatives are being implemented. Forestation, reforestation, and environmental education programs have been strengthened.

A GHG strategy is being developed with help from the Center for Climactic Strategies. A GHG EI based on 2005 data and GHG reduction strategy has been developed for the period covering 2006-2020. Chihuahua has become a member of the Western Regional Climate Exchange. A carbon market and more involvement in Kyoto Protocol strategies are under development. In total, quite a few activities are contemplated in Chihuahua for proactive reduction of GHG and doing its part for climate change.

- C) El Paso Wintertime Oxyfuels & Summertime Programs. Update on enforcement programs, inspections, and activities. Elda Rodriguez reported only 2 violations of the CO rule were recorded, and there was 98% compliance with the summer fuels program.
- D) Assessment of Land-based Sources of Air Quality Contaminants in the Binational Border Region of Southwestern New Mexico and Northwestern Chihuahua: Presentation and Validation of the Project Concept
Rich Arimoto, Consultant to NM-Dept of Health- presented a project proposal that the JAC is requested to validate. The purpose of this project is to develop a fundamental understanding of the real and potential sources of air quality contaminants (AQC), their relationships to meteorological conditions and climate, and their impacts on human health and well-being. It includes several objectives.

Objective 1) Improve our understanding of AQC that pose potential threats to public health and welfare.

1a. Identify land-based sources for AQC.

1b. Learn how human activities affect the emissions of AQC.

Objective 2) Explore linkages among AQC, human exposure, and public health outcomes, especially allergies, asthma, and chronic obstructive pulmonary disease (COPD).

Objective 3) Improve our ability to predict how specific AQC are affected by meteorological conditions and how future changes in climate might affect the occurrence and effects of the AQC

There are associated issues. Seasonal allergic rhinitis “Hay fever” affects ~20% of all adults and up to 40% of the children in the US. Allergens are commonly airborne pollens, mold spores, & fungi. Examples are *Aspergillus sp.* and Human Health. Allergic bronchopulmonary aspergillosis (ABPA): chronic allergic reaction with cough, wheezing and fever. Invasive aspergillosis: *Aspergillus* spread throughout the lungs and through the bloodstream to the brain, heart, liver, and kidneys. Pulmonary aspergilloma: usually develops in open spaces in the body, such as cavities in the lungs caused by preexisting lung disorders (also can develop in the ear canals and sinuses).

Incidence of ABPA:

- a. 0.25-0.8% of people with asthma and ~7% of patients with cystic fibrosis are thought to have ABPA. Invasive aspergillosis is estimated to occur in 5-13% of recipients of bone marrow transplants, 5-25% of patients who received heart or lung transplants, and 10-20% of patients receiving intensive chemotherapy for leukemia. Aspergilloma: not rare in patients with chronic cavitary lung disease and cystic fibrosis.
- b. These issues are associated with close contact with confined animal feeding operations (CAFOs). Dust & Soil Fungi from Disturbed Environments. Links to human health and welfare

Regarding “Dust & Soil Fungi from Disturbed Environments”. Hypothesis: Pathogenic fungi are enriched in air from disturbed environments (CAFOs, agricultural operations, unpaved roads, grazed lands, etc) and in soils downwind. Strategy involves investigations of spatial and temporal variations in dust concentrations, fungal abundances, and fungi/mineral dust ratios. It considers meteorological influences on dust concentrations and fungal abundances. From this an atmospheric model named FREAM will evolve - Fungi Regional Atmospheric Model - to help on issuance of health advisories, scheduling of transplant surgeries, & resource management.

- 8. JAC Subcommittee Reports and Discussion –
 - A. PM Technical Commission: Alba Corral, Ph.D – no report
 - B. Mobile Sources – Cd. Juarez Ecology Department reported on development of the vehicle verification program.
 - C. Emerging Issues: BECC will be reviewing proposals for this year’s B2012 funding cycle.
 - D. Data Committee – No report
 - E. Ways & Means: No report
- 9. Observations and Comments from the Public –
- 10. Highlights and consensus items of the meeting.
 - a. TCEQ will check with it’s legal dept. to see how the public can be engaged w/ future decisions re: the ASARCO clean-up & participation of a Citizens’ Advisory Committee.
 - b. The JAC will form a committee to attach itself to the ASARCO clean-up as a follow-up to the resolution addressing legacy issues, but more importantly establish the Citizens’ Advisory Committee.
 - c. The JAC will form a GHG subcommittee. Leaders have responded to that.
 - d. Bill Luthans will contact the State Dept. & Mexico will check w/ SRE to check on objections to adding a new member on both sides.
 - e. The JAC will provide input on Rich Arimoto’s proposed project.
- 11. Next meeting September 17, 2009 in El Paso, TX
- 12. Adjourn