

Minutes
 47th 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
 Instituto Municipal de Investigación y Planeación. / Cd. Juárez, Chihuahua
 WebEX Interface with El Paso Metropolitan Planning Organization

1. Welcome and Introductions

Bill Luthans (BL), USEPA Region 6, and Ana Maria Contreras Vigil (AMC), SEMARNAT, welcomed all to the 47th meeting of the JAC. A quorum was established. AMC welcomed Maestra Rosario Diaz as a new interim member of the JAC. Bill Luthans welcomed the MPO as member on the JAC.

JAC Members Present	
U.S.	México
Bill Luthans – EPA	Ana Maria Contreras – SEMARNAT
*Lorinda Gardner – TCEQ	Sergio Zepeda - PROFEPA
**Michael Baca – NMED	**Araceli Salazar – COESPRIS
Mariana Chew – Sierra Club	**Silvia Castro – Gob. Edo de Chih
Albert Melero – City of El Paso	Bernardo Escudero, DNA
*Nicolas Chapa – Alternate for J. Quinn	Ing. Rene Franco – MEM
Elaine Barron, M.D.	**Enrique Suarez – SADEC
**Comm. Saldaña Dona Aña County	**Dra. Alba Corral – UACJ
Bob Currey	Ives Figueroa – CANACINTRA
**Wen-Whai Li,	Alberto Ramírez – CCSD
George Pinal, El Paso MPO	M. en C. Rosario Diaz – IMIP
* Alternate	** Not Present

2. Presentation and approval of current agenda and minutes.
 The Agenda was approved. Minutes were approved with minor revisions.

3. Message from the Co-Chairs

BL reported he Al Almendariz has been named Administrator of EPA Region 6. Mr. Armendariz was briefed on the JAC; one message promoting alternative energy to reduce GHG and many had heard about the new stricter O3 standard. EPA is proposing 70ppb, and this should be finalized by Summer. Regarding the EPMPO's addition to the JAC, BL formally requested from the State Dept asking to expand the JAC by one member on each side. BL contacted Rachel Pointer, EPA's State Dept. contact person, and she informed BL that as of this moment the attorneys at EPA believe we need to go through a more stringent process. However EPA believes the MPO and IMIP need to be at the table so in the interim MPO and IMIP will be part of the JAC.

AMC added that recently BECC approved 4 projects – 2 in EPA Region 9 and 2 in EPA Region 6. One of the projects will address Clean Transport in a manner equivalent to Smartway. SEMARNAT will implement the aerodynamic technology and conduct several workshops with transportation interests. AMC added that SEMARNAT is updating NOM-041 - Mobile sources addressing dynamic smog-checking across Mexico. There will be a modification to NOM-045 related to heavy duty vehicles.

4. Public Participation - No comments from the public were submitted.

5. JAC Discussion on Public Comments

Mariana Chew commented there were meetings of the Franklin Mtns. Wilderness Coalition, Sierra Club, and other organizations. Those organizations reported 3 issues as a result of community meetings. One addresses emissions impacting regional air quality from Western Refinery and ASARCO. The \$52 million for the ASARCO cleanup goes only toward El Paso activities without addressing cross-border contamination. During the bankruptcy proceedings on ASARCO the bankruptcy court removes all future claims against the smelter. Cd. Juárez & Sunland Park are not considered part of the smelter clean-up. Two, the process to select the trustee was inadequate insofar as public accountability was concerned. The community groups felt there were many misunderstandings regarding the selection process. The people request to obtain their own soil samples from the trustee and would like to have greater participation. Three, quarrying activities undertaken by JOBE next to the Franklin Mtns will impact air quality. Other comments were provided regarding Western Refining and regional windblown dust.

AMC reported the issues at ASARCO will be directed toward the Waste Workgroup. BL noted he would contact Mariana to discuss all her points.

6. Air Quality Report

Victor Valenzuela (VV) presented an air quality summary from 1/1/2009 – 12/31/2009. 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 85 ppb 8-hr O₃ standard occurred in EP in 2009. If Mexico had a 75ppb 8-hr ozone standard it would have exceeded this standard twice in 2009. El Paso reported no exceedances of the 75ppb 8-hr ozone standard in 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 therefore there were no violations of this standard at the TEOMs. BL commented that the proposed 8-hr ozone standard was recommended to be set between 60ppb-70ppb which could cover EP monitoring sites. EPA is also considering lowering the PM_{2.5} standard so this is something we'd like to watch.

AMC commented she has seen Juarez PM₁₀ data which appears different from the data VV is presenting. She stated SEMARNAT is reviewing the data quality because of this difference. Hector Sandoval commented that Juarez is looking at their PM₁₀ monitoring sites which are different from the PM₁₀ sites that VV is using for his report. The only issue AMC raised is SEMARNAT wants to look at the interpretation of data. SEMARNAT looks at the Percentile graphs where MX considers the 98th percentile of data generated. Bernardo Escudero reported on a meeting hosted by SEMARNAT where data quality objectives and data quality assurance methods were presented and asked if a follow-up has occurred?

BL commented that as we move forward w/ modification of standards he'd like to know about emissions inventories modifications. What things are in or not in the EI that could be impacted by any tighter standards? What type of sensitivity analysis needs to be conducted? VV replied he's been discussing EI's w/ TCEQ regarding getting a point or area source EI for EP & Jz. BL seconded. He'd like to see an EI (perhaps simplified at first) for EP, Jz & SLP. AMC reported SEMARNAT is in process of completing the EI for Jz.

7. Presentations

A) Report and recommendations from JAC subcommittee on GHG-CC.

Victor Valenzuela prefaced his comments by stating the comments presented today were provided by the State of NM as chair of the JAC GHG subcommittee and do not represent the views of the State of Texas. A meeting of the GHG subcommittee took place on 12/10. On 12/7 EPA issued a press release stating GHG is a danger to human health. Some questions are raised regarding GHG regulations and enforcement of such regulations. NM issued an Executive Order stating there will be continued cooperation in the Western Climate Initiative. NM will work with the State's electric utilities and stakeholders to develop recommendations to reduce GHG emissions from existing power plants within the state. NM will develop recommendations for a new emissions performance standard for fossil fuel electric generating facilities and

long-term power purchase agreements. NM will develop recommendations for offset protocols consistent with the WCI. NM will develop mechanisms for quantifying GHG emissions and calculating offsets as well as calculating carbon credits. NM will develop a resilience advisory group to develop a plan addressing GHG/CC.

Brenda Arciniega reported the Chih. State is developing GHG inventories from 1990 to 2025. This program is being assessed by several parties, and a final document will be ready in the upcoming months. The gov't is working w/ SEDUE to develop Chihuahua Verde as well as promoting state recycling programs. It is expected from this effort something can be developed for Cd. Juarez. A question was raised whether the Mario Molina Center would collaborate with this effort. AMC reported SEMARNAT would be coordinating this activity. AMC also asked what issues would be collaborated on between the US and Mexico before the upcoming APF meeting?

B) Pro-Aire Update.

AMC reported SEMARNAT is conducting an assessment of the ProAires nationwide. The objective is to evaluate compliance with measures to which each community committed. 2nd is to determine emissions reductions for each measure. The ProAires are assessed in Toluca, Guanajuato, and other communities. Cd. Juarez is working on a calendar for compliance with projects proposed in its ProAire. Jz has 5 strategies addressing industry, mobile sources, commerce, etc. The assessment for 2009 will be presented this year. We will weigh each measure according to its importance. Evaluation will be conducted by strategy based on compliance level and available information to make an accurate assessment. A matrix will be prepared for each measure to determine compliance and compare what is programmed as well as accomplishments.

C) Cd. Juarez Vehicle Verification Program Update

Hector Sandoval (HS) reported on progress of the VV program in 2010. In 2009 we almost reached 80% of the goal of vehicles inspected. In 2010 we may be able to increase the goal and surpass it. The Cd. Juarez Ecology Dept is working with other departments within City Gov't. to enforce the program. Methods used to implement this program include the transfer of technology with the U.S. Databases are being consolidated for 2009. In 2010 the VV program is being re-launched. Vehicles not passing the test are being removed from circulation in the streets.

BC asked from a political / legislative perspective if passing the VV test is required for registration of the vehicle. The state law has its registration program and the City has its VV program. One of the goals in Jz is to link databases to the registration data, but a negative relationship develops with the State when the VV sticker is required for registration.

VVal asked if after the mayoral elections would cause the VV program to have a difficult time re-starting. HS reported the VVerif program has worked for 10 years. Each administration has occasional difficulties in starting the program. AMC commented on revisions of NOM-041 which includes the dynamic test, but Ives Figueroa & HS reported the static test is working quite well. El Paso has an OBD and static tail-pipe test. AMC responded the OBD is a different test compared to the static test. SEMARNAT is proposing the OBD as well as the dynamic test. The dynamic test is a method of standardizing the vehicle emissions test throughout Mexico and provides better and more accurate results of emissions. HS added that the static test may not be as accurate as the dynamic test, but it is an adequate method of testing many vehicles. This is more of a cost-advantage issue. Tamaulipas is interested in following the Juarez method, Consolidating the same tests nationwide may be difficult. VVal asked how many vehicles were tested and how many vehicles are in the Cd. Juarez fleet? 440,000 vehicles are registered. There are other vehicles not registered that cross into Mexico but do not circulate or are imported deeper into Mexico. BC asked how many light-vehicles are registered. The information is available, but not at hand. HS asked how many vehicles are in EP to compare data. VV replied he'll prepare something for an upcoming meeting.

M. Chew asked a question regarding the cost of the sticker. HS responded \$7 annually, and commercial vehicles are inspected 2x/year. The Ecology Dept developed a training program for vehicle inspectors. 25,000 school children have been trained on the vehicle verification program.

D) Cd. Juarez Roadway Paving activities.

Ing. Nicolas Lopez (NL) from IMIP discussed the road paving initiatives. Juarez has a challenge to pave roadways in the eastern side of the city which is growing and continues to have unpaved roadways in the western side of the city. Jz has more than 5,000 km of roadways. About 63% are paved, During the past 11 years there has been paving throughout the city funded by all 3 levels of government. These are local streets and not primary roadways. Each subsequent year sees effort in paving roadways throughout the city especially in the west and south side of the city. Urban development (sprawl) continues toward the southern and eastern sectors. However, unpaved areas continue to exist throughout the city in all sectors. 140,000 sq.meters of roadway are paved each year requiring a budget of \$112 million pesos. Not only is paving required, but also infrastructure improvements must be completed to water & wastewater systems.

Maestra Rosario Diaz added that there is great cooperation between IMIP and the current administration to manage the roadway paving projects and work toward developing an effective and efficient paving program.

Alba Corral was asked a question regarding the impact of emissions from unpaved roadways as this relates to the local emissions inventory. This requires further research and modeling. The PM committee was asked to follow-up on this issue.

8. JAC Subcommittee Reports and Discussion –

A) PM Technical Commission: Alba Corral, Ph.D – reported that in Dec. 2009 her proposal for constructing brickkilns was not approved and she'll keep looking at methods of financing this project. Jz has 256 kilns. Her group is thinking that if the land is given to the brickmakers, they'll construct the environmentally friendly kiln. Investment capital is being sought, but financial resources are not forthcoming. Currently 20 kilns constructed with funds from El Paso Electric are in operation.

Bernardo Escudero commented there are funds for a Clean Transportation program funded by the B2012 program, and Cd. Juarez would like to be 1st in line to receive funds offered under this grant. Juarez would also like to receive support for expanding the air monitoring network. He would like to thank NMED for providing the eBAM monitors.

- B) Mobile Sources – No report
- C) Emerging Issues - No report
- D) Data Committee - No report
- E) Ways & Means - No report

9. Observations and Comments from the Public –

A comment was provided by Miguel Velazquez from the Tec de Juarez if after all this talking by the committee have there been any real emissions reductions? With all the funds that have been spent what has been the benefit to the community? We need goals, strategies, and actions that the community must commit to. We must be able to tell our children what they are being exposed to. If we don't make an effort we won't change the results we're achieving.

10. Highlights and consensus items of the meeting.

- A) For the next meeting include information on the EI of point, area, & mobile sources for the 3 jurisdictions. VV can coordinate between TCEQ & SEMARNAT. What type of sensitivity analysis needs to be conducted regarding different sources in the different jurisdictions?
- B) Can the El Paso Veh. Inspection program be added to the agenda?
- C) DNA asked for a list of salvage vehicles registered in El Paso County.
- D) BL will follow-up with the points Mariana Chew raised. Mariana was asked to provide the document.
- E) VV will obtain data on the vehicle fleet and testing data. DPS enforces the I&M program and may make a presentation on the number of stickers issued in any particular year.
- F) The PM committee was asked to follow-up on the PM issue as it relates to unpaved roadways.
- G) Chihuahua was asked to provide information at the next meeting regarding their climate change activities.

11. Next meeting April 15, 2010 in Doña Ana County, NM

12. Adjourn