
SUMMARY

TWG Meeting

November 6, 2019

10:00 am – 3:00 pm

Texas Department of Transportation – Austin District

7901 N. I-35

Austin, TX 78753

Follow-up Actions from THIS MEETING

- **TTI** staff will compile the materials from the breakout session/workshop on “TWG Needs and Opportunities” and provide a summary to the TWG members.
- **Kristi Holstead** will compile the notes from the meeting

Next Meeting

TBD

Participants

There were 27 TWG members in attendance, and approximately 5 members attending via WebEx.

The meeting was led by **Laura Norton** and **Madhu Venugopal**. **Laura Norton** began the meeting by welcoming attendees to Austin, followed by attendees introductions.

Workshop Introduction and TWG Historical Perspective

The primary focus of this TWG meeting was the workshop on the future of TWG, which included some introductory remarks and breakout session discussions on TWG needs and opportunities. **Bill Knowles** kicked-off the event by providing a brief overview of the TWG meeting's purpose and objectives.

Three TWG members (**Janie Temple-TxDOT, Jose Campos-FHWA, and Chris Klaus-NCTCOG**) were asked to share their experiences participating in TWG over the years, to provide a historical perspective. A summary of the remarks and some recommendations are provided below:

Historical Perspective

TWG functions as part of 40 CFR Part 93, Subpart A, Section 93.105, i.e., the conformity consultation process. TWG coordinates with the MPOs to make sure the MTPs conform to

the air quality goals set in the SIP¹.

The first TWG meeting occurred in the early 1990s. From the early 1990s to the early 2000s, TWG was focused on streamlining and getting stakeholders up to date on air quality requirements. In the 2000s, TWG did a lot of work that fed into research at the national level and was then implemented in other states. In the early 2000s, a team was set up to develop a mission statement for the TWG. Representatives were TxDOT, TTI, and TNRCC (now TCEQ), FHWA, and NCTCOG. This mission statement was:

“The vision of the TWG is to provide a focused, proactive, and effective forum for problem solving and information sharing needed to accomplish transportation / air quality goals. The mission of TWG is to accomplish the vision through the mobilization of resources, staff training, technical policy exchange, and outreach; resulting in coordinated, consistent, and timely outcomes.”

In the mid-2000s to 2010 timeframe, TWG started using subcommittees for accomplishing specific, focused activities. The TWG produced nationally recognized products such as the Texas Guide to Accepted Mobile Source Reduction Strategies (MOSERS), the pre-analysis consensus plan, and the conformity documentation structure. Through TWG, MOSERS came together to provide commonality to the emissions estimation methodologies for air quality projects in Texas. These methodologies are applied currently for calculating emissions benefits for projects under CMAQ and for SIP TCMs.

In 2010 and later years, TWG focused on streamlining processes and protocols, and information sharing and using new technologies. A good example of this is the Texas Air Quality Portal (<https://txaqportal.org/>) developed for the TWG.

Recommendations for the Future

Some of the recommendations for the future that were mentioned in the introductory remarks/linked to the historical perspective of TWG are as follows:

- TWG was an important venue for identifying transportation air quality needs and addressing them successfully through various mechanisms. In doing so, TWG was able to assist and reach a wider audience. It was recommended that TWG continue to play such a role in the future.
- In looking back at the decades of TWG history, there was a lot of effort to develop and

¹ From the TWG Website: *The Texas Department of Transportation (TxDOT) formed the Technical Working Group for Mobile Source Emissions (TWG) in the early 1990s in response to the CAAA of 1990, more specifically, according to the provisions of the Texas Administrative Code, Subchapter G: Transportation Planning, Sections 114.260 and 114.270, and of 40 CFR Part 93, Subpart A. TWG was originally designed for a small group of technical staff to work out problems or strategies for modeling on-road mobile source emission inventories. Since the early 1990's the topics have grown to include policy discussions. The membership has grown considerably with the advent of the 8-hour standard and the potential new nonattainment areas. TxDOT – TPP has overall management responsibility for the TWG. The Texas A&M Transportation Institute facilitates the meetings and provides other staff support for the TWG as part of a contract with TxDOT.*

organize the TWG structure and put things in place – so it is important to leverage these existing structures and maximize utility.

- TWG has played an important role in getting consensus on critical tasks and bringing them forward, on both the technical side and the policy side. TWG should continue to do the same. The benefit of TWG has been its ability to bring stakeholders together to join their efforts and talents in doing and improving on these things.
- In the past, TWG played an active role in the SIP. There used to be a SIP workgroup which was part of the TWG. This workgroup made many recommendations that were implemented, and its past purpose was met. As new SIP and conformity regulations arise as a result of new nonattainment standards, there is potential to revisit this topic.

Breakout Session

The breakout session included three groups, which each discussed specific TWG needs and opportunities based on a predetermined set of discussion topics. The groups were facilitated by TTI staff (Madhu Venugopal, Joe Zietsman, and Andrew Birt) and reported to the TWG group by Jose Campos, Jamie Zech, and Aaron Slevin.

(Break for lunch. The meeting resumed at 12:45.)

Agency Information & Updates

EPA, Jeff Riley

Jeff Riley provided the following notes via email to be included in the summary:

- Ozone & PM NAAQS Review Schedules/Documents
 - November 1, 2019 – Release of Draft Policy Assessment for the Ozone National Ambient Air Quality Standards, Notice of Availability published in Federal Register (84 FR 58711). The comment period closes on December 16.
 - Document not decisional, but final will inform EPA’s proposed & final rulemakings for ozone review. The document will be examined by CASAC, debated in December 3-6 meeting.
 - September 2019 – Draft Policy Assessment for Particulate Matter NAAQS review released, comment period already closed.
 - Ozone & PM NAAQS reviews on the same general schedule – proposed actions anticipated Spring 2020, final actions anticipated by the end of the calendar year 2020.
- Challenges to EPA Designations Under the 2015 Ozone NAAQS
 - January 25, 2019 – The State of Illinois, local governments in Colorado and New Mexico, and environmental groups filed an opening brief in the D.C. Circuit Court in *Clean Wisconsin, et al. v. EPA*, challenging EPA’s final area designations under the 2015 NAAQS.
 - El Paso is one of the areas whose “attainment” designation is being challenged.
 - February 1, 2019 – Northeastern states including Connecticut, Delaware, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, Oregon, Rhode Island,

- Vermont, Washington, and the District of Columbia filed an *amicus* brief in the D.C. Circuit Court backing the *Clean Wisconsin* suit. (Amicus brief is a legal document filed by someone who is not a party to a case and may or may not have been solicited by a party and who assists a court by offering information, expertise, or insight that has a bearing on the issues in the case.)
- Summary of Argument – EPA violated its duty to engage in reasoned decision-making when it issued the final 2015 ozone NAAQS designations challenged in these consolidated cases.
 - Was unable to locate publicly-available links to these filings, but the case number is – USCA Case #18-1203, and the document numbers are – #1770369 (opening brief), #1771625 (amicus brief).
 - EPA filed a response brief on **May 10, 2019**.
https://www.eenews.net/assets/2019/05/14/document_gw_06.pdf
 - See pg. 59 for clarification on the remand relating to Chicago, Milwaukee & El Paso – “To the extent the Court finds that Petitioners have standing to challenge the remaining designations, EPA requests remand of those designations without vacatur to review them.” This means that IF the court rules in favor of the petitioners after verbal arguments, EPA wants the designations remanded without vacatur to review.
 - The D.C. Circuit Court is poised to hear oral argument Nov. 6 in litigation challenging EPA’s designations of whether several areas across the United States are attaining or violating the 2015 ozone air standards.
 - Draft Update of the Port Emissions Inventory Guidance
 - EPA OTAQ is working on an update of the Port Emissions Inventory Guidance, last published in 2009.
 - Update is intended to reflect new data sources & model availability, lessons learned from practical experience, and to inform future inventory development.
 - Guidance provides methodologies described in the guidance to prepare a port-related emissions inventory for landside and waterside emissions across six port-related sectors: Ocean-Going Vessels, Harbor Craft, Recreational Marine, Cargo Handling Equipment, Onroad Vehicles, and Rail.
 - Draft guidance will likely be circulated to EPA regions for internal review & comment within the next few weeks, should have idea of public release date after review.
 - Electric Vehicle Trends and Projections Webinar
 - This October 2019 webinar, organized by EPA’s State and Local Energy and Environment Program and Office of Transportation and Air Quality, provided an overview of the current electric vehicle market and expected trends for the future. It touched on key studies and briefly summarized findings about the environmental and economic implications of electric vehicle adoption. Intended for state and local environmental and transportation planners.
 - <https://www.epa.gov/statelocalenergy/webinar-electric-vehicle-trends-and-projections>
 - STAQS 2019 Presentations

- Presentations given during the Southern Transportation and Air Quality Summit held August 20th – 21st in Louisville, KY has been posted online by the Kentucky Transportation Cabinet.
- <https://transportation.ky.gov/MultimodalFreight/STAQS%202019/Forms/AllItems.aspx>

FHWA, Jose Campos

Jose Campos provided the following updates in the meeting:

- Transportation Conformity
 - FHWA is currently working on finishing up the conformity determinations on the orphan areas. This is addressing the 2045 MTP plan.
 - San Antonio started another round of conformity after receiving their conformity determination for the current MTP in September. FHWA will see if there is an opportunity to streamline the latest effort, given the last one was completed so recently .
- CMAQ –FHWA will be completing the CMAQ annual report cycle. TPP will reach out with information on the areas for which funds were obligated or de-obligated and will need to be incorporated into the CMAQ database. FHWA’s deadline is March 1st, which means they need the information earlier than that. Once the MPOs are done reporting, it must go through TxDOT before it goes to FHWA for review.
- Laws and Regulations –
 - FHWA will be talking with El Paso on Friday regarding road diets. FHWA may circle back and share it with TWG. The frequently asked questions as provided by EPA and FHWA can help determine if a project is a road diet. Those projects will be exempt from regional conformity. The tie back to the road diets, in terms of the regional conformity exemption, is safety.
 - Guidance document on Road Diets:
<https://safety.fhwa.dot.gov/provencountermeasures/pdfs/fhwasa17066.pdf>

TxDOT TPP

Field representative updates (Raymond Sanchez, El Paso; Darcie Schipull, San Antonio; Nick Page, NCTCOG; and Phillip Tindall, Beaumont)

Raymond Sanchez stated the El Paso MPO is currently in the process of scheduling their 2045 MTP and will be going through that process for the next several months. TxDOT will be meeting with the consultative partners on November 8th.

Nick Page was unable to attend.

Darcie Schipull stated that AAMPO was excited to get their conformity determination and are getting used to this process and what it means for them at a TxDOT district level and discovering the implications for project-level analysis. It has been a learning experience for them.

Chris Klaus stated NCTCOG is doing an HOV substitution and that the partners have already had a call on this and are taking it through the process laid out by the TCM

subcommittee with public meetings the following week. They are going through the initiative of substituting out TCMs that are in the SIP with other commitments. He does not know if there will be any HOV SIP commitments once this is done, as NCTCOG is attempting to substitute them all out.

Phillip Tindall provided the following updates:

For the Beaumont-Port-Arthur Orphan Maintenance Area, on October 7, FHWA and TCEQ both provided written comments on the MPO's 2045 MTP, revised FY 2019-2022 TIP, and Transportation Conformity document to the consultative partners. A conference call was held on October 11 to discuss the comments. On October 18, the MPO sent out the revised Transportation Conformity document and written responses to the FHWA and TCEQ comments. FHWA is now finishing their review.

In response to the comments received, the MPO is making administrative modifications to several project descriptions, which will be presented to the Transportation Policy Committee on November 21.

TxDOT ENV, Janie Temple and Jackie Ploch

Janie Temple provided the following update on the DMV data:

TxDOT previously accessed DMV data through an interagency agreement. Through legislative changes, TxDOT is no longer able to access the data in this manner. TxDOT has been working to figure out how to get the data again. TxDOT presently has an open records request to DMV for registration data, and are negotiating the registration codes and what constitutes on-road and off-road. TxDOT is working with the DMV to make sure the right vehicles are captured. They intend to have the 2018 data by the end of the year.

Jackie Ploch provided the following notes via email to be included in the summary:

TxDOT has 15 EISs in some state of development currently. In the past, we typically process 0-4 at any given time; typically, 0-2 in any given year. This is indicative of increasing workload with the doubling of funding in the Unified Transportation Plan (UTP). It's an example of why we need to work smarter, focus on critical issues, and reduce waste in policies and procedures.

For the environmental justice mitigation, TxDOT will commit to 10-12 years of near-road ambient air monitoring (continuous CO, NO2, PM2.5, and MSAT-6 day canisters) for a large project in Houston. We are committed to additional bike/ped facilities the ISD requested for schools on the corridor, in addition to the extensive bike/ped along the facility. Four managed lanes are dedicated to rapid transit and emerging technologies such as connected and autonomous vehicles (CAV). We are increasing connections with the Houston Bike Plan and providing structure upon which Houston can increase downtown parkland (similar to Clyde Warren Park in DFW) and reconnect communities that were previously disconnected by the interstate. We've had recent meetings with EPA R6 and FHWA HQ Civil Rights Office. The projects committed are provided below in the table.

Project Mitigation Item	Total Cost
Ambient Air Monitoring	\$3,000,000
Weatherization and Energy Efficiency	\$4,200,000
Regional Mitigation Item	
Electric School Buses	\$6,500,000
Add'l School Bike/Ped (PTN/DES \$\$)	\$10,000,00

With respect to Esthetic Walls, TxDOT is

- Planning on using air monitoring comparison values (AMCV) as risk thresholds for air toxics (except none exist for DPM), so we're using the PM2.5 NAAQS as a surrogate for the Black Carbon.
- ROW Early Acquisition for low-income housing

AASHTO AQCCES quarterly meeting is next month. I'll send meeting minutes, presentations, and research summary to Laura and Kristi for potential distribution.

My team is looking for basic TDM and traffic data and forecasting training. If others are interested, could it be coordinated through TWG?

Darran Anderson from the TxDOT-STR division is attending the Texas Energy Summit T-TH next week. Presentation of STR supported task forces on EV, AV, CAV.

TCEQ, Jamie Zech

Jamie Zech provided the following notes via email to be included in the summary:

- Starting a year and a half ago, TCEQ started developing and eventually submitting redesignation requests and maintenance plans under the revoked standards, 1979 one-hour and/or the 1997 eight-hour NAAQS.
- HGB: EPA has proposed approval. In the proposed approval, they indicated that they are not taking action on the budget. All of the plans for ELP, BPA, DFW, and HGB all included 2032 budgets. If the EPA takes no action, then they would not be considered part of conformity. TCEQ expects EPA to finally approve soon. The proposed approval was in May.
- On September 11, TCEQ proposed a set of packages for reclassification under the 2008 Ozone standard, which has not been revoked. Dallas and Houston were both reclassified to serious under that standard. The attainment demonstrations for both under serious reclassification package was one SIP revision for both areas, and two associated rulemakings for VOC and NOx. Neither one of the rules includes measures related to transportation. They are both implementing RAC measures. The comment period closed on October 28, 2019. TCEQ received comments on all packages, except for the RFPs. Currently, TCEQ is working to develop summaries and responses to those comments. They expect adoption to occur on March 4, 2020. The attainment date is

July 20, 2021 – attainment year 2020.

- TCEQ has an emissions inventory SIP revision. This is the first SIP requirement under the 2015 standard. That SIP revision is scheduled for proposal on November 20, 2019. It is available for early public review. The comment period closes on January 10, 2020. TCEQ expects to adopt that SIP revision in June 2020.
- TCEQ attended a meeting in San Antonio to discuss current air quality issues under the 2015 standards, the current status, EPA due dates for SIP requirements, the potential of being bumped up to higher classification if the 2020 attainment year deadline (September 2021) is not met under the 2015 standard, and introduced a concept of international transport analysis. There is currently a SIP revision in development to demonstrate attainment for Bexar County under the 2015 standard, but for emissions from international sources. TCEQ looked at the potential for this kind of demonstration for all three of the non-attainment areas under the 2015 standard, and currently, the SIP development is focused on Bexar County. If that comes to fruition it would be proposed soon (January 15, 2020) and would be available to the public for early review in late December 23, 2019. If everything goes smoothly, adoption will happen in the summer of 2020.

TTI, Madhu Venugopal and Joe Zietsman

Joe Zietsman thanked Bill Knowles, Janie Temple, Jose Campos, and Chris Klaus for providing the TWG historical perspective and setting the stage for the workshop. TTI will summarize the notes and will work closely with TxDOT towards moving to implementation.

Madhu Venugopal stated the Air Quality Master Schedule Survey has been sent out and will be open for another week.

MPO's (For those in attendance) – Status & Updates

Chris Klaus stated that NCTCOG submitted a request for funding from FHWA up to \$80,000 for a proposal to outline and document how to implement hydrogen infrastructure. NCTCOG has been coordinating with HGAC. FHWA has designated I-45 between the Port of Houston and the inland Port of Dallas as hydrogen ready. NCTCOG won the proposal.

Claudia Valles stated that El Paso MPO held a conference call with the consultative partners to determine exemptions on road diet projects. The El Paso MPO developed a draft scheduled for the Destino 2045 Amendment. They will contact the consultative partners to schedule a conference call. On February 2nd, they will start the public involvement, and on March 20th, the Transportation Conformity report will be sent for consultative review because the deadline for 2020 project lettings is August.

(Meeting Concluded)