

300 Rivergate Center
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MEETING NOTICE
AIR QUALITY FORUM
Tuesday, February 14th, 2012, 10:00 – 11:30 a.m.
MARC Offices, 600 Broadway, Suite 200, Kansas City, MO 64105

1. **Introductions and Determination of Quorum**
2. **Approve January 10th Meeting Summary***
3. **2011 Public Awareness Survey Results**
4. **Regional Transit Update**
5. **Climate Protection Planning Activities**
6. **State Rules in Progress**
7. **Next Meeting – Tuesday, March 13th, 2012, 10:00 a.m.**
8. **Other Business**
9. **Adjourn**

**Action item*

Parking: Free parking is available when visiting MARC. Visitors and guests should park on the upper level of the garage. An entrance directly into the conference area is available from this level. To enter this level from Broadway, turn west into the Rivergate Center parking lot. Please use any of the available spaces on the upper level at the top of the ramp. For directions to the MARC offices, visit www.marc.org/mapandparking.htm

Special Accommodations: Please notify the Mid-America Regional Council at (816) 474-4240 at least 48 hours in advance if you require special accommodations to attend this meeting (i.e., qualified interpreter, large print, reader, hearing assistance).

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Air Quality Forum Meeting Summary January 10th, 2012

Members and Alternates in Attendance

Kathy Dusenbery, Platte County (MO Co-Chair)
Ed Peterson, Johnson Co. BOCC (KS Co-Chair)
Allison Smith, KDOT
Jennifer Logan, Johnson Co. Env.
Rollin Sachs, Unified Govt. DAQ
Dennis Murphey, KCMO Env. Dept.
Richard Blevins, Clay County
Andy Savastino, KCMO OEQ

Mike Boothe, Johnson Co. Env. Dept.
Sam Swearingen, KCMO
Susan Brown, CCPC
Tiffany Drake, MDNR
Hope Visconti, MODOT
Erica Forrest, CMH
Richard H. Rocha, Bayer CropScience
Miles Stotts, KDHE

Others in Attendance

Ron McLinden, Transit Action Network
Ken Johnson, SAFC
Gina Bowman, CVR Energy
Steven Brown, EPA
Amy Bhesania, EPA
Tiffany Le, KC BPU
Randal Cook, KC BPU
Phil Wright, Dean Power Systems
Ryan Hamel, KS SBEAP
Ashley Jurgensmeyer, MDNR-APCP
Cathy Bennett, GKCCC

Amanda Graor, MARC
Tom Jacobs, MARC
David Warm, MARC
Doug Norsby, MARC
Jen Houston, MARC
Ron Achelpohl, MARC
Mel Henderson, MARC
Jody Lodd Craig, MARC
Luke Pitts, MARC
Usa Pool, MARC
Marge Gasmick, MARC

1. Introductions and Determination of Quorum

Quorum was established and introductions were made.

2. Approve November 8th Meeting Summary*

Motion: Susan Brown. Second: Richard Blevins.

3. EPA Sustainability Outreach Comments*

Amanda Graor announced that copies of comments written in response to the National Academy for Sciences recommendations for EPA sustainability implementation are available in the December meeting minutes. Comments will be sent by the January 31st deadline.

4. Low RVP Fuels and Ethanol KC Star Article*

Ms. Graor stated that the article, worked on for several months by Star reporter Steve Everly, is considered by various sources to be factually correct, yet misleading to the extent that a response is warranted. Considerations were being made as to whether that response would come from the Air Quality Forum or MARC.

RVP Timeline - A timeline of low Reid Vapor Pressure (RVP) fuels in Kansas City explained the process Kansas City took toward using low RVP fuels. Control measures were first evaluated in the mid-1990s by an AQF Ozone Subcommittee. Recommendations from the AQF to the states of Kansas and Missouri included, along with other options, low RVP gasoline as a way to reduce ground level ozone and comply with an early 90's maintenance plan. In the late 90's the States adopted 7.2 RVP gasoline rule to be sold only during the peak ozone season. The Kansas City Fuel Summit was held to bring together stakeholders to discuss implementation of the ozone maintenance plan options. The revised ozone maintenance plan was submitted and approved, and included enrollment in the federal Reformulated Gasoline (RFG) program and implementation of the Stage II Vapor Recovery as a contingency measure. Opting into the federal RFG program brought the Long Range Transportation Plan back into conformity; however an early 2000's court ruling disallowed former non-attainment areas from opting into the RFG program. States were notified that they must select alternative control strategies. Petroleum suppliers agreed to supply 7.0 RVP gasoline to the KCMA, which would supplant the ozone reductions generated by RFG gasoline. After the E10 mandate by the State of Missouri, the metro region unsuccessfully requested a waiver from the mandate in 2006 and 2008. Ozone levels have been decreasing for the last several years, and low RVP gasoline is not an insignificant part of that reduction in emissions.

Industry Perspective – Gina Bowman of CVR Energy was involved in the KC Fuel Summits as a member of Farmland Industries. The industry could not afford capital intensive RFG because there is no direct pipeline from KC to RFG producers. RFG would have to be purchased from The Gulf of Mexico, California, or the East Coast. Five refiners located in Texas, Oklahoma, and Kansas, who supplied the entire Midwest's fuel needs at the time, voluntarily dropped the RVP from 9.0 to 7.5 and offered the "boutique fuel" to the Summit. The Missouri E10 mandate and a federal RFG mandate required a drop to 6.8 RVP nationally to offset the addition of ethanol. Industry, government, and environmentalist embraced the RVP fuel for a "great win-win-win solution". Supply chain differences make it impossible to compare KC with St. Louis, and would make RFG a boutique fuel for this service area. Ms. Bowman suggested a study be conducted; however she would presume RFG to be more expensive than the current low RVP gasoline.

The Role of Ethanol – Ms. Bowman was asked about the saturation of ethanol into the market. Premium is the only gasoline that does not have to be a 10% ethanol blend. RFG also contains ethanol; the requirements offset other VOC's. There is a one psi waiver for 10% ethanol fuel in both states' regulations in an effort to support renewable fuels. The legislature took away the subsidy for ethanol January 1st of this year. There is agreement that the saturation into the market is likely 100% at the E10 level. There is currently a push for an E15 mandate. Mr. Boothe suggested that because of the changed circumstance of ethanol, a review of the fuel blend may be warranted. However, Ms. Graor noted that any revision would trigger a new SIP revision.

Article Response - Ms. Graor has had a conference call with the States and the EPA about the article. The position MARC would likely take to respond to the Star article would be a letter to the editor which is confined to 200 words, as well as a question and answer page on the MARC website. It was suggested that the response highlight the trend in decreasing ozone in the KCMA despite a 30% growth in the metro land area and increasing transportation miles. It was suggested that MARC distance itself from term "boutique fuel" as its connotations may be misleading. Ms. Graor believed it would be important to use the opportunity to highlight the entire package of ozone reduction strategies that have been taken in concert with low RVP fuels.

5. Climate Protection Planning Activities

No members had information to share on this topic.

6. State Rules in Progress

EPA Public Notices – Tiffany Drake of MDNR explained that public noticing of SIP actions are media neutral and are no longer required to be displayed in the paper. All posting will occur on the EPA’s website, and an email list has been initiated. Anyone interested in being on the list must notify the EPA. The SIP is updated typically in the last week of the month. A suggestion was made to make the notifications via twitter. Only regulatory impact reports are required to be posted in the newspaper.

MDNR adopted revised ozone boundaries. EPA released 120 day letter on December 9th and it agreed with their recommendation for only St. Louis to be in non-attainment. The lead infrastructure State Implementation Plan (SIP) was adopted for the attainment areas in the rest of the state. Public hearings occurred for the 2013 Cross State Air Pollution Rule (CSAPR) allocations, however a recent judicial stay have postponed the CSAPR allocations. The February commission meeting will have a clarification of the idle rule. The Compliance Section Enforcement Chief position has been filled by Darcy Bybee. The Construction Unit Permit Chief position is now permanently filled by Susie Peckingham. The mercury rule or MACT does not have to be complied with until another three to four years. The EPA keeps schedule with enforcement until a court puts a stay on the regulations.

Miles Stotts of KDHE confirmed that KDHE is also working on updating the Prevention of Significant Deterioration (PSD) major source permitting rules. The Maximum Achievable Control Technology (MACT) regulations will be updated within the next two months. New engine regulations for Reciprocating Internal Combustion Engine (RICE) under MACT and new source review are being considered. Most recent RICE rule is far reaching, that may affect a large number of engines in the Kansas City region. Saline County has been classified as non-attainment for lead. CSAPR was stayed due to a number of suits, and will be heard by a Court of Appeals in April. MACT has been promulgated. There will be sufficient time for small electrical generating units to comply, that is, four to five years.

7. Next Meeting – Tuesday, March 13th, 2012, 10:00AM

8. Other Business

9. Adjourn