



Missouri
Department of
Natural Resources

**Kansas City Area Ozone Designation Process Meeting
Anita B. Gorman Conservation Discovery Center
10 a.m. to 12 p.m.
June 12, 2008**

Staff Members Present:

David Lamb
Mark Leath
Jeff Bennett
Jim Kavanaugh
Rebecca Birke
Tiffany Campbell
Karl Fett, KCRO

Others Present by Attendance Record:

Rick Brunetti, KDHE
Doug Watson, KDHE
Cindy Kemper, Johnson County
Shane Krull, Miami County
Jim Crenshaw, Clinton County
Randall Relford, Clinton County
Larry King, Clinton County
Jim Strodman, Lafayette County
Randy Ebendrl, Dekalb County
James Eason, Certain Teed Corp.
Ron Rodreet, Certain Teed Corp.
Dennis Murphy, KCMO Office of Environmental Quality
Marlene Nagel, MARC
Darrell Dorseye, BPU
Don Grequy, Bates County
Ronald Nissen, Bates County
Mike Robert, Hallmark Cards
Lance Erickson, Hallmark Cards
Scott Sader, Johnson County
Bill Brenner, Johnson County
Destry Hough, Johnson County
Rollin Sachs, Unified Government, Division of Air Quality
Andrew Beard, Unified Government, Division of Air Quality
Paul M. Ling, KCPL
Richard Ziesenis, Lawrence-Douglas County, Director of Environmental Health
Charlotte Marthaler, Lawrence-Douglas County Health
Richard Moppin, Leavenworth County Health Department

Leah Bennett, KC BPU
Tiffany Le, KC BPU
Gina Grier, EPA Region 7
Daniel Erickson, Platte County
Jason Auvil, Leavenworth County
Evan Clark, Panhandle Eastern Pipeline
Jess Hudnall, Panhandle Eastern Pipeline
Catherine Reed, KCMO Air Quality
Mike Manning, KCMO Air Quality
James Joerke, MARC
Amy Algoe-Eakin, EPA Region 7
Kevin Brown, General Motors

Opening Remarks:

Rick Brunetti, Director of the Bureau of Air and Radiation for KDHE welcomes and thanks everyone for attending. He asks that everyone introduces themselves.

Mr. Kavanaugh goes onto to welcome everyone to the meeting. He explains that we have a new standard for ozone established. We are starting our analysis to develop a recommendation within 9 months. Today the meeting is mostly informational. We are going to talk about the process and the timeline. This is the first of three meetings. We will be doing a series of meetings. The next meeting will be more technical in nature, a mid-way review and the last meeting will be held sometime in late September to share what our draft recommendation.

We have established a Web page to keep everyone informed about the process and any documentation that we've developed -
<http://www.dnr.mo.gov/env/apcp/ozone/8hourdesignationprocess.htm>

I know the big question in everyone's mind is what happens if a nonattainment designation occurs? We don't have that answer yet. Once we go through this analysis, EPA will provide us with implementation and control guidance later in this process.

We are also awaiting some additional guidance from EPA on new designation criteria. For now we will work from the previous designation guidance.

He introduced Jeff Bennett, Environmental Engineer with the Air Pollution Control Program. Jeff is coordinating this effort for Missouri. We are going to go through the process today and educate you about the process for designation. We are not here to discuss the controls, but to go through the process. Please ask us questions along the way.

Tiffany Campbell

Discussed the current 1997 ozone standard and the way design values are derived. This standard allowed for rounding, but the new 2008 ozone standard does not.

In the past years, EPA determined that the 1997 standard was not protective enough for public health. The new standard is 75 parts per billion with no rounding allowed.

Tiffany discussed the monitoring map.

Kansas City is currently a maintenance area for the 8-hour ozone standard and is controlled under the Ozone Maintenance Plan. The plan contains contingency measures that are triggered by monitored violations.

When the measures were triggered, a heavy duty diesel idle reduction rule was put into place. It is in progress on the Missouri side.

Also, Electric Generating Units or EGUs under the Clean Air Interstate Rule are expected to be adding early controls. Voluntary measures have also helped us reduce ozone precursors. The contingency plans are new things that are in addition to the controls that are already there. We've already addressed the low-hanging fruit, so to speak.

Doug Watson

Kansas submitted an Ozone Maintenance Plan as well. 2007 was the first ozone season that the maintenance plan was in place. Good thing we did because we saw violations and had measures on hand to bring those ozone levels down.

Kansas actions (see slide) they are also working on a heavy duty diesel idle reduction rule. The Clean Air Action Plan is also in place to assist with reductions. Voluntary reduction strategies have also been a part of our reduction strategies.

The new ozone standard was established in March. EPA is required to review the National Ambient Air Quality Standards every five years. They set the secondary standard at 75 ppb as well.

The new standard does not allow for rounding. The standard is met if the design value is at or below 75 ppb.

Discussion of monitoring maps and the Metropolitan Statistical Area (see slide). The MSA serves as the default for EPA.

Discussed 2005-2007 Monitor Design Values – every one of the monitors in the KCMA is above the standard.

As part of this process we have a timeline for implementation. We have until March 2009 to provide a recommendation to EPA on which counties should be included in a nonattainment designation. (See timeline slide)

Depending on the severity of the classification, we have a different timeframe to meet the standard.

Jeff Bennett

September or October is when this technical analysis will be due. We will work with the 2003 designation guidance for this recommendation.

Implementation rule – Here is what we have to do.

To determine whether an area is going to be designated as a nonattainment area you have to do a “test”. Ask yourself: Does a monitor in your area/county show monitored violations of the standard? If the answer is “yes” - nonattainment is probable – you don’t get to choose.

A second “test” –Does any other county contribute to the ozone that causes those monitors to violate the standard? If it is clear that they contribute, they’re in nonattainment.

How do you know if you contribute to those violating monitors? The test for contribution is going to be a little stricter.

This process is not optional. We have to do this based on federal direction.

Why is the MSA important? It is the default boundary. When EPA begins their review of the data, the MSA is their starting point for the boundary. Missouri and Illinois suggested in the past that this is not the appropriate boundary and had to make a case to support this. We have to make a case to show them who is really contributing and who is not. That is the starting point for the boundary, but not the ending point. They could pull in or add more than just those counties that make up the MSA if they see that it is necessary, but the reality is EPA gets the final decision. We make a recommendation, based on scientific facts and good solid thinking.

The MSA is large. We don’t know if all of these counties will be included in a nonattainment designation. We have to look at every area to see where monitors are violating and who is contributing to those violations.

Question: How do you deal with counties that do not have monitors? When it came out in the papers the Clinton County had an ozone problem, we were taken by surprise. We don’t generate that much. Why don’t you have monitors everywhere?

Answer: The monitoring network process is based on EPA criteria. It has to do with prevailing winds and distance downwind for ozone sources. Even permits give us information based on their facilities monitors. It’s a balance. We don’t have an infinite amount of funds. We want them where we are more likely to see high ozone levels. This all comes into the evaluation.

Question: Do you anticipate a new EPA administration changing this standard?

Answer: No. This is done. This standard is not going to change. This review may come around again in five years and this is when any change could occur.

Public participation is going to be part of this entire process. We need your information and your arguments about who should and should not be included.

Question: When you get completely through this process can you please let us know what you plan to do before this goes to the press?

Answer: We will be meeting with you all for the next few months. The Web site will house all of this information along the way. We won't be doing anything without your knowledge. We will be as transparent as possible.

The 11 criteria will be our guide. Four Concepts to remember in the designation criteria: violating monitors, emission contributions, and traffic and commuting patterns – you have to establish connectivity with the upwind or downwind metropolitan area, and growth – population, census data, employment growth. Meteorological data plays a roll in this as well. What pattern is there that shows us how the ozone is moving. How much does each of these criteria support inclusion? This is a part of it.

Jurisdictional boundaries – this will come into the evaluation as well.

Question: Are there controls that need to happen that haven't happened, yet?

Answer: There may be. We will be evaluating this as well.

Monitored Violation Area – see slide. These areas have high ozone levels, but are outside of the current control window. We are only at the point of deciding who is in or out. We are not discussing, yet, what that county is required to do.

What do we do about areas that don't contribute to violations in their area that is a tough question?

We will use 2006-2008 data, most current and EPA will require it.

EPA looks at all state recommendations collectively. It is not just about local scale influence, it is a national approach. Our recommendation is not going to be looked at in a vacuum.

Question: Looking at the 11 criteria, do you take into account the most recent county data?

Answer: Yes, we want the most recent data from counties. We want some more specific and more current data from you all.

Opportunity for Input:

We'll look at EIQ data and transportation and commuting data. But we want to know if there is more appropriate "local" data for growth patterns in each county. You all can provide us with population, economic growth and commuting patterns and levels of connectivity with Kansas City.

It is very important for these counties that have never been in this process before and you are unsure about what we need, please ask. If you have data that you think can help, please submit it.

See the Web site for more information.

James Joerke invites everyone to attend the Air Quality Public Forum on the second Tuesday of every month at the MARC offices.

Next meeting – July then September by then we'll have an idea of who will be affected. This will be an opportunity to pre-review technical data and logic for recommendation

EPA makes the final decision. They will accept public comment once they publish their decision.

Question: When defining boundaries in a bistate area, will each governor only make a recommendation for their side?

Answer: Yes. We work closely with either state to make this recommendation.

Question: If in the end, Lafayette County is designated as a nonattainment area, what kind of penalties would we see?

Answer: We don't know that information yet. That is the next step in the process. After the recommendation is complete, we then go back to each affected area to see where controls can be made. Emission reductions will have to happen, where they happen is not clear yet. It is difficult to answer because it is a bit premature.

Question: Smog is ozone, in the Great Smoky Mountains there is smog and there is no industry there. Isn't vegetation a contributor to this problem?

Answer: Yes, biogenic emissions do come into this.

Question: What do you do about this?

Answer: We have to take something out of the equation to address this. If we are maxed on VOC controls, we have to look at NOx controls to help alleviate the problem.

Discussion of the timeline and the process for Kansas and Missouri. (see slide)

Staff offers to go to county meetings for counties that have never been a part of this process. Please talk to us if you would like us to come out and do an Ozone 101 presentation.

Question: Are you looking for projections of growth in specific areas?

Answer: Whatever you have to send will help. We will use the most recently quality assured data. Some projection probably will come into this. We'll look five to ten years into the future.

Question: Is your monitoring data is it available on the Web?

Answer: Yes. Do you post what the wind direction is at each reading? No. We look at the direction the wind is coming from when the ozone levels are high and make note of that.

With this lowered standard, many different events will affect our projections of what will affect ozone formation.

Question: If we are out of compliance because of other county's emissions, how do we get in compliance?

Answer: If you don't have many sources, there won't be much to do. The controls put on the

sources that are in other counties will help. The more community folks we have in the process the better.