

Air Quality Subcommittee (AQS) Conference Call Meeting Notes

June 08, 2017

Attendees

Alex Brun, MDE
Lauren DeVore, DNREC
Heather Dunigan, WILMAPCO
Jay Gerner, DelDOT
Bill Geronimo, DelDOT
Jacob Guise, WILMAPCO
Mike McConnell, DelDOT
Jolyon Shelton, DNREC
Cathy Smith, DART
Bill Swiatek, WILMAPCO
Lanie Thornton, DelDOT
Colleen Turner, MDOT
Armen Ware, WILMAPCO
Tigist Zegeye, WILMAPCO

Acceptance of the notes from the April 13th Meeting

- See: www.wilmapco.org/aqs
- The notes were accepted without corrections or clarifications.

2018 Conformity Timeline- L. DeVore

- All agenda and packet page numbers referenced can be found at: www.wilmapco.org/aqs
- Agenda items two and three were switched; the 2018 Conformity Timeline was discussed first.
- Ms. DeVore reviewed the Course of Action and Associated Impacts packet that she had distributed to everybody. The packet displays the different options based on the Environmental Protection Agency's (EPA) determination regarding the 2015 ozone standard and their associated impacts.
- Ms. DeVore informed everybody that Delaware Department of Natural Resources and Environmental Control (DNREC) received an update from the EPA that the 2015 ozone standard has been delayed by a year.
- Option 1 of the Course of Action and Associated Impacts packet revokes the 2008 ozone standard for all purposes (Anti-backsliding requirements would apply).

- Option 2 of the Course of Action and Associated Impacts packet does not revoke the 2008 ozone standard in any area designated nonattainment for 2008 ozone without maintenance plan.
- The last option of the Course of Action and Associate Impacts packet follows Maine, and opts out of the Ozone Transport Region (OTR) (since whole state will be designated as attainment for 2008 standard and 2015 standard is not adopted or the National Ambient Air Quality Standards (NAAQS) review period is extended to 10 years).
- One option is not favored over the other because the 2015 ozone standard has been delayed by a year. Every option is currently being carefully considered. Once everything that is going on federally is resolved a specific option will favored.
- Ms. Turner asked if the federal government selects a specific option under the determination column for the Course of Action document; Ms. DeVore reassured her that it is if the federal government decides. Ms. Turner also asked if Delaware was considering opting out of the OTR; DNREC agreed that Delaware is considering opting out.
- Next, Ms. DeVore discussed a State Implementation Plan (SIP) and Transportation Conformity Work Plan that she put together. The goal was to lay out a 3-4 year plan worked out between DNREC, DelDOT, and the Metropolitan Planning Organizations (MPOs). A key designates whether plans have been completed, initiated, or planned.
- Ms. DeVore then gave a brief overview of the work plan. Ms. Devore informed everybody that DNREC will be meeting internally to discuss transportation conformity for Sussex county in June. The Bond Bill for Fiscal Year 18 is going to be issued roughly in July. DNREC will meet with Dover/Kent MPO, WILMAPCO and DelDOT to discuss timeline of events, transportation conformity process, MOVES model inputs and deadlines in July as well.
- Ms. DeVore stated that the EPA is scheduled to issue updated Transportation Conformity Guidance in November, but given what has been going on federally it cannot be certain this will occur.
- Ms. DeVore said that in June of 2018, DNREC will begin the process of updating the MOVES data; the older data was from the 2014 emissions inventory. The updated process will use the 2017 National emissions inventory data for the model. This will require an updated conformity analysis with the 2019 Regional Transportation Plan (RTP). In July of 2018, DNREC would prefer to get a chance to look at the draft conformity analysis before it is presented at the Lum's Pond meeting.
- In October of 2018 the EPA will issue designations based on the 2015 ozone standard.
- Ms. DeVore then went into discussing a letter sent by the EPA. EPA is supposed to send out a letter after DNREC submits their designations to the EPA to affirm or deny what

designations are, based on each of the three counties. EPA must notify the state no later than 120 days before the final designation.

- Ms. DeVore reviewed the Delaware County by County Conformity Status document. This document summarizes a county's contribution on the Transportation Improvement Plan (TIP), Long Range Plan, Conformity Budget, Conformity Analysis, and the concerns that might arise from the conformity. Sussex County and Kent County were designated as attainment, and New Castle County was designated non-attainment. The EPA told DNREC that they will probably not be receiving a letter, unless the designations are different than what they had proposed.
- In September 2018, public comment begins for the 2019 RTP. DNREC hopes to have an official council adoption of the 2019 RTP by January.
- Ms. DeVore asked WILMAPCO and DelDOT for conformation on whether that schedule looks alright; given related planning projects given.
- Ms. Zegeye responded saying that WILMAPCO would not like to do conformity over the summer months, especially knowing that the Bond Bill is going to pass at the end of June. Staff at WILMAPCO will internally review what should be done, and notify DNREC and the Air Quality Subcommittee (AQS) members once a decision has been made.
- Ms. Zegeye suggested that it would be more efficient to use the AQS to go over whatever material DNREC has rather than the three entities; because the same groups of people are involved. This will help minimize the number of meetings being held.
- Ms. Dunigan stated that the key dates for the TIP development are over the fall and winter. This implies that WILMAPCO would be pressing it with conformity in November/December, when the draft is received. Thus, what happens over the summer will very rarely trigger any new conformity.
- Mr. Swiatek stated that the RTP will be a trigger on its own, and the adoption for it will be January 2019. Mr. Swiatek believes that is why conformity is scheduled for the summer; to prevent an amendment from the Bond Bill from causing a trigger.
- Ms. DeVore stated that the reason the update of the mobile budget was put in July was because that is when the 2017 national emissions inventory data will be made available for inputs.
- Mr. Shelton corrected Ms. DeVore saying that we do not use the national inventory data as an input, but we use the same inputs for both the MOVES model and national inventory database.
- Next, Ms. DeVore went over another document she put together, a Delaware County by County Conformity Status table. Along with the conformity status of each county, the

document also displays: The TIP, Long Range Plan, Conformity Budget, Focus Areas, and Concerns.

- Ms. DeVore hopes that in the future that DNREC could get together and come up with a process where the TIP and Long-Range Plan are reconciled together and it would be more easily understandable.
- Ms. Dunigan clarified for Ms. DeVore that the map numbers are not project ID numbers. Ms. Dunigan then suggested that she could add the projects that are in the conformity and the year that they are modeled for to the project page on the TIP.
- Ms. Zegeye wanted to reassure that the Technical Advisory Committee (TAC) makes sure that the TIP is consistent and public friendly.

Draft Delaware FY 2018 CMAQ Project Discussion - B. Swiatek

- All agenda and packet page numbers can be found at: www.wilmapco.org/aqs
- Mr. Swiatek began the discussion with a brief overview.
- Mr. Swiatek discussed the latest approved WILMAPCO Congestion Mitigation and Air Quality (CMAQ) projects that are in the TIP (pages 9-17 of packet) and their priority level. Mr. Swiatek then talked about the table of proposed DelDOT CMAQ spending. In the table, there is a comment section that discusses where the project is and how the state proposes to fund it (pages 4-6 of the packet). The last two projects on the list, I-95 and SR141 ramps and Christiana River Bridge, are not prioritized, but are proposed to be funded by some CMAQ money.
- A list of some of the proposed CMAQ projects include: Rideshare Program/Trip Mitigation, Wilmington Initiatives, Walnut St, MLK to 13th Street, Bicycle, Pedestrian and other Improvements, Transportation Management Improvements, Industrial Track Greenway Phase III, Wilmington Initiatives, King and Orange Streets, MLK Boulevard to 13th Street, I-95 and SR141 Interchange, Ramps G&F Improvements, and Christiana River Bridge and Approaches (pages 5-6 of packet).
- Mr. Swiatek explained the proposed detailed Integrated Transportation Management System (ITMS) Fiscal Year 2018 CMAQ spending's (pages 7-8 of packet); breaking down each element of the project and if its funded is from Surface Transportation Program (STP) or CMAQ. Mr. Swiatek then goes over project descriptions for DelDOT proposed CMAQ projects. Then finishes the overview by talking about the Federal Highway Administration (FHWA) CMAQ guidance, what classifies a project as ineligible for CMAQ funding, and priorities set aside for fine particulate matter (PM2.5).
- After the overview, Ms. Thornton described DelDOT's process for choosing what projects they felt deserved CMAQ spending. WILMAPCO's number one item was the

Heavy Equipment Program. While there is no CMAQ funding represented in the chart, DelDOT does have a Heavy Equipment Program in their SIP where they use state dollars to fund the program.

- Ms. Thornton reviewed the rest of the table proposed by DelDOT, describing the score and comments for each project.
- Next, Ms. Thornton briefly described the ITMS specifications that detail out each program and CMAQ utilization. DelDOT takes annual apportionment of CMAQ funding into consideration; the department receives approximately 9.5 million dollars in allocation of CMAQ funding annually.
- Ms. DeVore asked for a description of the Heavy Equipment program; what equipment is being replaced? Ms. Thornton responded saying there would be a schedule of the replacement of heavy and light duty equipment. Mr. Swiatek chimed in, saying the description is on page 15 of the TIP; ranging from equipment like a mower to a street sweeper. The Heavy Equipment Program depends on what needs to be replaced that year.
- Mr. Swiatek then jumped into talking about the Bicycle and Pedestrian category. He suggested that there may be other projects that benefit air quality more and are not funded regularly. Mr. Swiatek suggested funneling more money into transit and replacement of diesel. Specific to this discussion, Mr. Swiatek brought up the Old Capitol Trail project, as well as the Grubb Road Project. Mr. Swiatek asked if CMAQ would cover the implementations in that Bicycle/ Pedestrian category.
- Ms. Thornton informed Mr. Swiatek that DelDOT would have to review it because from a planning perspective and finance division, they are unaware if they have that level of detail off hand. Ms. Thornton pointed out, that for 2018 CMAQ allocations will not be used for the Bike/Ped Program.
- In terms of eligibility, Mr. Swiatek believes that I-95 and SR141 ramps should be CMAQ eligible projects based on it not adding capacity to single occupancy vehicles. Mr. Swiatek then questioned the use of the PM2.5 funding set aside for that project and believes it should be looked at. Page 28 of the packet, contains a description of what the set aside funding should be used for; targeting PM2.5 reductions through the lowering of diesel emissions. Ms. Thornton reassured Mr. Swiatek that the funding will be looked at.
- Next, Mr. Swiatek brought up the Christina River Bridge and Approaches project and believes that it should be ineligible for CMAQ spending based on single occupancy vehicles. Ms. Thornton informed Mr. Swiatek that the project is not entirely funded by CMAQ, and that only specific portions were deemed CMAQ eligible. There is a large array of federal funding put on this project, and CMAQ is a small component of the entire project. Ms. Thornton believes that both the Christina River Bridge and Approaches are both moving forward in their SIP.

- Mr. Swiatek went over an ITMS project on page 8 that looked at improving automated real-time monitoring detection and how it stipulates ineligibility (page 35 of packet). Mr. Swiatek discusses that just putting together a model network is not eligible for CMAQ making it another project that should be looked at.
- Ms. Thornton informed everybody that DelDOT's traffic division works with FHWA in developing the ITMS spend schedule. Ms. Thornton says FHWA reviews and signs off on meeting the requirements of their regulations. Mr. Swiatek pointed out that they have signed off on projects that are ineligible for CMAQ spending in the past.
- Ms. Zegeye stated that in the past DelDOT would go to the project engineer at FHWA and WILMAPCO would work with project planner at FHWA. Ms. Zegeye pointed out that there is a discrepancy between the engineer and planner on what they each consider eligible.
- Ms. DeVore informed everybody that DNREC had a problem with ITMS as well. The problem was like the one Mr. Swiatek stated earlier with regards to their real emissions reduction benefit; DNREC remains skeptical.
- Ms. DeVore stated that DNREC would like to see the CMAQ money spent in a way that more adequately represents the spirit of the CMAQ program.
- DNREC received a comment for future reference where they would like to see more fuel cell projects on CMAQ.

Other

- Mr. Swiatek asked Ms. DeVore about her idling work program. Ms. DeVore gave some background, stating: DNREC will be starting a state wide anti-idling work group. Their objective is to seek to reduce unnecessary idling with regards to heavy duty vehicles (class 8 and above). Regulation 11.45 will be used as a framework, describing the excessive idling of heavy duty vehicles. Their first meeting will be on Thursday, June 29th at 10 AM in the State Street Commons building in Dover.
- Ms. Smith asked if anybody from Delaware transit was attending. Ms. DeVore said no, but DNREC would love to have them come and represent their agency.
- No other business was addressed.