

**Pennsylvania Department of Environmental Protection**  
**AIR QUALITY TECHNICAL ADVISORY COMMITTEE MEETING**  
 Minutes 8/18/2022

**Air Quality Technical Advisory Committee (AQTAC or Committee) Members Present (via WebEx or in person)**

Rob Altenburg	<input checked="" type="checkbox"/>	R. Scott Brown	<input checked="" type="checkbox"/>	Kimberly Coy	<input checked="" type="checkbox"/>	Joseph Duckett	<input checked="" type="checkbox"/>
Josephine Gaskey	<input checked="" type="checkbox"/>			Joseph Guzek*	<input checked="" type="checkbox"/>	Christine Heath	<input checked="" type="checkbox"/>
Michelle Homan	<input checked="" type="checkbox"/>	Charles McPhedran	<input checked="" type="checkbox"/>	Michael Nines	<input checked="" type="checkbox"/>		
Marianne Payne	<input type="checkbox"/>	Richard J. Shaffer	<input checked="" type="checkbox"/>	John Shimshock	<input checked="" type="checkbox"/>	John Slade	<input checked="" type="checkbox"/>
Kevin Stewart*	<input checked="" type="checkbox"/>	John Tissue	<input checked="" type="checkbox"/>	John Walliser	<input checked="" type="checkbox"/>	*Joined after roll call	

<b><u>Department Staff (joined via WebEx or in person):</u></b>			Randy Bordner
Mark Hammond	Matt Toth	Jennie Demjanick	Viren Trivedi
Darek Jagelia	Kirit Dalal	Deborah Wehr	Bob Bonner
Nancy Herb	Louie Krak	Bethany Rieder	Joseph Martini
Lucas Hershey	Valerie Shaffer	Sean Nolan	Mark Houser
Susan Foster	Krishnan Ramamurthy	Nick Lazor	Sean Wenrich

<b><u>Others Present (joined via WebEx or in person):</u></b>		
Laura Legere – Pittsburgh Post-Gazette	Mark Beston - ERM	Jaret Gibbons - ARIPPA
Heather Empfield	Griffin Caruso – PA House	Tom Weissinger – Talen Energy
Jameson Gifford	Teresa McCurdy, TD Connections	Ned Mulchay - GASP
Jeremy Hancher, EMAP, Widener	Mark Hunick	Nicholas Kowalski – PA Clean Power
Kyle Rosato – University of Pennsylvania	Robert Routh – Clean Air Council	John Schmelzle -POWER Engineers
	Alex Charlton - Constellation	Larry Carlson - Tenaska

**CALL TO ORDER & ADMINISTRATIVE ITEMS**

Vice Chair John Tissue convened the meeting at 9:15 am. He began by saying that Jayme Graham retired from AQTAC and that the meeting is being recorded before taking roll call of the Committee members.

**Approval of Minutes**

There were two comments on the April 7, 2022, draft minutes. Kevin Stewart noted that John Tissue’s last name was misspelled on the last page. Charles McPhedran noted the 2023 reference on page 5 should be 2022. John Tissue asked for a motion to approve the minutes with the corrections on page 5, and Kevin Stewart so moved the motion. Josephine Gaskey seconded. The motion passed with no AQTAC members objecting or abstaining.

### **Bylaw Amendment**

Kevin Stewart discussed a suggestion by Patrick O’Neill from last October to change Article 4, Officer Section, in the by-laws from “odd” years to “even” years. The language was circulated to the members via email in April 2022. This change would allow members additional time to become acquainted with fellow Committee members prior to voting for officer positions. John Tissue explained that today’s meeting was the first meeting of the fiscal year 2022; therefore, an election would be held for chair (to replace Patrick O’Neill) and possibly vice chair. The next vote would be in 2024. He requested a motion to change Article 4, Officer Section, in the by-laws from “odd” years to “even” years. John Tissue specified that a vote would be held at this meeting for officers for the term 2022-2024. Joe Duckett made the motion to approve the amendment. Josephine Gaskey seconded the motion. The motion passed with no AQTAC members objecting to the motion.

### **Officer Elections**

John Tissue asked for the nominees via email prior to the meeting for Chair and Vice Chair, and he asked Deborah Wehr to read the nominations. He also asked for additional nominations during the meeting, and none were received.

- *Chair* Nominees
  - John Tissue
  - Joseph Duckett
- *Vice-Chair* Nominees
  - Joseph Duckett
  - John Shimshock

Members requested that the vote be secret, so members were asked to use the [RA-EPAQTAQC@PA.GOV](mailto:RA-EPAQTAQC@PA.GOV) email account to cast ballots, and paper ballots were given to members in the room.

The first vote was taken for chair, and Deborah Wehr tallied the votes.

John Tissue became the newly elected Chair (16 votes cast). He accepted the position.

The second vote was taken for vice chair, and Deborah Wehr tallied the votes.

Joseph Duckett became the newly elected Vice-Chair (16 votes cast). He accepted the position.

### **PRESENTATION**

Randy Bordner, DEP Stationary Sources Section Chief, gave a presentation on the Draft Final Form Rulemaking amending 25 Pa. Code Chapters 121 and 129: Control of VOC Emissions from Large Petroleum Dry Cleaners, Shipbuilding and Repair Coating Operations, and SOCMR Reactors, Distillation, and Air Oxidation Processes.

## **Discussion**

Joseph Duckett asked, as American Society for Testing and Materials (ASTM) standards are updated, if they will be automatically updated in the regulation. Randy Bordner responded that the ASTM standards are not automatically update in the regulation. Kevin Stewart supported Joseph's comment and suggested that the regulation include language to clarify the applicable ASTM version. He suggested to revise the language to include the following clarifier: "or a newer version as approved by the Department".

John Tissue noted the importance of knowing the ASTM version to reference and agreed with the comment.

Randy Bordner indicated that the Department could modify language in the regulation to provide the additional clarity requested, but this would require the coordination with DEP Legal Counsel.

Christie Heath asked if there was any outreach planned to impacted facilities. Randy Bordner replied that the few subject facilities subject to this rulemaking are already in compliance with the requirements. DEP has already reached out to and looked at or worked with the potentially impacted facilities during the 2008 Control Technique Guidelines (CTG) Reasonably Available Control Technology (RACT) certification. DEP found these facilities were unimpacted and did not know which other facilities to contact. Additionally, Randy Bordner indicated that the rule is administrative and will help the regulated community and DEP.

## **PRESENTATION**

Mark Hammond, Director Bureau of Air Quality (BAQ), discussed the following Regional Greenhouse Gas Initiative (RGGI) chronology:

- April 23, 2022: RGGI regulation was published in the *Pennsylvania Bulletin*.
- July 1, 2022: RGGI regulation compliance became effective.
- July 8, 2022: The Commonwealth Court issued two separate orders enjoining DEP from implementing and enforcing the RGGI Carbon Dioxide (CO<sub>2</sub>) Budget trading program regulation.
- July 11, 2022: The Commonwealth Court's injunction orders were no longer in effect (automatically superseded) after DEP filed an appeal with the Pennsylvania Supreme Court.
- July 25, 2022: The Commonwealth Court vacated the Pennsylvania Supreme Court's automatic supersedeas and the Commonwealth Court's injunction orders were reinstated.
- Currently: There is a petition in the Pennsylvania Supreme Court to suspend the Commonwealth Court's injunction orders. An emergency filing was made to ask the Pennsylvania Supreme Court to rule on this by the end of this week.

The next RGGI quarterly auction is scheduled for September 7, 2022. If the Commonwealth Court's injunction orders are not lifted, Pennsylvania will not participate. DEP will know its participation status by Friday, August 19, 2022.

**Discussion**

John Tissue asked about the next opportunity to participate in RGGI. Mark Hammond responded that the Pennsylvania Supreme Court could rule anytime; however, the full court case is scheduled for argument in Commonwealth Court in November 2022. Pennsylvania's participation in RGGI is contingent upon this ruling.

Jennie Demjanick, Assistant Counsel for DEP, noted that the auction notice must be finalized 45 days in advance of the auction so that facilities will know whether Pennsylvania is participating in the auction. John Tissue asked about the compliance start date for facilities. Jennie said as of July 1, 2022, Pennsylvania was a participating state in RGGI, and therefore, facilities should all have their CO<sub>2</sub> monitoring systems installed and know their CO<sub>2</sub> emissions from that date onwards. The compliance deadline is March 1, 2023, but currently, DEP is enjoined.

John Tissue asked for clarification if facilities could potentially be responsible for reporting their emissions from July 1, 2022, through the end of 2022 even though the commonwealth may not be participating in the auction until December 2022. Jennie said this was a possibility.

Joseph Duckett asked if the CO<sub>2</sub> modeling would be performed with 2022 CO<sub>2</sub> emissions data. DEP responded that since the regulation is final and effective, no additional modeling will be performed.

The RGGI allowance page on DEP's website has the latest news:

<https://www.dep.pa.gov/Business/Air/BAQ/Pages/RGGI-Allowance-Information.aspx>.

**PRESENTATION**

Nick Lazor, BAQ Air Quality Monitoring Division Chief, presented the 2022 Annual Monitoring Network Plan.

**Discussion**

Joseph Duckett asked about the incomplete data noted for the design value calculations during the 3-year period. Nick Lazor responded that there are various reasons for the data gaps, but moving forward, the data look very similar, and there is no concern that any of the design values will be above the National Ambient Air Quality Standards (NAAQS).

Joseph Duckett asked about the emission improvements as shown in the 10-year graphs. He asked if DEP is messaging this success to the public. Nick Lazor explained that significant improvements have occurred addressing transport and that facilities are well controlled. Sulfur dioxide (SO<sub>2</sub>) and lead issues have also been addressed. He mentioned the current trend in hyper-localized personal monitoring. The NAAQS are not designed for this type of monitoring.

Richard Shaffer asked a question about the improvement to the relative accuracy of the monitors over time. Nick Lazor responded that a lot of improvement has occurred when compared to the 1970s, but the equipment has been on par for the past 25 years. The challenge is that ambient concentrations occur at very low values. These low concentrations must be considered during

quality assurance activities. Nick noted the advancements in replacing filter-based sampling with continuous sampling and mentioned particulate matter 2.5 (PM<sub>2.5</sub>) as an example.

Josephine Gaskey asked about the challenges with staffing. Nick Lazor responded that he is still short-staffed, but staffing shortages have improved since the start of the COVID-19 Pandemic and the temporary closing of the lab. He mentioned that laboratory staffing has also improved.

Christine Heath asked if by reducing the number of monitoring sites, DEP still meets the U.S. Environmental Protection Agency's (EPA) requirements for the number of sites required in an air monitoring network. Nick Lazor indicated that EPA's requirements are met, and the monitoring equipment is very robust. His field operations can replace equipment with in-stock units quickly, minimizing down-time.

John Shimshock asked that if given the similarity in design values, could DEP consider eliminating more monitoring sites, noting that the ozone (O<sub>3</sub>) monitors specifically seemed like overkill. Nick Lazor responded that it is best to consider the monitoring system as a network of networks. Any changes to the network require an analysis of the data and consideration of the purpose of the monitoring site. This analysis is performed annually. Historically, there have been significant reductions in SO<sub>2</sub>, nitrogen oxides (NO<sub>x</sub>), and carbon monoxide (CO) monitoring. O<sub>3</sub> and PM<sub>2.5</sub> monitoring remain robust in the network. Nick said that those monitors do not require a great amount of care, so it is not difficult to keep them running. Modifications will occur if needed. DEP is receiving calls for additional monitoring in Susquehanna and Lycoming counties.

John Tissue asked about monitoring for non-criteria pollutants related to drilling. Nick Lazor responded that previous network plans have added sites for O<sub>3</sub>, VOCs, and PM<sub>2.5</sub>. Locations included sites in the following counties:

- Wyoming
- Tioga
- Fayette
- Greene
- Susquehanna

Kevin Stewart commented that the process of reestablishing a monitoring site can take extensive effort. He noted that NAAQS can become more stringent, and DEP does not want to be in a situation where there is insufficient monitoring. Nick Lazor responded that putting in any monitoring sites can take 6-9 months, and sites that are measuring concentrations at 80% of the NAAQS or higher will not be eliminated. However, there is always a chance that a lease will not be renewed.

A Committee member asked if Mark Hammond could give an update on the Methane Overflight Project. (A summary is provided under "Old Business").

**PRESENTATION**

Kirit Dalal, BAQ Air Resource Management Division Chief, presented an update on rulemakings and State Implementation Plan (SIP) Revisions.

**Discussion**

Josephine Gaskey asked when the rulemaking for existing conventional oil and gas sources of VOC might be forthcoming. Viren Trivedi, BAQ Permitting Division Chief, indicated that DEP executive and legal staff were working with EPA on this issue, and intend to meet the December 2022 deadline.

Joseph Duckett asked how the conventional regulation will differ from the unconventional regulation. Viren Trivedi responded that the difference stems more from a legal perspective than a technical one.

Kevin Stewart asked what the consequences are of a partial disapproval for the Indiana SO<sub>2</sub> SIP. Kirit Dalal responded that DEP would have to address any issues that arose from such a determination.

John Tissue asked, considering the timeframe, what the plan is for a regulated facility subjected to RACT III to complete and make submittals to DEP that meet time submittal requirements. Viren responded that a DEP workgroup was formed to discuss RACT III status and steps needed for initial notification to facilities to comply. DEP regional offices will reach out to companies in September 2022:

- Assist companies with their submittal of initial notifications,
- Work with companies on a case-by-case basis
- Aid in demonstrating equivalency with RACT II and RACT III.

Public Comment: AQTAC did not receive any requests for public comment prior to the meeting. There were none stated during the meeting.

**OLD & NEW BUSINESS / OPEN DISCUSSION**

John Tissue opened the meeting for other AQTAC business/open discussion.

**Old Business:**

*Methane Flyover Project (Discussed earlier)*

Mark Hammond provided a summary of progress to-date. Currently, DEP is still writing and analyzing data, and not much has changed from the last meeting update. Carbon Mapper has mostly completed their analysis, which will be available in a published report. John Tissue provided additional background, noting that the project provided overflights across portions of Pennsylvania to detect methane plumes and attempt to relate concentrations to specific sites. Well-site owners were able to use the data to identify and correct well leaks.

The study focused on the following sources:

- Unconventional oil and natural gas
- Landfills
- Agriculture
- Coal Mine vents

For the unconventional oil and natural gas and landfill industries, best practices were developed.

John Walliser asked when the report might be completed. Mark Hammond responded that this was a research project and that other projects and issues take priority.

Kevin Steward asked about the flyovers in agricultural areas in Lancaster and Chester Counties. Mark Hammond elaborated that the flyovers were organized as 4 polygons and 3-line planes in the following locations across Pennsylvania:

- Allentown (control area)
- Northcentral
- Southwest
- Northeast

Data collected during this project will assist DEP in identifying focus areas for methane emissions. Mark Hammond discussed the limitations associated with the data, including limited number of flight data, variability in methane emissions, area sources vs. point sources, etc.

*Department of Health and University of Pittsburgh presentation on the Oil and Gas health effects*

Joseph Duckett noted that he was added as a member to the University of Pittsburgh Advisory Committee. The study is not yet complete; however, there may be more information available in the fall of 2022.

*AQTAC's offer to review new regulations, application forms, etc.*

Currently there no items in the pipeline to review.

**New Business:**

John Tissue asked the AQTAC members if there were any topics they would like to form a sub-committee on to present information to DEP. He said any ideas could be communicated via Committee members through email. Kevin Stewart encouraged Committee members to think more on topics and discuss this opportunity with their constituents to generate ideas.

**MOTION TO ADJOURN**

John Tissue asked for a motion to adjourn. The motion was made by Josie Gaskey and seconded by Joseph Duckett.

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With no further business before AQTAC and no member opposing, John Tissue adjourned the meeting at 11:17 am.

### **FOLLOW-UP ITEMS**

*SOCMI Rule ASTM version language, 9/1/2022. Upon additional evaluation and consideration of the Committee's request, and in consultation with DEP's Counsel, the ASTM reference method cannot be revised to include new or updated ASTM methods. Instead, if EPA formally approves a new ASTM method for purposes of replacing an existing ASTM referenced in the "Nuclear Specialty Coatings" CTG/National Emission Standards for Hazardous Air Pollutants (NESHAP) definition, DEP will update the definition in 25 Pa Code Section 121.1 to include the new EPA approved ASTM method.*

Minutes prepared by Joseph Martini Air Quality Program Specialist (AQPS). For additional information about AQTAC, please contact the AQTAC Liaison ([RA-EPAQTAC@pa.gov](mailto:RA-EPAQTAC@pa.gov)) or by visiting the AQTAC webpage at <http://www.dep.pa.gov/Business/Air/BAQ/AdvisoryGroups/Air-Quality-Technical-Advisory-Committee/Pages/default.aspx>.