

1 USDA AGRICULTURAL AIR QUALITY TASK FORCE MEETING
2 RESEARCH TRIANGLE PARK, NORTH CAROLINA

3

4 **Wednesday, September 29, 2010**

5 **USDA Agricultural Air Quality Task Force (AAQTF) meeting was called to order by Jeff**
6 **Schmidt, Natural Resources Conservation Service (NRCS), Acting Designated Federal**
7 **Official (DFO), on the above date at the U.S. Environmental Protection Agency (EPA),**
8 **4930 Old Page Road, Research Triangle Park (RTP), North Carolina.**

9

10 **AAQTF Members in Attendance:**

11 Associate Chief Ginger Murphy (Acting AAQTF Chair)

12 Mr. Kevin S. Abernathy

Mr. Robert V. Avant, Jr.

13 Mr. Gary H. Baise

Dr. Robert Burns

14 Ms. Cynthia L. Cory

Mr. Manuel Cunha

15 Dr. Jerry Hatfield

Mr. Roger Isom

16 Mr. Paul Martin

Dr. Bill M. Norman

17 Dr. Charles Rice

Mr. Kevin Rogers

18 Ms. Sally Shaver

Mr. Douglas W. Shelmidine

19 Dr. Leon D. Weaver

Mr. Benjamin T. Weinheimer

20 Dr. Eileen Wheeler

Dr. Hongwei Xin

21

22 **USDA Staff in Attendance:**

23 Mr. Elvis Graves (NRCS)

Mr. Jeff Schmidt (Acting DFO, NRCS)

24 Ms. Julia Meisel (NRCS)

Dr. Adam Chambers (NRCS)

25 Mr. Bruce Newton (NRCS)

Dr. Andrea Clarke (NRCS)

26 Dr. Kent Burkey (ARS)

Ms. Stephanie Johnson (OGC)

27 Dr. Ray Knighton (NIFA)

Dr. Greg Johnson (NRCS)

28 Mr. Greg Zwicke (NRCS)

Mr. Ted Strauss (NRCS)

29 Mr. Pete Lahm (USFS)

Mr. Mike Hubbs (NRCS)

30 Mr. Matt Flint (NRCS)

31

1 **EPA Staff in Attendance:**

2 Ms. Robin Dunkins (OAQPS)

Mr. Larry Elmore (OAQPS)

3

4 **Roll Call**

5

6 No roll call was taken

7

8 **Opening Remarks**

9

10 Jeff Schmidt welcomed members and went over some meeting logistics with the group. Michele
11 Laur was to call the meeting to order, but was detained in Washington and sent her regrets. Mr.
12 Schmidt welcomed Ginger Murphy, NRCS Associate Chief, and turned the microphone over to
13 her.

14

15 Ms. Murphy greeted the Task Force and stated she would keep the meeting on time. A few
16 comments were made about the 40 applications received for the new Task Force. They will be
17 sent to the Chief before going to the final panel for review. The new members should be
18 announced in late October or early November.

19

20 Steve Page, EPA, Director, Office of Air Quality and Planning Standards, was introduced by Ms.
21 Murphy. He welcomed the Task Force and sent regrets from Gina McCarthy and Mr. Murray for
22 not being able to attend the meeting. Mr. Page gave some background on RTP and spoke about
23 the variety of items his team is working on, and the challenges that they face with such rules as
24 the PM and Boiler Rule. He stated their desire to collaborate with groups such as the USDA, to
25 come up with the best rules for both the population and the environment. Ms. Murphy thanked
26 Mr. Page and the EPA for the use of their facilities.

27

28 Ms. Murphy introduced Matt Flint, NRCS Assistant State Conservationist - Technology for
29 North Carolina, to the Task Force. Mr. Flint, who was representing J.B. Martin, NRCS State
30 Conservationist, thanked the board for the opportunity to present. He proceeded to speak about
31 North Carolina's agriculture resources. North Carolina leads the nation in tobacco and sweet

1 potatoes and is number two in the nation for hogs, turkeys and Christmas trees. NRCS' mission
2 is to support agriculture and conservation. Providing technical assistance to farmers and
3 financial assistance to sustain their operations and show environmental benefits with improving
4 air quality, reducing pollutant emissions, and carbon and greenhouse gas emissions in crop,
5 pasture and forest land. The goal for cropland includes managing cover crops to enhance carbon
6 retention in the soil. Their emphasis is on sustainable grazing techniques for pastureland, such as
7 forage feeding and changing waste systems. NRCS is also working on restoring wetlands and
8 forestry by improving items such as peat moss and the water table.

9

10 Gary Baise questioned the Super Soil technology, asking if there was only one in the state of
11 North Carolina because of the expense. Mr. Flint was not sure of the exact number, but knows
12 the NRCS has written four installation contracts over the previous two years. Solids are
13 collected and carried to a centralized off-site composting facility. Mr. Flint answered a couple
14 questions about the cost of off-site composting by stating that it is currently only viable for
15 farmers with substantial financial assistance from the public sector.

16

17 **Minutes Approval**

18

19 Approval of the minutes from the past meeting were moved by Kevin Abernathy and
20 seconded by Kevin G. Rogers. The minutes were accepted.

21

22 **Livestock and Poultry Subcommittee**

23 **L&P Air Emission Standardization Workshop Report**

24

25 Ms. Murphy introduced the next speaker to the Task Force, Ben Weinheimer. Mr. Weinheimer
26 introduced the members of the workshop and gave the Task Force the Livestock and Poultry
27 (L&P) Air Emission Standardization workshop recommendations. The workshop focus was on
28 four principles: the standardization of information collected and reported for livestock and
29 poultry air emissions, methodologies and protocols, as well as procedures and mitigation
30 practices. They used the National Air Emissions Monitoring Study (NAEMS) to guide the
31 workshop. Three White Papers were the result of the meeting. Mr. Weinheimer asked that the

1 Task Force recommend the final emissions methodology (EM) be published at the same time for
2 all data sets, and that the EPA utilize other research studies in developing EMs.

3
4 Sally Shaver expressed appreciation for the willingness of the EPA to work with stakeholders.

5 Bob Avant let Mr. Weinheimer know that during the Salt Lake City Task Force Meeting in
6 2008, the AAQTF was briefed on how the study and evaluations would be conducted. At that
7 time he raised concerns about how the data would be collected and the management of the
8 quality of data. He asked Mr. Weinheimer if he was confident that the procedures were followed
9 for the collection of data. Mr. Avant noted that it was recommended that an external peer review
10 be conducted of the data for the different species, and he feels the external peer review did not
11 happen. Lastly, Mr. Avant asked whether there would be a recommendation for formal action to
12 follow up on the concerns Mr. Avant's committee raised.

13
14 Mr. Weinheimer stated that discussions took place to ensure everybody was in agreement in
15 regard to how the data was collected, handed off and presented to the EPA. The quality
16 assurance protocols and procedures seemed to have happened adequately and appropriately. Mr.
17 Weinheimer announced that to his knowledge there was no formal process related to the external
18 peer review. He wants the Task Force to take ownership in the recommendations and would
19 consider the slides and information recommended to be the resolution.

20
21 Manuel Cunha raised concern that the EPA has not defined how to describe the source and how
22 to include the source by facility. He made a motion that the Task Force accept the presentation
23 as the documents to go forward, noting the need to define facility. Mr. Baise agreed with Mr.
24 Cunha, but stated that prior to Salt Lake City the Task Force defined what a facility was and
25 addressed the issue of aggregation. Mr. Cunha commented that the recommendation was sent to
26 the White House, but was lost in the postage program. Mr. Baise posed that the
27 recommendations should be brought to the EPA for review.

28
29 A motion was made to move forward with the recommendations with Mr. Baise's added
30 language of using previously used facility language from the Maui meeting. The motion was

1 seconded by Mr. Avant. The motion stands. (motions of Recommendations from Livestock and
2 Poultry sub-committee materials at <http://www.airquality.nrcs.usda.gov/AAQTF/Documents/index.html>).

3

4 Mr. Avant stated to the Task Force that he has a copy of the definitions done at the Maui meeting
5 in 2006. Mr. Weinheimer thanked the committee for moving forward with the
6 recommendations. He asked each chair person to highlight key points and messages within the
7 three White Papers.

8

9 Dr. Eileen Wheeler referred to page 6 of the White Paper for combined Principles 1 and 2 and
10 listed the main recommendations to determine primary and secondary data. Most emissions
11 being reported are in mass pollutant per unit time and per unit area. Four primary uses for units
12 are stated on page 1: regulating emissions from buildings, emissions expressed per unit of cause,
13 lifecycle analysis and public information. For mitigation there is a lot of interest trying to relate
14 the emissions of the compound back to the source causing it.

15

16 Dr. Hongwei Xin, Iowa State University, directed the Task Force to look at Principle 3. The first
17 item is collecting information and minimizing it to ensure the accuracy. Page 7 summarizes the
18 take home messages which should be followed, dos and don'ts and the nine steps. He reiterated
19 that one size fits all will not work and to focus on the ventilation rate. As the data are presented,
20 there should be an uncertainty level. A final point was made on how sampling is done.

21

22 Dr. Robert Burns, University of Tennessee, Principle 4 is broken into three areas: mitigation
23 technologies, what a standardized technique could look like, and organizational structures and
24 funding.

25

26 Mr. Weinheimer brought forth the second tier of recommendations. In reference to the White
27 Papers, the L&P Subcommittee and moderators recommended the Task Force develop a two to
28 four page summary to be included with the White Papers. The summary should also include
29 minutes from the Task Force meetings and should be published as an American Society of
30 Agricultural and Biological Engineers (ASABE) technical reference and through the Livestock
31 and Poultry Environmental Learning Center. This package should also provide support for the

1 development of a standardization framework proposal for future funding. David Schmidt, P.E.,
2 University of Minnesota, volunteered to develop the framework proposal.

3
4 A recommendation was put on the floor by Mr. Weinheimer for the Task Force to consider. A
5 motion was made by Mr. Cunha to move forward with the recommendation. The motion was
6 seconded by Dr. Xin. Ms. Murphy asked for discussion. Mr. Baise raised one question; to what
7 extent did the workgroup compare to the 2001 EPA Guidelines? Mr. Weinheimer stated that
8 there was some discussion about the current rating system as it relates to how emissions are
9 published, and also had discussions with Mr. Meyers from the EPA who indicated to go more
10 towards a three tiered system. If it enters the EPA AP-42 Compilation of Emission Factors
11 Publication it will be used independent of the rating. States, environmental groups, and
12 industries are not going to pay attention to the quality rating of the emission factor. Mr. Avant
13 thought that the highest tier rating for emission factors was for peer-reviewed data and after that
14 it declines. He questioned if the publication would have as much weight as one that is in a peer-
15 reviewed article. Mr. Weinheimer is not exactly clear if it is more important that it is a peer-
16 reviewed article or an article with the metadata included. Dr. Burns agreed with Mr.
17 Weinheimer; they understood that the EPA would consider other studies. The larger the quality
18 data set is, the better for everyone involved. Mr. Baise posed that the gold standard is peer-
19 reviewed data. The motion stands. (motions of Recommendations from Livestock and Poultry
20 sub-committee materials at <http://www.airquality.nrcs.usda.gov/AAQTF/Documents/index.html>).

21

22 **EPA Update**

23

24 Ms. Murphy announced this session will be moderated by Robin Dunkins, Natural Resource and
25 Commerce Group leader. Mr. Cunha hopes that everything the Task Force makes
26 recommendations for are taken seriously by the EPA, and that 30 days after the meeting the
27 Secretary of Agriculture confirms that the information was received.

28

29 Ben Hengst, Office of Transportation and Air Quality, spoke about the updates to the Renewable
30 Fuel Standard RFS2 Program. It expanded the volume of renewable fuel in the U.S. It divided
31 the fuel mandate into four categories. Also, the update made a change to the definition of

1 renewable fuel. It was finalized in March and went into effect July 1, 2010. They are focusing
2 on implementation of the new rules. They are working on biofuel pathways not defined in the
3 rules. Finally, the EPA is looking for pathways that do not exist with a petition process.

4
5 Roger Isom was surprised by the \$13 billion number for the net farm income increase estimated
6 by EPA for 2022. Mr. Avant believes the 7% number in the second bullet point on Mr.
7 Hengst's slide should be higher. Mr. Hengst stated the number is looking at 2022 and the
8 amount of gas and diesel used in that year. Mr. Avant wondered if they have been able to get a
9 better grasp on lifecycle. Mr. Hengst stated a number of changes were made, such as land use
10 data from abroad. Ms. Shaver asked if the methodology was publicly available. Yes; all of it is
11 contained in the document. Ms. Shaver wanted to know if there will be notices on updates. Mr.
12 Hengst stated they were focused on the NAS (National Academy of Sciences) Study and it
13 would be released publicly. Ms. Murphy asked Mr. Hengst to provide the Task Force with the
14 links to his information.

15
16 Dr. Bill Norman had a question for Mr. Hengst on where the database of lifecycle indices reside.
17 All of the information is available in the docket. Dr. Norman stated that the registered data, the
18 accepted, peer reviewed data, is housed with the Department of Energy, and he hopes that Mr.
19 Hengst has accessed that. What software packages are being used for the LCAs (Life Cycle
20 Assessments)? Of the methodologies used in the lifecycle assessment, there was not one model
21 that worked for a complete assessment. Dr. Norman did not hear of an assessment model for
22 lifecycle worldwide. Mr. Weinheimer again stated a number of models were used, but did not
23 know the specifics.

24
25 Mr. Cunha questioned Mr. Hengst and his group working with the USDA on the economic
26 benefits and damage that is being done to the farming industry. Dr. Burns asked Mr. Hengst
27 about E15 and how soon the EPA will make a decision. Mr. Hengst apologized – his work does
28 not pertain to the E15 issue. Dr. Burns opened the question to anyone at the EPA. Ms. Dunkins
29 did not know the answer, but promised to try to get one by the end of the day.

30

1 Juan Santiago, Air Quality Policy Division, gave the Task Force an update on greenhouse gases
2 and permitting. The final Green House Gas (GHG) Tailoring Rule was published in May of this
3 year. Permitting is scheduled to begin January 2011 and be phased in by steps. In 2016 there
4 will be another round of rulemaking. 13 states don't have the authority and they are currently
5 working with those states. EPA issued a call for information in regards to biomass combustion
6 and biogenic emission for permitting. His division has received over 7000 comments and are
7 currently going through them. Mr. Avant asked Mr. Santiago to comment on the Tailoring Rule
8 letter. Mr. Santiago is aware of the letters from Texas and Arizona. He believes that Texas is
9 part of the litigation, and they are looking at the position, but cannot comment because of
10 litigation.

11
12 Mr. Cunha asked Mr. Santiago if he knows what happens to a farm under Title V permitting. [he
13 indicated he does not]. Mr. Cunha recommended he visit California to understand what Title V
14 will do to the food chain. He is very concerned with the damage that will be done to the farming
15 industry. Was NRCS involved in the activity from the 2003 Ethanol Standards? He hopes that
16 AB32 in California crashes because he believes AB32 will hurt the industry. Mr. Santiago
17 mentioned that the EPA looks at cost and benefits in all rulemaking and the USDA would be
18 involved, but in regards to speaking with individuals he does not know the answer. Mr. Cunha
19 wants a work up of costs and have them presented to the real people.

20
21 Dr. Xin wanted Mr. Santiago to clarify the 50,000 ton per year of CO₂ equivalent value and if it
22 is applicable only to N₂O and methane from the manure or whether it also include CO₂ from
23 respiration. Was the 50,000 ton per source or barn? Has there been a threshold chart done? Mr.
24 Santiago stated that the 50,000 is potential to emit for the source, for the whole facility. CO₂
25 equivalent that is made up of six gases make up greenhouse gases. Right now it is just manure,
26 but there are studies being done on other areas of farms. In regard to the threshold table for
27 different species, they have established a threshold across all species. It was not based on
28 emission levels, but rather administration necessities.

29

1 Mr. Ginsberg spoke to the rulemaking in three different offices in the EPA. These rules govern
2 boilers, solid waste incinerators, an update on the amendment to engine regulations, the fire
3 policy, and talk about the call for information on biomass combustion and biogenic emissions.
4

5 Paul Martin echoed the comments previously made on the economic impact on corn and the
6 industry. He asked Mr. Santiago if the removal of the manure management section in the
7 Tailoring Rule was temporarily removed from the website. Mr. Santiago stated that every rule
8 was still there. Mr. Baise spoke about the unintended consequences that come from the rules
9 put forth and the frustration that the Task Force is feeling. Kevin Abernathy asked about the
10 GHG 50,000 ton limit permitting. It means the maximum capacity under normal operations.
11 Looking at all emissions and adding them up. Mr. Abernathy is confused because of potential
12 and if an operation is lower they are exempt. Juan is saying if an operation is lower on emissions
13 they will not be exempt. They will have to establish the emissions for the whole year. This is by
14 statute and not being made up. Mr. Abernathy thought the EPA made the limit. Mr. Cunha
15 commented that the EPA made up their own limits.
16

17 Mr. Abernathy wanted to reiterate that the cost of programs have made a severe economic
18 impact. Eric. Ginsberg stated the air toxic limitations do not change the threshold. Mr.
19 Abernathy stated they have to do health assessments, so he doesn't see how they will not be
20 affected. Dr. Charles Rice wanted to know when the lifecycle analysis will be implemented.
21 The RSF2 program is in effect since July 1, 2010. EPA is required to implement the law that
22 Congress passed. They recognize that it is an evolving science and this represents the best that
23 they have today.
24

25 Mr. Weinheimer addressed the Greenhouse Gas Reporting Rule, announcing there is no system
26 put in place and asked for information. Ms. Dunkins stated the rider is there, restricting EPA
27 from developing the manure management section of the Greenhouse Gas Reporting Rule for
28 FY10, and she can get more information. Ms. Shaver is confused about the 50,000 tons of CO2
29 and the actions from June and July is based on 100,000 and 75,000. Mr. Santiago stated in
30 January only Prevention of Significant Deterioration (PSD) and Title V permits kick in and the
31 thresholds would be subject to PSD and Title V. Under step one you have to have an existing

1 PSD permit and a change in emissions by 75,000 tons in order to require GHG permitting. In
2 July, additional thresholds for any source with potential GHG emissions of 100,000 tons a year
3 of CO₂e or for existing PSD sources with potential GHG emissions of 75,000 tons will be
4 effective. By 2013 there would be rulemaking to change the thresholds or leave them as is. The
5 50,000 number is in the Tailoring Rule and will not go below before 2016.

6
7 Ms. Dunkins stated under the Clean Air Act they are required to assess all points of emissions.
8 Source, facility and permitting definitions are for greenhouse gases and other air emissions. In
9 the coming year, they will define the sources for all of the Clean Air Act provisions. Mr. Rogers
10 wondered why they are so concerned over greenhouse gases and the costs. He stated that taking
11 a step back to ensure the rules were correct for agriculture would be a good practice and
12 recommend putting the discussion on hold for a year or two. He spoke about the PM discussion
13 and reducing the PM₁₀ daily standard to 75 micrograms per cubic meter from the current
14 standard of 150 micrograms per cubic meter. If the EPA goes to that, several operations will be
15 out of business according to studies done in the desert southwest and Arizona. The 50,000 and
16 100,000 ton per year thresholds for GHGs are calculated from total emission point sources. The
17 agency has not made a determination on the criteria for a farm. Will the Task Force have an
18 opportunity to determine if a cow is a source? Ms. Dunkins stated she doesn't know that is
19 necessarily going to be a definition of a source. They are currently looking at an 18 month
20 window. All sources are covered under the Clean Air Act, Ms. Dunkins stated. There is the
21 farm and then the living breathing creature; those emissions we don't know how they are going
22 to be handled. Ms. Dunkins said a final assessment has not been made.

23
24 Ms. Shaver asked Mr. Ginsberg for clear information on the Boiler Rule. Mr. Ginsberg replied
25 they would look into putting out information. Mr. Isom stated there are engines greater than 500
26 horsepower in agriculture. Dr. Wheeler had two main points; what is a facility and as a source
27 facility, how would the animals be accounted for? Dr. Rice and Dr. Wheeler were discussing the
28 emission for all sources of agriculture being about 8% in the United States, and they are trying to
29 control the minority of emissions. Mr. Cunha announced in 1997 the Forestry and Ag Burn
30 Policy was lost in the EPA for nine years. In 2006 the policy surfaced. He asked the EPA to

1 work with agriculture and the USDA under NRCS. It was announced that they have the
2 agency's commitment.

3

4 **Air Quality Standards Subcommittee**

5

6 Mr. Isom, Task Force member, reported on the Air Quality Standards Subcommittee. The
7 subcommittee has covered PM Monitoring issues, research needs, chemical compositions and
8 ozone. He listed some of their recommendations and areas to address in the agriculture
9 community. The next Task Force's issues will be looking at a new Ozone Standard, a new PM
10 Standard, the ongoing PM Monitoring issues, and continued PM research. Mr. Baise spoke
11 about the fall-out from the Chesapeake Bay dealing with nitrogen deposition coming from
12 agriculture.

13

14 **NAAQS Implementation**

15

16 Ms. Murphy introduced the next speaker - Sona Chilingaryan, EPA, Region 9. She reviews state
17 and local regulations to make sure that they are in compliance with the Clean Air Act. Ms.
18 Chilingaryan's topic was on the EPA's Open Rulemaking, Phoenix's Designated Non-attainment
19 for PM-10 NAAQS, and 2007 Phoenix Ag BMP Rule submitted with the 5% plan. PM-10 Ag
20 Rules were developed in Federal non-attainment areas by technical experts and stakeholders
21 working with state and local air agencies, the USDA, and the EPA. In Phoenix's Best
22 Management Practice (BMP) Program, farmers are required to select two BMPs and maintain
23 proper records. Ms. Chilingaryan discussed how the rules were enforced. Moving forward, the
24 EPA will work with Arizona Department of environmental Quality, Governor's Ag BMP
25 Committee, USDA and all stakeholders to develop rules.

26

27 Mr. Isom pointed out that they work closely with M. Chilingaryan. He questioned the dates and
28 the actions and thinks one is missing; the Phoenix Plan was challenged because it did not meet
29 BACM (Best Available Control Measure) and could not qualify, but the EPA did withstand the
30 challenge. Does the EPA have specifics showing that agriculture has been associated with the
31 exceedance? Will there be benefits from adopting the additional BMPs, and how are they

1 quantifying them? Ms. Chilingaryan first addressed the different court cases. There was a case
2 after 2000's rule that went to the 9th circuit, and they did prevail. In regards to the exceedance,
3 they were submitted and reviewed. What was the methodology used for the exceedance Ms.
4 Chilingaryan listed? She indicates she would be happy to send on the analysis, and it is posted
5 on the website.

6
7 Mr. Rogers would like a copy of Ms. Chilingaryan's presentation to use when he travels around
8 the country. He wants to continue to work towards solutions, but agrees it will be difficult. Ms.
9 Chilingaryan appreciates the leadership role that the Task Force has played. She discussed the
10 exceptional events rule. Ms. Cory believes that Imperial County, CA is in the same situation.
11 Ms. Chilingaryan agreed that they were, but there were additional deficiencies.

12

13 **NAAQS Reviews Update studio**

14

15 Lydia Wegman, EPA, Director, Office of Health and Environmental Impacts Division,
16 welcomed the Task Force. Her goal was to review the thoracic coarse particles and ozone
17 standards. She informed the Task Force of the PM Primary Standards and Clean Air Science
18 Advisory Committee (CASAC) conclusions, health evidence in review, adequacy of the current
19 standards, and potential alternative standards. Karen Martin, also of EPA, went into detail on
20 each of the alternative standards listed. Ms. Martin announced that the standards are not to make
21 the policy more stringent. Mr. Isom wanted to clarify the amount of counties in California and
22 those in non-attainment. Is dropping the standard achievable, and how it will affect agriculture?
23 Ms. Martin announced all the monitors in the southern California area would be included, and
24 the map is just focused on air quality. The 11 listed are not non-attainment. Ms. Martin pointed
25 out based on the facts given, they look as if they would not meet the standards based on three
26 years. What three years? 2007 through 2009. Ms. Wegman is unsure of which California
27 counties are projected to be in nonattainment with the potential new standard --- she did not
28 have the information with her.

29

30 Mr. Isom asked if any were agriculture-related areas not tied to wind. Ms. Martin announced
31 there were storm studies, but none of them were as Mr. Isom described. Mr. Avant wanted to

1 know if a rural attainment county would shift into a non-attainment county under the scenario
2 given. Ms. Wegman stated they could not make a generalization. Mr. Avant is concerned about
3 what is happening in the Midwest that makes them light up so much on the chart listed. Ms.
4 Martin stated the different patterns of concentrations across the days and years. Mr. Avant
5 pointed to the sampler bias issue and how important it was to get the sampling down correctly.
6 He asked guidance from the EPA to show the point-source sampling.

7
8 Mr. Cunha questioned Ms. Wegman about the comment made on dust – are exceptional events
9 excluded from violations, such as dust from soils and fires? Ms. Dunkins stated that the table is
10 just showing monitored data for attainment and non-attainment classifications and not intended
11 to suggest dust storms or fires. Mr. Avant stated in the three-year data, exceptional events would
12 have been factored into the data. Scott Jenkins (EPA staff) stated the table does not reflect what
13 could or could not be exceptional events because it would depend on the level and how close the
14 area is. Mr. Avant suggested the data were taken over a three-year period and would have an
15 exceptional event if it occurred. Mr. Jenkins concurred that the table contains all of the data the
16 EPA had.

17
18 Mr. Cunha asked that the EPA communicate with the USDA for anything they decide to do with
19 farming. Ms. Wegman stated they would coordinate with the USDA moving forward. Dr. Leon
20 Weaver asked for clarification on the county chart. Lydia noted they use a county count to think
21 about the information and an area of non-attainment may not be the entire county. Most studies
22 are done in urban areas, and they are mindful of that. Mr. Weinheimer suggested the standard
23 might be misapplied when it is adopted in the future and asked if someone would have to have
24 three years of data to make a determination. Ms. Wegman understands, takes Mr. Weinheimer's
25 point, and has provided that advice to the states.

26
27 Ms. Shaver followed-up on modeling for point sources, new sources or expansion, and if the new
28 standards would be treated differently. In addition, she questioned the study's review and asked
29 what cities were used. Mr. Jenkins stated there were about 50 to 100 cities in the review from all
30 over the U.S. All of the information is available in the public assessments. Dr.. Norman asked
31 what he was looking at in the top two rows of the table. The answer given was the total number

1 of counties with monitors. Mr. Baise asked if they were court ordered. Ms. Wegman stated the
2 PM review was not court ordered, but rather a five-year statutory review deadline.

3
4 Ms. Wegman went through the reconsideration of the Ozone Standards. She listed the responses
5 to sensitive vegetation and ozone-sensitive tree species. Finally, she went through the comments
6 that the EPA received on the Ozone Standards. Dr. Norman stated that during the meeting in
7 March there was a presentation done by Dr. Kevin Percy. He had a couple questions for the
8 EPA. The W126 weighted-index weights the ozone measurements during the heat of the day, is
9 that correct? It weights no matter what hour of the day. It was intended to recognize that higher
10 concentrations have more of an impact than lower concentrations. Another question by Dr.
11 Norman was regarding whether the higher amounts occur during the heat of the day, to which
12 Ms. Martin answered yes. The PM Study and the Ozone Study have nothing to do with each
13 other, stated by Ms. Martin. Dr. Norman asked if any of their studies came out of Wisconsin
14 done by Dr. Percy. Vicki Sandiford (with EPA) replied they have used studies from the base site
15 in Wisconsin. Dr. Percy's study done in 2007 was included in the provisional assessment and
16 the book chapter from 2009 has been reviewed as well.

17
18 Mr. Isom questioned implementation. Will it be set countywide or in Class I areas? Ms.
19 Wegman showed it depends on the level of the standards picked. On the implementation, it is a
20 question they need to give serious thought to, but there is no indication of the entire county being
21 classified as non-attainment because one monitor was violating the standards.

22

23 **Source Apportionment**

24

25 Dr. Mike Rizzo, EPA, Office of Air Quality and Planning Standards, spoke to Source
26 Apportionment. Examples of Source Apportionment techniques and tools would be wind
27 pollution and trajectories, chemical mass balance, factor analytic techniques, non parametric
28 regression and source tagging. He listed several ways in which source apportionment can be
29 pursued to identify agricultural source influences.

30

1 Mr. Baise asked Dr. Rizzo if the Community Assessment Model for odor dispersion was better
2 than the model that EPA is using. Dr. Rizzo was not familiar with the model mentioned and
3 could not answer the question. The monitoring technique has to be designed to monitor
4 emissions and distinguish them from other sources within the area, so there needs to be a robust
5 suite of compounds out there. Mr. Baise asked if the model would be able to separate ammonia
6 coming off of fields versus a lagoon, to which Dr. Rizzo stated probably not. You could use a
7 qualitative technique such as wind direction, but you would need the monitoring on the same
8 type of resolutions. Would this model be state-of-the-art? Dr. Rizzo interjected they are the
9 current tools available. Mr. Baise wondered if the EPA has signed off on the models. Dr. Rizzo
10 stated they were released by the agency, but he does not know if they were approved. Ms.
11 Shaver asked how the EPA was using the model. They use it on occasion from the policy side of
12 the house to show initial assessments and to show where PM could come from. It has been used
13 in a more general weight of evidence to get to the next level of analysis or conclusions.

14

15 **Agricultural Equipment Subcommittee**

16

17 Ms. Murphy announced Mr. Cunha will be speaking on the Agricultural Equipment
18 Subcommittee report. The committee met on farm equipment and the subcommittee feels this
19 will be the next big impact on farmers. He spoke of California because it is the model. Mr.
20 Cunha discussed the 2010 Agricultural Truck Rule, Engine Replacement Program and the
21 results. California is working with NRCS to replace tractors in a program, which offers 50%
22 cost-share. A suggestion of the subcommittee is to develop national standards for farm
23 equipment. He is suggesting 30 days to get the recommendations ironed out.

24

25 Mr. Baise raised the issue of an endangerment finding working with the EPA, requesting that
26 equipment be regulated for CO2 emissions and believes it is critical to the statutes that they have
27 been working on. Mr. Cunha said that equipment has to be dealt with nationally. Mr. Isom
28 wanted to emphasize there is no other rule more significantly impacting the agriculture industry.
29 On his website there is an equipment clearing house, for those interested in buying used
30 California equipment. Mr. Cunha hopes to meet with the EPA to get on top of this
31 recommendation.

1

2 **Diesel Emissions Reductions Act (DERA) Update and Retrofitting Agricultural Engines** 3 **(Benefits/Challenges)**

4

5 Mr. Cunha introduced Dawn Fenton, Diesel Technology Forum, Director of Policy. Dawn
6 thanked the Task Force for the invitation. She spoke on the Diesel Emissions Reduction Act and
7 retrofitting agricultural equipment. Her organization is a non-profit educational organization put
8 in place to educate and raise awareness about the clean vehicle policies. Ms. Fenton listed
9 information on the Diesel Emissions Reduction Act and Diesel Retrofitting and how her
10 organization has been involved with the program. The National Clean Diesel Funding
11 Assistance Program entitles regional, state, local, tribal or port agencies with jurisdiction over
12 transportation and nonprofit organizations or institutions to receive funds for distribution to be
13 used for reducing emissions from diesel engines. Ms. Fenton went into specifics of their funding
14 coverage. DERA's main priority is to maximize public health benefits. With the reauthorization
15 it will be similar to before, but for the first time private entities would be able to apply directly
16 and eliminate the rule that 50% of the funds would have to go to public fleets, to name a few.
17 Ms. Fenton went over several slides that related to retrofitting agricultural vehicles, five Rs,
18 including exhaust retrofitting concerns and repowers. Some retrofitting considerations are:
19 replacement concerns, such as expense, efficiencies, and safety; and idle reductions, such as
20 being available for a wide range of equipment, low cost, and providing efficiency benefits.

21

22 Ms. Cory asked if the charts were on her websites. Ms. Fenton will make them available. Mr.
23 Avant questioned what he should do with his 1940 John Deere. Will he be pulled over and
24 hauled to jail by the air police? Ms. Fenton said that there is no mandate to retrofit on a national
25 level. Mr. Avant followed-up questioning the old tractors out there and the fact that a person
26 could possess one.

27

28 **Recent Legal Events and Issues in Air Quality**

29

30 Stephanie Johnson, USDA, Office of the General Counsel, Conservation and Environment
31 Division, gave a brief overview of a lawsuit related to EPA's Exemption Rule from animal waste

1 at farms. This exempts only farms and only exempts emissions arising from manure from certain
2 hazardous waste reporting requirements. The lawsuit challenged the exemption and asked for a
3 review of the rule. Ms. Johnson went over the lawsuits filed and the motions. The EPA asked
4 for a reassessment of the rule. The last activity on the case was when the EPA issued a reply
5 showing they felt the reassessment was still needed.

6
7 Mr. Baise said the case was a direct outcome from the Task Force stating that the 100 pound rule
8 did not apply to agriculture. The committee had an impact by trying to protect agriculture. Mr.
9 Baise stated there was not another recommendation comparable to what they did previously.
10 The administration is going to re-examine the information. Mr. Martin agrees with Mr. Baise.
11 As a point of information, they had their groups report and the response was interesting. Ms.
12 Cory asked if they are looking at the rule. The answer was there is consent to reconsider the
13 rule.

14
15 Ms. Cory posed if they could be invited to speak to the Task Force and have a discussion. The
16 EPA stated they are interested in revisiting the rule, but have not made motions to do that yet.
17 Mr. Baise agreed with Ms. Cory. If they proceed, the next Task Force should have interest, and
18 they would like to have a subcommittee to work on the issue. Ms. Cory stated that the Task
19 Force is still active and there should be a recommendation to come back to the committee to
20 review it. Mr. Baise again agreed. Mr. Cunha also agrees that they need to come to the
21 committee to understand what is going on. A formal recommendation was made that the EPA
22 address the Task Force if they vacate the rule.

23

24 **Reactive Nitrogen Subcommittee**

25

26 Mr. Martin, Task force member, referred to Page 3 of the Reactive Nitrogen subcommittee
27 recommendations document and went over each in short detail. The EPA Science Advisory
28 Board is in the process of drafting reactive nitrogen initiatives. In California, there is a planning
29 grant and assessment underway. The final page of the document is a recommendation for using
30 manures as feed stock and the results of that. The four recommendations would be submitted to
31 the Task Force for adoption.

1
2 Mr. Avant questioned the reactive nitrogen from chemical applications, other than manure. Mr.
3 Martin stated it includes manure and fertilizer, but does not call out chemical fertilization. Mr.
4 Avant turned to the back of the report where it also just states manure, but on page 4 states
5 manure and fertilizer. He wonders if they should broaden the Task Force recommendation to
6 include chemical fertilizer. Mr. Martin agrees that he should add chemicals into the
7 recommendations. Dr. Xin admitted that Mr. Avant's point was well taken, and it should be
8 stated commercial fertilizer. Mr. Martin pointed out they would review the recommendations
9 that evening and bring it back for adoption on September 30, 2010.

10

11 **USDA Agency Reports**

12

13 Mike Hubbs, Director, NRCS Ecological Sciences Division, introduced a new member, Dr.
14 Adam Chambers, who will be working on the Air Quality and Atmospheric Change (AQAC)
15 Team. Julia Meisel is working on conservation practices and air quality impacts with the Air
16 Quality team. The team has been working on a pilot for greenhouse gas emissions, looking at
17 conservation practices and policies. The NRCS will also be likely announcing a grant program
18 for GHG management. AQAC conservation practices that will soon be included in the handbook
19 are air filtration and scrubbing, combustion system improvement, dust control on paved roads
20 and from animal activity, and equipment efficiency. The revision of the Nutrient Management
21 Conservation Practice Standard draft is completed. Air quality chapters are being added to the
22 National Engineering Handbook (NEH).

23

24 Mr. Cunha's raised concern that the Task Force is to review items before they are published. He
25 has not seen or discussed the activities within the agency. Mr. Hubbs stated that the revision of
26 the practice standards has been discussed at the last two meetings and drafts were shared; it is an
27 internal review but they are allowing their partners to look at it. The Engineering Handbook is a
28 different topic, in which the items are being developed currently. Mr. Cunha asked what issues
29 they need to worry about in the next year or two. The standards have only recently been
30 released, and the NEH air quality chapters are in review and the Task Force will be allowed to
31 comment, Mr. Hubbs replied. Mr. Weinheimer asked about Adaptive Management and if they

1 would have a chance to see it. Mr. Hubbs believes there will be technical note that will come out
2 soon with an opportunity to comment. Mr. Weinheimer asked where comments could be
3 submitted. Mr. Hubbs stated comments could be sent to John Davis on his staff. Is it possible to
4 get a strike through version? Mr. Hubbs does not know, but they could send both versions. Ms.
5 Cory understands everyone is overwhelmed, mad and angry about the regulations out there, but
6 she appreciates the work going forward. The chapters allow the field offices to address
7 questions.

8
9 Mr. Hubbs continued with COMET-VR (Voluntary Reporting of Greenhouse Gases-Carbon
10 Management Evaluation Tool) and C-farm. The new version of COMET-VR is being released.
11 The Rapid Soil Carbon Assessment is one of the Chief's top priorities. Lastly the agency has
12 been working on the NRCS Conservation Delivery Streamlining Initiative and reviewing EPA
13 proposed regulations. Mr. Isom asked where the N2O emissions were at, and proposed that the
14 agency follow-up on a conference call. Is NRCS preparing comments or just reviewing the
15 standards? The AQAC Team stated that the review of EPA proposed regulation is during an
16 informal Interagency review period in which the public is not involved. Mr. Isom commented on
17 why the Task Force is in place, if they are not reviewing items before being recommended. Ms.
18 Murphy interjected a comment, stating there are two review processes – an informal (internal
19 Interagency review) and a formal review process.

20
21 Dr. Rice commented about the recommendations put forth by the Task Force requesting and
22 pleading for a carbon protocol, which hasn't been followed through in the last several years. Mr.
23 Abernathy reiterated Mr. Isom's comments about the recommendations made to the EPA that
24 were not taken into consideration. He expressed what they hear from agencies and what they see
25 on the ground by farmers are two different things. Mr. Hubbs asked the Task Force to keep in
26 mind it was only a 10 minute presentation and a high-level overview.

27
28 Dr. Ray Knighton, National Program Leader, Air Quality, began with an update on the
29 reorganization of the National Institute of Food and Agriculture (NIFA). He reported that on
30 Friday of this week the reorganization was approved and they started moving people into the
31 organizational boxes. There will be four divisions in the National Institute of Food and

1 Agriculture. Dr. Knighton will sit under the Environmental Division. The Ag and Food
2 Research Committee is where the Air Quality Program will be. There is a new document of
3 items being funded through the Air Quality Program, and he encourages the Task Force to look
4 though the document. Mr. Isom asked if there were any presentations given in electronic format
5 with more detail. Dr. Knighton will create a website and get the information out. Mr. Abernathy
6 thanked Dr. Knighton for providing the pamphlet.

7
8 Mr. Cunha wanted to know if the EPA or another agency is doing air quality research that could
9 benefit what the entire group is trying to accomplish. To Dr. Knighton's knowledge there are no
10 other groups working in air quality. Mr. Cunha asked to follow-up and check for other agencies
11 doing air quality research. He mentioned that he is disappointed in the amount of funding to do
12 air quality research.

13

14 **Wrap-up of Day 1**

15

16 Mr. Schmidt addressed a few logistic issues before wrapping up the meeting.

17

18 Mr. Avant addressed the definition issue that the Task Force has looked at over the last several
19 years. Documents related to the approved definitions were passed out to the members. He
20 reiterated the importance of reviewing the document that he feels the EPA is ignoring and stated
21 it may be helpful for the EPA to have the documents for background information.

22

23 **Adjournment**

24

25 Ginger Murphy recessed the meeting on September 29, 2010.

26