

Federal Advisory Committee Act
Clean Air Act Advisory Committee

Mobile Sources Technical Review Subcommittee

Co-Chairs: Mr. Drew Kodjak and Ms. Gay MacGregor

Designated Federal Official: Ms. Elizabeth Etchells

Summary of the Subcommittee's Conference Call/Webinar on March 3, 2014

Introduction/Opening Remarks

Mr. Buddy Polovick and Ms. Gay MacGregor welcomed the participants to the call. A full list of participants is provided as an attachment to this summary.

Ms. MacGregor reviewed the purpose of the conference call, explaining that the primary objective for the call was to have the Mobile Sources Technical Review Subcommittee (MSTRS) members vote on whether or not to pass on the report developed by the SmartWay Work Group to the Clean Air Act Advisory Committee (CAAAC). This report addresses the charge to the SmartWay Work Group to develop recommendations to the EPA to consider as it plans for the future direction of the SmartWay program. Mr. Polovick added that at the last MSTRS meeting, it was announced that there would be a conference call before the Spring 2014 MSTRS meeting to review the final SmartWay recommendations report with the MSTRS members. For this call, in addition to the MSTRS vote on passing the report to the CAAAC, the call is also an opportunity for the MSTRS members to mention and discuss any concerns they may have with the report.

Mr. Terry Goff noted that there were some concerns mentioned at the last MSTRS meeting on the draft final SmartWay report. He listed these concerns and noted how they had been addressed in the final report. One concern mentioned was that the EPA may not have the resources to execute the recommendations listed in the report. Mr. Goff said that this issue was considered during development of the recommendations and that the recommendations embody the idea of continued efficiency in the program, recognizing that there are and will be budget constraints for the program. Another comment made about the report was that there should perhaps be a conclusion section. Mr. Goff noted that one was not added to the report because the charge to the work group was to develop recommendations for the SmartWay program, which are included in the main body of the report. Mr. Goff reported that a third comment, or rather a question, was asked about drayage trucks and whether the report paid sufficient attention to the background for these trucks. Mr. Goff stated that this question is addressed as part of the program and is included in the recommendations. A fourth area of comments noted by Mr. Goff was about the general accuracy and quality of the report itself. Mr. Goff noted that the report was written by several authors, and there may be errors in the citations provided in the report. Mr. Goff suggested that if the report is approved by the MSTRS members, the SmartWay Work Group would propose to correct any errors found before passing it on to the CAAAC.

Final Report Discussion

Mr. Phil Heirigs commented that it may be too early in the science of black carbon (BC) to include it in the SmartWay accounting system. In response, Mr. Goff observed that the SmartWay program is a voluntary program rather than regulatory program, and that as a "leading edge" program,

the science does not need to be as certain as would be necessary for a regulatory program. He also mentioned that this issue was considered in the development of the recommendations and that he and another MSTRS member, Joe Kubsch, had a robust discussion about including it in the report. Mr. Polovick added that particulate matter (PM) has been included in the program since its beginning.

Mr. Heirigs noted concern about the recommendation for expansion of SmartWay-like programs to other countries, which may spread SmartWay staff too thin. Mr. Goff clarified that the report recommendation is to provide support to other countries but not that the SmartWay team or staff would develop or implement programs elsewhere. Mr. Polovick added that Canada is doing a similar program, and the U.S. EPA and Canada share best practices and lessons learned with each other, which is very helpful to both programs. Mr. Heirigs remarked that he agreed with this recommendation as Mr. Goff and Mr. Polovick explained it, but he did not feel that the report was as clear as this explanation about the recommended type of support that would be supplied to other programs.

Mr. Heirigs remarked that decision on the use of ultra-low-sulfur diesel (ULSD) in a geographic area requires careful consideration of the fuel distribution system and the costs related to the benefits of using this fuel, and he was concerned about the recommendations regarding ULSD in the report. Mr. Goff replied that the use of ULSD is a regional decision and noted that SmartWay is a voluntary program. He also noted that ULSD is more broadly available now than when SmartWay started and may continue to become even more broadly available.

Mr. Don Anair asked about the accounting for PM and whether adding BC would lead to double counting of the BC portion of PM. Mr. Goff replied that there was no explicit recommendation to not double count, but it was worthy to note that care should be taken to prevent double counting. Ms. MacGregor added that the intent is not to double count, and there is guidance about the amount of PM that could be expected to be BC.

Mr. Anair asked whether the logo recommendations for railroads were not in line with the way the logos are given now to SmartWay members. Mr. Polovick explained that different levels of logos were considered for the program, but a policy decision made last year to give everyone in good standing in the program a partner logo, including rail partners, rather than to have tiered memberships and tiered logos linked to performance. Currently, top performers are recognized in other ways within the program. Having tiers of partners and logos related to performance may be an option in the future.

Mr. Alberto Ayala asked for clarification about how market-based partnerships and pilot programs were linked, as alluded to in the non-road recommendations. Mr. Goff responded that SmartWay is a market-based program that uses recognition as a market incentive. The pilot programs are trials to establish how this type of market-based program would work within a few sub-sectors of the non-road sector. Mr. Goff suggested that to add clarity to the report on this point, information could be added to the non-road recommendations table. Mr. Ayala agreed with Mr. Goff and recommended that information be added to the recommendations table about this.

Ms. MacGregor suggested that the clarifications discussed today be made to the report before sending it to the CAAAC.

Vote

With no further comments from the meeting attendees, a poll was taken from the MSTRS members on the approval and passage of the report to the CAAAC. Members were given a yes/no choice to the question “Do you approve the SmartWay Legacy Fleet Workgroup Report?” The results of the poll were a total of 13 “yes” votes and 0 “no” votes.

Mr. Heirigs asked whether there was a conditional “yes” vote options, stating that he would like to vote “yes” on the condition of having a couple of sentences added to the report about BC, since he and a few others had noted concern about this issue. He suggested that the report clarify that the reason BC is included in the recommendations is because SmartWay is a forward-looking and voluntary program. He requested to see the report with this addition before it is sent to the CAAAC.

Adjournment

Ms. MacGregor noted that she will soon be sending an e-mail to the MSTRS members about the upcoming May 7th MSTRS meeting that will be held in Chicago. Mr. Polovick and Mr. Karl Simon thanked all the MSTRS members and attendees for their participation in the conference call.

Mobile Sources Technical Review Subcommittee

March 3, 2014

Subcommittee Members in Attendance

Name	Organization
Anair, Don	Union of Concerned Scientists
Ayala, Alberto	CARB
Campos, Pamela	EDF
Flint, Steve	NY DEP
Gautam, Mridul	Mid-Atlantic Research Institute
Grimshaw, Jacky	CNT
Heirigs, Philip	Chevron
Kindberg, Lee	MAERSK
Kliesch, Jim for Ichiro Sakai	Honda
Lilly, Amy for Deborah Bakker	Hyundai
Lowell, Dana for Thomas Balon	MJ Bradley and Associates
MacGregor, Gay	EPA
Sawyer, Robert	American Lung Associating
Standlee, Chris	Abengoa Energy
Tennent, Christine	Corning, Inc.

Attendees

Name	Organization
Carla Bedenbaugh	
Steve Berry	Volvo
Edgar Blanco	MIT
R.A. Bishop	
Craig Butler	
David Cetola	Johnson Matthey
Peter Coll	
Etchells, Elizabeth	EPA
Roger Fairchild	

Chuck Gebhardt	IEPA
Goff, Terry	Caterpillar
Valery Gray	
Rory Macarthur	
Roy Mann	CNH America
Richard McDonald	
Peter McMullen	
Stuart Parker	IWP News
Polovick, Buddy	EPA
Karl Simon	EPA
Hilary Sinnamon	
Amanda Smith	MPCA
Rich Wagner	Cummins
Breanna (no last name provided)	
Katie (no last name provided)	
Jessica (no last name provided)	
Leslie (no last name provided)	
Peg (no last name provided)	

Contractor Support

Name	Organization
Lesley Stobert	EC/R Incorporated