

COMMENTS
OF THE
INDEPENDENT FUEL TERMINAL OPERATORS ASSOCIATION
ON
AIR QUALITY MONITORING
DISCUSSED IN
“DRAFT FRAMEWORK FOR PUBLIC ENGAGEMENT”
“DRAFT TCI-P MODEL IMPLEMENTATION PLAN”
AND
“DRAFT PROPOSED STRATEGIES FOR REGIONAL COLLABORATION”
SUBMITTED TO
TRANSPORTATION AND CLIMATE INITIATIVE
AUGUST 13, 2021

The Independent Fuel Terminal Operators Association (“IFTOA”) hereby submits these comments to the Transportation and Climate Initiative (“TCI”) on the three new documents issued in June relating to implementation of the TCI program in participating jurisdictions and methods of outreach to communities affected by the program. IFTOA members include petroleum marketers at both the wholesale and retail levels, and, pursuant to the Model Rule, would be obligated parties under the TCI program. Accordingly, the proposal in the draft documents on “air quality monitoring” by participating jurisdictions could affect them directly.

The three draft documents include: (1) “Draft Framework for Public Engagement,” (2) Draft TCI-P Model Implementation Plan,” and (3) “Draft Proposed Strategies for Regional Collaboration.” All three recommend the adoption of “air quality monitoring” programs and pose several specific questions relating to such monitoring. These comments address those questions and the documents in general.

I. Overview

The Association recognizes that one goal of TCI is to improve air quality and public health. However, it should be recognized that the storage and distribution of gasoline and diesel fuel are already highly regulated by the federal government, states, and local jurisdictions. Additional regulation is not likely to provide any additional emission reductions. Accordingly, if participating jurisdictions pursue new air quality monitoring, it should be conducted on a community-wide basis by the participating state environmental agency to ensure that all data collection, interpretation, and recommendations are done by technical experts, held to stringent standards, and examined in the proper context for city and state air quality.

In the draft “Strategies for Regional Collaboration,” TCI poses five questions. The following comments address the topics raised.

A. Locations for Air Quality Monitoring

If enhanced air quality monitoring is undertaken, monitoring stations should be placed throughout the relevant state. Monitoring stations located adjacent to specific facilities would not provide data demonstrating reductions in transportation related emissions. In most cases, petroleum facilities are located in areas near major highways, rail, or airports, and typically near other facilities such as utilities and manufacturing sites. All of these sites emit air pollutants. As a result, it is not possible to accurately determine the source of any specific emissions. In contrast, multiple sampling sites located along major highways, city roadways, rail stations or other transportation hubs would provide much more useful data regarding the effect of transportation emissions on air quality within individual communities or states.

However, the state environmental agency should also collect data on local factors that could interfere with the emissions data. These factors should include, but not be limited to, wind speed and direction, temperature, and barometric pressure. The

agency should also account for obstructions that could affect air flow such as trees, buildings, bodies of water, or near-by industrial sites or transportation hubs. Therefore, the state environmental agency should follow the U.S. Environmental Protection Agency (“EPA”) or their own ambient air quality modeling standards and conventions.

B. Parameters to be Monitored

Again, if additional monitoring is undertaken, it would be reasonable for the state agency to monitor particulate matter, carbon monoxide, sulfur dioxide, nitrogen oxides, and volatile organic compounds. These are compounds that are said to be linked to respiratory problems. In addition, some of these pollutants are naturally occurring. Therefore, ambient air quality monitoring intended to assess the impacts of transportation emissions on air quality would be most effective at locations centered at highways (e.g. I-95), intersections at major thoroughfares, or other transportation hubs. It should be noted that a great deal of this information is already collected and reported to EPA.

C. Baseline Monitoring

TCI has asked how air quality monitoring can provide a baseline that can be used to measure progress resulting from TCI. Again, ambient monitoring focused on individual facilities that does not account for background concentrations of air pollutants attributable to other industrial or commercial sources would not provide a useful baseline for the effectiveness of the TCI program. Data from community-based monitoring stations, when collected accurately and interpreted correctly, can be used to calculate a baseline for measuring progress under TCI. Moreover, data should be collected over an appropriately long enough timeframe to produce a statistically meaningful baseline. This timeframe should allow for different seasonal variations in air quality, and because some events that affect air quality may only occur once a year, it is necessary to have more than one data point for these factors.

D. Strategies to Inform TCI

It is critical that the implementation and maintenance of any air quality monitoring program be governed and handled by the state environmental agency. These agencies can determine the appropriate location for data collection and can have that data examined in a certified laboratory that calibrates its equipment to stringent standards and maintains a quality assurance/quality control program. The agency staff have the knowledge and expertise to analyze and interpret the data correctly, putting it into context for the city or state. If important policies are to be adopted as a result of any new air quality monitoring program, then those policies must be based on a thorough understanding of correct data within the proper context.

E. Communication of Findings and Results to Communities

Once sufficient data from air quality monitoring has been collected, analyzed, and interpreted by the state environmental agency, the findings and results can be

communicated to the stakeholders in a number of ways. The information with the proper foundation can be posted on the state environmental agency's website; letters or explanatory factsheets can be mailed to residents in affected communities; the information can be provided to various citizen civic associations; and the agency could develop webinars or videos explaining the findings and results.

In each of these situations, the findings/results must be put in context. The information should not simply state that a parameter was over a specified limit. State agencies have the expertise to interpret ambient air quality monitoring data and effectively communicate the impacts on health or the environment, if any, to affected communities. Therefore, while it is critical to communicate findings/results to affected parties, it must be done in a manner that presents those findings/results within the proper framework.

II. Federal Regulatory Schemes

As noted above, the storage and distribution of gasoline and diesel fuel are already comprehensively regulated by the federal government, states, and local jurisdictions. The U.S. EPA has adopted standards to control emissions from storage tanks, loading racks, and other equipment used to store or distribute petroleum fuels. These standards are implemented, and in many cases supplemented, with standards adopted by state and local environmental agencies. Further, motor vehicles emissions and fuel efficiency are also comprehensively regulated by the U.S. EPA and Department of Transportation. EPA requires in-use compliance testing to verify that motor vehicles achieve required emission controls while operating on roadways, and many states also implement state laws or programs mandating periodic emission inspections to verify continued motor vehicle emissions compliance.

Accordingly, if any additional air quality monitoring and associated modelling is adopted through the TCI Program, the most effective way to assess the benefits of the program would be to focus on community-based data collected from highways, roads and other transportation infrastructure, not on individual industrial or commercial facilities.