

**United States Department of Agriculture  
Agricultural Air Quality Task Force**

December 3-4, 2003  
Doubletree Hotel — Monterey  
Two Portola Plaza  
Monterey, CA 93940

**Minutes of the Meeting**

The United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) convened a meeting of the Agricultural Air Quality Task Force (AAQTF) on December 3-4, 2003 at the Doubletree Hotel in Monterey, California.

Dr. Beth Sauerhaft, AAQTF Designated Federal Official (DFO), called the meeting to order at 8:05 AM on December 3, 2003 and welcomed attendees to the proceedings. She immediately turned the meeting over to Mr. Bruce Knight, Chair of the AAQTF and Chief of the NRCS. Chief Knight welcomed Task Force members and attendees to Monterey and gave a few brief logistical announcements. The following individuals were present.

**AAQTF Members present:**

Mr. Bruce Knight, Chair	Mr. Kevin Rogers
Dr. Viney Aneja	Mr. Dave Roper
Mr. Bob Avant	Dr. Calvin Parnell
Mr. Mark Boese	Ms. Rita Sharma
Dr. Garth Boyd	Ms. Sally Shaver
Ms. Nan Bunker	Mr. Doug Shelmidine
Mr. Manuel Cunha	Dr. John Sweeten
Dr. Robert Flocchini	Mr. James Trotter
Mr. Roger Isom	Dr. Phillip Wakelyn
Dr. Ray Knighton	Ms. Stephanie Whalen
Mr. Timothy Maupin	Dr. Bob Wright
Mr. Dar Olberding	

**Designated Federal Official:**

Dr. Beth Sauerhaft

**Natural Resources Division, Office of  
the General Counsel, USDA:**

Meredith Dahl, Esq.

**NRCS Staff:**

Mr. Chuck Bell	Mr. Javier Ruiz
Mr. John Beyer	Mr. Jeff Schmidt
Mr. John Brenner	Ms. Brenda Scott
Mr. Ron Heavner	Mr. Johnnie Siliznoff
Dr. Sheryl Kunickis	Mr. Ray Sinclair
Ms. Katie Matthews	Mr. Roel Vining

**EPA Staff:**

Mr. Kerry Drake  
Ms. Linda Metcalf  
Ms. Jean-Mari Peltier

**FS Staff:**

Mr. Mike Arbaugh

**Public Citizens and Presenters:**

Mr. Paul Buttner, California Rice Commission  
Ms. Cynthia Cory, California Farm Bureau Federation  
Ms. Teresa Cassel, University of California (UC) Davis, Crocker Laboratory  
Mr. Kevin Clutter, California Grain Feed Association/Pacific Egg & Poultry Association  
Ms. Noelle Cremers, California Cattlemen's Association  
Mr. John DaMassa, California Air Resources Board  
Ms. Martha Davis, Inland Empire Utilities Agency  
Mr. Nathan de Boom, Milk Producers Council  
Mr. Allen Duscult, Sustainable Conservation  
Ms. Karla Kay Fullerton, Fresno County Farm Bureau  
Mr. Paul Gosselin, California Department of Pesticide Regulation (CalEPA)

Dr. Albert Heber, Purdue University  
Dr. Richard Higashi, UC Davis  
Ms. Trisha Marsh Johnson, Jones-Hamilton  
Mr. Rodney Kamper, Western United Dairymen  
Mr. Ken Krich, Sustainable Conservation  
Dr. Charles Krauter, California State University (CSU) Fresno  
Ms. Karen Magliano, California Air Resources Board  
Mr. Paul Martin, Western United Dairymen  
Dr. Frank Mitloehner, UC Davis  
Mr. Alexander Ott, California Grape & Tree Fruit League  
Dr. Manuel Lagunas-Solar, UC Davis, Crocker Laboratory  
Dr. Bryan Shaw, Texas A&M University  
Ms. Vanessa Stewart, Earth Justice  
Mr. Matthew Summers, California Department of Food and Agriculture  
Mr. Peter Venturini, California Air Resources Board

**Welcoming Remarks.** Chief Knight announced Dr. Beth Sauerhaft would be leaving the NRCS and taking an appointment with the Environmental Protection Agency (EPA) where she will work with Ms. Jean-Mari Peltier, Counselor to the Administrator. He congratulated Dr. Sauerhaft on her new venture as well as Ms. Peltier on her excellent choice. He then introduced Mr. Chuck Bell, NRCS State Conservationist from California.

Mr. Bell extended his welcome to Task Force members and guests to the state then spoke briefly about the Environmental Quality Incentives Program (EQIP) and emphasized the seriousness of non-attainment areas within California. Furthermore, he described air quality issues in the San Joaquin Valley, the South Coast area, and the newly designated "serious" non-attainment area in the Imperial Valley. He mentioned the on-going effort for replacing diesel irrigation engines and the need for more EQIP funds to assist the engine replacement effort. He pointed out the need for outreach to groups like the Nisei

Farmers' League to implement conservation practices. Mr. Bell declared that California is a very complex state when it comes to natural resource planning.

Chief Knight acknowledged Mr. Bell's mention of funding concerns/needs noting the success of the diesel engines program and the use of conservation tillage as part of the air quality program offered under EQIP.

Ms. Peltier reported on activities at EPA headquarters announcing Administrator Leavitt's unprecedented speech to all EPA employees in which he discussed his 500-day plan – the first section of which is related to improvements in air quality. She articulated an interest in developing a system of continuity from the agricultural perspective, whereby environmental problem solving is shared, relevant to the group releasing a plan.

**August 28-29, 2003 Tulsa, Oklahoma Meeting Minutes**. Chief Knight questioned the Task Force members on how to proceed with accepting the Meeting Minutes from the Tulsa meeting. Dr. Phil Wakelyn commented that the Minutes were rough and virtually unreadable. Ms. Rita Sharma expressed concern that with the Minutes as they are and their lateness they have lost their essence and are unintelligible. She suggested draft Minutes be available to Task Force members within two weeks of the meeting. Ms. Stephanie Whalen liked the Executive Summary from the Tulsa meeting. Dr. Wakelyn made a motion that the Executive Summary from the Tulsa meeting be used as the Minutes. Mr. Dave Roper seconded the motion. Chief Knight acknowledged and agreed these were valid concerns and will consider modifications for subsequent meetings. Chief Knight asked the Task Force members to consider delaying discussion on this motion until NRCS staff incorporated member comments/suggestions and redistributed the following day. There was no discussion and the motion was not called to vote.

**Documents to be Approved and Presented to the Secretary of Agriculture**. Mr. Dave Roper, Policy Committee, asked for consensus for a white paper to be brought forth as well as acquisition of commission studies (or compliance agreements as noted by Ms. Peltier) on Confined Animal Feeding Operations (CAFOs).

Dr. John Sweeten, Emerging Issues Committee (EIC), thanked Mr. Bob Avant for his efforts with this Committee and then proceeded with a brief overview of the Concept Paper, Solutions to Agricultural Air Quality Issues: A Summit Conference. The EIC recommends holding this Summit Conference in early June of 2004 in Ft. Worth, Texas. Dr. Sweeten reiterated that the purpose of the Summit is to develop a broad multi-sector understanding of the complex technical and policy issues involving agricultural air quality. He informally asked USDA and EPA for \$10,000 each for Summit support. He urged that commitment is needed to go forward in addressing very specific issues. Mr. Roger Isom recommended a concept paper be developed for the research portion of the Summit prior to submission to Secretary Veneman. Mr. Avant questioned the timeliness of preparing such a document due to conflicts with other conferences and meetings and showed concern for the proposed June Summit. He voiced concern as well that follow up activities after the Summit would be stressed due to the termination of this Task Force's charter in August of 2004. Mr. Manuel Cunha concurred and supported Mr. Avant,

stating that with this being an election year, it will be a challenge but that the Summit should still take place in 2004. Dr. Garth Boyd also agreed and suggested changing language expectations. Dr. Wakelyn requested that the need for the Summit be articulated to him. Dr. Sweeten responded to Dr. Wakelyn that while there are many conferences, this Summit would have all stakeholders “under one roof” as well as having a follow up component. Ms. Sharma questioned the Chief about possible re-appointment of Task Force members for continuity purposes. Chief Knight responded that he can only make recommendations to the Secretary of Agriculture and has not “heard of any rumors” to the contrary. Dr. Ray Knighton re-iterated that the June meeting may be too soon in terms of getting the necessary approvals and documents prepared. Dr. Sweeten thought an optional “Air Quality 101” daylong course could be offered for attendees’ one day prior to the Summit. Ms. Peltier suggested that there were really only three white paper (concept paper) needs associated with the Summit (Technical monitoring, best management practices, and policy questions). Dr. Sweeten agreed and suggested Ms. Peltier be part of a speaking team that could offer a wrap-up session after the Summit. Dr. Wakelyn questioned the type of follow up that is being suggested. He recommended an action plan be developed to keep planning for this Summit very focused on what is trying to be accomplished. Mr. Isom clarified that it was not the position of the Task Force to hold the Summit but rather a recommendation to the Secretary for USDA to host the Summit. He will redraft that very point into the next iteration of the Summit’s concept paper.

**Emerging Issues.** Chief Knight recognized Mr. Roger Isom, Emerging Issues Committee. The following issues were presented in a handout for the Task Force members to review:

1. Emission factors based on sound science
2. Process models as alternatives to emission factors
3. Voluntary compliance approaches: will they work?
4. Emission reductions from science-based abatement methods (Best Management Practices (BMPs), Best Available Control Measures (BACM), Best Available Retrofit Control Technology (BARCTs), Best Available Control Technology (BACTs))
5. Standardized measurement for agricultural emissions
6. Modeling to estimate downwind concentrations
7. Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and Safe Harbor approaches
8. Agricultural impacts of non-attainment areas, Particulate Matter with a mean aerodynamic diameter of 2.5 micrometers or less (PM<sub>2.5</sub>) and ozone
9. Non-road diesel rule and renewable fuel alternatives and carbon sequestration

Mr. Isom solicited Task Force members to identify issues that needed flushing out. He informed the group about his membership on the Western Regional Air Partnership’s (WRAP) Dust Emissions Joint Forum. He relayed a request from the Forum that an NRCS representative be assigned to work on/with this Forum. Their next meeting is scheduled for January 26-28, 2004 in Phoenix, Arizona. Ms. Whalen reminded the Task Force of her involvement with the Fire Emissions Joint Forum and how important the

interaction was between the Task Force and the Fora. Mr. Kevin Rogers stressed the importance of all groups having some kind of agricultural representation in order to clean up the air. Ms. Sally Shaver mentioned there were five RPOs (Regional Planning Organizations) looking for that very representation. Mr. Cunha recalled a previous WRAP meeting he attended where so-called agriculture representatives were unfamiliar with the industry. He cautioned that staff (NRCS) involved must have a good understanding of the agricultural industry and appreciate the impact they can have in these organizations. With no further discussion, Mr. Isom concluded his report and suggested holding mini-summits on monitoring and using that concept as a model.

Mr. Roper offered a new emerging issue for consideration. In relation to the Kyoto Protocols, U.S. agriculture is being used for carbon credits. He suggests that agriculture be provided an opportunity to participate in carbon credit trading as some policy actions prohibit agricultural participation. He believes that this warrants further discussion in a future Task Force meeting. Chief Knight recognized this as a recommendation to the Emerging Issues Committee for consideration.

Ms. Whalen suggested that for mini-summits USDA and/or NRCS should be present for continuity purposes and that a summary is brought back to the Task Force.

Ms. Sharma questioned the value of carbon credits based on meetings she has had with researchers in the past.

Mr. James Trotter suggests that this (carbon credit trading) is a Task Force issue and the Task Force should be proactive.

Ms. Whalen would like to see a presentation at the next Task Force meeting about carbon credit trading (what is being traded, value, more information, etc.).

Mr. Roper offered to identify companies that he is currently working with in terms of carbon credit trading and carbon credit audits for the Emerging Issues Committee.

Dr. Knighton serves on a working group, which is working on a draft environmental credit trading policy for USDA. This is being done in order to brief higher administration officials. A procedure is in place for USDA involvement in the process. However, he believes we're not at a place to make recommendations but he considered the possibility of briefing the Task Force at a future meeting.

Chief Knight asked NRCS staff to prepare a packet of information from case studies presented (carbon credit trading, carbon credits) or handed out at previous Task Force meetings and distribute to all members of committee. Ms. Whalen asked for a summary at the next Task Force meeting of those best case studies and where those studies are headed instead of a packet being distributed to all members. Chief Knight agreed.

**California Legislative Update.** Mr. Mark Boese presented San Joaquin Valley Air Pollution Control District's (SJVAPCD) interpretation of California's SB-700. All

presentations from the Task Force meeting will be available on the AAQTF web site <http://fargo.nserl.purdue.edu/faca/> or its new web site <http://aaqtf.tamu.edu>.

Mr. Boese informed the Task Force that SB-700 is legislation signed by the Governor that will take effect January 1, 2004. "The main reason for this legislation was agricultural sources were exempt from regulation thus conflicting with the Clean Air Act Amendments of 1990 and Title V permitting authorities." To eliminate this conflict and accept that agriculture was considered a major source of some pollutants, state law had to be changed (tied to non-attainment status is key here). He identified several key points to the legislation: SB-700 1) goes beyond addressing the federal sanctions, 2) removes permit exemption for agricultural sources, 3) requires controls for PM (particulate matter with a mean aerodynamic diameter of 10 or 2.5 micrometers or less) and PM precursors, 4) requires pollution control and permits for CAFOs, and 5) offers off-ramps from pollution control and permitting. He described the Title V permitting program requirements across the nation and how SB-700 goes far beyond those requirements.

Dr. Wakelyn asked if this bill handles mobile sources as well as fixed sources. What implications does SB-700 have for agriculture outside of California?

Mr. Boese responded to Dr. Wakelyn's question by stating that by looking in the past, as California goes, so goes the rest of the country. Although there won't be any requirements with regard to SB-700, it does set a standard or process that is going to be moving forward. For those interested in more detail on SB-700, he offered copies of the SB-700 timeline, flow chart and permitting process sources for review as well as copies of their (SJVAPCD) Conservation Management Practice (CMP) Plan.

Dr. Viney Aneja questioned if the SJVAPCD has identified the PM pre-cursors.

Mr. Boese responded that the precursors are in regard to secondaries such as NO<sub>x</sub> (nitrogen oxides), ammonia, and possibly VOCs (volatile organic compounds).

Ms. Shaver commented on the issue of off-ramps. She asked if an Internal Combustion (IC) engine was replaced with the EPA certified engine, is a permit still required?

Mr. Boese responded that you must meet all three requirements in order to receive that exemption.

Mr. Cunha remarked that while being on this Task Force for the last six years we've pressed hard to get good science and research funds from a \$40 million budget (USDA) in 1997. Today we hope to be asking for a continuation of good science so that our air districts (like the SJVAPCD) can base solid decisions on good science in order to get reductions. SB-700 was a reckless bill for political efforts. He hopes that the Task Force will make recommendations for the tremendous amount of funding necessary to help quantify these problems. He fears for the rest of the states that air emission regulation of agriculture will continue. He hopes that during our research presentations that we will take the research very serious. He hopes to get money from the Agricultural Research

Service (ARS)/Cooperative State Research, Education, and Extension Service (CSREES) and to look at serious issues such as tillage, farming practices, and burning. Mr. Cunha briefly referred to SB-705, which states that agriculture in the San Joaquin Valley will eliminate all burning by 2010. However, forests can still be burned which doesn't make sense, when a majority of emissions derived from burning in the San Joaquin Valley are from non-agricultural burning. He would like the Task Force to support Chief Knight in pushing forward for funding necessary for research to help agriculture.

Mr. Isom related his observations from his presence during the SB-700 negotiations, that the bill was done 90% political and 10% science. The impact is that on January 1, 2004 California will be regulating agricultural sources not based on science. That legislation is forcing us down the road without science and no options. SB-700 is a mandate that agriculture will not be able to live with. It will force agriculture to spend a lot of money and not accomplish what needs to be accomplished. This Task Force adopted a voluntary incentive-based program that will work, SB-700 will not. It will push farmers away from the table. SB-700 was forced upon us (agriculture) and is not supported by the agriculture community and won't do a lot for air quality in the San Joaquin Valley.

Dr. Wakelyn directed a statement to Ms. Peltier and Ms. Shaver. Federal EPA has not defined for the purposes of Title V, what a farm is and how you should look at a farm. Is EPA going to use what California has done, in terms of how you look at farms, for purposes of Title V?

Chief Knight asked Ms. Shaver to respond as he notified the Task Force that Ms. Peltier would recuse herself based on her background in California.

Ms. Shaver responded by saying that at this time EPA is grappling with the issue of defining sources for purposes of Title V as it relates to farms. The main reason EPA has not made further progress on this issue is primarily the California non-attainment areas are where the issues are the strongest. She stated that EPA would be working on that over the next 18 months but have not reached closure to date.

Ms. Whalen reminded Task Force members that California was not the first politically driven law that has come before this Task Force. Arizona was the first and that BMPs derived for farmers were not based on science. That was the beginning of the emphasis that we (agriculture) needed science based BMPs. She estimates the frustration for this Task Force is that when BMPs are being developed they are not being shared or distributed with agencies or farmers. This information should be widely disseminated across the country to help other states avoid using impractical BMPs like what was done in Arizona. She would like to hear from the agencies what is happening across the country in terms of helping farmers at the operational level avoid going out of business. In terms of the mini-summits, she would like to see this a top priority as far as BMPs being used/recommended by various agencies and farmers.

Dr. Calvin Parnell responded to Ms. Whalen's request about BMPs being covered in the mini-summits. It has been identified and he would show her later. Dr. Parnell

commented on Mr. Boese's presentation. He reminded Task Force members that a great deal of the effort put forth by the Task Force has been on AFO (animal feeding operations)/CAFOs. What is being debated now with SB-700 is the regulation of farming. He begged the question, "What action have we (Task Force) taken to prevent this regulation from happening?" He then asked Mr. Boese to comment on why include fugitives from gas emissions?

Mr. Boese responded that when looking at the ozone portion (not PM) of the equation one must consider the precursors since ozone is not directly emitted. So NO<sub>x</sub> and VOCs are the fugitive emissions looked at to determine whether or not there is a Title V source.

Dr. Parnell asked a follow up question. The state is trying to determine if a farmer has more than ten tons of point source VOC emissions (this scenario is in an extreme non-attainment area for ozone) when test results measure five tons. In this case the farmer does not meet the threshold and is not required to have a Title V permit. If the state looks at fugitive VOC emissions from cattle and measures six tons, will this be added to the point source VOC measurement? If these are added together, will the farmer be required to have a Title V permit since the ten ton threshold was exceeded?

Mr. Boese responded that they wouldn't include the fugitive in coming up with the ten-ton threshold. However, what is the definition of a fugitive emission? A barn could be enclosed and the emissions captured and maybe burned off. Is that now point source or fugitive? Is a barn the same as a pond and are they fugitive or a point source? These are the things that need to be looked at that are not answered.

Ms. Shaver responded to Dr. Wakelyn's earlier comment about the national implications of SB-700. EPA would not be compelled to adopt the same definition of source as California. EPA would be looking at source definition in terms of Title V and that would have some implications for state programs. State programs would not necessarily dictate what EPA's definition of source at a farm would be. She added that once Mr. Boese establishes BACT or RACT measures then sources would have to deal with looking at those in other areas and whether they would be effective or not. Such as what San Joaquin Valley had to do when they looked at what Maricopa County, Arizona did. San Joaquin Valley had to justify why something would or would not work and why. This then could have an impact on other parts of the country, but the onus is on the newly regulated source or jurisdiction. She then asked Mr. Boese about pesticide application and whether there was anything in SB-700.

Mr. Boese responded that there was nothing in SB-700 about pesticide application.

Chief Knight commented that nearly \$5 million in investments (through EQIP) were made last year in implementing BMPs including a very important diesel engine swap-out. He stated that it appears that SB-700 has nearly eliminated all the good that's been done there, and the protections offered to farmers have been removed. He asked Mr. Boese if this is correct.

Mr. Boese answered by stating that we do have the reduced emissions by offering that program. Things are still up in the air as far as protection afforded the farmer, Title II designations of these engines may be something EPA may be taking action on.

Chief Knight questioned Mr. Boese's statement made that producers are not eligible for those credits, none of those protections, unless they meet ALL of three points that are nearly unattainable that are laid out as opposed to getting credit for each step that is done through a voluntary BMP action.

Mr. Boese stated the off-ramps are an exemption from permitting for those sources. That will be difficult and may not happen with a lot of these sources, but what changing out the engine does is because when all the exemptions for agriculture sources have gone away, other IC engines will require permits. Specific regulations that specify emissions criteria and now agriculture engines will fall under this requirement. Because some have already changed out they may be well on their way of meeting any future rule that deals with IC engines in particular.

Chief Knight asked Mr. Boese if mitigated emissions from agricultural activities also include pesticides.

Mr. Boese replied, possibly. It was not directly mentioned in the legislation (SB-700). SJVAPCD is not currently interpreting that pesticides are included but as the implementation progresses he was unsure how that would fall out.

Chief Knight expressed his concern if this casts doubt on whether the NRCS and the State of California should make any air quality investments in this fiscal year, in light of the uncertainty that we're facing?

Mr. Boese responded that the best way to answer that is any programs that are put in place that reduce emissions will help air quality. How it plays out on the individual farm regarding whether or not they need permits or additional control equipment on individual pieces of permitted equipment is still uncertain. The bottom line is trying to reduce emissions from this sector from the emission inventory. Any programs that NRCS has that reduce emissions will be on the plus side.

Chief Knight elaborated that NRCS programs are voluntary and implemented using cost share dollars. When a producer needs to make an investment, as well as a federal agency, how do either of those parties make a rational decision on potentially hundreds of thousands of dollars invested, lacking any certainty, especially coming on the heels of what looks like millions of dollars of diesel-engine swap-outs that the implied protection from future regulation has been negated?

Mr. Boese replied that they (farmers) shouldn't move forward strictly based on whether or not they're going to get some future exemption. They should move forward and take advantage of these matching dollars to clean up their engines because this SB-700 will require that individual engines be permitted. Along with permits come controls. If they

clean up their engines voluntarily then they are half way if not most of way of meeting future regulations.

Mr. Cunha deferred his time to Mr. Isom. Mr. Isom cautioned that NRCS not withdraw EQIP funding. There is not a more successful air quality reduction program in California, with the exception of the Carl Moyer Program, perhaps in the country than the EQIP program. EQIP allows agriculture to replace (irrigation) engines and improve air quality. The program needs to continue in addition to increasing the funding to help our farmers out even more. The off-ramp only affects whether or not you have to get a permit, not whether you have to replace an (irrigation) engine.

Dr. Wakelyn commented to Mr. Boese's remarks about pesticides being counted for VOC in relation to SB-700. He said that regardless of any amount of VOCs that a farm puts out, small amounts coming from pesticides could easily bump that producer into a category where a permit is needed.

Dr. Sweeten commented on the trucks traveling between Amarillo, Texas and the San Joaquin Valley. He suspects there might be a tremendous ripple effect if these measures aren't carefully handled and carefully implemented. It transcends to the country. He questioned Mr. Boese as to what extent is there going to be input from the scientific community and exchange with NRCS. He suggests that state regulatory agency's, including EPA, acting as clearinghouses are not credible when it comes to recommending management practices. There are thousands of people trying to help, such as NRCS putting money behind it. In establishing clearinghouses that recommend conservation management practices, you must get it right in order to maintain the credibility of those that are trying to help.

Mr. Boese relayed his appreciation of Dr. Sweeten's comments and assured him that the clearinghouse they put together had input from the agricultural community, NRCS, and some researchers.

Mr. Trotter asked Mr. Boese if alternative fuels have been looked at to solve these problems instead of just new types of engines. For example, Illinois has a tax incentive to use bio-diesel. This is common even though there are no non-attainment areas in his immediate area.

Mr. Boese responded that they had not looked at other fuels although that could be a consideration. Using bio-diesel would get a PM reduction but may increase NOx emissions. One thing that the EQIP funds and the Carl Moyer program allow is going to electric motors. Going to electric motors means exemption from the permitting scenario and substantial reductions in emissions when compared to diesel engines.

Mr. Rogers briefly mentioned that regulators, with the help of lawsuits are backed into corners and are being pushed to regulate agriculture without the benefit of sound science. With enthusiasm, he stressed that we need to re-evaluate, re-commit, and re-energize the need to continue to press forward. The continuation of funding through EQIP is still a

high priority need as is an increase in the amount of funding. We'll have to make the new rule palatable for growers. He went on to describe a meeting held in Washington DC, with Deputy Secretary of Agriculture Mr. Jim Moseley about this very subject. RACMs and BACMs will hit the rest of us since a new standard is set or the bar has been raised.

**Public Comment.** Chief Knight asked NRCS staff Mr. John Brenner to open the public comment period. Mr. Brenner provided instructions for the public comment period and then introduced Mr. Rodney Kamper, representing the Western United Dairymen from Fresno County, California.

Mr. Kamper introduced himself and discussed the three main fuels for engines and motors: diesel, natural gas, and electric. He asked the Task Force to comment on the fuel side of the pollution equation. He said diesel engines wouldn't burn clean with high sulfur fuel.

Mr. Boese replied the California Air Resources Board (CARB), which sets standards for California, has developed an implementation schedule for bringing on the low sulfur diesel in conjunction with EPA standard and will be online in 2006. This should take care of the problem of trucks filling up with high sulfur diesel fuel outside of California and then driving through the state.

Ms. Sharma suggested that truckers share with the Department of Transportation how many miles are driven in each state and then assess a surcharge when filling up with tanks with high sulfur diesel fuel.

Being no further discussion or comments for Mr. Kamper or for Mr. Boese's California Legislative Update, Chief Knight closed the public comment period and recessed the AAQTF meeting for lunch at 12:00 and announced that the meeting would reconvene at 1:00 PM.

**Research Committee Report.** Chief Knight reconvened the AAQTF meeting at 1:05 PM and gave the floor to Mr. Bob Avant of the Research Committee. Mr. Avant described an October 2003 meeting in North Carolina, which could serve as a template on how to organize meetings to solve specific problems. He was encouraged by the outcome of that meeting. He went on to thank and recognize members of the research committee, Dr. Aneja, Mr. Boese, Dr. Wakelyn, Dr. Robert Wright, Dr. Parnell, Dr. Flocchini, Ms. Donna Lamb, and Dr. Joe Rudek. He provided a handout for Task Force members titled Agricultural Air Quality Research Implementation Recommendations as Draft 3. The first major recommendation was to reprogram some of the funding of existing USDA/EPA research programs to address immediate agricultural air quality issues. There are seven general priorities from this version of the report (order does not constitute rank, however, the first four are the top priorities):

1. Develop PM2.5, PM10, NH3 (ammonia), and H2S (hydrogen sulfide) emission inventories/emission factors for high priority, targeted agricultural practices

2. Establish the appropriateness of utilizing PM10 (particulate matter with a mean aerodynamic diameter of 10 micrometers or less) and PM2.5 samplers designed for urban environments in a rural setting
3. Research odor and pathogen control on AFO/CAFOs
4. Develop dispersion models
5. Evaluate the impact of new diesel rules on agricultural operations (policy analysis and its implications)
6. Agricultural contributions to national air quality initiatives (this priority relates to carbon sequestration in agriculture specific to a policy and implementation perspective)
7. Develop management plans and control technologies

Separate items in this report do require prioritization:

1. Animal feeding operations
2. Agricultural burning
3. Agricultural processing facilities
4. Off-road/stationary engines
5. Field and crop operations

All recommendations are for FY 2004 and FY 2005 so those high-priority items begin to be addressed. The second major recommendation is to obtain funding for a long-term Comprehensive Interagency Agricultural Air Quality Research program. This centers on the \$65 million research per year for five years.

Mr. Avant suggested holding a mini-summit to discuss a comprehensive research program between USDA, EPA, congressional staffers, administrative staffers, and representatives of the Task Force Research Committee. This mini-summit would determine if these issues were worth pursuing or putting to rest and moving forward. Furthermore, he stressed the importance that agriculture is under pressure to comply with regulations. He concluded his report with two observations. First, what can be done immediately within existing program funding to get things moving now and expand on currently funded projects? Two, for a mini-summit reaching long-term comprehensive research needs and for gathering additional funds for agricultural air quality research.

Mr. Isom discussed the urgency of the research issue and asked that a timeline to be developed. He stressed the need of the agricultural community for research to progress with meeting regulations.

Dr. Wakelyn suggested that it was not appropriate to include pathogen control as an air quality research priority.

Mr. Cunha suggested that if the Task Force were to be looking at pathogens then perhaps a partnership with the Department of Health and Human Services should be developed. Revisiting the 1997 research request of \$65 million, there hasn't been much of a change. He hoped the next day would yield a unanimous and urgent push that Chief Knight would bring forward to the Secretary asking that she convene a mini-group to address this

important issue. As well, have Ms. Peltier ask the Administrator to do the same in terms of asking the Secretary to be involved in that mini-group. Example was soil erosion renamed air quality. Mr. Cunha recommends to Mr. Avant, Chair of the Research Committee adding, "research funding that are new funds necessary to make this go forward".

Dr. Sweeten favored the recommendations put forward by the Research Committee. Air quality is crucial to this nation's food supply and agriculture's ability to produce it. He responded to Dr. Wakelyn's concern about pathogens in feedlot dust being a research priority. He stated that research has shown very few pathogens or viable microorganisms (pathogenic organisms) are being found on feedlot dust. However, research is showing some endotoxins or residuals of pathogenic activity. There are several places across the country where pathogens in the air stream are being studied. He prefers to see pathogens and odor separated as they are not the same thing.

Dr. Knighton commented on proposals for research received through CSREES that meet several priorities identified by the Task Force. Unfortunately only \$5 million was available for \$28 million in requests. He anticipates the requests should double next year. This suggests an obvious need for more research funds. He mentioned bullet 2 under Implementation where "The AAQTF should be consulted on project selection". Dr. Knighton believes this is inappropriate for reasons of conflict of interest and would prefer to see other language used. Fiscal Year (FY) 2004 budget has been set but it would be appropriate for comments/suggestions on the FY 05 budget (it would be very difficult to get things changed in the 04 budget).

Dr. Bob Wright commented on the ARS air quality research program. The program is funded at approximately \$ 8 million per year, not counting wind erosion research. The program is designed to measure, control and predict emissions from animal production operations, and crop production and processing operations. There may be additional funds for air quality research in the 04 budget, but ARS will not know until January 2004. ARS will be reviewing and reorganizing its Manure and Byproduct Utilization National Program in 2004. ARS will be seeking input from the Task Force and other groups as it develops plans for research over the next five years. Reprogramming of existing funds is another possible mechanism for increasing air quality research. These reprogramming activities would need to focus on funds devoted to animal and crop commodities that would benefit the most from the research. Here ARS would welcome the Task Force's help in educational efforts to point out the benefits of reprogramming.

Ms. Whalen offered language to address Dr. Knighton's concern. "The agencies are encouraged to consider the priorities in air quality research as determined by the AAQTF".

Mr. Cunha thanked Dr. Knighton and Dr. Wright for their updates. He commented that it is encouraging that finally after seven years there is actually air quality research being conducted in USDA.

Chief Knight offered his thanks and appreciation and that it has been a great addition to the Task Force membership with ARS (Dr. Wright) and CSREES (Dr. Knighton) as members.

Mr. Avant concluded his report and agreed to update the report with comments received.

Ms. Whalen asked the Research Committee if they could prioritize each year items for each agency (ARS and CSREES respectively).

**Outside Presentations -- Local Research.** Chief Knight asked Dr. Robert Flocchini to introduce the speakers and brief the Task Force on their presentations. Dr. Flocchini introduced Dr. Charles Krauter of CSU Fresno with the Department of Plant Science, Dr. Frank Mitloehner of UC Davis with the Department of Animal Science, Ms. Teresa (Terry) Cassel, Research Associate at Crocker Laboratory, Dr. Manuel Lagunas-Solar of UC Davis at Crocker Laboratory. All presentations will be made available on the AAQTF web site.

Dr. Flocchini introduced Dr. Charles Krauter of CSU Fresno who gave a presentation on NH<sub>3</sub> and VOC Emissions from Dairies.

Mr. Rogers asked what crop was used around the dairy. He was curious if a variety of crops have been tested (Sudan grass, alfalfa, corn silage, etc.). This may help a dairy in mitigating the NH<sub>3</sub> at the property line.

Dr. Krauter commented that the crop tested was Sudan grass and that no other grasses were tested.

Dr. Aneja asked if the sampling occurred continuously over two to five days, and if so how do you account for the changes in meteorology?

Dr. Krauter said Dr. Aneja was correct on the sampling and they were aware of the crudeness of the sampling. The sampling equipment was placed in the middle of the field in order to reduce as much meteorological changes as possible.

Dr. Aneja asked if deposition were occurring versus emission?

Dr. Krauter shared Dr. Aneja's observation and was unable to answer at this time.

Ms. Whalen asked if temperature, relative humidity (RH), or other meteorological measurements were taken and was this information provided to the modelers.

Dr. Krauter replied yes -- temperature, RH, solar radiation, and soil temperature data were collected and the modelers were provided this information, but he was unsure how or if they used the information.

Dr. Flocchini introduced Dr. Frank Mitloehner of UC Davis who gave a presentation on the Nitrogen Balance Mitigation Study.

Mr. Avant asked about the environmental chamber. When you get a number from the chamber how do you correlate that number to the real world? His concern was a number generated from within the chamber could be used as a factor to then be used for CAFOs.

Dr. Mitloehner responded that the intent was to capture the emissions coming from the animal and its waste only. The big question is, are cows sources of VOCs or not?

Dr. Knighton asked if Dr. Mitloehner would describe his Cooperative Extension duties?

Dr. Mitloehner answered his responsibility in research is to conduct a program that brings applied results. His interests are in mitigation not emissions.

Dr. Aneja was curious as to how an emission can be measured rather than a concentration.

Dr. Mitloehner said there was a constant flow rate where the concentration of the incoming and outgoing air is measured. With that information, emissions per animal can be calculated.

Mr. Shelmidine was curious if dietary factors are being looked at that affect the emissions. Dr. Mitloehner answered yes.

Dr. Flocchini introduced Ms. Teresa Cassel at Crocker Laboratory who gave a presentation on Field Research, Ozone Precursors from California Dairies.

Dr. Aneja asked which was the highest carbonyl, in terms of concentration, that you measured? Ms. Cassel replied acetone.

Dr. Wakelyn asked if the 1-hour and 8-hour ozone correlates with anything else being measured? Ms. Cassel said no as they did not have the equipment to measure the ozone. He followed the answer by asking if a correlation or a way to make an adjustment to what's actually being converted to ozone and what VOCs are measured? Ms. Cassel answered that is a goal.

Dr. Flocchini introduced Dr. Manuel Lagunas-Solar of UC Davis at Crocker Laboratory who gave a presentation on Pulse UV (ultraviolet) and RF (radio frequency) as Physically Based Alternatives to Methyl Bromide.

Ms. Whalen asked what is the cost of a RF technology? Dr. Solar answered that a 1.6 Megawatt RF facility is \$160,000.

Ms. Peltier asked whether RF had been tested for pre-plant soil fumigation? Dr. Solar replied that it does work but the logistics are difficult from the practical and cost point of view. This will be up to the industry to develop the technology to speed up the treatment time. Ms. Peltier commented that an emerging issue with USDA and EPA is that of

Chronic Wasting Disease and other prion related diseases. She asked if the RF technology has been looked at a protocol that would be able to deactivate prions? Dr. Solar has discussed prions and RF technology with colleagues. He suggests that RF is not a good technology to use because prions are chemicals. RF is good at dealing with anything that has metabolic function. However, a pulse light source will be capable of performing photolytic effects. That may be an approach to the prion question.

Chief Knight asked if RF has the ability to control Johnnes Disease as far as decontaminating animal facilities. The pulse light source definitely would have the ability for surface control. RF would not work well with this in the ambient air but would be good for wastewater, soil, and animal feed. RF works well on solids and liquids.

Dr. Flocchini thanked the presenters and turned the meeting back over to Chief Knight.

**Education/Technology Transfer Committee Report.** Chief Knight expressed his thanks for the previous speakers and gave the floor to Dr. Garth Boyd, Education/Technology Transfer Committee member, to provide a report to Task Force members. Dr. Boyd provided accolades to Ms. Annette Sharp, Committee Chair, for her leadership, energy, enthusiasm, ability to organize, and work ethic in bringing this committee together to produce a pilot manual for USDA that will be an information resource. The goal of this document is to fill a void that exists on the complexities of measuring criteria pollutants, regulations, and other air quality related issues and topics in regard to agriculture. An outline has been developed and Task Force members have now received a “pre-draft” version of the document. The goal of this committee is to submit this document as a rough draft in February 2004. Comments and suggestions are welcome and can be sent to Dr. Boyd or Ms. Sharp.

Dr. Wakelyn was concerned about “sustainable agriculture” being used in the lead of the introduction because the term sustainable agriculture isn’t mainstream. It was his opinion this usage implies that something is wrong with conventional agriculture. Dr. Wakelyn added that conventional agriculture is indeed sustainable. His concern was that this shouldn’t be the main thrust of the document and it’s inappropriate. He suggests that the whole introduction needs to be changed.

Ms. Sharma responded that she prepared this section. She initially had the impression that sustainable agriculture is a greener type of agriculture than conventional agriculture. She offered that the reference to sustainable agriculture being defined on page four is more in line with her intent. Ms. Sharma suggests that the term sustainable agriculture be in the mind and reading of the person who is interpreting the text.

Mr. Avant agreed with Dr. Wakelyn in that we have to be careful in how we define it (sustainable agriculture). His opinion that perhaps “survivable agriculture” may be more appropriate at times. His concern was that producers could think after the introduction that the document is dealing with a “fringe” portion of agriculture. This assumption could affect the credibility of the document. Mr. Avant suggested some editing of the

first three paragraphs and that the document (Education/Technology draft manual) be made available for comment. It would also be helpful to have on the AAQTF web site.

Dr. Boyd suggested that the Task Force hold the publication of the document until after the Summit conference being led by Dr. Sweeten. He referred to the Air Quality (AQ) Assessment Tool/ Decision Tree developed by NRCS (via Dr. Sauerhaft) as a helpful tool for transferring information to producers in implementing BMPs.

Dr. Sauerhaft commented that the AQ Assessment Tool was first mentioned at the Washington, D.C. Task Force meeting in May 2003. It was created by Mr. Roel Vining, Mr. Jeff Schmidt, and Dr. Sauerhaft and is presently under consideration for further development and funding. She asked for feedback from Task Force members. This AQ Assessment Tool is meant to be a user-friendly planning tool for NRCS conservationists, Technical Service Providers (TSP) or other partners to use with decision-makers. Working through the Tree will raise issues and provide suggestions for abatement strategies.

Mr. Shelmidine supports what Mr. Avant and Dr. Wakelyn stated about sustainable agriculture. He suggested that sustainable agriculture is the wrong thing to lead the document without an economic component.

Mr. Cunha stated that agriculture has been an environmental steward of its lands for decades. He will provide language that describes how agriculture became part of “air quality” because of poor science that appeared in various publications that agencies began regulating on. Mr. Cunha’s concern is that readers may get the impression from the document that farmers are really not good people or stewards of the land. He mentioned that the largest PM10 study in the world was developed in California in the early 1990s and was pushed by agriculture. Mr. Cunha then referred to Dr. Sauerhaft and the AQ Assessment Tool. He suggested that BMPs be exchanged for CMPs and to look at California’s skeletal document being put out for California growers. His concern was not to scare growers with too much technical information.

Dr. Wakelyn reinforced what Mr. Cunha said about how agriculture became part of air quality management. His concern was that the first sentence implies that agriculture has never come under any standards and has been a political pawn. He suggests a rewrite be on order.

Ms. Sharma accepted responsibility for the introduction and stressed that the text was not entered lightly. She suggested that we in agriculture couldn’t act as an ostrich and put our heads in the sand. Ms. Sharma offers that we (agricultural representatives) do have responsibilities. The legislative, judicial, and congressional processes have treated us (agriculture) extremely well. She stated her intent was never to imply that sustainable agriculture and conventional agriculture were inconsistent with each other.

Mr. Avant asked Dr. Sauerhaft if the Decision Tree would be on a computer with hot links? Dr. Sauerhaft replied yes as well as geospatially referenced based on local

conditions and regulations. Mr. Avant thanked Ms. Sharma for her hard work on the document but rewriting of some sections is necessary and he cannot vote for accepting this document at the time.

Dr. Boyd commented that the document is not even in the draft stage and USDA would have final editing privileges. Also, the document is a pilot and is intended only for the states of Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.

Mr. Rogers asked Dr. Boyd if the Task Force will get another opportunity to review the material or is it a pilot? He would like to review if another draft is made. Dr. Boyd said he was unsure of the protocol and will forward comments to Ms. Sharp. Chief Knight directed that the full body of the Task Force would need to see the document in a better form before being forwarded to the Secretary. Chief Knight instructed Dr. Boyd to consult with Ms. Sharp for a clearer definition of the target market for this document (pilot manual). Dr. Boyd said he would do that but suggested the document be aimed at farmers and NRCS staff.

Ms. Sharma relayed that Ms. Sharp hopes to have a more complete document by the next Task Force meeting.

**Dairy Action Plan.** Chief Knight introduced Mr. Matt Summers, California Department of Food and Agriculture. Mr. Summer's presentation will be made available on the AAQTF web site.

Mr. Isom asked what the dairy industry thought about emission reduction credits in terms of SB-700 and if credits are generated can offsets be provided.

Mr. Summers responded that that has not been fully thought out yet. It will have to be an industry and District (Air Pollution Control District) decision. The worry may be credits traded outside the agriculture industry.

Dr. Flocchini reiterated comments made by Dr. Mitloehner in regarding the "Holstein hotel" where comparative measurements are to be made. That data should never be used to develop an emission factor to be used in the field. He stated he would vigorously oppose anyone trying to that use measurements in that manner. He also spoke of Mr. Summers' comments about uncertainty. Numbers are not uncertainties, especially number from the 1938 methane study that are still be used. He suggests that when numbers are put forth that there be some type of credibility associated with them. People should be aware that when numbers are used, they should know how credible they are, especially with uncertainties.

Mr. Summers agreed but mentioned that when the numbers get carried forward in a regulatory sense, unfortunately, often the uncertainty of that number gets stripped off.

Dr. Knighton asked if the Dairy Action Plan has a component that moves this information or technology to the dairymen and how this will be done.

Mr. Summers responded that there is cooperation with the District in terms of the Conservation Management Practices. He provided examples of farm shows and other events where information can be made available and that they would work with the District to provide outreach for the information on the regulation.

Mr. Avant asked how the process-based model was being developed.

Mr. Summers thought the VOCs were focused on a ballpark estimate for now. If there is no good number now the District must still move forward without a good number, recognizing the uneasiness with others.

Mr. Cunha thanked Mr. Summers, Mr. Kamper, Mr. Martin, and the Air District for the effort of putting together one of the most comprehensive groups to deal with the dairy issue in California. However, he was distressed that farmers are going to have to do retrofits based on data that is not based on good science. This fact may affect how new dairies want to begin business in California, let alone the economic effect. Again, thanking Mr. Summers and EPA Region 9, specifically Mr. Kerry Drake, and others for putting together a document that begins to deal with the issues of dairies.

Ms. Whalen commented on uncertainties in science and how it is used by regulators and in policy making. Scientists have to recognize that when things move up to the policy level, brackets cannot be put around a 95% confidence level; it must be a number. This issue may not be able to be resolved unless another method can be developed.

Mr. Boese complemented Mr. Summers and his group on the work that has been done. He also suggested that in order to get the information and regulations out to producers they plan to use NRCS as well as CMP plans. He commented on emission factors and regulators need something rather than using the 1938 methane study numbers.

Dr. Flocchini responded to Mr. Boese that if everything is taken into consideration with the synergism surrounding factors developed in the "Holstein hotel", you may have just as bad a number as the 1938 methane study. He suggested that as the factor of error increases with a number being used, assess the quality of the number being used. Let people know what the number is based on.

Dr. Wakelyn commented on uncertainties. Some regulators such as with OSHA for instance uses + or - 25% or AP-42 (Compilation of Air Pollution Emission Factors, Chapter 42) put A-E in the numbers. He directed his remarks to Ms. Shaver, wondering if there is some latitude in how these numbers are interpreted in EPA.

Ms. Shaver responded that EPA does have some latitude but not in interpreting the data associated with standard and attaining those standards. If a state or district wanted to say there was some uncertainty in a number that is something EPA could consider.

**Public Comment.** Chief Knight asked NRCS staff Mr. John Brenner to open the public comment period. Mr. Brenner provided instructions for the public comment period and then introduced Mr. Paul Martin, representing the Western United Dairymen.

Mr. Martin addressed outreach to the dairy industry and how they're going to do the information transfer. The concern is that regulatory response to the legislative process will force the dairy industry down a path that may not be environmentally productive. The wrong approach could waste a tremendous amount of resources. Furthermore, he discussed workshops with regard to creamery field staff within the state and its expansion to animal nutritionists. Most of these folks concurrently participate in the Dairy Quality Assurance Program and they plan to develop an air quality module with a grant received from region 9 EPA. This will call for a media blitz within the dairy industry.

Mr. Cunha responded to Mr. Martin asking how he'll deal with the dairyman that is 60-70 years old and has 300-500 cows, and barely making it? Is there a method of getting to that dairyman through NRCS? Is there a plan to deal with the small dairies?

Mr. Martin mentioned cooperative extension, NRCS, cost share opportunities, and peer-to-peer efforts. Whatever it takes to get the word out.

Dr. Knighton was happy to hear cooperative extension being available to help. However, was troubled by the lack of technology transfer discussion today. All the best research in world being done means nothing if it cannot be delivered to the people that need it. He encouraged the Task Force to think more aggressively in plans and recommendations to the Secretary and what the role of cooperative extension should be.

Mr. Martin added that Catholic Church is a route to get information disseminated after mentioning the large Portuguese dairy industry.

Seeing that there was no more public comment, Chief Knight closed the public comment period and asked Dr. Sauerhaft for closing comments. Dr. Sauerhaft directed those Task Force members that have changes to the previous meeting minutes deliver to her by 10:00PM that night. She then recognized Dr. Wakelyn who stated that the minutes in the current format are in such bad shape that it would be a waste of his time for comment.

Mr. Isom updated the Task Force on the Emerging Issues concept paper. Copies are available as 12/3/03 4:00 PM version; he wanted comments by 11:00 PM that night.

Chief Knight identified three items for the action register. 1) Provide minutes to Dr. Sauerhaft if you have comments, 2) Emerging Issues report, further comments get back with Mr. Isom, and 3) the Research Committee report. He thanked everyone for his or her participation. Chief Knight announced that the meeting would reconvene at 8:30 AM on the following day. There being no further business or discussion, Chief Knight recessed the AAQTF meeting at 5:00 PM on December 3, 2003.

**December 4, 2003.** Chief Knight reconvened the AAQTF meeting at 8:43 AM on December 4, 2003 and announced that the Minutes from the August Tulsa meeting needed to be addressed as well as some unresolved issues. Chief Knight thanked members of the Task Force for a very productive session the day before and informed members of the public that there would be opportunities for public comment during the day. He mentioned his awareness that the Task Force may be struggling to define the parameters or boundaries in which the Task Force operates. He added that NRCS staff worked diligently late into the night revising and updating the minutes from the Tulsa meeting to have a product suitable for the public record can be issued. He promised Task Force members that the minutes from this meeting (Monterey) would be available for Task Force member's perusal in three to four weeks from the conclusion of this meeting. Within one week members will have an Action Register from this meeting. Chief Knight then turned the meeting over to Dr. Sauerhaft, DFO. Dr. Sauerhaft promised an Executive Summary of this meeting to Task Force members by the end of the following week. She thanked those integral in planning the tour, etc., Dr. Flocchini, Mr. Isom, Mr. John Beyer, Mr. Cunha and Mr. Boese.

**August 28-29, 2003 Tulsa, Oklahoma Meeting Minutes.** Dr. Sauerhaft said that hard copies of the revised version of the August Tulsa meeting minutes are available and will also be emailed to Task Force members the following Monday.

Chief Knight relayed a suggestion from a Task Force member that a tentative acceptance/agreement of the Tulsa minutes be made. Thus keeping the minutes open for 7-14 days for further comment. After which time the minutes would then be considered accepted/approved/accurate. Chief Knight solicited comments on this suggestion.

*Mr. Avant made a motion to go ahead with a contingent approval of the Tulsa minutes with the opportunity to provide editorial comments over the next 7-10 days at which point they would be accepted/approved. Mr. Doug Shelmidine seconded the motion. Mr. Cunha called for the question. Motion passed by voice.*

Dr. Sauerhaft asked Task Force members to have substantial comments on the minutes to her by the end of the following week after which they would be incorporated and put on the AAQTF web site.

**Unresolved Issues, Research Committee.** Mr. Avant handed to Task Force members the revised Research Committee report, noted as Draft 4, which was based on comments by the Task Force members. Significant revisions were 1) prioritization of the first area, 2) rewording of the pathogen issue, which is item 7 and, 3) including all comments received. In summary, the focus for 2005 is reprogramming where appropriate and to convene a working group between USDA, EPA, and the Task Force Research Committee in order to determine plan of action for a large research effort. He yielded that process to Chief Knight as to how that progresses.

*Mr. Avant made a motion to approve the Research Committee recommendations and that Chief Knight dispenses with them as appropriate. Dr. Parnell seconded the motion. Chief Knight recognized Task Force members for discussion on the motion.*

Dr. Flocchini asked Mr. Avant if under item 1, development of emission inventories, they could be utilized as necessary in process models?

Mr. Avant responded yes. Process based models are implicit in that item.

Ms. Peltier referred to odor being referenced in the report and that it was important to remember that EPA does not regulate odor. Also, she commented on a typographic error in item 7 that the word “odors” was incorrect. Mr. Avant agreed and said the correction would read “pathogen”.

Mr. Cunha asked Mr. Avant if the itemized list of research activities identified last year were incorporated into this report?

Mr. Avant referenced the \$65 million a year previous effort is implicit in the report, but agreed that it should be added in some fashion. Additionally he noted he could not find on the AAQTF web site any reference to the \$65 million research need. He suggested that be done (the full document or the longer comprehensive \$65 million program). Dr. Sauerhaft asked Mr. Cunha to email her the document and she would see that it be added to the AAQTF web site. Mr. Cunha agreed.

*Mr. Cunha called for the question (approval of the Research Committee recommendations and that Chief Knight dispenses of them as appropriate). Ms. Shaver abstained from voting. Motion carried by voice.*

**Unresolved Issues, Emerging Issues.** Mr. Isom recognized Dr. Bryan Shaw for capturing comments to the EIC report and then putting them into an acceptable format. He also thanked Dr. Wakelyn, Ms. Whalen, Mr. Avant, and Dr. Flocchini for their additional input. He discussed the condensed emerging issues report dated 12/4/2003 and titled Addressing Emerging Agricultural Air Quality Issues. Changes in this version include 1) issue by issue format, 2) mini-summit or conferences, an example would be monitoring, where a focused group of people get together to discuss the issue, 3) all emerging issues put forward by the Task Force are included and numbers are removed so as not to imply priority, 4) the committee will have teleconferences following the Monterey meeting to discuss setting priorities, 5) each issue will have a white paper developed by members of the committee to refine that issue and, 6) carbon sequestration has been added. The future mini-summits or conference dates, sites, and sponsors or host will be addressed on a case-by-case basis. The expectations or outcomes of this are that there will be action taken on issues as they come forward.

Mr. Trotter suggested adding bio-diesel to the body of text within the “Non-road diesel rule and renewable fuel alternative and carbon sequestration” emerging issue.

Mr. Cunha thanked the Emerging Issues Committee for putting a lot of work into this and consolidating the report into a workable product. *Mr. Cunha made a motion to accept the Emerging Issues Recommendations document with the provisions made thus far. Dr. Parnell seconded the motion. Mr. Cunha called for the question. Motion carried by voice.*

**Policy Committee Report.** Chief Knight introduced Mr. Dave Roper as Chair of the committee. Mr. Roper spoke of the struggles within the committee as to their exact role. He said that the committee had identified four major priority areas. He mentioned that with each policy or white paper, there will be supporting documentation, agreed to by the scientific community, which can be used to influence and move policy forward. Mr. Roper read and reviewed the proposed AAQTF Policy Statement. Action items for each major item were reviewed. He suggested more interactions with other Task Force committee's such as co-authoring white papers with Policy Committee input. Additionally, acquire the supporting document that helps support the specific white paper. In this case the NAS (National Academy of Sciences) study. Mr. Roper concluded his report by submitting it as an action item from the Policy Committee.

Dr. Flocchini offered an editorial comment in regard to the second paragraph "... no reliable emission factors for AFOs exists". He said any one example could invalidate that scenario and suggests "very few" be inserted for the word "no".

Ms. Peltier suggests going to the NAS study and using that language in reference to Dr. Flocchini's comment.

Dr. Wakelyn questioned the mention of the consent agreement for the Safe Harbor Agreement. He asked Mr. Roper if the document was available for the public to review. He also asked if points two and three would be put in writing for others to comment on in the future.

Mr. Roper replied that those points are not in a position for action but would be shared with the rest of the Task Force. Mr. Roper asked to defer the consent agreement to Ms. Shaver for comment.

Ms. Shaver said she would talk about that during the EPA update.

Ms. Peltier responded that the language that is in the report provided to the Task Force says that the AAQTF supports the EPA-industry air emissions study. This suggests support of a collaborative effort with industry funds and EPA support to get the air emission data, saying nothing about the consent agreement specifically to date.

Dr. Parnell was concerned that the Task Force not just focus policy recommendations on the AFO/CAFO issues but focus across the board on the impact of air pollution regulation on agriculture. He mentioned examples of misinformation, including about how ammonia is not a regulated pollutant under the Clean Air Act but is covered under CERCLA's

reporting provisions. Public perceptions that may be inaccurate are the types of things the Task Force should show interest in.

Dr. Aneja was curious how he could find more information about the study that Ms. Peltier had mentioned previously. What is the relationship between EPA and “the “ industry?

Ms. Peltier responded that one of the proposed elements of the consent agreement is that once there is a draft research plan, that plan would be circulated to Task Force members. This would be done for comment to make sure it comports with the recommendations of the NAS and the expertise in the Task Force.

Mr. Roper offered a list of participants in the development of the protocols for those interested.

Ms. Sharma questioned the web that binds together the written policy statements with the verbal presentation made by the committee chair. It is the purview of the chair to present the committee report in whatever format the chair deems appropriate. She commented that it was difficult to follow the verbal comments with what was provided in the written report. Also, the application of nitrogen is not as critical as phosphorus.

Mr. Roper responded that the nitrogen example was just that, an example, and not to say that it was more important than phosphorus. However, for terms of this Task Force, nitrogen would have more air related problems than that of phosphorus.

Mr. Shelmidine, as a member of the Policy Committee, commented that it was the intent of the committee not to specifically support the compliance agreement. Rather support the concept of a joint EPA/industry study.

Chief Knight suggested that committees providing reports on the second day put Task Force members at a distinct disadvantage in being familiar with the topic let alone the report. He promised time at the end of the day for this topic to be included as an Unresolved Issue so that Task Force members have time to read and digest the information. Asking that no action be taken at this time on the Policy Committee report.

**Outside Presentation.** Chief Knight thanked Mr. Roper for his report and then introduced Mr. John Beyer, NRCS, located in Fresno, California. Mr. Beyer discussed Collaborative Efforts between NRCS and Local Air Districts. Mr. Beyer’s presentation will be made available on the AAQTF web site.

Mr. Boese added that the collaboration effort has been key when dealing with agriculture as far as creating emission inventories, developing factors, etc. The Air District doesn’t have experts on staff to do this directly, so they turn to NRCS, growers, commodity groups, and others in order to attack this problem in a sensible way; a continuation of this collaboration is needed.

Dr. Parnell asked how California is addressing the issue of using the terminology BMP versus CMP and secondly is there any reduction in terms of fees to incorporate the use of BMP or CMPs.

Mr. Boese responded by saying BMP and CMP are synonymous. As far as reductions of fees for Title V, which for the agricultural community are IC stationary engines (like for irrigation pumps) and CAFOs, he said there were no true reductions in fees.

Mr. Isom commented that EQIP funds are important to agriculture in the San Joaquin Valley, as is NRCS in helping farmers. NRCS has provided the help for growers to comply. As far as BMP versus CMP, for agriculture there is no BMP because there are different situations from farm to farm and region to region. The importance of the relationship between NRCS, the Air District, CARB, and others in the industry is vital to the success of agriculture actually moving forward and reducing emissions.

Ms. Whalen asked Mr. Boese about the fugitive dust rule and how this applies to land that is farmland but is currently not farmed or tilled.

Mr. Boese responded that they have tried to deal with this as a seasonal issue (fall and winter) and based on activity especially on unpaved roads and equipment storage areas.

Mr. Avant asked if the situation California is facing a response to the agriculture exemption problem that was in previous law or is this ground swell sweeping across the country?

Mr. Cunha responded that there are liberal courts with environmental lawsuits based on little science but on a liberal understanding of the Clean Air Act. Specifically like barns should be considered stationary sources. He offered that what has happened in California has and will progress to other states. Cautioning again that farmers and agriculture may cease to exist with much more tightening of regulations based on court decisions lacking science.

Mr. Avant suggested that the Policy Committee put this, as a priority (is the situation California facing a response to the agriculture exemption problem that was in previous law or is this ground swell sweeping across the country).

Mr. Boese added that as more non-attainment areas are designated across the country those local regulators will be forced to look at BACM or BMPs and will be looking to California or other states. Then they will have to justify why they will or will not adopt certain measures.

Chief Knight asked Mr. Beyer how many conservation practices NRCS has in the tool chest pertaining to air quality; how long did it take to put those into place; how many of those are from California only as interim standards; and, how many are fully prepared to go national?

Mr. Beyer answered that at least 50 conservation practice standards have been reviewed for air quality implications. Some practices are not addressed in NRCS standards and practices. Interim standards are used as an umbrella to capture as many situations as possible. Much work has to be done yet with at least 50 more practices to be reviewed.

Chief Knight illustrated a situation of a farmer coming into an NRCS office looking for help. The farmer would like to know what programs are available, how does NRCS end up providing assistance, is it cost share, planning, and to what level.

Mr. Beyer elaborated that a large number of growers are already doing a lot themselves. NRCS assistance is mostly planning right now and EQIP participation. Roughly half of the growers are signing up for EQIP assistance and some planning. Several thousand plans will be needed on an annual basis as interests and regulations increase.

**Outside Presentation.** Chief Knight introduced Mr. Nathan de Boom of the Milk Producers Council and Ms. Martha Davis, Inland Empire Utilities Agency. Both discussed the South Coast Anaerobic Digester Project. Mr. De Boom and Ms. Davis' presentation will be made available on the AAQTF web site.

Mr. Cunha complimented the presenters and asked them to give the audience some information on how much farming is left in the Chino Valley when the price of land for farming is \$150,000 per acre and farmers are moving into the San Joaquin Valley. Everyone needs to know what the demographics are because eventually the whole Chino Valley will become homes. There's a green belt and it needs to be clear what that means. What are the costs of these facilities? He added an inquiry about trucking in reference to the port expansion in San Diego, increasing truck traffic. He asked for comment on the unclean air burning into the San Joaquin Valley.

Mr. de Boom responded that the demographics are changing from farms to urbanization, providing those farmers with income to move and set up bigger operations elsewhere in the state or another state. Currently land sales in the Chino Basin area are upwards of \$300,000 per acre. However, some farmers are having trouble relocating so they will be there for some time.

Ms. Davis commented on the cost of facilities. A detailed cost analysis was prepared by Ms. Davis' group based on regions of the state but not available at the meeting. The challenge as Ms. Davis' stated it is, "what does it mean to have livable communities and how do you integrate agriculture into those?" The issue of manure being transported to other parts of the state is being dealt with but is progressing slowly thus far, in order to reduce diesel emissions. Their goal is make the byproducts an asset rather than a burden for themselves and others.

Dr. Aneja questioned and commented with regards to North Carolina's in-ground, ambient covered digester? His concern was the issue of odor and methane being released without being captured. He encouraged Ms. Davis to look into it. He offered to provide additional information to Ms. Davis and her team. Dr. Aneja asked about the facility

process ends up trading one form of nitrogen for another, creating a PM problem and ozone problem.

Ms. Davis responded that their approach to quantifying trading one form of pollution for another would be looked at.

Mr. Dar Olberding asked about the cost of the facility. Ms. Davis responded that the original project cost was \$15 million for generating just under one Megawatt of power. The digester alone was \$3 to 4 million. Ms. Davis can provide additional detailed costs upon request.

Mr. Olberding asked with regard to credits and pollution reduction, would those costs be built in to pay the project back?

Ms. Davis commented that really depends on what you are looking at. An example would be they know the cost to remove one pound of salt from the Chino Basin but what is the cost of preventing that pound of salt from ever getting there in the first place. The multiple benefits of any one project are difficult to estimate and value.

Chief Knight asked how much of the dairy production in the Chino Basin is involved in this project?

Mr. de Boom replied that about two and one half to three percent of the total manure production is involved in this project.

Chief Knight followed up asking, how do you realistically tackle the next 95 percent; can this go from pilot to commercial; is this forever a pilot, what can we learn; and, how do you transfer this to commercial utilization.

Mr. de Boom responded that their hopes are to expand the project to commercial. They are constantly evaluating the project and determining what can be taken forward.

Ms. Davis added that they have put together an entire Organics Management Strategy for the Basin recognizing that digesters are not the only way to handle the manure. Such as in the process of building enclosed composting facilities, demonstration projects, and one more digester using the European Thermophilic Complete Mix process. How to combine different strategies will then be the challenge. Hopefully building digesters that can produce 20 Megawatts of power.

Chief Knight thanked Mr. de Boom and Ms. Davis for their presentation. Chief Knight then asked Ms. Shaver to present her EPA report.

**EPA Update.** Ms. Shaver updated the Task Force on EPA's PM and NOx review. There have been a few changes in the schedule. The Office of Research and Development (ORD) is continuing to work on completing the criteria document, which is the first phase and has received a number of comments on the fourth external draft. As a result,

EPA has revised the health chapters and will release it for review in December 2003. That document will be available on the web and discussed at CASAC (Clean Air Scientific Advisory Committee) teleconference in January and then at scientific committee meeting in March. The second draft of the criteria document will then be released in summer of 2004.

Ms. Shaver discussed incineration rules, and the potential need to regulate the incineration of animal waste. There have been numerous discussions, internal to the agency, since our last meeting. EPA toured several North Carolina farms. They are looking into this matter but want to prevent any adverse impacts on animal health and food safety.

Ms. Shaver continued with the ammonia inventory (role of ammonia as a precursor). EPA is on schedule with updating that inventory; they plan to provide a version for review by states at the end of this month with the goal of more comments and broader reviews in the following months. She described EPA's thinking about ammonia and ammonia as precursor for PM fine (2.5). They are questioning the significance of removing ammonia as a way to reduce the PM fine. EPA is beginning to understand that in the absence of NOx and SOx (sulfur oxides) the ammonia would probably not form particles on its own. Since NOx and SOx are more cost effective to remove, as an implementation strategy, it may make more sense to go after the NOx and SOx, thinking that if those can be lowered then the ammonia may take care of itself, in a manner of speaking.

Dr. Aneja asked if hard copies of the criteria document would be made to the public?

Ms. Shaver said that it would be available in electronic form. For those who cannot obtain an electronic copy, they should contact Ms. Shaver directly.

**Public Comment.** Chief Knight asked NRCS staff Mr. John Brenner to open the public comment period. Mr. Brenner provided instructions for the public comment period and then introduced Dr. Al Heber with Purdue University who spoke about the Air Emissions Research being conducted at Purdue Agricultural Air Quality Laboratory.

Mr. Brenner introduced Ms. Vanessa Stewart of Earth Justice. She spoke of healthier practices for mega-dairies that have been linked to causing asthma as well as statistical information showing a high correlation with particulate matter and poor reproductive health.

Mr. Cunha suggested that Ms. Stewart review the work of two renowned cardiologists reporting that the home environment and poor living conditions may have more to do with asthma.

Mr. Isom suggested that there are many health issues in the San Joaquin Valley that may be related to air quality arising not from mega-dairies.

Mr. Brenner introduced Mr. Ken Krich with Sustainable Conservation. He spoke of tillage, methane digesters, and raising funds for research on methane mitigation.

Seeing there was no more public comment, Chief Knight closed the public comment period and informed the Task Force members that a working lunch was next on the agenda. He instructed members to take a sandwich that had been provided and return to the meeting.

**Outside Presentation.** Chief Knight introduced Mr. Paul Gosselin, Chief Deputy Director of the California Department of Pesticide Regulation (CDPR). He gave a presentation on Pesticides and VOCs. Mr. Gosselin's presentation will be made available on the AAQTF web site.

Dr. Wakelyn asked if for SIP (State Implementation Plan) purposes of ozone determinations, there is a relationship of how your agency is working with CARB on this issue?

Mr. Gosselin responded that there was but they were not trying to implement a command and control permit process.

Dr. Flocchini asked if Mr. Gosselin knew what the percent reduction in ozone was during the same time period (in relation to the graph showing a goal of a 20% reduction for the pesticide component)?

Mr. Gosselin responded that he did not know what the percent reduction in ozone was during that same time period.

Dr. Flocchini stated that his point was if you have 20% reduction in VOCs and they are not the reactive ones, there may not be any impact on the non-attainment for ozone. He then asked Mr. Boese if they experienced a reduction in ozone for that period in the San Joaquin Valley?

Mr. Boese replied that there is a flat line. There would be some reductions but it would be difficult to isolate pesticide reductions because there are many factors. Dr. Flocchini added that by reducing pesticides by 20% was there an impact on ozone. So his point was if the measurements were flat line then maybe someone should be looking for reductions elsewhere.

Mr. Gosselin suggested that it is a very complex mix of sources. There is no direct correlation or measurement from one source.

Dr. Flocchini asked if there were a handle on residential uses of pesticides, insecticides, and volatiles associated with them?

Mr. Gosselin answered that consumer products are lumped into one category.

Mr. Isom thanked Mr. Gosselin for his presentation and referenced Mr. Avant's previous issue of spreading California's problems east. VOCs from pesticides are an important matter. He asked what area in terms of research one would look at reformulation or application methodology? What area would you look at focusing our efforts?

Mr. Gosselin replied that it depends on whether the effort is for California or nationally. He suggested that the efforts they are working on be geared for California and couldn't comment on whether their needs would be seen as needed nationally.

Mr. Boese asked what percent of those reductions came about from reformulation and what percent came about from reduced use (for the 20% in 2005 and 30% in 2010 goals)?

Mr. Gosselin said that reductions occurred due to grant and research projects tracking pesticide uses, grower practices, and the huge shift in synthetic fungicides to sulfur. Reformulation was not that much but rather a change in practices used by growers.

Mr. Rogers commented that the use of pesticides used on cotton in Arizona has been reduced because of the use of Bt (bacterium *Bacillus thuringiensis*) cotton and asked whether any random air quality testing was used for VOCs? Mr. Gosselin replied no.

Chief Knight thanked Mr. Gosselin for his presentation and asked that a sub-committee evaluate what the role of the Task Force should be regarding pesticides and air quality. As well as the degree to which we should invest resources in tracking the potential impacts in California as well as the rest of the nation. Chief Knight suggested either the Emerging Issues or Policy Committee.

**Outside Presentation.** Chief Knight introduced Mr. Peter Venturini, Chief, Stationary Source Division, CARB. Mr. Venturini's presentation on Diesel Air Toxic Control will be made available on the AAQTF web site.

Mr. Avant asked if mobile sources like tractors, cotton pickers, combines, harvesting equipment would require mandatory retrofits? As you move toward Tier 4, there is some perceived safety concerns of fire hazards by putting entrapment systems on combines and cotton harvesters in the field.

Mr. Venturini responded that the diesel reduction plan is to take a look at all sources. During that process those concerns should be brought up.

Mr. Cunha asked what is the number one thing that is needed to help agriculture?

Mr. Venturini replied that the number one thing is funding. Retrofits on average cost \$38 per horsepower.

Mr. Cunha thanked Mr. Venturini and mentioned that he (Venturini) has been instrumental in helping agriculture stay abreast of the regulations and controls.

**Outside Presentation.** Chief Knight thanked Mr. Venturini and introduced Mr. John DaMassa and Ms. Karen Magliano from CARB. Their presentation on PM and Ozone Study Results will be made available on the AAQTF web site.

Dr. Wakelyn asked if based on what was being measured in the study, was an estimate of agriculture's contribution to PM and ozone amount possible?

Ms. Magliano responded that they are still in the formulation stages of measurement. They did use the results that were measured directly in the study, specifically for the San Joaquin Valley PM10 SIP.

Mr. Flocchini asked Ms. Magliano if during the study there were 40 exceedances for the federal level (from the PM2.5 exceedances). Do you use vehicle miles traveled for motor vehicles and the use of residence time?

Ms. Magliano said yes to the 40 exceedances and yes to vehicle miles traveled but was silent on residence time.

Mr. Cunha thanked both speakers and noted California agriculture made the largest PM10 study in the world in 1993 with help and partnership of the federal government, and he thanked EPA. It was a tremendous partnership with EPA, USDA, California Air Resources Board and the Air Districts, and the greatest partnership contribution was from agriculture.

Mr. Olberding asked if there was field burning or specific forest fire burning at the time when PM2.5 exceedances came about.

Ms. Magliano replied that yes there were but that time period would have been a no burn day or time period.

**EPA Update.** Chief Knight thanked Ms. Magliano and Mr. DaMassa and then allowed Ms. Shaver to continue the EPA update. Chief Knight thanked and appreciated the Task Force members that have remained throughout the two full days.

Ms. Shaver spoke of a press release where the Agency announced today that a proposal would require coal burning plants to make the steepest emission cuts in over a decade. This is called the Interstate Air Quality Rule requiring power plants to upgrade their facilities to reduce sulfur dioxide and nitrogen oxides. The emissions decrease would cut about 40% from current levels of sulfur dioxide by 2010 and for a total of 70% from today's levels after 2015. For NOx, emissions would be cut by 50% in the 29 states and the District of Columbia covered by the rule, taking effect by 2015. This would be done in conjunction with the mercury reductions resulting in a 70% reduction from current levels. She suggested that significant analyses have been done on this subject, with assumptions made regarding cost effectiveness- some of that compares the cost effectiveness to certain types of reductions, etc. If Clear Skies gets enacted, it would make this proposal moot.

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Ms. Shaver discussed the Compliance Agreement, commonly referred to in the past as Safe Harbor. She focused briefly on legal ramifications and penalties involved with standard procedure in terms of entering into consent agreements with EPA. She described some primary components of the agreement: 1) EPA needs data as well as money to gather data for emission factors, 2) the industry can sign up and pay a fee (this is not an admission of guilt), 3) a monitoring program would be set up that informs a process-based approach, 4) PM, TSP (total suspended particulates) PM10 and PM2.5, H2S (hydrogen sulfide), VOC, ammonia and NOx will be monitored and, 5) at the conclusion of the study, decisions regarding emission factors and who meet the threshold will be made. Participants signing up for this study agree that they will comply with the findings and EPA will guarantee not to seek action for past violations should they exist. Ms. Shaver asked Dr. Sauerhaft to speak about a meeting held to develop recommendations for protocols and procedures for the study.

Dr. Sauerhaft described a meeting sponsored by NRCS in which ARS, academicians, EPA, NRCS, industry, and environmental representatives were invited. They met for two and a half days to discuss different monitoring, and analysis protocols for the various emissions that Ms. Shaver mentioned. This was for the swine, dairy, and poultry industry. They came to consensus on strengths and weaknesses for each protocol and analysis methodology. The group subsequently came up with recommendations for the monitoring project design that were passed on to the agricultural air group (livestock industry). The funds were limited for data collection. Some of the attendees from the Task Force included Dr. Boyd and Dr. Rudek. Other Task Force members were invited but unable to attend. The group continues to meet through teleconferences to finalize their recommendations.

Ms. Shaver continued her discussion about the white paper/study that will parallel the consent/compliance agreement in hopes that it can be finalized early in 2004. The EPA air office will be looking at different ways these facilities can be managed. As well as what are some of the most appropriate BMPs to be used. She indicated that they would prefer to deal with emissions for CAFOs in general, not breaking down into individual pollutants. A voluntary approach dealing with nutrient management plans is also preferred. A consideration would be how CERCLA should be addressed. The intent of providing a white paper on these topics is to provide some directional certainty to the regulated CAFO community. This would ensure that practices that are required are truly practices that are appropriate. This would have the effect of taking these actions from the enforcement arena and placing them in the policy or programmatic arena.

Mr. Avant asked if there was anything in this proposal that preempts any pending or future state regulatory action?

Ms. Shaver said states could always move forward as in the past.

Mr. Olberding asked if the results of the testing would be made public?

Ms. Shaver said that the results of the testing would be made public. Results would be released periodically rather than releasing all the information at the end of the study.

Dr. Aneja asked what the level of resources EPA needs in order to complete this study alone? Ms. Shaver responded that monitoring is not cheap. For example monitoring three to four facilities for animal types could be in the \$10-12 million range.

Mr. Shelmidine asked Ms. Shaver to elaborate on industry sign-up and if that would be individual farms or whole industries? Ms. Shaver responded that it would be individual farms unless with an industry you could sign up several farms.

Mr. Cunha thanked Ms. Shaver and revisited the \$65 million research proposal. We need to make sure USDA re-funnel's its research activities under ARS or CSREES, which has a budget of about \$2 billion. He doesn't suggest the Task Force continue going to EPA and asking them to take care of agriculture research. This protocol proposed by EPA is good in that it shows agriculture moving in a positive direction. However, something needs to be added to the process where zealous state legislators running for office don't oversee these programs or agencies.

Dr. Boyd responded to Dr. Aneja's question of who would be doing the work. The work would be a combination of land grant universities and ARS. The animal industry is pushing ARS hard to take the lead. The Federal Animal Science Business Offices would manage the funds. Since the industry is paying for it they will have a lot of say so in how it will be done. For example the swine industry portion could cost \$7.5 to 8 million. EPA then would have to agree to accept the data.

Mr. Boese asked Ms. Shaver about the timeframe for the study and when it should be complete?

Ms. Shaver replied that the sampling period would be a two-year effort. Once the agreement is signed and people have an opportunity to sign up, which would be a short window, then the two years would run from that point. At the end of the two-year period EPA would take the information in order to evaluate and calculate emission factors. This is when the clock would start for individual sources to apply for their permits. Specific time frames within the application period are 120 days. After which point it is up to the permitting authority to decide which dates are placed on the sources, which may vary by source and state.

Ms. Whalen commented on industry paid for studies. When EPA sets up protocols for these studies, there is very little if anything that can be modified. It is a thorough process. The QA/QC (quality assurance/quality control) portion would then be done by third party. She added that there is a lot of confidence that this is a fair study when done by this protocol method that requires QA/QC.

Ms. Shaver added that this must be a credible study. There will be an obvious technical component but a legalistic one as well.

Mr. Shelmidine asked if every 500 (or other size) cow operation would be going through this process and signing up.

Ms. Shaver said that no one is required to sign up. Obviously if there are not enough signatories and/or enough money to complete the study then the deal is off. So critical mass is needed. However, for those who sign up, they are then protected against any past or potential past violations based on the results of the study.

Mr. Avant asked if EPA would be looking at municipal waste treatment facilities and determining how much ammonia emissions they have and whether they should come under CERCLA like CAFOs may have to.

Ms. Shaver replied that the reason why municipal waste treatment facilities are not subject to this aspect of CERCLA is because they are covered by NPDES (Non-Point Discharge Elimination System) permit. Specific rules state that if you have a federally enforceable permit then you are not subject to this particular requirement. She added that even if you have an NPDES permit on your farm, you would not be exempt from a Clean Air Act permit requirement.

Dr. Wakelyn asked why exclude municipal waste treatment facilities from being covered.

Ms. Shaver replied that she was not able to answer Dr. Wakelyn's question at this time.

Dr. Wakelyn questioned that under the Clean Air Act, if you're a minor source, not requiring a federally operating permit but your CERCLA release is such that you would, doesn't guidance state that meeting the Clean Air Act was the same as having a federally enforceable permit? Why isn't that true?

Ms. Shaver said that on the CERCLA issue there are still a number of internal discussions taking place.

Ms. Whalen asked Ms. Shaver if she would comment on the agricultural burning policy.

Ms. Shaver said the draft agricultural burning policy is still being reviewed internally.

Mr. Avant reported that he attended EPA's Clean Air Act Advisory Committee meeting in Asheville, North Carolina on October 14-15, 2003. There were no agricultural issues discussed at that meeting.

**Next Meeting.** Chief Knight offered the floor to Dr. Sauerhaft to discuss prospective sites and dates for the next Task Force meeting.

Dr. Sauerhaft said the weeks of February 9, 2004 or March 9, 2004 was suggested in North Carolina, Texas, or Iowa. General concerns were voiced for weather considerations if a meeting was held in February in Iowa. General discussion favored North Carolina in

March at Research Triangle Park. Mr. Cunha mentioned that it was important to consider Ms. Whalen's standing offer to have a meeting in her area as soon as the next Task Force is chartered. There will also be a meeting the week of July 19, 2004 in Idaho.

Chief Knight inquired as to the best format for meetings in relation to time. He asked if the current times are working or are alternatives required. For example, morning until the end of the following day, or is it better to start on a half day schedule and end on a half day? Task Force members believed that the existing format was appropriate.

Chief Knight briefly touched on some future modifications in light of management. Dr. Sauerhaft's successor will be chosen through the usual position announcement and selection process. Meanwhile, he will appoint an acting DFO and may make some management adjustments in order to provide excellent service to the Task Force. Chief Knight intends to appoint an executive committee of the Task Force that can serve as an advisor on things like agenda, big picture strategy, view, and functions. He consulted with Ms. Peltier and Dr. Knighton with regard to putting together a federal staff working group that will meet on a monthly basis on air quality for coordination of things between meetings, i.e., follow up on research, issues that need to be coordinated, etc. Chief Knight's goal is to improve level of service. Chief Knight will initiate the executive committee for advice and council in order to assist him in picking the exact date and location of the next Task Force meeting. Based on the consensus of the group, more than likely, the next meeting would take place March 9-11 with a field trip 3/9 in North Carolina. He encourages modification in the agenda to allow for subcommittee meetings on field trip day.

Mr. Olberding asked if he was to start planning the July meeting. Chief Knight said that NRCS staff would provide support to him.

Mr. Cunha supports the Chief's plan for the next meeting, executive committee, and management changes suggesting the Task Force accept the plan and move forward.

**Public Comment.** Chief Knight asked NRCS staff Mr. John Brenner to open the public comment period. Mr. Brenner responded that no member of the public has indicated that they wished to speak. Hearing no public comment, Chief Knight closed the Public Comment period.

**Action Items.** Chief Knight asked if the Task Force needed to take action on the Policy Committee's report.

Mr. Shelmidine distributed the updated Policy Committee Report. He stated that modifications were made based on earlier concerns. He suggested that -- see Mr. Beyer's presentation -- (Mr. Avant suggests that the Policy Committee put this as a priority (is the situation California is facing a response to the to the agriculture exemption problem that was in previous law or is this ground swell sweeping across the country).) it should be taken up by the Emerging Issues Committee as the Policy Committee is lean with members from California. An unidentified member of the Emerging Issues Committee

agreed to this reassignment, as was acknowledged by Chief Knight as well. He proposed that the Task Force conditionally approve this document as well as request continuing comments.

Mr. Avant asked Chief Knight to draw boundaries for each committee and where they should overlap. Chief Knight responded that this would be a task for the executive committee to tackle.

Chief Knight asked what the pleasure of the Task Force was to take on the Policy Committee report. *Ms. Sharma opinion/proposal was that it (the Policy Committee report) be received and acknowledged by the Task Force as a whole. Mr. Rogers made a motion to accept Ms. Sharma's opinion as a motion. Mr. Cunha seconded the motion. Hearing no further discussion Chief Knight called the motion to vote. The motion passed by voice.*

Chief Knight asked that others seeking to provide input and comments for the Policy Committee should contact Mr. Roper. Ms. Whalen requested if those items could be delivered to the Chief or staff in the next week. Chief Knight affirmed her request. Mr. Shelmidine asked that the electronic copy of the Policy Committee report be forwarded to all Task Force members.

Mr. Isom asked earlier that the Dust Emissions Joint Forum make a presentation at the next Task Force meeting. He then requested that that presentation be postponed until the July meeting in Idaho. Chief Knight affirmed his request.

Mr. Cunha thanked and appreciated Mr. Ted Kubota for putting together and working with the host committee on the tour (field trip) and sponsoring the "Air 101" meeting at Jekel Vineyards. Also that we (Task Force) appreciate the California Floral Council putting together and hosting the lunch as well as the Monterey Mushrooms tour.

Chief Knight thanked everyone for his or her perseverance this afternoon. It was acknowledged and noted by the Chair that unfortunately a large number of Task Force members were not able to stay for the entire meeting. Their places on the next agenda will be at the later half of the next meeting. Perseverance has its rewards. He appreciated everyone's sense of humor today and hard work as it has been an excellent meeting. Chief Knight thanked ABSOLUTELY EVERYONE in the California group that has been such a gracious host. It has been very, very illuminating. Thank you very much to the NRCS staff for their work and coordination on this meeting and thank you to Dr. Sauerhaft before she transitions to her new job. Chief Knight turned the meeting over to Dr. Sauerhaft, DFO.

There being no further business or discussion, Dr. Sauerhaft adjourned the AAQTF meeting at 3:20 PM on December 4, 2003.