



**Minutes of Advisory Sub-Committee on  
Control of Emissions from Motor Vehicles**

Held on February 8th, 2016 at 1:30pm

**by** Teleconference **from the** Nevada Division of Environmental protection

3<sup>rd</sup> Floor Humboldt Conference Room

901 South Stewart Street

Carson city, NV. 89701

**to the** Nevada Division of Environmental Protection

Red Rock Room

2030 E. Flamingo Rd., Suite 230

Las Vegas NV 89119

*These minutes are prepared in compliance with NRS 247.035. Text is in summarized rather than verbatim format. For complete contents, please refer to meeting tapes on file at the Nevada Department of Motor Vehicles.*

**THIS MEETING WAS PROPERLY NOTICED AND POSTED IN THE FOLLOWING LOCATIONS ON  
February 5th, 2016**

Department of Motor  
Vehicles  
555 Wright Way  
Carson City, NV. 89711

Nevada State Library  
100 N. Stewart St.  
Carson City, NV. 89701

Department of Motor  
Vehicles  
305 Galletti Way  
Reno, NV. 89512

Clark County Department  
of Air Quality  
Management  
500 Grand Central Pkwy  
Las Vegas, NV. 89106

Washoe County District  
Health Department  
1001 E. 9<sup>th</sup> St.  
Reno, NV. 89512

Department of Motor  
Vehicles Website  
[www.dmvnv.gov](http://www.dmvnv.gov)

Department of Motor  
Vehicles  
2621 East Sahara Ave.  
Las Vegas, NV. 89104

Clark County Department  
of Air Quality  
Management  
500 Grand Central Pkwy  
Las Vegas, NV. 89106

**1. Call to Order by the Chairman**

Chairman Daniel Inouye called the meeting of the Advisory Sub-Committee on Control of Emissions from Motor Vehicles to order at 1:30 pm.

**2. Roll Call**

<b>MEMBERS:</b>	<b>Representing</b>	<b>Present</b>	<b>Primary</b>	<b>Alternate</b>	<b>Voting</b>
Troy Seefeldt	DMV/CED	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mike Sword	CC-DAQEM	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Joe Perreira	NDEP	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Daniel Harms	NDOT	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Daniel Inouye	WC-AQMD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 3. Public Introductions

#### INTERESTED PARTIES:

#### *Representing:*

Robin Roques	DMV/CED
Jessica Hernandez	DMV/CED
Steve Mayfield	DMV/CED
Robert Tekniepe	CC/DAQEM
Morgan Friend	DMV/CED
Sig Jaunarajs	NDEP
Glenn Smith	DMV/CED
Mark Costa	NDOT
Peter Kreuger	Emissions Testers Council
Joe Johnson	Sierra Club
Jennifer Taylor	Clean Energy Project
Marie Steele	NV Energy
Danilo Dragoni	NDEP
Paul Enos	Nevada Trucking
Andy McKay	NV Franchised Auto Dealers Association
Kristin Hunicke	Opus Inspection
Jeff Clark	NVG America
David Car	RTC Washoe
Matt Schrap	Velocity Vehicle Group
Camille May	Member of the Public
Dave Eflross	West. Res. Advocates
Tom Polikalas	Southwest Energy Efficiency Project

#### 4. Public Comments:

A. No Public Comments.

#### 5. Approval of Agenda Order

A. The agenda was approved in the order prepared.

#### 6. Nomination of Chairman

A. Joe Perreira, NDEP has been appointed chairman of the Sub-Committee.

#### 7. Nomination of Vice Chairman.

A. Mike Sword, CC-DAQEM has been nominated as Vice-Chairman of the Sub-Committee.

**8. Develop objectives to prepare recommendations for the Beneficiary Mitigation Plan. Discuss specific objectives needed for each jurisdiction.**

- A. Sig Jaunarajs (NDEP), NDEP is required to put together a mitigation plan. A plan that we will submit to the trustee which shows the intent for these funds and that plan needs to have certain elements to it and be in line with the settlement agreement. There are four points that have to be covered in the plan.
1. The beneficiary overall goal for the use of the funds.
  2. The categories of eligible mitigation actions that the beneficiary anticipates will be appropriate to achieve the state goals and the preliminary assessment of the percentages of funds anticipated to be used for each type of eligible mitigation action.
  3. Description of how the beneficiary will consider the potential beneficial impacts of the selected eligible mitigation actions on air quality in areas that bear a disproportionate share of the air pollution burden within its jurisdiction.
  4. A general description of the expected ranges of emission benefits the beneficiary estimates would be realized by implementation of the eligible mitigation actions identified in the beneficiary mitigation plan.

The difference between goals and objectives is that a goal is a description of a destination. An objective is a measure of the progress that is needed to get to the destination. In this context, goals are the long-term outcomes that our organization wants to achieve. For this plan and program, the goal that we want to achieve should align as closely as possible to the stated intent of the settlement. Not to say we can't have a Nevada angle to it where it suites us, but it will be easier for the trustee to approve our plan if the overall goal of our plan aligns with the goals of the settlement. There are several things stated as far as the goals of the settlement:

- The plan has to address how the state intends to reduce emissions of nitrogen dioxide.
- Where the VW vehicles, subject to the settlement, were, where they were registered, where they are, and where they will be operated.
- It's focusing on nitrogen dioxide. It's first of all focusing on where the damage was caused by these non-compliant subject vehicles.
- It also says that the plan must explain how the beneficiary will consider the beneficial impacts of selected projects on air quality in areas that bear disproportionate share of the air pollution burden within its jurisdiction. The idea is there are some areas within our jurisdiction within the state that bear disproportionate share of the air pollution. The air pollution they are referring to is NOx emissions.
- How we will we structure the program to address high NOx or excessive NOx and how we are going to identify those areas of the state.

- Overall goal we want to try and come up with some ideas, some sentences, that we can put into a mission statement for a goal for the program.

B. Joe Perreira (NDEP), invites comments from Sub-Committee Members:

Mike Sword (CC-DAQEM) As far as a goal for Clark County, we have done some rough estimates and have estimated there are over 470 tons of NOx over the life of these vehicles that are impacting Clark County. With the projects we would like to be as close to that number of tons of NOx being mitigated through the process as a goal for Clark County. This method of calculating the NOx will be shared with Washoe County to achieve accurate estimations.

Daniel Inouye (WC-DAQEM), ozone concentrations would also be some good criteria to use for distribution. NOx is one of the pre-cursors to the ozone, but some of the higher ozone concentration are in the urban areas such as Clark County, Washoe County, and Carson City. Using the ozone concentrations as another criteria would bring the committee closer to the goal of what the settlement is about.

C. Joe Perreira (NDEP), invites comments from the Public:

Paul Enos (Nevada Trucking), believes looking at getting rid of NOx is a good goal. Wants to look at getting the older vehicles or the highest polluting vehicles off the road. Suggests we look at the pre 2007 trucks and pre 2002 trucks. Focus on getting rid of older vehicles and replacing them with EPA compliant vehicles. Would like to see the money spread out as far as possible. Would be happy to work on obtaining data; however, believes DMV would probably be the best resource to provide statistics on the highest polluting vehicles pre 2007 and pre 2002.

Tom Polikalas (Southwest Energy Efficiency Project), suggests not only identifying heavily polluting vehicles but also most polluting fuels.

The interested parties continued to discuss energy types, location, vehicle replacement, and market transformation.

Joe Johnson (Sierra Club), we would like to look for transformation rather than replacement on a short term basis. Overall program spread out over 10 years you have to have something that has a last to it and not throwing that away. Thinks it is important that we consider zero emission vehicles in the process and identifying the areas of impact. Investments should be prioritized in the areas of high pollution.

Paul Enos (Nevada Trucking), doesn't want to get to prescriptive regarding what type of fuel or what type of truck that can be replaced.

Jennifer Taylor (Clean Energy Project), suggests this goes to zero emission support and it sounds like we are looking at reduction of emissions but not eliminations of emissions. There are further diesel scandals that will probably come forward, so emissions from everyday vehicles is probably higher than the data we have. We need to have a mechanism in place to provide Nevadan's with a way to mitigate those diesel vehicles losses or replacements. Thinks we should look at whether or not the benefits that we need to assign to high density neighborhoods that could be impacted by air quality issues. Mentions the Governor is intent on having a movement towards electrification of vehicles and infrastructure.

Committee members agree that there needs to be correlation between the Electric Highway initiative and the mitigation plans.

Mark Costa (NDOT), we want to show a decrease in NOx. His understanding is this is for urban areas such as Clark and Washoe Counties. Instead of already having a discussion about new vehicles or new types of gasoline, we need to get back to an overall objective. How to measure the impact of the funds in whatever course of action is decided. Doesn't believe we should be deciding courses of action until we have an objective that will measure the effect of this settlement.

Marie Steele (NV Energy), would like to know if we have statistics of NOx broken down my certain areas throughout Clark County, instead of statistics of the county as a whole.

Committee members agree that this information can be supplied to an extent.

- D. Joe Perreira, (NDEP) Opens discussions on categories of eligible mitigation actions that the beneficiary anticipates will be appropriate to achieve the stated goals, and the preliminary assessment of the percentages of the funds anticipated to be used for each type of eligible mitigation action. Would like to build a framework for what our goals should be.

Daniel Inouye (WC-AQMD), our goal should be to reduce NOx emissions with the additional benefit of improving ozone concentrations and targeting areas where we have the largest populations.

- **Q: David Carr (RTC)**, if we only target the areas with the largest population impact, wouldn't that preclude everywhere outside of Clark County?
- **A: Joe Perreira (NDEP)**, one aspect of it will be targeting larger populations. Something else we are looking at is the location of those vehicles. The majority of the money will end up in Clark County but that's not to say that some of the money won't go to Washoe County and to a much lesser extent to the rest of the state.
- **Q: Paul Enos (Nevada Trucking)**, do you have data on where these vehicles that were reading falsely were registered?

- **A: Joe Perreira (NDEP)**, about a week ago we made a request to the DMV and we are in the process of obtaining where all of the 2L and 3L affected vehicles are by county across the state and where they were registered.

Danilo Dragoni (NDEP), we have two different situations, one is offsetting the illegal emission of those vehicles and the other one is the mitigation plan. We don't have an estimate but it seems obvious to us that with the mitigation fund we would be able to not just off set those emissions but reduce NOx in excess of those extra emissions. Looking at where those vehicles are is a good start. We should not limit ourselves to just locating where those vehicles are registered.

Sig Jaunarajs (NDEP), to reiterate what has been discussed and bring this back to the idea of a goal. To cost effectively reduce the emissions of NOx in a manner that helps us with our ozone concern, and where those subject vehicles were registered and driven, and in a way consider our potential beneficial of projects that are put in place in areas that bear a disproportionate share of NOx emissions. Finally, we want to have a program that also builds infrastructure that takes us to the next generation of clean transportation. One of the categories is funding of zero emissions infrastructure and the governor has already told us they really want that to be fully funded and the settlement allows up to 15% of the funds to go there, which is something we are going to push for and we should incorporate that aspect into the goal statement.

There are two pots of money that we want to keep separated. What NDEP will be responsible for is VW Environmental Mitigation Fund so that's the \$25 million coming to the state just for the NOx reduction under appendix D of the settlement. There is also appendix C which is a separate pot of money that VW has to fund just for zero emission vehicle infrastructure. We do not control any of this money and any member of the public can submit a proposal for appendix C.

- E. Joe Perreira (NDEP), opens discussions on the second requirement for appendix D for the beneficiary mitigation which is the categories of eligible mitigation action that the beneficiary anticipates will be appropriate to achieve the stated goals and the preliminary assessment of the percentages of funds anticipated to be used for each type of eligible mitigation action. There are 10 categories of eligible mitigation actions:

1. Class 8 Local Freight Trucks and Port Drayage Trucks
2. Class 4-8 School Bus, Shuttle Bus, or Transit Bus
3. Freight Switchers
4. Ferries/Tugs
5. Ocean Going Vessels (OGV)
6. 4-7 Local Freight Trucks
7. Airport Ground Support Equipment
8. Forklifts and Port Cargo Handling Equipment
9. Light Duty Zero Emission Vehicle Supply Equipment
10. Diesel Emission Reduction Act (DERA) Option

- DERA includes using VW money to complete projects through the DERA, which is a separate federal program.
- **Q: Daniel Inouye (WC-AQMD)**, would like clarification regarding what we are looking for within this section, if we are looking at the 10 categories and basically saying yes or no to these categories, or if we are prioritizing these categories.
- **A: Joe Perreira (NDEP)**, NDEP has already written off Ferries/Tugs, Ocean Going Vessels, and Freight Switchers. We are looking for input on prioritizing the remaining categories. We do plan to maximize category 9 and using the 15% for this category.
- **Q: Sig Jaunarajs (NDEP)**, can we eliminate some of these categories right off the bat? Forklifts and Port Cargo handling equipment, are huge forklifts and I would ask industry if they are aware if we have any of these types of equipment.
- **A: Andy McKay (NV Franchised Auto Dealers Association)**, they are out there.
  - Sig Jaunarajs (NDEP), suggested we keep a question mark next to this category.

Marie Steel (NV Energy), knowing this list very well, it's hard without having your next criteria, to prioritize technologies because you don't know which one will reduce the most amount of NOx or which will have the most impact on the population. Some private sectors may be willing to bring some money to the table. Would like to see a matrix of impact vs. technology.

Joe Perreira (NDEP), we are left with 5 categories, would like to ask the counties for input in terms of what they think would provide the best reduction in those categories for their counties.

Mike Sword (CC-DAQEM), we have thought about this and we don't know what would be best for us at this point. Our perspective is funding of this over at least a 3 year period, so we would like to take the time to go out for RFP's, take it to the industry, take it to the services that are here for proposals on different projects that could mitigate the NOx and look at those from a perspective from what combination of projects gets us as close to the goal as possible with the funds that are available. This may be a 2 year process for us.

Daniel Inouye (WC-AQMD), some of the benefits looking at the populations, school busses would be a great target. We haven't thought of it as deep as Clark County at this time.

Joe Perreira (NDEP), reminds everyone that we are looking at a preliminary assessment and it must be included in the beneficiary mitigation plan that will be possibly due in the next 4-5 months. While RFP's would provide us with a lot of knowledge of what we may want to do later on he doesn't think the mitigation plan needs this extensive of backing at this time.

- **Q: Danilo Dragoni (NDEP)**, do we know what the consequences are if our mitigation plan is not accepted?
- **A: Joe Perreira (NDEP)**, there is an arbitration type of option for us to have the opportunity to fix it with a timeline.

F. Joe Perreira (NDEP), number 3 of appendix D, Beneficiary Mitigation Plan Requirements, is a description of how the beneficiary will consider the potential beneficial impact of the selected eligible mitigation actions on air quality in areas that bear a disproportionate share of the air pollution burden within its jurisdiction. Number 2 largely informs number 3 and because we have eliminated a lot of these categories already, we can kind of move forward and take information. It would be very helpful for NDEP to obtain more information from the counties to the effect of inventory and location of emissions. Just to help us know where in the counties the emissions are an issue and help us put together a plan.

G. Joe Perreira (NDEP), invites comments from the committee and the public:

Sig Jaunarajs (NDEP), we talked to the state of Ohio, who are maybe a little further along than most states in the analysis for this program, and they put together a map of possible priority counties for the funding including first priority counties, second priority counties, etc. and they based it on 4 factors.

1. Counties which they consider to be counties of concern due to ozone levels
2. The historic level of diesel emissions presumably NOx emissions
3. Locations where the most of these VW vehicles were registered
4. They used the USEPA's environmental screening and mapping tool which is a way of looking at communities, income of communities, minority status, and the exposure to the people in those communities to environmental impairments. Not limited to air quality.

- **Q: Sig Jaunarajs (NDEP)**, would it be helpful to try and put something like this together? Then we could talk about the different factors and how the different factors might affect the map. It seems like we need something like this in our plan to address item 3 where it says we are looking at the areas that bear a disproportionate share of air pollution.
- **A: Mike Sword (CC-DAQEM)**, is pretty sure within the network assessment that is completed every 5 years Clark County has done a geo-spacing mapping of some sort. Mike will confirm this information. Washoe County or the EPA may also have already done some sort of mapping as well. Another thing that is complicated with NOx is where you may have a lot of NOx emissions you may not have a lot of NOx concentrations in the air. If ozone is present, the thing we most commonly observe is that where the NOx emissions are the highest the actual measured concentration is the lowest because the ozone scrubs it. It's worth looking at and mapping out. Will provide data to NDEP so we can start putting something together.
- **A: Daniel Inouye (WC-AQMD)**, will provide what he can for Washoe County. Thinks we should get more detailed, instead of mapping out county by county, we should narrow it down to the neighborhood level.

Sig Jaunarajs (NDEP), we already have NOx emissions by all mobile sources in the state by county. Ambient ozone from the counties we monitor, but it's not that many however we can bring that. NOx is not typically monitored in an ambient situation. The reason we keep

talking about ozone is because NOx is a precursor of ozone. NOx plus volatile organics in the presence of sunlight produces ozone. For the air quality officials in the state, ozone is the pollutant of concern right now because the federal ozone level was lowered and strengthened in 2015 and there are some areas of concern in this state. There is really no area of concern with NOx standard. It's the ozone standard we are worried about.

H. Danilo Dragoni (NDEP), there is actually a hidden 5<sup>th</sup> point in the appendix D subsection 4.1. The beneficiary mitigation plan shall explain the process by which the beneficiary shall seek and consider public input on its beneficiary mitigation plan.

- **Q: Danilo Dragoni (NDEP)**, how should the committee move forward with seeking and considering public input? Is the formation of the sub-committee enough or should we do more?
- **A: Daniel Inouye (WC-AQMD)**, the sub-committee is meeting the spirit of getting the public involvement. Not only is it posted, but we have reached out to the different stake holders that are connected to this mitigation fund and project.

Joe Perreira (NDEP), Ohio had an informal public comment submittal period through the end of the year (2016). Once they have a draft together they will back to the public comment. Virginia released their draft mitigation plan before the end of the year (2016) and they are seeking public comment now.

Joe Johnson (Sierra Club), feels it's important to have a public meeting once the draft plan is prepared so the public has the opportunity to review it and ask questions.

Joe Perreira (NDEP), NDEP does have a VW page and you can sign up to receive announcements for meetings or any other information we may be dispersing. The agenda's for the I/M Committee and sub-committee meetings are available on the DMV's website.

- **Q: Paul Enos (NV Trucking Association)**, would you be interested in presentation from the stake holders or a work session document for recommendations from interested parties? These presentations may help with a better sense of direction.
- **A: Troy Seefeldt (NV DMV)**, once we have a better sense of direction on where we are going to go, I think it would be a good idea. It's a little early to review presentations at this time.

Joe Perreira (NDEP), appendix D does allow for a maximum of 15% of the mitigation plan funds to go towards administrative costs. This includes personnel, travel, etc. We would need to go through IFC in order to get approval for the funds.

Danilo Dragoni (NDEP), NDEP is already receiving documents and proposals suggestions from public and private stakeholders. Considering proposing that those documents could be made available to the sub-committee members. The sub-committee is preparing documents for the I/M committee so maybe some of this documentation can be provided as an appendix or something to that affect so they are recognized as a part of the work to be done.

Joe Perreira, (NDEP) any written comments you would like to submit to the sub-committee can be sent to me via e-mail and will be disbursed to the sub-committee.

## 9. DERA funding for FY17

- A. Joe Perreira, (NDEP) EPA has allowed for states to provide a voluntary match for fiscal year 2017 before anyone has been certified as a beneficiary because signing off for FY17 DERA project is due before the beneficiary mitigation plan will be due. There is a 50% return if you provide a voluntary match provided by EPA. Took a look at a 5 year average and the EPA awards the state of Nevada about \$120,000 every year. We are looking at voluntarily matching that \$120,000 with \$120,000 from appendix D, mitigation funds. That total will be \$240,000 because we provided a voluntary match, we would receive an additional \$60,000 to reduce emissions. Every year the DERA program funds school bus replacements, street sweeper replacements, and other projects.

## 10. Informational Items:

- A. Mike Sword, (CC-DAQEM) explains the correlation between NOx and ozone explaining that NOx reductions don't necessarily mean ozone reductions. In some cases you need NOx increase to measure ozone reductions which is why ozone only measurement is not the entire picture. For a full picture of what is going on you need both NOx and ozone measurements together.

## 11. Public Comments:

- A. Camille May (member of the public), states that there are hopes for the money going to clean energy projects.
- B. Matt Schrap (Velocity Vehicle Group), when looking at older heavy duty vehicles, we are talking about significant reductions. When replacing these vehicles it will have a significant ozone reduction.
- C. Morgan Friend (DMV/CED), on the DMV website you can find the agendas.
  - **Q: Morgan Friend (DMV/CED)**, also, in response to the previous comment on the phone I have not been officially requested to obtain those statistics for the sub-committee. Is the numbers for the heavy-duty vehicles 14,001 lbs. or greater something that the sub-committee wants me to present as well in addition to the statistics that I am already obtaining?
  - **A: Joe Perreira (NDEP)**, sure, if you are offering we would welcome any additional data you will provide.

## 12. Next Meeting and Adjournment:

- A. The next meeting will take place on Thursday, March 9<sup>th</sup> at 1:30pm.
- B. The meeting was adjourned at 3:38pm.