

US EPA ARCHIVE DOCUMENT

document to be quite honest with you unless Jolene and Peter feel differently.

MR. PRASAD: I agree that, sorry, I also feel that Plan EJ 2014 that the comments must be incorporated into the main body of the letter not as a separate appendix.

MS. YEAMPIERRE: Unless anyone disagrees I think this consensus that they should be incorporated not separate. Okay, great thank you.

MS. ROBINSON: So next steps will be to, as I said, for the subgroup to work with the note taker to incorporate the comments as discussed. The subgroup will make sure that it is clean and then we will get that out to the full council for their vote by ballot.

Tomorrow after I have had a chance to talk to John and Kim and Elizabeth about a time frame, I will let you know tomorrow about will the time frame be for both reports so that we know the work in process over the next month, okay? Anybody have any questions about the process, where we are heading on this?

MS. WASSERMAN: I just wanted to thank all the members of the subcommittee and the committee for giving me the chance to do this. Thank you.

MS. YEAMPIERRE: Thank you (speaking Spanish). So we are going to move on to the last part of the agenda for today and John has graciously volunteered to chair that section. So, John?

EPA Response to NEJAC School Air Toxics Recommendations

MR. RIDGWAY: Thank you. First, so Richard if you want to come on up to the table and I want to check with you first of all, you have been very patient in waiting for us and the schedule change. Do you have a time constraint given it is already 5:00? No? Okay.

MS. MILLER-TRAVIS: John? John? Vernice, hi.

MR. RIDGWAY: Hi Vernice, go ahead, thank you.

MS. MILLER-TRAVIS: As I am running out the door can I just make a few comments?

MR. RIDGWAY: Please do.

MS. MILLER-TRAVIS: Okay, very briefly. Chet, thank you very much and to the Office of Air Quality Planning and Standards for your substantive response to the recommendations from the School Air Toxics Monitoring Workgroup.

We really are very pleased with the answers and we are looking forward to working with you further on it and to John, especially, and to Charles Lee, an absentia, and Candace and Laura and Victoria for arranging the conference call to work through the challenges that we had in meshing together OAQPS and OEJ.

We thank you so very much for that substantive dialogue and for the resolution of those issues and I hope you all hear and appreciate the depth of the response from Chet.

I have to leave, I have a flight at 7:00 but I just wanted to thank Chet and thank his staff and his colleagues for all the efforts and the work together before I run out the door. Thank you.

MR. RIDGWAY: Thank you and safe travels to you Vernice. Before Chet I turn the mic over to you, I have to agree that the response has been outstanding on this topic and it is a great example that I hope others in the future from EPA can follow your footsteps in this interactive communication, to let us know what happens when these recommendations go forward and provide an opportunity for helping that progress after a recommendation, My kudos to you and with that I will turn the mic over to you.

***Presentation by Richard "Chet" Wayland,
EPA Office of Air Quality Planning and Standards***

MR. WAYLAND: Great, thank you John and Vernice I appreciate that. It has been an enjoyable process and while we had our rough starts at part of this I think we are a good example of if you work together and you have that interview process you can come to a positive conclusion at the end.

So, what I wanted to do today is get the presentation put up on the next one. I am going to walk through the 19 recommendations and just EPA's response. This is in your packet, the formal recommendations are there so you can just follow along there. The slides are more for me to stay on track.

Again, I do appreciate it. I know it is late in the day and I will try to make this as quick as I can such that we can get everybody out of here for dinner. So, if we could go to the next slide.

(Slide)

MR. WAYLAND: I just wanted to give everyone a real quick status. When I presented back in July at this meeting, we were nearing completion of the school air toxics monitoring project and I

am happy to say today we have finished all the initial monitoring in all 65 schools.

There were 63 schools in 22 states plus two Tribal schools. The final data release that from initial monitoring was in September, so all of the data that was collected from the initial round of monitoring is now available on the website.

There was a lot of data collected over that time, 73,000 data points and approximately one and a half million values from associated myrological data. But the project is not done by any stretch of the imagination. The monitoring is done and now we are going into the assessment phase and there are several schools from this initial assessment that are going to require additional monitoring.

Some of those are where we need to look, the screening analysis there may be something going on there and we want to do additional monitoring to further investigate and see if we can determine the source of what we came up with in the screening monitoring.

There were other schools where upon the investigation after the end of the monitoring we sat down and talked with local officials and we determined that the sources, nearby sources, of those schools were not operating at capacity. We want to go back and re-monitor when those sources are at capacity.

I think everyone is aware that we have been a fairly significant economic downturn, so many sources were operating near their normal capacity so there are a couple of schools where we are going to go back and do some additional screening monitoring now that the economy is starting to come back a little bit and some of these sources are gearing up to be more near full capacity.

The third kind of general area where we are going to be additional monitoring is some of the acrolein measurement concerns. When I spoke back in July we talked a little bit about the problems we had with the acrolein measurements. It is a very difficult pollutant to measure.

The existing method that EPA has while a fairly decent method it has to be implemented in a very precise fashion and one of the things we found out was that because of some of the different ways the canisters were cleaned, were they heated or not heated, it caused some problems with our acrolein measurements.

So we are not happy with any of the acrolein data that we have collected in this study and we are going to go back to look at some of the schools where acrolein was the target pollutant and read you some monitoring following a more rigorous approach, if you will, on our methods.

We are also going to be working with the Office of Research and Development at EPA to actually come up and develop a better method for acrolein. I think that is one of the big things we learned out of this project amongst many things was that we need to improve some of our monitoring methods.

Again, this going back and re-monitoring ranges from various issues. One is going back and redoing the screening like we have been doing, so again one in six day monitoring, you will do it for 60 days, get 10 to 12 samples and re-analyze that data.

But all the way up to from that to pretty high end sophisticated monitoring, we have a brand new continuous multi metals monitoring method that I just recently developed and we are going to be deploying that at least two or three schools where we are looking at manganese and heavy metals and it will allow us for the first time ever to get continuous metals information from an air quality monitor.

In the past, we have had to use 24 hour samples this will allow us to get hourly data on a continuous basis and that will be just terrific in trying to zero in on where the source of these metals may be coming from.

As of today, we have 21 final reports up on the website which encompasses 24 schools. The additional reports will be coming out sequentially over the next several months. We think we will have all those reports done by spring of 2011 and then we have a final project summary report that will be coming out in the summer of 2011.

All that data, all the reports, the final summary report are all going to be on the school air website, so I would encourage folks if you haven't had a chance to go out there lately to go out there and look at the latest reports that just came out about two weeks ago.

(Slide)

MR. WAYLAND: So as part of the working group, we received 19 specific recommendations that covered six general areas and I really thought that the recommendations were extremely well thought out, they put a lot of effort into this.

We put a lot of effort into the response and it has taken us a couple months to get our response there but I think it was obvious that these were not recommendations that just kind of flew off someone's head, these were well thought out from the standpoint of things that we needed to do in the

project or things that we needed to do for future projects.

So, it really was I think a very good learning experience for all of us but they kind of were broken into six general areas, community, collaboration and education, coordination among government agencies and NGOs, project scope and methods, potential mitigation measures to reduce exposure, data analysis, interpretation and conclusions and then kind of a summary.

Before I get into the individual recommendations and some of these, again I will be able to walk through fairly quick they are fairly straight forward. I wanted to talk a little bit about where we are going on the next steps because it does tie into these recommendations.

I talked in July about this initial phase of looking at 65 schools and trying to figure out what was going on and recognizing that there are 128,000 schools in the country and we will never be able to monitor every single school but we want to continue to focus on schools and look at schools in certain areas but we also became acutely aware that in some of these communities where we were focusing on schools there were more serious air quality risks in that community that may not be associated with the school but maybe somewhere else in the community.

So, as part of our second phase or the next steps if you will in this project, we are going to be moving towards the community scale air toxics monitoring grant which is a competitive grant process for State and local agencies which allows them to bid on a grant and to give resources to look at air toxics problems in their community.

We are revising the scope of that request for proposal. We have been working with the working group to do that, to put a heavy emphasis on community involvement, on Environmental Justice and also on schools. So in the past when we have done some of these grants years ago it was very focused on technology, you know, can we get some really cool monitoring technology out there and learn how to do some things better with toxics.

That component is not going away but it is going to be a little bit lower in the priority and the priority is really going to be, is the community engaged in this project? Is there a plan to go forward with mitigation after you find a problem? Is this an Environmental Justice area or not? So, we have kind of shifted the whole emphasis of these grants now to be more focused on the community and less focused on just the technology.

I say this up front because when you see the recommendations and I go through some of those we are going to refer to this CSATM, Community Scale Air Toxics Monitoring grants quite often in some of the things that we have put in there.

But that is where we are going with the next phase of this. It actually allows us a lot more freedom because in the past one of the restrictions we had was we couldn't give money to groups, we had to spend money on equipment and on data analysis because EPA cannot just give out money. We have to make it a competitive process.

By going through this, we will allow the State and local agencies to partner up with community groups. They can also get money for FTEs and resources whereas before we could only give them money to buy equipment or we had to buy the equipment for them.

So we think it is a lot more flexible approach, it also is a lot more resources than what we were able to bring to bear just on the schools project, it is about twice the amount of funding for FY11 than what we were able to put into the school's project on any given year.

So we think it is a better approach but it will be focused on schools but also a broader brush looking at community air toxics and other areas.

(Slide)

MR. WAYLAND: So the first recommendation was EPA should develop a community involvement and outreach plan for the next phase of this initiative that engages communities early in the planning process.

I don't think we could agree more. One of the things that we recognized in this process that having the community involved is key and we had some success and some failures in that in the school project to date where there was a good community involvement already it was really easy to roll out what we were doing and why we were doing it and they were engaged and they understood the results when they came up and even if the results were not bad that it was good news.

They weren't skeptical because the community was engaged in the process. There were other places where the community wasn't as engaged and so when we didn't find something the immediate response is, well we don't believe your data, we are a little skeptical.

If we did find something it was, well oh my gosh why didn't you tell us about this? So, I

think one of the things we learned pretty fast in this process that it is important to get the communities engaged.

As a result this part of this community scale air toxics grant program we have been sitting down with the working group to actually have them provide us with criteria that we will put into the RFP specifically to address community involvement and not just is the grantee going to have community engagement but is there going to be a part of the grant set aside to work with community groups and to involve them in the process of the actual monitoring as well just the communication and outreach aspects but actually get them engaged in some of the monitoring aspects of the grants.

So I think this is something totally new that EPA has never done on a community scale grant, monitoring grant, before but I think it is the right thing and something that we learned coming out of this process.

So we have also added this re-emphasis on the grants to look at Environmental Justice areas, so we have about four and half million dollars in the community scale grants and routinely we have awarded 15 to 17 of these grants a year depending on the scope of each individual grant.

The last two years we did not have this money available, it got pulled for other things. The first year was pulled to support the schools project, parts of it, and it was also pulled to support some of the regulatory monitoring needs that the agency had for the new nacks that were sent out for lead and other pollutants.

But this year we are planning to dedicate the full amount to the community scale project and so we are hoping to get again 15 to 20 grants that will come in and we will be able to get them focused on schools but also other areas in the community.

(Slide)

MR. WAYLAND: On the second recommendation was to provide adequate funding to support these community involvement and outreach plans. Again, this goes hand and hand with the work we are doing with the working group right now.

We were limited as I said earlier in our ability to move money because of this. We had money specifically ear marked for the school's project, it was 103 State and Tribal air grant money so we could not just give it to folks to uses as they see fit. We had to use it to buy the monitoring equipment and then we could use it to pay for the data analysis.

Under this new approach money will be, when someone wins the grant they can basically use that money as they see fit for any aspect of their monitoring program be it to give money to a community group, to actually do more to get more involved in the project to do some of the monitoring themselves.

They can use it to pay salaries of their own folks to go out there and do the monitoring and do the data analysis. They can use it for communication and outreach. So it gives us a lot more flexibility and I think it is going to hopefully bring a lot more of the community folks involved into these projects than we what we were able to do with some of the school's project.

But I think recognizing some of that, we are specifically putting criteria into the grant that talks about they have to have a line item in their grant request, how much money are you going to put towards community involvement and what is that money going to be used for?

The other big piece that we are putting in there is don't go out and do a monitoring project just for sake of a monitoring project even though it is interesting to find out what is going on. We also want money set aside in the grantee request for what are you going to do once you do find a problem? What are some of your mitigation plans even if you don't know what the problem is, if you find something what are your steps you are going to take?

I think I heard earlier today someone was talking about it is time to stop just doing projects for the sake of projects, we need to do projects that are actually going to solve problems and that is one of the things we tried to put into the grant language for this time is that specifically identify the problem and then go fix the problem.

Now, there might not be enough money in the grant to do all of that but it can at least start the process. So, I think there will be specific money allocated in these grants for community involvement.

(Slide)

MR. WAYLAND: The third recommendation was we should develop a feedback loop to assess the effectiveness of its communications during implementation of the project and to provide oversight on how our outreach activities are implemented.

Again, we agree with the working group's recommendation on that and that oversight is very important. We learned a lot of lessons I think through this project.

We had varied successes as I said in some areas, for example, in North Charleston, South Carolina where the State agency was extremely connected to the local community. They had been there before, they had done a lot of work with that community, they were a trusted entity in that community.

We had tremendous success. We went in there, they said you can monitor if you want, you can put the monitor wherever you want, we are behind you, we want to see the data, we will work with you, let me show you data that we have collected before from other studies locally and see if that helps you guys.

It was really tremendous the amount of interaction we had with that local community. There were other communities where that connection was not there and it was like pulling teeth to get a place to put the monitor, to get the local government to work with us, to get the community to trust us.

So I think one of the things that was very obvious as we went through the screening monitoring aspects was again, you have to get the community engaged because they need to be with you side by side or else they are not going to trust the results or they are going to be skeptical of ways that things that go on and you are not going to be able to communicate those results effectively.

So, I think the feedback loop in some cases was there in this project and some cases it was not. We began folded that into the community scale grant criteria such as that feedback loop has to be there or else these grant projects are not going to be successful either if we don't automatically force that loop to be in there and I think the language that we are putting in the request for proposals pretty much mandates that you have to have some kind of mechanism in there that you are going to feedback with your community before you would be awarded the grant.

(Slide)

MR. WAYLAND: The fourth recommendation was we should promote the website and I think this is probably one of the, there were a lot of good successes from the working group with EPA but I think one of the ones that is most visible was the school air toxics website.

I think it is the epitome of what a good website should be and I am not just saying that because it is an EPA website but I think the working group gave us a tremendous amount of input on how to communicate this information on a national scale.

We also worked with some of the PEHSUs Environmental Health Unit folks. We worked with CDC and helped with some language about how we communicate risk and I think this website is really a model for many folks in EPA to follow and either in other instances to follow about how do you take a project and communicate that information effectively?

One of the things we have done is we have presented this to EPA's web council which is in charge of kind of overseeing all the websites that the Agency has and they have kind of laid out the guidance and the rules for folks on how to do websites at EPA.

We presented to them a couple of weeks ago, it was very well received and they basically agreed to kind of use this as a template for other folks in the Agency to model their websites after when you are doing a data project or monitoring type project.

I think we plan to take it forward as well within the air program. We actually used some of this in the BP spill design and we would like to use it a lot more. That was such a big project that we didn't have full control on how everything was going to be done there.

But I think some of the things that we learned from the school's project we were able to try to push and get implemented into the BP spill response as well and I think it will help us with any future projects that go on for monitoring about how to take data, get it out there, be as transparent as you can but also make sure that you are providing it in a context that people can understand of all levels because you are dealing with school children all the way up to parents to Ph.D. active emissions who were working with some of these schools so you really needed to provide a variety of different levels of information.

I applaud the working group for their recommendations on that, I think they truly made it a successful venture.

(Slide)

MR. WAYLAND: The fifth recommendation is we should establish a Federal Interagency Coordination. I think we agree with that and there are processes in place for that already.

The Section 504 the Toxics Substance Control Act, EPA is directed to seek the advice of

the Department of Education and HHS about developing and issuing Federal guidelines.

We heard earlier today that the voluntary school siting draft has just gone out and that is a good example of EPA working with Department of Education and others to try to jointly issue recommendations and guidance on environmental issues that relate to schools.

I think there is more work in that that has come about in the last few years than maybe previously but I do think, I know EPA and HHS have reconvened a working group of these Federal Agencies to address some of these issues with schools and siting and again the draft report just came out today and we look forward to comments on that.

But, I do think there is a lot of work that could still be done there and we don't disagree that there needs to be more Federal interagency coordination on these issues. Is the school project started? We talked to the Department of Education there was some interaction but I think we will all agree it could have been more and we could have had more interaction with them and tried to improve upon that.

So, I think that is a lesson we have learned throughout this process and we are going to be working closely with the Office of Children's Health and others as we do community based projects. How do we roll in some of these other Federal Agencies and make sure that we are working together on those and partnering?

(Slide)

MR. WAYLAND: The sixth recommendation was that we should provide findings from the School Air Toxics Program to the EPA's Child Health Protection Advisory Committee, the CHPAC School Siting Task Group.

We did meet with CHPAC twice during the process of the initial screening to lay out what we were doing and then the plan I think they were very interested and they were already well down the road of coming up with their draft school siting guidelines, so we did not have results to share with them at the time before they came out with their draft school siting guidelines.

But one of the things that we agreed to was that as soon as the individual school reports come out and the final project summary is out we will come back to CHPAC and present those results because we do think it is valuable. I don't think it is going to drastically change the work that they have done. They have done some tremendous work I think in putting the school siting guidelines together.

But it may further support some of their recommendations by seeing some of the information that comes from the school's air toxics study. So we are going to continue to work with them and once we get the results there and we can sit down and we can brief CHPAC, then there will be a decision about do we need to convene a new group or reconvene the school siting task group? Is that appropriate or not?

I think we have been sharing the individual reports with them as we have shared them with the public but once the final project is done next summer, I have talked with Peter Pervock* and others in Children's Health we do want to sit down and have a formal meeting with the CHPAC and kind of walk through those findings and get their recommendations about how they think we should move on from there.

(Slide)

MR. WAYLAND: The seventh recommendation was we should form collaborative partnerships with external stakeholders to ensure appropriate funding of such interaction.

I think this is one where again we also agree with the overall recommendation and I think we recognize that we could have done more with this but we were also constrained. As I have said a couple of times, this project came up very quickly. It came up at the Administrator's confirmation hearing, within 30 days from that we were on the ground with a plan to go out and do this monitoring at the schools.

We took the existing resources we had from the community scale project and we said we are going to use that for the school project. But we were hand tied a little bit about how flexible we could be with those resources and so we couldn't get money to some of the community groups and some of the local agencies to do things beyond just monitoring that would have been helpful on this project.

I think that is one of the things I think we really learned along the way where we had some of those relationships that worked well, where money would have been helpful to have given to some of the community groups and worked with them and said, can you help us communicate what we are doing and why we are doing it and when we find the results it would have made some of the school areas go a lot better.

Where we had that I think things went great, I don't have any complaints. But again, this gets back to what we are going to do in the community scale grants to earmark that specific amount of money in those grants to go towards that so I think that will eliminate this problem in the future as we continue to work with communities.

We will have it specifically targeted and not have to kind of do it on a volunteer basis. Money always brings more people to the table than just asking, so I think it will really help a lot in the grants process.

(Slide)

MR. WAYLAND: The eighth one was we should coordinate with other agencies involved in environmental health. To some extent we did that. As I said earlier, we had a lot of engagement with the PEHSU, pediatric environmental health units and also with CDC and the ATSDR folks on the communications aspects.

We specifically sat down with ATSDR for a day and talked about risk communication and how do you communicate taking one sample when you are looking at long term 70 year cancer risks and they gave us a lot of insight about how to look at short term thresholds and long term thresholds and make sure that we were communicating those in a consistent fashion.

So we did reach out to those folks and the PEHSUs were great. They came back and said, you need to put this in a sixth grade level at least for some people because you need to make it not a --- but you need to make it that is easy to understand.

So we went over with them and shared language with them and they came back with us on the website on many instances to kind of help us do that, but we can always do more.

I don't think anybody would say we did everything perfectly so I think we fully agree that we need to continue to engage with these groups especially in the field of air toxics because there is so much, it is so difficult to communicate because of the nature of it compared to some of the other things we do like criteria pollutants, but we do need to continue to work with these groups.

One of the follow ups in that same recommendation was kind of how do we deal with children versus adults and I think we recognize the importance of considering children versus adults and I think a lot of the thresholds we deal with are based on they include children and adults in the analysis, some don't and where they didn't we recognize that and we recognize that you have to look at those thresholds a little differently when you are talking about children.

Someone said this morning about the difficulty in the multi pollutant and cumulative approaches, I mean the same thing happens here when you are looking at air toxics you are looking at children versus adults. The risks for many are the same, for some they are not it depends on the pollutant.

So one of the things we did when we went through individual studies with each school is we tried to take that into account when we wrote up our recommendations about what we should do and we even looked at the 95 percent --- above the mean. So you can see that we were very conservative when you look at the results of this is should we do more or did we feel that were fairly comfortable at our school?

Also, I just want to make sure in this point where we found something in the few schools we have found something, we are going to go back and do more monitoring, we are working closely with the State and local agencies and in some cases we already have mitigation steps in the process. There are some schools in Ohio where the State and the local agencies already going after certain sources to reduce the emissions from some of the pollutants that we found.

These were pollutants that they knew about before but we confirmed with our monitoring that they were still there and they are going to be going in and doing mitigation procedures to actually reduce those levels.

So I think there is no doubt that where we find something EPA will take full action and work with the State or local agency depending on the nature of the source. If it is a Federally enforceable issue obviously EPA has jurisdiction. If it is a local permitting issue we have to work with the local agency because they have the local jurisdiction.

(Slide)

MR. WAYLAND: The ninth recommendation was we should expand the scope of its air toxics monitoring program at schools. We don't disagree that broader is better.

The focus of this study was to look at ambient air outside of schools and we tried to stay on task with that and to continue to look at outdoor air. Having indoor air sampling obviously would

compliment the outdoor air sampling but it brings a difference to the challenges that are unique to indoor monitoring and that was not part of this study.

I think obviously if we find a problem at a school that we think warrants indoor sampling, EPA has the wear with all at its Regional Offices and Headquarters to do some additional indoor sampling and I think we will be working very closely with the Office of Indoor Air as well as with our Regional Offices where that is warranted we will look into that.

It is not like EPA does not do indoor sampling, there are several cases in New York and other places where we have done indoor sampling at the request of agencies to determine a source of a problem.

What we are trying to do here is determine is it an outdoor ambient problem and if so is that a problem that also would potentially be an indoor problem? As an example, ozone outdoors is not usually an indoor problem because ozone reacts so quickly that inside it is not much of a problem.

Fine particulars, for example, if you had that outside there is a good chance you are going to have it inside because it does seep in through just about every crevice. So depending on the nature of the pollutant we find if there is a case to go back at an area of concern and continue to do more we will consider the idea of looking indoor air as well and working with the Indoor Air Office.

(Slide)

MR. WAYLAND: Number 10, we should include Tribal schools or communities with an Indian country and future air toxics finding projects. This was a recommendation that came out early on and we took it to heart right away. We immediately went and added two Tribal schools to the list of 63 schools, that goes to 65.

But in addition we went a little farther on the Tribal Program. We set up a process through the TAMS Center which is the Tribal Air Monitoring Support Center to reuse the monitoring equipment at the schools that we had.

So what happens is when those two schools are done all the monitoring equipment goes back to the TAMS Center. The TAMS Center then farms it out to the next two sets of schools in Tribal country that might have an interest and when they are done it comes back and it gets shipped out to two more schools.

So we can do that through the Tribal Program, we cannot really do it through the State and local agencies, it is just too massive but the nice thing about having a TAMS Center and the way the Tribal system is set up is we can actually do that.

So the Tribal monitoring is going to be ongoing for many years. We are going to just rotate that equipment around and use it over and over and we have been able to fund the TAMS Center with some supplemental resources to help them kind of manage that.

So we have already finished the two schools, we are now in the process of having two more schools looked at in Tribal country and then again we will have two more after that. So that was an excellent recommendation and one that I was happy we could move quickly on.

(Slide)

MR. WAYLAND: EPA should include demographic data, the communities around the selected schools and its final report of Phase 1 School Air Toxics Monitoring Initiative.

Dr. Mohai from Michigan made this recommendation and he had been doing some independent work himself on that and when I talked to Paul about what he was doing he shared that information with us at EPA and it was really fascinating work.

So one of the things we are going to do is make sure we include the demographics work in our final report. So when we come out with the final report for the project we will be looking at demographics for each of the schools and what happened at those schools where we find problems and how that looked demographically.

So, again another recommendation that we think we can address fairly straight forward in the final report.

(Slide)

MR. WAYLAND: Number 12, we should identify areas of uncertainty about the data, analytical results. Uncertainty is always a big word especially with air toxics, it is not a perfect science there is a fair level of uncertainty.

We have tried to deal with that by looking at various aspects in the data collection process. For example, we looked at source activities. As I said, we are going back to some schools where the nearby sources weren't operating at capacity.

So we took some of that uncertainty out by saying if they are not operating at capacity we will go back. We have looked at meteorological conditions, so we monitored every day we took meteorological data we took a sample but we also took meteorological measurements every day for six months and some of them even longer at individual schools.

So then we could look at the day's sample and determine where the day's sample consisted with what would be kind of normal meteorological patterns at that school throughout a year and cases where that was not the case we will go back and look at monitoring because we don't think the sample days were represented.

But we have a pretty good database now, meteorological data, to show that on many of the schools the wind directions and so forth were very consistent with what they see most of the time at that school, so we tried to take some of that uncertainty out of it.

As I already said where there was some uncertainty about, well children are impacted differently than adults we are trying to address that in the individual school reports. But I will be honest, there is a fair amount of uncertainty in that analysis even when you talk to risk analysts at CDC and others there is still some unknowns out there with what levels may mean for small children versus older children.

It is not like some pollutants where you can put people in a chamber and you can test them for ozone and things and see what their reaction is, you don't want to put people in a chamber and test them for air toxics so a lot of this is based on research over years and we are trying to address some of that uncertainty in our findings by saying, there is an element of uncertainty here and here is an element of caution that we took in the analysis, so we still feel safe or we don't feel safe depending on that extra element of caution we put into the analysis.

(Slide)

MR. WAYLAND: Number 13 was we should develop and communicate detailed incompetents of protocols, pertinent to future phases. One of the nice things that came out of this program was we did have consistent monitoring protocols.

We used the same protocols that were out there from the National Air Toxics Trend Stations, the NATTS site and all that is out there on the website that is listed there, but what this is if you are going to do air toxics monitoring these are the protocols you need to follow.

At every site that we monitor for the schools we use the same protocols, so everything was consistent from school to school and I think that was really helpful when we started seeing some interesting results we couldn't say, oh well it is because they chose a different approach than somebody else. Everything was exactly the same.

I think one of the things we recognized that for future projects it is critical to have consistency and minimum detect levels and things like that. So we are going to be going forward from here with these community scale air toxics grants suggesting that people do use consistent protocols and as part of their grant requirement they will tell us what protocol they are going to use.

We are going to highly recommend that they use the NATTS protocols that are already out there because they have been approved, they are peer reviewed, I think people will support that but we want to make sure that if you are going to do monitoring you do it in a credible fashion so that no one challenges the results afterwards.

(Slide)

MR. WAYLAND: EPA should provide caveats and disclaimers to its findings. This was basically a recommendation that came out that said at one point the working group wanted us to put on EPA's website that the working group had some concerns with some of the findings based on the uncertainties.

We went back and forth a little bit with the working group on this and we finally landed on the point that we acknowledge that there are uncertainties and the school air toxics website is an EPA website where we post our findings and our conclusions and it really does not represent other people's opinions of that work nor is it probably appropriate to put other people's opinions on the EPA website.

We are more than happy and I think we came to a consensus on this to link to if someone has a comment on the findings from our report we would link you that from our website but we would not put endorsements or not endorsements of other groups on the EPA website because it just didn't seem appropriate.

Again, I think we kind of worked that out finally by the end and I think the working group is happy that we would be able to link to anyone who had a disagreement or an agreement with what we

had found. We would just provide that under other links on the website but not put it front and center as though EPA was saying, well yeah we agree or disagree with this.

The website is basically posting of the information and people are free to make their choices about whether they agree or disagree with those findings. Again, a little bit back and forth but I think we came to an agreement on that one.

We also agree that the finding in 65 schools doesn't tell us a whole lot about the other 128,000 and I know Paul Mohai had that comment about, what does that mean? It really doesn't mean much of anything.

What it means is that we looked at some of the highest risk schools that we could based on USA Today's analysis based on our NATA analysis and a majority of those schools we have not found problems but they are probably close to a third in the end that we found some reason to continue monitoring.

So I think what it says is that yes there are problems at some schools in this country, there are also a lot of schools where we don't problems but the 128,000 that are out there I don't think you could draw a relationship between a 65 school screening study and the other 128,000 nor do we want to try to draw that conclusion.

So we want to be very clear that this was a screening study and it is what it is. I wouldn't extrapolate it further to say that a third of the 128,000 schools are bad or anything like that. I think as we go through the community scale grants we will continue to see more schools looked at and more communities and we will start to gather a better picture over time.

(Slide)

MR. WAYLAND: Getting near the end here. We should evaluate cumulative exposures in its school air toxics monitoring model.

We don't disagree with that either. Cumulative exposures are a big issue and I think we have heard a lot today that they are difficult to do. Where we could that, where we had a target pollutant at an individual school that obviously is the primary pollutant we were looking at.

But if we were looking at manganese, we got measurements for all the metals at that school because that is the way the monitoring is carried out. We looked at risks from all those metals not just manganese.

So in many ways we did look at multiple pollutants and where we could do cumulative analysis we tried to do that but it is a very difficult analysis to do and we state that in a lot of the school reports that we did as much as we could on this but it is very difficult to do some of that and there are not a lot of tools out there to do some of that work.

There is a lot of work being developed right now that I think will pay dividends down the road for all of us in this idea of cumulative exposure and cumulative analysis but we did what we could with what we had at this point and I think the working group was fairly understanding that there are limitations based on what we could do but we are very pleased with what we could provide so far.

(Slide)

MR. WAYLAND: We should clarify NEJAC's role in evaluating any and/or all protocols mentioned above. I think as Vernice said, we had a good follow up meeting a couple weeks ago to kind of clarify the roles of the working group and NEJAC and I think we had a cleansing of the spirits, if you will, and it really was a positive meeting. I think we all realized that we needed to provide a clearer charge and we needed more frequent interaction with the working group.

I was very pleased with how all that came out and I think as a result we came up with two new items that we are going to follow through with the working group.

This project started a little rough, I will be honest, but by the end I think we were all on board and we recognize the importance of communication and being very clear in what we expect the working group what their charge was and they being clear back to us if they had concerns about that charge and want to amend that charge making sure we were all on the same page.

Once we got on that same page, everything was working great but it just took a little while to get there.

(Slide)

MR. WAYLAND: Next to last or close to next to last, we should fully employ the strength of the regulatory clout as needed to mitigate pollution sources around schools.

I don't disagree at all with this one. I think EPA is fully supportive of if we find something at one of these schools we are going to work hand in hand with the State agencies, the local agencies,

the community to mitigate the problems.

We have been working closely with the Office of Enforcement and Compliance at EPA, OECA where we have Federal issues. We have been working with State agencies, as I said one of the schools in Ohio already mitigation procedures in place and we are going to continue to monitor at that school just so you know to see if those mitigation procedures actually work.

So we are not just going to say, okay they are going to do something and walk away, we are actually going to continue to monitor that school for the next year to make sure that these mitigation measures actually do show a reduction in manganese levels around that particular school.

We also agree, one of the follow ups in this recommendation was the use of SEP money and we agree, we think that SEP should be explored in the context of enforcement actions that may be taken in response to air quality issues that monitor schools. I mean it is a source of resources and where we find a problem if there is an enforcement action that money hopefully can be used and I think OECA is very supportive of that as well.

Finally, we are moving forward with a multi pollutant sector based approach at EPA. We are trying to deal with the MAP Program and the Residual Risk Program and all that and we have kind of an umbrella effort to move all that forward and we are linking the community scale air toxics monitoring initiative under that so that we can actually monitor in some places where we are doing these regulatory actions to see if we are actually getting the benefits that these regulatory rules are supposed to give us.

We have made great progress in reducing our toxics nationally. We recognize there are still hot pockets in local areas and that is what these community grants are going to help us to target and help us to figure out where these problems are be it at a school or be it somewhere else in the community.

(Slide)

MR. WAYLAND: We should actively engage schools and other community members in discussions about how to mitigate identified air quality problems.

I kind of addressed this a little bit earlier where we had some success in some schools where they were really energized, we talked to them about what we were doing, the principal came, the School Board came and they were like yes this great, I am going to tell my school and we are going to tell the teachers and students are going to know what is going on and they are going to see this equipment in the playground, they are going to know what it is all about.

I have to be honest, there were other schools where we went with the local agency and we talked to the School Board and they were, fine do your monitoring we don't care and so it just ended there and there was really no effort to get the school integrated more than just, yeah they are doing some project out there in the playground.

So I think where we had success we were very happy with that, where we didn't we were a little disappointed and I think one of the things that we want to try to do to the community scale grants is encourage that local interaction be it at a school or community to make sure people understand why we are there, why is monitoring going on in your community? What is the concern? The fact that if you had known about this concern somebody is here to try to address it finally.

If a tree falls in the woods and nobody is there does it make a noise? Well, if you are monitoring out there and nobody knows what you are monitoring for do they care? So we really want to make sure people know why this monitoring is going on and that we are there trying to solve a problem that affects them and their community and it is to their advantage to get engaged and be a part of this process.

(Slide)

MR. WAYLAND: And last but not least, the recommendation was EPA should seek the advice of the NEJAC about designing and implementing the next phase of the School Air Toxics Monitoring Project.

We really appreciate the work of the group and I think it has been tremendous in providing us some feedback and one of the things as I said earlier where we are kind of going in this next phase is we are not going to line up 65 more schools and just go right out and do those.

We are going to go to this community scale grant process which has an emphasis on schools as well as other areas and one of the things we have involved the working group in, the new charge we gave the working group, was to provide input into the RFP process for the criteria about how we should award these grants and what are the criteria and what should the ranking of these criteria be?

We have had an initial meeting with the working group, we have another one

coming up in about two weeks and we went from having these down kind of and just listed this criteria to after the initial meeting I am proud to say that the community scale aspects of the grant criteria are now the highest ones in the grant.

They are the top three or four of the criteria for someone coming in with a grant is how are you going to work with your local community? How much money are you going to basically put into communicating and working with that community and how are you going to, what kind of plan do you have for mitigation if you find a problem?

I think having been involved in this grant process for many years to me that is a tremendous change from where we have been where it is let's go out and do some cool monitoring and learn about new technology to let's go out and fix a problem, let's actually solve a problem that somebody had.

I want to give a lot of credit to the working group for pushing us in that direction and getting these kind of criteria built into the RFP that will go out in January and I think it will be very well received by the communities.

One thing I want to put on the table for all of you is these grants are limited to State and local agencies because it is the nature of the grant process but there is nothing in there that says a local community group or a State community group cannot partner with a State or local agency.

So I would encourage you to get the word out to your community groups and others to call up their local agency, call up their State agency, if you have an air toxics issue in your community that you want someone to address and say you should apply for one of these community scale grants, we would like to work with you on that.

They cannot be the primary because it has to be State or local but they can be a partner in that process and when the grant comes in funds can actually go to a local community group through this process to help them be involved in the project.

So I think this is a tremendous opportunity to get communities engaged and to get these local groups involved in monitoring projects and I think it will take us a long ways to where we need to be.

Finally, I just wanted to thank the School Air Toxics Group, I know we are not officially done we have a couple more charges, the second charge by the way was to help us with recommendations on what should be in the final report which will be coming out next summer and make sure that we have everything in there that the working group wants.

They put an extraordinary amount of time into this. We had a lot of calls back and forth, it was difficult at times, we didn't always agree but we always heard each other and we considered the points that each side raised and I think the working group really made a difference not only in this project but it made a difference in future projects that we are going to go forward with from a monitoring standpoint.

I think it opened a lot of people's eyes to the value of getting community engaged into a project early on. I think it helped me personally a lot in the BP oil spill response because we were dealing with a lot of communities in that response and my knowledge that I had gained of working with the School Air Toxics Group about the value of that I think paid off tremendously in my ability to work with some of the folks in the Gulf area and talk to them about the air quality work we were doing there.

So I really think you never know how much you are going to impact something and I think a lot of people in the working group think they had an impact on the school's project but I want to let them know they had an impact far beyond the school's project and it is going to be for future projects that EPA will do but it has already paid dividends in the oil spill response and the community scale grants that are yet to come.

So I just want to thank the working group, they have been great to work with and really provided us a lot of very helpful information. So, John I will turn it back to you.

Questions and Comments

MR. RIDGWAY: Thank you Chet. Take a breath, have a glass of water (laughter) that was good.

Off the record I just want to say, good golly what a bunch of troopers we have around here in the audience as well as around this table, so I just want to say thank you very, very much for putting up with the extended day today and it has been a long one.

So given that this council has given more advice to you than you probably were looking for initially, I am not going to ask for any more at this point unless there is a burning question of clarification. I think we have given a lot of comments already. Please a question only. Go ahead.

MR. KELLEY: Hilton Kelley, Community In-power and Development Association, Port Arthur, Texas on the Gulf Coast. I kept hearing that more could have been done, just briefly if you could describe what you mean by that. What else could have been done you think that could have enhanced the program?

MR. WAYLAND: And I will do it very briefly. More that could have been done, I think we could have gotten more engagement with the communities and we needed a way to get resources to those communities to get them a little more engaged with some of the local community groups.

A lot of them came to us and said, well any way we can get funding to help you communicate the message, unfortunately in this process we couldn't get the funding. Under the new process we will be able to do that.

That is where I think a lot more could have been done to get more engagement at the local community level.

MR. RIDGWAY: Okay, there are two cards up, that is it, no more than the two and then we are going to move to some final close-out comments. So first, Jolene you put your card down or you are up? Go ahead Jolene.

MS. CATRON: Thank you John, I have three questions. Jolene Catron, Wind River Alliance. You said that the TAMS is working through the NTOC and the RTOC, the National Tribal Operations Committee and Regional, is there any qualifiers for them to be working within their own communities to ensure these projects that are happening on the ground? Can Tribes apply for the CSATM grants and also is EPA thinking of pulling out a one page spread in USA Today to report your (laughter).

MR. WAYLAND: On the grants with Tribes I will have to follow up with you on that, I am not sure they can apply for these grants but I will check. On the other one, any Tribe can call up the TAMS Center and get on the list and work with us. Laura McKelvey is our Tribal representative in OAQPS and we are more than encouraged to have any Tribe that wants to work with the TAMS Center and get the equipment.

But I will have to follow up with you on the grants, I am not sure about the CSATM.

MS. CATRON: Okay, because the NTOC and the RTOC they don't operate in the public realm, they have closed meetings and so there is no community based action within.

MR. WAYLAND: Okay, I will follow up on that. On the USA Today, actually all joking aside sometimes good things come out of health situations and I think this has put a spotlight on air toxics. It has allowed us to do some things that we have been wanting to do, so I have no hard feelings about the USA Today story, I think it moved us in a good direction.

MR. RIDGWAY: Nicholas, you are the last one please be brief. Thank you.

MR. TARG: Hi, my name is Nicholas Targ, I am representing the American Bar Association with the Law Firm of Holland and I appreciate the opportunity with you about this and also what a marvelous job you have done, thanks for your presentation.

Question is about presumptive mitigations and whether you are developing on the website a list of presumptive mitigations and whether you will be reporting out further the kinds of mitigations that the schools are going to be implementing?

MR. WAYLAND: At this point we are not putting anything on there about presumptive mitigations because we don't want to tip our hand to what we might be doing and who we might be looking at specifically because at this point we are still zeroing in on some of the sources and as soon as someone knows where you are coming they all of sudden things get better real fast.

So we will be putting out anything that we find obviously and like in the case of Ohio, the State and local agencies are doing the mitigation right now because it is not a Federal permit issue it is a enforceable issue on a State and local permit and so some of that is already public on their information.

We will be making available any kind of mitigation stuff that comes in and gets done we will put it out there. We are just kind of holding off on the presumptive stuff right now until we are a little bit farther along and make sure we know who we are going after and what the problem actually is.

We got a little nervous even when we were doing the monitoring, we didn't tell everybody exactly what day we were doing the monitoring because we didn't want people changing operation schedules just because we were out monitoring that day.

MR. RIDGWAY: Thank you Chet you did a great job. Thank you very, very much. I am going to pass it over to Victoria who wanted to comment on a couple procedural things and then we will close out. Elizabeth, thank you go ahead.

MS. YEAMPIERRE: I have to say it is really hard to put 22 passionate people in a room and get them to pull back. It is a challenge but at the end of long days like today whenever we have these meetings I am always blown away by how I think of every single person in this room as a contemporary worrier and you may think that sounds corny but I mean it from the bottom of my heart that you come, you leave your families, you leave your job and you come here ready to deal and you come and you are brilliant and you are strategic and you are thinking out of the box and you are listening actively to the people that are coming before us.

You know how many times we go before hearings where people are not listening to us and you know they are not listening and you are all engaged on a level that is the reason why you are exhausted by the end of the day because it is not just intellectual but it is emotional and I know I can feel the energy and that everyone here is so respectful and so considerate and so thoughtful I think and so loving throughout this process is just something that is not usually talked about in these spaces but it needs to be recognized because I think we do this out of love for our communities.

So I just wanted to say that and I wanted to say that in front of the public because I don't know how many of you know that people give up a lot to do this. They don't get paid and this is just one day in the life of a NEJAC member between all of the phone calls, what a conference call involved and it is a just a piece of our lives.

So to have this collective of amazing people is really humbling and it is just a really wonderful thing. So I want to thank you from the bottom of my heart. I get into this emotional space but I just really want to thank you.

I think that today's meeting was extremely productive. It was a real learning experience and tomorrow what I would like you to do is I want you to really think tonight about those things that need to be covered that we didn't cover, those things that we should be moving on so that we discuss them tomorrow.

Don't bring them up when we are walking out of the door. Don't bring them up at the last minute. Some people are going to be leaving at different times so if there is something that you think needs to be put in that time piece where we have an opportunity to discuss it, if you could just think about it tonight and then share the information with Victoria so that we can cover it, I would really appreciate it.

MS. ROBINSON: I just wanted to do a follow up with Chet in terms of process. Again, thank you Chet very much for all this and thank your team which would be Laura and Candace for all they have done, I mean they have been wonderful.

Just a follow up, the work group has still been reconvened it is to address these two tasks kind of small tasks, one is identifying criteria for the RFP as well as to identify those elements it feels that the Agency needs to incorporate into its final report on all the schools.

The work group will be producing within the next month, two months, they will have a draft letter for the council which is the last bit of recommendations that will then come from the council.

The agencies are already apparently reacting to some of the input they are getting in this process of the work group. I just want to let you know there will be a letter coming some time in the next month or two months, probably in early January given the holidays with some draft recommendations for around these two topics, okay? If anybody has any questions about it let me know and I will provide some more information.

MS. YEAMPIERRE: So the meeting is adjourned for the day, see you tomorrow morning.
Good night.

(Whereupon the meeting was adjourned at 5:53 p.m.)