Testimony of George S. (Tad) Aburn

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Good Morning … My name is Tad Aburn and I am the Director of the Air and Radiation Administration of the Maryland Department of the Environment.

Thank you all for allowing me the time to speak about this important issue. Since the 1970s, one of the highest priority air quality issues in Maryland has been to reduce ground level ozone in the State. It has been our most difficult air quality issue to address. As others will testify, exposure to ground level ozone has serious health consequences, especially to sensitive populations like children and the elderly.

The main contributor to ground level ozone in Maryland … and most of the East … is nitrogen oxides or “NOx” emissions. Approximately one third of the nitrogen pollution that enters the Chesapeake Bay comes from atmospheric deposition. Reducing regional NOx emissions will not only lead to improved public health protection but also play a major role in cleaning up the Chesapeake Bay. In Maryland, restoring the Bay is an extremely high priority.

On ozone, I am happy to report that we have made progress. In 2008, Baltimore, Maryland was designated as the worst ozone area east of the Mississippi. Only areas in California and Texas were given worse designations. That is no longer the case. Currently, Maryland’s 3 nonattainment areas are designated as Marginal and are getting close to meeting the 2015 ozone standard … but we still have significant work to do to bring the State into attainment.

My office also conducts ozone research with the University of Maryland. This research shows that … without a doubt … the reason for the progress we have made on ozone in Maryland is regional NOx reductions. Maryland is a small state so the word regional is critical. We need NOx reductions in Maryland and in states upwind of Maryland. Our research shows that on bad ozone days 70% of Maryland’s ozone problem originates in an upwind state. Maryland has been aggressive in implementing NOx reduction programs in the state … and in pushing for NOx reductions in upwind states that contribute to ozone in Maryland.

A few examples include our 2007 adoption of the California light duty vehicle emission standards and our 2015 power plant NOx regulations that are amongst the toughest in the East. Maryland has also taken legal action under Sections 126 and 184(c) of the Clean Air Act to compel EPA to require deeper NOx reductions in states upwind of Maryland. While these actions have significantly reduced NOx emissions and ozone concentrations in the State and region, there is still much work to be done.

On-road mobile emissions, including heavy-duty diesel vehicles, accounted for 60 percent of Maryland’s annual NOx emissions in 2014.[[1]](#footnote-1) Heavy-Duty diesel vehicles are the largest NOx emissions source in the Ozone Transport Region (OTR). These vehicles accounted for over 140,000 tons of NOx emissions in the OTR in 2018.[[2]](#footnote-2) If we are to continue to make meaningful progress on ozone, we will need to reduce regional NOx emissions from this sector.

Maryland and other states in the country have already begun to address this issue. On July 14, 2020, Maryland Governor Larry Hogan joined the Governors of fourteen other states, including Governor Newsom of California and the Mayor of Washington, DC, in signing the Medium and Heavy Duty Zero Emission Vehicle Memorandum of Understanding. This MOU commits the states to work towards electrifying this industry by working to develop infrastructure and incentives to help accelerate the electrification of this sector. In addition to these actions, the MOU sets an ambitious electrification sales goal of 30% by 2030.

CARB’s proposed HD Omnibus Rulemaking complements this electrification effort. First, the Proposed HD Omnibus offers additional credits for fleets that electrify their vehicles. This option will help the transition to electrification that is pursued under the MOU. Second, while the MOU sets ambitious electrification targets, a large percentage of the fleet will primarily be powered by diesel fuel well into the future. CARB’s Proposed HD Omnibus would address this sector by comprehensively overhauling the exhaust emission standards and test procedures and other emission-related requirements for 2024 and subsequent model year vehicles. If we are to effectively reduce emissions from this sector, we will need to implement the measures consistent with those outlined in the Proposed HD Omnibus.

While these measures are certainly important for California’s air quality, I would also like to stress Maryland’s strong support for CARB and other states to work with EPA to achieve a single national program that preserves the benefits of the CARB HD Omnibus program. A single national program is essential to ensuring that the critical nationalneed for reductions in highway heavy-duty NOx emissions of at least 90 percent from current in-use levels is met by no later than MY 2027.

I have been doing this work for almost forty years now and frankly, the benefits of such a strong commitment to zero emission vehicles is compelling. We cannot afford to lose this opportunity to advance public health and environmental protection.

In closing, I feel the need to mention 4 other key issues. Others will comment on these issues in more detail.

First this rulemaking is about more than ozone … it will also help reduce fine particle air pollution, air toxics, regional haze and nitrogen deposition.

Second, it will reduce risk significantly in many communities with higher than average air pollution exposure.

Third, the technology is readily available today … we are not talking about experimental technology that is not proven … all of these technologies are available right now at an affordable cost.

Finally, as we continue to grapple with our “New Normal” due to the COVID 19 pandemic … I would like to mention how new research continues to inform us about the connection of COVID 19 and air quality. Recent studies continue to show how people in poor air quality areas may be more susceptible to the virus and also how airborne particulate may help spread the virus. This should compel us to take action.

Thank you for providing us with the opportunity to comment on this critical issue.

1. This is based on Maryland’s 2014 periodic emissions inventory. [↑](#footnote-ref-1)
2. Ozone Transport Commission, letter to EPA Administrator Andrew Wheeler, February 20, 2020, available at [https://otcair.org/upload/Documents/Correspondence/OTC-MANEVU%20CTI%20ANPR%20comments%2020200220%20fithe elctrification of this sectornal.pdf](https://otcair.org/upload/Documents/Correspondence/OTC-MANEVU%20CTI%20ANPR%20comments%2020200220%20fithe%20elctrification%20of%20this%20sectornal.pdf), last visited August 12, 2020. [↑](#footnote-ref-2)