

# FINAL

**Air Quality Control Advisory Council Meeting Minutes  
December 8th, 2025 @ 9:00 am  
In person meeting held by MDE**

**AQCAC MEMBERS PRESENT**

Todd Chason, Esq, Chair  
Ben Hobbs, PhD, Vice Chair  
Anne Klase  
Megan Latshaw, PhD  
Sania Amr, MD, MS  
Sunhee Park, PE, BCEE  
Thomas Dernoga, JD  
Weston Young, PE  
Anna Marshall, AICP  
Ross Salawitch, PhD  
Rebecca Rehr  
Nicole Cook, JD  
Arielle Wharton  
Larry Schoen, PE  
Thomas Killeen

**MDE**

Chris Hoagland  
Randy Mosier  
Kelsey Sisko  
Scott Zacharko  
Justin Smith  
Kathryn Seaman  
Mark Stewart  
Emily Bull  
Gabrielle Leach  
Kara Dorr  
Roger Thunell

**VISITORS**

Sari Amiel  
Micah Anglin  
Tom D  
Roberta James  
Ava Zakikhani  
David Cramer  
Chris Stix  
Chris Pendley

**AQCAC MEMBERS ABSENT**

Mike Deitz  
Kyle Bergeron  
Anne Havemann

# FINAL

*This is a summary of the December 8, 2025, Air Quality Control Advisory Council Meeting and serves as a record of the Council's vote on regulatory action items. The meeting is recorded, and the digital file is maintained by MDE/ARA. This digital file is considered public information and may be reviewed in its entirety by anyone who is interested in the details of the discussions.*

MDE website: <http://mde.maryland.gov/programs/workwithmde/Pages/AQCACmeetingminutes.aspx>

Mr. Chris Hoagland, Director of the Air and Radiation Administration, MDE, began the meeting at 9:02 a.m. by informing the Council of the meeting's briefing item: a review of MDE actions taken in 2025 and actions to come in 2026. There are no action items for this meeting. In 2025, Maryland is once again on the verge of attaining the ozone standard. Maryland began attaining the ozone standard after the 2022 ozone season, however wildfires during the 2023 caused setbacks for continued attainment. With pending actions from EPA and a less intense ozone season, Maryland appears to be back on track for attainment in all parts of the state by next year. While Maryland waits for attainment determinations, there are several regulations in development that MDE will bring to AQCAC in 2026. This was a busy year for MDE, especially for climate change regulations related to greenhouse gases. Mr. Hoagland then handed the meeting off to Mr. Todd Chason, AQCAC Chair, for approval of the September meeting minutes.

## **MEETING MINUTES**

Mr. Chason asked if Council members reviewed the September 15, 2025 meeting minutes and if there were any questions or comments before approval. No comments were made by the Council.

*The Chairman motioned for approval of the meeting minutes. A motion to approve the meeting minutes as presented was made by Ms. Sania Amr and seconded by Dr. Ross Salawitch. All members voted in favor to approve the meeting minutes from September 15, 2025, at approximately 9:08 a.m.*

## **BREIFINGS**

### **Review of 2025 Actions and Actions to Come in 2026**

Ms. Kelsey Sisko, Natural Resources Planner in the Air Quality Planning Program at MDE, presented a briefing on the actions MDE staff brought to AQCAC in 2025 and actions MDE staff expect to present to AQCAC in 2026. In 2025, MDE staff presented new Chapter 26.11.44 to establish annual reporting requirements for heating fuel providers of the amount of heating fuel delivered for final sale or consumption in Maryland. This reporting framework will improve upon data used to support the Department's triennial Statewide Greenhouse Gas Emissions Inventory. This action was presented to AQCAC on June 16, 2025, and is on track to be published in the Maryland Register on December 12 and final effective December 22, 2025.

MDE staff also presented amendments to 26.11.43 – Advanced Clean Trucks to adjust language which clarifies compliance determinations and sales reporting requirements for vehicle manufacturers and add an additional certification pathway for medium-duty zero-emission vehicles. This action was presented to AQCAC on June 16, 2025, and is on track to be published in the Maryland Register on December 12 and final effective December 22, 2025.

MDE staff presented revisions to COMAR 26.09 - Maryland CO2 Budget Trading Program to incorporate amendments to the Regional Greenhouse Gas Initiative (RGGI) Model Rule. This was

## FINAL

presented to AQCAC on September 15, 2025. This action was published in the Maryland Register on December 1, 2025. A public hearing will be held on January 6, 2026, and MDE ARA is aiming to have this action final by Spring 2026.

MDE staff presented amendments to COMAR 26.11.02.19 – Permits, Approvals, and Registration & COMAR 26.28.02.02 – Benchmarking and Reporting. MDE proposed an increase to the emissions-based rate fee for the Air and Radiation Administration’s Operating Permits and to remove an expired maximum \$500,000 annual cap on permit to operate fees for any source as well as add an annual reporting fee under the Subtitle Building Energy Performance Standards (BEPS). This action was presented to AQCAC on September 15, 2025. This action was published in the Maryland Register on December 1, 2025, and a public hearing will be held on January 5, 2026. MDE ARA is aiming to have this action finalized by Spring 2026.

MDE staff proposed amendments to COMAR 26.11.20.02 – Motor Vehicle Emission Control Devices to repeal record-keeping requirements for vehicle dealers or other businesses regarding vehicle emissions inspections. This action was presented to AQCAC on September 15, 2025. This action will be published in the Maryland Register on December 26, 2025. A public hearing will be held on January 28, 2026, and MDE is aiming to have this action final by Spring 2026.

The first half of 2026, MDE staff expect to present regulations for Low Permeation Hoses and Enhanced Conventional Nozzles at Gasoline Dispensing Facilities and Consumer Products updates to include the Regional Ozone Transport Commission (OTC) Phase V model rule. The second half of 2026 we expect to present Advanced Clean Cars I (ACC I) amendments to align with the California Air Resources Board’s recent emergency regulation that extends the criteria emission certification and OBD requirements of ACC I past Model Year 2025. Staff also plan to present a new Clean Heat Standard regulation for a market-based performance standard on heating fuel providers to reduce greenhouse gas emissions from the buildings sector, a Zero Emission Heating Equipment Standard transitioning heating equipment from oil, gas, and propane to electric equipment, and an update to NOx RACT standards for Municipal Waste Combustors.

Mr. Chason opened up the floor to any Council members with questions on the briefing. Dr. Megan Latshaw asked if the recent announcement from the Trump administration on vehicle standards would affect Maryland’s state vehicle standards. Mr. Hoagland informed the Council that Dr. Latshaw was referring to a proposal that was announced last week to roll back federal fuel economy standards. Unfortunately, this rollback will affect Maryland as Maryland does not have standards for vehicles that supersede the federal standards. The general rule for vehicle pollution standards is that the states can follow the federal standards or opt-in to California’s vehicle standards via a waiver process under the Clean Air Act. Maryland has traditionally opted for California’s standards, however, earlier this year Congress passed a resolution to revoke these waivers, and this resolution was signed by the President. The resolution is currently under litigation, so the outcome is uncertain at this time. Pending litigation, Maryland’s regulations are not enforceable. EPA has two parallel sets of standards, tailpipe pollution standards per mile requiring improved fuel efficiency and engine controls and fuel economy standards. The Department of Transportation sets the Corporate Average Fuel Economy (CAFE) standards through the National Highway Transportation Safety Administration (NHTSA). The federal government has acted on both sets of standards recently. In the absence of legal authority for the state standards, these federal standards will be applicable to the state of Maryland.

# FINAL

Dr. Latshaw asked if there is anything that can be done now to prepare for the outcome that the court upholds that Maryland's standards are not applicable. Mr. Hoagland replied that the Governor convened a working group on the topic earlier this year and the working group is preparing a final report and series of recommendations by the end of the year. Through the Clean Air Act there is only one way for a state to regulate tailpipe emissions and that is through the process that has now been paused by federal action, however there are other ways for states to address transportation pollution. When the report from the working group is final MDE will distribute it to the Council. Some of the recommendations may be regulatory, so they may come through AQCAC.

Mr. Larry Schoen stated that automakers cannot restructure their vehicles very quickly, and they can likely determine that the long-term trends in vehicle requirements and regulations will continue to head in the direction they have been despite current setbacks and changes. Dr. Latshaw responded that she had heard similarly, and that many automakers liked the standards because they leveled the playing field for all automakers. Dr. Latshaw said that despite that fact, Maryland should be more proactive.

Dr. Ross Salawitch asked whether MDE would be seeing anything related to data centers as they have become a relevant topic in the US and specifically in Prince George's County. Data centers put immense strain on the grid and reviving an old powerplant in Maryland has been mentioned as a possible option for preventing strain on the grid. Mr. Hoagland responded that data centers are a major variable in the state's energy future. MDE's regulatory interaction with data centers involves regulating the emergency backup generators that data centers install onsite. Data centers need permits from MDE and the regulations relating to data centers are largely federal. MDE and Council members should continue to monitor what is happening in the data center space, the general assembly may take actions related to data centers during the upcoming session. MDE will keep AQCAC apprised in briefings if something comes along that will affect Maryland air regulations.

Mr. Schoen asked if the Maryland Public Service Commission (PSC) has an influence on data center issues. Mr. Hoagland responded that several years ago legislation changed the way that the Maryland PSC could interact with data centers. In the past if you installed a large amount of backup generators, you had to follow the power plant permitting process at Maryland PSC. This is no longer the case for backup generators, however, if someone builds a powerplant either for a specific data center or for the grid that powers data centers, they will still go through the Maryland PSC. MDE could invite the PSC to speak on this issue during one of the mid-year AQCAC meetings next year. Ms. Anne Klase stated that there is going to be a great deal of conversation on the topic of data centers during the upcoming legislative session, so it makes the most sense to wait until after session to speak to the PSC. Mr. Thomas Killeen added for the record that he represents people that work on data centers and there are means to capture some of the pollutants that come from the generators. If the data centers aren't built in Maryland, they will be built somewhere else such as Pennsylvania or Virginia. Mr. Schoen stated that the labor impact of data centers is just from building the power and the data centers. In the long term, data centers require very little labor, so it is not a longer-term labor strategy. Dr. Salawitch stated that the issue in Prince George's County was there was a desire for more community involvement and a community voice due to environmental justice concerns. The commission that was convened recommended deepening community involvement because data centers can bring jobs and revenue. It is important to involve the community in planning. Mr. Hoagland responded that this is an important issue for the state and MDE will devote time to the topic.

## **CLOSING DISCUSSIONS**

Mr. Chason adjourned the meeting at 9:27 a.m.

# FINAL

The next AQCAC meeting is scheduled for March 16, 2026.