

STATE OF COLORADO

John W. Hickenlooper, Governor
Christopher E. Urbina, MD, MPH, Executive Director and Chief Medical Officer



COLORADO AIR QUALITY CONTROL COMMISSION
<http://www.cdphe.state.co.us>

4300 Cherry Creek Drive South
OED-OLRA-A5
Denver, Colorado 80246-1530
Phone (303) 692-3100
Fax (303) 691-7702
TDD (303) 691-7700

Colorado Department
of Public Health
and Environment

Colorado Air Quality Control Commission

October 20, 2011

MEETING MINUTES

Location: Colorado Department of Public Health & Environment
4300 Cherry Creek Drive South, Sabin Room
Denver, CO 80246

Members Present: Saeed Barhaghi Ashley Campsie Teresa Coons John Loewy
Dawn Meyers Barbara Roberts Jon Slutsky

Members Absent: Robert Arnott Jim Wilson

Commission Staff: Mike Silverstein Theresa Martin

Division Staff: Will Allison Garry Kaufman Dena Wojtach
Doug Decker Gordon Pierce Chris LaPlante

Attorney General's Office: Andrea Gelfuso-Goetz

PUBLIC COMMENT

Chair Roberts asked if there were any members of the public who wished to make a comment on any air pollution issue not on the agenda. There were no public comments.

CALL TO ORDER AND DETERMINATION OF A QUORUM

Chair Roberts called the meeting to order at 9:00 AM and determined that a quorum of Commissioners was now present with six Commissioners.

APPROVAL OF MEETING MINUTES FOR SEPTEMBER 15, 2011

Chair Roberts asked the Commission if there were any modifications to the minutes.

Motion: To approve the September 15, 2011 Meeting Minutes
Moved: Commissioner Loewy
Second: Commissioner Campsie
Discussion: none
Carried: 6-0

CONSENT AGENDA

REQUEST FOR WRITTEN COMMENT ONLY RULEMAKING HEARING (FEBRUARY 16, 2012)

Regulation Number 6, Part A

A proposal to revise Regulation Number 6, Part A (NSPS) to incorporate by reference changes the EPA made to its New Source Performance Standards rules.

Motion: To approve the motion for hearing on February 16, 2012
Moved: Commissioner Coons
Second: Commissioner Meyers
Discussion: none
Carried: 7-0

RULEMAKING HEARINGS

Regulation Number 12, Part A

Revisions to Regulation Number 12, Part A to establish emissions exemption and enforcement procedures for fleet-owned heavy-duty vehicles based outside the program area as part of a fleet registered in the program area, pursuant to the passage of HB11-1157.

Motion: To adopt the Division's revisions to Regulation Number 3, Parts A, B, C and D
Moved: Commissioner Coons
Second: Commissioner Meyers
Discussion: none
Carried: 7-0

REGULAR AGENDA

Regulation Number 3, Parts A, B, C and D

Dena Wojtach of the Division presented to the Commission proposed changes to consider incorporating the PM2.5 NAAQS Implementation Rules, including significance levels, significant monitoring concentrations, significant impact levels that are consistent with federal requirements. Wojtach also addressed current exemptions for open burning, mobile source engine testing, vacuum pump exhaust, air curtain destructors, back-up generators, and surface water impoundments. Campsie suggested adding the word "within" to paragraph III.G.1. and removed the comma.

Motion: To adopt the revisions to Regulation Number 3, Parts A, B, C & D as proposed by the Division with the change presented in the Errata sheet and the change to the 15-day start-up requirement suggested by Commissioner Campsie.
Moved: Commissioner Slutsky
Second: Commissioner Coons
Discussion: none
Carried: 7-0

BRIEFINGS, DISCUSSIONS AND REPORTS

Annual Assessment of the Air Quality Impacts from Oil and Gas Operations

Chris Laplante of the Division presented an assessment of the air quality impacts from oil and gas operations; an update on the implementation of Regulation Number 7's oil and gas requirements; and many oil and gas regulatory initiatives. Laplante noted that HB 07-1341 led to stronger regulatory authority at the COGCC, environmental awareness among operators, and communication between the Division and COGCC. Laplante concluded noting that the Division was working hard to reduce permit backlogs, innovate, improve efficiencies and reduce emissions.

The Commission to a break at 10:22 AM and reconvened at 10:39 AM

Roberts noted that today's meeting was a joint meeting with the Board of Health and asked that everyone introduce themselves to one another. **The Board of Health members included Laura Davis, Crestina Martinez, Sue Warren and Joan Sowinski.**

Review of the 2011 Ozone Season

Gordon Pierce and Garry Kaufman of the Division presented the 2011 summertime ozone monitoring data and reported on any exceedances or violations of the ozone standards. Pierce also reviewed the historical data and projected future values that would be needed to remain below the national standard in the next summer season for 2012. Pierce also provided an overview of winter ozone levels in the Uinta Basin. Kaufman discussed EPA's decisions on revising the ozone NAAQS and the policies that would occur in the near future.

The Commission to lunch at 11:45 AM and reconvened at 12:30 PM

Pulmonary Briefing

Dr. Carl White from National Jewish Health provided his perspectives on air quality and the impacts on public health. White's research focused on cellular and molecular biology and pulmonary disease. White noted that ozone was a highly reactive in the respiratory tract and could injure and inflame the lungs even in a healthy, young adult. White noted that the number of emergency or urgent daily respiratory admissions to acute care hospitals was related to estimated ozone exposure and included asthma-related patients, COPD-related patients, infants and the elderly. White concluded noting that he believed there was a 2-4% increase in death risk due to respiratory causes for each 10 ppb increase in [ozone] above a 56 ppb and that we should continue working toward lowering the standards.

Demographic Trends in Colorado

Dr. Phyllis Resnick provided a presentation and noted that the next 30 years would bring significant demographic change to the Denver region and the state of Colorado. Resnick commented that the quintessential baby boomer state was projected to become the quintessential retirement state and that this demographic shift would affect household size and composition, the composition of the labor force, and as a result, behavioral trends such as those related to trips and travel. Resnick summarized the demographic trends expected over the next 30 years and their projected impact on vehicle miles traveled in the state and the Denver region.

Colorado Environmental Public Health Tracking (COEPHT) Program

Anna Vigran of the Colorado Environmental Public Health Tracking Program provided the Commission with a slide presentation covering the background, purpose, and national scope of the Environmental Public Health Tracking program. Vigran also provided a demonstration of COEPHT's new website including how to query the data and view the results in multiple formats.

Annual Report to the Public

Silverstein reviewed the annual report to the public and discussed air quality in the various regions of the state. Roberts addressed the letter received from NFRMPO wanting to be a separate area and asked how the rest of the Commission felt. The Commission was in agreement however it would remain as one air shed area.

Laura Davis of the Board of Health thanked the Commission for having such a broad area of information at this year's meeting as well as providing the Annual Report in advance.

Division Director's Report – Will Allison

- CDPHE's Strategic Planning Process that had been developed by various agencies across the state that included a plan to align priorities and resources to improve and sustain public health and environmental quality.
- Oil and Gas NSPS: the Division is currently reviewing.
- SO2 1-hour standards are being reviewed and how to implement and model them.
- Permit processing: the Division is working diligently with others to clear the backlog.

Commissioner Informational Items

- Roberts noted that she had heard comments about the IM Program in her many travels and noted that she would work with Decker and Silverstein to develop a Pilot Program to determine whether we go forward with an IM Program or an OBD Program. Roberts asked if the Commission would like to develop a subcommittee that would research the variances of the two programs in order to decide which direction to go in the future. Allison noted that the Division could provide to Roberts where they had already gone with both programs in order to support this process.

Attorney General's Report – Andrea Gelfuso-Goetz

- Clean Air-Clean Jobs Act cases
- WildEarth Guardians case
- PSCO case

Administrator's Report – Mike Silverstein

- Review November agenda items
- Review of Action Items from today's Commission meeting

Adjourn at 3:19 PM