

MINUTES

REGIONAL AIR QUALITY COUNCIL Thursday, November 4, 1999

MEMBERS PRESENT:

Shirleen Tucker, *CHAIRMAN*
Theresa Donahue, *City & County of Denver*
Tom Norton, *Colo. Dept. of Transportation*
Jane Norton, *Colo. Dept. Public Hlth & Env.*
Don Parsons, *DRCOG*
Jim Scherer
Sharon Votruba, *City of Thornton*
Melanie Worley, *Douglas County*

MEMBERS NOT IN ATTENDANCE:

Dennis Arfmann, *Holme Roberts & Owen* (Excused)

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Patrick Cummins, RAQC; Annmarie Jensen, RAQC; Rick Barrett, APCD; Margie Perkins, APCD; Doug Benevento, CDPHE; George Gerstle, CDOT; Carol MacLennan, Tri-County Health; Jeff May, DRCOG; Dennis Creamer, Conoco Inc.; Bob Farmer; Jeff Coder, City of Thornton; Mason Staub, City of Thornton; Doug Lempke, AQCC; Kelly Hebel, Citizen; and Marion Lysek, Citizen.

The meeting was called to order at 3:07 p.m. A quorum was present.

Approval of the Agenda

Sharon Votruba moved to approve the agenda. Seconded by Theresa Donahue. Motion passed without objection.

Approval of the Minutes

Theresa Donahue requested that the following sentence, "This program will be implemented in mid-2000", be deleted from page 3, paragraph 4 since they do not know when the program will be implemented.

Don Parsons moved to accept the minutes as amended. Seconded by Jim Scherer. Motion passed without objection. Sharon Votruba abstained.

Informational Items

Chairman:

Shirleen Tucker indicated the local government outreach activities have been going well. She thanked Council members for their assistance with the outreach efforts.

Executive Director:

Ken Lloyd gave Council an update on the Carbon Monoxide Maintenance Plan. The AQCC has set a hearing for January 10, 2000 to discuss the CO package and regulations 11 and 13. There is a meeting on Monday, November 8, 1999 for those who have signed up as parties to discuss issues.

As a follow up to the discussion from the September meeting, Ken directed Council to an overview document for the SIP review process that was included in Council packets.

Members:

No Reports.

Committees:

The carbon monoxide subcommittee report was postponed until later in the meeting.

Public Comment

Bob Farmer gave Council information on the City of Boulder's Smart Sign Program. He would like Council to look at a similar program for the metro Denver area. Boulder's program was geared toward fixing cars. Auto repair shops donated mechanics' time and gave a 10% discount on repairs. Mr. Farmer indicated that he is willing to help the Council and staff with this type of program.

Adams County Community Initiatives

Sharon Votruba welcomed the Council to Adams County.

Tri-County Health Department - Northeast Metro Pollution Prevention Alliance

Carol MacLennan, Environmental Health Policy Coordinator for the Tri-County Health Department, gave Council an overview of the Northeast Metro Pollution Prevention Alliance (NEMPPA). NEMPPA is a public/private venture created to bring awareness of pollution prevention concepts to the northeast Denver metropolitan area. Conoco Inc., Commerce City and Tri-County Health Department are co-founders of the NEMPPA. Future efforts of NEMPPA include a pollution prevention resource center, P2 education in schools, and a P2 awards program.

Dennis Creamer, Director of External Affairs at Conoco, Inc., explained NEMPPA's pollution prevention program. NEMPPA received an EPA grant to provide a foundation

and develop a process for small industries and communities to work together on environmental issues. Through the NEMPPA process, it was determined that there was not enough information available regarding businesses operating within the community. NEMPPA is targeting diesel maintenance facilities, printers and auto-body shops with the P2 education program.

Mr. Creamer indicated that the GIS database that has been developed for this program will be available for use by other groups. The program is scheduled to be completed in March 2000. However, the program is intended to be ongoing even after the grant expires.

NEMPPA is also working with the Adams City school district to promote pollution prevention.

City of Thornton - Overview of Programs Related to Air Quality

Jeff Coder, Community Development Director for the City of Thornton, gave Council an overview of Thornton's Growth Pacing Ordinance. The intent of the ordinance is to try to control and influence the rate of growth in Thornton. The ordinance applies only to residential growth and was a collaborative process with builders.

Theresa Donahue inquired if the ordinance encouraged transit-conducive development. Mr. Coder stated transit-conducive development is not a criteria for issuing residential building permits.

Mason Staub, Street Maintenance Department, gave an overview of Thornton's street sanding history. Thornton has significantly decreased its use of sand since 1988 without jeopardizing public safety. Mr. Staub reviewed Thornton's approach to winter roadway safety. He indicated that Thornton follows guidelines that were developed by the RAQC.

Informational Items

Committees:

Jim Scherer gave Council an overview of the Carbon Monoxide Maintenance Plan Subcommittee's meeting on high emitters and smoking vehicles. A report from the meeting was distributed to Council. Jim indicated the subcommittee concluded that more needs to be done with the high emitter issue. With regard to smoking vehicles, the subcommittee suggests that RAQC work with local governments to set up enforcement efforts similar to those of the City and County of Denver.

Jim indicated that Council needs to be prepared to respond to questions from the legislature regarding the issues of high emitters and smoking vehicles.

Tom Norton stated Council could inform the legislative transportation committees of the issues and if they are interested then give further information. He suggested that staff prepare a white paper which could then be provided to Legislative Council. He believes RAQC should not take an advocacy approach to the issues.

Sharon Votruba informed Council that getting high polluters off the road was an original goal of the RAQC when it was formed. In the early days of the RAQC, programs to take cars off the road were considered politically and publicly unacceptable. The Council needs to take a stand on what needs to be done, not how. Sharon stated she believes the Council should strongly advocate what needs to be done and leave the how to the legislature.

Tom stressed the RAQC should identify and present the facts. The legislature should be responsible to determining how the issues should be handled and how programs will effect social norms.

There was discussion on potential solutions such as buy back programs. Don Parsons volunteered to approach car dealers as potential partners.

Patrick Cummins asked for clarification on the white paper. Theresa Donahue recapped that staff will prepare a white paper which will include options, costs, implementation issues, and pros and cons. The options should include regulator/legislative approaches, as well as voluntary actions.

Shirleen Tucker thanked Jim Scherer and Dennis Creamer for their work with the subcommittee.

Background on Transportation Conformity Requirements

Jeff May, DRCOG, gave Council an overview of transportation conformity as it relates to air quality. He explained the consequences of the area failing conformity tests.

Future Planning Requirements for PM-10 and Ozone

Ken Lloyd presented upcoming planning issues for PM-10 and Ozone. He reminded Council that, in May 1999, the Federal Court of Appeals remanded the new ozone standard to EPA for further justification and said the standard was not enforceable. The PM-2.5 standard has also been remanded to EPA for further justification and the new PM-10 standard was vacated because of its overlap with the PM-2.5 standard.

Ken explained that EPA recently proposed reinstating the old one-hour ozone standard. In 1996, an ozone maintenance plan was submitted to EPA, but EPA has not acted on the plan. The current plan has statutory and technical issues that need to be addressed before it could be approved by EPA. Ken presented three options on how to proceed on the one-hour standard: fix the statutory problems and seek EPA action on the current maintenance plan; wait for all the ozone standard issues to be resolved before moving forward; or revise the current maintenance plan to address outstanding issues and resubmit to EPA. Ken informed Council that if a maintenance plan is approved by EPA and then the one-hour standard is once again revoked, the region would still be required to follow the maintenance plan.

There was discussion about those areas effected by the reinstatement of the standard presenting a united front to EPA stating that designation as non-attainment should not

be automatic for those areas who have not violated the old standard in years. Ken suggested that Council could send a letter to EPA stating that designation reinstatement should be separate from standard reinstatement.

Jim Scherer stated there is a lack of logic to designate an area non-attainment when they have not violated the standard in 11 years.

Jim Scherer moved that staff prepare a letter of comment to EPA stating that designation reinstatement should be separate from standard reinstatement. Seconded by Don Parsons.

Motion passed 6-0-1. Theresa Donahue abstained.

Ken Lloyd reviewed the options for developing a PM-10 maintenance plan. Current EPA policy requires the same level of modeling that is in the non-attainment SIP, which is dispersion modeling for the Denver area. However, EPA is considering a "Low-Hurdle" maintenance plan policy for qualifying areas. Ken asked for Council's guidance.

Tom Norton moved to start the process of developing a PM10 maintenance plan. Seconded by Jane Norton. The motion passed unanimously.

There being no further business before the Council, the meeting was adjourned at 5:45 p.m.