

Meeting Summary

REGIONAL AIR QUALITY COUNCIL

Thursday, August 3, 2000

MEMBERS PRESENT:

Dennis Arfmann, *Holme Roberts & Owen*
Jane Norton, *Colo. Dept. Public Health & Environment*
Don Parsons, *City of Northglenn / DRCOG*
Dave Sladek, *The Clayton Group*
Melanie Worley, , *Douglas County*

MEMBERS NOT IN ATTENDANCE:

Jim Scherer, *CHAIRMAN*
Theresa Donahue, *City & County of Denver*
Tom Norton, *Colo. Dept. of Transportation*
Sharon Votruba, *City of Thornton*

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Laura Hagg Nelson, RAQC; Doug Lempke, AQCC; Shirleen Tucker, APCD; Rick Barrett, APCD; Jim Ives, City of Aurora; Bob Brady, AQCC; Frank Johnson, Attorney General's Office; Dick Watt, Denver Chamber; Carol MacLennan, Tri-County Health; Debbie Weaver, RTD; Rob Balmes, DRCOG; Dr. Jerry Gallagher, J. Gallagher Associates; Bob Farmer; Vicki Kraus, CDOT; Jody Flemming, CoPIRG; Tim Russ, EPA; Kerri Gurmendi, EPA; Lucy Nolan, Coloradans for Clean Air; Doug Lawson, AQCC; and Doug Benevento, CDPHE. Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Laura Hagg Nelson, RAQC; Doug Lempke, AQCC; Shirleen Tucker, APCD; Rick Barrett, APCD; Jim Ives, City of Aurora; Bob Brady, AQCC; Frank Johnson, Attorney General's Office; Dick Watt, Denver Chamber; Carol MacLennan, Tri-County Health; Debbie Weaver, RTD; Rob Balmes, DRCOG; Dr. Jerry Gallagher, J. Gallagher Associates; Bob Farmer; Vicki Kraus, CDOT; Jody Flemming, CoPIRG; Tim Russ, EPA; Kerri Gurmendi, EPA; Lucy Nolan, Coloradans for Clean Air; Doug Lawson, AQCC; and Doug Benevento, CDPHE.

The meeting was called to order by Vice Chairman Don Parsons at 3:10 p.m. A quorum was not present.

Approval of the Agenda

No action taken.

Approval of the Minutes

No action taken.

Informational Items

Vice Chairman:

Don Parsons indicated that he would be moderating a Transportation Panel at the Rail-Volution Conference in October and therefore is unable to attend the October RAQC meeting.

He thanked staff for getting the audit management letter to Council. He inquired if there was any way the Auditor's suggestions could be implemented. Ken Lloyd stated that with such a small staff, it is unrealistic to make the suggested changes.

Executive Director:

Ken Lloyd pointed out the memo from Jim Scherer regarding Ken's annual review. He encouraged Council to contact Jim with their comments.

Members:

No Reports.

Committees:

No Reports.

Report from Air Quality Control Commission

Doug Lempke, Technical Secretary for the AQCC, indicated that the discussion at the July meeting in Pueblo did not pertain to the Denver metro area. He further stated that the agenda items for the August meeting did not impact the Denver metropolitan area. However, there will be a presentation entitled "Distance Weighted Traffic Density in Proximity to a Home Is a Factor for Leukemia and Other Childhood Diseases" from Bob Pearson and Howard Wachtel. Doug invited Council to attend the presentation

Public Comment and Discussion

Bob Farmer read a statement Jan Rigg made regarding the I/M report, "I believe it is unfair to the public to present a position on this issue without also admitting the

recognized weaknesses of the program. There have been many statements made in our meeting addressing these concerns, but they were not included in the current draft. I also believe we should address the audit report and its recommendations; they are also omitted from this draft." Mr. Farmer echoed Ms. Rigg's comments.

Mr. Farmer also applauded the RAQC and Laura Hagg Nelson for the amount of press coverage the ozone awareness program has received.

Ozone Update

Laura Hagg Nelson gave Council an update on the ozone program. There have been 21 ozone action day alerts called so far this season. Channels 4 and 9 are now covering the alerts. Staff has conducted numerous TV, radio and newspaper interviews. Laura showed Council the current readings above 80 ppb at each monitor.

Laura said the Smart Sign would be in Thornton August 3-10 then in Boulder August 14-21. She distributed results from the Westminster, Aurora and Douglas County locations.

She also updated the Council on the "Put a Cap on Ozone" program. More than 2,000 gas caps and 500 vouchers have been distributed. Staff has submitted a 2001 CMAQ grant request to DRCOG, which would allow the "Put a Cap on Ozone" program to continue next year.

Ken Lloyd said staff has been asked numerous times what happens to the metro area now that the 8-hour standard has been violated. Ken indicated we will not have any answers until the Supreme Court makes a decision on EPA's 8-hour standard sometime in early spring. If the standard is upheld, the region may need to ask for another year to show attainment since the exceptionally high values for 1998 will be replaced in 2001.

Review of Options to Reform the Current Inspection/Maintenance Program

Melanie Worley stated the subcommittee conducted an extremely thorough investigation into the inspection/maintenance program. She indicated the subcommittee was very involved throughout the process.

Ken Lloyd reviewed the Executive Summary with Council. It begins with a summary of the Governor's request "to study additional options to reform the current I/M program." The Executive Summary contains two main conclusions. First, an inspection/maintenance program will be needed in the Denver metro area for the foreseeable future to maintain compliance with federal air quality standards and other requirements of the federal Clean Air Act. Second, maintaining a contractor-operated centralized program, utilizing both IM240 technology and remote sensing, is the most effective and technically-sound approach when the current emissions testing contract expires. The Executive Summary then outlines several improvements that should be made to the I/M program. The remainder of the report provides more detail and rationale for the conclusions and recommendations.

Don Parsons thanked Melanie Worley and the subcommittee for their work.

Dennis Arfmann had prepared some written comments to the report. The purpose of the changes was to add several broad themes:

- Minimize the consumer's cost and unnecessary time.
- Maximize air quality benefits for not only CO, but also ozone precursors and regional haze.
- Provide a funding mechanism for the Independent Annual Evaluation (including recommendations for improvements) through the next I&M contractor's contract.
- Provide a funding mechanism for low income assistance, possibly through tax credits or other means.
- Discourage recidivism in high emitters: go on tightened annual or semi-annual inspection schedule.
- Allow the next I&M contract to be negotiated for a 2-5 year term.

There was discussion on the independent annual evaluation. This type of evaluation is very resource intensive. It was suggested that the cost/benefit analysis would be necessary. It was further suggested that the RAQC not only identify the need for an evaluation, but also identify the potential responsible party and the funding sources. Ken Lloyd indicated that the subcommittee discussed this type of evaluation as an enhancement to the current annual review, not as a separate independent review or as an annual repeat of the baseline study.

Air Quality Control Commissioner Doug Lawson said, from a scientific perspective, this type of annual evaluation is needed to understand what is happening to the fleet. Bob Brady, Air Quality Control Commissioner, stated it is important that the analysis method remain consistent throughout the program.

Another suggested change was to add the following language to page 13: "the RAQC should recommend, and the AQCC approve, the test parameters to evaluate the effectiveness of the program annually". Ken Lloyd expressed that staff are not experts in this area but could facilitate discussions.

The term regional haze in bullet two should be changed to visibility impairing pollutants to be more consistent with the RAQC's charge.

There was discussion regarding use of tax credits instead of a low income assistance program. Council also discussed funding mechanisms for the program. The subcommittee believed that penalizing those who fail by making them pay entirely for the program would cause undue hardship.

Council directed staff to incorporate Dennis Arfmann's comments to the extent possible, but not necessarily with the exact language. Ken should review the revisions with Dennis.

Public Comment

Dick Watt thanked Ken Lloyd, Melanie Worley and staff for their work with the subcommittee. He expressed that the subcommittee members were very prone to stating their positions and still were able to reach a middle ground. He indicated that Jim Scherer was a terrific influence and was able to get the subcommittee back to realistic and achievable options. He said the subcommittee looked at health issues and cost effectiveness, as well as considering effects to transportation funding, all of which are concerns of business.

He applauded the work of the subcommittee. He said the subcommittee perceived the I/M program as a transition and envisioned changes as technology is available. There is an opportunity for the region to use the program as a learning mechanism.

Doug Lawson appreciated the opportunity to participate on the subcommittee. He stated we are moving into a new era with this. He thinks it is wonderful that the I/M contract is expiring at this transitional time. He said a phase in program is the right way to make changes. He also said that the clean and dirty screen does not necessarily get us where we need to be, but it is a step in the right direction. He acknowledged that dealing with the high emitter issue will be politically challenging. He thanked the RAQC and the subcommittee for their efforts.

Direction to staff: Ken Lloyd will incorporate the suggested changes to the document and share the changes with Dennis Arfmann and Melanie Worley. Any additional comments on the Executive Summary should be forwarded to Ken. Ken indicated that the report will be re-ordered to match the format of the Executive Summary. Ken will give Council and subcommittee members a redline version of the report by August 17th. Ken will also prepare a sample letter to the Governor.

Ken emphasized the importance of attendance at the August 24th meeting.

There being no further business before the Council, the meeting was adjourned at 4:50 p.m.