

## MINUTES

### REGIONAL AIR QUALITY COUNCIL

Thursday, September 7, 2000

City of Westminster

#### MEMBERS PRESENT:

Jim Scherer, *CHAIRMAN*  
Dennis Arfmann, *Holme Roberts & Owen*  
Theresa Donahue, *City & County of Denver*  
Jane Norton, *Colo. Dept. Public Health & Environment*  
Don Parsons, *City of Northglenn / DRCOG*  
Dave Sladek, *The Clayton Group*  
Sharon Votruba, *City of Thornton*  
Melanie Worley, *Douglas County*

#### MEMBERS NOT IN ATTENDANCE:

Tom Norton, *Colo. Dept. of Transportation*

#### OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Laura Hagg Nelson, RAQC; Annmarie Jensen, RAQC; Shirleen Tucker, APCD; Bob Brady, AQCC; Doug Benevento, CDPHE; George Gerstle, CDOT; Tim Russ, EPA; Doug Lempke, AQCC; Rob Pohl, DTEC Training; Frank Johnson, Attorney General's Office; Sandra Bush, Ball Corp.; Bob Farmer; Mayor Nancy Heil, Westminster; Rachel Harlow Schalk, Westminster; John Carpenter, Westminster; Debra Baskett, US 36 TMO; Ben Beaty, Westminster Environmental Board; Mike Silverstein, APCD; Kate Fay; and Jim Brandon, ESP.

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The meeting was called to order by Chairman Jim Scherer at 3:05 p.m. A quorum was present at 3:15.

#### Approval of the Agenda

Postponed until quorum present.

#### Approval of the Minutes

Postponed until quorum present.

## **Informational Items**

Postponed until quorum present.

## **Report from Air Quality Control Commission**

Postponed until quorum present.

## **Local Community Presentations**

Mayor Nancy Heil welcomed Council to Westminster. Council introduced themselves.

John Carpenter, Director of Community Development, gave Council an overview of the Westminster Promenade, which is a pedestrian oriented entertainment area, anchored by an ice arena, the Westin Hotel and a multi-plex movie theatre. Because Westminster has nearly 70 miles of trails, the bike trail that connects with the Promenade makes it nearly accessible city-wide by bike. RTD buses also serve the area. There are plans for commercial development nearby and residential neighborhoods are close to the development. The Promenade is adjacent to City Park, Westminster's premier park and recreation area. This unique development has become a focal point for entertainment in the city and was designed to encourage walking, taking the bus or riding a bike.

Rachel Harlow-Schalk, Westminster's Environmental Compliance Coordinator, reported on a myriad of ways that Westminster was pursuing to reduce ozone pollution. The city has done a great deal of outreach to citizens to let them know when ozone alert days were called. They have created a "Stop at the Click" magnet, which gets distributed at city events, along with RAQC literature on ozone. City employees are notified by email when there is an alert day. Westminster's Environmental Advisory Board has included an article on what people can do to help prevent ozone pollution in the Environmental Efforts portion of the city newsletter. This pullout section can be used year round at city events to remind citizen of the importance of their involvement in cleaning the air. The paper has a distribution of approximately 50,000 citizens. The city also hosted the Smart Sign.

Debra Baskett, Executive Director for the US36 Transportation Management Organization (TMO), gave Council an overview of the US 36 TMO. A TMO is a public/private partnership that evaluates transportation needs in a specific area. The goals of the TMO are to be a collective voice for the corridor, improve mobility and increase awareness of alternative modes of transportation. Within the TMO's first 18 months, they have helped establish call- and-ride bus programs for the Cities of Broomfield, Superior, and Louisville and for the Interlocken and Westmoor developments. They have created transit plans and participated in region-wide events such as Rush Hour Relief and Bike to Work Day. They have held transportation fairs with many area businesses and have developed an employee transportation coordinator network to help business help employees find alternative transportation to work.

Currently, the US 36 TMO is participating in a Major Investment Study for the US 36 corridor. They are looking at a number of options with RTD, CDOT, and others including: high occupancy vehicle lanes in both directions; bus rapid transit; commuter rail on existing track; and roadway widening. Originally, the MIS had dropped lane widening from consideration. However, CDOT staff suggested another look be taken. CDOT and RTD entered into an intergovernmental agreement to reconsider lane widening. The proposal would widen US 36 to 10 lanes, three in each direction, two high occupancy vehicle lanes (one each direction) and two acceleration lanes. Debra explained an acceleration lane is one that runs from an on ramp to the next off ramp and is not a continuous lane.

### **Approval of Agenda**

**Don Parsons moved to approve the agenda. Seconded by Melanie Worley. Motion passed unanimously.**

### **Approval of Minutes**

**Don Parsons moved to approve the minutes. Seconded by Sharon Votruba. Motion passed unanimously.**

### **Informational Items**

*Chairman:*

Jim Scherer indicated that he would not be at the December 7 meeting. He asked Council to consider moving the meeting to the second Thursday, December 14. Misty Howell will poll Council to find a date and time the second week in December that will work for members.

During the discussion, Council determined there would not be a quorum for the October 5 meeting. After some discussion Council decided to move the time of the meeting to 4:00 p.m. - 5:30 p.m. to ensure a quorum.

Jim informed Council that the “Options to Reform the Current Inspection/Maintenance Program” report was sent to Mayors of all metro area cities. Thank you letters were also sent to Mobile Sources Subcommittee participants. Jim thanked Misty Howell for working to get the reports out quickly. Jim also thanked Laura Hagg Nelson for getting publicity on the release of the report.

*Executive Director:*

Ken Lloyd stated the RAQC received good coverage on the release of the report through the Rocky Mountain News, Denver Post and radio stations. Ken indicated that the report was also sent to legislators and AQCC members. After the elections in November, staff will send copies of the report to new legislators.

*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 September meeting did not pertain to the Denver metro area. The Commission is scheduled to discuss the “Options to Reform the Current Inspection/Maintenance Program” report on October 19.

### **Public Comment and Discussion**

None.

### **EPA’s Reinstatement of the 1-Hour Ozone Standard - Next Steps**

Ken Lloyd reviewed the next steps for the one-hour ozone standard. He reminded Council that EPA reinstated the one-hour standard and previous designations in July. Reinstatement of the nonattainment designation for the Denver area will be effective January 16, 2001. While there are many options for responding to the EPA’s actions, Ken’s presentation focused on revising the previously submitted maintenance plan and the “do nothing until legal issues are resolved” options. Ken outlined the difference with the two options.

He indicated RAQC and APCD staff met with EPA staff in July to discuss how to expedite the processing of a maintenance plan. EPA staff stated the current plan could not be approved, however, they proposed a compromise. If the ozone maintenance plan was revised using emissions analysis and language already included in the CO maintenance plan, then EPA would commit to expedite approval by “parallel processing”. This would minimize the additional technical work needed and the processing time for approval. Under this option, Council would need to approve a plan at the October meeting and propose it to the AQCC on October 19. The Governor would then submit the plan to EPA for parallel processing. EPA would propose approval, pending final action by the AQCC and the Legislature.

Dennis Arfmann stated the “parallel processing” appears to be an improvement and would streamline the process. However, he has concern about filing a maintenance plan for the one-hour standard given the uncertainty with the 8-hour standard. He suggested staff collect more data and make a case to EPA to not designate the metro area as nonattainment under the 8-hour standard by requesting another year to prove attainment.

There was discussion on meeting with EPA to get answers regarding the 8-hour standard. Tim Russ, EPA, indicated the 2000 data likely will be considered for the designation of the Denver area.

Stan Dempsey, Colorado Petroleum Association, thanked Ken for the presentation and discussion yesterday with CPA members. He urged Council to take the opportunity to address the 8-hour standard issues with EPA. He recognized there is an enticement for his members to support a maintenance plan, because the RVP waiver would become permanent. However, the RVP waiver would not necessarily apply if the area is redesignated as non-attainment under the 8-hour standard.

Tim Russ indicated that the RVP waiver is tied to the one-hour standard not the 8-hour standard. RVP levels are only a control measure that can be used under the 8-hour standard.

Kate Fay, citizen, asked if the economic impacts of nonattainment status have been considered from a business or economic development standpoint. Ken Lloyd stated it is his understanding the area has not had a major source of VOC ever apply to locate in the area.

There was discussion on whether studies have been done that show ozone has significant health effects in Denver. Mike Silverstein indicated there is a relationship with respiratory problems and the young, elderly and those with respiratory conditions. The State does not have specific data on this, it relies on EPA's standards to determine safe levels.

Jim Scherer indicated he would be willing to set up a meeting with Dick Long and others at EPA to discuss the 8-hour standard issue. He stated he was reluctant to spend a lot of effort on this issue since there may be changes at EPA with the change in Administration in November.

**Don Parsons moved to have staff begin work on the ozone maintenance plan for the 1-hour standard and to try to set up a meeting with EPA to make a case for giving the Denver region another year to show compliance with the 8-hour standard. Seconded. Motion passed without objection.**

#### **Update on PM-10 Maintenance Plan**

Ken Lloyd gave Council a status report on the PM-10 maintenance plan. The proposed approach components include: prepare a 2015 emission inventory; compare recent secondary values; perform dispersion modeling; determine what additional strategies are needed to demonstrate maintenance; determine emission budgets; resolve permit issues; and reassess approach based on above results.

Ken outlined issues that need to be considered and resolved during the plan development. The issues include:

- Regulation 16, regarding street sanding, would have to be added to SIP
- Additional local commitments in regulation and SIP
- Diesel I/M removal from SIP (AQCC request)
- Gasoline I/M credits for NO<sub>x</sub>
- Credit for PSCo reductions
- Margin of safety
- Mobile source emission budgets
- Allowable point source emissions - SIP vs. Operating permits
- Point source limits in SIP, and
- Contingency measures.

Council decided that staff should continue working with APCD and other groups to resolve the issues and bring information back to the Council for consideration.

There being no further business before the Council, the meeting was adjourned at 5:25 p.m.