

MINUTES

REGIONAL AIR QUALITY COUNCIL

Wednesday, December 13, 2000

MEMBERS PRESENT:

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

MEMBERS NOT IN ATTENDANCE:

Jane Norton, *Colo. Dept. Public Health & Environment*
Tom Norton, *Colo. Dept. of Transportation*

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Laura Hagg Nelson, RAQC; Gerald Dilley, RAQC; Annmarie Jensen, RAQC; Shirleen Tucker, APCD; Doug Benevento, CDPHE; Doug Lempke, AQCC; Gary Magno, Xcel Energy; Jeff May, DRCOG; Jim Ives, City of Aurora; Carol MacLennan, Tri-County Health Dept.; Mike Silverstein, APCD; Bob Lowdermilk, AQCC; Jim Branson, ESP; George Gerstle, CDOT; John Van Kirk, URS; Kathy Engelson, CDOT; Stan Dempsey, CPA; and Ted Orf, Orf & Orf.

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

Approval of the Agenda

Don Parsons moved to approve the agenda. Seconded by Dave Sladek. Motion passed without objection.

Approval of the Minutes

Don Parsons moved to approve the minutes. Seconded by Melanie Worley. Motion passed without objection. Sharon Votruba and Jim Scherer abstained.

Informational Items

Chairman:

None.

Executive Director:

Ken Lloyd gave Council a tentative meeting schedule for 2001, which included continuing to hold meetings in local communities. Melanie Worley indicated it is important to go out to local communities to solicit participation. Council agreed to the schedule. Staff will begin scheduling meetings.

Ken indicated staff has reviewed pre-hearing statements for the ozone redesignation plan. RAQC and APCD staff are working to get information to Environmental Defense. Ken reminded Council the ozone hearing is scheduled for January 11, 2001.

Members:

Dave Sladek distributed copies of an article on diesel engines to Council. He wanted Council to be aware that technology is getting closer to zero emission diesel engines. Dennis Arfmann suggested that Dave attend the next meeting of the AQCC's subcommittee on diesel emissions.

Committees:

No Reports.

Report from Air Quality Control Commission

Doug Lempke, Technical Secretary for the AQCC, reported that the Commission held a rulemaking hearing on the inspection/maintenance remote sensing. The AQCC increased the 90 day grace period to 120 days from the expiration date on tags. This change was made to promote participation and to allow time for administrative tasks to be completed.

The Commission will meet December 14, 2000 in Glendale to hear the RAQC's request to set a hearing for the PM-10 Maintenance Plan and Redesignation Request.

The Commission hearing for the Ozone Maintenance Plan and Redesignation Request is scheduled for January 11, 2000 at the Chamber Building, 1445 Market Street, Second Floor. A pre-hearing meeting will be held Friday, December 15.

Public Comment

Jim Brandon gave Council an update on the progress of I/M legislation being prepared for the 2001 session. He explained that Envirotest, the Administration, CDPHE and Representative Paschall have been working together to prepare a bill that satisfies the TABOR issues that Governor Owens outlined last session. A draft of the bill should be

available next week. The bill sponsors will be Representative Paschall and Senator Hagedorn.

Dennis Arfmann asked if the bill will address high emitter identification. Mr. Brandon indicated the bill does not include high emitter identification at this time because this is the piece that causes issues with TABOR. After discussion, Jim Scherer reiterated the RAQC's interest in including a high emitter identification program as part of any new legislation and everything that can be done within the current framework should be encouraged. Shirleen Tucker said even if the high emitter piece is not included in the bill, the data collection will be helpful for the future as the region moves toward a dirty screen program. Ken Lloyd indicated staff will follow the bill once it is introduced and report to the RAQC at its next meeting.

PM-10 Maintenance Plan and Redesignation Request

Ken Lloyd thanked Jerry Dilley, RAQC staff, and Mike Silverstein, Barbara Macrae and her staff for their work on development of this plan. Ken informed Council that they will have an opportunity to consider recommended revisions as the maintenance plan proceeds through the AQCC's process.

Ken reviewed the development of the plan. Ken explained to Council that staff met with the street sanding/sweeping subcommittee, which was attended by approximately 20 jurisdictions, to discuss including Regulation 16 and DRCOG conformity commitments in the PM-10 Maintenance Plan. Staff also met individually with Denver Street Maintenance and CDOT Region 6 Road Maintenance and Planning since both agencies would be required to achieve reductions beyond those currently achieved in the central area (bordered by Federal Blvd., 38th Ave., Louisiana and Downing Street). This reduction requirement is still less than both agencies have committed to for transportation conformity purposes. Theresa Donahue indicated that Denver was comfortable making the commitment, though they may be asking for some help down the road.

Ken summarized the options for the motor vehicle emissions budgets. RAQC and other agency staff recommend including a "safety margin" for the NOx budget since there is less opportunity for local control measures for NOx.

Ken stated there were still a few unresolved issues with EPA. Staff recommends that permits be removed from the SIP and that the notice of public hearing include notice of possible changes to Regulation No. 1.

Council reviewed the proposed PM-10 Maintenance Plan and Redesignation Request. Doug Benevento conveyed Jane Norton's preference for option A on page 4-3, which would remove the permits from the SIP. Jim Scherer also supported removing permits from the SIP since they are already federally enforceable.

Dennis Arfmann moved to approve the PM-10 Maintenance Plan and Redesignation Request with Option A on page 4-3, concerning removing permits from the SIP, and Option A on page 4-9, concerning emissions budgets, and to request the AQCC's

notice of hearing be broad enough to allow for full discussion and resolution of all issues. Seconded by Don Parsons.

Theresa Donahue raised concern with allocating the entire safety margin for NOx emissions. She would be more comfortable with allocating only a portion. Jeff May, DRCOG, reminded Council the proposed budgets are actually 10-15 percent lower than the current budgets in place for PM-10 and NOx. Dennis Arfmann supports allocating the safety margin since environmental organizations have used conformity emissions budgets to stop highway projects in Atlanta and Dallas.

There was discussion concerning the reconciliation of the modeling results and actual monitoring data. It was suggested that monitoring site locations, particularly Adams City, be reviewed.

Theresa Donahue asked Dennis if he would separate Option A on page 4-9 (emissions budgets) from his motion. This was acceptable.

The motion to approve the PM-10 Maintenance Plan and Redesignation Request with Option A on page 4-3 (removing permits from the SIP) and to request the AQCC's notice of hearing be broad enough to allow for full discussion on issues passed without objection.

The motion to include option A on page 4-9, regarding emissions budgets, passed 6-1 (Theresa Donahue opposing).

2001 Work Program and Budget

Ken Lloyd reviewed the 2001 work program and budget. He asked Council to let him know if they had any ideas for increasing private sector income.

There was discussion on the targeted industries for the RAQC's ozone outreach program. Sharon Votruba suggested school districts would be an ideal group to target for the ozone outreach since they have their own fleets, facility maintenance and refueling stations.

Don Parson moved to approve the 2001 work program and budget as well as the administrative items which included cost-of-living increase, contract for legislative liaison services and contract for annual audit of financial statements. Seconded by Sharon Votruba. Motion passed without objection.

Don Parsons asked to see a summary of ending fund balances for the last five years. Ken indicated fund balances would be skewed due to the \$500,000 received from E-470 Highway Authority in 1995. Staff will prepare a comparison of revenues, expenses and fund balances for Council.

There being no further business before the Council, the meeting was adjourned at 4:45 p.m.