

REGIONAL AIR QUALITY COUNCIL

Thursday, December 12, 2002

MEMBERS PRESENT:

Jim Scherer, *CHAIRMAN*
Randy Ahrens, *City & County of Broomfield*
Dennis Arfmann, *Holme Roberts & Owen*
Theresa Donahue, *Citizen Member*
Jane Norton, *Colo. Dept. Public Health & Environment*
Dave Sladek, *The Clayton Group*
Ed Tauer, *City of Aurora*

MEMBERS NOT IN ATTENDANCE:

Tom Norton, *Colo. Dept. of Transportation*
Melanie Worley, *Douglas County/DRCOG*

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Sara O'Keefe, RAQC; Steve McCannon, RAQC; Margie Christiansen; Jay Sherritt; George Gerstle, CDOT; Doug Lempke, AQCC; Bob Lowdermilk, AQCC; Marius Gedgudas, Army Environmental Center; Bob Farmer; Lizzie Kemp, CDOT; Mike Silverstein, APCD; Tim Russ, EPA; Kerry Clough, EPA; Stan Dempsey, CPA; Larry Volmer, CPA; Bob Brady, AQCC; Rick Barrett, APCD; Gerald Fauldel, Frontier Oil; and Jeff May, DRCOG.

The meeting was called to order by Chair Jim Scherer at 3:08 p.m. A quorum was present.

Approval of Agenda

Dennis Arfmann moved to approve the agenda. Seconded. Motion passed without objection.

Approval of Minutes

Dennis Arfmann moved to approve the August minutes. Seconded by Randy Ahrens. Motion passed without objection.

Theresa Donahue moved to approve the October minutes. Seconded by Dennis Arfmann. Motion passed without objection.

Informational Items

Chairman

Jim Scherer presented Lieutenant Governor-elect Jane Norton with an award and thanked her for her dedicated service while she served on the RAQC board. Jane thanked Shirleen Tucker, the first Chair under the Governor's reorganized RAQC, as well as Jim Scherer, the current Chair, for their work. She also thanked the Air Pollution Control Division, the Council, and Ken and his staff for work well done. She stated the Council is very collaborative group and has many accomplishments to be proud of, such as the recent redesignations, the development of the voluntary ozone program and the development of the I/M program. She further thanked the members of the public for their involvement, which help guide the Council.

Jim suggested that Ken Lloyd and the rest of staff organize a get-to-know-you dinner for January. This will allow everyone to get to know the new members and get everyone together as a "team."

Executive Director

None.

Committees

None.

Members

None.

Presentation of EPA Awards

Kerry Clough, EPA Assistant Regional Administrator, awarded Ken Lloyd, Gerald Dilley, and Pat Cummins with Environmental Achievement awards, the highest award given outside the agency. Kerry thanked them for their tireless effort in bringing the region into attainment for all federal air quality standards.

Public Comment and Discussion

Bob Farmer passed around a handout and stated that his data shows that even though cars are getting cleaner each year, thanks to more durable emission control devices, there are still a lot of high-emitters on the road.

Jay Sherritt indicated he had issues with the Northern Front Range Air Quality Study's data as it was applied to the High Emitting Work Group report. He passed out a handout which illustrated some of his issues. He also expressed that if Council wanted to take action to reduce ozone pollution they should address the reduction of sulfur in gasoline.

High Emitter Work Group Report

Steve McCannon gave Council an overview of the Work Group's process and recommendations.

The Work Group recommendations include a smoking vehicle program with a law enforcement pullover program and trained staff option, as well as a RSD4000 high-emitter identification and enforcement program.

There was discussion on the timing and funding of the program.

Randy Ahrens moved to accept the Work Group's report. Seconded by Ed Tauer. Motion passed without objection.

Ken Lloyd suggested that staff begin working with member local governments on the smoking vehicle program. Council agreed that was a good idea.

There was discussion on whether legislation would be needed for these programs to move forward. Ken Lloyd indicated legislation would be needed for the enforcement aspects of the high-emitter identification program in the future.

Council further discussed whether code enforcement officers or police officers would be conducting the pullovers. Ken explained the decision would be left to

the individual cities. He further stated that training would be developed through this project for both options. Ed Tauer emphasized the need to inform the court systems in each jurisdiction of the importance of the program to keep enforcement consistent.

Jane Norton thanked Dennis Arfmann for his work as the committee chair.

Recommendations for Short-term Actions to Reduce Ozone Pollution

Ken Lloyd reviewed the recommendations from the RAQC/AQCC ozone stakeholder group. He indicated that all of the recommendations could be implemented to some degree with the RAQC's current and anticipated funding. The recommendations are outlined below.

Motor Vehicles & Fuels

1. Implement a High-Emitter/Smoking Vehicle Identification and Repair Pilot Program
2. Use the Smart Sign at Speer and I-25 to identify hydrocarbon emissions
3. Continue voluntary RVP reduction program
4. Encourage early introduction of low sulfur gasoline in the Denver market
5. Encourage use of alternative fuels that reduce VOCs through education, use of current incentives, and voluntary fleet purchase requirements
6. Promote alternatives to driving, especially on ozone alert days

Area Sources

7. Voluntarily restrict the availability of solvent based paints in June and July, reschedule the use of solvent based paints to another time in the year and encourage the use of low VOC water based paint products for necessary June and July painting projects
8. Promote a gas can changeout program that will replace portable gas containers with low-polluting cans and nozzles

Public Outreach and Education

9. Implement a "Citizens Choose Clean Air" public outreach campaign to educate citizens about ozone pollution
10. Increase outreach to regional public information staff
11. Continue the "Put a Cap on Ozone" gas cap replacement program
12. Create a partnership with the Colorado Department of Transportation to assist with public communication efforts

13. Increase media advertising to reach more citizens with information about ozone pollution and potential actions
14. Conduct additional promotional events to target specific sources and increase public education
15. Conduct an Ozone Reduction Program awareness survey to gauge the success of public information and education efforts

Point Sources

16. Consider revisions to Regulation No. 7 that address VOC emissions from stationary sources
17. Begin working with the oil and gas industry to characterize emission sources and to voluntarily reduce emissions from oil and gas development
18. Promote pollution prevention efforts that focus on reducing VOC emissions

Ozone Research and Planning

19. Develop an ozone research plan
20. Develop and Early Action Compact with EPA to defer any potential nonattainment designation

Council discussed recommendations 1-19. Staff clarified that residential users would be targeted for outreach and education for recommendation #7. Council recognized that recommendations #16 and #17 were long-term strategies that would begin with the 2003 season.

Council asked Ken Lloyd to prioritize the recommendations. Ken indicated that all of the recommendations could be implemented to some degree based on funding. He stated the high emitter program, the RVP program and the public outreach program are all very important. It was suggested that cost saving to the consumer be added as a component of the outreach program.

Dennis Arfmann moved to approve recommendations 1-19. Seconded by Ed Tauer. Motion passed without objection.

Ken Lloyd reviewed the requirements for an Early Action Compact for ozone (recommendation #20). EPA guidance allows an area to voluntarily enter into an agreement with the State and EPA to develop a plan to defer non-attainment status for ozone.

He stated the EAC has specific milestones that have to be met. If an area does not meet the milestones then they are given an attainment/non-attainment designation based on three years of data.

There are benefits and costs to entering into an EAC with EPA. The benefits include avoiding a non-attainment designation, avoiding transportation conformity, and avoiding new source review. Some of the costs include significant technical resource requirement, dispersion modeling requirement, short time frame to decide to sign compact, and incorporation of early action plan in the federally enforceable SIP.

The signatories on the EAC would include the Colorado Department of Public Health & Environment, Air Quality Control Commission, Regional Air Quality Council, EPA Region 8, Denver Regional Council of Governments, and possibly the Colorado Department of Transportation.

Stan Dempsey, Colorado Petroleum Association, expressed concern that no one has had ample time to look into the implication of signing an EAC because it was first discussed in late November and requires execution by December 31, 2002.

Larry Volmert, Colorado Petroleum Association, also indicated his concern on the timing. He wanted to emphasize the need for the parties involved to consider the pros and cons of entering into this EAC.

Jane Norton indicated that she viewed this EAC as a placeholder while the region considers options for maintaining the ozone standard.

Jeff May, DRCOG, stated the DRCOG MetroVision committee voted yesterday to sign the EAC. He said it helps with conformity issues and has very little downside for local governments.

George Gerstle, CDOT, said this option is attractive to avoid conformity issues and it gives the region time to consider its options.

It was suggested that RAQC and APCD staff look into the dispersion modeling issue and the Haymen fire impact as a possible exceptional episode before the AQCC meeting on December 19.

There was discussion regarding changes to the language under Conditions for Modification and Early Termination on page 5 of the document.

Theresa Donahue moved to support signing the Early Action Compact with the modification that the paragraph regarding conditions for modification and early termination from the background information be included as language in the Memorandum of Agreement. Seconded by Ed Tauer. Motion passed without objection.

2003 Work Program and Budget

Ken Lloyd highlighted the work program and budget for Council.

Dennis Arfmann moved to accept the 2003 Work Program and Budget. Seconded by Ed Tauer. Motion passed without objection.

Procedure and Schedule for Revising CO SIP Motor Vehicle Emissions Budget

Ken Lloyd indicated that staff has been working with the interagency workgroup to update the CO SIP motor vehicle emissions budget using the MOBILE6 model. He stated staff will bring the budget fixes to Council at its February meeting. Ken also said there may be a need to seek pre-approval from the legislature to submit the updated budget to EPA as expeditiously as possible. This has been done in the past with SIP revisions. Council gave staff direction to start the dialogue on the issue.

There being no further business before the Council, the meeting was adjourned at 5:15 p.m.