

# MINUTES

## REGIONAL AIR QUALITY COUNCIL

Thursday, December 4, 2003

### MEMBERS PRESENT:

Jim Scherer, *CHAIRMAN*  
Randy Ahrens, *City & County of Broomfield*  
Dennis Arfmann, *Holme Roberts & Owen*  
Dave Sladek, *The Clayton Group*  
Melanie Worley, *Douglas County/DRCOG*

### ALTERNATES IN ATTENDANCE:

George Gerstle, *Colo. Dept. of Transportation*  
Doug Lempke, *Colo. Dept. Public Health & Environment*

### MEMBERS NOT IN ATTENDANCE:

Doug Benevento, *Colo. Dept. Public Health & Environment*  
Theresa Donahue, *The Adams Group*  
Tom Norton, *Colo. Dept. of Transportation*  
Ed Tauer, *City of Aurora*

### OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Sara O'Keefe, RAQC; Steve McCannon, RAQC; John Van Kirk, City of Aurora; Lucy Nolan, Ethanol Management; Ted Orf, Orf & Orf; Mike Silverstein, APCD; Frank Johnson, Attorney General's Office; Joey Bunch, Denver Post; Brian Mitchell, NPS; Trish Aragon, DOR-Emissions; Dianne Primavera, DOR-Emissions; Curtis Reuter, UREL; Dennis Creamer, Suncor Energy; Ken Wonstolen, COGA; Marius Gedgaudas, Army EnvCenter; Casey Shpall, Attorney General's Office; Margy Christensen, RAQC; Stan Dempsey, CPA; Gary Magno, Xcel Energy; Sandra Goodman, E3 Ventures; Gerald Faudel, Frontier Oil; Robert Lowdermilk, AQCC; Barbara Charnes, CGA; Patty Stulp, EMC; and Suzette Thieman, NFR MPO.

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The meeting was called to order by Chair Jim Scherer at 2:10 p.m. A quorum was present at 2:40 p.m.

## **Approval of Agenda and Minutes**

**Postponed until a quorum present.**

## **Informational Items**

### *Chairman*

Jim Scherer informed Council that he, Ken and Sara have been meeting with local governments to keep them involved in the work of the RAQC. He stated the meetings are going well and more will be scheduled after the new year.

### *Executive Director*

None.

### *Committees*

None.

### *Members*

None.

## **Draft Early Action Compact Ozone SIP**

Ken Lloyd explained the EAC document is a compilation of information to be proposed to the AQCC. Ken explained that the modeling results will need to be added after the document is proposed to the AQCC, Ken reviewed the document with Council.

In Chapter 1, there was discussion on the boundary for the non-attainment area. RAQC received a letter from EPA today indicating that the ozone non-attainment area should include Elbert, Larimer and Morgan Counties in addition to the 7-county Denver metro area. EPA is scheduled to set the boundaries by April. The Council discussed the ways to make sure the document included the boundaries ultimately set by EPA.

Ken indicated that RAQC and APCD staff will be making adjustments to Chapter 2. There is an error in Chapter 3 on page 12. It should state 8.2 psi. There will also be a paragraph added regarding wildfire emissions.

Ken explained that Chapter 4 lays out the frame work of the modeling and actual numbers will be included once the contractor completes the 2002 base case. He explained there is a Modeling Review Panel meeting on December 10 to address the 2002 and 2007 base case information.

Chapter 6 will require a lot of work after the modeling results are finalized. It was suggested that the tables reflect the seven county maintenance area and also the proposed eleven county area. This would make it easier to include whichever boundary is set by EPA.

The APCD has revised Chapter 5. Mike Silverstein distributed the new pages. There was discussion on these changes. Mike also handed out revised pages for Appendix 1. There was a computer glitches between the original document and the posted document.

Ken Lloyd thanked Mike Silverstein, Frank Johnson, Sheila Burns and her staff and Jerry Dilley for working to get the document completed on such a short schedule.

### **Public Comment and Discussion**

Suzette Thieman, Northern Front Range MPO, indicated that page 12 limits the area to seven counties and the Council may want to consider changing the language to include the other counties.

Stan Dempsey, Colorado Petroleum Association, thanked the Council for working with them on the RVP issue. He indicated he is pleased and impressed with the way the process has worked.

Ken Wonstolen, Colorado Oil & Gas Association, reserved his comments until after the modeling is completed.

### **Approval of Agenda and Minutes**

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

## **Further Discussion of the Draft Early Action Compact Ozone SIP**

It was suggested the Council continue to meet on a monthly basis until the AQCC has taken action on the EAC.

It was further suggested that the state entertain discussions with the additional counties to add them as signatories to the EAC, if they choose, and also to make sure they are aware of what is going on with the process.

There was additional discussion on how to include language for the possibility of having eleven counties included in the non-attainment designation.

Tim Russ, EPA, stated the final designation will be in the Federal Register on April 15, 2004.

**Melanie Worley moved to approve the Draft Early Action Compact Ozone SIP, with the outlined changes for proposal to the AQCC. Seconded by Doug Lempke. Motion was revised to allow modeling results to be added to the document. Acceptable to Melanie and Doug. Motion passed without objections.**

There was discussion on why the remote sensing control measure was limited. Ken Lloyd indicated EPA modeling gives a small disbenefit for clean screen. CDPHE recognized the inability to achieve 80% in actual operation, which is why 50% was used.

Dave Sladek asked staff to present more information on the clean screen program at a future meeting.

Ken Lloyd stated the modeling results would be available in the next two weeks. If the modeling shows something unexpected the Council agreed to meet on December 15 at 3:00 p.m. to address any issues.

## **2004 Work Program and Budget**

**Dennis Arfmann moved to approve the 2004 Work Program and Budget. Doug Lempke seconded. Motion passed without objection.**

Ken informed Council that the budget included a 3% Cost-of-Living Adjustment for staff.

There was discussion on whether the RAQC need to change its policy on lobbying with regard to the EAC. It was decided that Council would continue with the current policy of providing information.

Jim Scherer reminded Council that they made a commitment to re-evaluate the CO SIP strategies with the MOBILE6 model. He thinks the Council should pursue this one the ozone work is complete.

### **Additional Discussion**

Council discussed whether official action should be taken to allow additional signatories to the EAC.

**George Gerstle made a motion to approve giving the additional counties to the EAC non-attainment designation area the ability to become signatories in the process, if they want to participate. Seconded by Randy Ahrens. Motion passed without objection.**

### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 4:00 p.m.