

MINUTES

REGIONAL AIR QUALITY COUNCIL Thursday, February 2, 2006

RAQC MEMBERS/ALTERNATES PRESENT:

Randy Ahrens, *City & County of Broomfield*
Dennis Arfmann, *Hogan and Hartson*
Theresa Donahue, *TheAdams Group*
Dennis Ellis, *Colo. Dept. Public Health & Environment*
George Gerstle, *Colo. Dept. of Transportation*
Jim Scherer, *CHAIRMAN*
Sue Sandstrom, *City of Aurora*
Melanie Worley, *Douglas County/DRCOG*

RAQC MEMBERS NOT IN ATTENDANCE:

Tom Norton, *Colo. Dept. of Transportation*
Dave Sladek, *TheClayton Group*

OTHERS PRESENT:

Ken Lloyd, RAQC; Misty Howell, RAQC; Gerald Dilley, RAQC; Sara O'Keefe, RAQC; Sarah Schmitz, RAQC; Steve McCannon, RAQC; Sarah Sullivan, RAQC; Jim Brandon, ESP; Mike Silverstein, APCD; Shirleen Tucker, APCD; Lucy Nolan, EMC; Renee Allen, Envirotec; and Mark Cavanaugh, Big Horn Center.

The meeting was called to order at 3:10 p.m. by Chairman Jim Scherer. A quorum was present.

Approval of Agenda and Minutes

Dennis Arfmann moved to approve the agenda; seconded by Randy Ahrens; passed without objection.

George Gerstle moved to approve the minutes; seconded by Dennis Arfmann; passed without objection.

Jim Scherer introduced Dennis Ellis, the new Executive Director for the Colorado Department of Public Health and Environment. Dennis gave Council an overview of his background.

Informational Items

Chairman

None.

Executive Director

Ken Lloyd indicated the AQCC approved the CO Maintenance Plan and PM10 Maintenance Plan changes that were proposed at hearing in December. Both plans have been forwarded to the General Assembly.

The AQCC took no action on Regulation 13. Ken informed Council that no new issues were brought up at the hearing.

Committees

None.

Members

None.

Public Comment and Discussion

None.

Administrative Matters

Bylaw Change

Ken Lloyd indicated the quorum requirement in the Bylaws has been changed from 7 to 6 and is now consistent with the new Executive Order.

Dennis Arfmann moved to approve the change to the Bylaws; seconded by Melanie Worley; passed without objection.

Ozone Contract

Ken Lloyd reminded Council that the RAQC was awarded a grant through CDPHE's Community Based Clean Air Grant Program to produce a 30-minute ozone educational video. Following the notice of award, staff developed production guidelines and requested proposals from three qualified producers. Staff is requesting permission to contract with Bond Video Arts in the amount of \$19,000, which is fully covered by the CDPHE grant.

Theresa Donahue moved to approve the contract with Bond Video Arts; seconded by Sue Sandstrom; passed without objection.

Vice Chair Election

Dennis Arfmann moved that Melanie Worley continue as Vice Chair; seconded by Sue Sandstrom; passed without objection.

Assessing the Future of the Inspection/Maintenance Program

Ken Lloyd gave an overview of the assessment of the Inspection and Maintenance program as directed by the Governor and Doug Benevento in December. AQCC, CDPHE and RAQC staffs have been meeting for six weeks to review options and schedules.

Mike Silverstein, APCD, presented outlined options for the program. All the options will need be examined for air quality implications; feasibility, and timing; costs and savings; procedural, regulatory and statutory issues; and SIP issues and EPA approvability. The APCD and RAQC staffs are beginning to analyze the options and issues. A request for an AQCC public hearing will be made once the results from the review are complete.

Alternatives under evaluation include:

1. Terminate I/M with equivalent credits from other sources
2. Revamp I/M and achieve equivalent credits

3. Develop alternatives to the current program with some blend of options 1 & 2.

The schedule for assessing alternatives was provided.

Ken Lloyd suggested the RAQC staff focus on the high emitter program options and provide assistance and input for the other options. The Council concurred.

EPA's Proposed Ambient Air Quality Standards for Particulate Matter

Jerry Dilley presented an overview of the EPA's proposal to revise the National Ambient Air Quality Standards (NAAQS) for particulate pollution. The proposed revisions include strengthening the fine particulate standard (PM_{2.5}) for both health and visibility and refocuses the course particulate standards on those particles (PM_{10-2.5}) that are associated with public health concerns. Jerry reviewed the technical implications of the proposed changes.

The final PM_{2.5} standards are slated for promulgation in November 2006, state nonattainment recommendations would be due November 2007, final designations made November 2009, effective date of designations would be April 2010, SIPs would be due April 2013, attainment date would be April 2015 (or April 2020 with extension).

The final PM(10-2.5) standards are slated for promulgation in November 2006, state nonattainment recommendations would be due July 2012, final designations made May 2013, SIPs would be due July 2016, attainment date would be 2018 (or April 2023 with extension).

There was discussion regarding the proposed PM(10-2.5) standard and its effects on the Denver region. Ken Lloyd indicated that national issues are being discussed with EPA. Concern over exempting rural areas is also being discussed. Ken stated that this standard has different impacts for the Eastern and Western regions of the country, which has been a topic of discussion with EPA. Ken said a 1997 court order required EPA to have a PM(10-2.5) standard, however, many believe there is not sufficient science yet to support a specific level of this standard.

Discussion of Legislation of Interest

Ken Lloyd reviewed legislation of interest.

Senate Bill 06-016, concerning the use of biodiesel fuel for all state-owned diesel vehicles, passed the Senate.

Senate Bill 06-029, concerning a disclosure requirement in the private sale of a motor vehicle that may not qualify for a certification of emissions control, and **Senate Bill 06-058**, concerning an increase in the period for which a certification of emissions control for newer diesel motor vehicles is valid, are waiting for hearings to be set.

Senate Bill 06-138, concerning the requirement that gasoline contain at least a specified percentage of ethanol by volume was introduced. There are air quality benefits for CO, but the benefit is unknown for ozone.

House Bill 06-1113, concerning increased authority to protect air quality, passed Health and Human Services committee with a vote of 7-6. This bill explicitly allows the state to exceed federal requirements and allows regulations adopted under state authority to be included in SIPs.

Adjournment

There being no further business before the Council, the meeting was adjourned at 5:00 p.m.

The next meeting will be on Thursday, April 6, 2006.