

# MINUTES

## REGIONAL AIR QUALITY COUNCIL

Thursday, August 2, 2007

### **RAQC MEMBERS/ALTERNATES PRESENT:**

Andy Spielman, Chairman, *Hogan and Hartson, LLP*  
Brad Beckham, *Colorado Department of Transportation (alternate)*  
Theresa Donahue, *Metro Denver Health & Wellness Commission*  
Mark Johnson, *Jefferson County Department of Health and Environment*  
Jim Martin, *Colorado Department Public Health and Environment*  
Jana Milford, *University of Colorado at Boulder*  
Joan Ringel, *Citizen Member*  
Nancy Severson, *Denver Department of Environmental Health*

### **RAQC MEMBERS/ALTERNATES NOT IN ATTENDANCE:**

Russell George, *Colo. Dept. of Transportation*  
Nathan Rabinovich, *National Jewish Medical and Research Center*  
Melanie Worley, *Douglas County/DRCOG*

### **OTHERS PRESENT:**

Ken Lloyd, RAQC; Misty Howell, RAQC; Sara O'Keefe, RAQC; Sarah Anderson, RAQC; Sarah Sullivan, RAQC; Steve McCannon, RAQC; Jerry Dilley, RAQC; Margy Christiansen, RAQC; Larry Volmert, Holland & Hart; Darby Doll, Johnston Wells Public Relations; Jerd Smith, Rocky Mountain News; Kerri Fiedler, EPA; Ted Orf, Coal Producers; Mike Silverstein, APCD; Stan Dempsey, CPA; Jep Seaman, ConocoPhillips; Paul Tourangeau, APCD; Ken Wolstolen, COGA; David Heller, DRCOG; Rebecca Cales, Transportation Solutions; Gary Magno, Xcel Energy; Doug Lempke, AQCC; Isaac Silverman, Environmental Defense; Cindy Cody, EPA; Jeremy Nichols, Rocky Mountain Clean Air Action; Jim Schrack, City of Aurora; Barbara Roberts, AQCC; Becky Brooks, Stealey II, Inc.; Rose Waldman, Citizen; Craig Tessmer, Adams County; John Jacus, Davis, Graham & Stubbs; Elizabeth Paranthus, Environmental Defense; Melissa Young, Colorado Rock Products Association; Scott Mason, EnCara; Jim Brandon, ESP; Rick Griffith, Renee Allen, ESP; Chris Dann, CDPHE; and Lisa Silva, APCD.

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The meeting was called to order at 3:10 p.m. by Chairman Andy Spielman. A quorum was present. As the newly appointed Chairman, Andy welcomed everyone to the meeting. He informed Council that he would disclose any potential conflicts of interest or relationships that Hogan and Hartson, the firm he where he works, may have with respect to issues brought before the Council prior to discussion.

### **Approval of Agenda**

It was suggested that agenda item VIII. Public Comment move to follow item IV. Background on the Regional Air Quality Council.

**Jim Martin moved to approve the agenda with the item order change. Seconded by Theresa Donahue. Motion passed unanimously.**

### **Introductions**

The newly appointed Council members and the RAQC staff introduced themselves.

Andy asked members of the audience to introduce themselves also.

### **Background on Regional Air Quality Council**

Council was provided a briefing notebook which contained administrative documents, corporate documents, technical documents, program information, and the workplan and budget. Ken Lloyd reviewed the information in the notebook with Council.

Ken indicated that Council will need to review and discuss changes to the Articles of Incorporation and Bylaws to make them consistent with the new Executive Order at the September meeting. The Council can take final action at the October meeting. He also indicated that he could give the Council an overview of the current budget and workplan at a future meeting.

### **Public Comment**

None.

### **Denver/North Front Range Area Ozone Status**

Ken Lloyd gave Council an overview of ozone standards and status.

There was discussion regarding whether the standard was tied to health events or economics. It was clarified that EPA cannot consider economics when setting a standard. Economics comes into consideration during the implementation of strategies.

Andy Spielman read the letter from Governor Ritter directing Council to consider additional measures for the 2008 ozone season, to set as its immediate goal the reduction or elimination of ozone levels measured above 0.08 ppm, to develop a long-term plan to meet the standard and to consider further reductions for meeting the recently proposed lower federal ozone standard.

Council requested an update on modeling requirements.

Ken Lloyd stated the emissions inventories are currently being updated, the dispersion modeling protocol is being developed and staff is reviewing control strategies considered in the past. The plan for the near future is to conduct stakeholder meetings to look at options. A draft plan will come to the Council early next summer.

There was discussion on short- and long-term goals. Ken summarized the goals as implement actions for 2008 season, attain current standard (3-5 years) and meet the new lower standard. It was suggested that Council brainstorm strategies so that staff could work on gathering detailed information on the strategies.

Council discussed the cost of modeling (\$300,000-\$400,000). Brad Beckham, CDOT, stated that CDOT is requesting funds which will be used to fund some of the modeling effort.

Andy Spielman then asked if members of the audience had any comments on the ozone issue.

Isaac Silverman, Environmental Defense, focused his comments on the new EPA standard and indicated the recommendation for the lower standard was made by an independent advisory committee based on health criteria.

Jeremy Nichols, Rocky Mountain Clean Air Action, distributed a bulleted handout to Council that outlined issues for Council to consider.

Council encouraged others to come to the stakeholder meetings with options for the group to consider. It was suggested that staff look at other areas to see if significant reductions from voluntary measures have been achieved.

### **Future Topics for Presentation/Discussion**

Ken Lloyd provided a list of suggested topics for future meetings. Council made additional suggestions. There was discussion of which items should be included on the September agenda.

Administrative items included review and approval of Articles of Incorporation and Bylaws; Work program, budget and funding sources; 2006 financial audit and election of a Vice Chairman.

Program/project items included Repair Your Air Program and implementation of high-emitter program; Clean Air Fleets diesel emissions reduction programs; ozone stakeholder process; ozone outreach program; modeling guidance and requirements; potential ozone strategies; state energy policy and how RAQC's work fits into it; air quality policy that could be useful in process; and presentation on process to select firm to do modeling for ozone.

Council agreed that the administrative items, a discussion of the ozone stakeholder process, a presentation on modeling requirements and contractor selection, and discussion of potential strategies for consideration should be handled at the September meeting.

Jim Martin mentioned that CDPHE is working to bring a panel of experts from California to meet with the Air Quality Control Commission to review California new car standards. He suggested it might be useful to Council members to attend the AQCC meeting on September 20. He stated that it may be possible to have a separate or joint meeting with RAQC members to facilitate questions. He will keep Council updated.

Council discussed the selection of a contractor for the ozone modeling. Ken Lloyd indicated that the APCD staff and RAQC staff are meeting to discuss options for the ozone modeling. RAQC

and APCD are leaning toward recommending using the same contractor that did the original modeling. More information will be provided at the September meeting.

### **Future Meeting Schedule**

Council agreed to keep the meetings on the first Thursday from 3:00-5:30 p.m. with a few exceptions. The meeting dates are September 6, October 4, November 1, December 6, January 10 (2<sup>nd</sup> Thursday, from 2-4:30pm), February 7, March 6, April 3, May 1, June 5, July 3 (Due to 4th of July holiday this date may change), August 7, September 4, and October 2.

Misty Howell will email the dates to Council.

### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 5:30 p.m.