

# MINUTES

## REGIONAL AIR QUALITY COUNCIL

Thursday, May 1, 2008

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

Andy Spielman, Chairman, *Hogan and Hartson, LLP*  
Brad Beckham, *Colorado. Department of Transportation (alternate for George Russell)*  
Theresa Donahue, *Metro Denver Health & Wellness Commission*  
Jim Martin, *Colorado. Department Public Health and Environment*  
Ben Manvel, *City of Fort Collins*  
Jana Milford, *University of Colorado at Boulder*  
Nathan Rabinovich, *National Jewish Medical and Research Center*  
Joan Ringel, *Citizen Member*  
Nancy Severson, *Denver Department of Environmental Health*  
Melanie Worley, *Douglas County/DRCOG*

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

Mark Johnson, *Jefferson County Department of Health and Environment*

### **OTHERS PRESENT:**

Ken Lloyd, RAQC; Misty Howell, RAQC; Steve McCannon, RAQC; Jerry Dilley, RAQC; Kate Riegle, RAQC; Trevor Noel, RAQC; Sandi Garcia, RAQC; Margy Christensen, CCR/RAQC; Zac Graves, CDOT; Renee Allen, Envirotest; Kevin Lynch, Environmental Defense Fund; Jeremy Nichols, Rocky Mountain Clean Air Action; Natalia Swalnick, American Lung Association; Sabrina Williams, Denver Environmental Health; Betsy Barthomew, Launch Advertising; Suzette MacKinnon, Launch Advertising; Martha Peck, Launch Advertising; Barney Stroble, citizen; Mike Silverstein, APCD; Sheri Swadburg, Mothers for Clean Air Colorado; and Pam Milmoie, Boulder County; Jim Brandon, ESP; Paul Tourangeau, APCD; Garry Kaufmann, APCD; Gregg Thomas, City and County of Denver; Abby Gaffney, Davis, Graham & Stubbs; Darby Doll, JohnstonWells Public Relations; and Rick Griffith, ERAS, Inc.

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The meeting was called to order at 3:00 pm by Councilmember Joan Ringel. A quorum was present.

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

Council discussed moving the discussion of the VOC stationary source strategies after the media advertising campaign. Council also decided to include a discussion of a SIP goal as it relates to the request received from Jeremy Nichols. **Theresa Donahue moved to approve the agenda with the noted changes. Seconded by Nancy Severson. Motion passed without objection.**

**Nancy Severson moved to approve the minutes. Seconded by Melanie Worley. Motion passed without objection.**

**Informational Items**

*Chairman*

None.

*Executive Director*

Ken Lloyd informed Council that the Mow Down Pollution event in Greeley was successful despite the weather on Saturday. More than 120 mowers were sold and more were recycled. While supplies last, Weld County citizens can still get the discounted mower at ozoneaware.org.

Ken told Council that the legislative matter regarding the collector car and North Front Range inspection and maintenance that was discussed at the April meeting did not move forward due to the lack of a sponsor and the lack of approval for a late bill. These issues will need to be addressed next legislative session as the Ozone SIP moves forward.

Ken also gave the Council an update on the modeling deliverables. Environ, the contractor, is on track and will be presenting the 2006 and 2010 base case at a modeling stakeholder meeting scheduled for May 20. At that meeting there will also be a discussion on the sensitivities to be used in the model. The contractor will also present information at the next RAQC meeting on May 21.

A Stakeholder meeting to discuss regulation language changes for VOC stationary sources is scheduled for May 13. A draft SIP and regulation language changes will be presented to the Council by early August.

*Committees*

None.

*Members*

None.

**Public Comment**

Sabrina Williams, Denver Department of Environmental Health, expressed concern with the stiffness of the model and that the Air Pollution Control Division (APCD) did not receive the model inputs and training that was supposed to be provided by the contractor, Environ, during the Early Action Compact (EAC) process. She believes the APCD lost three years of opportunity to refine the model. She asked Council to encourage the APCD to get this information and training during the current process so the model can be refined outside of the SIP process for the future.

Mike Silverstein, APCD, clarified that they did receive the model inputs and training. It was a management decision to work with contractors rather than create an ozone modeling group at the APCD. He indicated that ozone modeling is very technical and it was decided the best use of APCD staff resources would be to work to keep the inventory inputs updated.

Mike also addressed comments on the stiffness of the model. He stated it should not be assumed the current modeling will be stiff. He reiterated that this modeling approach is different from that used during the EAC process.

Sheri Swadburg, Mothers for Clean Air Colorado, stated she supports the goal of 75 parts per billion (ppb) as an ozone goal as outlined in the letter from Jeremy Nichols. She referenced recent articles regarding air pollution and kids and encouraged the Council to take the connection seriously. Additionally, she informed Council that her organization is looking at schools near busy roads and is working on an on-line tool for parents. She also thanked the RAQC staff for their assistance with the pilot school idling program.

Barney Stroble, citizen, questioned why the ozone concentrations are different at various sites. Ken Lloyd explained monitors that are closer to roadways have lower ozone concentrations because Nitrogen Oxides (NOx) reacts to reduce ozone. Barney also wanted to know how citizens can provide suggestions or recommendations. Ken Lloyd stated there is a feedback link on [ozoneaware.org](http://ozoneaware.org).

### **Approval of Content from Summer 2008 Ozone Media Advertising Campaign**

Betsy Bartholomew, Launch Advertising, introduced her partners Suzette MacKinnon and Martha Peck. Betsy provided an overview of the key messages to be included in the new television spots as well as the text for the 60 second radio spot. The television and radio spots are booked for the summer. She informed Council the spots are cancelable if the funding is not available in time. The outdoor billboards cannot be booked without a funding contract. Availability of the prime spots this summer is limited due to the Democratic National Convention (DNC). RTD is providing additional bus tails this season. Betsy stated that there will be less bonus media this season due to the DNC but Launch is working with stations on creative alternatives.

Ken indicated staff is awaiting CDOT's approval of the contract amendment for the 2008 ozone season funds.

**Nancy Severson moved to proceed with the media advertising campaign as proposed. Seconded by Jim Martin. Motion passed without objection.**

### **Discussion of Council Ozone SIP Goal**

Jeremy Nichols, Rocky Mountain Clean Air Action, reiterated his request for the Council to commit to the new 75 ppb ozone standard through the current planning process and to develop an ozone reduction plan that meets the newly adopted ozone standard.

Council discussed the importance of reducing ozone for the protection of public health, as well as how the goal would translate to the State Implementation Plan (SIP) work.

Jim Martin stated Council should work to find what it would take to reach the 85 ppb and 75 ppb standard. He said it is anticipated that EPA will need to layout national strategies to help non-attainment areas meet the standard. He suggested Council work to create menu of options for reaching both standards.

Ken Lloyd clarified that the modeling of 2010 and 2020 sensitivities will provide information on what strategies will provide the best benefits. Ken also stated that a specific number (ie. 74 ppb or 75 ppb) is not modeled. Groups of strategies are input into the model to determine the level of reduction achieved. This will allow the Council to make decisions on which strategies to include in the SIP.

Kevin Lynch, Environmental Defense Fund, encouraged Council to keep options on the table and would like to see durable, cost effective measures to attain the standard.

Natalia Swalnick, American Lung Association, provided some information on health and exposure to ozone.

Pam Milmoie, Boulder County, supported an aggressive approach and urged Council to have contingency strategies.

**Theresa Donahue moved to adopt 75 ppb as the RAQC's ozone goal and to work to make significant progress in reaching the goal in the current SIP process and beyond as needed. Seconded by Joan Ringel. Motion passed without objection.**

### **Discussion of VOC Strategies**

Mike Silverstein, APCD, presented an approach to VOC stationary source strategy development. He explained that throughout the stakeholder process numerous stationary sources and oil and gas options were described by the APCD. The APCD will focus on a finite set of options based on significant emission reductions and equity. Other options have been set aside for now. The following VOC stationary source strategies will be fully developed so there is a menu of options to select from when a proposal is formulated:

- all current regulatory programs remain in place;
- for stationary sources - expand regulation no. 7 to the entire nonattainment area, remove exemptions, reduce emissions from certain large stationary sources, and apply RACT to all new VOC sources; and
- for oil and gas sources – reduce emissions from new/existing tanks and pneumatics.

Mike asked the Council to endorse the approach as outlined. He reiterated the endorsement would be for the process not specific strategies. The APCD is not making a judgment on what strategies should be included in the SIP or adopted as State-only rules.

It was suggested that the APCD should consider how the reduction of VOCs affects other pollutants as they move forward.

Pam Milmoe, Boulder County, supported the focus on pneumatics and condensate tanks. She encouraged the APCD to look at Best Available Control Technology (BACT) rather than Reasonably Available Control Technology (RACT).

There was consensus from Council to move forward with the approach outlined by the APCD.

### **Discussion of Revised Local Government Funding Allocations**

Ken Lloyd informed Council that the 2009 local government funding requests are sent in May to be included in budget discussions. Ken explained the RAQC, in 1990, developed a formula allocating voluntary funding requests to local governments in the region. The formula was derived from a variation of the long standing funding formula used by Denver Regional Council of Governments. The formula allocates funding between cities and counties and uses a combination of population estimates and assessed valuation for each local jurisdiction. The last revision was in 2000.

Ken provided details on the funding. He indicated staff is recommending option 1, which increases allocations by 10% and redistributes funding based on the updated formula.

It was also suggested that Council members and staff focus increased attention on 12 larger local jurisdictions that are not currently contributing funding or providing less than half of the allocated funding. Council discussed ways to reach out to these local governments.

**Jim Martin moved to approve option 1 for the 2009 funding requests and that the Council work with staff to approach the local jurisdictions listed on the table. Joan Ringel seconded. Motion passed without objection.**

### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 5:45p.m.