

MINUTES

REGIONAL AIR QUALITY COUNCIL

Thursday, February 5, 2009

RAQC MEMBERS/ALTERNATES PRESENT:

Andy Spielman, *Chairman, Hogan and Hartson, LLP*
Brad Beckham, *Colorado. Department of Transportation (alternate for Russell George)*
Theresa Donahue, *Smart Energy Living Alliance*
Mark Johnson, *Jefferson County Department of Health and Environment*
Ben Manvel, *City of Fort Collins*
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*
Melanie Worley, *Douglas County/DRCOG*

RAQC MEMBERS/ALTERNATES NOT PRESENT:

Nathan Rabinovich, *National Jewish Health*

RAQC STAFF PRESENT:

Ken Lloyd; Sarah Anderson; Jerry Dilley; Misty Howell; Steve McCannon; Trevor Noel; Kate Riegle

OTHERS PRESENT:

Jim Brandon, ESP; Margy Christiansen, RAQC; Steve Cook; Dennis Creamer; Abby Gaffney, Davis, Graham & Stubbs; Rick Griffeth, ERAS; Ed Ingve, Renegade Oil & Gas Company; Pam Milmoie, Boulder County Department of Health; Ralph Morris, Environ; Jon Shaw, Wagner Equipment; Mike Silverstein, APCD; Natalia Swalnick, American Lung Association; Paul Tourangeau, APCD; Sabrina Williams, Denver Health;

The meeting was called to order at 3:05 pm by Chairman Andy Spielman. A quorum was present.

Approval of Agenda and Minutes

Nancy Severson moved to approve the agenda. Seconded by Mark Johnson. Motion passed without objection.

Nancy Severson moved to approve the minutes. Seconded by Brad Beckham. Jana Milford offered a few minor changes to the minutes. Motion passed without objection.

Informational Items

Chairman
None.

Executive Director

None.

Committees

None.

Members

None.

Public Comment

None.

2009 Ozone Planning Activities

Mike Silverstein, ACPD, briefed Council on the NO_x evaluation for Regional Haze and ozone. He noted the Regional Haze achievements to reduce NO_x and outlined additional reductions from strategies which will be implemented in the near future.

Mike said Regional Haze and ozone modeling analyses have informed the planning process. NO_x reductions appear to be generally beneficial for both ozone and Regional Haze throughout the State. He emphasized the ozone impacts from NO_x reductions must be carefully evaluated and considered. For Regional Haze, a goal of the ACPD is to establish a reasonable progress process for each Colorado Class I area. Significant sources/source categories will be evaluated for reasonable emission reduction controls using the following factors: cost of compliance; time required; energy and non-air impacts; and usefully life of facilities. Mike said NO_x reductions that benefit both Regional Haze and ozone, along with nitrogen deposition, will be explored throughout 2009.

He then outlined the next steps in the process. The ACPD is evaluating and formulating an approach for advancing emission controls that benefit ozone, Regional Haze and Rocky Mountain National Park. Rigorous ozone modeling will inform critical benefits and direction, while source control evaluations will show benefit feasibility and cost. This data will be used to guide future steps and direction. Proposals will be discussed with stakeholders and the Air Quality Control Commission once they are developed. Mike stressed that the goal of the ACPD is to have a quality, well informed strategy so that any proposal is complementary and consistent for ozone, Regional Haze and Rocky Mountain National Park.

Joan Ringle asked if there are ways to calculate the health benefit from NO_x reductions. Mike indicated it is difficult to quantify, but the ACPD may be able to estimate benefits on a National level.

Jana Milford asked if the self assessments will be made public. Mike said that once the assessments are evaluated by the ACPD they will become public documents. Mike stated the ACPD is working to get a plan to the AQCC this year, but the schedule should not and will not dictate the work. The plan is to adequately review the issue.

Theresa Donahue asked how President Obama's plan to allow State's to set stricter standards would affect this effort. Mike said his department is reviewing this issue, specifically the California Clean Cars program to determine if it would be good for Colorado. He noted the APCD staff is expecting to have an internal report in three to four months.

Ken Lloyd presented the future year modeling plan for the Denver Metro/Northern Front Range Region. He explained the modeling work is broken into two Phases to correspond with available funding. Phase I, 2015/2020 base case projections, source apportionment and control sensitivities, will provide information during the Regional Haze process on the impact of NOx controls on ozone by June 2009 and help direct evaluation of potential ozone control strategies during the summer of 2009. He outlined the tasks in Phase II, which are currently unfunded. These model improvements can be funded independently. Ken indicated Phase II tasks could be completed within 8 months if funding is found and the work could start in June 2009.

There was discussion regarding model performance in areas other than the Front Range.

Ralph Morris, Environ International Corporation, presented the technical aspects of the Phase I and Phase II ozone modeling.

Public Comment

Sabrina Williams, Denver Environmental Health, provided Council with a written recommendation from the Local Government Coalition regarding the tasks outlined in the modeling scope of work. Given that funding has not been identified for Phase II tasks, the Coalition asked Council to focus on Tasks 13, 15, and 17 should funding become available.

Ed Ingve, Renegade Oil and Gas, expressed concern that the Phase I modeling tasks provide no opportunity for stakeholder input. He said some wells will close due to current regulations and the current economy. He said he would like to see more effort to confirm that the modeling data are accurate.

Proposed 2009 RAQC Work Program and Budget

Ken Lloyd reviewed the 2009 Work Program and Budget. Council discussed the work program and budget detail.

Council members inquired if any of the funding for media advertising under the ozone outreach program could be reallocated to ozone modeling. Ken Lloyd reminded Council that the media advertising is funded through a Congestion Mitigation Air Quality (CMAQ) grant and the funds have to be spent as outlined in the contract with the Colorado Department of Transportation. Council asked that staff flag any RAQC funds that could be considered for reallocation to the modeling efforts.

Jim Martin stated the Governor has told State agencies not to expect pay increases in 2009. Ken Lloyd said he did consider the option and after comparing State employees benefits to those of RAQC employees, which are significantly less, he included the salary increases in the 2009 budget. Jim indicated he was not suggesting the salary increases be decreased or eliminated, but how the Governor's Executive Order applies to the RAQC should be reviewed.

Jim Martin moved to approve the 2009 Work Plan and Budget. Seconded by Mark Johnson. Nancy Severson made friendly amendment to approve the plan with the caveat to monitor the budget and allow flexibility to move funds, if necessary, to meet priorities identified by Council. Friendly amendment was acceptable to Jim and Mark. Motion passed without objection.

Discussion of Legislation of Interest

Margy Christiansen, RAQC legislative liaison, informed Council that SB 9-003, the bill to expand the I/M program into Weld and Larimer counties and make adjustments to the collector car program, has been put on hold. The Commissioners for Larimer and Weld County are asking for a waiver of time to implement the program. The APCD staff is working on the concerns and trying to resolve issues.

Mark Johnson asked if Amendment 54 affected the RAQC. Andy Spielman offered the services his firm, Hogan and Hartson, to review this amendment and to determine whether the RAQC is obligated to modify its procurement practices to comply.

Mark Johnson also informed Council his has been asked to sit on the Jefferson Parkway Authority Board. He will provide feedback to Council.

Adjournment

There being no further business before the Council, the meeting was adjourned at 4:55 p.m.