



## MINUTES

Friday, May 6, 2011

### **RAQC MEMBERS PRESENT:**

Andy Spielman, *Chairman, Hogan Lovells*  
Melissa Chalona, *CTL|Thompson Inc.*  
Eric Doering, *Town of Frederick*  
Bob Fitzgerald, *City of Aurora*  
Rick Garcia, *Department of Urban Housing and Development (advisory)*  
Darryl Jones, *Coventry Development*  
Elise Jones, *Colorado Environmental Coalition*  
Richard Long, *Citizen*  
Ben Manvel, *City of Fort Collins*  
Linda Morton, *Morton Consulting Co*  
Bob Murphy, *City of Lakewood*  
Paul Natale, *City of Commerce City*  
John Putnam, *Kaplan, Kirsch, & Rockwell, LLP*  
Jennifer Schaufele, *Denver Regional Council of Governments*  
Nancy Severson, *Denver Department of Environmental Health*  
Nancy Sharpe, *City of Greenwood Village*  
Skip Spensley, *Environmental Consultant*  
David Stewart, *EnCana Oil & Gas (USA)*  
Will Toor, *Boulder County*

### **RAQC MEMBERS NOT PRESENT:**

Debra Baskett, *City and County of Broomfield*  
Reeves Brown, *Colorado Department of Local Affairs*  
Don Hunt, *Colorado Department of Transportation*  
Jep Seman, *Corporate Advocates*  
Chris Urbina, *Colorado Department of Public Health and Environment*  
Elena Wilken, *Colorado Association of Transit Agencies*

### **RAQC ALTERNATES PRESENT:**

Jennifer Finch, *Colorado Department of Transportation*  
Martha Rudolph, *Colorado Department of Public Health and Environment*

### **RAQC STAFF PRESENT:**

Ken Lloyd; Sarah Anderson; Jerry Dilley; Misty Howell; Steve McCannon; Aneka Patel; and Kate Riegle.

### **OTHERS PRESENT:**

Theresa Amoroso, APCD; Andy Berger, Tri-State G&T; Dennis Arfmann, CACI Air Quality Chair; Sarah Bartlett, COGA Air Quality Committee; Kris Bohling, Wagner Equipment; Andrew Casper, COGA; Margy Christiansen, RAQC; Steve Cook, DRCOG; Dennis Creamer, Consultant; John Gallagher, Suncor Energy; Karen Hancock, City of Aurora; Garry Kaufmann, AQCC; Mark Kunugi, City of Denver - DIA; Caroline Lee, Faegre & Benson; Alex Mehn, Transportation Solutions; Monica Morales, EPA – AQP; Theresa Ostendorf, EPA – AQP; Titus Peterson; Mike Silverstein, APCD; Jeff Sudmeier, CDOT; Natalia Swalnick, American Lung Association; Curt Taipale, APCD; Paul Tourangeau, APCD; Eric Triphat, Faegre & Benson; and Tareq Wafaie, DOLA.

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The meeting was called to order at 9:35 a.m. by Chairman Andy Spielman. A quorum was present.

### **Approval of Agenda**

**Elise Jones moved to approve the agenda. Seconded by John Putman. Motion passed without objection.**

### **Approval of Minutes**

**Skip Spensley moved to approve the minutes. Seconded by Ben Manvel. Motion passed without objection.**

### **Informational Items**

*Chair*

None.

*Executive Director*

None.

*Members*

Bob Fitzgerald informed Council that Aurora has passed a solar/wind ordinance.

Martha Rudolph indicated that on May 5, 2011, the Governor signed the RAQC's new Executive Order extending the RAQC for another two years.

### **Public Comment**

Natalia Swalnick, American Lung Association, announced the Clean Cities Coalition received a grant to work on a state-wide plan for electric vehicles. They are working on a needs assessment and are looking for additional partners.

Skip Spensley introduced Randy Harrison, Executive Director of Move Colorado. Mr. Harrison provided Council with information and handout on a Move Colorado Symposium on Mileage-Based User Fees scheduled for June 13-14, 2011. He encouraged Council to attend the Symposium.

### **Legislative Update**

Margy Christiansen provided Council with updates on current legislation of interest. She said HB 1275, concerning an engine idling standard for certain commercial diesel vehicles, passed the House and is moving rapidly to the Senate. Margy noted that there have been several Senate bills introduced regarding the Regional Haze SIP. She said that the bill that supports the SIP is moving forward. Margy stated there is a bill to get CDPHE help for permit modeling which is moving forward.

## **Overview of Plans for Summer OzoneAware Program**

Sarah Anderson provided Council with an overview of the upcoming summer OzoneAware program. She outlined the program goals which include engaging a broad audience through a comprehensive approach, developing simple and straight-forward messages, involving stakeholders, raising awareness and understanding, and motivating citizens to change ozone-causing behavior. She provided several examples of the television, outdoor and radio advertising for the program. She explained that the 2011 program will have a bicycle focus. The RAQC is sponsoring bike valet parking at events with Bike Denver and purchasing bike basket ads through B-Cycle. Sarah explained that the budget for the 2011 activities is essentially the same as is the media tactics and outreach activities.

In response to questions, Sarah said the evaluation of the effectiveness of the program is self reported. The RAQC has performed pre- and post-program evaluations, which have shown that people are starting to recognize the messaging and are taking some actions.

Sarah noted that the local government media assistance is mostly RAQC staff providing articles for newsletters and text for social media.

In response to how the transit community is responding to partnerships with the RAQC's outreach, Sarah said that the Petroleum Marketers Association is contributing pump topper advertising, however, RTD was unable to donate bus boards this season.

Andy Spieman congratulated staff for figuring out how to incorporate new ideas without additional funding. Ken Lloyd reminded Council that 2011 is the last year of funding through CMAQ for this program and sponsorships and other funding mechanisms will be needed to continue it into the future.

## **Overview of Potential Stationary and Area Source Control Measures**

Mike Silverstein, APCD, presented emission control options for stationary and area sources. He gave an overview of the current Front Range and statewide emission control measures and illustrated the inventory apportionment with pie charts.

There was discussion on what is included in the point and area categories. Mike Silverstein said the categorization is based on how facilities are permitted and their size. Paul Tourangeau, APCD, noted that oil and gas sources are predominately small sources but there are many of them.

Mike Silverstein said that CDPHE is evaluating the strategies to determine the most useful direction. In response to a question, Mike said that typically the cost included is the cost to meet the requirement amortized over a period of time. He also said CDPHE has no ability to determine the cost to the consumer.

Council discussion continued regarding what measures to include and the level of detail that would be helpful in the decision making process. Paul Natale said oil and gas is always targeted for control and Council needs to be realistic as it reviews measures.

Mike said the current plan is to evaluate the measures in isolation. The measures will then be packaged during the modeling to inform the discussion.

## *Public Comment*

Titus Peterson, member of the public, asked if and how the price of oil is calculated in the future projections. Mike Silverstein said the APCD will be depending on industry projections and the Colorado Oil and Gas Commission projects to provided estimates for 2020. Mr. Peterson also asked if under House Bill 1350 the CDPHE is suggesting to municipalities to use build-outs. Mike said that type of recommendation is outside the purview of the APCD and that they are conducting evaluations of strategies at this time, not making any suggestions.

## **Panel Discussion – Industry Perspective on Stationary/Area Source Control Measures**

Ken Lloyd introduced the panelists who will be providing their perspective on stationary and area source control measures.

Dennis Arfmann, CACI Air Quality Committee Chair, said the new ozone standard will require "out of the box" thinking and he believes the process outlined by Mike Silverstein is a good starting point. He said the CDPHE and RAQC have a balanced process for flushing out strategies. He suggested Council should look at electric buses/taxis and Zero Emission Districts (ZED).

Sarah Bartlett, COGA Air Quality Committee Member, outlined some of the best management practices currently being used on a voluntary basis in the oil and gas industry, including experimenting with condensate tank multi-phase separators, incorporating vapor recovery units and using automation.

Chris Bohling, Wagner Equipment, said that the pollution equipment from on-road vehicles is moving to off-road vehicles. He provided Council will some information on ways they are working to optimize engine performance. He said the Tier 4 interim off-highway standard went into effect January 1, 2011 and represents a 90% reduction in PM and a 50% reduction in NOx. The Final Tier 4 goes into effect January 1, 2014 and will reduce NOx an additional 80% bringing final emissions to near "zero" levels. Mr. Bohling reminded Council that the fleet cycle for off-road equipment is 18-20 years.

Council discussion included how the 30 strategies outlined by Mike Silverstein are a starting point and will evolve as Council considers them. Council also discussed the consumer cost of control measures for stationary and area sources. Mr. Bohling said the industry is in the infancy stages of looking at costs to consumers when adding pollution controls. Dennis Arfmann also noted that the cost of pollution controls cannot always be passed on to consumers.

In response to questions about the trade offs for electric vehicles and increased power generation at power plants, Dennis Arfmann noted there was a study a few years ago that addressed air quality impacts of electrification which he can forward to Council. Ken Lloyd said the RAQC is not at the stage to work with consumer fleets yet. However, he suggested that a pilot project to look at public fleets might be an option. Council also discussed Zero Emission Districts (ZEDs) and expressed interest in finding out more information about them.

Sarah Bartlett said that she believes that small companies would participate in innovation if there were incentives offered, such as grants to help purchase equipment. Chris Bohling said Council needs to be inclusive and consider all sides when making policy decisions.

Ken Lloyd suggested that Council review these measures in three possible subcommittee categories: point sources, area sources/non-road, and oil and gas sources. He said staff will work to group the measures into those categories and contact Council members to establish the subcommittees.

### **Update on Other Ozone SIP Planning Activities**

Ken provided an update on ozone SIP planning to Council. He indicated that EPA has committed to promulgate the new ozone standard by July 29, 2011. There has been no indication of the level at which EPA will set the standard. Ken also noted that the critical piece for the RAQC is the Implementation Rule that will be proposed at the same time EPA issues the new standard. The Implementation Rule will lay out the designation schedule, classification criteria, SIP requirements and deadlines. He outlined the tentative schedule for designations (2012/13), attainment SIPs (2015/16) and attainment date (2018/19 for moderate areas), but noted that all dates are dependant upon when EPA sets the standard.

Ken also provided Council with Denver/NRF ozone data from 2008-2010 and illustrated where the region would fall within the various standard (0.060 ppm -0.085 ppm) ranges. He then provided Council with an updated task milestones schedule for the ozone modeling. At this time, it is anticipated that a stakeholder forum would be held in August or September 2011.

He updated Council on the transportation/land use strategy activities. He informed Council that EPA/DRCOG/RAQC are working on a sketch modeling project. The group held a workshop in April and notes have been distributed. The project team is working to lay out the next steps. He stated that the CDOT Mileage Based User Fee consultant study is underway and there is a possibility that information will be available by year-end. Staff has met with CDOT, DRCOG and RTD to discuss modeling needs. He also directed Council to a handout which outlined EPA's initial feedback on the list of transportation/land use measures evaluated by the RAQC in 2010.

Ken said staff has continued its coordination efforts with the North Front Range and the Air Quality Control Commission. He told Council that the goal for early 2012 is to have the implementation parameters and deadlines for the new standard, to have the base year and base future year modeling analysis complete, and to work on further refinement and analysis of potential strategies. Then the RAQC and its planning partners can begin to identify what will be needed for the SIP.

Council discussion included whether there Council would receive some education on how the modeling works. Ken indicated that a summer modeling forum is anticipated and there will times within the process where information will be shared with broader partners.

### **Discussion on Upcoming Meetings and Topics**

Council revisited the meeting framework to determine if adjustments are needed. Ken Lloyd said it would be premature to continue the pricing discussion as originally scheduled for the June meeting. He asked Council if there were other items they would like to discuss. Items for discussion that were outlined by Council included:

- Background levels of ozone. Ken indicated that this would be a topic covered along with the modeling information.
- Air quality benefits of energy efficiency SIP credits. Ken said this is a topic of one the papers being prepared by CDPHE and that EPA just issued some guidance for this.
- An update on what is happening with the Governor's Energy Office.

- Making a connection with Governor Hickenlooper. It was suggested he be invited to a meeting to discuss what is being done and the direction he envisions. Martha Rudolph will look into whether the Governor has time in his schedule to meet with the RAQC.
- A presentation on the Fort Collins Zero Emission District (ZED)

### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 12:20 p.m.