BEFORE THE COLORADO AIR QAULITY CONTROL COMMISION
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

PETITION FOR PARTY STATUS BY METRO WASTEWATER RECLAMATION DISTRICT

IN THE MATTER OF PROPOSED REVISIONS TO REGULATION NUMBER 7, SECTION XVI – CONTROL OF EMISSIONS FROM STATIONARY AND PORTABLE COMBUSTION EQUIPMENT IN THE 8-HOUR OZONE CONTROL AREA

Under the provisions established in the Procedural Rules of the Colorado Air Quality Control Commission (Commission) (5CCR 1001-1, Section V.E.4), the Metro Wastewater Reclamation District (Metro District) petitions the Commission for party status in the above referenced public rulemaking hearing. Pursuant to Section V.E.4.C of the Procedural Rules and the April 20, 2018 Notice of Public Rulemaking Hearing issued by the Commission, the information below is provided with this petition.

1. Applicant Information

The applicant for party status is Metro Wastewater Reclamation District, 6450 York Street, Denver, Colorado 80229-7499. The Metro District provides wholesale wastewater collection and treatment service to numerous communities in the Denver Metro area. The Metro District collects and treats on average 130 million gallons of wastewater per day and serves approximately 1.8 million people in the Denver metropolitan area. At the Robert W. Hite Treatment Facility located in Denver, solids removed from the wastewater are treated using anaerobic digestion producing biosolids and biogas. The biogas produced during the solids treatment process is combusted in a cogeneration plant operated by and permitted under Suez Denver Metro, LLC. The cogeneration plant converts the biogas to about 4.5 megawatts of electricity that is used to power the treatment process. The proposed revisions to Regulation Number 7 will affect the cogeneration plant specifically the combustion turbines, reciprocating engines and flares operated by Suez Denver Metro, LLC.

2. Applicant's Representatives Information

Jennifer Schwarz
Reg. Compliance Spc.
6450 York Street
Denver, CO 80229-7407
Phone: 303-286-3442
Fax: 303-286-3035
jschwarz@mwrd.dst.co.us

Katie Leach
Reg. Compliance Spc
6450 York Street
Denver, CO 80229-7407
Phone: 303-286-3396
Fax: 303-286-3035
kleach@mwrd.dst.co.us

Jennifer Robinett
Reg. Compliance Officer
6450 York Street
Denver, CO 80229-7407
Phone: 303-286-3340
Fax: 303-286-3035
jrobinett@mwrd.dst.co.us

3. Factual, Policy and Legal Issues

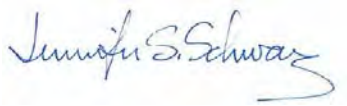
The Metro District participated in the Major Source Combustion Equipment Stakeholder Workgroup and provided detailed comments on the Draft proposed rule written by the Air

Pollution Control Division (Division). The Stakeholder process encourages parties to develop consensus positions and to narrow the issues in contention. The Metro District believes the Stakeholder process was successful and supports the majority of the Division's proposed rule.

The Metro District looks forward to continuing its participation in the Commission's rulemaking process as a party to ensure that our interests and concerns are adequately addressed.

Date: May 17, 2018

Respectfully submitted,



Jennifer S. Schwarz
Regulatory Compliance Specialist
Metro Wastewater Reclamation District

cc: Robert Thomas, Emily Jackson, Jennifer Robinett, Katie Leach – Metro District
Suzanne Stevens, Mike Gwyther – Colorado Energy Nations Co., LLC
Records Management

REQUEST FOR PARTY STATUS FOR METRO WASTEWATER RECLAMATION DISTRICT SUBMITTED BY JENNIFER SCHWARZ VIA ELECTRONIC MAIL ON MAY 17, 2018

Staff for the Commission	**Staff for the Division**
Theresa L. Martin Air Quality Control Commission 4300 Cherry Creek Drive South, EDO-AQCC-A5 Denver, CO 80246 Theresa.Martin@state.co.us	Dena Wojtach Air Pollution Control Division 4300 Cherry Creek Drive South, APCD-B1 Denver, CO 80246 Dena.Wojtach@state.co.us
Attorney for the Commission	**Attorney for the Division**
Thomas Roan Colorado Department of Law Natural Resources Section, Air Quality Unit 1300 Broadway, 10th Floor Denver, CO 80203 Tom.Roan@coag.gov	Laura Mehew Colorado Department of Law Natural Resources Section, Air Quality Unit 1300 Broadway, 10th Floor Denver, CO 80203 LT.Mehew@coag.gov

BEFORE THE COLORADO AIR QAULITY CONTROL COMMISION
COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

PREHEARING STATEMENT – METRO WASTEWATER RECLAMATION DISTRICT

IN THE MATTER OF PROPOSED REVISIONS TO REGULATION NUMBER 7, SECTION XVI – CONTROL OF EMISSIONS FROM STATIONARY AND PORTABLE COMBUSTION EQUIPMENT IN THE 8-HOUR OZONE CONTROL AREA

Under the provisions established in the Procedural Rules of the Colorado Air Quality Control Commission (Commission) (5CCR 1001-1, Section V.E.6.c and VI.C.4) and the schedule provided in the Commission's "Notice of Public Rulemaking" dated April 20, 2018, the Metro Wastewater Reclamation District (Metro District) submits this Prehearing Statement in the above referenced public rulemaking hearing.

1. COVER STATEMENT – §V.E.6.c.(i)

The Metro District provides wholesale wastewater collection and treatment service to numerous communities in the Denver Metro area. The Metro District collects and treats on average 130 million gallons of wastewater per day and serves approximately 1.8 million people in the Denver metropolitan area. At the Robert W. Hite Treatment Facility located in Denver, solids removed from the wastewater are treated using anaerobic digestion producing biosolids and biogas (also called digester gas composed primarily of methane gas). This biogas is beneficially combusted in a cogeneration plant operated by and permitted under Suez Denver Metro, LLC. The cogeneration plant using combustion turbines converts the biogas to 4.5 megawatts of electricity that in turn powers approximately 36% of the treatment process.

The proposed revisions to Regulation Number 7 will affect the cogeneration plant specifically the combustion turbines, reciprocating engines and flares operated by and permitted under Suez Denver Metro, LLC. Suez Denver Metro, LLC is the only major source in the Denver Metro North Front Range Ozone Control Area that combusts digester gas.

Since the Party Status Conference, the Air Pollution Control Division (Division) continued to work with the other parties to develop consensus and provided the parties with additional revisions to Regulation Number 7 including the Statement of Basis, Specific Statutory Authority and Purpose dated June 11, 2018 (Revised Proposal). The Metro District supports this Revised Proposal and appreciates the parties' efforts and the Division's willingness to work through the issues in contention. The Metro District requests 15 minutes to present at the rulemaking hearing. Additionally, the Metro District reserves the right to defend or rebut arguments or alternative proposals made by other parties.

2. FACTUAL, POLICY AND LEGAL ISSUES – §V.E.6.c.(ii)

The Metro District participated in the Major Source Combustion Equipment Stakeholder Workgroup and provided detailed comments on the Draft proposed rule written by the Division.

The Metro District believes the Stakeholder process was successful and supports the Revised Proposal dated June 11, 2018.

3. ISSUES TO BE RESOLVED BY THE COMMISSION – §V.E.6.c.(iii)

There are no issues with the Revised Proposal for the Commission to resolve.

4. EXHIBITS – §V.E.6.c.(iv)

The Metro District does not plan to provide any Exhibits.

5. WITNESS – §V.E.6.c.(v)

The Metro District reserves the right to amend the list of witnesses or substitute witnesses as may be required to account for changes in schedules of the witnesses listed below. Jennifer Robinett, Metro District Regulatory Compliance Officer, Katie Leach, Metro District Regulatory Compliance Specialist, or Jennifer Schwarz, Metro District Regulatory Compliance Specialist, may offer statements regarding policy and legal issues related to the Revised Proposal.

6. WRITTEN TESTIMONY – §V.E.6.c.(vi)

The Metro District does not plan to provide written testimony.

7. ALTERNATE PROPOSAL – §V.E.6.c.(vii)

The Metro District does not plan to submit an alternate proposal.

8. FEDERAL CLEAN AIR ACT REQUIREMENTS – §V.E.6.c.(viii)

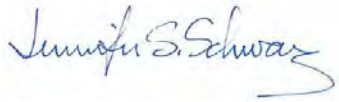
Not applicable.

9. FINAL ECONOMIC IMPACT ANALYSIS – §V.E.6.c.(ix)

Because the Metro District is not providing an alternate proposal, an economic impact analysis is not required. The Metro District reserves the right to comment on any economic impact analyses submitted by another party with their alternate proposal to the Division's Revised Proposal.

Date: June 11, 2018

Respectfully submitted,



Jennifer S. Schwarz
Regulatory Compliance Specialist
Metro Wastewater Reclamation District

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of June 2018, the Metro Wastewater Reclamation District Prehearing Statement and Cover Document in the matter of Proposed Revisions to Regulation Number 7, Section XVI – Control of Emissions from Stationary and Portable Combustion Equipment in the 8-Hour Ozone Control Area was emailed to the parties identified below.

Jennifer S. Schwarz

Party	Electronic Mailing
Air Quality Control Commission 4300 Cherry creek Drive South, EDO-AQCC-A5 Denver, CO 80246	Commissioner Chuck Grobe – Hearing Officer Email: grobe@q.com Mike Silverstein – Administrator Email: mike.silverstein@state.co.us Theresa Martin - Program Coordinator Email: theresa.martin@state.co.us
Office of Attorney General – Commission Attorney Colorado Department of Law Natural Resources Section – Air Quality Unit 1300 Broadway, 10th Floor Denver, CO 80203	Tom Roan Email: tom.roan@coag.gov Dan Graeve Email: dan.graeve@coag.gov
Air Pollution Control Division 4300 Cherry Creek Drive South, APCD B1 Denver, CO 80246	Gary Kaufman – Division Director Email: garrison.kaufman@state.co.us Chris Colclasure – Program Manager Email: chris.colclasure@state.co.us Dena Wojtach – Unit Manager Email: dena.wojtach@state.co.us
Office of the Attorney General–Division Attorney Colorado Department of Law Natural Resources Section – Air Quality Unit 1300 Broadway, 10th Floor Denver, CO 80203	Laura Mehew Email: lt.Mehew@coag.gov
Colorado Energy Nations Company, LLC (Includes the following facilities: CENC LLC –Golden, CO and SUEZ Denver Metro LLC – Denver, CO) PO Box 4088 Golden, CO 80402	Suzanne Stevens - Senior EHS Specialist Email: suzanne.stevens@na.engie.com Mike Gwyther - Plant Manager Email: mike.gwyther@na.engie.com
Colorado Utilities Coalition for Clean Air (Includes the following parties: Tri-State Generation and Transmission Association Inc., Public Service Company of Colorado doing business as Xcel Energy)	James W. Sanderson - Ryley Carlock & Applewhite Email: jsanderson@rcalaw.com Julie A. Rosen - Ryley Carlock & Applewhite Email: jrosen@rcalaw.com
Metro Wastewater Reclamation District 6450 York Street Denver, CO 80229-7499	Jennifer Robinett – Regulatory Compliance Officer Email: jrobinett@mwrd.dst.co.us Jennifer Schwarz – Regulatory Compliance Specialist Email: jschwarz@mwrd.dst.co.us Katie Leach – Regulatory Compliance Specialist Email: kleach@mwrd.dst.co.us