COLORADO
Air Quality Control Commission
Department of Public Health & Environment

Meeting Minutes

July 19, 2018

Location: Colorado Department of Public Health & Environment
4300 Cherry Creek Drive South, Sabin Room
Denver, CO 80246

Members Present: Peter Butler, Megan Garvey, Tony Gerber, Chuck Grobe, Tom Gonzales, Jana Milford, Curtis Rueter, Will Toor, Tony Williams

Members Absent: none

Commission Staff: Mike Silverstein, Theresa Martin

Division Staff: Garry Kaufman, Chris Colclasure, Doug Decker, Dena Wojtach, Leah Martland, Curt Taipale, Jeremy Neustifter

Attorney General's Office: Tom Roan, Laura Mehew

CALL TO ORDER AND DETERMINATION OF A QUORUM
Chair Butler called the meeting to order at 9:00 AM and determined that a quorum of Commissioners was present with nine Commissioners.

PUBLIC COMMENT
Chair Butler asked if there were any members of the public who wished to make a comment on any air pollution issue not on the agenda. Robert Ukeiley addressed the Commission of his concerns regarding the State's request to EPA to approve ozone exceptional events.

CONSENT AGENDA

APPROVAL OF MINUTES
May 17, 2018 and June 21, 2108 Meeting Minutes
Review and approval of the May 17, 2018 and June 21, 2018 meeting minutes of the Commission.

REQUEST FOR RULEMAKING HEARINGS (AUGUST 16, 2018)

2015 Ozone Infrastructure SIP and Interstate Transport Element

To set a rulemaking hearing to consider a proposal to revise Colorado's infrastructure State Implementation Plan, the interstate transport elements therein, and associated technical support document specific to the 2015 ozone national ambient air quality standard.

REQUEST FOR RULEMAKING HEARINGS (OCTOBER 18, 2018)

Regulation Number 12, Part B

To set a rulemaking hearing to consider a proposal to revise Regulation Number 12, Part B to require training as a prerequisite to diesel emissions inspector licensing, and to clarify inspector training and qualification provisions.

Chair Butler asked if there were any members of the public who wished to make a comment. No public comment on the consent agenda was offered.

Motion:	To adopt the Consent Agenda items without modification
Moved:	Commissioner Rueter
Second:	Commissioner Grobe
Discussion:	none
Carried:	9-0

REGULAR AGENDA

REQUEST FOR RULEMAKING HEARINGS (OCTOBER 18, 2018)

Regulation Number 3

Leah Martland from the Division requested that the Commission set for hearing consideration of new stationary sources emission fees. Commissioner questions were addressed and no public comment was offered.

Motion:	To adopt and set Regulation Number 3 for rulemaking hearing October 18, 2018
Moved:	Commissioner Gonzales
Second:	Commissioner Rueter
Discussion:	none
Carried:	9-0

RULEMAKING HEARING

Regulation Number 7

Hearing Officer Grobe asked the Commissioners if there were any disclosures. Commissioner Garvey recused herself; Commissioner Milford provided a disclosure.

The Commission considered revisions to Regulation Number 7 that were proposed by Dena Wojtach of the Division and Laura Mehew of the Attorney General's Office.

Wojtach provided an overview of the proposal, an errata of recent revisions, updated rule and statement of basis and technical support document language to establish reasonably available control technology requirements for boilers, turbines, glass melters and shale kilns. Commissioner questions were responded to and no public comment was offered.

Testimony was received from Suzanne Stevens of Colorado Energy Nations Company; Julie Rosen representing the Colorado Utilities Coalition for Clean Air, Josh Korth of Xcel Energy and Doug Lempke of Tri-State Generation; and Jennifer Schwarz of Metro Wastewater Reclamation District. Commissioner questions of the parties were addressed. No public comment was offered.

Motion:	To approve the Division's proposed Reasonable Available Control Technology requirements revisions to Regulation Number 7, the Statement of Basis and Purpose, and the Technical Support Document as revisions to Colorado's State Implementation Plan, all modified by the July 18, 2018 errata.
Moved:	Commissioner Butler
Second:	Commissioner Rueter
Discussion:	Rueter, Milford and Toor provided their perspectives.
Carried:	9-0

BRIEFINGS, DISCUSSIONS AND REPORTS

Retreat Follow-Up

The Commission and staff reviewed action items from the retreat, provided edits and suggestion, and concluded discussions.

Commissioner Informational Items

Commissioner Gerber described his activity responding to the media regarding wildfire smoke; Commissioner Butler described SW Colorado smoke conditions and read a letter from the San Juan Basin Public Health Department thanking the Division for their support.

Division Director's Report

Garry Kaufman discussed: this summer's ozone monitoring efforts and elevated ozone concentrations, wildfire exceptional events and ozone planning work, personnel and budget developments, permitting efficiency efforts, and the kickoff of an emission reduction credit program stakeholder process.

Attorney General's Report

Tom Roan described the D.C. court's decision that require EPA to enforce its "Glider Truck" rule.

Advanced Clean Car Standards
Ken Morgan representing Tesla briefed the Commission on Tesla's vehicle products and their perspectives on clean car standards. Commissioner questions were addressed. Public comment was received by Matthew Groves of Colorado Auto Dealers Association and Jep Seman of Alliance of Automobile Manufacturers.

Administrator's Report
Mike Silverstein reviewed the draft August agenda, restated retreat action items and aannounced his retirement and acceptance of the Executive Director of the Regional Air Quality Council position, beginning late August.

Adjourned at 1:41 p.m.

ANNOUNCEMENTS

Next Executive Committee Meeting: July 26, 2018 at 8:00 a.m.
The meeting will be held at the Colorado Department of Public Health and Environment, located at 4300 Cherry Creek Drive South, in the Carson conference room.