STATE OF COLORADO

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Colorado Department of Public Health and Environment

Colorado Air Quality Control Commission

September 20, 2012

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

MEETING MINUTES

Location:	Colorado Department of Public Health & Environment 4300 Cherry Creek Drive South, Sabin Room Denver, CO 80246		
Members Present:	Saeed Barhaghi John Clouse Barbara Roberts	David Brown Teresa Coons Laura Teague	Ashley Campsie John Loewy Jim Wilson
Members Absent:	none		
Commission Staff:	Mike Silverstein	Theresa Martin	
Division Staff:	Will Allison Pat McLaughlin	Stefanie Rucker Sarah Gallup	Doug Decker Gordon Pierce Bob True
Attorney General's Office:	Andrea Gelfuso-Goetz		

CALL TO ORDER AND DETERMINATION OF A QUORUM

Chair Roberts called the meeting to order at 9:00 AM and determined that a quorum of Commissioners was now present with nine Commissioners.

PUBLIC COMMENT

Chair Roberts asked if there were any members of the public who wished to make a comment on any air pollution issue not on the agenda. David Wofsey submitted and read a two-page letter to the Commission stating that auto emissions due to current vehicle technologies are adversely impacting forest health.

APPROVAL OF MEETING MINUTES FOR JULY 19, 2012
Chair Roberts asked the Commission if there were any modifications to the minutes. There were no modifications.

Motion:	To approve the July 19, 2012 Meeting Minutes
Moved:	Commissioner Clouse
Second:	Commissioner Campsie
Discussion:	none
Carried:	9-0

CONSENT AGENDA

REQUEST FOR RULEMAKING HEARINGS – DECEMBER 20, 2012

- Consider proposed changes to the Lamar PM10 Maintenance Plan. Additionally, a change to the "Air Quality Standards – Air Quality Standards, Designations and Emission Budgets" regulation is proposed to update the PM10 emission budget for the Lamar area.

- Consider proposed changes to Regulation 3, Parts A, B, C and D, made as a clean-up effort, to correct and clarify provisions for consistency with federal regulations and Colorado's implementation of these rules.

Motion:	To adopt the Consent Agenda items and set them for rulemaking hearings on December 20, 2012
Moved:	Commissioner Wilson
Second:	Commissioner Coons
Discussion:	none
Carried:	9-0

REGULAR AGENDA

REQUEST FOR RULEMAKING HEARINGS – DECEMBER 20, 2012

Regulation Number 7

At 9:10 AM Stefanie Rucker of the Division requested that the Commission set a hearing to consider proposed changes to Regulation 7, made as a clean-up effort and to address regulatory provisions EPA did not approve for inclusion into Colorado's State Implementation Plan in August 2011.

Motion:	To approve the motion and set the Regulation Number 7 as proposed by the Division for rulemaking hearing on December 20, 2012
Moved:	Commissioner Coons
Second:	Commissioner Brown
Discussion:	none
Carried:	9-0

Regulation Number 11
At 9:20 AM Doug Decker of the Division requested that the Commission set a hearing to consider modifications to Colorado Regulation Number 11, Motor Vehicle Emissions Inspection Program. Decker presented an overview of the regulatory language that would modify the model-year exemptions from testing from 4 to 7 model years and to incorporate on-board diagnostics testing, "OBD II", into the future program, to take effect in 2015. The Commission requested that the Division present an option that would increase the number of vehicles subject to OBD II testing and model-year exemptions as the program is implemented over time.

Motion:	To approve the motion and set the Regulation Number 11 as proposed by the Division to include an alternative proposal to address the additional OBD testing years as the model years progress for rulemaking hearing on December 20, 2012
Moved:	Commissioner Wilson
Second:	Commissioner Campsie
Discussion:	none
Carried:	9-0

PUBLIC HEARINGS

Regulation Number 9: Open Burning, Prescribed Fire and Permitting (BLM)
At 10:05 AM Sarah Gallup and Pat McLaughlin of the Division and Todd Richardson of the Bureau of Land Management presented to the Commission its revised significant user prescribed fire planning document. The Commission thanked the agency for the presentation of information report and did not provide comments or recommendations to the Division concerning the planning document for incorporation into future smoke permits.

Regulation Number 9: Open Burning, Prescribed Fire and Permitting (USDA-FS)
At 10:40 AM Sarah Gallup and Pat McLaughlin of the Division and Paul Langowski and Glenn Casamassa of the USDA Forest Service presented to the Commission its revised significant user prescribed fire planning document. The Commission thanked the agency for the presentation of information report and did not provide comments or recommendations to the Division concerning the planning document for incorporation into future smoke permits.

PUBLIC COMMENT
Chair Roberts asked if there were any members of the public who wished to make a comment on any air pollution issue not on the agenda. John Schelter a citizen of the Town of Gypsum presented his concerns regarding a permit for a proposed biomass plant to be located in Gypsum near homes, schools and recreation areas. Schelter expressed frustration with a permitting process that in his opinion does not consider surrounding land uses.

BRIEFINGS, DISCUSSIONS AND REPORTS

Strategic Planning

At 11:40 AM the Commission's strategic planning consultant reviewed the final draft of the Strategic Plan and Commissioners approved the Plan for implementation. Coons found one typo to be corrected. Commissioners thanked the consultants for all of the hard work and the insight that was provided. Loewy asked that a hardbound copy be provided to all Commissioners.

Motion:	To approve the Strategic Plan for incorporation
Moved:	Commissioner Wilson
Second:	Commissioner Roberts
Discussion:	none
Carried:	9-0

Annual Report to the Public

At 11:50 AM Bob True of the Division discussed with the Commission the final draft of the Annual Report to the Public. The Division sought any changes from the Commission to prepare to send the report to the printer for publication and distribution at the October monthly meeting. The Commission directed that edits be made to the greenhouse gas emissions and climate change text. True noted that the Commission could submit changes through October 5, 2012.

Commissioner Informational Items

Roberts noted that there would be a Regional Haze celebration at the October meeting. Loewy thanked Xcel for a series of tours of their facilities he recently attended. Coons noted that her term on an U.S. EPA subcommittee had ended. Barhaghi noted he just returned from China and that the consideration of climate change issues was significant in developing its energy and power generation infrastructure.

Division Director's Report – Will Allison

- Regional Haze approval - Colorado and California plans approved
- EPA proposing actions on revised PM2.5 NAAQS and secondary standard for visibility
- EPA has come out with a draft guidance report on exceptional events such as high wind, wildfires, etc.
- Wildfires – challenging season and significant air impacts

Attorney General's Report – Andrea Gelfuso-Goetz

- CMA vs. Urbina continues, CMA has appealed CACJA actions

Administrator's Report – Mike Silverstein

- Review October agenda items: Regional Haze celebration, BOH agenda items
- Upcoming Rule Review processes
- Action Items: electronic monitoring, OBD alternative proposal, potential field tour of prescribed burn operation, place strategic plan on a prominent location on the web site, approved edits to annual report, schedule a briefing on the SIP process and reform efforts; Martin alerted Commission about Going Google and potential impacts to email.

Adjourn at 12:50 PM