



Dedicated to protecting and improving the health and environment of the people of Colorado

July 18, 2016

Daniel O'Connell, Esq.
Director of Governmental Affairs
Colorado Association of Commerce & Industry
1600 Broadway, Suite 1000
Denver, CO. 80202

Dear Mr. O'Connell,

Thank you for your July 12, 2016 letter regarding the draft "moderate bump up" ozone State Implementation Plan revision. As you know, the Air Pollution Control Division and Regional Air Quality Council have been engaged in a lengthy process to draft a comprehensive SIP revision that meets applicable requirements. This process has included multiple briefings to the RAQC and Colorado Air Quality Control Commission, as well as meetings with numerous stakeholders. The Division greatly appreciates CACI's involvement throughout this process, and looks forward to continuing the constructive dialogue.

Pursuant to state and federal requirements, the AQCC must approve the SIP revision by the end of 2016, and Colorado must forward the SIP revision to EPA in early 2017. As such, the Division and RAQC are scheduled to brief the AQCC at its July 21, 2016 meeting, and request that the AQCC set this matter for an October 2016 hearing.

The Division believes it is appropriate to maintain this schedule at this time. The Division has coordinated this response with the RAQC Executive Director. The proposed hearing schedule has been discussed amongst stakeholders for many months. The proposed SIP and supporting documentation have been drafted and are publicly available. The RAQC approved forwarding the draft SIP package to the AQCC at the RAQC's June 30, 2016 meeting.

Setting this matter for hearing will enable this important process to move forward, and put Colorado in a sound position to meet timing and other substantive SIP requirements. The Division and other parties will have the flexibility to consider appropriate revisions to the proposal during the stakeholder process. Setting this matter for an October 2016 hearing will also not preclude later scheduling flexibility, if ultimately needed.

We recognize that a "moderate bump up" SIP is new territory for the Division, the RAQC, CACI and other stakeholders. The Division has engaged with stakeholders from the outset of this process and continues to do so as issues arise. We appreciate CACI's questions and concerns regarding the bump up SIP, particularly as they relate to the requirements for Reasonably Available Control Technology. The Division has drafted a SIP package that we believe meets applicable requirements and is consistent with the approach other states have taken for moderate ozone non-attainment areas. We recognize that there may be other viable pathways. The Division remains committed to working with CACI and other stakeholders to



explore options that will provide the state maximum business and regulatory flexibility while meeting applicable SIP requirements. If CACI members or other stakeholders have suggestions on alternate pathways to achieve our mutually shared objectives, we will certainly consider those as part of the ongoing stakeholder process.

Thank you again for your letter. We look forward to continuing to working with CACI and other stakeholders on these important issues.

Sincerely,



William C. Allison V
Director, Air Pollution Control Division

