



Monthly Report from CDPHE to the North Front Range Transportation and Air Quality Planning Council

August 2, 2018

The Air Quality Control Commission:

- The Commission elected Commissioner Butler as Chair, Commissioner Grobe as Vice Chair, and Commissioner Toor as Secretary for 2018-2019.
- The Commission adopted Reasonably Available Control Technology (RACT) requirements to reduce nitrogen oxide (NO_x) emissions from combustion equipment. The rules apply to engines, turbines, boilers, glass melters, and shale kilns that existed in the ozone nonattainment area and were major sources of emissions as of June 2016.
- The Commission scheduled a hearing on October 18, 2018, to consider revising Regulation Number 3 to increase the fees for permit applications, permit processing, and emissions. This rule change responds to a statutory change raising the caps for these fees.
- During the August 16 meeting, the Division will propose a new Regulation 20 adopting greenhouse gas (GHG) and criteria pollutant standards for light duty and medium duty motor vehicles. The vehicle standards would maintain the status quo in the event that EPA relaxes the federal GHG standards. The Division will also propose revisions to Regulation 7 adopting RACT requirements to reduce volatile organic compound (VOC) emissions from major source breweries and wood furniture manufacturing facilities. The Division will ask the Commission to schedule rulemaking hearings on these proposals in November 2018.

The Air Pollution Control Division:

- EPA concurred with Colorado's technical demonstration that ozone exceedances measured at the National Renewable Energy Laboratory (NREL) monitor on September 2 and 4, 2017, should be excluded from the ozone dataset because the values were influenced by wildfire smoke (see attached letter). After exclusion of these two exceedances, Colorado believes it qualifies for a one-year extension of the deadline to attain the 2008 National Ambient Air Quality Standard (NAAQS) of 75 parts per billion (ppb). Colorado



has requested an extension of the deadline from July 20, 2018 to July 20, 2019, and anticipates that EPA will grant it later this year. Ozone harms human health regardless of its source and the Division continues to work aggressively to reduce emissions and improve ozone concentrations.

- Ozone monitors in the nonattainment area have recorded several exceedances of the national ozone standards (see attached table). As of July 31, five monitors have recorded fourth maximum daily ozone values above 75 ppb, including a fourth maximum value of 83 ppb at Chatfield State Park. An additional eight monitors have recorded fourth maximum values above the 2015 NAAQS of 70 ppb. EPA uses the ozone concentration on the fourth highest day to determine attainment. Ozone values depend on meteorology, transport, and emissions. Several of the exceedances occurred between July 6-18, 2018, when temperatures were high and conditions were conducive to ozone formation. The Division will evaluate whether any of these values were influenced by wildfire smoke or other exceptional events, but given the number of exceedances, it is unlikely that Colorado will qualify for another one-year extension of its deadline to attain the 75 ppb standard. This raises the possibility that the Denver Metro/North Front Range area may be reclassified as a “serious” ozone nonattainment area in approximately January 2020.





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JUL 11 2018

Garry Kaufman, Director
Air Pollution Control Division
Colorado Department of Public Health
and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530

Dear Mr. Kaufman:

This letter responds to the Colorado Department of Public Health and Environment's (CDPHE) June 4, 2018 submittal requesting that the U.S. Environmental Protection Agency (EPA) concur with the CDPHE request to exclude ozone data influenced by wildfire exceptional events in September 2017. The CDPHE determined that regional wildfire smoke events caused exceedances of the 2008 ozone National Ambient Air Quality Standard (NAAQS) at several monitors in the Denver ozone nonattainment area on September 2 and 4, 2017, and also had impacts on data from monitors that were lower than the ozone NAAQS.

After careful consideration of the information provided by the CDPHE, the EPA concurs, based on the weight of evidence, that the state has made the demonstrations referred to in 40 CFR 50.14(a)(2), (b)(1) and (b)(4). In addition, the state has met the schedule and procedural requirements in section 50.14(c) with respect to the same information. Therefore, the EPA agrees with the CDPHE that the exceedances at the National Renewable Energy Laboratory (NREL) monitor on September 2 and 4, 2017, meet the criteria for an exceptional event in the Exceptional Events Rule (EER). The basis for our concurrence is set forth in the enclosed technical support document. My staff has entered or shortly will enter "concurrence flags" for these data into the EPA's Air Quality System data repository.

In 2016, the EPA revised the EER in sections 50.14 and 51.930 of 40 CFR parts 50 and 51. *See* "Treatment of Data Influenced by Exceptional Events," 81 FR 68216 (Oct. 3, 2016). The 2016 rule revisions at 40 CFR 50.14(a)(1)(i) limit the applicability of the EER to NAAQS exceedances or violations that have relevance to specific regulatory determinations by the EPA, or otherwise as approved by the EPA administrator on a case-by-case basis. The 8-hour ozone concentrations measured at the Aurora East, Chatfield, Highland Reservoir, La Casa, Rocky Flats North, and Welch monitors on September 2, and at the Aspen Park, Aurora East, CAMP, Chatfield, Highland Reservoir, La Casa, Rocky Flats North and Welch monitors on September 4, do not currently have regulatory significance and therefore have not been reviewed. The EPA will retain the CDPHE demonstration for future consideration should any of the data on which the EPA is not acting become significant for a future regulatory action.

The EPA's concurrence is a preliminary step in the regulatory process for actions that may rely on the dataset containing the event-influenced data and does not constitute final agency action. If the EPA takes a regulatory action that is affected by exclusion of the 2008 ozone NAAQS data for the September 2 and 4, 2017 events at the NREL monitor, the EPA intends to publish notice of its proposed action in the Federal Register. This concurrence letter and accompanying technical support document will be included in the record as part of the technical basis for that proposal. When the EPA issues that regulatory action, it will be a final agency action subject to judicial review.

If you have any questions or wish to discuss this matter further, you may contact Monica Morales, Air Program Director, at (303) 312-6936.

Sincerely,



Martin Hestmark
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

Enclosure

***** DRAFT DATA *****

2018 8-Hour Ozone (Updated through July 31, 2018)

AQS Number	Site Name	1st Max 8-Hour (ppb)	Date 1st Max 8-Hour	2nd Max 8-Hour (ppb)	Date 2nd Max 8-Hour	3rd Max 8-Hour (ppb)	Date 3rd Max 8-Hour	4th Max 8-Hour (ppb)	Date 4th Max 8-Hour	5th Max 8-Hour (ppb)	Date 5th Max 8-Hour
08-001-3001	Welby	73	07/06	70	07/18	69	07/10	68	07/31	67	07/14
08-005-0002	Highland	88	07/06	77	06/06	77	07/16	77	07/17	76	07/14
08-005-0006	Aurora East	76	07/18	72	07/31	71	07/12	70	07/14	69	07/19
08-013-0014	Boulder Reservoir	89	07/10	79	06/13	77	07/09	75	07/11	75	07/14
08-019-0006	Mines Peak (non-regulatory)	89	06/11	79	06/12	77	07/09	76	07/10	74	07/13
08-031-0002	CAMP	79	07/06	74	07/16	72	07/14	71	07/18	70	07/10
08-031-0026	La Casa	78	07/16	76	07/06	73	07/17	72	07/18	71	06/06
08-035-0004	Chatfield State Park	88	07/06	87	06/06	86	07/16	83	07/14	78	07/17
08-041-0013	Colo. Spgs. - USAF Academy	76	04/17	74	07/06	73	07/14	72	06/12	70	05/25
08-041-0016	Manitou Springs	78	07/06	76	04/17	73	06/12	72	07/14	72	07/18
08-045-0012	Rifle - Health	70	06/19	66	06/02	66	06/12	65	05/27	64	06/01
08-059-0005	Welch	78	07/06	77	07/16	72	07/14	71	07/10	70	07/17
08-059-0006	Rocky Flats - N	86	06/13	81	07/10	81	07/14	79	07/18	78	07/06
08-059-0011	NREL	79	07/06	78	07/10	76	07/14	75	07/18	74	07/17
08-059-0013	Aspen Park	74	06/06	73	07/16	71	07/14	70	07/11	69	04/17
08-069-0011	Fort Collins - West	88	07/07	86	07/06	83	07/10	81	06/13	80	07/14
08-069-1004	Fort Collins - CSU	79	07/06	73	07/07	72	05/17	72	07/10	70	06/13
08-077-0020	Palisade - Water	78	06/11	69	06/19	68	06/02	66	06/12	65	06/25
08-081-0003	Elk Springs	73	06/11	64	05/27	64	07/31	63	06/01	63	06/12
08-083-0006	Cortez	67	04/08	64	05/24	63	06/11	63	07/11	62	05/20
08-085-0005	Paradox	77	06/11	68	06/19	66	07/31	65	06/02	65	06/24
08-123-0009	Greeley - Weld Tower	77	05/26	74	06/13	73	06/02	72	07/16	72	07/18
08-051-9991	EPA - Gothic CASTNET	88	06/11	69	05/27	69	06/24	67	04/26	67	06/02
08-067-1004	USFS - Shamrock (thru 3/31)	53	02/27	53	03/01	53	03/04	53	03/05	53	03/25
08-067-7001	SUIT - Ignacio	67	05/24	67	07/21	66	04/26	65	04/25	64	04/17
08-067-7003	SUIT - Bondad	68	04/26	67	05/24	66	07/21	65	04/25	63	04/17
08-069-0007	NPS - Rocky Mtn. NP	91	06/11	75	07/10	73	06/12	73	07/09	72	06/13
08-083-0101	NPS - Mesa Verde NP	72	07/21	70	05/24	68	04/18	68	07/27	67	06/24
08-103-0005	BLM - Meeker	71	06/11	63	06/25	62	05/27	62	06/12	62	07/11
08-103-0006	BLM - Rangely	72	06/11	68	06/25	68	07/11	66	06/12	66	07/18

NOTE: Values above the level of the 70 ppb 8-hour standard are highlighted in yellow, above the 75 ppb standard in orange.

NOTE: Data influenced by natural event values, if any, are included.

The 8-hour ozone standard is written such that attainment is met if the 3-year average of the 4th max. value from each of the 3 years is less than or equal to 70 ppb.

This table provides information on the 4th max. values for 2016 and 2017, the current 4th max. value for 2018, the current 3-year average, and the max. possible level for 2018 in order to remain in attainment of the ozone standard. Based on the current values, projected max. possible levels for 2019 are also included.

AQS #	Site Name	2016	2017	2018 (thru 7/31)	2016 - 2018	2018	2019
		4 th Maximum 8-Hour Average Value (ppb)	4 th Maximum 8-Hour Average Value (ppb)	4 th Maximum 8-Hour Average Value (ppb)	3-Year Average 4 th Maximum Value (ppb)	Highest Allowable 4th Maximum 8-Hour Average Value (ppb)	Highest Allowable 4th Maximum 8-Hour Average Value (ppb)
08-001-3001	Welby	66	68	68	67	78	76
08-005-0002	Highland	72	72	77	73	68	63
08-005-0006	Aurora East	66	69	70	68	77	73
08-013-0014	Boulder Reservoir	---	73	75	---	---	64
08-019-0006	Mines Peak (non-regulatory)	65	70	76	70	77	66
08-031-0002	CAMP	70	67	71	69	75	74
08-031-0026	La Casa	69	68	72	69	75	72
08-035-0004	Chatfield State Park	78	74	83	78	60	55
08-041-0013	Colo. Spgs. - USAF Academy	69	69	72	70	74	71
08-041-0016	Manitou Springs	66	70	72	69	76	70
08-045-0012	Rifle - Health	60	59	65	61	93	88
08-059-0005	Welch	75	75	71	73	62	66
08-059-0006	Rocky Flats - N	79	75	79	77	58	58
08-059-0011	NREL *	83	74	75	77	55	63
08-059-0013	Aspen Park	73	68	70	70	71	74
08-069-0011	Fort Collins - West	76	75	81	77	61	56
08-069-1004	Fort Collins - CSU	70	66	72	69	76	74
08-077-0020	Palisade - Water	63	64	66	64	85	82
08-081-0003	Elk Springs	59	63	63	61	90	86
08-083-0006	Cortez	64	59	63	62	89	90
08-085-0005	Paradox	62	58	65	61	92	89
08-123-0009	Greeley - Weld Tower	67	72	72	70	73	68
08-051-9991	EPA - Gothic CASTNET	62	66	67	65	84	79
08-067-1004	USFS - Shamrock (thru 3/31)	65	66	53	61	81	93
08-067-7001	SUIT - Ignacio	71	69	65	68	72	78
08-067-7003	SUIT - Bondad	72	69	65	68	71	78
08-069-0007	NPS - Rocky Mtn. NP	69	67	73	69	76	72
08-083-0101	NPS - Mesa Verde NP	66	66	68	66	80	78
08-103-0005	BLM - Meeker	59	59	62	60	94	91
08-103-0006	BLM - Rangely	61	64	66	63	87	82

NOTE: Values above the 3-year average 4th maximum 8-hour standard of 70 ppb are highlighted in red, above the 75 ppb standard in orange.

NOTE: Data includes values that may be influenced by natural events.

* **NOTE:** Wildfire influence exceptional events concurred by EPA for NREL for 9/2/17 and 9/4/17. NREL 4th max value of 76 ppb removed.