



COLORADO
Department of Public
Health & Environment

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

Air Quality State Implementation Plan Revisions Report

**Submitted to the
Colorado Legislative Council
pursuant to the provisions of C.R.S. 25-7-133**

**Colorado Air Quality Control Commission
January 15, 2015**



INTRODUCTION

Under the Colorado Air Pollution Prevention and Control Act, the Colorado Air Quality Control Commission (AQCC or Commission) is charged with the development of a comprehensive State Implementation Plan (SIP), which will assure attainment and maintenance of National Ambient Air Quality Standards and which must meet all other requirements of the federal Clean Air Act (CAA). This SIP shall be revised when necessary and appropriate and any revisions must be submitted to the United States Environmental Protection Agency (EPA) for review and approval. Under state law, prior to submitting any SIP revisions to EPA, the Commission must submit a report to the legislature each year summarizing any changes or additions to the SIP made in the previous calendar year. See § 25-7-133, C.R.S. Pursuant to this statutory directive the Commission submits the following report describing its revisions to Colorado's SIP.

STATUTORY REQUIREMENT

Section 25-7-133(1), C.R.S. sets forth the requirements governing the AQCC's annual SIP Revisions Report to the legislature as follows:

Notwithstanding any other provision of law but subject to subsection (7) of this section, by January 15 of each year the commission shall certify in a report to the chairperson of the legislative council in summary form any additions or changes to elements of the state implementation plan adopted during the prior year that are to be submitted to the administrator for purposes of federal enforceability. Such report shall be written in plain, nontechnical language using words with common and everyday meaning that are understandable to the average reader. Copies of such report shall be available to the public and shall be made available to each member of the general assembly. The provisions of this section shall not apply to control measures and strategies that have been adopted and implemented by the enacting jurisdiction of a local unit of government if such measures and strategies do not result in mandatory direct costs upon any entity other than the enacting jurisdiction.

STATE IMPLEMENTATION PLAN REVISIONS

In 2014, the Commission adopted the following revisions/additions to Colorado's State Implementation Plan, which are being submitted for legislative review pursuant to Section 25-7-133(1), C.R.S.:

1st Revision to Regulation Number 3 Applicable to Industrial Facilities

On February 23, 2014 the Commission concluded a broad regulatory effort to streamline regulations and reduce hydrocarbon emissions from the oil and gas industry. Though most of the rules are "State-only" provisions and will not subject to federal enforceability, revisions to AQCC Regulation Number 3 were deemed

necessary to be included in the federal SIP and accomplish a number of things: 1) removes requirements for some smaller sources subject to air regulations Number 6, Part A or Number 8, Parts A, C, D, and E to file an Air Pollution Emissions Notice and obtain a minor source permit; 2) simplifies the de minimis determination for non-criteria reportable pollutants; 3) removes the crude oil storage tank exemptions; and 4) corrects typographical, grammatical, and formatting errors.

Sources affected by these revisions include industrial and commercial sources subject to the requirements of the rule. The affects were deemed to be positive due to reduced permitting and administrative requirements for these sources and no associated increase in air emissions.

2nd Revision to Regulation Number 3 Applicable to Industrial Facilities

On August 21, 2014 the Commission adopted administrative revisions to AQCC Regulation Number 3. The bulk of the revisions correspond to federal rule amendments or EPA interpretation. Additionally, the provisions for filing revised Air Pollution Emission Notices were clarified. Finally, the public notice publication requirements were clarified. Again, these revisions are administrative in nature and necessary for clarity or to correspond to requirements of federal law.

Sources affected by these revisions include industrial and commercial sources subject to the requirements of the rule. The affects were deemed to be positive due to reduced administrative requirements for these sources and no associated increase in air emissions.

3rd Revision to Regulation Number 3 Applicable to Industrial Facilities and Corresponding Revisions to Colorado's Regional Haze SIP

On November 20, 2014 the Commission adopted revisions to AQCC Regulation Number 3 and the Regional Haze SIP that revise the nitrogen oxide (NO_x) emissions limit, compliance date, and Best Available Retrofit Technology ("BART") determination for Tri-State Generation and Transmission Association ("Tri-State"), Craig Station Unit 1. The strengthened NO_x emissions limit and the associated rule and SIP changes were a result of a negotiated settlement of federal litigation.

The owners and operators of Craig Station Unit 1 are subject to the requirements of the rule. The affects were deemed to be positive as all parties to the litigation support the revisions and NO_x emissions from the facility will be dramatically reduced.

Regulation Number 11 Applicable to the Vehicle Inspection and Maintenance Program

On October 16, 2014 the Commission adopted revisions to the vehicle inspection and maintenance (IM) program in Regulation Number 11, to clarify certain provisions contained in the regulation and to improve convenience. These modifications were made in response to recent changes that had been made to the IM program and are primarily housekeeping in nature. The two more significant changes 1) allow for more of the driving public to take advantage of the convenient roadside emissions testing program and 2) allow self-inspecting vehicle fleets to utilize the more convenient on-board diagnostics testing procedure.

Sources affected by these revisions include all gasoline-powered passenger vehicles and light-, medium- and heavy duty trucks registered in the IM program area within Adams, Arapahoe, Boulder, Broomfield, Denver, Douglas, Jefferson, Larimer and Weld Counties. Please note that the IM requirements for Larimer and Weld Counties are State-only provisions and are not included in the federal SIP. There was no opposition to these rule revisions.