



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

January 15, 2021

Colorado Legislative Council
029 State Capitol Building
200 East Colfax
Denver, Colorado 80203

Subject: Air Quality State Implementation Plan Revisions Report

Honorable Members of the Colorado Legislative Council:

Attached is the Colorado Air Quality Control Commission's *State Implementation Plan Revisions Report* submitted pursuant to the requirements of § 25-7-133(1), C.R.S.

Respectfully,

A handwritten signature in purple ink, appearing to read "Trisha Oeth".

Trisha Oeth, Director Environmental Boards and Commissions
Colorado Department of Public Health and Environment

cc: Curtis Rueter, Chairperson, Air Quality Control Commission
Jill Hunsaker-Ryan, Executive Director, CDPHE
Mara Brosy-Wiwchar, Chief of Staff, CDPHE
John Putnam, Environmental Programs Director, CDPHE
Deborah Nelson, Environmental Programs Operations Manager, CDPHE
Garry Kaufman, Air Pollution Control Division Director, CDPHE





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, 2021**



INTRODUCTION

Under the Colorado Air Pollution Prevention and Control Act, the Colorado Air Quality Control Commission (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 revision 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 Commission'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 2020, the Commission adopted the following revisions/additions to Colorado's SIP, which are being submitted for legislative review pursuant to Section 25-7-133(1), C.R.S.:

2015 Ozone National Ambient Air Quality Standard (NAAQS) Denver Metro/North Front Range Marginal Nonattainment Area Requirements

The Commission approved the emissions statement, 2017 baseline year emissions inventory and SIP compliance certifications to be submitted to the EPA, satisfying Marginal Nonattainment Area requirements for the 2015 Ozone National Ambient Air Quality Standard.

Regional Haze State Implementation Plan, Regulation Number 3 and Regulation Number 23

On December 16, 2020, the Commission adopted revisions to the Regional Haze State Implementation Plan to address the second planning period of the Plan. The Commission also removed all Regional Haze elements from Regulation Number 3 and adopted a new Regulation Number 23, which only pertains to Regional Haze. This included new provisions related to the control of NO_x, SO₂, and PM emissions from certain Reasonable Progress sources identified as impacting Class I areas. These Regional Haze SIP revisions will be followed in 2021 with a second proposal to set a hearing to consider adopting Colorado's Regional Haze SIP in full. This proposal will also contain components that address elements of SB19-181 and HB19-1261.

2008 Ozone State Implementation Plan (SIP) and Associated Regulations: Regulation Number 3, Regulation Number 7, Air Quality Standards

The Commission adopted revisions to the 2008 Ozone State Implementation Plan and associated regulations including Regulation Number 3, Regulation Number 7, and the Air Quality Standards, Designations and Emission Budgets on December 19, 2020. These revisions also addressed elements of SB19-181, HB19-1261 and the Clean Air Act: Serious Ozone Nonattainment requirements. There were four segments to this rulemaking hearing:

Serious Ozone Nonattainment Area SIP Element: SIP Elements for the Denver Metro and North Front Range Serious Ozone Nonattainment Area to include: serious SIP elements specific to emission inventories, enhanced monitoring, reasonable further progress, attainment demonstration and weight of evidence, Reasonably Available Control Technology, Reasonably Available Control Measures, motor vehicle inspection and maintenance, nonattainment New Source Review, contingency measures, and motor vehicle emissions budgets and clean fuels.

Air Quality Standards, Designations and Emission Budgets Regulation: revisions that incorporate revisions to motor vehicle emission budgets for the Denver Metro and North Front Range Ozone Nonattainment Area, and other clarifying revisions.

Regulation Number 3: revisions to the carbon dioxide equivalent (CO₂e) definition, construction, operating, and new source review permitting program application and public participation processes as a SIP update and clean-up effort.

Regulation Number 7: revisions associated with the serious ozone nonattainment classification. The revisions include: additional emission reduction requirements for the oil and gas sector and reasonably available control technology (RACT) requirements for major sources of VOC and/or NO_x in the Denver Metropolitan North Front Range Ozone Nonattainment Area; and SIP clean-up revisions.