



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

November 15, 2024

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

**Subject:** Anticipated Revisions to the Colorado State Implementation Plan for Air Quality for Calendar Year 2025

Pursuant to C.R.S. § 25-7-133(4)(b), the Colorado Air Quality Control Commission (“Commission”) is directed to provide Legislative Council with a list of anticipated changes to Colorado’s federally-approved State Implementation Plan(s) for the upcoming year. Based on its current Long Term Calendar, the Commission will consider the following changes during calendar year 2025:

**Motor Vehicle Emissions Inspection Program and Reduction of Diesel Vehicle Emissions (Regulation Numbers 11 and 12)**

In January 2025, the Commission will consider revisions to Regulation Number 11 and Regulation Number 12 to update the vehicle inspection programs.

**Control of Emissions from Oil and Gas Emissions Operations (Regulation Number 7)**

In February 2025, the Commission will consider revisions addressing emissions of ozone precursors.

**Stationary Source Permitting and Air Pollutant Emission Notice Requirements and Control of Emissions from Oil and Gas Emissions Operations (Regulation Numbers 3 and 7)**

In April 2025, the Commission will consider revisions to Regulation Number 3 to address air toxics reporting, in response to House Bill (HB) 22-1244. This may also include revisions to Regulation Number 7. The Commission may revise fee provisions related to emissions, reporting, and permit processing in Regulation Number 3.

**Ozone State Implementation Plan and Associated Regulations**

In November 2025, the Commission will consider proposed elements to Colorado’s State Implementation Plans under the 2008 and 2015 ozone National Ambient Air Quality Standards and revisions to associated regulations including Regulation Number 3, Regulation Number 7, Regulation Number 26, and the Air Quality Standards, Designations and Emission Budgets.

The Commission will provide these and any other revisions adopted by the Commission in 2025 to the Legislative Council for consideration in January 2026, prior to submission to the Environmental Protection Agency.

In 2025, the Commission will also consider setting the following for rulemaking hearings to establish additional control measures that are not intended to become part of the federally approved State Implementation Plan:

**Air Toxics (Regulation Number 30)**

In January 2025, the Commission will consider establishing a new Regulation Number 30 to identify up to five priority air toxic contaminants, in response to HB 22-1244.

**Colorado Greenhouse Gas Reporting and Emission Reduction Requirements (Regulation Number 22)**

In September 2025, the Commission will consider revisions to Regulation Number 22 to address landfill greenhouse gas monitoring and control requirements.

**Building Benchmarking and Performance Standards (Regulation Number 28)**

In July 2025, the Commission will consider revisions to Regulation Number 28 to address technical corrections to the rule.

**Air Toxics (Regulation Number 30)**

In September 2025, the Commission will consider revisions to Regulation Number 30 to address the health based standards for the adopted priority air toxic contaminants, in response to HB 22-1244.

**Greenhouse Gas Emissions and Energy Management for the Manufacturing Sector (Regulation Number 27)**

In December 2025, the Commission will consider revisions to Regulation Number 27 to address greenhouse gas emissions from the manufacturing sector which revisions follow the Commission's request that the Air Pollution Control Division review and evaluate the ability of the rule adopted in 2023 to assure sufficient compliance by and compliance pathways for the affected sources.

Other state-only measures and strategies that are currently being implemented and are key elements of the State Implementation Plan control program are as follows. These state-only measures are not intended to become part of the federally approved State Implementation Plan.

**Greenhouse Gas Emissions Reductions**

In August 2023, the Commission approved the Building Performance Standards Rule. It applies to commercial, multifamily, and public buildings 50,000 square feet or larger. Affected building owners must continue to report how much energy they use every year to the Colorado Energy Office, using a free online tool. Owners of buildings that did not already meet standards need to find ways to reduce how much energy they use or make changes to the energy sources to help meet the statutory greenhouse gas reduction targets for 2026 and 2030.

The Commission also adopted the Greenhouse Gas Emissions and Energy Management for Manufacturing 2 rule on October 20, 2023. The rule covers facilities with manufacturing operations that emit 25,000 or more metric tons of greenhouse gasses per year. The rule builds on GEMM 1, which covers four Colorado trade-exposed industry facilities that emit over 25,000 metric tons of greenhouse gasses per year. House Bill 19-1261 defines an energy-intensive, trade-exposed manufacturing source as an entity that principally manufactures iron, steel, aluminum, pulp, paper, or cement and that is engaged in the manufacture of goods through one or more emissions-intensive trade-exposed processes, as determined by the Commission. Trade-exposed industries are in highly competitive markets with price-sensitive customers.

Pursuant to the Commission's regulatory directives regarding greenhouse gas reduction credit trading in its Recovered Methane Protocol rulemaking and Greenhouse Gas Emissions and Energy Management for Manufacturing rulemakings, the Air Pollution Control Division Climate Program recently completed development of the Recovered Methane Credit Trading Platform and is completing the credit trading platform for its December 1, 2024, release. The recovered methane system currently has two registered participants and has received its first credit application from a domestic wastewater treatment facility.

### **Transportation Emissions Reductions**

Colorado is operating under the Advanced Clean Cars I Low Emission Vehicles and Zero Emission Vehicles Program. Staff is working on verifying compliance for the Low Emission Vehicles program for model year 2023. The Zero Emission Vehicles Program for model year 2023 reporting was due by August 31, 2024.

The Clean Fleet Enterprise and Electric School Bus Grant programs issued over 30 grants for over \$30M in vehicle grant requests. For the second round of Clean Fleet Enterprise funding, the state received 37 applications for over \$27M in funding requested. The Clean Fleet Enterprise voted to fund 23 projects for up to \$20.5 million under the grant program. The Clean Fleet Enterprise also awarded \$3.1 million to Uber and Lyft in the first round of the Clean Fleet Enterprise Transportation Network Company Grant Program. The grant funding will provide incentive programs for Transportation Network Company drivers to complete rides in battery electric and fuel cell vehicles.

### **Environmental Justice**

In May 2024, the Commission updated Regulation Number 3 to clarify and enhance permitting rules about environmental justice summaries and disproportionately impacted community air monitoring. Under this rule all applicable permit applicants must submit an environmental justice summary with their application. The summaries must cover environmental health data about the community where the air pollution source operates. The Air Pollution Control Division includes these summaries in the public notice for the permit. As part of the summary, permit applicants should report any community engagement to the Air Pollution Control Division.

### **Ozone Reduction Efforts**

In February 2024, the Commission adopted Regulation Number 29 to reduce air pollution from gasoline-powered lawn and garden equipment. The rule restricts the use of handheld and push gasoline-powered lawn and garden equipment for local, state, and federal governments during summer months.

The scheduled State Implementation Plan revisions noted above have been included in the Commission's [Long Term Calendar](#) and the Colorado Department of Public Health and Environment's [2024 Regulatory Agenda](#). More information can be found at the following links:

<https://cdphe.colorado.gov/aqcc>

<https://cdphe.colorado.gov/public-information/boards-and-commissions/annual-departmental-regulatory-documents>

Thank you,



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Colorado Department of Public Health and Environment

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