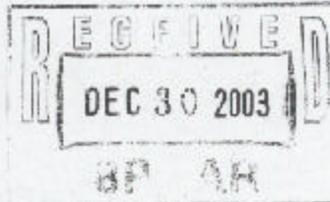




Colorado Department
of Public Health
and Environment



December 31, 2003

MEMORANDUM

TO: Signatories to the Early Action Compact for Ozone for the Denver Metropolitan Area

Regional Air Quality Council

Jim Scherer, Chairman, and members of the Board

Air Quality Control Commission

Robert E. Brady, Jr., Chairman, and members of the Commission

Colorado Department of Public Health and Environment

Douglas H. Benevento, Executive Director

Colorado Department of Transportation

Thomas Norton, Executive Director

Denver Regional Council of Governments

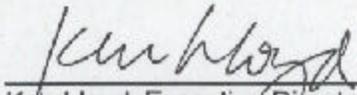
Melanie Worley, Chairman

U.S. Environmental Protection Agency, Region 8

Robert E. Roberts, Regional Administrator

RE: December 31, 2003 Progress Report

In accordance with terms of the Early Action Compact for Ozone for the Denver Metropolitan Area, please find attached a report that documents progress in stakeholder development, identification of potential local control measures, public outreach and modeling/technical planning activities. This report meets the December 31, 2003 milestone specified in the Compact.


Ken Lloyd, Executive Director
Regional Air Quality Council


Margie Perkins, Director
Air Pollution Control Division

cc: Doug Lempke, Air Quality Control Commission
Steve Arnold, Air Pollution Control Division
Mike Silverstein, Air Pollution Control Division
George Gerstle, Colorado Department of Transportation
Lizzie Kemp, Colorado Department of Transportation
Bill Vidal, Denver Regional Council of Governments
Jeff May, Denver Regional Council of Governments
Dick Long, EPA Region 8
Larry Svoboda, EPA Region 8
Tim Russ, EPA Region 8

**Ozone Early Action Compact
Denver Metro Area
December 31, 2003 Progress Report
December 30, 2003**

Introduction

In December 2002 state and local agencies in the Denver area entered into an Ozone Early Action Compact (EAC) with EPA. The Compact is a Memorandum of Agreement between the Regional Air Quality Council, the Colorado Department of Public Health and Environment, the Air Quality Control Commission, the Denver Regional Council of Governments, the Colorado Department of Transportation, and EPA Region 8.

The Compact entails a commitment to develop and implement an Ozone Action Plan in return for deferring any potential nonattainment designation for the EPA's 8-hour ozone standard. The Compact outlines several planning milestones (including progress reports every 6 months) that must be met, culminating in attainment of the 8-hour standard by December 2007. This December 31, 2003 Progress Report has been prepared according to EPA's April 4th guidance document for Early Action Compacts and provides an overview of recent activities that have occurred since the submittal of the June 30, 2003 Progress Report.

Stakeholder Process Development

The Denver Metro region has an established air quality planning process, which has been utilized to facilitate the stakeholder process. The various stakeholder groups in this process are the signatories to the Early Action Compact with the overall responsibility of shaping policy and providing technical, organizational and funding support to complete the work; an all-comers work group of interested parties who provide input on policy issues and evaluation and selection of emission reduction measures; and, a Modeling Review Panel of invited technical experts recommended by the signatories, industry, environmental groups and academia to provide technical oversight of the modeling effort.

The signatories to the EAC and their specific responsibilities are as follows:

- § Regional Air Quality Council - development of the Ozone Action Plan, and project management of the photochemical modeling effort.
- § Colorado Department of Public Health and Environment - develop RFP for the photochemical modeling effort; provide technical input to the process including inventory development, modeling and control strategy evaluation; and participation in the EAC planning process.
- § Colorado Department of Transportation - funding of the photochemical effort and participation in the EAC planning process.
- § Denver Regional Council of Governments - funding of the photochemical effort; development of transportation network and demographic data; and participation in the EAC planning process.

- § Air Quality Control Commission - review and approve the Ozone Action Plan through an established public hearing process prior to submission to the legislature and governor; provide input throughout the development of the Ozone Action Plan.
- § Environmental Protection Agency - provide guidance and interpretation of requirements throughout the process. Approve Ozone Action Plan as a SIP revision.

Stakeholder meetings held since July 1, 2003 include the following:

- § The Regional Air Quality Council, lead air quality planning agency for the seven county Denver Metro area, addressed the EAC, photochemical modeling effort and strategy development at their regular meetings in August, October, November and December. The RAQC approved the draft ozone State Implementation Plan (SIP) on December 11, 2003.
- § The Air Quality Control Commission, responsible for air quality regulation development and SIP approval, addressed the EAC during noticed public meetings in July, August, September, November, and December. In December, the AQCC entertained and approved the RAQC's request to schedule a public hearing for the draft ozone SIP for March 11, 2004.
- § The RAQC sponsored a stakeholder workgroup meeting for interested parties on November 5th to discuss and receive input on policy issues and potential mobile and stationary sources emissions reduction measures. The meeting was open to all interested parties. Announcements were e-mailed to a RAQC list of over 100 people and/or organizations and placed on the RAQC website. Approximately 30-35 people attended the meeting representing various industry and fuel organizations, environmental groups and agencies, academia, transportation planning and signatory staff.
- § The Modeling Review Panel, co-chaired by the executive director of the RAQC and an AQCC commissioner, met on November 5th and December 10th to review the 2002 and 2007 base case modeling, the 2007 control strategies screening modeling, and the associated emission inventories. Recommendations and input was provided to the staff of the RAQC and the Air Pollution Control Division (APCD) as well as the contractor performing the modeling work.

Public Outreach

Presentations have been made at the AQCC and RAQC meetings noted above which are open, public meetings. Meetings are announced with agenda on the respective websites of both organizations. The RAQC has established an EAC website which covers all aspects of the process. The Denver Post and Rocky Mountain News published ozone and EAC-related articles on July 10th, December 2nd, December 5th and December 17th.

Stakeholder meetings were also held in Greeley on November 21st and December 11th to discuss ozone issues for counties north and east of the Denver metro area (Weld, Larimer, Morgan and Elbert Counties). The APCD briefed local government officials, elected representatives, and industry representatives on the EAC process, ozone formation and

monitored concentrations, potential EAC control measures, and the possibility of expanding the EAC to these counties. EPA's recommended ozone designations for the State and the potential boundaries of the Denver area ozone nonattainment area may necessitate these counties joining the EAC in order to gain a deferred nonattainment designation.

Additionally, the RAQC provides significant public outreach as part of the Summer Ozone Program, which includes issuing ozone alerts, conducting car care clinics and gas cap replacement fairs, voluntary RVP reduction through a partnership with petroleum refining industry, targeted PSAs on local radio and distribution of flyers, brochures and information on local cable access television.

Modeling/Technical Planning

The Regional Air Quality Council and the APCD monitored and participated in the contractor's development of the emission inventories and the running of the photochemical model. The contractor is the team of Environ-Alpine Geophysics. The contractor has produced 2002 and 2007 base case emission inventories and modeling results, as well as 2007 screening modeling of potential control measures. Additional modeling will be performed in January 2004 until attainment is demonstrated at all receptors.