

## **Coloradans for Practical Policies Comments on the Air Quality Control Commission Ozone Rulemaking**

Coloradans for Practical Policies (C4PP) represents 12 industries with more than 400,000 employees across Colorado. Formed in 2022, members of the coalition are dedicated to implementing practical solutions on issues impacting Coloradans' quality of life. C4PP is invested in preserving Colorado's environment and improving our air quality. We recognize that clean, fresh air is an essential aspect of our quality of life in Colorado. Additionally, C4PP is dedicated to implementing business friendly policy that benefits all Coloradans.

Our partners are dedicated to operating cleanly and sustainably. We are committed to implementing effective and pragmatic policies to improve air quality, protect public health, and deliver the quality of life Coloradans deserve, all while balancing the needs of businesses. We value public health and clean air for our member companies, their employees, and their customers who live here.

Air pollution is a significant public health issue. We acknowledge the research done which outlines medical conditions that impact population health and increase demand for chronic and acute health care. Air pollution can also threaten access to health care, as poor air quality can create surges in demand that jeopardize hospitals' ability to treat all those in need of care.

At the same time, air pollution is a complex issue with no easy answers. Prescriptive one-size-fits-all SIP regulations have adverse effects on the community and are less effective than state and local initiatives that are tailored to solve local concerns. Overly burdensome regulations can prevent our region and our people from reaching their full potential and can even create other limits to accessing health care that perversely jeopardize public health. Strong economies and high-paying jobs generate the revenues that enable communities to improve the environment and cut ozone.

Colorado has taken aggressive action at the state and local level to improve ozone. The Colorado General Assembly passed 14 pieces of climate legislation in the 2019 legislative session alone, including House Bill 19-1261, which led to even more climate related policies designed to address our environmental impacts and improve air quality. For example, together we have:

- Retired all coal-fired power plants in the ozone area or converted them to natural gas, and accelerated the adoption of wind, solar, and renewable electricity
- Implemented America's most stringent oil and gas regulations
- Adopted California's regulations for low-emitting and zero-emitting vehicles
- Implemented a motor vehicle inspection and maintenance program
- Incentivized electric vehicles and charging infrastructure, using funds from the Volkswagen enforcement case and other sources
- Restricted the sale of consumer products, paint, and architectural coatings with high VOC content
- Established additional emission reduction rules for specific source categories

Colorado's residents, drivers, and businesses have achieved substantial emission reductions since the Denver Metro/Front Range Region was designated as an ozone nonattainment area under the 75 parts per billion standard. The emissions inventory in Chapters 3 and 4 of the Draft SIP show that between 2011 and 2020, ozone precursor emissions within the original area boundaries for the 75 ppb NAAQS fell by 42% for VOCs and 56% for NOx. The combined VOC and NOx reductions are so large that by 2020 we had already achieved the 2026 Reasonable Further Progress reduction targets for the original nonattainment area, six years ahead of schedule. And we are well on track to achieve the reduction targets for the expanded nonattainment area, including northern Weld County. We should be proud of what we've achieved.

Yet despite our real success in reducing emissions, ozone levels remain high. EPA has proposed to reclassify the Front Range as a Severe nonattainment area under the 75 ppb standard.

The Severe bump-up will force Front Range drivers to pay an extra 50 cents or more per gallon for the "reformulated gasoline." This translates into an \$800 million cost borne by Colorado residents and businesses. This added cost won't make a real improvement in ozone levels because today's conventional gasoline has only small differences from RFG – but large differences in cost. The burden of high prices and uncertain gasoline supply will fall primarily on front-line workers and low-income communities who are already struggling with gas prices.

Going forward, we are not projected to attain the 70 ppb standard by the August 2024 deadline, even though total ozone precursor emissions from inside the nonattainment area are half what they were 10 years ago. Why is that? Simple -- emissions beyond our control are causing high ozone.

We call on the Governor to use all available tools under the Clean Air Act to avoid new federal mandates – mandates that won't help us move the needle to improve air quality, but will hit Coloradans with higher gas prices. We cannot afford new barriers to economic growth when we are facing record inflation and a possible recession.

There are better alternatives to just accepting another reclassification. Colorado can seek regulatory relief from the ozone impacts that are beyond our control, specifically, ozone from international emissions and from wildfires.

The RAQC conducted a preliminary analysis of international emissions in 2017 and found that zeroing out international contributions would improve our ozone levels by 6-7 ppb. The RAQC's model for 2023 projects that the highest ozone will occur at the NREL monitoring site, and the design value will exceed the 70 ppb standard by 3.4 ppb, which is smaller than the international contribution. This provides clear evidence that Colorado would attain the 70 ppb standard next year, but for the impact of international emissions. This provides a basis for EPA to approve Colorado's SIP, even if the model does not predict that we will attain. But Colorado has to ask for this relief.

We also know that wildfire smoke contributes to high summer ozone levels. Regulating vehicle trips or stationary sources will not reduce the ozone caused by wildfires. Colorado should use its legal options to calculate what the ozone levels would be without the fires.

The Clean Air Act gives us options. Please use them to avoid unnecessary regulations, buy time for Colorado to keep doing the work to reduce ozone, and recognize that some things are beyond our control. Seeking relief from international emissions and wildfire smoke will let us keep local control and

find our own solutions, without slowing down the fight against ozone, while protecting our residents from prices they can't afford.

Sincerely,

Coloradans for Practical Policies



