

MAR 24 2005

Rec'd
8P-AR

STATE OF COLORADO

Bill Owens, Governor
Douglas H. Benevento, Executive Director

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

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Colorado Department
of Public Health
and Environment

March 22, 2005

Richard Long, Director
Air and Radiation Program (8P-AR)
U.S. EPA Region 8
999 18th Street, Suite 300
Denver, CO 80202

Dear Dick:

I would like to take this opportunity to provide to EPA a commitment to adhere to a continuing planning process requirements as described in EPA's "Protocol for Early Action Compacts Designed to Achieve and Maintain the 8-Hour Ozone Standards" guidance. It was brought to my attention that the language that satisfied the continuing planning process was not included in the Ozone Action Plan due to an oversight that was not caught by either the State or Region 8 until recently.

The Division will present to the Colorado Air Quality Control Commission a request to amend the Denver Ozone Action Plan to incorporate the continuing planning process language from EPA's Protocol during 2005 and submit a revised Ozone Early Action Compact SIP revision during early 2006. Key elements in this request for amendment will be the periodic evaluation of growth assumptions and the addition of control measures if needed to remedy unanticipated emission increases that jeopardize attainment of the 8-hour ozone standard. Consequently, the Division will periodically evaluate the data and growth assumptions used in the Ozone Action Plan's attainment demonstration, specifically new point source growth and future transportation patterns and their impact on air quality. Much, if not all, of this is performed on a regular basis through the transportation conformity determinations and periodic maintenance plan updates for the numerous maintenance areas along Colorado's Front Range (Denver PM10, 1-hour ozone and carbon monoxide; Longmont carbon monoxide; Fort Collins carbon monoxide; and Greeley carbon monoxide). If the review of growth demonstrates that adopted control measures are inadequate to address growth in emissions, additional measures will be considered and added to the plan. We will report to EPA on these evaluations when appropriate through the progress reports required for the Ozone Action Plan.

Also, we will comply with the maintenance plan requirements of 40 CFR 51.905 and submit a maintenance plan no later than three years after the 2008 attainment designation. Development of this maintenance plan will require a comprehensive reassessment of the modeling assumptions and controls. It is the Division's intent to develop this plan within the next two to four years, which is much sooner than required.

If you have any questions about our position, please contact me at (303) 692-3115 or Mike Silverstein of my staff at (303) 692-3113.

Sincerely,



Margie Perkins, Director
Air Pollution Control Division

cc: Tim Russ, USEPA Region 8
Doug Lempke, Colorado Air Quality Control Commission
Frank Johnson, Colorado Attorney General's Office
Ken Lloyd, Regional Air Quality Council
Mike Silverstein, APCD