

**AIR QUALITY ADVISORY BOARD
REGULAR MEETING
MONDAY, JULY 15, 2013**

DATE: MONDAY, JULY 15, 2013
LOCATION: 215 N. Mason Community Room
TIME: 5:30–8:30pm

For Reference: Rich Fisher, Chair 970-221-4389
Ross Cunniff, Council Liaison 970-420-7398
Melissa Hovey, Staff Liaison 970-221-6813

Present:
Greg McMaster
John Shenot
Nancy York
Dave Dietrich
Scott Groen
Jim Dennison
Tom Moore

Absent:
Rich Fisher
Michael Lynn

Staff Present:
Melissa Hovey, Staff Liaison
Dianne Tjalkens, Minutes
Susie Gordon, Senior Environmental Planner
Beth Sowder, Neighborhood Services Manager
Matt Zoccali, Environmental Regulatory
Specialist
Pauline (Polly) Lauridsen, Compliance
Supervisor

Guests:
Richard (Rick) Anthony, Zero Waste Associates
Gary Liss, Zero Waste Associates
Ruth Abbe, HDR, Inc.

Note: Dave Dietrich is acting chair in Rich Fisher's absence.

Call meeting to order: Dave Dietrich called to order at 5:30pm.

Public Comments: None

Review and Approval of June 17, 2013 minutes

Greg McMaster was listed as Chair on last month's minutes. This needs to be changed to Rich Fisher.

Nancy York moved and Greg McMaster seconded a motion to approve the June 17, 2013 AQAB minutes with modification above. Motion passed unanimously. 7-0-0

AGENDA ITEM 1: Road to Zero Waste Presentation

Susie Gordon, Senior Environmental Planner, Environmental Services Department introduced consultants Richard (Rick) Anthony, Gary Liss and Ruth Abbe who presented information on the Road to Zero Waste project. The City is embarking on a strategic plan for waste reduction and recycling that evaluates the merits, prospects, and potential of pursuing new initiatives and goals.

Susie said that the City has a current goal of diverting 50% of waste from the landfill. It has been 14 years since the goal was adopted and we are just about there. For residential and commercial we're at 43%, 57% if we add industrial to that. The question for Council is do we establish a new goal? We are engaging in community outreach to create a new goal and plan. The consultants are here to introduce us to options for new goals and to get feedback. They would like to come back in the fall to present their recommendations.

Richard Anthony has run landfills in other states. He worked on a major project in San Diego County to seriously reduce landfill waste over 4 years. They invested in 3 different collection bins for each customer. They dropped from 3 million tons per year of waste into the landfill to a little over 1 million tons per year.

Gary Liss gave a PowerPoint presentation on the Road to Zero Waste Project, including identifying linkages among interconnected issues, zero waste and global warming, and how rotting organics create the most methane gas. He said that 50% of all greenhouse gas emissions come from activities that we can affect positively through zero waste initiatives. He showed the Austin WARM Model and explained what the Zero Waste approach is.

Rick discussed local businesses leading the way to Zero Waste. They have realized that there is a market for their waste. He talked about the "upstream" (production) and "downstream" (recovery) effects, the categories of discards that end up in the landfill, and how there is a market for all these discards.

Discussion/Q&A:

- Dave Dietrich asked about statistics on local landfills. Susie said that numbers include all landfills used by Fort Collins residents and businesses in both Larimer and Weld County.
- Scott Groen asked about #2 plastics and why Fort Collins hasn't gone after them yet. He can't currently recycle oil and dirty antifreeze containers. He wants to know where the plastics are being shipped. He said there is a plant in Oregon that takes dirty oil containers and retrieves the plastic and the oil in the recycling process. He is thinking about every shop across the country that is throwing away these plastics. He says it is impossible to really go bulk on these items because there are different specifications for each car. All of these items are currently going into the landfill.
- Rick talked about industry responsibility. He said the worst are the oil companies. Gary sees that this is a gap that needs to be looked at.
- Scott said that oil is a commodity, but oil companies won't take responsibility. He mentioned Valvoline's packaging. Now mechanics get paid for waste oil. Greg McMaster asked about the 12 market categories of waste. He wonders if in our efforts to recycle, is the single-stream

practice counter-productive? Does that need to be looked at? Gary said that this is being looked at. He gave an example of curbside sorting in Europe. The reason for single-stream is to divert more tonnage, but there is a contamination issue. Fort Collins has only 6% contamination, so we're currently doing a good job with single-stream.

- Greg said that the recovery rate of glass in single-stream is less than if you take it to the recycle center and sort it. Rick said our issue is that our glass recycling plants are too far apart, so there is additional cost compared to landfilling it. Rick suggested one way to respond to this would be to have a recycle deposit on glass bottles. Gary suggested another way is to invest in higher quality sorting of glass like they do in Boulder. Gary and Rick agreed that this issue will be addressed in the draft plan.
- John wanted to know if the consultants' analysis will look at other pollutants that are precursors to greenhouse gasses such as ozone. Gary showed a slide showing various pollutants that are reduced when recycling. Using the WARM analysis tool they can focus on the current system vs. the proposed system.
- Tom talked about how we have large beer producers here that may be zero waste in production, but he wonders about the waste value of the commodity, such as packaging. Rick mentioned refillable containers as an option. Tom wants to see the outgoing product having less packaging. He wonders about incentives. Gary talked about incentives they are using elsewhere, including a point system to be recognized as Zero Waste Businesses being developed by the U.S. Zero Waste Business Council (USZWBC), including addressing not making "waste-able" products, the triple bottom line, environmental best practices and giving points for those who follow them. The USZWBC is creating a rating system for the companies that adhere to the guidelines. One incentive idea that could be developed and piloted could be around EPR (Extended Producer Responsibility), possibly with New Belgium Brewing.
- Dave asked if the waste reduction/recycling plan is just for Fort Collins and whether there would be mandates. Gary said we are trying to create a system with rules, not mandates, which work toward the triple bottom line. We are looking for win-win ideas. Community brainstorming is important in creating the right plan for Fort Collins. Gary talked about how the City has banned electronics from landfills, and about core charges for car batteries. Rick noted that we have ended smoking in bars and have gotten people to wear seatbelts as a result of people working in the interest of their health. Ruth Abbe talked about the plan being City-specific, but that there could be items that recommend actions by the county or state-wide.
- Tom asked about the oil and gas industry's rapid growth in Colorado and how our consumption impacts oil and gas elsewhere.
- Melissa Hovey wanted to know in what format the consultants want feedback from this board. Gary said they are urging people to come to the public meetings, as Council will be provided detailed input from those community meetings. He also requested comments by August 1. At fcgov.com/zerowaste/ there is a form people can fill out to submit personal comments.

AGENDA ITEM 2: Proposed Outdoor Smoking Ban

Beth Sowder, Neighborhood Services Manager, and Polly Lauridsen, Code Compliance Supervisor, presented an update on the proposed outdoor smoking ban.

Beth Sowder gave a PowerPoint presentation on outdoor smoking. There have been complaints about some outdoor smoking on patios, etc. There has also been some confusion due to the rule about keeping smoke at least 20 feet from a door, so smoking on patios has been inconsistent. She discussed the health impacts of second hand smoke, even when exposed outside. She talked about national trends toward smoking bans, Colorado trends, and a survey done in Fort Collins about smoking at outdoor dining and bar patios. Some of the opponents to an outdoor smoking ban in Fort Collins are non-smokers who do not want government getting involved. There was also a survey of restaurant and bar managers about how smoke free laws have affected their businesses, and one for Transfort riders. The survey showed that 60% of Transfort riders support smoke-free policies. They are looking to expand bans to outdoor dining areas and patios (with a 20 foot rule from the patio as well), public transit facilities, Max platforms, and 20 feet from bus stop shelters and benches. There would be signage assistance for businesses, and police and Transfort security would help with enforcement.

Discussion/Q&A:

- Greg asked about Transfort. Beth Sowder explained that there are no smoking restrictions at bus stops because they are outdoors.
- Jim Dennison noted that CU Boulder is going smoke free. Beth said that CSU is investigating doing something like that, but are getting community/student input.
- Dave mentioned that he knows of two local businesses that went out of business because their clientele were smokers and they stopped coming. Polly Lauridsen noted that many businesses lost smoking customers, but gained nonsmokers.
- Scott thinks that this is passing laws that can't be enforced. Beth said that the smoking bans are primarily self-enforced because most people respect the law. Polly said that they are concerned for people with mobility issues who are more likely to be at a bus shelter or bench who cannot walk away from a smoker. Scott believes that 90% of nonsmokers are courteous enough to not smoke next to a nonsmoker. He thinks we are trying to control too few people. Polly said that is one of the issues with the patios. Many restaurants don't have patios large enough to have smoking at all.
- Scott joked about banning smoking in all of Fort Collins. Nancy York talked about West Mountain Avenue and the Trailhead and how smokers go right outside of the patio onto the sidewalk, and it's impossible to get past the establishment without inhaling smoke.
- Tom Moore wondered if City events with controlled access would have smoking bans too. Beth said that they are presenting ideas to Council. Some of the ideas will be harder to enforce than others. Tom said that the festivals and events permitted by the City that are in public places would be ideal places to have smoking restrictions. Polly said that there is a difference in what can be restricted between events held on City property vs. private property.
- Nancy asked about the new electronic cigarettes. Beth said that there isn't enough research on the health detriments, but the issue is also about image. Polly said that electronic cigarettes are not yet controlled because they don't fall under our definition of tobacco and don't produce smoke.

- Melissa wanted to know if Polly and Beth want feedback from this group to revise what they are presenting to Council. They said they welcome formal feedback.
- Greg asked when the board should address this topic. Dave thought the board should wait until after Council reviews the issue once to see if Council takes it further or not. Greg would like to make sure the board weighs in on this topic since it's definitely an air quality issue. Beth said she will advise Melissa before they go to Council in order to get appropriate feedback from the board.
- Jim talked about how indoor risks of second hand smoke have been studied and he would like to see more studies about the health effects of outdoor second hand smoke. Beth said she can provide some more quantitative information. John and Dave agree that they would like more data. Melissa asked the board to research the topic more and pass around the information.

AGENDA ITEM 3: City of Fort Collins Air Permits

Matt Zoccali, Environmental Regulatory Specialist, Utilities gave a presentation on compliance with the City's air permits and other air issues.

Matt Zoccali explained how his work group focuses on internal issues. His position focuses on air quality. They deal with indoor air quality regarding mold, lead, and asbestos. He briefly discussed the locations and facilities that have Air Permits (APENS). He explained that emergency backup generators used to be exempt, but now must be included. He discussed the Risk Management Plans for regulated substances at the Drake Water Reclamation Facility and the Water Treatment Plant. He also discussed the history of the Northside Aztlan Community Center site and removal of pollutants at the site. The Aztlan center now has a Vapor Mitigation System to ensure safe indoor air quality. The Discovery Museum was once a landfill and the CSU Engine Lab site also had contamination from a prior use. These sites are managed by his department. He talked about asbestos in the soils and that managing excavation is complex and expensive. He discussed asbestos management within City buildings and how they have a program to control renovations and to contain asbestos. There are inspections before renovations, and specific plans to mitigate, contain, test and inventory asbestos locations. His crew is a maintenance team that is trained in asbestos abatement. They also deal with lead paint. They test for it and give suggestions for how to deal with the paint. The department does community awareness and involvement activities for education, including contaminated site outreach to the community.

Discussion/Q&A:

- Scott wanted to know more about backup generators' non-exemption. Matt Zoccali discussed why the backup generators are no longer exempt and rules regarding permitting developments.
- John Shenot asked about other regulated substances like mercury. Matt said that Risk Management is working on a database that they can add more information to. He is looking at more integration of information so they can identify other regulated substances in renovations.
- Tom asked about regulations for formaldehyde in building materials. Neither Matt nor Melissa had information on this issue. Tom also asked for more information about the renovation of the Foothills Mall. Matt explained that if the renovation involves a City-owned building, the pre-

renovation inspection and renovation work are often conducted by City staff. In the case of the Mall, the buildings are not owned by the City, and therefore it is the responsibility of the Mall owner and their Project Managers/Health and Safety staff to have appropriate inspections (and asbestos/lead paint abatement, if necessary) conducted prior to renovation/demolition commencing.

- Melissa talked about the mall project being a private venture and how there was an incentive package to recycle materials, and how there are state regulations for demolition and construction. Matt said he has seen asbestos in buildings built as recently as 2004. He explained how asbestos was not completely banned and that it can still be put in floor tiles and spackling, but it isn't an issue until demolition or renovation occurs. Jim believes that the mall has asbestos because of the age of the building. Jim said he believes that most of the asbestos is removed before demolition, but that the state does a cursory inspection. He said the main problem with asbestos exposure is during remodeling where there are fewer controls. There are many remodels that happen without ever getting checked for asbestos, especially in private homes.
 - John asked if there have been any noncompliance issues with the APENS. Matt said that the Hoffman Mill site had an administrative issue once of not renewing their permit, but he doesn't know of any violation of emissions. Matt said that the limits are tracked and all the permits that he tracks are well under the limits by at least 30%. He can provide that information quarterly.
 - Tom asked about the City fleet. Matt said that his department doesn't deal with the fleet, but that there is a fleet manager. Melissa said that the annual fleet fuel bill is approximately \$3 million. The City is looking into eco-driving techniques to help get better gas mileage, such as slower acceleration at intersections and training on when to use the AC.
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AGENDA ITEM 4: Field Trip Review

Review and discussion of recent AQAB field trip. Melissa showed pictures.

- John asked if the board sent a thank you card. Melissa said we haven't yet, but she will draft it and send to members for signatures.
- Tom mentioned that they saw that when a train went by the monitoring station, it knocked up the ozone level significantly.
- Greg talked about a program he has been involved in, in which volunteers carry backpacks with monitoring equipment for two days. Volunteers note where they went and what method of transportation was used.
- Nancy thought the information received on the field trip was good. She was impressed by the thief hatch at Northern Gas and the device they have to read it without opening the hatch.
- Dave's impression of Northern Gas is that they do what they legally have to do, but not much more. He could smell volatile emissions while there. He said that it could be tighter and cleaner. He was concerned that if you multiply these emissions by the number of sites there are that there is a real problem. Melissa said that under Colorado regulations the company is actually doing more than it has to do.

- Dave agreed that the company is trying to be good neighbors and he appreciates what they are doing. The problem he sees is the regulatory authority for all oil and gas. He said that it is interesting that the state has to purchase infrared cameras that find leaks that the oil companies then can rent or borrow. He wondered why the state is buying these instead of the companies.
- John said he saw that the company is working to minimizing odors for the neighbors, but he knows that methane is odorless. He said that they are clearly in compliance, but doesn't believe that they are doing anything out of the ordinary to reduce methane. He believes that the real issue is whether the industry is adequately regulated.
- Tom agreed with the other commenters. He said that the company is grandfathered in and harmless from liability unless there is a documentable leak. He said it would be good to continue the relationship and walk the site with the infrared camera. He said that one issue is subcontractors who are not subject to the same rules as the gas companies because they are not the ones who are permitted. Melissa said that the Reciprocal Land Use Code addresses this issue and will go to Council in July.
- Melissa explained that the Land Use Code change is a couple of paragraphs about developers who develop around oil and gas sites and choose to ignore the 1000 ft. setback code. The latest version is going to Council tomorrow night. Another item on Council's agenda tomorrow is the moratorium on oil and gas. The City currently has a ban, a moratorium, and an operator agreement that overlap and get confusing. The moratorium was put in place last year and is about to expire. It halted all oil and gas development in Fort Collins while a study was done. There is a citizens' initiative to extend the moratorium for five to seven years. Council is also considering extending the moratorium on their own while further studies are completed. Boulder extended their moratorium five years.
- Nancy said that Loveland has gotten enough signatures to get it on the ballot in November.
- Melissa talked about a study to evaluate whether the SIP should be modified. A modeling analysis was conducted. It analyzed "what ifs." The Regional Air Quality Council is considering running more analyses. Boulder used this as a basis for continuing their moratorium. Fort Collins is considering whether or not to use the same modeling to make a judgment about a continued moratorium. There are 30,000 wells in Larimer County. Leaks from tanks are a major EOC contributor. Oil and gas have contributed over 30% of ozone precursor emissions.
- Tom mentioned how cars and power plants are getting cleaner, but we have an increase in oil and gas emissions.
- Greg said that we could have predicted that we would be out of compliance because of the oil and gas wells.
- Melissa said that there have been 6 action days this summer.
- Tom asked if the Council has enough information on this topic.
- Greg added that it is difficult to get a simple, coherent message out to public and council.
- Melissa said there is a displaced concern about the 7 wells within the City limits, when there are 30,000 more in the County. What is monitoring 7 wells going to tell us about how safe residents are going to be?
- On the field trip they saw a visibility monitor, a particulate monitor, and ozone and carbon monoxide monitors. The group discussed the types of monitors, how they are operated, and measurement methods.

- Greg talked more about the backpack study he was involved in. He said he never knows what kinds of monitors he has in his pack, but he thinks the final analysis in the fall will have good summary information.
 - Jim is unsure of the dataset. He said the backpack monitors will be subject to self-created dust from biking, etc.
 - Greg said that the study is about human exposure and intake. It includes a heart rate monitor and is studying what a person is in-taking and experiencing. He thought this information would be more valuable than what is measured on a rooftop.
 - Jim suggested that if you put the monitors at street level, you may see more non-attainment. The measures on a roof at CSU are going to be different than if you are walking down Prospect.
 - Greg added that the pack has a GPS unit.
 - Tom said that the rooftop monitors are standardized and designed to monitor general neighborhood conditions.
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AGENDA ITEM 5: Staff Update

- Melissa had a number of updates for the board:
 - There are key things coming up on Council's agenda. She let board members know that they are allowed to testify and represent themselves as members of the board so long as they don't say they are representing the board as a whole.
 - Important upcoming dates:
 - Aug 13: Beth Sowder will be presenting about the smoking ordinance. Melissa encourages the board to provide feedback.
 - Oct 22: Melissa is going to Council regarding Green Building. She will tell the board the results of this in the September meeting.
 - Please provide comments to Susie regarding Zero Waste.
 - The Lincoln Center Corridor is getting a lot of public comments about parking. Please add your comments.
 - The August 19 AQAB meeting will be held at the Traffic Operations Center on Linden Street. The board should come prepared to discuss air quality considerations at major traffic operations. Please study the links she has provided in the handout. Regarding the Transportation Master Plan, this board has quite a bit of input, so please read the Executive Summary.
 - Greg asked about Transit route changes. Melissa said that there is a one-pager in the meeting handouts that gives route changes and brief reasons for the changes.
 - Also included in the handouts is the Transportation Master Plan table of contents.
 - Melissa found the agenda from the Air Quality Report to Community and has a video from that meeting.
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AGENDA ITEM 6: Review of AQAB Air Forum subcommittee meeting, liaison updates, review of action items and future agenda items.

- Nancy said that her breakout group discussed having 3 or 4 community forums, with one overview forum and 2 or 3 topical forums. The timeline for organizing these community forums would be to hold them early next year. Melissa said that they had initially discussed having one forum in the fall, but there were conflicts. They currently don't have any follow up meeting dates set.
- Greg said that there are positive pools of West Nile, but that we are at or below historic levels. Levels are picking up a little bit with the recent heat and rain. This next month will be critical. There has been one reported case of illness in Delta County. There is no discussion of spraying as of yet, though some HOAs may be spraying.
- Tom said that he was unable to attend the Energy Board meeting but saw that the July 23 Work Session includes the Climate Action Plan. He said he is confused because he knew we had asked to be a part of this, but we aren't getting any information. He is willing to ask on his own. He said that Lucinda had a presentation at the Energy Board meeting. He wants suggestions for what to do. Melissa clarified that the Climate Action Plan is a staff project and Lucinda is leading it. The Climate Action Plan Status Report draft just went out a week ago for review. Melissa will find out more from Lucinda and get information out to the board.
- Jim wanted to know if Council would be taking action. Melissa said no. Jim would like to know when they will be taking action so AQAB can get it on their timeline.

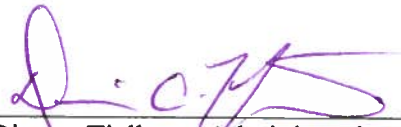
Adjourn

Nancy moved to adjourn. Greg seconded.

Meeting Adjourned at 8:17 pm.

Approved by the Board on 8/19/13, 2013

Signed



Dianne Tjalkens, Administrative Clerk II

8.28.13

Date

