

**MINUTES
CITY OF FORT COLLINS
AIR QUALITY ADVISORY BOARD**

Date: Monday, January 25, 2016
Location: Conf. Room 1A, 215 N. Mason Street
Time: 5:30–8:00pm

For Reference

John Shenot, Chair
Ross Cunniff, Council Liaison 970-420-7398
Lucinda Smith, Interim Staff Liaison 970-224-6085

Board Members Present

John Shenot, Chair
Rich Fisher
Robert Kirkpatrick
Jim Dennison
Vara Vissa
Gregory Miller
Tom Griggs
Mark Houdashelt
Chris Wood

Board Members Absent

Staff Present

Lindsay Ex, Staff Liaison/Environmental Program Manager
Dianne Tjalkens, Admin/Board Support
Lucinda Smith, Director of Environmental Services
Mike Gavin, Director of the Office of Emergency Management
Matt Housley, HazMat Team Captain (PFA)
Ron Gonzalez, Assistant Fire Marshall (PFA)
Matt Zoccali, Regulatory and Governmental Affairs Manager
Cassie Archuleta, Environmental Planner

Councilmembers Present

Guests

None

Call to order: 5:34pm

Public Comments: None

Review and Approval of Minutes:

Tom moved and Rich seconded a motion to approve the December 2015 AQAB minutes as amended.
Motion passed unanimously, 8-0-0. Jim arrived after vote.
Corrections: 1. Mark asked about BRT resolving issue: add “already” between Transfort and runs (top of pg. 3); How is BRT going to “better serve the vast number of students...”
2. bottom page 3. Concern about transportation manual. Change “it” to “the plan” is focused...
3. dust control project: are we instead of we are (pg 4) 2/3 down is a question not a statement (about going to council)

4. Enjoyed Brian Dunbar's talk. Built environment, buildings as well as cities. Concerned about road structure and built environment around schools for traffic congestion.
5. Lindsay took notes on changes Vara has on her comments.

Introduction of New Member: Chris Wood is an environmental services manager with Platte River Power Authority. He handles environmental regulations, permits, and policy. Graduate of CSU.

AGENDA ITEM 1: Hazardous Materials and Emergency Preparedness

Mike Gavin, Director of the Office of Emergency Management; Matt Housley, HazMat Team Captain; Ron Gonzales, Assistant Fire Marshall; and Matt Zoccali, Regulatory and Governmental Affairs Manager discussed hazardous materials in Fort Collins, including how they are managed from a transportation perspective, community risks, and preparedness plans associated with these materials.

Taking inventory and preparing: fixed facilities versus what moves through town. Fixed facilities planning: land use code requires hazardous material impact analysis. Looks at whether a site is appropriate for HazMat. Ex: filling station in middle of Old Town—Prepared? Resources to handle event? right location for facility? (risk assessment). City does not regulate fixed facilities that are not our own. That is state. Do take care of air permits and notices for own facilities such as water treatment facility. For other: reporting requirements, fire code compliance, land use codes, operational requirements, etc. Op requirements include Tier II reporting, risk management plans, hazardous material management plan (HMMP). Makes sure quantities are within regulations. Fire department does pre-plans for storage, built into database so know what is there, where located and best course of action. Avago has many toxic chemicals and is gold standard. Have own HazMat team. Experts in their response. City knows chemicals as well and attends Avago trainings. Other end of spectrum: mom and pop shop that doesn't know rules, regulations and may not be using proper equipment. Established industries in Fort Collins are well equipped.

Hazardous material routes in Fort Collins will be reevaluated in 2016. Ports of entry, state patrol checks, certain roads allowed to travel, commodities studies to determine what tractor trailers are carrying, work with dept of transportation to do studies. Railroads: get general information about what types of materials are travelling through, do collaborative trainings, send HazMat techs for specific railway training. Burlington Railroad has been good steward in community. Much of hazardous chemicals are now travelling through non-dense areas when not being delivered locally. Cross training and coordination. With State Emergency Response Commission (SERC) have trainings for new users such as dry cleaners, spray booths for autos, etc. Also work with County on Local Emergency Planning Committee. Board members can attend committee meeting.

Preparing and training for accidental release:

protect water quality through stormwater permits. At PFA all required to have some HazMat training. Have additional training and equipment at HazMat center, including national certification for HazMat technicians. Do scenario with City every year at one of facilities. Life safety and environmental hazard stopped, local health department and others take over. Great trainings at federal level. Crude By Rail paid for by railways to train for crude spill. Have training for 20 car pile-up that is on fire. Train some on radiologicals, train others on biohazards.

Finishing hazard mitigation plan: identifies hazards in community. Do additional training on top hazards. Emergency operation plan, take to Maryland, go into EOC with scenario feds put together. At end of four days get critique of response. Everyone knows what their piece of puzzle is to resolve in timely manner.

PFA's mission is to be first responders to ensure human safety. Matt Z's department tries to find party responsible. Looks at standards for water and soil quality. Defensive/cleanup. Have Access Fort Collins—dumped paint, auto oil, etc. jurisdictional boundaries for city, county, state.

Hot asphalt rollover into Poudre a number of years ago: 36 agencies showed up: coast guard, EPA, wildlife advocates, agricultural agencies. Bring resources. Know who players are and who responsible for what makes move smoother when call comes in. No one agency can or would handle emergency.

When had railroad engine spill diesel, railroad quickly contacted private contractors to get cleanup done.

Comments/Q&A

- Should there be a release, what then? From air quality perspective, if a release, can find out what direction, concentrations downwind, etc.?
 - Software package used by hazmat teams uses real time weather, and builds real time plume models using size of container, amount of release, etc. Peak software works with pre-plans. Fire, explosion, radiological, chemical, etc. Plume model can be released to emergency services to issue reverse 911.
 - Where does meteorology come from?
 - Weather program that is site specific. Several programs including CSU, NOAA, variety of sources. Use five or six to make sure data is accurate for specific location: 1, 2, 6 hours for life safety and to stabilize incident (humidity, snow, wind, rain, etc. can impact plume).
 - Fire code requires scrubber before hits atmosphere.
 - Waste water treatment plant has scrubber. Weather station with hazmat team. System updates every five seconds. Have monitors to check for a variety of chemicals as well.
 - How do you know which software package is best.
 - A lot of agencies use federal software because it is free. With research selected Peak.
 - See if endorsed by stakeholders, check with other users, etc.
- If chlorine leak, what is the number where have to evacuate. Where does that come from?
 - In risk management plan, run EPA model and plug in scenarios, population, terrain, typical wind directions, etc. Gives a circle around center of leak, identify receptors (schools, prisons, trails, etc.) identify critical facilities.
 - Land use code regulates radius for residential developments around sites.
 - As scenarios change, can model new.
 - 0.4PPM is critical number for chlorine. Toxic end point is 0.1ppm. More than a mile and a half radius.
 - Models give different information?
 - Cold, warm and hot zones. Hot is evacuation, warm is dangerous. Triple reference: peak and two others. And Peak does own triple reference.
- Businesses have reporting requirements that allow for planning. Any potential events that don't have staff, materials or training to handle. Know in advance that need help.
 - Always assume need help in handling an event. Planning resources needed for the days following event. "ask early and ask for a lot" easier to send home if not needed than wish had the help 10 minute ago. Manager makes sure responders have resources. Attack from different angles.
 - Some people afraid to call because fear a summons. But would rather be called early.
- Get list from railroad of what sent through city—before or after happens?
 - Don't know in advance. Railroads have convinced congress that a security issue to have advanced knowledge. However, several in City that have access to database. If special shipment can get a heads up. Get a 48 hour timeframe. Usually get averages of last six months. Consistent. Can determine where the things are going.
 - Not a lot of exotics that come through; chlorine, ammonia, some oil. "Known packages"
 - Heavily regulated. More concerned about industrial chemicals that individuals can easily access and use under the radar.
- If train carrying chlorine derailed in fort Collins, how long before you'd know what is in it?
 - Hazmat technicians are trained to identify what car is holding based on tank. Would start air monitoring and evacuations.

- Molten Sulphur was going through.
 - Not going through as much anymore. Railroad tries to bypass much of this out east.
 - Person trying to get gold from recycled computer chips. Created a mess.
 - Meth labs, chemical suicides are hazards.
- How does CSU fit into this?
 - Has excellent environmental health and safety program. Have them help with mercury spill. Work with CDC, USDA, etc. City covers them for fire.
 - Does CSU report everything they should be with research?
 - Exempt from tier II reporting. However, work closely together. Work on quantity, fire, and storage issues. They do everything they can to be good neighbors. Good relationship.
- Any release (or near miss) in Fort Collins recently that required evacuation?
 - 20K calls last year. Nothing on grand scale or even neighborhood evacuation.
 - When Forney caught on fire, set up 4 remote monitors to check for gasses (welding materials). Had safety buffer of evacuation. Evacuate households for CO. No major evacuations due to hazmat.
 - Mostly fire, or CO.
- Meteorology modeling is computer based.
 - Have portable weather kit to get own weather data.
 - Service available with upper air data, almost instantaneous for exact location. Would take away uncertainty.
- Spot checks of trucks through town—find a lot of businesses in noncompliance?
 - No. When CDOT does safety checks, worn tires, lack of sleep, overweight. Sometimes get call about leaking liquid where no liquid should be. Isolated and away from densely populated area.
 - City is not required to do tier II reporting either.
 - Station 10 has a meeting room and can come see resources/take tour as part of meeting.

ACTION ITEMS: None

AGENDA ITEM 2: Fugitive Dust

Lindsay Ex, Environmental Program Manager, explained the fugitive dust regulation options that City staff intends to present to Council for consideration at a February 9, 2016 work session. The AQAB offered feedback to staff on the options and discussed whether the AQAB should recommend a particular option to City Council.

Particulate Matter (PM) impacts are in health, reduced visibility, ecosystem and materials impacts and nuisance. Have seen increased PM. Air emissions data shows majority of emissions come from construction and roads. City lacks comprehensive approach to dealing with fugitive dust. State and County have regulations but only state can issue violations. Also lacking upfront guidance on how to comply with regulations. Looking at series of code changes to make City able to enforce. Dust control manual, training and support program, and public outreach planned if pass code changes. Have three options that all create an enforceable ordinance, regardless of size of project. all options require covered loads. Option 1: adopt ordinance and manual with delayed implementation to allow time for training/education. Option 2: Begin enforcement immediately. Option 3: Adopt ordinance but do not make mitigation in manual required unless problem occurs. More typical approach in other communities. Can require a plan upfront. In Option 3 required to prevent dust, but if a problem occurs, must use BMPs from manual. If complying with manual, then in compliance with ordinance in options 1 and 2. In option 3 violation occurs if dust is leaving site. Challenges with 1 & 2 are increasing project costs upfront. Challenge with 3 is doesn't allow training and outreach, and upfront budgeting if there is a problem. Also, assume Option 3 would generate more dust as no BMPs required at all times.

Comments/Q&A

- Option 3 is most resource intensive in terms of staffing? Have to continue to go back to project if not in compliance. Greater workload.

- Need to consider more. Other options could have site checks without complaints, so resource needs for both.
- Cost? To city? To company?
 - Council will ask as well. Have staff that goes to every construction site in city biweekly anyway. Not having enforceable ordinance has created more use of staff time. Any option would streamline.
 - No option has a cost as well: human health, responses to citizen calls, etc.
 - Currently going out on calls, but can only issue nuisance violations—very difficult to do.
- With option 3, over time as people become aware of manual, might get more calls. Also concerned about definition of “problem.” if code enforcement sees off property transport of dust, or if citizen complaint, but if windy or saw cutting concrete with no water, by time get there wind is down, or project is done. Difficult from that standpoint. If do outreach with option 3, imagine a few more people would do a little more than now. But many won’t. hard to know what compliance would be if only enforceable if there is a “problem.” Option 3 is better than nothing, but not as good as 1 or 2 and cost burdens those who want to do the right thing. Need to spread cost evenly.
- Option 1: hope that it would be done in a way that there is a fixed date that compliance becomes a requirement, not set after done with training and outreach. clarify that. Option 3: creates a situation where don’t have to do BMPs, and even if cause a problem, haven’t yet violated the ordinance. If cause problem, only then have to do BMPs. So, why would I spend anything to do BMPs until someone says there is a problem?
- 1 and 2 put primary burden on builders. Option 3 puts burden on City staff to track down violators. Business owners prefer cost certainty. Options 1 and 2, know what have to do. Option 3 has no penalty for not using any BMPs. Staged option? With ability to apply for delay or variance.
 - Option 2: still talking about education through spring and summer.
 - Option 2: becomes effective 10 days after reading.
 - Builders have bid on projects for fall already.
 - What is impetus for immediate start?
 - Provide range of options for Council to consider.
- Does Council always get options with any ordinance?
 - Oftentimes.
 - Heard feedback at work session for strategic plans, that going too far and need to look at what the problem is that trying to solve.
 - Option 3 shows not serious about the issue.
- Delay for Option 1: implementation only delayed, or training delayed too?
 - Assuming Council adopts Option 1, would spend couple of months developing training materials for community and for staff. Then time for actual training and time for inspectors to notify builders.
 - If manual is comprehensive, and there is list of additional practices, why are they not in the manual?
 - If over 25 acres, already required to use dust control measures.
 - Which measures will you accept?
 - Very prescriptive to comply with the manual.
 - Option 3, a contractor could be not doing BMPs in manual, and have no dust generated. Ex: building during rainy season.
- Option 1 is one we’ve been considering for two years. Support this option. Have to pass this ordinance. Talking about it for too long. Has been a problem for 15+ years.
- Not much difference, practically, between 1 and 2. With 2, will give people slack on writing violations for a while. No way people can comply immediately. Option 1 gives realistic time frame. Bear in mind that this only restrict visible off property transport. These BMPs reduce to point where can’t see it. Still making dust that is going off property. Not getting to zero.
- Hasn’t board already recommended option 1?

- Have yet to recommend adoption of an ordinance. Helpful to Council to recommend one of the three options.
- Recommend specific calendar date for enforcement.
- First reading April 5.
- Would ordinance change if passed Option 3? Current ordinance language directs use of manual.

Greg moved and Tom seconded a motion to strongly recommend adoption of the Dust Control Ordinance Option 1 with an enforcement date of November 1, 2016.
Motion passed unanimously, 8-0-0. Rich left before vote.

Discussion on motion:

- Recommendation does not limit Council’s discussion of options.
 - Board will also be able to make additional recommendations to Council.
- Would council find it more persuasive to add reasoning for supporting that option?
 - In AIS, staff would describe board’s discussion. Council appreciates a letter from the board, which can be included in a slide or in AIS to Council.
 - Public comment at work session?
 - No. Council and staff. Public comment at hearing.

AGENDA ITEM 3: 2015 AQAB Annual Report

AQAB members discussed a draft of their 2015 Annual Report, to be finalized in January and submitted by January 31, 2016.

John drafted the Annual Report and presented to the board. Included agenda summary with presenters, motions passed, outside groups/events members attended as representatives of the board, and status of Work Plan items.

Comments/Q&A

- Suggest including formal actions taken in chart of agenda items and speakers.
 - Board agreed.
- Members suggested edits. Lindsay updated document.

Tom moved and Greg seconded a motion to approve the 2015 Annual Report as amended. Motion passed unanimously, 8-0-0. Rich left before vote.

ACTION ITEMS: Lindsay and John will complete revisions and submit report to City Clerk.

AGENDA ITEM 4: Updates and Announcements

CAP

Work Session March 10. Committee will start meeting in February. Awarded midcycle BFO for employee and public engagement. Will show Council draft roadmap to 2020 at Work Session. Will see output from revised model tomorrow. Will continue revisions in prep for that session. Will take specific actions to Council for appropriations as soon as April. Workshop for business sector in March. Reps from business community and PRPA on planning team.

Transportation and Air Quality Impacts Guidance Manual

Negotiating with firm in Denver: have team of experts in modelling, air quality, trainers, etc. Will share scope at next meeting. Plan to come to board at least twice in process.

- Emphasis on estimating uncertainties as go through building the model in terms of range of potential air quality impacts and how certain numbers will be.
 - Currently assembling scope, then best practices/research. Will keep framing uncertainties in mind as move forward.

AGENDA ITEM 5: Futures Actions and Agenda Items

Review of City Council 6 Month Agenda Planning Calendar

- January: Community Recycling Ordinance
- February: fugitive dust
- March: CAP work Session; downtown plan; old town neighborhood plan; Elizabeth enhanced travel corridor plan, City Strategic Plan
- April: dust ordinance first reading

Agenda Planning—February

- Indoor air quality programs: Healthy Homes
- Emergency planning and preparedness discussion
- CAP implementation update (monthly)
- Transportation manual update (monthly)
- CAP modeling update

Unscheduled Items

- Radon
 - Indoor air quality impacts of smoking (specifically marijuana second hand smoke)
 - Station 10 invitation to have meeting onsite
 - Presentation from Transportation Manual consultants
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Meeting Adjourned: 8:08pm

Next Meeting: February 22