

Matthew Garrington, Environmental Defense Fund

Public Hearing: *Finding of Failure to Attain and Reclassification of Denver Area for the 2008 Ozone National Ambient Air Quality Standard (EPA-R08-OAR-2019-0354)*

September 6, 2019, Denver, Colorado

Good morning. My name is Matthew Garrington. I am the State Campaigns Manager for the Energy Program at Environmental Defense Fund. EDF has more than a million members worldwide and nearly 14,000 members here in Colorado. Thank you for the opportunity to testify here today with Region 8 of the U.S. Environmental Protection Agency.

Environmental Defense Fund urges the Environmental Protection Agency to reclassify the Denver Metro/North Front Range ozone nonattainment area as “Serious.”

As a father of two, an asthma sufferer, and someone who grew up in the Northern Front Range, I care deeply about this issue and ensuring that Colorado’s air is safe to breathe.

Stronger action to reduce ozone-related pollution is long overdue. For most of the last decade, millions of residents in the Front Range have been breathing air that is too polluted and threatens the health of children, the elderly, and our families. EDF fully supports Colorado Gov. Jared Polis’s call for “bold, cost-effective strategies and measures” that address to reduce ozone-related emissions and greenhouse gases outlined in his August 22nd Executive Order. EDF also supports his request that the U.S. EPA work closely with state agencies to develop strategies and a timeline for achieving concrete reductions in ozone. We must act boldly and swiftly to protect the health of Coloradans.

My colleague, Jessica Christy, has already testified today to the importance of reducing ozone pollution and highlighted populations that are most at-risk. I will take my time here to focus on solutions.

Colorado has twice acted to reduce methane and ozone-related pollution from oil and gas facilities, first in 2014 and then in 2017. In both instances, industry came to the table to support forward-thinking solutions. In fact, the state’s largest oil and gas trade associations backed the 2017 methane and ozone rule improvements. Through collaboration, we have made great strides in reducing methane and ozone-related pollution. However, there is clearly more work to be done.

The Air Quality Control Commission is set to embark on new rulemakings in fall 2019 and fall 2020 that will further reduce methane and ozone-related emissions from oil and gas facilities. This year’s rulemaking will include stronger leak detection and repair requirements for low-producing wells statewide, stronger tank control thresholds, expanding “find and fix” for pneumatic devices, a ground-breaking, performance based model to cut emissions from the transmission sector, among other policy innovations. While industry and other stakeholders will likely disagree on some of these solutions, we undoubtedly will come together in support of others.

Similarly, automobile manufactures, environmental organizations and state regulators came together to adopt a low emission vehicle standard just last month. In December of 2018, the state's largest utility, Xcel Energy, announced their goal to go carbon-free by 2050. A goal that will have major benefits for reducing ozone pollution and improving air quality. All of these actions prove that clean air and economic development need not be a zero-sum game.

The State of Colorado is set to take on numerous efforts to further reduce air and climate change pollutants including a Regional Haze rule, greenhouse gas reporting, cumulative impacts from oil and gas, and overhauling the Colorado Oil and Gas Conservation Commission's mission.

EPA's decision to classify the Denver nonattainment area as "Serious" will provide a clear mandate for the State of Colorado to reduce emissions and develop a comprehensive plan. The designation will also drive innovation. For example, larger oil and gas producing facilities will have to obtain federal air permits and seek offsets within the nonattainment area. This will encourage companies to find the most efficient reductions across sectors. Most importantly, this regulatory backstop will ensure stakeholders come to the table and act boldly to find solutions that work.

Again, EDF urges the U.S. EPA to move forward with the "Serious" ozone nonattainment classification. We cannot afford to wait.

Thank you.