

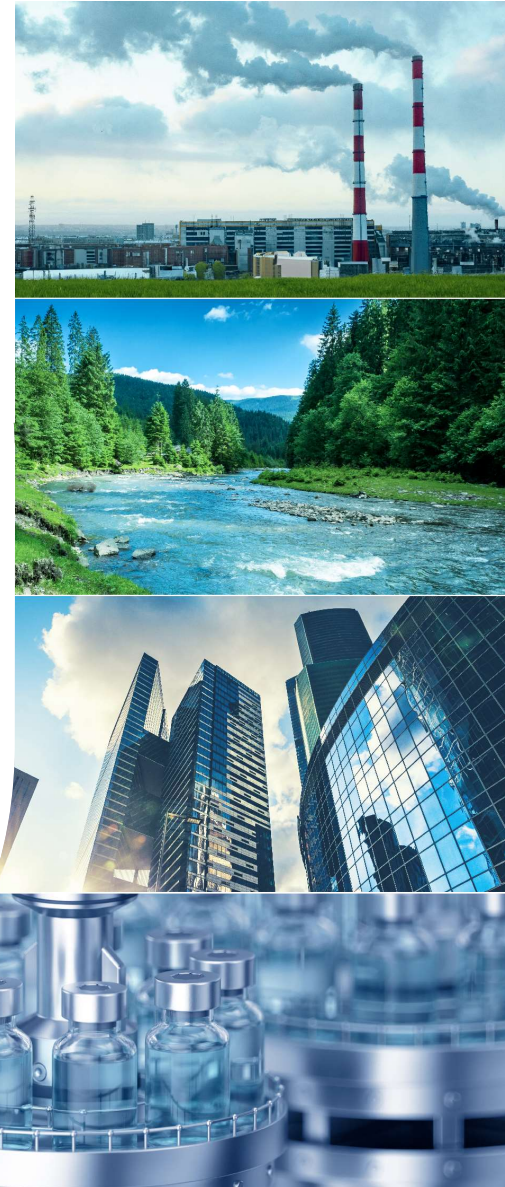


# Colorado Air Toxics Update

May 22<sup>nd</sup>, 2025

Anna Unruh– Managing Consultant (Denver, CO)

Kendall Maffet – Consultant (Denver, CO)



# Introductions



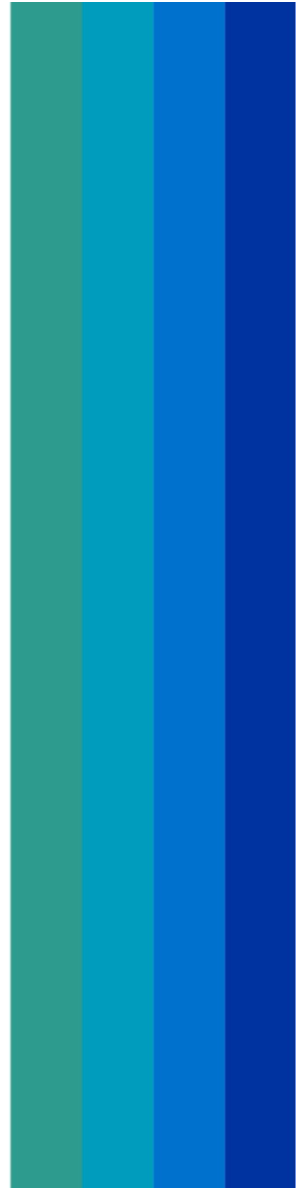
## **Anna Unruh**

- ▶ 12.5 Years of Air Quality Consulting Experience
- ▶ Education: BS in Chemical Engineering, University of Kansas
- ▶ E-mail: [aunruh@trinityconsultants.com](mailto:aunruh@trinityconsultants.com)



## **Kendall Maffet**

- ▶ 3 Years of Air Quality Consulting Experience
- ▶ Education: BS in Chemical Engineering, Colorado School of Mines
- ▶ E-mail: [kendall.maffet@trinityconsultants.com](mailto:kendall.maffet@trinityconsultants.com)



## Strategic vision

Partner with our clients to solve their environmental and sustainability challenges across the natural and built environment and those products and processes that live within them.



### Environmental Consulting

Environmental  
Regulatory Compliance

Technology Solutions &  
EHS Software

Process Safety Management

Meteorological /  
Ambient Monitoring



### Water & Ecology

Water Quality & Engineering

Aquatic Environmental

Ecological Sciences



### Built Environment

Acoustics & Vibration

IT / AV / Security Consulting

Commissioning &  
Building Operations

Building Energy Efficiency

Building Management  
Software



### Life Sciences

Process Design  
Engineering & Automation

Industrial Hygiene &  
Analytical Chemistry

Toxicology

# Trinity's Denver Office

## *Local Expertise*

- ▶ Air Permitting, Compliance, Reporting Support
  - ▶ Multimedia Support
    - Stormwater, SPCC, Hazardous Waste
  - ▶ Environmental Audit and Due Diligence Support
  - ▶ Air Toxics Analysis and Health Risk Assessments
  - ▶ Odor Management
  - ▶ Method 9 Opacity Observations
  - ▶ FLIR Camera Evaluations
  - ▶ BWON Support
  - ▶ Pharmaceutical Industry Compliance
  - ▶ Mobile Source and Fuels
  - ▶ Environmental Management Information Systems
- 



# The Denver Office

- ▶ 25+ Local to Colorado Consultants
  - Air, Water, Waste Environmental
  - Mobile Source Fuels Consultants
  - Digital Solution Consultants
  - Ambient Monitor Group Consultants
- ▶ 200+ local projects annually and growing
- ▶ Strong relationship with Colorado Department of Public Health and Environment (CDPHE)
  - Having worked with some CDPHE personnel for 10+ years
- ▶ Participation and expert witness to industry for Air Quality Control Commission Rulemaking hearings





# Colorado Air Toxics

- ▶ HB22-1244 signed on 6/2/2022
- ▶ Established an Annual Air Toxic Emissions Reporting Program with reports to be publicly available
- ▶ The law also directs the AQCC to:
  - Create an air toxics monitoring program
  - Consider revisions to air toxics reporting program
  - Identify priority air contaminants (PTAC) that may pose a risk to public health
    - Establish health-based standards and emission controls for PTAC



# What was Submitted Last Year

- ▶ Developed TAC reporting template for CAPA members with the following sources:
  - Hot Mix Asphalt Plants
  - Concrete Batch Plants
  - Boilers/Heaters
  - Diesel Engines
  - Admixtures
  - Solvent, Asphalt, and Diesel/Gasoline Storage Tanks
- ▶ No mobile sources



# **RY2023 TAC Report**

- ▶ CDPHE still accepting TAC reports for RY2023
- ▶ For subject facilities that have not submitted their RY2023 report:
  - Download the RY2023 reporting spreadsheet
  - Email directly to [cdphe\\_apcd\\_airtoxics@state.co.us](mailto:cdphe_apcd_airtoxics@state.co.us)



# RY2024 TAC Report

- ▶ Report due June 30, 2025 – Submit through Google Forms
- ▶ No major changes to reporting format or requirements for 2024 emissions
  - No de minimis, no exempted equipment/process
- ▶ Only applies to Title V and Synthetic Minor Sources
  - Updated list of facilities subject to TAC ([Link to List](#))
- ▶ Must use the RY2024 reporting template: [Download Here](#)
  - Minor tweaks to template instructions & clarified TAC pollutant groups
  - Can report facility-wide or split emissions by source type (i.e. boilers, tanks, etc.)
- ▶ Expect RY2025 reports (Due June 30, 2026) to look similar



# CAPA TAC Template

- ▶ RY2024 reporting requirements are very similar to previous year
- ▶ Recommendation:
  - Keep the template as it is currently
  - Some minor improvements for RY2024 & RY2025
- ▶ Revisit template for RY2026 (due June 2027) for more significant changes
  - Reg 3 Changes (de minimis limits and exemptions)
- ▶ Mobile Sources



## Current Guidance

- ▶ TAC Reporting Webpage:

<https://cdphe.colorado.gov/air-toxics/reporting/guidance>

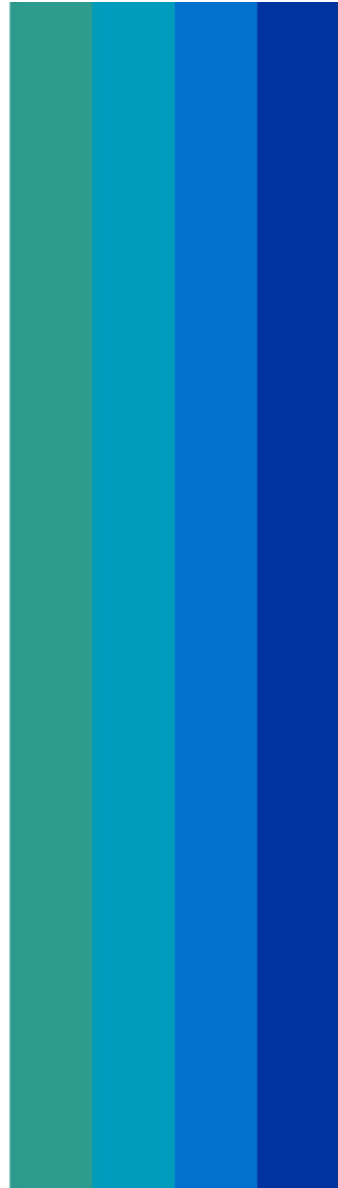
- ▶ Reporting Guidance Document:

<https://oitco.hylandcloud.com/cdphermipop/docpop/docpop.aspx?clienttype=activex&docid=23563882>

- ▶ Small Business Assistance Program Guidance:

<https://cdphe.colorado.gov/apen-and-permitting-guidance-from-sbap>

# Recent & Upcoming TAC Rulemaking





## Colorado Air Toxics – Regulation 3

- ▶ April 18, 2025 hearing – TAC reporting requirements adopted into Regulation 3
  - Publication date 5/25/2025, effective date 6/14/2025
- ▶ Revises reporting requirements starting RY2026 (reports due June 30, 2027)
- ▶ Who will Report?
  - Title V and Synthetic Minor Sources
  - Minor Sources of Concern:
    - Facilities that have not reported annual emissions since 2020 (APENs, GHG, or TRI reporting)
    - TRI Reporters - report TACs if above the de minimis



# Colorado Air Toxics – Regulation 3

## ► Exempt Sources

- Mobile Sources
- Specific exemptions: small fuel burning equipment (not ICE), small storage tanks, forklifts, certain diesel engines

## ► Data Hierarchy (planned for guidance)

## ► Decreased TAC List from 477 to 342 pollutants

- Only removed pollutant in CAPA template = thallium compounds



# Mobile Sources

The Commission adopted general provisions in Section IX.A. for annual emissions reports, including applicability, exemptions, and definitions. In response to Party concerns and in order to more narrowly focus these initial reporting revisions surrounding mobile sources, the provisions refer to the term stationary source, as defined in Part A, Section I.B.52., to describe applicable reporting entities. The Commission is not intending to include motor vehicles, as defined in § 25-7-103(18), C.R.S., and non-road engines, as defined in Section I.B.36. in reporting requirements under this Section IX. The new reporting requirements begin in 2027 for calendar year 2026 emissions, with annual reports continuing to be due on June 30 of each year. In contrast to the initial HB 22-1244 annual reporting requirement, codified at § 25-7-109.5(4)(a) C.R.S., under the annual emissions reporting rule, sources must only report emissions of TAC above the de minimis thresholds set in Part A, Appendix C.

Acknowledging that the adopted provisions will impact owners or operators of sources that may not be familiar with air pollution emissions reporting, and that the new provisions are largely different from existing reporting requirements, the Commission requests the Division to develop additional guidance, resources and trainings for subject reporters prior to the initial year reporting deadline.

# Colorado Air Toxics – Regulation 3

- De minimis reporting thresholds – Appendix C of Reg 3
  - Based on facility-wide emissions (after control). Exempted sources don't need to be counted toward threshold.
  - Wide variety of limits – highest limit of 250 lb/yr.

| CAS Number | Pollutant Name                             | Reporting Threshold (pounds per year) <sup>1</sup> |
|------------|--------------------------------------------|----------------------------------------------------|
| 106934     | Ethylene dibromide (1,2-Dibromoethane)     | 0.26                                               |
| 107062     | Ethylene dichloride (1,2-Dichloroethane)   | 6                                                  |
| 107211     | Ethylene glycol                            | 250                                                |
| 151564     | Ethylene imine (Aziridine)                 | 8.30E-03                                           |
| 75218      | Ethylene oxide                             | 3.20E-02                                           |
| 96457      | Ethylene thiourea                          | 12                                                 |
| 75343      | Ethylidene dichloride (1,1-Dichloroethane) | 99                                                 |
|            | Fine mineral fibers                        | 250                                                |
| 206440     | fluoranthene                               | 0.79                                               |
| 86737      | fluorene                                   | 3                                                  |
| 7782414    | Fluorine                                   | 205                                                |
| 50000      | Formaldehyde                               | 12                                                 |
|            | Glycol ethers                              | 250                                                |
| 16568028   | Gyromitrin                                 | 250                                                |
| 76448      | Heptachlor                                 | 0.12                                               |
| 118741     | Hexachlorobenzene                          | 0.34                                               |
| 87683      | Hexachlorobutadiene                        | 7                                                  |
| 608731     | Hexachlorocyclohexane-tech                 | 0.3                                                |
| 77474      | Hexachlorocyclopentadiene                  | 3                                                  |
| 67721      | Hexachloroethane                           | 14                                                 |
| 822060     | Hexamethylene-1,6-diisocyanate             | 0.16                                               |
| 680319     | Hexamethylphosphoramide                    | 250                                                |



## Priority Air Toxics

- ▶ Hearing in January 2025 identified five (5) priority Toxic Air Contaminants (PTACs):
  - Formaldehyde, hydrogen sulfide, ethylene oxide, benzene, and hexavalent chromium
- ▶ Intend to develop health-based standards (HBS) for these PTAC. Currently no plan on how the HBS will be used for permitting/reporting
- ▶ Beginning September 2029 & every five years after: Determine whether to identify additional PTACs
- ▶ Beginning September 2030 & every five years after: Adopt emission control regulations for any new PTACs and determine whether to revise existing emission control regulations.



## Upcoming Rulemaking (HB22-1244)

- ▶ July 2025 - Establish 3 additional toxic monitoring sites.
  - Jefferson County, El Paso County, Pueblo County, and/or Fremont County are the locations under consideration.
- ▶ December 2025 - Conduct a needs assessment for an air toxics permitting program for stationary sources.
- ▶ April 2026 - Develop and adopt health-based standards for PTACs and emission control regulations for new and existing stationary sources to reduce emissions of PTACs.
  - Hearings scheduled for September & December 2025 in the leadup



# Fee Updates

April 2025 Regulation 3 rulemaking hearing adopted changes to filing & emissions fees:

- \$363.00 APEN Filing Fee (1.5x increase)
- \$180.00 Permit Processing Fee (1.5x increase)
- ▶ Emission Fees
  - 2025 Emissions: \$84.00/ton criteria, \$557.00/ton NCRP
  - 2026+ Emissions: \$60.00/ton criteria, \$398.00/ton NCRP
- ▶ Fee updates are effective July 1, 2025



# Questions?