



League of Women Voters of Montezuma County
P.O. Box 1753
Cortez, Colorado 81321
June 10, 2011

Ms. Barbara Roberts, Chair
Colorado Air Quality Control Commission
4300 Cherry Creek Drive South
OED-OLRA-A5
Denver, CO 80246-1530

Subject: Air Quality Issues in Southwest Colorado

Dear Ms. Roberts

Thank you for the opportunity to comment on air quality issues in southwest Colorado. We are pleased to see that the Commission is engaged with air issues in our area, and your meeting at Durango June 15-17, 2011 is evidence of that commitment. We look forward to a continuation of your interest in southwest Colorado.

You are probably aware that the League of Women Voters (LWV), a nonpartisan political organization of over 900 local Leagues, encourages informed and active participation in government, works to increase understanding of major public policy issues, and influences public policy through education and advocacy.

The League of Women's Voters of Montezuma County air quality concerns for southwest Colorado include: Credible air quality monitoring, the proposed Desert Rock Energy Project, emissions from the San Juan Generating Station (SJGS) and the Four Corners Power Plant (FCPP), the potential for ozone non-attainment in our area, mercury deposition and effects on fisheries, and the complex air quality management jurisdictions in the Four Corners, which we believe merit increased communication by the Colorado Air Pollution Control Division (APCD) with southwest Colorado.

Our League has briefed county, city, and town elected officials on the increasing number of air pollution sources and the need for credible monitoring of our air. We now have an ozone and particulate monitoring station in Cortez, thanks to the APCD. Other new monitoring for mercury has been initiated by the U.S. Forest Service and the Mountain Studies Institute. We believe that for too long officials believed that the long term air monitoring being done at Chapin Mesa in Mesa Verde National Park was all the air monitoring that was needed in southwest Colorado. We reject that premise.

We announced our opposition to the Desert Rock Energy Project August 16, 2007 and asked the Bureau of Indian Affairs to add a "net environmental improvement alternative" in their final EIS" which would include a commitment to a package of emission reductions for sulfur dioxide and nitrous oxides at the two nearby existing power plants in NM that would mitigate the contribution of these coal-fired plants to impairment of visibility in the Four Corners. Thanks to Best Available Retrofit Technology (BART) provisions of the Clean Air Act, we are now seeing a strong possibility of emissions being reduced at each of these plants via Environmental Protection Agency proposed rulemaking, now in process.

We supported the EPA proposed rule of January 5, 2011 to restrict nitrous oxide emissions at the SJGS based on New Mexico's interstate interference with visibility. We also supported the EPA supplemental proposed rule of Feb. 25, 2011 for FCPP which would add regulatory language to the proposed BART rule. Arizona Public Service should be allowed (as they have requested) to shut down their three

generating units and install selective catalytic reduction on units 4 and 5. If the APS proposal of last November to EPA, as amended May 2nd, for changes at the FCPP is not implemented, then we would support EPA's earlier proposal to promulgate a source-specific Federal Implementation Plan to achieve emission reductions as required by BART provisions of the Clean Air Act. Because there are 16 coal-fired power plants within a 200 mile radius of the Four Corners, we will be keeping vigilant for additional opportunities to achieve emission reductions, beginning later this year with the Navajo Generating Station at Page, Arizona.

We have participated in the Four Corners Air Quality Task Force and final report. Although much good information and recommended voluntary best practices are contained in their report, we are still close to falling into a non-attainment status for ground level ozone in Montezuma, La Plata, and Archuleta Counties. We will seek out opportunities to exert stronger controls on oil and gas development and associated diesel engine and compressor station infrastructure, because we believe that this industry, together with the existing power plants south of us in New Mexico are each major producers of ozone precursors.

The validation of toxic mercury concentrations in southwestern Colorado fish tissue, and the subsequent fish consumption advisories posted at Narraguinnep, Totten, McPhee, Navajo and Vallecito reservoirs are unacceptable. Annual rates of mercury accumulation in Narraguinnep bottom sediments have been shown to be consistent with mercury transport from several regional coal-fired power plants (Grey, J.E. et al., 2005, Journal of Applied Geochemistry, 20: 207-220). Two of these power plants (SJGS and FCPP) emit more than 50 percent of all the airborne mercury emitted from the 16 power plants influencing the Four Corners air shed.

The Four Corners lies under the jurisdiction of three different EPA Regions. In addition, the tribal trust responsibility for oil, gas and coal resources in the Four Corners is shared by four BLM State Directors. Air quality enforcement, management and planning reside at the state air quality agency level in the four states. So who is minding the store for Four Corners air quality? We believe that this fragmented jurisdiction is overly complex for everyone and we have communicated this to EPA headquarters. We hope that the Colorado Air Quality Control Commission will consider this complexity as it approaches air quality issues in the Four Corners, and that the Commission will seek ways to improve upon our situation. For example, when the Colorado APCD formally comments to the EPA on BART rulemaking for the FCPP (as was done by Paul Tourangeau letter of April 20, 2011 to EPA), such a position should be widely publicized by the APCD, in our local media. Citizens and elected officials in our area need to know the views of your experts, and this would help us support your air quality management efforts. We request that you try to find innovative ways to share your air pollution findings with citizens and officials of southwest Colorado, as you have done for the Front Range, using the expertise within the APCD. We see a definite reluctance on the part of local elected officials in southwest Colorado (e.g. with some Boards of County Commissioners) and also with the Colorado APCD to develop real dialogue on air quality issues in our area. This does not help solve southwest Colorado air quality problems.

Again, we appreciate the opportunity to comment. Please do not hesitate to contact us if there are questions on our comments.

Sincerely,

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