

Thank you for allowing me the opportunity to give public comment. I am Kelsey Barnholt, and I live in Erie, CO. Erie has over 360 active wells, 26 of which are freshly fracked since I moved into my house in 2020. To my dismay, additional wells are on the docket to be drilled & fracked in close proximity to Erie homes despite the supposed protections from SB19-181.

Living in a town that is disproportionately impacted by poor air quality largely in part to our over abundance of oil and gas wells, air quality legislation is very important to me and my family. Additionally, I have Primary Immunodeficiency which makes me more susceptible to cancers like lymphoma, the VOCs, methane, and NOx emitted from oil & gas wells as well as the high levels of ozone here in the Front Range increase my risk of future cancer. I also have asthma, which is the worst its ever been since moving to Erie.

I am a triathlete and enjoy swimming, running, and biking all over CO, but it's frustrating when there are Ozone days that prevent us from going outside. I have spent \$1600 on air purifiers to make the air in my home safer to breathe because the air around my home is filled with VOCs, methane, and ozone. VOCs are known to cause a whole host of issues from premature births and low birth weights to asthma and cancer. The air quality problem is dire in Erie, which is why the Town of Erie has had to invest over \$1 million to purchase air quality monitoring for the Town. In it's short 1.5-2 years since being installed, we have seen terrifying spikes in methane and BTEX.

HB24-1330 will help make the air in the Front Range safer for us and our families by putting limits on Oil & Gas' ability to drill & frack as well as require permits for construction projects in the nonattainment zone. This would hopefully reduce emissions because emissions from those types of projects are not currently even being taken into account.

For the sake of all the people living in the Front Range and in the state of Colorado in general, I urge you to vote Yes on HB24-1330. Thank you for your consideration.

Testimony in Favor of HB24-1330 Air Quality Permitting

Concerning modifications of processes to obtain permits for activities that impact air quality.

Thursday, March 7, 2024

I am a medical doctor, specializing in Public Health specifically Occupational and Environmental Health, living and practicing in Pueblo, CO. I am submitting this comment on behalf of myself as an individual and as a volunteer leader in Mothers Out Front, a climate/environmental justice organization.

I am writing to support this bill which addresses several aspects of the system of air pollution permitting in Colorado which make our program less effective than it should and could be in protecting the health of our people and the environment in which we live, work, and play. In addition, there are aspects of air permitting addressed in this bill which have allowed some industrial actors to game the system while responsible industrial actors are disadvantaged.

A clear and level playing field in regulation serves everyone well, in addition to reducing costs to the taxpayers and industries. While parts of this bill are focused on the ozone nonattainment area, those of us in other parts of the state will benefit from a more robust permitting system. We have a lot of oil & gas development in Southern Colorado, and projects that might be developed in future. Furthermore, the problem of minor sources in air permitting occurs with other industries, and this bill is a good model.

Particularly I support two aspects of HB24-1330. First, the bill requires aggregation of all the individual sources of pollution at a given oil and gas location be treated as one source in the construction permit application process, including pre-production emissions, which are currently not counted. This will result in more complete information about total contribution of emissions from a project, and prevent the accumulation of multiple "minor sources" that contribute to air pollution, health impacts, and climate change which are not adequately recognized or addressed. Pollution which is not counted or measured still damages the environment and injures our communities, particularly communities of color and low income, which are more likely to be impacted by location and pollution of industrial development and are less able to bear the added burdens imposed by those conditions.

The second aspect of the bill to which I want to call your attention is the requirements which clarify and improve the regulatory authorities between the two main agencies with responsibility for permitting and air quality. The bill requires that oil and gas operators obtain an air pollution permit from the APCD before the ECMC makes a final determination to issue a permit to drill or frack. Too often construction and even production, with the attendant air pollution, are under way while the agencies are trying to navigate the overlapping authorities. Unscrupulous actors could even exploit the overlapping responsibilities and gaps in authority, trying to play one agency off against the other.

Thank you for the opportunity to provide comment in support of HB24-1330. I urge your support of this well-crafted and necessary legislative measure.

Velma L Campbell, MD, MPH

Occupational Medicine Resources PC

Associations: Colorado Medical Society. Mothers Out Front. Physicians for Social Responsibility - PSR

Please enter my written comments in support of HB-24-1330*
Updated 3/7/24

Citizen Impact Statement

The Problem:

Yesterday I drove to Eaton Rec Center, one of the few places that offers an outside walking path for people and pets. But I was stopped short of the parking lot, when driving in from Ault, by traffic at an otherwise quiet stop sign. I look to the west and notice the red and white drill rig, the ugly brown sound wall, thrown up recently and blocking the blue sky and white mountain peaks I normally see from this spot, except on ozone days, of course. I panic: Another well on my doorstep. I was already concerned about two or three wells near the Highland School (Ault) that I passed to get to this traffic jam ... dirt trucks, pickups, utility trucks, backed up cars. Those other wells down the road in Ault were just purchased by Chevron from PDC. These sites spew an ugly black vapor most days when I pass by. I've tried to get closer to what I see that alarms me at these Chevron sites, but the land is pretty much limited to private property owners and the drillers. I call Andrew Klooster at Earthworks to see if he'll bring out his OGI camera that captures images of toxic emissions from these well pads. I suspect VOC emissions—too close to Ault neighborhoods and schools, but as yet we haven't gotten close enough to the Chevron site to document the mess. Now, in Eaton, next door, more and more fracking wells are being drilled along the border with Ault, another community bombarded by fracking. That new well pad in Eaton, across the street from the Rec Center, is within a mile of that busy athletic center, and the new high school (Eaton), condo/apt development across from this school, and Old Town Eaton with its charming 100+ years old bungalows. The 2000-foot setback rule is a joke. The ECMC should never have approved this permit. Chalk it up to another environmental disaster that will take a toll on citizens in Eaton and Ault (and whichever way the wind blows). The drilling must stop.

Every drilling permit comes with health risks to the community. Since moving to Ault in late 2017, I've been diagnosed with lung nodules and inflamed breathing tubes. The bloody noses came first, then the nasal infection, the migraines, the high blood pressure, the insomnia, followed by anxiety that worsens my PTSD after nine years as caregiver for my partner, David, who died of ALZ's in early 2017. I bought my house in Ault, sight unseen, as I was closing down my 20-year life with David. I thought I had found the retirement home I dreamed about back in my home state of Colorado, but Ault has become a nightmare after leaving Colorado years back (1993) and living in NH and Maine. Since moving back to Colorado in 2017, days come and go where I can't go outside, the smell of toxins thick in the air. There's the ozone days of summer. The wildfire smoke. The fracking pollution. I've lost count of the wells drilled in the past six years.

I was welcomed to Ault with a forced pooling notice from PDC, which I followed with many attempts to protest fracking in Ault. My protests were unsuccessful. I testified before the COGCC (now ECMC) only to be dismissed after two or three minutes with comment that my testimony, basically, didn't count. Citizen impacts didn't matter, even though Physicians for Social Responsibility state that I'll die younger, more than likely get dementia, and sure to suffer

from respiratory and heart issues because I live near well pads. Babies will not be carried to term and have lower birth weights. All has proven to be true. That is the case with my grandson's recent experience, as his partner went into labor early, and the baby had a lower birth weight. They too live in Ault, close to that dirty well Chevron bought from PDC, the one south of the Highland School, the one I can't get to that I suspect is spewing toxic emissions. My grandson works outside. He can't stay home on ozone days. He's had nose bleeds since childhood when drilling came to his neighborhood in Berthoud. Let's be clear: all well pads emit toxins into our air, land and water. Noise, traffic, odor, invasive well pads dot the landscape and toxic vapors stream across the sky wherever the wind carries them. The problem is out of control and we need to hold those in power accountable and the fossil fuel industry accountable.

The Solution:

SPECIFIC RECOMMENDATIONS TO INCLUDE:

- The ECMC must adopt a holistic, comprehensive definition of cumulative impacts that encompasses the additive effects of exposure to multiple pollutants, from multiple sources, through multiple routes of exposure. The definition must also consider impacts to climate, air and water quality, biodiversity, and public health.
- The ECMC must incorporate environmental equity and cumulative impacts analysis into its permitting processes to ensure equitable outcomes. Permits need to be phased out, particularly in non-attainment zones the EPA has designated as having dangerous ozone levels.
- Colorado's Environmental Justice Action Task Force recommended that the ECMC use these analyses in permitting decisions and consider impacts on lower income neighborhoods in particular. It's no surprise that communities most impacted are poor, working-class, and house people of color.
- The ECMC must deny permits in disproportionately impacted communities (like Ault). We need a limit on how many wells are drilled and deny permits from operators with repeated violations. This is especially needed in communities that routinely face socioeconomic barriers and are already overburdened by environmental harms. Any new oil and gas development will perpetuate social and environmental injustice and exacerbate cumulative burdens.

The ECMC must work in conjunction with Air Pollution Control Department (APCD) before issuing any new permits. Pre-production pollution must be considered and loopholes to avoid regulations, modeling, and monitoring must be closed. Colorado air regulators have underestimated ozone from oil and gas development. No more false arguments from those who support oil and gas about cars and lawn mowers and our topography causing our air pollution problem when I've seen the NOX and VOC with my own eyes through the lens of an OGI camera while touring the toxic oil fields in and around Ault with Andrew Klooster of Earthworks. He calls me "the golden goose of major emission events" because my calls for help lead to these unpleasant realities: serious health problems and a damaged environment.

Closing Comments:

I prefer a complete ban on fracking in order to focus on the wells already out there, on Colorado's Front Range, that need attention, stricter regulations, and more enforcement against environmental violations. Active, inactive and so-called plugged wells all pollute. The Front Range has been designated a "non-attainment zone" for days of intolerable ozone levels, particularly in summer. This is Colorado and we can't even go outside. This is insane and a threat to our economy that benefits most from tourism, not fracking.

Colorado needs HB-24-1330 to pass. Any rulings that will slow down the permitting process will help our air and the health of our citizens. We can't keep rubber stamping permits. If we do, there won't be an empty field along the Front Range without a well pad and all the traffic, noise, dust, water use and land destruction that goes with it. We must begin to transition off of fossil fuels and not buy into the false reports that ending oil and gas development will hurt our economy when the industry makes up a small percentage of Colorado's GNP. Our most important asset is our people and our beautiful land. We must prevent ozone related illnesses, early deaths and premature births.

The time to act is now and it begins with stricter regulations, modeling, and monitoring of well pads or citizens will start to die and the land and water and air will be lost. This isn't an over reaction; this is reality. The state of Colorado and its governing actors must do their jobs to enforce SB 181 and develop stricter rules to clean up the mess fracking has made of our beautiful Front Range, and to ensure a healthy and safe future for our children, grandchildren, great grandchildren and generations to come. I strongly believe that HB-24-1330 is a step in the right direction.

Our governor, Jared Polis, sold their family farm in Berthoud some years ago when the first drill showed up across the street from his farm. He had the money to move. Some of us don't, or trust me, we would. Nobody lives in Ault by choice, not in my family anyway. We live here because it offers affordable housing. But we didn't realize that we were trading affordable housing for a toxic environment. This is environmental injustice.

Stop gassing the Front Range! Ban Fracking. And if you can't do that, clean it up, if it's not already too late. And begin the transition to greener energy. Phase out the permits. We need tougher rules and regulations that are strictly enforced. We need modeling and monitoring of well pads, current and proposed. Do you want a fracking well near your home, school, community center? I think not. Have some moral and ethical courage. Do the right thing for the citizens of Colorado and the wellbeing of our environment—not the polluting and life-destroying fossil fuel industry. Pass HB-24-1330.

Carol Hawkins
Ault, Colorado

March 5, 2024

Dear Legislator,

I support HB24-1330. Our air quality on the front range has been given an “F” rating by the American Lung Association and we are in “severe nonattainment” by the EPA. We have not been in compliance with air quality due to ozone for almost 20 years. Ozone is created when nitrogen oxides (NOx) and volatile organic compounds (VOCs) emissions combine in the presence of sunlight. The oil & gas industry is a major contributor to our ozone problems. Colorado has continued to issue new permits that would contribute emissions to our ozone situation.

Health issues from ozone include chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ozone also can reduce lung function and inflame the lining of the lungs. Repeated exposure may result in permanent scarring of the lung tissue. Long-term ozone exposure may cause increased respiratory illnesses, metabolic disorders, nervous system issues, reproductive issues (including reduced male and female fertility and poor birth outcomes), cancer and also increased cardiovascular mortality, which is the main driver of total mortality.

Colorado’s permitting processes that allow new air pollution sources to be built without regard for their air quality impacts violate the Clean Air Act. Colorado should prevent the construction of new sources that would contribute to violations of the federal air quality standards.

Thank you for your consideration of my comment in support of this important legislation!

**Janice Brown
Retired Critical Care RN
Englewood, CO 80110
303-781-1477**

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