



PSR COLORADO NEWSLETTER 2023

WELCOME NEW BOARD MEMBERS

We are excited to welcome our new board members Lori Brunswig, Bridget Foy, Beth Gillespie, and Ken Lichtenstein.

Bridget is a third-year medical student at the University of Colorado School of Medicine. She began working with PSR Colorado as a medical student liaison in January 2022.

Ken is a retired Infectious Diseases specialist who focused on the care of HIV-infected individuals and performed HIV research in association with the CDC. He was a past president of PSR National and served on the Rocky Flats Health Advisory Panel.

Dr. Beth Gillespie is an ABIM-certified Hospitalist at Denver Health Medical Center, and Assistant Professor in the School of Medicine at University of Colorado - Anschutz. She conducts clinical research and education surrounding the climate and health nexus.

Lori Brunswig, is an engineering consultant with a degree in civil engineering with an emphasis on water. She served on the Fort Collins Water Board for eight years.

To learn more about our amazing new board members, see About Us on our webpage.

NEW RESOURCES AVAILABLE!

Exposure to fracking emissions harms us. The [Compendium of Scientific, Medical, and Media Findings Demonstrating Risks and Harms of Fracking and Associated Gas and Oil Infrastructure, Ninth Edition, October 19, 2023](#) is a fully referenced compilation of evidence, spanning many scientific and social scientific fields, documenting continuing and increasing impacts on health and environment.

Please share it with your friends, colleagues, and decision-makers.

PSR National partnered with Sierra Club and WeAct for Environmental Justice on the "National Building Pollution Report." Its subtitle, "The Outdoor Pollution is Coming from Inside the House," tells its story more precisely: that fossil fuel combustion in our homes and buildings contributes to outdoor pollution significantly — and causes harm to health and the climate. [Read our co-authored report here.](#)

CUMULATIVE IMPACTS, OZONE AND ENVIRONMENTAL JUSTICE

In August 2022, PSR Colorado along with WildEarth Guardians, 350 Colorado, Womxn from the Mountain, The Larimer Alliance, and Colorado Sierra Club (Petitioners) filed a petition with the COGCC (the Commission) to conduct rulemaking that would, in accordance with SB19-181, evaluate and address certain cumulative air impacts of oil and gas development on public health and safety.

SB 19-181 requires the COGCC to evaluate and *address* certain cumulative air impacts of oil and gas development on public health and safety.

Between August and December 2, 2022, the Commission held stakeholder meetings and received public comments. But it was not until December 9 that the Commission heard our plea and denied our petition for rulemaking. They instead initiated a stakeholder group process that recently ended. For background see [How should Colorado measure the impact of oil and gas?](#) [“There has to be a point where the glass is full.”](#)

Since Senate bill 181 passed an estimated 5300 new well permits have been approved, most of them under rules requiring mitigation of identified impacts, but without any assessment of their cumulative impacts.

In June 2023, the legislature passed [HB 23-1294](#), the Protecting Communities from Air Pollution Act. This Act acknowledges that certain communities have been and are significantly more likely to be impacted by a disproportionately high level of pollution and carry a disproportionately high burden of health harms compared to other Colorado communities. It acknowledges that oil and gas development and distribution is a significant contributor to this pollution.

The Act calls for the State to act to lower ozone and ozone precursors (emissions including nitrogen oxides and volatile organic compounds) in order to mitigate the serious health impacts experienced by communities.

The Act established a Legislative Interim Committee on Ozone Pollution (Committee) that met with affected stakeholders. Stakeholders included members of the Ozone Coalition Standing Committee (a stakeholder group including Conservation Colorado, Green Latinos, Conservation Colorado, Sierra Club, Colorado NAACP and many others) who have been meeting with the Committee and have done a great job of turning out affected community members to testify. Last minute changes in the legislation prohibited the Legislative Interim Committee from using this process to develop legislation.

Stakeholder meetings have recently ended and now the interim committee created by The Act is charged with investigating factors contributing to ozone pollution, analyzing strategies to address and improve ground-level ozone issues, and develop "policy, technical, and financial solutions to improve ozone air quality in the state".

The Act calls upon the Commission (now the Colorado Energy and Carbon Management Commission) to promulgate rules that define cumulative impacts, evaluate and address the cumulative impacts of oil and gas operations and to submit these rules by April 2024.

The Commission began its second round of stakeholder hearings and soliciting public comments in August and ended in October 2023. The hearings were held to determine how the Commission should proceed in “scoping and developing draft rules that evaluate and address cumulative impacts”.

The Commission is now tasked with adopting rules by April 28, 2024.

The Cumulative Impacts Coalition is considering next steps.

HYDROGEN BLENDING--NOT IN ANY NEIGHBORHOOD



In April of this year, Xcel Energy informed residents of Hudson, Colorado of its intent to begin piping hydrogen into homes, whether they want it or not. In July, Sam Brasch of Colorado Public Radio interviewed Andee Krasner of Greater Boston PSR and Lauren Swain of PSR Colorado about this [controversial project that will mix hydrogen into the gas supply](#).

Subsequently, under pressure from PSR Colorado and many allies, Xcel has delayed but not withdrawn this proposed project.

Hydrogen blending is dangerous and harmful to health.

PSR Greater Boston (GBPSR) writes: “There is a significant risk to respiratory health due to air pollution created both through the production and burning of hydrogen; and through the burning of fuels composed of *blended hydrogen and methane*. The amount of nitrogen oxides (NOx) released can increase up to six-fold (compared with the burning of methane alone) as the amount of hydrogen is increased in a hydrogen-natural gas blend. Nitrogen oxides are a significant trigger for asthma and COPD exacerbation...”

To lighten things up while learning more, check out and share with your networks this [funny video](#) from GBPSR on the dangers and deception of hydrogen-blending.



With a small grant, PSR Colorado designed and placed advertisements in leading state and Denver-area media to educate well-informed environmental activists and leaders about the health and climate hazards of hydrogen production and blending and benefits of proven renewable energy sources.

Our Action Alert [Hydrogen Blending Hazards — PSR Colorado](#) had 1260 views and generated 130 letters to the Governor, the Public Utilities Commission (PUC), and Xcel.

Unfortunately, Xcel plans to resume initiating its project in 2024 if the PUC approves cost recovery in the Clean Heat Plan proceeding now under way.

For more information on why hydrogen blending is a bad idea, please read PSR's publication [Hydrogen Pipe Dreams: Why Burning Hydrogen in Buildings is Bad for Climate and Health](#).

AQCC LETS BIG POLLUTERS OFF THE HOOK



The Air Quality Control Commission recently passed ineffective regulations for pollution from large industrial polluters. These GEMM2 rules are focused on the large industrial polluters and require those polluters to reduce their GHG emissions 20% by the year 2030, compared to 2015 emissions.

The Suncor tar sands refinery is, by far, the largest single industrial polluter in Colorado. The new rules would allow:

- Carbon credit trading. Companies like Suncor, that don't reach their reduction targets, can buy air pollution credits from a company that has exceeded its reduction targets
- Violators to pay into a state-managed pay-to-pollute fund
- Trading credits for direct air capture and storage of carbon dioxide

The rules as they stand are contrary to the intent of Colorado's Environmental Justice Act, an Act that was created to protect affected residents from the health impacts of polluted air.

These rules would allow polluters to *increase* pollution in the short-term--before 2030.

Our letters to Governor Polis, the AQCC and legislators in support of the adoption of rules that protect community health were sent by 140 PSR Colorado members. Our letter stated, "The rules as they stand are contrary to the intent of Colorado's Environmental Justice Act, an Act that was created to protect affected residents from the health impacts of polluted air".

Ally organizations worked on submitting op-eds, petitions, direct actions and meetings with the Governor. Impacted community members are planning meetings with commissioners and planning next steps.

In a letter to the AQCC, Colorado legislators wrote that the “current draft deviates significantly from the intent of the law we worked to pass, jeopardizing the protection of Disproportionately Impacted Communities (DICs) and failing to prioritize co-pollutant reductions as explicitly mandated in the Environmental Justice Act”.

Articles and letters criticizing the new rules were published in response to this decision:

[Polis' policy coddles polluters, ignores impacted communities | NOONAN | Opinion | coloradopolitics.com](#)

[Colorado's new air quality rules put profit over people](#)

[Opinion: In a slap to nearby residents, Colorado will let 18 manufacturers pay to continue to pollute](#)

[Colorado's next greenhouse gas cuts target big smokestacks. Will it be enough?](#)

THE PUC, XCEL AND THE CLEAN HEAT PLAN

Hydrogen blending is but one of the tactics for reducing emissions that Xcel is proposing in their Clean Heat Plan that was presented to the Public Utilities Commission (PUC) in August. Others included carbon offsets and Certified Natural Gas*. These account for 30% of EXCEL's Clean Heat Plan reductions. *(*CNG is gas that has been deemed to be responsibly produced according to criteria determined by an independent third party. The EPA has declined the request to set standards.)*

PSR Colorado has joined with the Colorado Renewable Energy Society (CRES) as a co-intervener at the Public Utilities Commission Clean Heat Plan hearings for Xcel Energy. These are evidentiary hearings and are limited only to those who have an attorney to represent them.

Working with Colorado Renewable Energy Society (CRES) and a wonderful pro-bono lawyer, we submitted a motion to remove Certified Natural Gas and carbon offsets from Xcel's proposed emissions reduction plan. Through the pressure we applied, Xcel admitted that these two options would *not* reduce emissions. However, the bad news is they are not proposing to replace those reductions and want cost recovery from ratepayers.

On November 8, PSR Colorado and CRES hosted over 100 attendees for our webinar entitled "Examining Xcel's Clean Heat Plan & Why It Matters to You" which you can watch [here](#).



See News on our website for updates.

PUEBLO, POLLUTION & SMALL MODULAR (NUCLEAR) REACTORS

The good news is that Comanche 3 coal-fired generating plant, the largest single source of GHG emissions in Colorado (465,000 tons of CO2 in 2019), has been scheduled for shut-down in 2031, almost 40 years before

the anticipated shut down date. The plant, built in 2010 with state-of-the art technology, was offline for some 1000 days. It provides electricity to Denver and pollution to Pueblo.

The bad news is that small modular nuclear reactors (SMRs) designed by NuScale are being considered as a solution to replace Comanche 3. NuScale is the only reactor design that has been approved by the Nuclear Regulatory Commission. See [US gives first-ever OK for small commercial nuclear reactor | AP News](#).

Pueblo citizens are concerned about the loss of property tax revenue from Xcel when Comanche closes. SMRs will use less space and generate less income. Xcel had initially agreed, as part of Just Transition funding, to provide six years of continued tax payments. Since the closure date has been moved up to 2031, Xcel has agreed to 10 years of payments. Xcel has committed to transitioning all affected workers.

PSR Colorado shares the financial concerns of the community, but also strongly opposes SMRs because of the short-term and long-term impacts on health and environment including the possibility of accidents and radiation exposure to the stored nuclear waste. Currently, 90,000 metric tons of such waste awaits burial in deep geologic repositories not yet constructed.

Additionally, the results of a study by Stanford and the University of British Columbia show that most small modular reactor designs will increase the volume of nuclear waste in need of management and disposal by factors of 2 to 30. The US currently has 90,000 metric tons of nuclear waste in need of permanent storage.

CDOT GHG REDUCTION PLAN FALLS SHORT



The passage of SB-260 requires that the Colorado Department of Transportation (CDOT) meet GHG reduction targets set by Colorado's GHG Pollution Reduction Roadmap. In early October the Transportation Legislation Review Committee heard CDOT's presentation on its Greenhouse Gas Emissions (GHG) Rulemaking.

PSR Colorado board member Dr. David Mintzer, in a letter to the Committee, wrote that the "modeling and mitigation efforts described in CDOT's first annual report are

extremely problematic and will clearly fail to achieve the GHG reductions mandated by the Colorado Legislature".

He points out that CDOT relies almost entirely on residential and commercial upzoning to achieve its GHG reductions, while CDOT has no authority over land use or zoning changes and doesn't take into account low density urban sprawl, relies on 20% of employees continuing to work from home, and estimates walking trips will double by 2025.

Rather than relying on zoning changes that CDOT cannot control, Dr. Mintzer states that CDOT focus must be on transportation investments that directly reduce vehicle miles traveled (VMT) and GHG emissions. Many of

these issues arise from the unnecessarily complicated nature of CDOT's GHG reduction rule making which relies on emission modeling and mitigation rather than direct VMT reduction.

He points out the mandating VMT reduction would not be politically untenable and notes that the Minnesota state legislature recently mandated a 14% reduction in VMT by 2040 and is poised to make the necessary investments to reduce their GHG emissions from transportation.

Watch for updates on this.

COMMUNITY AND PROFESSIONAL EVENTS

Suncor Monitoring Site Visit

In May, PSR Colorado hosted two site visits to the Suncor monitoring facility. About fifteen PSR Colorado members and friends showed up to learn about this community's monitoring project



The monitoring was initiated by Cultivando. Read how [A Latino-led group monitored the air near Suncor for more than a year. They found elevated levels of pollution and radioactive particles | Colorado Public Radio](#).

The monitoring is being carried out with funds Cultivando received in a settlement with Suncor in 2020 for repeated pollution violations. Of the nine-million dollar settlement, \$2.6 million went to community grants including the \$1 million awarded to Cultivando. Cultivando hired Boulder A.I.R. owned by atmospheric scientist Dr. Detlev Helmig, to conduct the monitoring.

At the left, Dr. Helmig shows the sensor that detects radioactive chemical levels, an uncommon practice, and explains how the data collected from the sensors get uploaded on the publicly available website in almost real time.

At our visit he discussed how challenging it was to determine where to put the monitoring station (trailer shown at right) He studied wind patterns extensively and determined that a location northeast of Suncor would be best. However, he said it was not as close as he would like and that no spot is perfect to catch all the emissions data. Therefore, there are probably spots with higher concentrations that people may be experiencing that aren't picked up by the monitoring station.

Some issues Dr. Helmig noted about monitoring done at and by Suncor are that Suncor uses quarterly average summaries that do not reflect harmful bursts and their monitors are too close to the stacks to produce meaningful data.

Results from Dr. Helmig's monitoring showed dramatic spikes. Results showed disparities in levels of toxic gasses and dangerous



particulate matter in north Denver and Commerce City as compared to other locations such as Broomfield. For example, the readings of PM2.5, small particles that exacerbate heart and lung conditions that lead to higher rates of hospitalization and emergency room visits, spiked above the 35 ug/m3 threshold about 12,300 times between March 2022 and March 2023 while Broomfield monitoring noted only 380 spikes.

Benzene monitoring was similar with the Suncor spikes measuring far above the Broomfield measurements. Air flow coming from the direction of Suncor showed benzene levels 4-5 times higher than other nearby areas.

Thanks to UC Medical School Service Learning students Dustin Fykstra, MD Candidate and Songhee Han, MD Candidate for reporting and photos. Thanks to Karen Speed for arranging the site visits.

Cultivando Ecofiesta



The Cultivando Eco Fiesta brought together community and environmental organizations from across the Metro area. This event was an exceptional opportunity to network with other organizations and meet and hear from the people most impacted by Suncor. Cultivando is a Commerce City based organization that focuses on community leadership to advance health equity through advocacy, collaboration, and policy change.

Thanks to Justin and Songhee for tabling!

Cinco de Mayo



This is the third year we have had a booth at the Cinco de Mayo event in Civic Center Park. Our Service Learning Students/MD Candidates Emily Hay-Arthur (right with Barbara) and Songhee Han (below with Lauren) met and talked with the wide spectrum of attendees about our Healthy Electric Home Program and the work of PSR Colorado.

We took this opportunity to educate visitors about the impacts of indoor air pollution on health and to distribute information of Denver's Healthy Homes program to retrofit income qualifying homes of individuals with respiratory disease to 100% electric.

Contact info@PSRColorado if you are interested in helping with the Healthy Homes program.

Black Parents United Foundation Aurora Eco Arts Festival



The Second Annual [Black Parents United Foundation](#) Eco Arts Festival in Aurora featured environmental justice and community organizations, great food, entertainment and good people. PSR Colorado has collaborated with BPUF on their campaign for citizen-led policy to combat air pollution contributing to asthma.

Left: Lauren Swain, Barbara Donachy, Lucy Molina, Harv Teitelbaum

Colorado Public Health in the Rockies Conference



PSR Colorado Coordinator Lauren Swain (Left) and Board Chair Harv Teitelbaum tabled at our booth at Colorado Public Health Association's Public Health in the Rockies Conference.

We would love to have your help at future events. Or let us know of events that are coming up for you. Contact Coordinator@PSRColorado.org to volunteer.

GOOD NEWS

Montana Court Rules in Favor of Youth

Some of you may remember *Juliana v. US* or *Martinez v. COGCC*, the Colorado case where the Colorado Supreme Court ruled in favor of the Colorado Oil and Gas Conservation Commission (COGCC).

Finally, we are grateful that a Montana court came out in favor of youth in *Held v. State of Montana*. The court ruled that young people have a constitutional right to a healthy environment and that the state must consider potential climate damage when approving projects. This will set legal precedents for future efforts. Read [Judge Rules in Favor of Montana Youths in a Landmark Climate Case - The New York Times](#)

Learn more at [Youth v. Gov.](#)

Thanks!

Thanks to our 2022-23 Med1 Service Learning students, Tyler Cohan, Dustin Fykstra, Songhee Han, Emily Hay-Arthur, Noah Keime and Owen Zielinski. Our SLSs wrote LTEs, testified at hearings, tabled at events, and brought their wisdom and enthusiasm. We wish them well.

Thanks to those who responded to [our action alert](#) and wrote to the PUC urging them to hold a litigated proceeding and deny permission to Xcel's hydrogen blending project. We generated at least 138 action alert messages.

Thanks to Leslie Glustrom, Chuck Kutscher for co-intervening with us and to attorney Vince Calvano.

New Funding!

Thanks to the Energy Foundation West and their Colorado staff. PSR Colorado has received a \$25,000 grant from the Energy Foundation West. This grant will cover continued work supporting building electrification and equitable cooling at the PUC, with local governments, and in other venues.

Thanks to all for your work for a healthier future and your support of PSR Colorado. Please share our newsletter and also visit our website and social media sites and share them as well.