



Monday, March 9th
House Energy & Environment
HCR 0107 – 1:30pm

Thank you, Madame Chair and members of the committee, for the opportunity to provide testimony today. My name is Dorothy Jones and I'm the Director of Public Affairs at Denver Metro Chamber of Commerce, representing our over 3,000 companies and their 400,000 employees, to express our opposition to House Bill 1265.

The Colorado Department of Public Health & Environment already has broad authority and the tools necessary to regulate approximately 190 hazardous air pollutants in our state. This includes setting emission limits based on health and considering those living near a facility. This role is critically important, which is why we believe decisions about regulating toxic air pollutants should reside with the experts at the CDPHE and the EPA who have deep technical, comprehensive and authoritative knowledge related to air pollutants.

Rather than relying on long-standing, evidence-based and scientifically valid means for establishing standards, House Bill 1265 assumes outcomes and directs the Air Quality Control Commission to set emissions standards stricter than those of the EPA for the four air toxics outlined in the bill, taking the regulatory authority from the hands of technical experts. Furthermore, these air toxics can be redefined at any time – creating regulatory uncertainty.

This bill would put at risk the thoughtful approach to regulating hazardous air pollutants to which Colorado has long prescribed. It's irresponsible and threatens to politicize the regulation of air pollutants, which is troubling.

Additionally, House Bill 1265 is littered with vague, confusing and undefined terms and concepts. The bill requires the CDPHE to revise a covered facility's permit to include the "most up-to-date health-based standards," but fails to define "health-based." It also imposes an undefined and absolute standard of "most protective."

It is purposely directed at a small subset of Colorado industrial facilities, all of which are currently extensively permitted and regulated by the CDPHE. We urge you to defend the evidence-based approach we take today and vote no on House Bill 1265.