



Legislation Text

File #: Pres 20-249, **Version:** 1

Suncor Settlement SEP Community Process

Summary and Background Information:

On March 6, 2020, The Colorado Department of Public Health and Environment announced a \$9 million settlement for State and Federal air pollution violations at the Suncor refinery in Commerce City. The settlement addresses many events where Suncor emitted pollutants over set limits as well as violations relating to requirements of how facilities are operated and monitored. These events occurred since July 2017, including a significant increase in violations that occurred during the period from January through June 2019. The settlement also includes penalties for the “operational upset” and other violations that happened in December 2019. \$2,624,100 of this settlement will be used for the State’s Supplemental Environmental Projects (SEPs) to benefit the surrounding communities. This area is loosely defined as southwest Commerce City, the Elyria-Swansea and Globeville neighborhoods of Denver, and segments of unincorporated Adams County. A detailed overview of the state SEP process can be found [here <https://www.colorado.gov/pacific/cdphe/2019-suncor-settlement-sep-community-process>](https://www.colorado.gov/pacific/cdphe/2019-suncor-settlement-sep-community-process).

When the state releases a formal request for applications in the Fall 2020 to apply for these funds, Commerce City will be among many local governments, nonprofits and other organizations submitting ideas for community environmental projects to be funded by money from the Suncor settlement. The state suggests the proposed projects to fit these criteria:

1. The project creates measurable environmental or public health impacts;
2. The project benefits the geographic area impacted by the violation(s); and/or
3. The project is not required to address the same environmental concerns caused by the violations (i.e. projects do not need to address only air quality, even though the Suncor settlement is for air pollution violations)

Projects that are submitted to CDPHE will be evaluated by a formal, state-selected evaluation committee that will review and select the projects to receive SEP funding.

The city engaged in multiple forms of public outreach to receive feedback and soliciting project ideas from the community to determine which areas of interest to submit for state SEP funds. Efforts included a remote town hall hosted on August 13, as well as a public comment period that was open throughout the month of August and closed on Thursday, September 3. The online form was hosted at <http://www.c3gov.com/sep>. The city received a total of 49 submissions through the online form.

The purpose of the September 14 study session is to provide council with an overview and assessment of the community feedback that was received during the public comment period, and

receive any feedback or direction the council may have. Following the study session, staff will take the input received from city council, and begin to draft project submissions accordingly in response to the formal Request for Applications (RFA) to be issues by the Colorado Department of Public Health and Environment (CDPHE).

Because this is a study session, no formal vote from Council is needed at this time.

Staff Responsible (Department Head): Jason Rogers, Community Development Director

Staff Member Presenting: Domenic Martinelli, Environmental Planner, LEED AP

Financial Impact: N/A

Funding Source: CDPHE Supplemental Environmental Projects Fund (SEP)

Staff Recommendation: N/A: Study session is for feedback only - no vote is needed

Suggested Motion: N/A