



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8ARD-PM

Trisha Oeth
Interim Director
Environmental Health and Protection
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
Denver, Colorado 80246

Re: EPA Region 8 Final Report Responding to Hotline Complaint No. 2021-0188, Referred by the EPA Office of Inspector General

Dear Ms. Oeth:

On May 24, 2021, the EPA Office of Inspector General (OIG) referred Hotline Complaint No. 2021-0188 to EPA Region 8 for evaluation. The complaint, filed by Public Employees for Environmental Responsibility (PEER) in March 2021, concerns the implementation of the Clean Air Act (CAA) minor new source review permitting program by the Colorado Department of Public Health and Environment (CDPHE).

The Region has completed its review of the complaint and is issuing the enclosed report with our findings. This report is based upon the review of four CDPHE-issued permits and the associated permit records, discussions the Region had with CDPHE, and discussions with PEER and their clients, between March 2021 and January 2022, regarding issues related to CDPHE's CAA minor new source review permitting program.

The report summarizes our findings and contains recommendations for CDPHE to consider. We recognize that some of the recommendations overlap with the current actions being taken by CDPHE to address the allegations in the complaint, but we believe that these recommendations may nonetheless contribute to CDPHE's successful implementation of these actions. Please note we are requesting a written response from CDPHE on our recommendations by October 21, 2022.

Thank you for your time and cooperation in assisting us with this evaluation. If there are any questions or concerns about this report, please feel free to contact me at (303) 312-6170, or your staff may contact Monica Morales, Region 8's acting Air and Radiation Division Director, at (303) 312-6936 or morales.monica@epa.gov.

Sincerely,

7/14/2022

X KC Becker

Signed by: KATHLEEN BECKER

KC Becker
Regional Administrator

Enclosure

cc: Michael Ogletree, Director, APCD, CDPHE
Kevin Collins, Hotline Coordinator, OCCPA, OIG
Kevin Bell, Staff Counsel, PEER
Chandra Rosenthal, Rocky Mountain Director, PEER