



COLORADO

Air Quality Control Commission

Department of Public Health & Environment

NOTICE OF ADJUDICATORY HEARING

Regarding:

**Edge Environmental LLC,
General Abatement Contractor, Record No. 19365,
Pine Creek Apartments
Case No. 21036A, Record No. 174341
and
Eagle's Nest Apartments
Case No. 22038A-01, Record No. 193117**

SUBJECT:

As authorized by Sections 24-4-105 and 25-7-511, C.R.S., the Air Quality Control Commission will hold an adjudicatory hearing concerning asbestos-related noncompliance issues for Edge Environmental LLC. Specifically, the Pine Creek Apartments (Case No. 21036A, Record No. 174341) located at 630 South Dayton Street in Denver, Colorado, and the Eagle's Nest Apartments (Case No. 22038A-01, Record No. 193117) located at 1531 Mt. Lincoln Road in Leadville, Colorado.

All required documents for this proceeding can be found on the Commission website at: <https://cdphe.colorado.gov/aqcc>

HEARING:

DATE: February 20, 2025

TIME: To begin at or after 9:00 a.m.

PLACE: The hearing will be hybrid with in-person participation at the Colorado Department of Public Health and Environment, 4300 Cherry Creek Drive South, Denver, Colorado. Details related to remote participation and registration can be found at: <https://cdphe.colorado.gov/aqcc>

PREHEARING CONFERENCE:

A prehearing conference is set for **January 30, 2025, at 2:00 p.m.** The prehearing conference will be held virtually, and registration information will be provided to parties by the Commission's office. Attendance by the parties is required.

The prehearing conference is held to dispose of procedural motions, form stipulations, identify and minimize contested matters respecting the issues to be raised, resolve discovery schedules and disputes, identify witnesses and exhibits to be presented by the parties, determine the order of presentation during the hearing, and resolve any other matter that can be resolved before the hearing.

REQUEST FOR PARTY STATUS:

No later than **October 17, 2024 by 5:00 p.m.**, any person who is affected by the proceeding and whose interests are not already adequately represented may request party status for the purpose of this hearing by complying with the requirements of the Commission's Procedural Rule Section VI.B.6., 5 Code of Colo. Regs. § 1001-1.

A request for party status must identify the person making the request, including an address, telephone, and email address; state the reasons for seeking party status, the manner in which the matter affects the person's interests, an explanation why the existing parties do not adequately represent the person's interests, a description of the legal and/or factual issues which the prospective party intends to raise, and potential witnesses the prospective party intends to call at the hearing; describe the general nature of the evidence the applicant intends to present; describe the amount and nature of discovery requested and the justification therefor; and identify any amendments to the Scheduling Order related to discovery limits if admitted as a new party.

The request for party status must be timely sent by electronic mail to:

- Air Quality Control Commission staff: cdphe.aqcc@state.co.us
- Air Quality Control Commission legal staff: sue.kim@coag.gov
- Air Quality Control Commission legal staff: sarah.bomgardner@coag.gov

Requests not received by stated deadline shall only be considered upon a written motion for good cause shown. The Commission reserves the right to deny party status to anyone that does not comply with the Commission's Procedural Rules.

PUBLIC PARTICIPATION:

Public comments will be accepted only in writing. In the interest of expediency and streamlining the hearing, no oral public comments (other than cross-examination of persons whose written comments have been timely received) will be taken at the hearing.

Written comments must be submitted and received by the Commission no later than **5:00 p.m. on February 4, 2025** by emailing cdphe.aqcc@state.co.us or mailing to:

Colorado Air Quality Control Commission
Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South, EDO-AQCC-A5
Denver, Colorado 80246

PERTINENT FILING DEADLINES:

Other pertinent filing deadlines applicable to the parties are set in the Scheduling Order, dated October 1, 2024. Anyone granted Party Status, as described above, is required to comply with the Scheduling Order and subsequent orders related to conduct of the hearing.

Submittals and filings for this hearing should be emailed to cdphe.agcc@state.co.us, and must be received no later than 5:00 p.m. of the required dates, respectively.

Dated this 9th day of October 2024 at Denver, Colorado

Colorado Air Quality Control Commission

A handwritten signature in black ink, appearing to read 'Jojo La', is positioned above a horizontal line.

Jojo La, Administrator