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Donna Kemp Spangler, Editor

Awards: DEQ Employees Making a Difference

They are as varied as the good work they do, but all are devoted to the environment and the community they serve. They are the following DEQ employees who have been honored for their outstanding work:

Bill Sinclair: Deputy Director Bill Sinclair has been Utah's representative of the Low-Level Radioactive Waste Forum, Inc. (LLW Forum) since it became a nonprofit organization in 2001. He served as the chairman of the LLW Forum in 2006-07. During the LLW Forum's annual conference in Park City in September, a resolution acknowledging Sinclair's longtime participation was presented to him. "Bill Sinclair has served with great distinction as both an Officer and Member of the LLW Forum," the resolution states. "The Officers and Members of the LLW express their deep appreciation to you for the years of dedicated service on behalf of the LLW Forum, including the countless hours and wealth of knowledge and experience that you devoted to the complex issues facing the LLW Forum."

Renette Anderson: Planning and Public Affairs Director Renette Anderson has devoted countless hours meeting with local health departments to forge better partnerships between the two agencies. In September, the Utah Environmental Health Association, (UEA) presented Anderson with the Lynn Thatcher Award for her service. In presenting the award, Louis Cooper of the Davis County Health Department, said, "Renette has enthusiastically taken the role of advocating for local health departments. She has ensured that coordination, communication, and customer service between the various Divisions and Offices within DEQ and the local health departments is a top concern at all levels of management within DEQ. She has also taken the initiative to form a better working partnership and relationship by visiting all the local health departments and attending CLEHA (National Conference of Local Environmental Health Administrators), Local Health Officer, and Local Boards of Health meetings."

Lori Walker: Planning and Public Affairs Outreach Coordinator Lori Walker represents DEQ at various expo events, including Spanish Fork City's "The Wind Fest & Energy Expo." During last year's

second annual event, Walker received special recognition for sponsoring and supporting the event that features the first commercial grade Wind Farm in Utah, the nine turbines located at the mouth of Spanish Fork Canyon. "This event is all about bringing education to help families improve their living and playing skills with products that are both renewable and sustainable," Walker said.

Kim Dyches: Division of Water Quality Field Service Section Manager received the Harris F. Seidel award from the Association of Boards of Certification. The plaque states that the award is given: "In recognition of his contribution of time and effort; innovative and successful approaches; leadership; and fostering the advancement of operator/analyst certification. This award is presented in recognition of individual leadership and unselfish dedication to the establishment and advancing of certification programs as demonstrated by Harris F. Seidel." The Association is comprised of nearly all States as well as Canadian Provinces that are members. Dyches was also elected for a two year term (January 2010 – December 2011) as the Water Division Director by the Association of Boards of Certification (ABC).

Eva Nieminski: Division of Drinking Water engineer was the principle author of the paper entitled: "Is E.coli an Appropriate Surrogate for Cryptosporidium Occurrence in Water?" She received notice that her co-authored paper will be published in the February 2010 edition of the American Water Works Association Journal.

Clean Utah Members Recognized for 2008 Accomplishments

In 2008, a total of 1.6 million kilowatt hours of electricity were conserved and 5.5 million pounds of solid waste reduced due to the combined accomplishments of companies that are Clean Utah partners.

"I am impressed with your commitment to reducing the amount of pollution to the environment," Amanda Smith, executive director of DEQ told Clean Utah members at a recent luncheon to honor their accomplishments.



Clean Utah Partners

Clean Utah is a program designed by a stakeholder group in collaboration with DEQ and consultation with EPA. It is designed as a three-tiered system. At "Entry Level," businesses are committed to develop an Environmental Management System or "EMS" that provides a thorough review of its operations.

Entry Level businesses currently in Clean Utah are: Big-D Construction, Granite Construction Company, Rio Tinto Kennecott Land Company, Nucor Building Systems, Park City Building Department, Red Hanger Cleaner, Tear-A-Part, Tooele Army Depot and USANA.

At “Partner Level,” the company is committed to completing projects aimed at improving their environmental performance. Those companies are: Autovliv North America, Circle Four Farms, Firestone Building Products, Hexel Corporation, Utah Transit Authority, and Xanterra Parks and Resorts.

In 2008, Clean Utah Partners reduced the following pollutants:

- 905 metric tons of Carbon Dioxide;
- 27 tons of Nitrogen Oxide;
- 13.6 tons of dust brick recycled and another 20.4 tons of cardboard and wood pallets;
- 258,797 pounds of hazardous chemicals reduced;
- 234,828 kilowatt hours of renewable energy while also reducing demand through energy efficiency measures;
- 29,508 pounds of solid waste reduced by eliminating bottled water sales at Xanterra Zion Park Lodge; and,
- 5.44 million pounds of solid waste reduced from Hexcel alone.

DAQ Scientist Praised for Work on Reducing Haze in National Parks

Vickie Patton, deputy general counsel for Environmental Defense Fund, likes to think we all can make a difference. Take the moms and docs who rallied for clean air, or professors like Arden Pope whose studies help policymakers better understand the health impacts of air pollution, or the voters of Colorado who passed a renewable energy standard. And, then there’s the DEQ scientists like Colleen Delaney.



*Vicki Patton,
Environmental Defense Fund*

“Some change the course of history through integrity,” Patton told Department of Environmental Quality employees in late September. “In 1998, when I first started at the Environmental Defense Fund, we were in the midst of a debate about haze pollution in national parks. One of the critical, pivotal voices came from Colleen Delaney. No one trusted the data. It was Colleen who pressed ahead and broke the logjam. It was her efforts that led to the success of the Western Regional Air Partnership (WRAP).”

Delaney couldn't be more pleased to be recognized from such a notable attorney who has garnered success of her own.

"I worked with Vickie for a number of years on the WRAP," said Delaney. "It was an intense collaborative process where we reached consensus from a variety of groups representing environment, industry, state and tribes. We focused on results. It was a tremendous effort to try to do business in a different way, and to find solutions instead of fighting with each other. This laid the groundwork for future collaborative processes to solve regional issues," she said, adding, "Vickie was a strong advocate for the environment, but would also listen to the other stakeholders and seek to find common ground."

Patton, who spoke to DEQ as part of a speaker's forum inspired by an employee development committee, also commended Moms for Clean Air, Utah Physicians for a Healthy Environment and Pope for engaging Utahns in the debate over clean air.

"The power of information can change the debate over public policy," Patton said.

Pope, an economist at Brigham Young University, has published numerous studies that show the correlation between particulate pollution and mortality rates. His work has influenced the Environmental Protection Agency's tougher standards on air pollution standards.

Prior to working for the Environmental Defense Fund, Patton worked in EPA's Office of General Counsel in Washington, D.C. where she authored part of the Clean Air Act Handbook, co-authored articles on regional haze and has been active in climate change and greenhouse gas issues.

In Colorado, she rallied voters to pass a renewable energy standard, requiring the state's largest utilities to obtain 3 percent of their electricity from renewable energy resources by 2007 and 10 percent by 2015. Legislation for a renewable portfolio standard failed to pass into law earlier in 2004.

Xcel energy was initially one of the skeptics. Now the energy company has come around, Patton said. "The people of Colorado changed the course of history."

Patton, herself, played an important part in one of the most important environmental decisions of all time. On April 2, 2007, the U.S. Supreme Court ruled that the federal government has authority to regulate greenhouse gas emissions. For more information on the ruling, visit: http://www.oyez.org/cases/2000-2009/2006/2006_05_1120/.

"We do face grand challenges at the confluence of energy and environment," Patton said. "We know we can solve these challenges. We have scientists to provide us with breakthrough solutions, the moms and dads, the docs, who want to be engaged. Working together we can solve the challenges and change history."

Patton's speech, in its entirety, can be viewed at:

http://eqinnerweb.eq.ex.state.ut.us/Employee_development/archived_web_casts.htm

Groundwater Protection: WQ Scientist Recognized for Database of Underground Wells

Picture this: An accurate map that pinpoints all the injection wells in Utah and across the Nation.

*Front Row: Candace Cady, DWQ; Trang Le, EPA HQ;
Steve Pratt, EPA Region 8.*

*Back Row: Bob Smith, EPA HQ; Douglas Minter,
EPA Region 8; Carl Reeverts, EPA HQ; Kurt Hildebrant,
EPA Region 7; Roy Simon, EPA HQ.*



Candace Cady, scientist with the Division of Water Quality’s Groundwater Protection Section, was recently recognized nationally by the Environmental Protection Agency (EPA) for her work as the co-chair of the National Underground Injection Control (UIC) Data Management Steering Committee. She also is recognized for her participation on the first Integrated Project Team for the development of a national UIC database, and for leading Utah DEQ’s effort in flowing data to the national database – which provides a more efficient way of protecting the groundwater.

“She helped create a process for all of the states and EPA’s regions to electronically report the information to EPA’s national database,” said Roy Simon, associate branch chief for the Headquarters Infrastructure Branch, Office of Groundwater and Drinking Water for the U.S. EPA. “Candace helped create a national approach that allows every state and regional database system to report injection well information electronically.”

States are required to provide key information on the nature and use of injection wells to EPA as part of the federal Underground Injection Control Program authorized by the Safe Drinking Water Act. Utah will be one of the first state programs to meet this reporting requirement electronically.

Walt Baker, director of Water Quality, praised Cady for her work.

“Candace is putting Utah at the forefront of this effort. We value her work and proud that she was recognized nationally for it.”

In 2004, Cady worked with Bert Granberg of the Department of Technology Service’s Automated Geographic Reference Center to successfully obtain a \$300,000 grant to develop a statewide database. As part of that, she was asked, along with Granberg, to participate on the first Integrated Project Team and to serve as the co-chair of the National Data Management Steering Committee for the National Underground Injection Control Program.

“This committee serves in an advisory capacity to the EPA on matters, including among others, pertaining to how the data is going to be used,” said Cady. “I felt it was important to participate so Utah’s interests would be represented in the decision-making process.”

The committee, comprised of representatives from 11 organizations that included EPA regions and states, “assisted EPA in setting up a computer process to flow the data from the state to this national well-by-well database, which involves a very extensive process of linking the state information to a national database,” explained Simon.

After years of monthly conference calls, Cady resigned from the national committee in order to focus on Utah’s own database, which is nearly complete and will soon significantly reduce the amount of paperwork reported to EPA.

“The idea is to use this database as a daily management tool,” said Cady. “Its purpose is to be much more efficient by going electronically rather than paperwork.”

Simon puts it this way: “It’s like a river. Once the information flows it doesn’t stop.”

Legislation Sought to Fix Fund for Waste Management

During the 2010 Legislature, the Department of Environmental Quality will seek legislation aimed at providing a permanent fix to a dwindling fund that pays for oversight of waste management in the state.

The fund, the Environmental Quality Restricted Account or EQRA – an account funded by waste disposal fees, is financially strapped. The recession has taken a toll on waste disposal so revenues going into the fund have dwindled. In addition, \$400,000 in the EQRA each year is provided to the General Fund while other money has been used to cover the state’s legal opposition to high-level nuclear waste. All of this has put the fund in financial jeopardy.

Sen. Curt Bramble (R-Provo) and Rep. Ronda Menlove (R-Garland) plan to sponsor a bill that puts into place key compromising components that would keep the fund solvent in Fiscal Year 2011 and beyond. Specifically, it would hike waste disposal fees – to be capped on the amount of excess revenue – but in exchange, guarantee a “hands off” approach by making sure the \$400,000 annual appropriation into the state’s General Fund remains in the EQRA.

“We see this as a compromise,” said Amanda Smith, executive director of DEQ. “By raising fees, disposal companies and municipalities will feel some pain but the money in the fund will be used solely for waste management. The Department will need to make adjustments and some cuts as well. The other solution is to ask the Legislature for General Fund monies to keep us solvent. This solution seems less painful.”

The problem didn’t happen overnight.

When the EQRA was put in statute in 1996 its intent was simple: the revenues from disposal fees paid by the operators of commercial solid, hazardous, radioactive waste facilities and municipal landfills would pay for the regulatory oversight.

Over the years, the EQRA has fluctuated with the ups and downs of the disposal business. It has gone from nearly \$6 million in 2006 to under \$4 million in 2008. At the end of Fiscal Year 09, the fund balance was down to \$30,000, with another \$1 million shortfall in revenues than anticipated. As a short-term fix, DEQ scraped together enough money from other accounts to balance the account in 2010.

Without additional funding, the account faces dire financial straits.

“We began addressing this problem as far back as last year when we realized if we continued on the same financial course the EQRA would be an insolvent fund,” said Bill Sinclair, deputy director of DEQ.

Since May, Sinclair, along with Division Directors, has met with key stakeholders to discuss the problem. Stakeholders included municipal landfill operators, commercial hazardous waste companies like Clean Harbors and Radioactive Waste Disposal Giant EnergySolutions. It also included the Tooele County Commission, state lawmakers and representatives of the Governor’s Office.

After months of meetings, stakeholders came up with an “Agreements in Principle” that would set the stage for upcoming legislation in 2010.

In summary, the legislation would address future shortfalls in the following ways:

- Keep the \$400,000 in the account that has historically been allocated to the General Fund;
- Move fee adjustments from a statutory to a fee schedule basis;
- Increase disposal fees for FY2011;
- Cap the amount of excess revenue in the fund; and
- Provide the Governor and Legislature an annual report of the status of the fund.

“I think this spreads the pain,” Sinclair said. “It makes for an equitable disbursement of increases whereby everybody has to give a little.”