



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL

Douglas J. Hansen
Director

A meeting of the Waste Management and Radiation Control Board has been scheduled for January 13, 2022 at 1:30 pm at the Utah Department of Environmental Quality, (Multi-Agency State Office Building) Conference Room #1015, 195 North 1950 West, SLC.

(Board members and interested persons may participate electronically/telephonically.)
Join via the Internet: meet.google.com/gad-sxsd-uvs
Join via the Phone: (US) +1 978-593-3748 PIN: 902 672 356#

AGENDA

- I. Call to Order.
- II. Public Comments on Agenda Items.
- III. Declarations of Conflict of Interest.
- IV. Approval of the meeting minutes for the December 9, 2021 Board meeting (**Board Action Item**).
- V. Underground Storage Tanks Update.
- VI. X-Ray Program.
 - A. Approval of Mammography Imaging Medical Physicist (MIMP) in accordance with UCA 19-3-103.1(2)(c) (**Board Action Item**).
- VII. Hazardous Waste Section.
 - A. Approval of Proposed Stipulation and Consent Order between the Division Director and Clean Harbors Aragonite, LLC (**Board Action Item**).
- VIII. Director's Report.
- IX. Other Business.
 - A. Miscellaneous Information Items.
 - B. Scheduling of next Board meeting (February 10, 2022).
- X. Adjourn.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources at (801) 536-4284, Telecommunications Relay Service 711, or by email at "lwyss@utah.gov".

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Waste Management and Radiation Control Board Meeting
Utah Department of Environmental Quality
Multi-Agency State Office Building, (Conf. Room #1015)
195 North 1950 West, SLC
December 9, 2021
1:30 p.m.

Board Members participating at Anchor Location:

Brett Mickelson (Chair), Dennis Riding (Vice-Chair), Mark Franc, Vern Rogers, Kim Shelley, Shane Whitney

Board Members Participating Virtually: Richard Codell, Danielle Endres, Steve McIff,
Nathan Rich, Scott Wardle

UDEQ staff members participating at Anchor Location:

Brent Everett, Doug Hansen, Eric Baiden, Tom Ball, Arlene Lovato, Brad Maulding, Deborah Ng, Stevie Norcross, Rick Page, Elisa Smith, Brian Speer, Boyd Swenson, Adam Wingate

Others attending at Anchor Location: Tyson Hone, William Simmons, Steve Gurr

Other UDEQ employees, and interested members of the general public also participated either electronically or telephonically.

- I. Call to Order.**
- II. Public Comments on Agenda Items – None.**
- III. Declarations of Conflict of Interest – None.**
- IV. Introduction of new Board member Scott Wardle.**

Chairman Mickelson introduced and welcomed Mr. Wardle formally to the Board. Mr. Wardle replaces Shawn Milne and serves as a one of two government representatives who do not represent the federal government on the Board. Mr. Wardle is an elected official for Tooele County Council.

- V. Approval of the meeting minutes for the October 14, 2021 Board meeting (Board Action Item).**

It was moved by Dennis Riding and seconded by Shane Whitney and UNANIMOUSLY CARRIED to approve the October 14, 2021 Board meeting minutes.

- VI. Underground Storage Tanks Update.**

Brent Everett, Director of the Division of Environmental Response and Remediation (DERR), informed the Board that the cash balance of the Petroleum Storage Tank (PST) Trust Fund at the end of October 2021, was \$23,475,650.00. The preliminary estimate of the cash balance of the PST Trust Fund for the end of November 2021, was \$24,529,959.00. The DERR continues to watch the balance of the PST Trust Fund closely to ensure sufficient cash is available to provide coverage of qualified claims for releases. The DERR is encouraged by the actuarial report that shows the negative equity balance decreasing. The past year and a half have been unusual due to COVID-19 and supply chain issues. The DERR will continue to watch the cash balance of the PST Trust Fund moving forward. There were no questions on the PST Trust Fund.

The DERR continues to perform outreach regarding aboveground storage tanks (ASTs) which due to the passage of Senate Bill 40 in 2021, are being brought under the umbrella of PSTs. The DERR is unsure how many ASTs exist within the State of Utah. The DERR is currently reaching out to stakeholders and trade groups to try to get information to AST owners. The DERR is also working to develop rules and modify existing rules to incorporate ASTs. The rule changes, once completed, will come before the Board for approval. The DERR is estimating the

rule changes will be presented to the Board in late winter or early spring. The DERR is not aware of any pending legislation involving its programs at this time. It is possible that in the future statutory fixes will be needed for ASTs. There were no questions regarding ASTs.

VII. Administrative Rules.

- A. Approval to proceed with formal rulemaking and public comment period on proposed rule changes to Utah Administrative Code R315-307, Landtreatment Disposal Standards Rule, to clarify the applicability statements to include Director discretion to approve only landtreatment disposal operations that provide an agronomic benefit and remove high-chloride wastes as being allowed for landtreatment disposal because they do not provide an agronomic benefit (Board Action Item)**

Tom Ball, Planning and Technical Support Section Manager of the Division of Waste Management and Radiation Control, reviewed the request for the Board's approval to proceed with formal rulemaking and 30-day public comment on proposed changes to Utah Administrative Code R315-307 to clarify the applicability statements to include Director discretion to approve only landtreatment disposal operations that provide an agronomic benefit and remove high-chloride wastes as being allowed for landtreatment disposal because they do not provide an agronomic benefit.

There are no federal standards for land application of solid wastes. The Division has historically interpreted UAC R315-307 as only applicable to wastes that provide an agronomic benefit to the soil. This was always the intent of the rule and is how the Division has applied the rule in the past. The addition of high-chloride wastes to the list of undesirable wastes is also consistent with the historical interpretation of the rule and provides additional clarification.

Currently, UAC R315-307-3(2) provides standards to prevent nutrient overload that may inhibit crops from being successful, and UAC R315-307-3(7) limits food-chain crops without Director approval. The proposed changes will clarify that the standards of UAC R315-307 in its entirety should only be utilized when there are agronomic benefits.

An Executive Summary and the Rule Analysis Form with proposed changes to UAC R315-307 were included in the December 9, 2021 Board packet.

The Board is authorized under Subsection 19-6-105 to make rules that establish minimum standards for protection of human health and the environment for the treatment and disposal of solid waste. The rule changes also meet existing DEQ and state rulemaking procedures.

Board approval is necessary to begin the formal rulemaking process by filing the appropriate documents with the Office of Administrative Rules for publishing the proposed rule changes in the Utah State Bulletin and conducting a public comment period.

The Director recommends the Board approve proceeding with formal rulemaking and public comment by publishing in the January 1, 2022, Utah State Bulletin the proposed changes to UAC R315-307 and conducting a public comment period from January 1 to February 1, 2022.

Richard Codell questioned if people have disposed of high chloride waste in the past that has caused some harm. Mr. Ball referred that question to Brian Speer, Solid Waste Section Manager. Mr. Speer stated that he is not exactly aware of any instances where people have disposed of high chloride waste that caused a problem. Mr. Speer stated that he is aware of only one instance where a facility disposed of some petroleum contaminated waste directly to the land.

Mr. Codell questioned if there is a standard for what constitutes high chloride waste, in parts per million or something like that? Mr. Speer informed the Board that a standard has not been established for what constitutes high chloride waste.

Mr. Codell asked if someone wanted to dispose of high chloride waste, would it be acceptable to dilute it first? For example, mix it with clean soil. Mr. Codell mentioned that this sort of situation has come up before in radioactive waste management where the idea of taking some unacceptable waste and diluting it with clean waste to get the waste below a certain standard and wondered if that would be codified somehow in the rule. Mr. Speer stated that type of dilution process is typically not allowed under hazardous waste standards and in terms of solid waste standards it is not clear and he would need to review that specific proposal before considering that any further.

Mark Franc stated he was curious and as to what spurred the rule change and questioned if there is a waste stream that is high in chlorides that the Division is trying to prevent/manage or what was the reason to make this rule change at this time?

Mr. Speer stated it is primarily for clarification. Mr. Speer informed the Board that one important matter the Solid Waste Section is involved with now is looking at new statutes/rules for oil and gas exploration and production wastes. As staff has started looking into this matter, it was realized that some operators/entities currently dispose of these waste streams to the land, as they are conducting some land farming under the Division of Oil Gas and Mining (DOGGM) rules. Therefore, these scenarios need to be considered and that is why the rules need to be clarified. If there is an application under oil, gas exploration production waste they will consider that as they are writing the new rules. Mr. Franc asked if that precludes for example land farming of exploration and production (E&P) waste from the oil and gas industry. Mr. Speer stated that as they see it now, it probably would not be permitted, but he is unsure at this time.

Nathan Rich stated that in reading the information provided, he noticed in the economic analysis, that there is some recognition that the proposed rule changes will impact somebody, however it is unknown who or how much that impact will be, and asked if he had read the information correctly. Mr. Rich also wondered if there is a different definition of what a high chloride waste is? For example, if someone was to land farm a high chloride waste out in the West Desert, where it's already high chloride, would that necessarily make those soils any worse. Mr. Rich stated that to this point the answers have been pretty vague in terms of what is the specific waste stream the Division is trying to prevent from being land farmed and asked again is there a better definition of high chloride waste?

Mr. Speer reiterated that a threshold has not been established, but when talking about an agronomic benefit, the Division is allowing the disposal of waste that may be beneficial to soil nutrition and to vegetation. Mr. Rich asked then would it be based on a case-by-case determination, such as this is the waste, and this is where it will be land farmed. Mr. Speer stated yes, currently the intent is to be on a case-by-case basis, as high chloride wastes do inhibit vegetative growth, so that is the concern.

Doug Hansen, Director of the Division of Waste Management and Radiation Control stated that the Division is at the very beginning of conducting some stakeholder outreach and some public interaction in regard to E&P waste disposal. These waste streams fell outside the Divisions purview until just a couple of years ago and now Division staff is trying to find a way to manage these high chloride wastes predominantly. Director Hansen clarified that these types of wastes are eventually going to be managed by the Division; right now they mainly are managed by the DOGM under the Department of Natural Resources. As the transition happens, the Division will continue to work with stakeholders. Approximately three weeks ago, the Division conducted a public outreach meeting that incorporated both individuals at the physical location as well as on-line participants as well. These types of outreach efforts will continue in the future. Director Hansen stated that additional clarification specific to the E&P waste will occur within the next year that should provide more clarity to some of the questions answered.

Nathan Rich questioned if this rule is ahead of the transition process Director Hansen discussed. As some of the questions cannot be answered including not knowing who this rule is going to impact and what is the definition of high chloride waste.

Mr. Speer stated that currently the Division has only seven permitted operations that dispose of waste to the land and conduct land treatment application. Of those seven evaluated, the Division can identify six facilities that do have an agronomic benefit. So, as new proposals come forward they will be evaluated on a case-by-case basis.

Dennis Riding stated that he recalls that the DOGM has a long history in regulating high chloride waste and questioned if the Division would be guided by whatever DOGM defines as high chloride waste moving forward. Director Hansen stated that the Division is working very closely with DOGM, as they recognize their expertise in this arena. Hence, Division staff will work closely with DOGM and specifically professionals that have dealt historically with the waste streams out of that industry. What DOGM has done historically will be taken into account and if there is a gap in regulation, the Division staff will work closely with DOGM to close that gap, relying on their expertise.

It was moved by Mark Franc and seconded by Dennis Riding and UNANIMOUSLY CARRIED to approve to proceed with formal rulemaking and 30-day public comment period on proposed rule changes to Utah Administrative Code R315-307, Landtreatment Disposal Standards Rule, to clarify the applicability statements to include Director discretion to approve only landtreatment disposal operations that provide an agronomic benefit and remove high-chloride wastes as being allowed for landtreatment disposal because they do not provide an agronomic benefit.

- B. Final adoption of proposed rule changes to Utah Administrative Code R315-260, 261, 264, 265, 268, 270, and 273 of the Hazardous Waste Rules to incorporate federal regulatory changes promulgated by the Environmental Protection Agency (EPA) and published in the Federal Register on December 9, 2019 (84 FR 67202). The final rule amends the Utah hazardous waste rules regarding the management of aerosol cans as a universal waste to keep them equivalent to the federal regulations (Board Action Item).**

Tom Ball, Planning and Technical Support Section Manager of the Division of Waste Management and Radiation Control reviewed the request for the Board's approval for final adoption of the proposed changes to Utah Administrative Code R315-260, 261, 264, 265, 268, 270, and 273 of the hazardous waste rules to incorporate federal regulatory changes promulgated by the Environmental Protection Agency (EPA) and published in the Federal Register on December 9, 2019 (84 FR 67202). The final rule amends the Utah hazardous waste rules regarding the management of aerosol cans as a universal waste to keep them equivalent to the federal regulations.

At the Board meeting on September 9, 2021, the Board approved the proposed changes to UAC R315-260, 261, 264, 265, 268, 270, and 273 to be filed with the Office of Administrative Rules for publication in the Utah State Bulletin. The proposed rule changes were published in the October 1, 2021, issue of the Utah State Bulletin (Vol. 2021, No. 19). An Executive Summary and copies of the pertinent pages of the Utah State Bulletin showing the publication of the proposed changes were included in the December 9, 2021 Board packet. The public comment period for this rulemaking ended on November 1, 2021. No comments were received.

The Board is authorized under Subsection 19-6-105(1)(c) to make rules governing generators and transporters of hazardous wastes and owners and operators of hazardous waste treatment, storage, and disposal facilities. The rule changes also meet existing DEQ and state rulemaking procedures.

Board action is required for final adoption of the rule changes published in the October 1, 2021 Utah State Bulletin and to set an effective date. The Director recommends the Board approve final adoption of the changes to UAC R315-260, 261, 264, 265, 268, 270, and 273 as published in the October 1, 2021, issue of the Utah State Bulletin and set an effective date of December 13, 2021.

It was moved by Dennis Riding and seconded by Vern Rogers and UNANIMOUSLY CARRIED to approve for final adoption the proposed rule changes to Utah Administrative Code R315-260, 261, 264, 265, 268, 270, and 273 of the Hazardous Waste Rules to incorporate federal regulatory changes promulgated by the Environmental Protection Agency (EPA) and published in the Federal Register on December 9, 2019 (84 FR 67202). The final rule amends the Utah hazardous waste rules regarding the management of aerosol cans as a universal waste to keep them equivalent to the federal regulations and set an effective date of December 13, 2021.

C. Final adoption of proposed rule changes to Utah Administrative Code R313-16-290, Inspection of Radiation Machines and Facilities Rule of the Radiation Control Rules that amend the inspection frequency found in Table I of Subsection R313-16-290(2) for facilities using fluoroscopic or computed tomography units to include veterinary facilities (Board Action Item).

Tom Ball, Planning and Technical Support Section Manager of the Division of Waste Management and Radiation Control reviewed the request for the Board's approval for final adoption of the proposed changes to Utah Administrative Code R313-16-290 of the Radiation Control Rules that amend the inspection frequency found in Table I of Subsection R313-16-290(2) for facilities using fluoroscopic or computed tomography units to include veterinary facilities.

At the Board meeting on September 9, 2021, the Board approved the proposed changes to UAC R313-16-290 to be filed with the Office of Administrative Rules for publication in the Utah State Bulletin. The proposed rule changes were published in the October 1, 2021, issue of the Utah State Bulletin (Vol. 2021, No. 19). The public comment period for this rulemaking ended on November 1, 2021. No comments were received.

An Executive Summary and copies of the pertinent pages of the Utah State Bulletin were included in the December 9, 2021 Board packet.

The Board is authorized under Subsection 19-6-104 to make rules that are necessary to implement the provision of the Radiation Control Act. The rule changes also meet existing DEQ and state rulemaking procedures.

Board action is required for final adoption of the rule changes published in the Utah State Bulletin and to set an effective date. The Director recommends the Board approve final adoption of the changes to UAC R313-16-290 as published in the October 1, 2021 issue of the Utah State Bulletin and set an effective date of December 13, 2021.

It was moved by Steve McIff and seconded by Scott Wardle and UNANIMOUSLY CARRIED to approve for final adoption the proposed rule changes to Utah Administrative Code R313-16-290, Inspection of Radiation Machines and Facilities Rule of the Radiation Control Rules that amend the inspection frequency found in Table I of Subsection R313-16-290(2) for facilities using fluoroscopic or computed tomography units to include veterinary facilities and set an effective date of December 13, 2021.

VIII. Hazardous Waste Section.

A. Proposed Stipulation and Consent Order between the Director and Clean Harbors Aragonite, LLC (Information Item).

Rick Page, Environmental Engineer in the Hazardous Waste Section of the Division of Waste Management and Radiation Control, reviewed the proposed Stipulation and Consent Order (SCO) between the Director and Clean Harbors Aragonite (CHA), LLC. This is a proposed Stipulation and Consent Order (SCO), No. 2106050, to resolve Notice of Violation (NOV) No. 2102003, issued to CHA on March 26, 2021.

The NOV was based on information documented during an inspection at the facility on September 9 through October 1, 2020, and several self-reported notices of noncompliance for the time period of October 1, 2019, to September 30, 2020 (fiscal year 2020). The violations noted in the NOV have been resolved. The SCO includes a penalty of \$42,806.00. Half of this penalty will be paid in cash and the other half may be credited toward a Supplemental Environmental Project (SEP) wherein CHA transports and disposes of confiscated vaping devices from schools in Utah.

Copies of the NOV, the SCO, and the penalty narrative worksheets are included in the December 9, 2021 Board packet.

§19-6-104 of the Utah Solid and Hazardous Waste Act authorizes the Board to issue orders and approve or disapprove settlements negotiated by the Director with a civil penalty over \$25,000.

Mr. Page informed the Board that a 30-day public comment period is currently underway and following the comment period, Adam Wingate will be bringing this matter back before the Board, as he is retiring at the end of this month after 36 years of service.

On behalf of the Board, Chairman Mickelson congratulated Mr. Page and thanked for his 36 years of public service.

**IX. Open Meetings, Conflicts, Ethics and Records Training (Information Item).
(Training provided by Raymond Wixom, Assistant Attorney General, Utah Attorney General's Office)**

The Open Meetings, Conflicts, Ethics and Records Training was presented by Raymond Wixom, Assistant Attorney General, Utah Attorney General's Office. (A hard copy of Open Meetings, Conflicts, Ethics and Records Training presentation material was included with the official copy of the December 9, 2021 meeting minutes). Board members did not have any questions. Mr. Wixom thanked the Board for their outstanding efforts as they conduct the Board's business.

X. Director's Report.

Director Hansen informed the Board that Rolf Johnsson, Environmental Scientist in the Corrective Action Section and as mentioned previously Rick Page, Environmental Engineer in the Hazardous Waste Section, will be retiring at the end of December. Director Hansen acknowledge both their contributions to the Division over the past 30 years and expressed gratitude for their service and wished them well in their future endeavors.

Director Hansen stated that as discussed previously, the Division is continuing outreach efforts with the exploration and production industry. This will be a big shift for this industry as some significant changes are anticipated. That being said, the Division realizes the impact and anticipates conducting multiple outreach sessions and opportunities for this industry to address issues as the full implementation of change from oil, gas and mining regulations that will be occurring. Director Hansen anticipates this being a three year process and anticipates addressing several matters and concerns in the course of the next 36 months. The Division will be engaging with the stakeholders and those impacted and will listen to their concerns to make this the best transition possible.

Director Hansen provided an update on the matter that was brought before the Board at their October 14, 2021 meeting regarding the public comment period on Utah Administrative Code Rule R315-101 of the Hazardous Waste Rules amending the rule to include the most up-to-date methods and procedures being used by industry to conduct cleanups of contaminated sites and risk assessments based on EPA guidance. During that meeting, the Board did express concerns that the 30-day comment period may not be sufficient time to address concerns. Director Hansen informed the Board that the Division did receive two requests to extend the public comment period. Staff has contacted these entities and will be meeting with them to address their concerns in the near future. If substantive changes are needed to the rules, they will be addressed and implemented in further rule changes that will again be brought before the Board for approval.

XI. Other Business.

- A. Miscellaneous Information Items. None to Report.**
- B. Scheduling of next Board meeting (January 13, 2022).**

The next meeting is scheduled for January 13, 2022 at 1:30 p.m. at the Utah Department of Environmental Quality, Multi-Agency State Office Building.

XII. Adjourn.

The meeting adjourned at 2:30 pm.

UST STATISTICAL SUMMARY
December 1, 2020 -- November 30, 2021

PROGRAM													
	December	January	February	March	April	May	June	July	August	September	October	November	(+/-) OR Total
Regulated Tanks	4,130	4,144	4,144	4,145	4,136	4,146	4,139	4,142	4,140	4,128	4,136	4,142	12
Tanks with Certificate of Compliance	4,044	4,051	4,051	4,053	4,058	4,063	4,067	4,065	4,056	4,050	4,052	4,060	16
Tanks without COC	86	93	93	92	78	83	72	77	84	78	84	82	(4)
Cumulative Facilities with Registered A Operators	1,111	1,252	1,252	1,256	1,251	1,250	1,291	1,294	1,290	1,291	1,288	1,284	98.09%
Cumulative Facilities with Registered B Operators	1,147	1,285	1,285	1,292	1,253	1,251	1,295	1,295	1,292	1,292	1,289	1,285	98.17%
New LUST Sites	8	5	5	10	5	2	10	8	3	8	5	7	76
Closed LUST Sites	6	4	4	16	3	4	17	6	0	9	4	6	79
Cumulative Closed LUST Sites	5323	5329	5329	5350	5352	5356	5374	5378	5378	5390	5397	5398	75
FINANCIAL													
	December	January	February	March	April	May	June	July	August	September	October	November	(+/-)
Tanks on PST Fund	2,667	2,666	2,666	2,666	2,663	2,664	2,664	2,662	2,653	2,649	2,642	2,646	(21)
PST Claims (Cumulative)	688	688	688	689	690	693	696	701	701	702	702	702	14
Equity Balance	-\$9,547,189	-\$8,950,746	\$8,633,383	-\$8,709,493	-\$8,272,438	-\$7,719,626	-\$6,964,420	-\$6,684,027	-\$5,540,984	-\$4,033,695	-\$3,921,878	-\$2,867,569	\$6,679,620
Cash Balance	\$18,888,091	\$19,484,534	\$19,801,897	\$19,725,787	\$20,162,842	\$20,715,654	\$21,470,860	\$21,751,253	\$22,894,296	\$23,363,833	\$23,475,650	\$24,529,959	\$5,641,868
Loans	0	0	0	0	0	0	0	0	0	0	0	0	0
Cumulative Loans	121	121	121	121	121	121	121	121	121	121	121	121	0
Cumulative Amount	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$4,738,367	\$0
Defaults/Amount	2	2	2	2	2	2	2	2	2	2	2	0	-2
	December	January	February	March	April	May	June	July	August	September	October	November	TOTAL
Speed Memos	42	48	48	75	42	81	76	82	51	78	100	77	800
Compliance Letters	14	15	15	18	13	8	7	15	16	21	8	21	171
Notice of Intent to Revoke	0	0	0	0	1	0	0	0	0	0	2	0	3
Orders	0	0	0	1	0	1	0	0	0	0	0	0	2

WASTE MANAGEMENT AND RADIATION CONTROL BOARD
Executive Summary
Approval of Mammography Imaging Medical Physicist
January 13, 2022

What is the issue before the Board?	Approval of new, qualified Mammography Imaging Medical Physicist .
What is the historical background or context for this issue?	<p>Individuals referred to as Mammography Imaging Medical Physicist (MIMP) must submit an application for review of qualifications to be certified by the Board. These physicists perform radiation surveys and evaluate the quality control programs of the facilities in Utah providing mammography examinations.</p> <p>Typically this is done annually in May because the certification year runs from June 1 to May 31st. Occasionally we receive new applications during the year that need to be approved before the May Board meeting.</p> <p>A new application has been received from Matthew Fitzmaurice, Ph.D. to be certified as a MIMP.</p> <p>Division staff has reviewed the applicant's qualifications and he meets the requirements detailed in R313-28-140.</p>
What is the governing statutory or regulatory citation?	<p>In accordance with Subsection 19-3-103.1(2)(c) of the Utah Code Annotated, the Board shall review the qualifications of, and issue certificates of approval to, individuals who: (i) survey mammography equipment; or (ii) oversee quality assurance practices at mammography facilities.</p> <p>This statutory requirement was effective May 8, 2012.</p>
Is Board action required?	Yes.
What is the Division Director's recommendation?	The Director of the Division of Waste Management and Radiation Control recommends the Board issue a certificate of approval for the applicant reviewed and presented to the Board.
Where can more information be obtained?	Please contact Lisa Mechem, DVM, at (801) 536-4286.

WASTE MANAGEMENT AND RADIATION CONTROL BOARD

Executive Summary

Clean Harbors Aragonite, LLC (CHA)

January 13, 2022

What is the issue before the Board?	This is a proposed Stipulation and Consent Order (SCO), No. 2106050, to resolve Notice of Violation (NOV) No. 2102003, issued to CHA on March 26, 2021.
What is the historical background or context for this issue?	<p>The NOV was based on information documented during an inspection at the facility on September 9 through October 1, 2020, and several self-reported notices of noncompliance for the time period of October 1, 2019, to September 30, 2020 (fiscal year 2020).</p> <p>The violations noted in the NOV have been resolved.</p> <p>The SCO includes a penalty of \$42,806.00. Half of this penalty will be paid in cash and the other half may be credited toward a SEP wherein CHA transports and disposes of confiscated vaping devices from schools in Utah.</p> <p>Copies of the NOV, the SCO, and the penalty narrative worksheets were presented to the Board on December 9, 2021.</p>
What is the governing statutory or regulatory citation?	§19-6-104 of the Utah Solid and Hazardous Waste Act authorizes the Board to issue orders and approve or disapprove settlements negotiated by the Director with a civil penalty over \$25,000.
Is Board action required?	Yes, this is a Board action item. The proposed Stipulation and Consent Order was presented to the Board on December 9, 2021.
What is the Division Director's recommendation?	The Division Director recommends approval of the Proposed SCO.
Where can more information be obtained?	<p>For technical information, please contact Adam Wingate at (801) 536-0212.</p> <p>For legal information, please contact Connie Nakahara at (385) 414-0450.</p> <p>The SCO and the supporting documentation was provided in the December 9, 2021 Board packet.</p>