

**SMALL BUSINESS COMPLIANCE ADVISORY PANEL
TUESDAY, JANUARY 13, 2009**

Present:

Kevin Hooper, Shoppes at Telegraph Square
Brad Overmoe, Red Hanger Cleaners
Paul Glauser, Staker & Parson Company
Marie Marshall, Chamber East Chamber of Commerce

Executive Director's Office

Bill Sinclair, Acting Executive Director
Rusty Lundberg, Office of Energy & Sustainability
Paul Harding, OPAA, Business Assistance
Stacey Adams, OPAA, Public Affairs
Rose Kenworthy, OPPA, Executive Secretary

Air Quality

Bryce Bird, Division of Air Quality
Rusty Ruby, Division of Air Quality
Eileen Brennan, Division of Air Quality

Welcome/Approval of Minutes:

Kevin welcomed all those in attendance.

The October meeting did not have a quorum; therefore, two sets of minutes need to be approved. Paul Glauser made a motion to approve the August 12, 2008 minutes as written. The motion was seconded and passed unanimously. Brad Overmoe made a motion to approve the October 21, 2008 minutes as written. Kevin Hooper seconded the motion, and it passed unanimously.

DEQ Executive Director Transition

Rick Sprott retired and moved to New Mexico. Bill Sinclair is presently Acting Executive Director. The Governor is currently searching for a new Executive Director, and interviewing has taken place. It is anticipated the position will be filled in the near future.

It was further reported there are five (5) statutes up for ten (10) year re-authorization as follows: Water Quality, Solids & Hazardous Waste, Air Quality and Used Oil. The legislative Committee approved ten (10) year reauthorizations for all, except Air Quality, which was re-authorized for five (5) years. We are watching other legislation, but most do not apply to small businesses.

The most significant issue is the budget. Revenues are down and a 4% cut was proposed. The Legislature is proposing a 15% cut for the next fiscal year, but the Governor's proposal is 7 ½%. Four positions have been eliminated, but a concerned effort is being made not to eliminate positions.

Overview, Energy Sustainability Group

Under the direction of Governor Huntsman, Utah participates in the Western Climate Initiative. The Climate Initiative is looking to reduce green house gas emission. It is a regional and international effort with seven (7) western states and four Canadian provinces. Other states (U.S. and Mexican) as well as Canadian provinces, can participate as observers but do not vote. One of the more recent states expressing interest in joining WCI as a partner is the Mexican state of Sonora.

A Cap and Trade Program is working on ways to reduce CO2 emissions. The first national auction under a group of northeastern and mid-Atlantic states was held in September 2008 and was considered a success. WCI set the threshold for regulated participation in the cap and trade program at 25,000 metric tons of CO2 emissions annually. Under WCI a facility is the point of emission, and a county with multiple boilers may have an aggregated count. WCI is still working on key issues related to the point of regulation. We are willing to network with businesses to get this message out.

We are looking at Rules for what to report and how. Part of the authority in terms of reporting may need to be statutory. The Governor will be creating a taskforce that will be reviewing the necessary statutory changes to support the WCI for the 2010 session.

Questions regarding calculations for businesses to pass on their emission inventory were discussed. Also, fuel needs factors or usage. EPA will have the reporting rule and it is anticipated to come out soon. The first compliance group will report in 2012, and the second period is 2015. For information on Climate change refer to the websites www.climatechange.utah.gov, or www.westernclimateinitiative.org. Paul will also post this information on the website.

Under WCI, Utah has set goals to reduce greenhouse gas emissions to 2005 levels by 2020. Utah is also researching landscape sequestration and what it can absorb. There will be a Federal government reporting rule and a geological sequestration rule. We are working closely with the Division of Water Quality on carbon capture and geological sequestration in order to meet new state statutory requirements.

The Energy & Sustainability group consists of Rusty Lundberg, Glade Sowards, Chad Harris and Doug Hansen.

Finalized EPA PM 2.5 Non-Attainment Designations

Bryce Bird reported that in December a letter was sent to the Governor for recommendations on the PM2.5 areas. Utah County would be the first area, and the second is the Cache area. EPA will publicize the final designations and recommendations. In March or April there will be a public meeting, with a 60-90 day comment period. EPA will also inform when we can certify 2005 data, and will consider before making final the designation.

We are preparing designation for 2008 ozone standards. EPA will take one year period to review and make final designation March 2010. A presentation was made to the Air Quality Board in February. This has been a good ozone year and because of that Brigham City and Utah Country are attaining. Salt Lake, Davis and a portion of Weber County are in the non-attainment area. There will be one year to review and recommendation will be released for public comment. The first stake holders meeting is January 28 in Room 101 at 2:00 p.m. Failure to meet standards required by the Clean Air Act requires a new plan, and there is no eligibility to receive federal funding for building new roads.

MACT Standards & Update

Eileen reported she accepted a new position, therefore, will not be attending future meetings. Because of that an effort to include all resource material for issues and fuel register notices were compiled and reviewed.

Compliance Update

Rusty Ruby reports there have been a couple of settlement agreements. The Bus retrofit program is looking for matching funds to go along with sources. Jay Morris proposed the SEP program (supplemental environment project) with offset of one-to-one. The retrofitting encompasses 400 buses in the state. Davis County was the first to participate and we are now moving toward the Wasatch fronts.

Other Business

Paul requested those in attendance to recommend a business for the CAP award. Paul will also review ideas with Marie. Also, Don Lewon's position has expired, and that needs to be reviewed.

The meeting was adjourned. The next meeting is scheduled for April 14th.