

**SMALL BUSINESS COMPLIANCE ADVISORY PANEL  
TUESDAY, FEBRUARY 22, 2011**

**Present:**

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

Brad Johnson, Deputy Director  
Paul Harding, OPAA, Business Assistance  
Steve Packham, Air Quality  
Heather Mickelson, Air Quality  
Bryce Bird, Air Quality  
Rusty Ruby, Air Quality  
Rose Kenworthy, OPPA, Executive Secretary

**Welcome/Approval of Minutes:** Kevin welcomed all those in attendance.

*Paul Glauser made a motion to approve the September 2010 minutes.  
Rusty Ruby seconded the motion. The motion was unanimously approved.*

**DEQ Legislative Update – Brad Johnson:** A legislative update identifying areas of interest was reviewed. The budget has been the major issue, but is looking better. Originally, the request was to outline a 7% budget cut. Currently, there may not be as many budget cuts, but it is up to the legislature for recommendations. The philosophy is smaller government, but things are looking more positive.

An overview of the following House/Senate Bills was given as follows:

- HB 58 – Emission testing – Charging fee for standard violations
- HB 96 – Emission tests for companies bordering counties out of the attainment area
- HB 97-- Consolidating Department of Natural Resources with DEQ
  - Consolidating Agriculture with DNR
  - or combining Human Resources with Health
- HB102- Electronic scrap recycling
- HB132 –Water Quality program amendments
- HB 246 -Repeal of the Phosphors Bill
- HB 247 -Quality fees to access database
- HB 285 - Asbestos removal
- HB 293 – Underground storage tanks
- HB 399 – Environmental litigation bond (Legal costs)
- HB 438 – Water Quality Board amendments
- HB 68– Solid Waste amendments
- SB237 Tax credits given for pollution control technology

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**DAQ Monitoring – Bryce Bird:** An Air monitoring report summarizing three (3)-year events for PM2.5 standards was distributed. The report includes all data, even wind events for an average three-year period. Three (3) exceptional events were also included in the average.

In 2008 EPA revised the standards and changed the standard to 50-60 parts per billion. At the present time, Utah has not met the required standards. The last particulate matter standard was submitted in 2002. DEQ is in the process of developing new standards for those in attainment.

During the summer ozone monitoring was not run for air pollution in Vernal. This summer DEQ conducted an ozone study for the Great Basin area and expanded from Washington County to Park City. Presently, Zion is reading above the standard ozone level. As a result, DEQ is conducting a saturation study. For more information, data is available on the Website summarizing the 98% percentile values.

**DAQ Compliance – Rusty Ruby:** From year to year there has not been big variations for MACT. In 2008-2009 reporting requirements targeted small sources and those doing appropriate recording. Harper Pit collected a large penalty, and in 2008 Geneva Rock had a huge penalty.

**Kaizen Driven Improvements in DAQ permitting** – Heather Mickelson reported that a three-day (Kaizen) event was conducted to evaluate the process that issues New Source Review (NSR). Representatives from different Divisions within the Department of Environmental Quality, sources, consultants, and concerned citizens comprised the evaluation committee. During the Kaizen process, problems with the approval order (AO) issuance process were identified and potential solutions were recommended. Currently, the Kaizen implementation team is working to modify the AO process with those identified solutions and recommendations.

A summary illustrating Kaizen driven improvements was reviewed. An overview of small source exemptions and minor/major AO criteria was also reviewed.

Suggestions for improving communication between small businesses and DAQ were requested. Establishing trust between small business and DAQ is very important. Paul was assigned to keep the Board apprized of information regarding Kaizen recommendations. CAP suggestions included the following:

1. Information should be easily accessible through DEQ and linked to the EPA website.
2. In addition to the EPA link, a link on the DAQ's website should direct sources to the FIRE website. The FIRE website assists with emission calculations.
3. Small business doesn't understand how to navigate DAQ's Website. It would be helpful to redesign the webpage so that it is easier to navigate.
4. Paul recommended storm water permitting be combined with the Dust control permit.
5. Business should have the ability to pay with a credit card, which is a major issue.
6. Mandatory meetings reviewing the specifics of the AO should be conducted after it is issued.

7. It should be mandated that a pre-NOI meeting or conference call occur between sources and DAQ.
8. A notification E-mail could be sent out to select groups, with the intent that the E-mail would be sent to others who may have not received the E-mail with any information that the DAQ would like to become more widely known.

Ideas and recommendations regarding communication with small businesses were welcomed. These can be forwarded to Heather Mickelson at (801) 536-4014 or [hmickelson@utah.gov](mailto:hmickelson@utah.gov)

**Small Business Environmental Conference – Paul Harding.** The next annual Small Business conference is scheduled in Raleigh, North Carolina on May 3-6, 2011. Funding is available for those who wish to attend. Preference will be given to those who have not attended prior conferences.

Marie commented on the difficulty communicating with committees without attending the following conference. Conducting teleconferences was suggested. Marie expressed interest in attending this year's conference.

The Annual Pollution Prevention was a great success this year. Names of future candidate should be submitted by the end of March. The winner could be announced at the Earth Day banquet.

Kevin Hooper has been accepted for re-appointments to the Board. Marie is up for re-appointment in 2011. Kirsten Brinkerhoff and Paul are still pending appointment. Don's and Brad's are due in December.

*The meeting was adjourned. The next meeting is scheduled for June 9, 2011.*