



DEPARTMENT OF ENVIRONMENTAL QUALITY

NATURAL RESOURCES, AGRICULTURE, AND ENVIRONMENTAL QUALITY APPROPRIATIONS
 SUBCOMMITTEE
 STAFF: MARK BLEAZARD AND IVAN DIAMBOV

BUDGET BRIEF

SUMMARY

The mission of the Department is to safeguard public health and quality of life by protecting and improving environmental quality while considering the benefits to public health, the impacts on economic development, property, wildlife, tourism, business, agriculture, forests, and other interests, and the costs to the public and to industry; strengthen local health departments' environmental programs; build consensus among the public, industry, and local governments in developing environmental protection goals; and appropriately balance the need for environmental protection with the need for economic and industrial development.

ISSUES AND RECOMMENDATIONS

The base operating budget for the Department of Environmental Quality item for FY 2012 is \$103,140,600. This recommendation includes \$54,395,800 funding for seven programs within the line item, including Executive Director's Office, Air Quality, Environmental Response and Remediation, Radiation Control, Water Quality, Drinking Water, and Solid and Hazardous Waste. Additionally the base budget amounts of \$27,526,500 for the Water Quality Loan Program and \$21,218,300 for the Drinking Water Loan Program are included in the base budget bill.

EXECUTIVE DIRECTOR'S OFFICE

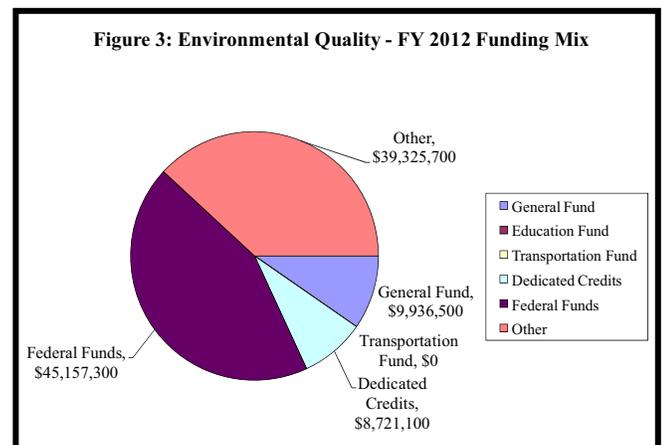
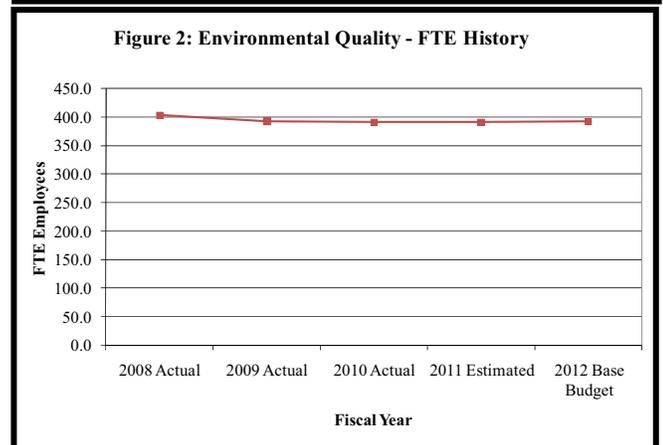
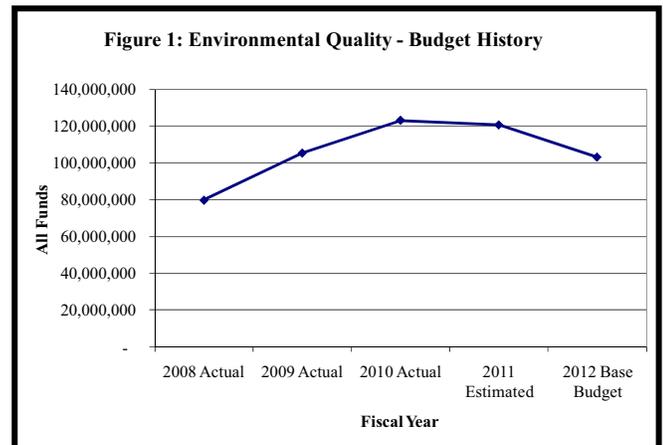
The Executive Director's Office provides administrative direction to the entire department. Base budget funding recommendation for this program is \$5,238,500.

AIR QUALITY

The mission of the Division of Air Quality is to protect public health, property and vegetation in Utah from the effects of air pollution. In order to accomplish its mission, this division is divided into the following three branches: (1) Air Standards Branch, (2) Permitting Branch, and (3) Planning Branch. The base budget to continue this program for FY 2012 is \$11,314,800.

ENVIRONMENTAL RESPONSE AND REMEDIATION

The mission of the Division of Environmental Response and Remediation is to protect the health and the environment to minimize the citizens of Utah's exposure to hazardous substances. A FY 2012 base budget to continue operations of the Environmental Response and Remediation Program is \$8,536,400.



RADIATION CONTROL

The mission of the Division of Radiation Control is to assure the citizens of Utah the lowest exposure to any form of radiation. The base budget of \$3,152,300 for FY 2012 for Radiation Control is included in the Base Budget Bill.

WATER QUALITY

The mission of the Division of Water Quality is to protect public health and all beneficial uses of water by maintaining and enhancing the chemical, physical and biological integrity of Utah's waters. A FY 2012 base budget for the Water Quality Program is \$10,455,600.

DRINKING WATER

The mission of the Division of Drinking Water is to protect the public from waterborne disease through education, assistance, and oversight. The base budget for FY 2012 for the Drinking Water Program is \$4,648,000.

SOLID AND HAZARDOUS WASTE

The mission of the Division of Solid and Hazardous is to protect public health and the environment by ensuring proper management of solid and hazardous wastes within the State of Utah. A FY 2012 base budget for Solid and Hazardous Waste is \$8,015,700.

ACCOUNTABILITY

The Air Quality Program attempts to meet the requirements of the National Ambient Air Quality Standards and National Emission Standards for Hazardous Air Pollutants at a 100% compliance standard. Due to recent revisions to the standards Salt Lake, Davis, Weber, Box Elder, and Cache Counties have had some violations this past year.

The Division of Radiation Control measures radiation exposure during medical and industrial procedures, high risk radiation workers, and the public's exposure to ionizing radiation. All programs were within statutory tolerances.

The Division of Environmental Response and Remediation is responsible to protect ground water by inspections to prevent release of petroleum products and cleanup of contaminated sites. Production is measured by the number of Underground Storage Tank (UST) sites inspected and corrective actions taken if merited. A total of 4,106 UST sites have been cleaned up with the program as of June 2010. In total 1,271 inspections were performed in FY 2010.

In addition the Division is responsible for remediation of contaminated industrial sites to protect public health and promote redevelopment of contaminated properties. Thirty-five projects have been completed under the Utah Voluntary Cleanup Program.

The Division of Solid and Hazardous Waste provides regulatory oversight of the disposal of hazardous wastes generated by industries and businesses along with municipal solid wastes generated by residential, institutional, and commercial sources. During CY 2010, 80,000 tons of hazardous wastes were properly disposed of in Utah, and 2,178,476 tons of municipal solid wastes were disposed during CY 2010, 114,691 tons of municipal waste was sent for incineration during CY 2010.

The Waste Tire Recycling Program has had a performance goal to recycle 100% of all waste tires collected in the state annually. During FY 2010 the program achieved their goal by overseeing the recycling of approximately 1.8 million (30,125 tons). Virtually all tires collected by tire retailers and industry.

Additionally 492,915 gallons of used oil was collected and recycled from do-it-yourself mechanics at statewide collection centers.

The Division of Water Quality is measuring their effectiveness by determining the percentage of lakes and streams which meet water quality standards and the percentage that are improving the quality of water in those lakes and streams. During the past year 72% of lakes and streams met water quality standards. Business and farms permitted to discharge water reached a compliance rate of 94% in FY 2010.

The Drinking Water Division measures the effectiveness of drinking water systems in the state. During FY 2010 99.91% of the state's population was provided water from public drinking water systems that met requirements of the Safe Drinking Water Act.

Federal Funds

Pursuant to 63J-5-201, the Analyst is submitting a federal funds request for the Department of Environmental Quality. The requested Federal Funds will be provided as a separate Issue Brief during the subcommittee hearings for Natural Resources, Agriculture and Environmental Quality.

Intent Language

The following intent language was included in the appropriation for the Department of Environmental Quality line item for FY 2010 and FY 2011. It is the opinion of the analyst that the department is implementing provisions of the following intent language:

Under terms of Section 63J-1-603-(3)(a) Utah Code Annotated, item 221 of Chapter 396 Laws of Utah 2009 is made non-lapsing with the use of any non-lapsing funds limited to the following: Air Quality Operating Permit Program fees \$100,000.

Under terms of Section 63J-1-603-(3)(a) Utah Code Annotated, item 221 of Chapter 396 Laws of Utah 2009 is made non-lapsing with the use of any non-lapsing funds limited to the following: Water Quality Groundwater Permit Program fees \$10,000.

Under terms of Section 63J-1-603-(3)(a) Utah Code Annotated, item 159 of Chapter 366 Laws of Utah 2006 is made non-lapsing with the use of any non-lapsing funds limited to the following: High Level Nuclear Waste Opposition \$132,800.

It is the intent of the Legislature that \$350,000 of non-lapsing funds appropriated for the purpose of addressing high level nuclear waste be transferred to the Environmental Quality Restricted Account. It is the intent of the Legislature that up to \$185,900 of non-lapsing funds appropriated for the purpose of addressing air quality monitoring at animal feeding operations be transferred to the Environmental Quality Restricted Account.

It is the intent of the Legislature that the Department of Environmental Quality do a complete review of the Division of Air Quality. Including review of all division functions, staffing, programs, fees, and funding sources. The Department shall report back to the Office of the Legislative Fiscal Analyst prior to the 2011 General Session its findings and recommendations to identify what program, policy, fee, staffing and other changes are needed to improve service to stakeholders, better address and respond to federal mandates, improve permit processing times and response, improve air quality and other changes needed to maintain program primacy with requirements of the federal government.

The analyst recommends the subcommittee consider the following intent language for FY 2011 and FY 2012 to be included in a subsequent appropriations bill:

Under terms of Section 63J-1-603-(3)(a) Utah Code Annotated, item 212 of Chapter 2 Laws of Utah 2010 is made non-lapsing with the use of any non-lapsing funds limited to the following: Air Quality Operating Permit Program fees \$100,000.

Under terms of Section 63J-1-603-(3)(a) Utah Code Annotated, item 159 of Chapter 366 Laws of Utah 2006 is made non-lapsing with the use of any non-lapsing funds limited to the following: High Level Nuclear Waste Opposition \$132,500.

Adoption of Fees

The listing of fees will be provided as a separate issue brief during the General Session of the Legislature.

LEGISLATIVE ACTION

The Base Budget Bill includes a base budget for FY 2012 for the Department of Environmental Quality line items in the amount of \$103,140,600. The Executive Appropriations Committee allocated FY 2012 General and Education Fund revenue estimates that are 93% of the original FY 2011 ongoing appropriations. The Legislature passed S. B. 8 S1 "Natural Resources, Agriculture, and Environmental Quality Base Budget" that reflects the 93% ongoing EAC allocation. The 7% reduction to the Department of Environmental Quality budget is \$747,900 General Fund reduction.

The Subcommittee for Natural Resources, Agriculture, and Environmental Quality acted as a committee to establish the General Fund budget of \$9,936,500. The Analyst recommends the Legislature consider adopting the base budget of \$103,140,600 to ratify all other funding sources in SB 8 S1.

Environmental Quality						
Sources of Finance	FY 2010 Actual	FY 2011 Appropriated	Changes	FY 2011 Revised	Changes	FY 2012* Base Budget
General Fund	10,919,200	10,684,400	0	10,684,400	(747,900)	9,936,500
General Fund, One-time	(455,100)	0	0	0	0	0
Federal Funds	63,168,800	42,361,800	4,936,000	47,297,800	(2,140,500)	45,157,300
Dedicated Credits Revenue	9,010,300	9,485,000	(719,200)	8,765,800	(44,700)	8,721,100
GFR - Environmental Quality	6,475,800	6,521,400	0	6,521,400	0	6,521,400
GFR - Underground Wastewater System	76,000	76,000	0	76,000	0	76,000
GFR - Used Oil Administration	742,300	747,000	0	747,000	0	747,000
GFR - Voluntary Cleanup	619,400	624,000	0	624,000	0	624,000
WDSF - Drinking Water	0	138,700	(138,700)	0	138,700	138,700
WDSF - Drinking Water Loan Program	138,700	3,500	138,700	142,200	(138,700)	3,500
WDSF - Drinking Water Origination Fee	76,200	74,900	0	74,900	0	74,900
WDSF - Utah Wastewater Loan Program	976,500	995,800	0	995,800	0	995,800
WDSF - Water Quality Origination Fee	85,700	79,300	0	79,300	0	79,300
ET - Petroleum Storage Tank	1,298,000	1,310,800	0	1,310,800	0	1,310,800
ET - Waste Tire Recycling	129,200	130,700	0	130,700	0	130,700
Clean Fuel Vehicle Loan	108,800	110,000	0	110,000	0	110,000
Designated Sales Tax	7,175,000	7,175,000	0	7,175,000	0	7,175,000
Petroleum Storage Tank Account	50,000	50,000	0	50,000	0	50,000
Petroleum Storage Tank Loan	160,500	163,300	0	163,300	0	163,300
Transfers - Within Agency	1,076,600	(45,300)	826,000	780,700	(366,800)	413,900
Repayments	23,703,600	16,337,500	18,384,000	34,721,500	(14,010,100)	20,711,400
Beginning Nonlapsing	1,321,800	482,800	(321,200)	161,600	(161,600)	0
Closing Nonlapsing	(161,600)	(482,800)	482,800	0	0	0
Lapsing Balance	(3,585,000)	(350,000)	350,000	0	0	0
Total	\$123,110,700	\$96,673,800	\$23,938,400	\$120,612,200	(\$17,471,600)	\$103,140,600
Line Items						
Environmental Quality	49,444,900	51,361,300	6,496,000	57,857,300	(3,461,500)	54,395,800
Water Security Dev Acct - Water Polluti	53,360,500	25,875,000	16,178,500	42,053,500	(14,527,000)	27,526,500
Water Security Dev Acct - Drinking Wat	20,305,300	19,437,500	1,263,900	20,701,400	516,900	21,218,300
Total	\$123,110,700	\$96,673,800	\$23,938,400	\$120,612,200	(\$17,471,600)	\$103,140,600
Categories of Expenditure						
Personnel Services	33,228,300	34,451,100	120,100	34,571,200	676,000	35,247,200
In-state Travel	173,300	257,800	(12,400)	245,400	3,000	248,400
Out-of-state Travel	121,700	226,400	(42,300)	184,100	0	184,100
Current Expense	9,215,700	9,541,100	6,306,800	15,847,900	(3,241,800)	12,606,100
DP Current Expense	2,626,300	3,506,000	(43,800)	3,462,200	(269,300)	3,192,900
DP Capital Outlay	0	0	0	0	438,300	438,300
Capital Outlay	433,200	388,900	523,100	912,000	(876,000)	36,000
Other Charges/Pass Thru	77,312,200	48,302,500	17,086,900	65,389,400	(14,201,800)	51,187,600
Total	\$123,110,700	\$96,673,800	\$23,938,400	\$120,612,200	(\$17,471,600)	\$103,140,600
Other Data						
Budgeted FTE	391.0	387.0	4.0	391.0	1.0	392.0
Vehicles	47	46	1	47	(1)	46

*Does not include amounts in excess of subcommittee's state fund allocation that may be recommended by the Fiscal Analyst.