

**MINUTES OF THE  
JOINT TRANSPORTATION & ENVIRONMENTAL QUALITY  
APPROPRIATIONS SUBCOMMITTEE  
ROOM 416, STATE CAPITOL BUILDING**

**Monday, January 29, 2001**

**MEMBERS PRESENT:** Sen. Michael Waddoups, Co-Chair  
Rep. Don E. Bush, Co-Chair  
Sen. Millie Peterson  
Sen. Terry Spencer  
Rep. Stephen D. Clark  
Rep. Neil A. Hansen  
Rep. Wayne A. Harper  
Rep. Neal B. Hendrickson  
Rep. Joseph G. Murray  
Rep. Merlynn T. Newbold  
Rep. Max W. Young

**MEMBERS ABSENT:** Sen. Al Mansell

**STAFF PRESENT:** Mark C. Bleazard, Fiscal Analyst  
Janece Stock, Committee Secretary

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Chair Rep. Bush called the meeting to order at 2:09 p.m.

**MOTION:** Rep. Harper moved to insert the following intent language into the DEQ budget:

*“It is the intent of the Legislature that the Department of Environmental Quality utilize currently authorized and vacant FTE positions, and the budget pertaining to those positions, to fulfill the requirements of any legislation enacted during the 2001 General Session, which adds FTE positions to that Department.”*

The motion passed unanimously with Sen. Peterson absent for the vote.

**MOTION:** Sen. Spencer moved to adopt the Containerized Class A Nuclear Waste budget of \$317,700 for FY2002, and \$203,600 in FY 2001. He also moved to accept the following fees for the Radiation Control program:

|                  |         |
|------------------|---------|
| 1-100 cubic feet | \$ 500  |
| > 100 cubic feet | \$1,300 |
| Broker/Collector | \$5,000 |

The motion passed unanimously.

MOTION: Rep. Harper moved to approve a tentative DEQ budget of \$41,471,900 with the following change:

*Reduce the FTE allocation in the DEQ from 424 to 414 (a total of 10). The reduction will be made from either vacant or vacated FTE positions, that at some point in the future the department will bring back information on those positions which have been eliminated.*

Sen. Waddoups amended the motion to also exclude the 44 vehicles until further study of the Department's and Analyst's information on the vehicles.

#### SUBSTITUTE

MOTION: Rep. Hendrickson moved to accept the previous motion but remove the one-time appropriation of \$439,000 for the opposition to high level nuclear storage.

Sen. Spencer requested that the \$439,000 portion of the motion be divided and voted upon separately. This motion failed with Sen. Spencer, Sen. Peterson, and Rep. Newbold voting no.

The balance of the substitute motion passed with Sen. Peterson voting no.

MOTION: Sen. Waddoups moved to adopt the following intent language:

*"It is the intent of the Legislature that any unexpended funds in the Air Operating Permit Program are non-lapsing and authorized for use in the Operating Permit Program in FY 2002 to reduce emission fees."*

The motion passed unanimously with Rep. Hansen, and Rep. Harper absent for the vote.

MOTION: Sen. Waddoups moved to adopt the following intent language:

*"It is the intent of the Legislature that funding provided to hire a full time attorney to recover Petroleum Storage Tank Trust Funds and Petroleum Storage Cleanup Funds be used exclusively for that purpose. It is the intent of the Legislature that this funding is to be considered a one-time appropriation."*

The motion passed unanimously with Rep. Hansen, and Rep. Harper absent for the vote.

MOTION: Sen. Waddoups moved to adopt the following intent language:

*“It is the intent of the Legislature that any unexpended Groundwater Permit Administration fees are non-lapsing and authorized for use in the Groundwater Permit Administration Program in the following fiscal year to reduce the fees charged.”*

The motion passed unanimously with Rep. Hansen, and Rep Harper absent for the vote.

MOTION: Rep. Waddoups moved to adopt the following intent statements for the Generator Site License Program for FY01 and FY02.

*“It is the intent of the Legislature that the Executive Director of the Department of Environmental Quality may accept and expend funds under the provision of UCA 19-1-202(2)(c) for review of Radioactive Waste license amendments for disposal of Containerized Class A low-level radioactive waste. Any funding received by the Executive Director for review of radioactive license amendments for disposal of Containerized A Low-Level Radioactive Waste shall be non-lapsing.”*

*“It is the intent of the Legislature that the \$125,000 appropriated to the Department of Environmental Quality from the Environmental Quality Restricted Account for the development of a Generator Site Access license data base and electronic license system be non-lapsing until design and implementation of the system is completed. At the end of the fiscal year in which the system is completed, any funds remaining from the appropriation will lapse into the Environmental Quality Restricted Account.”*

The motion passed unanimously with Rep. Hansen, and Rep Harper absent for the vote.

MOTION: Sen. Hendrickson moved to adopt the fee schedule attached at the end of these minutes with the above amendments for Radiation Control.

The motion passed unanimously with Rep. Hansen, and Rep Harper absent for the vote.

Rep. Young made a request of DEQ to address the issues outlined in a letter regarding the Atlas tailings and the IUC operation at the White Mesa Mill in Blanding. DEQ agreed to report on these concerns.

The Department of Transportation budget overview was presented by the Analyst.

Department of Transportation response was given by John Nord and Chuck Larsen.

DOT Aeronautics budget of \$20,056,400 was recommended by the Analyst.

DOT Aeronautics response was given by John Nord.

Additional comments were given by Tom Wardell, Airport Manager at Vernal, Dave Haymond, President, Utah General Aviation Association, and Jeremy Taylor, President, Utah Airport Operator's Association in support of airport funding.

DOT Mineral Lease/Payment in Lieu budget recommendations of \$16,760,000 for FY 2002 were presented by the Analyst.

DOT Sidewalk Construction budget recommendations of \$500,000 were presented by the Analyst.

MOTION: Sen. Peterson moved that the meeting be adjourned.  
The motion passed unanimously with Sen. Spencer, Rep. Hansen, Rep. Harper, and Rep. Young absent for the vote.

The meeting was adjourned at 4:42 p.m.

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Don E. Bush, Co-Chair

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Michael Waddoups, Co-Chair