

A Message from CEMS Board of Directors

We are in uncharted territory at this time and first and foremost, we want to make sure that our members, their family members, and their communities are safe. While we do not know what the future holds, we do know that our governments: Federal, State, and Local, are all working to provide guidance, assistance, and the means to navigate this COVID-19 pandemic. Many of us are now working from our homes and for those who are and those are not, we ask that you practice the CDC recommended safe hygiene.

As you know, we have cancelled the March CEMS luncheon. Unfortunately, we now have to postpone the April movie event, fear not we plan to have it at some point later in the year! In regards to our monthly meetings, the June golf scholarship tournament, and our subsequent events, we ask for your patience and continued support. Please plan on those events happening, and look out for updates in your email and on our website, www.coems.org. If we need to cancel any CEMS events, be assured that you will be fully refunded if these events are postponed or cancelled.

Please reach out to us if there is something for which we may be of assistance. Please be safe, be neighborly, and above all - do not panic. We will get through this together.



CEMS
COLORADO ENVIRONMENTAL
MANAGEMENT SOCIETY

SAVE THE DATE
MONDAY JUNE 8, 2020
Annual CEMS Scholarship Golf Tournament

THE CLUB AT ROLLING HILLS
*A private golf course nestled in the foothills of
Golden, CO*



- Spend a day with us on the links!
- Food and Drink Included
- Sponsorship Opportunities
- Networking
- 4-person scramble format
- Fun for golfers of all skill levels
- Hole Prizes
- Cheer & Gear Raffle
- Fun for everyone



For more information, please contact Mike or Ty
mjahn@tasman-geo.com; tlichtenber@tasman-geo.com

Or visit our website at <https://coems.org/golf/>



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ENGINEERING, SCIENTIFIC, & LEGAL PROFESSIONALS

From the Board...Developing Guidance as part of the Interstate Technology Regulatory Council (ITRC) Industry Affiliate Program (IAP) by John V. Fontana, CPG, CWD, President/CEO, Vista GeoScience

I have been in the site characterization and in situ remediation business for over 25 years, and now and then, I have signed up Vista GeoScience as an ITRC IAP member. Until two years ago, I was just an IAP member following the activities, but not really participating much. In the beginning of 2018, I joined the two new teams formed that year:



- Implementing Advanced Site Characterization Tools, and...
- Optimizing In-Situ Remediation Performance & Injection Strategies

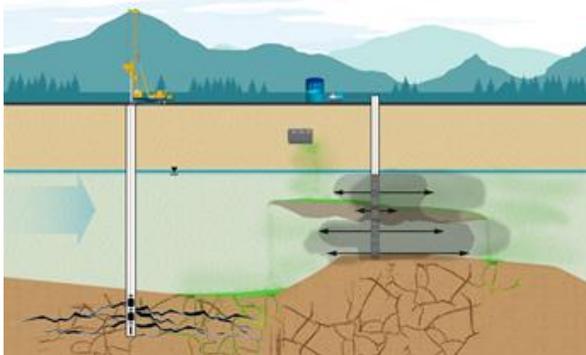
The initial documents have been released by both teams and are available online. (I think we came out with quality material too!) The training webinars and other resources will be available later. These two links will take you to the document pages, which are designed for web based interactive viewing with lots of links and pop-ups for references, but you can also download the entire document in a PDF format for each one.



Implementing Advanced Site Characterization Tools (ASCT-1)

December 2019
Designed to help evaluate & select ASCTs to support site conceptual model and remedial strategy development and refinement.

In Situ Remediation (OIS-ISRP-1)
February 2020
Comprehensive guidance on common in situ remediation challenges, including remedial design, implementation, and monitoring.



(Continued on page 4)

2020 CEMS Officers:

President: Brian LaFlamme, Ensero Solutions (303)570-7703, BLaFlamme@Ensero.com

Vice-President: Erik Gessert, PE, Terracon Consultants, Inc. (303)454-5277, erik.gessert@terracon.com

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Monthly Programs:

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Spring Movie Event:

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From the Board *(continued from page 3)*

I felt like I had to join both of these teams since much of my past 30 years has been working on developing and improving our field services in these two areas. It would have been nice if they had not occurred at the same time, and I probably should have chosen one over the other, but both were very important to me and I felt I could contribute equally well in both. I had never been on a team before, so I was not sure what exactly I was committing to, and what the time involvement would be.

Needless to say, I definitely bit off more than I could chew. There were over 200 members on each team. Seems like that should spread out the workload to a reasonable level, but many of the members are there just to listen in. A much smaller percentage actually crank out the documents, as can be seen in the participation counts at the physical meetings and the phone conferences as time passes. (Have you ever been on a phone conference call with over 200 people? That was a new experience.) Initially, I raised my hand too many times volunteering to work on different sections of different chapters, and finding I just did not have the time. I was later able to figure out and focus my time on sections I was "most" useful in writing, but also made sure I participated in the review of as many sections of the guidance documents that I had expertise in. My contribution was sometimes minor, but sometimes rather significant in terms of the accuracy of information in the documents. But my participation was extremely gratifying in terms of the many great people I met at the meetings while working on this, as well as the feeling of having contributed to something that would be beneficial to society for the long term. I would highly recommend joining if you have a chance to contribute to a topic.

I noticed that Colorado had a significant number of participants in both teams. One of our own members, Jeremy Musson, of Pinyon Environmental, is a co-IAP Liaison. Here is a quote from Jeremy on the website, with which I could not agree more:

"As a small business our internal resources for technology development are limited by both time and money, so ITRC is a great way to keep up with new developments and meet the experts leading the charge. I frequently reach out to some of those people I met during the first few years when we are faced with a particularly challenging situation on our projects."

About ITRC

The Interstate Technology and Regulatory Council (ITRC) is a state-led coalition of regulators, industry experts, stakeholders, academia, and federal partners that work to achieve regulatory acceptance of innovative environmental technologies. ITRC is working to break down barriers and reduce compliance costs, making it easier to use new technologies and helping to maximize resources. ITRC brings together a diverse mix of environmental experts to broaden and deepen technical knowledge and advance the regulatory acceptance of environmental technologies. Together, we're building the environmental community's ability to expedite quality decision making, while protecting human health and the environment.

(continued on Page 6)

Looking for a New Position

CEMS posts many job opportunities on our website.

<http://www.coems.org/jobs>

If you or your company would like to post to our website, please just send over the job description, with contact information to admin@coems.org.

We also will post resumes for our members to help you find new opportunities.

MEMBERSHIP – RENEWALS AND NEW MEMBERS

A big thank you to all those members who renewed, and welcome to our newest members.

New – Individual

Matthew Skaley, SCIEX

Renew – Individual

Cecilia Bedard, Antelope Energy Company, LLC
 Richard J. Hirsch, Hirsch Gibney, Inc.
 Kory S. Pund, Hirsch Gibney, Inc.
 Mary Stewart, The Goldstein Environmental Law Firm
 Levi Todd, TRC Companies, Inc.
 Gary Vanderslice, 3D Geologic Mapping LLC

Renew – Corporate

Terracon Consultants

Eric Alterman	Jon Anstey	Jeff Attig	Darren Bruns	Kerry Conner
Jeff Delise	Taylor Ferrill	Erik Gessert	Talle Hogrefe	Nick Holmes
Kyle Leonard	Bill Levy	Elizabeth Newcomb	Chelsea Parten	Sydney Pazera
Nick Powell	Craig Pruett	Bob Roth	Kevin Saylor	Dan Schneider
Kurt Streeb	Lauren Thompson	Kevin Troyer	Chris Watts	Mark White
Brian Williams	Tyler Worley	Ange Zachman		

Products and Services



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ENGINEERING, SCIENTIFIC, & LEGAL PROFESSIONALS

Advertise Your Business Here!

Please contact admin@coems.org
for pricing details.

For information on listing products and services in the CEMS newsletter, please contact CEMS at (303)674-9752 or admin@coems.org.

RECRUIT AND PROFIT!!

Recruit a **NEW** member for CEMS and get a **box lunch** credit voucher! For each person you persuade to join CEMS, you will be issued a **box lunch** voucher that you can apply to the CEMS fee of your choice, whether it be a luncheon, workshop or your own membership renewal. Note that you cannot take credit for a member's renewal. However, there is **NO LIMIT** to the number of vouchers you can accumulate. Just have the new member put your name on the referral portion of the Membership Application Form. And keep those new members coming!

From the Board *(continued from page 4)*

Industry Affiliates Program

ITRC welcomes you to its Industry Affiliates Program (IAP). Establish your organization as a key force in improving the use of innovative environmental technologies and processes. Joining IAP allows your organization to:

- Participate in the development of uniform national guidances and standards
- Co-author guidance documents and fact sheets
- Anticipate important technical and regulatory developments
- Engage with state and federal regulators
- Network with subject matter experts
- Gain exposure in the environmental industry

The training provided by ITRC is what it is all about. Web based training is provided through the EPA's Clue-In.org website. You can sign up for upcoming webinars and also download past ones, all for free.

Follow this link to the home page for more information. <https://itrcweb.org/>

JOHN FONTANA, CPG, CWD

John is an AIPG certified professional geologist, NGWA certified well driller, and is a licensed well driller in several states. As President, CEO and owner of Vista GeoScience, John's expertise includes environmental drilling and sampling, high resolution site characterization (HRSC), 3D data modeling and interpretation, in-situ remediation design and injections technologies, stray gas migration and soil gas investigations. As a professional geologist and licensed water well driller in multiple states, he has over 30 years of experience in these fields, and has co-authored over 100 presentations, keynotes, papers, and workshops, including Battelle. He has provided support services for many large investigation and remediation projects (up to \$1.5 million) at DOD, DOE and commercial sites. John served the past two years on two ITRC teams, Optimizing In-Situ Remediation Performance & Injection Strategies, and Implementing Advanced Site Characterization Tools. John has served on the CEMS board as President and Past President, before taking on his current role as treasurer. John earned a degree in Geology, Oceanography and Physics from Humboldt State University in California in 1981.

CEMS Meeting Sponsorships

Sponsors for a CEMS lunch meeting are provided a table where brochures or other materials can be displayed. The cost to sponsor a CEMS meeting is \$30 for members and \$85 for non-members. The non-member rate includes a one-year CEMS individual membership. Please send your request to sponsor a lunch meeting to admin@coems.org.

Are you a lawyer, looking for CLE's? Is someone at your office in need of CLE's? CEMS offers a very inexpensive way to earn those needed CLE's. Just RSVP to admin@coems.org, bring your box lunch, and attend for free.

CEMS REGULATORY UPDATE
FEDERAL AND STATE ACTIONS IMPACTING COLORADO

By April D. Hendricks
Burns, Figa & Will, P.C.
March 2020

On February 20, 2020, the Colorado Air Quality Control Commission (AQCC) [announced](#) several proposed rules intended to reduce greenhouse gas emissions throughout the state. The first of these proposals requires several categories of potential polluters, including industrial solid waste landfills, industrial wastewater treatment facilities, underground coal mines, and fuel distribution companies, to report their greenhouse gas emissions, irrespective of the amount emitted. This proposed rule is intended to enhance the greenhouse gas emissions data already collected, in order to develop better strategies for improving air quality statewide. The second of these proposed rules attempts to phase out the use of hydrofluorocarbons, which are commonly used in refrigeration equipment, air conditioners, foam insulation, and aerosol propellants. The AQCC will consider these two proposed rules during a formal rulemaking hearing on May 21, 2020.

On March 11, 2020, the Environmental Protection Agency (EPA) [published](#) its biannual Toxic Substances Control Act (TSCA) Inventory. Section 8(b) of TSCA requires that the EPA compile, maintain, and publish an updated list of all existing chemical substances that are manufactured, processed, or imported in the United States that do not qualify for a TSCA exemption or exclusion. This updated inventory includes 81 new chemicals and provides information concerning recent commercial activities, consent orders, and significant new use rules (SNURs). With these updates, the Inventory now includes 86,405 chemical substances, of which 41,484 remain active in the United States.

In December 2019, the Center for Biological Diversity and the Center for Environmental Health filed a complaint against the EPA under the Clean Air Act (CAA) in federal court in Northern California, alleging that the EPA failed to timely implement National Ambient Air Quality Standards (NAAQS) for ozone and that the EPA has missed deadlines for approving state plans targeting emissions from oil and gas operations. On February 19, 2020, these plaintiffs [amended their original complaint](#) to add claims concerning the Denver metropolitan area, which the EPA recently downgraded from being a “moderate” violator of the applicable air quality standards to a “serious” violator. The plaintiffs allege that the EPA’s delay in implementing the CAA standards applicable to ozone, in Colorado and in other areas throughout the country, threatens the health and welfare of those living in the affected metropolitan areas and also creates uncertainty concerning the extent to which those living in the affected areas are exposed to excessive levels of air pollution.

On February 26, 2020, the EPA issued a [notice](#) designating twenty chemical substances as “low priority substances” pursuant to Section 6(b) of TSCA. These substances include dipropylene glycol, potassium gluconate, and sodium gluconate, and a full list is available in the EPA’s notice. Section 6(b) of TSCA, as amended in 2016, requires the EPA to prioritize chemical substances for designation as either “high priority” or “low priority.” A “high priority” substance is defined under TSCA as any chemical substance that may present an unreasonable risk of injury to health or the environment due to potential hazards and a potential route of exposure, including an unreasonable risk to exposed or susceptible subpopulations (such as pregnant women, children, and the elderly). By contrast, a “low priority” substance, such as those designated in the EPA’s notice, are those substances that do not qualify as “high priority” substances, and thus, are not required to undergo further risk evaluation. The criteria used to designate the chemicals in question as “low priority” include the substance’s hazard and exposure potential, the substance’s persistence and bioaccumulation, the storage of the substance near a drinking water source, and other criteria that the EPA determines to be relevant to the designation of the substance’s priority for risk evaluation. In addition to those criteria, the EPA also considered comments and information submitted during two public comment periods. The EPA previously issued a [notice](#) designating twenty “high priority” chemicals in December 2019.