

## **September CEMS Virtual Webinar**

**Topic: Downtown Denver/Larimer Street Historic Brownfields Sites Tour**

**Speaker: Fonda Apostolopoulos, P.E., Brownfields Coordinator, CDPHE**

**Time: Tuesday, September 15, 11:45am-1:00pm**

**Location: Virtual Webinar (registration link is below)**

*CEMS has applied for one (1) general CLE for this presentation*

**Registration: Virtual Webinar details and links below**

This will be a Historic tour of Downtown Denver going through how Larimer St. was built in 1860's, to the fire in the 1900's, to Downtown Denver's becoming an undesirable place to live. A turning point was Dana Crawford's forming Larimer Square in 1965, saving it from the Denver Urban Renewal Authority, and saving the 1400 block of Larimer Street. From there Mr. Apostolopoulos will talk about what transpired in the last 40 years to get to where Denver is today. Fonda will discuss key Brownfield investments and how downtown Denver went from being deserted at night and weekends to the vibrant Downtown cultural hub it is today; a thriving downtown with jobs, restaurants, and entertainment.

Fonda Apostolopoulos has worked at the Colorado Department of Public Health and Environment for the past 27 years and is the Colorado Voluntary Cleanup Program coordinator.

Fonda has experience working in everything from radiological contaminated sites, to cleaning up smelter and mining sites, volatile organic contaminated groundwater, to solid wastes sites. On top of his duties in the Voluntary Cleanup Program (VCUP) coordinator, where he has reviewed and assisted in cleaning up over 700 sites, he is the project manager for three Superfund sites. His work in VCUP included the remediation of vast swaths of downtown Denver in the past 25 years and Fonda has worked with the Denver Urban Renewal Authority to help achieve some of their goals.

Please register here using this [Registration Link](#). After registering, you will receive a confirmation email containing detailed information about joining the webinar. If you lose your registration or confirmation, or have questions, please do not hesitate to contact CEMS via email [admin@coems.org](mailto:admin@coems.org).

***From the Board... The first principle is that you must not fool yourself – and you are the easiest person to fool - Richard Feynman by Noreen Okubo, CEMS Secretary***

Over 4th of July weekend, I discovered a lump in my breast as I was falling asleep. Didn't think too much about it, but the lump was still there on Monday. I saw the doctor on Tuesday who agreed there was a palatable lump. On Wednesday I went to the Women's Imaging Center to start nature and extent studies. I had a mammogram, ultrasound, biopsy and NMR. By Thursday, the biopsy results came back Invasive Ductile, Triple negative (TNBC) breast cancer. The following week were the extent studies, CT Scan, Bone Scan and lymph node biopsy. All came back non-detect. Source control, get this thing out of me, which surgeon could get me on table the fastest? By Friday I set up consulting appointments set up with 2 surgeons was researching others.

I do not have a familial tendency to breast cancer. I am over 65. I am past menopause. People in my family live well into their late 80's and early 90's, the usual cause of death is a stroke. I assumed my probability of developing breast cancer was small and have not had a mammogram for several years. When told I didn't have to do monthly breast self-exams, I didn't ask why not? Did I outsmart myself or fool myself?

1/8 women in the US will develop invasive breast cancer in their lifetimes. 50% of people will develop some form of cancer in their lifetime. Presence of the BRCA gene does not mean you will develop breast cancer. The absence of the BRCA gene does not mean you will not get breast cancer. By the time a lump is palatable, the cancer has been growing for 2-5 years and has often spread throughout the body, seeding other nondetectable cancer clusters. In autopsies on 40-50 year-old female accident victims, 20-30 nondetectable cancer clusters have already seeded themselves. A cancer cell cluster does not grow without oxygen and fuel (angiogenesis).

Your body has five defensive systems. Angiogenesis, Regeneration, Microbiome, DNA Protection and Immunity. There are chemotherapies associated with each of the five body defensive systems. I knew zip about Angiogenesis until last week: See the You Tube: Ted Talk by Dr William Li <https://youtu.be/B9bDZ5-zPtY>.

My fluid mechanics professor Dr. Noel deNevers had two tips for graduating seniors.

The first tip "If you find yourself thinking there should be a tool to do this, go look for it, because some engineer has invented it. In March I replaced a 50 year-old Stanley garage door opener, last week I replaced a 40 year-old Maytag washing machine. My 37 year-old, 1983 Acura Legend with manual transmission has 300K miles was a preferred lunch transport at Qualcomm before shut down. All are tributes to great engineering.

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# MEMBERSHIP – RENEWALS AND NEW MEMBERS

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

## New – Individual

Nate Lambert, CSU Chemistry and Ensero Solutions

Corine Roberts-Niemann, Student at Metropolitan State University of Denver

## Renew – Individual

Ben Costello, Nationwide Environmental Services, Inc.

Bill Dotterrer, Nationwide Environmental Services, Inc.

John Jankousky, EME Solutions, Inc.

Gretchen Kohler, Antero Resources

Noreen Okubo, Independent Consultant

David Slawkawski, Ayuda Companies

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Brian Younkin

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

## Members on the Move

To be included in this section, submit your previous information along with your new information via email to Juliana Reid at [admin@coems.org](mailto:admin@coems.org). Changes must have occurred within the last three months, and your membership must be current.

## **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!

## Presentation Opportunities for Upcoming CEMS Meetings

The CEMS Program Committee is currently searching for "interesting, topical and informative" presentations for our meetings in 2020 and beyond. This is a great opportunity to network with your peers, share information and technology, and become more involved with the environmental community. CEMS is interested in an assortment and variety of topics relevant to environmental and natural resources professionals. Each monthly presentation is roughly 50 minutes, followed by a question and answer period.

**If you or someone you know is interested in presenting at our monthly meetings, or our annual conference, please feel free to contact our Programs Committee Chairperson, Andy Horn at [Andy@WestwaterHydro.com](mailto:Andy@WestwaterHydro.com).**

Comments or suggestions from previous meetings, including the Annual Fall Conference, are also welcome. Let us know if we can publish them in the newsletter or website.

**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](mailto: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.  
August 2020**

On July 13, 2020, the Environmental Protection Agency (EPA) published its [final rule](#) updating the procedural and substantive requirements for water quality certification under Section 401 of the Clean Water Act (CWA). Section 401 authorizes states to review discharges into waters regulated under the CWA and determine whether those discharges comply with appropriate water quality requirements. Unless the state certifies that the discharge is in compliance with the applicable water quality standards, the federal government may not issue a permit allowing the discharge to occur. Under the final rule, Section 401 generally provides that the state must act upon a Section 401 certification request within a reasonable time, not to exceed one year; if states do not act on the request within that time period, the state is deemed to have waived its ability to issue its certification. The final rule provides greater opportunities for the project proponent and the state to coordinate on a Section 401 request, prior to the proponent's submission of its certification request, to expedite the certification process. The final rule further emphasizes that the maximum timeframe for review must be a period reasonable to evaluate the request, to be determined on a case-by-case basis. Additionally, the new rule requires that the state may only impose conditions on the certification to ensure that the discharge will comply with water quality requirements, and cannot include terms unrelated to water quality or other aspects of the applicant's project; to comply with this requirement, states must explain why conditions are necessary and how the condition is related to achieving compliance with water quality standards.

On July 16, 2020, the Council on Environmental Quality (CEQ) published its [final rule](#) revising the National Environmental Policy Act (NEPA) regulations. NEPA requires that federal agencies analyze the environmental impacts of their proposed federal actions, and the revised regulations are intended to streamline and clarify the NEPA review process. For instance, the final rule eliminates the previous distinction among "direct," "indirect," and "cumulative" environmental effects that may result from federal actions and, instead, directs agencies to analyze only those environmental effects that are reasonably foreseeable and have a close causal relationship to the proposed action. Additionally, agencies need only conduct NEPA review for proposed actions that constitute "major Federal action," the definition of which has now been revised to exclude an agency's non-discretionary decisions and projects with minimal Federal funding or Federal involvement. The final rule also clarifies that agencies need only consider a reasonable number of alternative actions that are technically and economically feasible, that meet the purpose and need of the proposed action, and that are within the agency's jurisdiction. Additionally, the final rule promotes greater interagency coordination for NEPA reviews, reliance on existing available analysis and information, and offers broader options for public involvement.

In July 2020, fifteen states, including Colorado, signed a [Memorandum of Understanding](#) (MOU) supporting the sales of zero-emission medium- and heavy-duty vehicles (including box trucks, firetrucks, busses, delivery vehicles, and long-haul vehicles), in order to improve air quality and reduce greenhouse gas emissions. Under this MOU, the signatory states have committed to support widespread electrification of medium- and heavy-duty vehicles, with the goal of having all new medium- and heavy-duty vehicles be zero-emission by 2050. As an interim goal, the states are also working toward having 30% of all new medium- and heavy-duty vehicles be zero-emission by 2030. The states have committed to develop a multi-state action plan to identify and address barriers to their zero-emission goals, and have also declared deploying zero-emission medium- and heavy-duty trucks and busses in disadvantaged communities a priority, in order to address areas that have been historically burdened by high air pollution levels. Ultimately, this MOU is a voluntary commitment among the signatory states, but is intended to foster interstate support and coordination as the states work toward their common goal of reducing emissions and improving air quality. Relatedly, the EPA [intends to issue](#) a Notice of Proposed Rulemaking later this year to consider revisions to emissions standards for heavy-duty vehicles and engines as part of the "Clean Trucks Initiative."

### 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](mailto:admin@coems.org).

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

### From the Board *(continued from page 2)*

His second tip. "Try to work with Mother Nature, not against her." Don't put a pump in your process line and pay to pump uphill when you can get gravity to move fluids downhill for no energy cost.

There are a number of diet and lifestyle practices that use your body's natural processes to prevent cancer, Alzheimers, and cardiac and vascular problems breakdowns.

The most useful information I've received did not come from academic papers, and medical professionals, but from people in the field who have recently overcome breast cancer, chemotherapy, radiation and mastectomy or a lot of experience working with breast cancer patients, such as the doctor who did a lymph node biopsy. In reading academic papers look for the words "Clinical Benefit". Sometimes there is positive statistical improvement in some obscure measurement, which doesn't translate to clinical benefits to a patient.

The plan is 8 weeks of chemo, followed by 21-28 days of blood work recovery and bilateral mastectomy. Hypothetically, resulting in 90% chance of non-recurrence in 5-10 years. Chemotherapy is like burning down a house to get rid of an ugly sofa. Unlike a house, healthy cells can come back while cancer cells disappear.

There is a new DNR 2.0 (Do Not Resuscitate) called MOST (Colorado Medical Orders for Scope of Treatment enacted 2010) CRS 15-18 7, signed by a physician. Together with a one-page notarized Medical Durable Power of Attorney designates someone as "Agent under Medical Durable Power of Attorney" makes Advanced Directives and Living Will obsolete. The MOST can be changed as often as you want.

My mother lost her dad to typhoid fever in 1938, leaving her mom with 8 children, the youngest an infant. There was a wealthy family in Edmonton who had a marriageable son, but my grandmother said in Japanese "People who are not involved in the community, are like trash and should be thrown away." My grandfather surprisingly expected my mother to go to medical school. After he died and WWII broke out, my mother went to Regina Grey Nuns hospital for nurses training. My dad would drive five kids and mom to Raymond Alberta to visit grandma in a station wagon in the summer every year. There is a hammered metal historical plaque next to an empty field ringed by old elm trees with the names of the men who built the one room OK school house. There are 2 Japanese names on the plaque, my grandfather's name is one of them. The night my father died he said "I tried to set a good example.". Setting a good example and being involved in the community are the basis for my small participation in CEMS.

It is fun and educational watching the interchanges between the Officers, Board and Committee participants as you explore web communication tools. Kudos to Andy Horn and the Officers for rising audience participation numbers in monthly program meetings.

Watching PBS on Women's suffrage and reading Sam Morton's "Where the Rivers Run North" I realized men in the West are a different breed of men. Wyoming, Utah, Idaho and Colorado were the first states to approve the vote for women, 50 years before the ratification of the 19<sup>th</sup> amendment in 1920 by the rest of the country. I was told by a counselor you can tell what is important to a person by what they do, not what they say. I owe a debt of gratitude to Western white men for treating women as partners and teammates.

Thank you CEMS, it's been great fun.

*Noreen Okubo, chemical engineer from University of Utah, worked at University Hospital, CDPHE, DOE and EPA. She retired in 1998.*