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May Luncheon information on page 2

**Just in – CEMS Movie Night Tuesday, April 23, 2019
The Devil We Know**

CEMS has extended our Movie Night reservation deadline.

[Reservations](#) will be taken until spots are full. Sponsorships are already sold out! For all the details please follow this link: [CEMS Movie](#)

Topic: LNAPL Transmissivity: Scientific Overview, Technology, Regulations, and Case Studies

Speaker: Lisa Reyenga, P.E., Senior Engineer, and Camille Carter, Senior Geologist at GEI Consultants

Time: Tuesday, May 14, 11:30am-1pm, at Davis Graham & Stubbs, LLP

CEMS/Davis Graham & Stubbs will NOT validate parking for this event.

CEMS has received one (1) CLE for this presentation

Sites impacted by light non-aqueous phase liquid (LNAPL) present unique challenges for site management and remediation. Understanding LNAPL transmissivity and recoverability is a key component of the conceptual site model. In many cases LNAPL transmissivity is the preferred metric by industry professionals for use at sites impacted with LNAPL to satisfy the “maximum extent practicable” recovery criteria rather than relying on measured apparent LNAPL thickness in wells. The importance of collecting accurate and reliable transmissivity data is more apparent as the metric gains nationwide regulatory acceptance and may be used to advance sites toward remediation and regulatory end points.

LNAPL transmissivity is a consistent and universal metric for analyzing LNAPL hydraulic recoverability and it provides a discrete numerical value that: (1) has nationwide regulatory precedent and acceptance; (2) has been confirmed and/or endorsed by a number of researchers; and (3) can indicate a point at which recovery (or further recovery) of LNAPL may be considered “infeasible.” Collecting LNAPL transmissivity measurements can be done with recovery data analysis and a variety of field tests. GEI will cover the basics of LNAPL transmissivity field testing/analysis, method applicability, and practical case studies. We will also discuss the local Colorado regulatory environment as it relates to transmissivity and as it compares with other states.

This information is pertinent to attorneys advising clients who are remediating or buying and selling contaminated property. Transmissivity and recoverability explain how LNAPL moves within, and may be extracted from, the subsurface – i.e. soil and groundwater. Environmental attorneys need to understand transmissivity and recoverability when advising clients and discussing potential remediation options with clients, regulators, and environmental consultants. For complete topic information, a full biography, and reservations, please follow this link: [CEMS May Luncheon](#)

Location: PLEASE note that the location for the May CEMS luncheon will be Davis Graham & Stubbs LLP, 1550 17th Street, Suite 500 (5th Floor), Denver, CO 80202. When entering the building, please proceed to the fifth floor to register with the CEMS representative.

MEETING FORMAT: Members may either bring their own lunch and attend the meeting for no charge, or they may request that CEMS order a box lunch for them. The cost of the box lunch for members is \$16.00; for non-members, \$19.00.

RESERVATIONS: PLEASE give your name, company name and phone number via email to admin@coems.org. PLEASE INDICATE IF YOU ARE RESERVING A BOX LUNCH OR BRINGING YOUR OWN. Reservations must be received BEFORE Friday, May 10, 2019 at 5:00PM. No reservations will be taken after this date! Payment of \$16.00 for members, \$19.00 for non-members will be accepted at the door with prior reservation. Please cancel your reservation by Friday, May 10, 2019 if you are unable to attend. It is the policy of the Society to bill for meals reserved but unclaimed. You may also pay with credit card via PAYPAL by following this link: [CEMS May Luncheon](#)

NOTICE: CEMS would like to thank Davis Graham & Stubbs LLP for the use of meeting space and would like to emphasize that the use of Davis Graham & Stubbs LLP space does not constitute endorsement of CEMS, sponsors of CEMS functions, or the content of CEMS workshops or meetings.

From the Board... Denver's Development – The Good and the Bad by Fonda Apostolopoulos, CDPHE

Denver has been racing out of the 2008/2009 recession for the past six years, with no end in sight. The number of cranes in the city are numerous, as are the developments and redevelopments. Denver's economy and job growth are one of the highest in the nation, along with record-low unemployment rates and high wages. It all sounds great, but is this really a good thing for Denver?

On the environmental side of things, I'd say this has been very good for Denver. It is often said that the "low-lying fruit" of developable properties in Denver are long gone. This has been very evident in my job as the Voluntary Cleanup Coordinator at the Colorado Department of Public Health and Environment. The number of environmentally impaired projects coming through our office recently has been on another level. From historical landfills/dump sites to properties with coal based fill and old infrastructure (asbestos, old underground storage tanks, and sumps, oh my), these properties are now being cleaned up and put back to productive use, primarily due to market forces.

The days of a property being impacted by only an off-site groundwater plume are rare in the downtown Denver/River North (RiNo) area now. The need for underground parking at many developments has especially changed the environmental remediation, requiring excavation of soils that tend to be contaminated. Vast swaths of land in downtown Denver are now being remediated in the name of redevelopment. Be it for geotechnical reasons or for parking, Denver is being cleaned up!

There are also a number of landfills inside and outside of Denver's city limits. Most of these landfills operated prior to the 1970's and thus had very limited regulations. While many of these landfills likely serve no direct harm to the public or environment, some may need to be cleaned up, especially if they are adjacent to rivers used for drinking water or new residential developments. I've had two relatively large closed landfills (one 10 acres another 20 acres) come to my program recently for complete removal. One of the landfills will become an outdoor mall and city event center. The other will become an assisted living facility and memory care center for people with Alzheimer's disease. Both cases were a win for the environment and a win for the economy and job development.

With all of these environmental accomplishments and redevelopment of prior underutilized properties there is a price. Denver has become the place to move to. With many good paying jobs it has been a magnet for people wanting a better life, while also being able to enjoy the beautiful mountains and outdoors. The days of thinking of Denver as a "cow town" are long gone. The secret of Denver is out, and people are moving here.

(Continued on page 8)

2019 CEMS Officers:

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OPS Liaison: Rob Herbert, CDLE; Division of Oil and Public Safety, (303)318-8543,

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Golf:

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Website: Juliana Reid, CEMS, 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.

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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.

Members on the Move



ENVIRONMENTAL WORKS

Steve Brauner, Ph.D., PE started a new position as an Environmental Engineer with Environmental Works, Inc. (EWI). Steve has worked as an environmental engineer throughout his 18+ years as a trusted consultant to a wide-range of industrial and governmental clients. He is excited to have entered the next chapter of his professional career as the Market Manager for Colorado as EWI expands we expand our geographic footprint from the mid-West to the Rocky Mountain region.

Driven by bold vision and strong entrepreneurial spirit, EWI has built a well-deserved reputation for exceeding clients' expectations in contracting and consulting services for more than 25 years. EWI's diversified line of services includes site investigation/remediation; hazardous waste management and transportation; industrial facility maintenance, including tank and pipeline inspections/cleaning/repair; emergency response; environmental compliance; due diligence; and firing range cleaning services. EWI is further pleased to announce that recent acquisition of a full-sized sonic drill rig, which adds this additional capability to our existing direct-push, auger, and air rotary drilling capabilities.

As the Market Manager for Colorado, Steve looks forward to serving existing and new clients by delivering solutions to environmental challenges and compliance needs that are technically sound, cost-effective, and reliable.

Steve Brauner, Ph.D., PE
Environmental Works, Inc.
Cell: 303-328-7982
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**CEMS REGULATORY UPDATE
FEDERAL AND STATE ACTIONS IMPACTING COLORADO**

By Amanda L. Hemmerich

Burns, Figa & Will, P.C.

April 2019

The Environmental Protection Agency (EPA) is revising some of the regulations that were originally promulgated in 1998 to implement the NO_x SIP Call. The revisions give covered states greater flexibility concerning the form of the nitrogen oxides (NO_x) emissions monitoring requirements that the states must include in their state implementation plans (SIPs) for certain emissions sources. Other revisions remove obsolete provisions and clarify the remaining regulations but do not substantively alter any current regulatory requirements. This [rule](#) is effective as of March 8, 2019.

On March 18, 2019, the EPA released new tools intended to help companies, organizations, and individuals fulfill their reporting requirements under the mercury reporting requirements rule. EPA also published a [Guide](#) that explains the requirements for manufacturers and importers to report information. Those required to report under the mercury rule can now do so online through the Mercury Electronic Reporting (MER) application accessed through EPA's Central Data Exchange (CDX). EPA states that it designed this reporting tool "to be user-friendly, with drop-down menus and lists of check-box options, to help make reporting easy and efficient." The 2018 reporting year is from January 1, 2018, to December 31, 2018, and the submission deadline for the 2018 reporting year is July 1, 2019. Based on the information collected, EPA will identify any manufacturing processes or products that intentionally add mercury and recommend actions to achieve further reductions in mercury use.

A federal judge in Colorado has lifted a 2011 injunction barring the U.S. Department of Energy (DOE) from leasing public land for uranium mining on a 25,000-acre site in southwestern Colorado. In a decision issued on March 18, 2019, U.S. District Judge William Martinez said the DOE met its obligations under federal environmental laws to reopen its leasing program on land around Paradox Valley near the Dolores River. A judgment was entered in DOE's favor, resolving a 10-year-old lawsuit by several environmental groups. The lawsuit accused DOE of violating the National Environmental Policy Act by not completing an environmental impact statement before issuing the leases. DOE did a more abbreviated study known as an environmental assessment, which did not analyze site-specific impacts of mining operations.

On March 29, 2019, the EPA [issued](#) its final Oil & Natural Gas Exploration and Production Facilities New Owner Audit Program Agreement. This program provides environmentally protective efficiencies and certainty in the oil and natural gas sector based on the EPA's analysis of the sector's unique operations. This voluntary program provides total civil penalty mitigation for qualified new owners of upstream oil and natural gas well sites (including associated storage tanks and air pollution control equipment) who agree to identify and correct Clean Air Act noncompliance at their newly acquired facilities. The program is initially being made available to upstream exploration and production sites where EPA and states have seen significant noncompliance.

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!

MEMBERSHIP – RENEWALS AND NEW MEMBERS

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

Renew – Individual

Steve Brauner, Environmental Works, Inc.

Rich DeMusis, Environmental Risk Information Service Ltd.

Roger Merrick, Engineering/Remediation Resources Group, Inc. (ERRG)

Renew – Corporate

Burns, Figa & Will, P.C.

Scott Clark

Amanda Hemmerich

Michael Jewell

Elijah Jimmerson

J. Kemper Will

Colorado Department of Public Health and Environment (CDPHE)

Deb Anderson

Rainbow Apodaca

Fonda Apostolopoulos

Derek Bailey

Shana Baker

Michael Bankoff

Heather Barbare

Robert Beierle

Rachel Blomberg

Mary Boardman

Colleen Brisnehan

Robert Bruce

Pearl Campos

Angie Clark

Meghan Cromie

Kristina Cole

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Mark Dater

Ross Davis

Kay Dirling

Joel Doebele

Jace Driver

Kate Elsberry

Emily Everett

Kristine Figur

David Foster

Brian Gaboriau

Joe Garmatz

Karen George

Miquette Gerber

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James Grice

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Jerry Henderson

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Lisa Jeffrey

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Ramon Li

Katherine Liberman

Brian Long

Kimberly Long

Nick Luedde

Kelly MacGregor

Kevin Mackey

Chase Martinez

Melody Mascarenaz

Lindsay Masters

Anna Maylett

Nadine McClenathan

Dustin McNeil

Kathryn Mote

Rick Mruz

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Jeff Stalter

Curt Stovall

Monte Stroud

Jeff Swanson

Tim Thorvaldson

Andy Todd

Raphael Wait

David Walker

Shiya Wang

Tracie White

Paul Will

Amy Williams

Erin Woodd

Matrix Environmental Services

Chad Coker

Mike Pompliano

Roberta Schlicher

Tierney Walsh

Steven Young

Xcel Energy

Babatunde Awosika

Jessica Ayala

Jason Bell

Renee Bodry

Paige Buczek

Chad Campbell

Steve Castagneri

Steve Cofoid

Linda Dissette

Curtis Dominicak

Richard Ferguson

Karen Holliway

Christine Johnston

Quinn Kilty

Josh Korth

Eldon Lindt

Jaime Massey

Jennifer McCarter

Nick Pizzuti

Deb Rains

Eric Silco

Mark Stewart

Brian Stockham

Rebecca Sturgeon

Jeff West

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Presentation Opportunities for Upcoming CEMS Meetings

The CEMS Program Committee is currently searching for "interesting, topical and informative" presentations for our meetings in 2019 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, Andy Horn at Andy@WestwaterHydro.com or Steve Truesdale at struesdale@ninyoandmoore.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.

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.

From the Board (continued from page 3)

So, what's the problem? The problem is that housing has not kept up with growth. Due to the demand for housing, land costs have skyrocketed and affordable housing is scarce. A one acre single-family zoned property in Denver will cost a developer over a million dollars. With around six single-family homes per acre, that comes to \$167,000 per unit. Then you add water hookup fees at \$35,000 per unit and infrastructure/foundation excavation costs of around \$50,000 per unit; each lot now has a cost of over \$250,000! How can you have affordable housing when the lot cost alone is over a quarter of a million dollars? The alternative for developers is to buy that one acre lot, go to the city and change the zoning to multifamily and make it a multistory structure. Now the developer can afford to include affordable housing as part of their project. The problem is that the neighbors may not like having a multifamily housing complex in a single-family neighborhood when off street parking was already a concern. This pressure is what has led developers to remediate land in Denver they never would have considered before.

I don't have all the answers to solve the housing problem in Denver, but environmentally I am happy with Denver's growth. Historically contaminated properties are being cleaned up, underutilized properties are being put back to productive use, and the environment is benefiting. Sometimes a great economy and record-low unemployment is a good thing for development and the environment.

Fonda Apostolopoulos has been at the Colorado Department of Public Health and Environment for the past 26 years.

During that time, he has been the project manager at various Superfund sites and has worked on hundreds of Voluntary Cleanup applications. He currently primarily works as the Voluntary Cleanup coordinator and oversees two Superfund sites. Fonda has been a member of CEMS since 2013 and works on the scholarship and conference committees.