

MEETING MINUTES APPROVED ON JULY 9, 2026

Utah Waste Management and Radiation Control Board Meeting Minutes

Utah Department of Environmental Quality

Multi-Agency State Office Building, (Conf. Room #1015)

195 North 1950 West, SLC

June 11, 2026

1:30 p.m.

Board Members Participating at Anchor Location: Brett Mickelson (Chair), Dennis Riding (Vice-Chair),
Tim Davis, Mark Franc, Vern Rogers, Scott Wardle
Shane Whitney

Board Members Participating Virtually: Dr. Richard Codell, Jeremy Hawk, Dr. Steve McIff,
Neil Schwendiman

Board Members Excused/Absent: Dr. Danielle Endres

UDEQ Staff Members Participating at Anchor Location: Brent Everett, Ted Sonnenburg, Lecia Cope,
Brandon Davis, Chris Howell, Sally Kaiser, Larry Kellum, Jalynn Knudsen, Arlene Lovato, Mike Pecorelli,
Elisa Smith

Others Attending at Anchor Location: None.

Other UDEQ employees and interested members of the public also participated either virtually or telephonically.

This meeting was recorded. The unedited audio can be accessed at

<https://www.utah.gov/pmn/files/1454255.mp3>

I. Call to Order and Roll Call.

Chairman Mickelson called the meeting to order at 1:30 p.m. Roll call of Board members was conducted; see above.

II. Public Comments on Agenda Items – None.

III. Declaration of Conflict of Interest -None.

IV. Approval of the meeting minutes for the May 14, 2026, Board meeting (Board Action Item).

It was moved by Dr. Codell and seconded by Shane Whitney and UNANIMOUSLY CARRIED to approve the May 14, 2026, Board meeting minutes.

V. Petroleum Storage Tanks Update.

Brent Everett, Director, Division of Environmental Response and Remediation (DERR), informed the Board that as of the end of May, the cash balance of the Petroleum Storage Tank (PST) Enterprise Fund (Fund) was \$40,621,831.00. The Division monitors the cash balance of the Fund closely to ensure there are sufficient funds to reimburse for qualified claims for those participating on the Fund for their required Financial Assurance under the PST Program.

VI. Administrative Rules.

A. Five-Year Review of Utah Administrative Rule R315-319, Coal Combustion Residuals Requirements (Information Item).

Brandon Davis, X-Ray and Technical Support Section Manager in the Division of Waste Management and Radiation Control (Division), informed the Board that the Utah Administrative Rulemaking Act requires state agencies to review their administrative rules every five years to determine if they should be continued.

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During this evaluation, the agency assessed whether existing rules need to be amended or repealed because they are archaic in form, are no longer used, are not based on existing statutory authority or are otherwise unnecessary. Any necessary updates or repeals identified during this process are handled through a separate administrative action. Utah Administrative Code R315-319, which is coal combustion residual requirements, is currently due for its 5-year review to be filed with the Office of Administrative Rules.

Since the last five-year review of this rule, no public comments have been received. The rule forms the basis of the coal combustion residuals disposal facility permitting program as required by the Solid and Hazardous Waste Act and therefore should be continued.

Dr. Codell raised questions regarding environmental concerns, the potential collapse of coal waste dams, and the number of operating coal plants in Utah.

Brian Speer, Solid Waste Section Manager, reported that there are currently no environmental releases from coal combustion residual (CCR) landfills in Utah requiring remediation, though groundwater monitoring remains ongoing at certain facilities. Mr. Speer noted that the Division regulates and permits four CCR landfills, with two additional sites overseen by the Ute Indian Tribe of the Uintah and Ouray Reservation and the other by the U.S. EPA.

Dr. Codell asked how many power plants are still operating in Utah.

Brian Speer stated that the Division regulates two power plants owned by Pacific Corp. and Rocky Mountain Power, respectively.

Dr. Codell inquired about the compliance history of the identified facilities listed above. Mr. Speer provided a brief update on the status of the four CCR landfills and two power plants.

Vern Rogers requested for clarification on whether this review would involve a solicitation for public comment. Mr. Davis confirmed this is an informational item only will not involve any public comment. Any substantive or non-substantive changes—including grammatical updates—would be handled under a separate administrative action.

VII. Hazardous Waste Section.

A. Proposed Stipulated Compliance Order between the Director and Barnes Group DBA Barnes Aerospace Ogden (Information Item).

Sally Kaiser, Environmental Engineer in the Division of Waste Management and Radiation Control reviewed the Proposed Stipulated Compliance Order (SCO) No. 2509089 with Barnes Group Inc. DBA Barnes Aerospace Ogden to resolve Notice of Violation No. 2408112.

The proposed SCO settles 14 violations and includes a total penalty of \$195,020.00. Violations were observed during a July 16, 2024 Comprehensive Evaluation Inspection resulting from an anonymous complaint to the United States Environmental Protection Agency in December 2023.

An additional violation, agreed to by both parties, was included in the SCO regarding transport of a waste drum-top lamp crusher without a hazardous waste manifest.

The 30-day public comment will run from June 16, 2026 to July 16, 2026. This is an informational item.

Dennis Riding noted the significant size of the penalty and inquired whether there would be further negotiations to reduce it. Director Ted Sonnenburg informed the Board that the penalty has already been negotiated down and briefly reviewed the Division's penalty policy procedures.

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VIII. Director's Report.

Director Sonnenburg reported that he will attend the Natural Resource, Agriculture and Environment Interim Committee meeting on Wednesday, June 17, 2026. He will present the status of the Division's Antifreeze Recycling Study and the Division's Waste Tire Program. Representatives from local health departments and a recycler will also provide additional information on the Waste Tire Program separately.

Additionally, there will be a discussion regarding lithium-ion battery recycling. While the Division will not be presenting on this topic, we may provide comments during the discussion.

Director Sonnenburg also reported that the Division is planning some fee adjustments across multiple sections. In this regard, the Division will conduct stakeholder outreach meetings to gather public input prior to implementation. The Board will be updated once these outreach meetings have concluded.

IX. Commissioner Davis's Report.

Commissioner Davis expressed his gratitude to Dennis Riding and Vern Rogers for his recent visit to the facilities they are associated with. He also expressed he is eager to visit other locations and encourages Board members to inform him of any other sites he should tour. Commissioner Davis stated he believes it is vital for the agency to get out of the office and spend time in the field to learn more about operations, answer questions, and build relationships. He also appreciates the opportunity to engage directly with facilities and see their work firsthand.

Commissioner Davis announced upcoming travel to Washington, D.C., to meet with members of the delegation and U.S. EPA leadership. The Commissioner noted that there are currently no specific issues under this Board's jurisdiction scheduled for discussion. However, the Commissioner expressed a willingness to update the Board should any relevant matters arise during these meetings.

Commissioner Davis reminded everyone that July 4th is approaching, marking the 250th anniversary of the signing of the Declaration of Independence. Additionally, the Commissioner noted another upcoming event in Utah that falls partially within the Board's jurisdiction.

Specifically, the Valor test reactor in Orangeville is expected to go "critical" between now and July 4th. This is a small-scale test reactor designed to generate a couple of hundred kilowatts, (heat not electricity) so it is not that large. Essentially this is a test reactor taking place between now and July 4th. However, once the reactor goes critical (on-line), oversight of the radioactive materials will transition from the Division to the U.S. Department of Energy.

Commissioner Davis noted that while this is the first time he has been involved with this type of transition, it is expected to become more common in the future. Commissioner Davis just wanted to inform everyone that it is likely to happen, and stated that it is the shared goal of the company, the Department, the State, and the federal government to safely bring this new test reactor to critical (successfully starting) to evaluate its performance. Success with this project will hopefully pave the way for the future implementation of safe, small modular reactors.

X. Other Business.

A. Miscellaneous Information Items – None.

B. Scheduling of next Board meeting (July 9, 2026).

The next Board meeting is scheduled for July 9, 2026, at the Utah Department of Environmental Quality, Multi-Agency State Office Building.

Interested parties can join via the internet at: meet.google.com/gad-sxsd-uvs
Or by phone at (US) + 1 978-593-3748 PIN: 902 672 356#

XI. Adjourn.

The meeting adjourned at 1:50 p.m.