



**Minutes of  
July 14, 2010 Meeting  
at Littleton/Englewood WWTP**

In Attendance:

- |                   |                                    |
|-------------------|------------------------------------|
| Colleen Young     | Greeley                            |
| Tim Woodard       | Westminster                        |
| Bob Anastasov     | City of Aurora                     |
| Dennis Stowe      | Littleton/Englewood WWTP           |
| Bruce Joslin      | Northglenn                         |
| Martha Hahn       | PCWA                               |
| Tami Moon-Carlson | Northglenn                         |
| Tim Grotheer      | Centennial Water & San. Dst.       |
| Dave Meyer        | Westminster                        |
| Troy Arnold       | Colorado Attorney General's Office |
| Nancy Keller      | Pueblo                             |
| Sarah Reeves      | Brown and Caldwell                 |
| Brenda Stansbury  | BHCC Water & Sanitation District   |
| Mary Gardner      | L/E WWTP                           |
| Bill Burks        | Tri-Lakes WWTP                     |
| Roy Heald         | Security Water & Sanitation        |
| Blair Corning     | SACWSD                             |
| Tad Foster        | Law Office of Tad Foster           |
| Paul Ferraro      | CWWUC                              |

**I. Colorado Environmental Crimes Task Force - Troy Arnold (Office of the Attorney General) (Lance Ehrig, EPA CID was unable to attend)**

Highlights of Troy's Presentation.

Troy Arnold is a Criminal Investigator with the Colorado Environmental Crimes Task Force. Troy and Lance Ehrig are the only people in Colorado doing environmental criminal investigations.

- The Task Force began in 1992. It is comprised of the Attorney General's Office, EPA, CDPHE and others.
- In 2009 the Task Force became a major priority for the AGO and EPA CID. There are 295 members. Membership has broadened to include:

- CDPHE Regulators.
- County Health Agencies.
- FAA.
- Railroads.
- Colorado Department of Agriculture.
- City and County Law Enforcement.
- Health Departments.
- Fire/Rescue/Hazmat.
- Wastewater/Pretreatment/Stormwater.
- Everyone benefits.
  - Civil case referral to criminal.
  - Criminal case referral to civil.
  - Case networking / communication.
  - Training.
  - Crime trend analysis.
- Information Sharing.
  - Quarterly Meetings.
  - Training.
  - Email Communications.
  - Intelligence Sharing.
  - Newsletter.
  - Website report form ([www.coloradoattorneygeneral.gov](http://www.coloradoattorneygeneral.gov)).
- Environmental Enforcement - Two Main Functions.
  - Helping Hand.
    - Compliance Assistance.
  - Hammer.
    - Civil / Administrative.
    - Criminal.
      - Deterrence.
      - Level Playing Field.
      - Hold.
      - Lying: to Regulator.

- Cheating: Not incurring costs paid by business, Disposing of waste properly.
  - Stealing: From the customer.
- How the Task Force Works.
  - Leads.
    - Current / former employees.
    - Civil inspectors.
    - Citizens.
  - Interviews.
    - Witness .
    - Target.
  - Surveillance.
    - Physical.
    - Server sampling.
  - Search Warrant.
    - Environmental samples.
    - Records and documents.
    - Sneak and peak.
  - Grand Jury.
    - Compiling testimony.
    - Require records production.
  - Undercover.
    - Body wires.
    - Recorded telephone.

- Civil vs. Criminal.

Civil

- Accidental Spill
- Recordkeeping Failure
- Improper Operation
- Incomplete Labeling

Criminal

- Intentional Disposal
- False Data
- Willful Bypass
- Intentional Mislabeling

- Environmental Laws Enforced by EPA and Colorado.
  - Hazardous Waste.
  - Clean Water Act.
  - Toxic Substances.
    - PCB.
  - Drinking Water.
    - Injection Wells.
  - Pesticide Control.
    - Application.
    - Sales.
  - Clean Air Act.
    - Emissions.
    - Asbestos.
  - Superfund.
    - Reporting.
  - False Statements.
- Communication and Mutual Assistance.
  - Two-way flow of information.
    - Timely.
    - Ongoing.
  - Assistance to State/County.
    - Investigative resource.
    - Cost recovery.
- Investigative Discretion.
  - Significant environmental harm / actual harm.
  - Culpable conduct.
  - Cases driven by money.
  - Task Force participation - commerce.
  - Charges - Steven Yedo.
    - Violation of Colorado Hazardous Waste Act. Sentence to 6 years probation and \$66,000 fine.
  - Another Case.

- 3 counts of violating the Colorado Hazardous Waste Act. \$3,000 fine.
  - Training.
    - Contact: Troy Arnold, 303.866.6186. Email: troy.arnold@state.co.us.
    - A problem: Troy has 20-30 active cases. His work is a deterrent to environmental crimes.
    - The Council will include a link to the AG's office on its website.

## II. Updates.

- Water Utility Council - Tami Moon-Carlson to be the coordinator between the CWUC and CWWUC.
- Nutrients - The White Paper written by Tad Foster and John Hall dated July 9 will be posted on the Council's website. It is an evaluation of the impact that nutrient standards will have on Colorado. The Colorado Water Congress is serving as the facilitator for the Colorado Nutrient Coalition, which is the responsible entity. Dennis Stowe is the voting representative for the Council. Nancy Keller is the alternate. The next meeting will be August 10, 2010. Cost for the work being performed: Phase I - \$80,000. Phase II - \$100,000 plus for additional tasks as determined by the steering committee.

Sarah Reeves will prepare a proposal regarding a matrix of nutrient risks.

- MMI - This is a Council effort that Tim Moore is working on. The Council is considering sponsoring a seminar on MMI.

**Tim Grotheer moved, seconded by Blair Corning that the Council get a proposal from Tim Moore to do a seminar on MMI. Motion passed.**

- Collection systems - The State is inspecting facilities with a CMOM like protocol. They will be doing all majors within the next couple years
- CSO - EPA is considering a new regulation that will address SSO's and CSO's. They have held several listening sessions in the last month as well as a web conference call.

## IV. Open Discussion

- The December 8th meeting will be held at Marcy Gulch WWTP.
- The September meeting will be the Annual Meeting.
- Amy Woodis and Mary Gardner will serve as the Nominating Committee to present a slate of officers for 2010/2011.
- The Water Quality Forum is more educational than issue resolution meetings. At the beginning it was issue resolution.
- In preparing the agenda, Dennis will decide whether or not to invite Alex Eucare of Clean Power Partners of Colorado to speak at the September meeting.

Meeting adjourned at 3:20 pm.

***Next meeting: August 11, 2010 at 1 PM at L/E WWTP***