

Wyoming Department of Environmental Quality

Todd Parfitt, Director

Agency Contact Person: Keith Guille 307 777-6105

Herschler Bldg 4-W, 122 W. 25th St, Cheyenne, WY 82002

Web Address: deq.state.wy.us

Other Locations: Casper, Lander, Rock Springs, Sheridan and Pinedale

Statutory References: The Environmental Quality Act, and the Industrial Development Information and Siting Act.

Clients Served: The people of Wyoming, Wyoming businesses, Federal, State, local government, non-government organizations and others

Budget Information: The FY2013/14 operating budget for the Wyoming Department of Environmental Quality is \$233M of which \$65M are in general funds.

WYOMING

Wyoming Department of Environmental Quality

Annual Report

FY 2013

Quality of Life Result

Wyoming natural resources are managed to optimize the economic, environmental and social prosperity of current and future generations.

Department

Wyoming Department of Environmental Quality

Contribution to Wyoming Quality of Life

This agency contributes to Wyoming's quality of life through a combination of monitoring, permitting, enforcement and restoration/remediation activities which protect, conserve and enhance the environment while supporting responsible stewardship of our state's resources.

Basic Facts

This agency has 267 employees and operates with a FY 13/14 budget of \$233 million of which \$65 million are provided by the state general fund.

Introduction

The Department of Environmental Quality (DEQ) was established by the Wyoming Environmental Quality Act and Industrial Development Information and Siting Act pursuant to W.S. §§ 35-11-101 through 1904 and W.S. § 35-12-101 through 119 respectively. As Wyoming's environmental regulatory agency, DEQ is responsible for the implementation and enforcement of delegated federal programs under the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, and Surface Mining Control and Reclamation Act, as well as other state environmental regulatory programs.

DEQ consists of seven divisions; Air Quality, Water Quality, Solid and Hazardous Waste, Land Quality, Industrial Siting, Abandoned Mine Lands, and Administrative. DEQ has 267 employees located in Sheridan, Lander, Casper, Rock Springs, Pinedale, and headquartered in Cheyenne. Together we ensure that Wyoming's natural resources are managed to maximize the environmental, economic, and social prosperity of current and future generations. DEQ does this through a combination of monitoring, permitting, enforcement, remediation, and restoration activities which protect conserve and enhance the environment while supporting responsible stewardship of Wyoming's resources. Other important DEQ functions include human resources, accounting, and emergency response. Together DEQ's programs serve over 5,000 businesses operating thousands of facilities across the state.

Over the past decade, the workload of DEQ has grown. To effectively deal with that growth and the on-going environmental management requirements associated with expanding regulatory oversight from federal agencies, DEQ continually works to identify efficiency opportunities in programs and where justified, requested and added staff. Some staff additions were to address

specific legislative mandates. DEQ has implemented a paperless office initiative and worked with outside consultants to improve performance in targeted areas. DEQ continually looks for opportunities to re-structure programs in a manner to bring added focus to priority areas and make concerted efforts to collaborate with stakeholder groups to make the permitting process more efficient.

DEQ's Mission

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

DEQ's Values

The success of this mission requires our shared commitment to values that define and guide who we are, what we do and how we do it. These values are:

We are proactive by anticipating future impacts on Wyoming's environment and taking actions to minimize those impacts.

We are innovative by encouraging people from both inside and outside the agency to consider new approaches to protecting, preserving and enhancing a healthy environment.

We are consistent by fairly applying and implementing regulatory requirements.

We are responsive through timely and open communications with the public, the regulated community and other stakeholders who are affected by our work.

We are committed to a culture and work environment where everyone is treated respectfully, professionally developed and continuously challenged.

We are decisive and make decisions in a rigorous and timely manner supported by thorough analysis, quality data and sound rationale.

DEQ's Vision Statement

The Wyoming Department of Environmental Quality envisions a future where vibrant economic development and prosperity is achieved while providing sound and sensible environmental protection for the benefit of Wyoming and its citizens.

Performance Measures

Performance measures reflecting work of the previous fiscal year follow.

Four key departmental actions are highlighted in this Annual Report:

Monitoring – of both air and water

Permitting – setting standards to limit environmental impacts

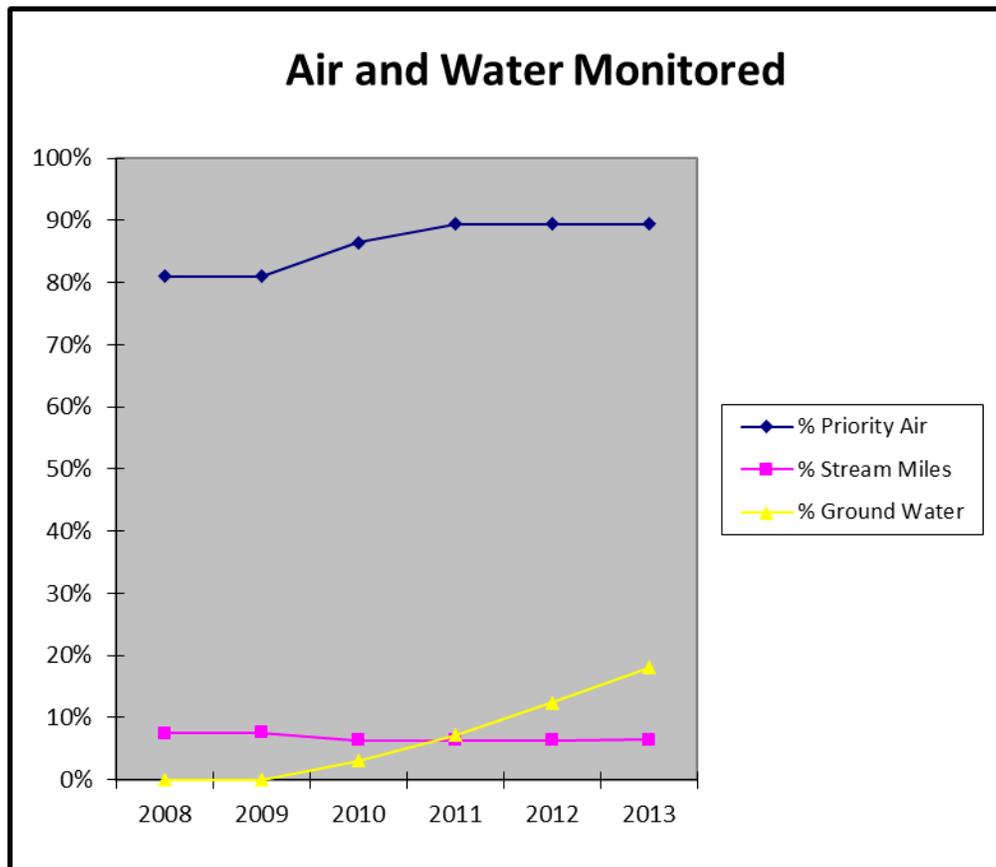
Compliance – actions taken in cases where standards are not met

Restoration/Remediation – fixing problems from the past

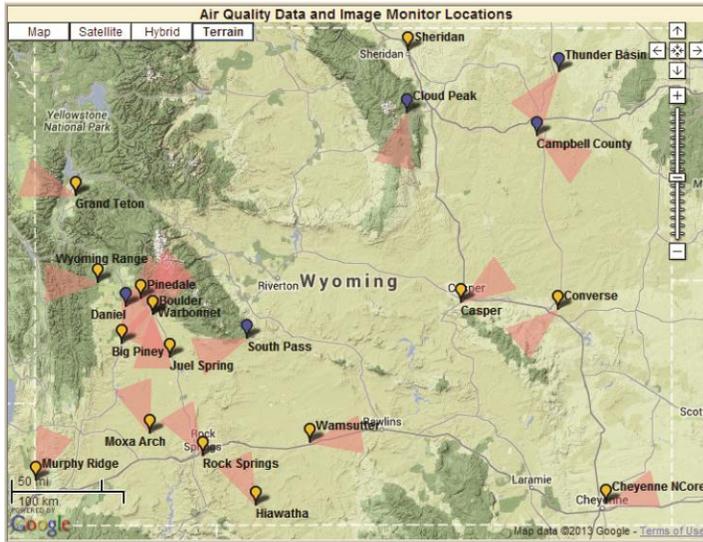
MONITORING TRENDS IN OUR ENVIRONMENT

DEQ continues to strive for excellence in developing and maintaining scientifically based and quality controlled data to support the DEQ's diverse programs, activities and regulatory responsibilities. Though the type and extent of monitoring may be different in each of the DEQ's divisions, monitoring activities are designed to measure compliance with permitting requirements and with state and federal regulations and standards; to identify and understand trends in environmental conditions and performance; and to plan for future growth and sustainable use of resources.

DEQ endeavors to take advantage of improving technologies and cooperative efforts with outside entities to collect, manage and interpret the environmental data needed to accomplish its regulatory and programmatic responsibilities. DEQ's data needs are served from various sources. Generally, monitoring to assess ambient environmental conditions such as statewide or regional air and water quality is performed directly by DEQ or its contractors.



Story behind the last year of performance:



our performance on this measure from FY08 through FY13.

Water Quality

Surface Water

Surface water is being monitored using two approaches. The first approach consists of targeted monitoring on priority streams with suspected water quality problems to assess support of designated uses and at high quality streams for the purpose of establishing reference conditions. This approach is used to identify candidate streams to be listed as impaired and requiring additional assessment or mitigation.

The percent of stream miles monitored with this approach is relatively low with only small annual increases due to the data and time intensive nature of

these assessments, the fact that monitoring data are applied only to a discrete stream segment of a defined length, and the time and financial constraints of intensively monitoring over 100,000 miles of streams and hundreds of lakes in the state. In addition to DEQ's efforts, monitoring is conducted by other agencies, such as partially State-funded and interagency monitoring networks administered by the U.S. Geological Survey (USGS), monitoring conducted by Conservation Districts and other groups. As of June 2012, 7.8 percent of the State's stream miles had been monitored as part of a targeted use assessment. This number is unchanged from 2011 since almost all surface water monitoring in summer/fall of 2011 was allocated to multiple year targeted stream assessments, lake assessments or other monitoring projects.



Air Quality

Statewide air quality monitoring is currently conducted for pollutants which have been shown to affect health. These pollutants include particulate matter, ozone, carbon monoxide, nitrogen dioxide, and sulfur dioxide. Based on a review of the ambient monitoring network in 2004 and the *Wyoming Ambient Monitoring Network Assessment 2010*, the Air Quality Division (AQD) identified 38 priority areas where ambient monitoring should be conducted.

Currently, monitoring takes place at 34 of these sites. The chart above reflects

The second approach to monitoring surface water is through the use of probabilistic surveys as a cost-effective, scientifically-defensible alternative to determine the condition of all waters in the state. The probabilistic survey involves assessing a statistically representative subsample of the State's streams and rivers to arrive at estimates of stream miles supporting their designated uses, as well as estimates of the occurrence and extent of various impacts affecting water quality. In 2011, the Water Quality Division concluded a state wide probabilistic survey of surface water quality. Results from 2011 were analyzed in 2011-2012, with overall results available for inclusion in the 2014 biennial report to the United States Environmental Protection Agency (EPA). The statistically representative nature of this survey allows for data to be extrapolated to the state-scale and therefore 100 percent of Wyoming's stream miles can be considered monitored by this approach.

WQD also implements a comprehensive monitoring strategy that better integrates probabilistic surveys with targeted monitoring within smaller geographic regions than the State as a whole. Probability survey results are used to objectively select and prioritize areas for targeted monitoring of designated use support. By applying probability surveys to smaller regions we increase the value of the data for local monitoring, planning and restoration efforts. On an annual basis, the WQD probabilistic and targeted monitoring will be more geographically-focused, therefore increasing efficiency and reducing cost. In 2010, WDEQ conducted a probabilistic survey of the Bighorn/Wind River basin. The results were used to identify and prioritize streams for targeted designated use assessments in the summer/fall of 2012. The targeted use assessments within the Bighorn/Wind River basin are in progress at the time of this report. In summer/fall of 2011, WDEQ conducted a probabilistic survey of the Powder/Tongue/Belle Fourche/Cheyenne basins, with results used to identify and prioritize streams for targeted designated use assessments.

Ground Water

Groundwater monitoring is an important part of DEQ's groundwater protection and restoration strategies. DEQ has begun implementation of a baseline, or ambient quality groundwater monitoring program. During FY09, DEQ coordinated with the United States Geological Survey (USGS) and was awarded federal funds under DEQ's Non-point Source Program to begin implementation of a statewide, baseline groundwater quality monitoring program. Monitoring is focused on relatively shallow (<500' deep) aquifers (i.e. 'critical' areas) where groundwater is used as a source of drinking water and is susceptible to contamination due to its hydrologic characteristics and the presence of overlying potential sources of pollution. DEQ has identified 30 critical areas for sampling. USGS also contributes cooperative funding to the program. A steering committee comprised of representatives from DEQ, EPA, USGS, Wyoming Water Development Commission (WWDC), State Engineering Office (SEO) and Wyoming State Geological Survey (WSGS) meets periodically to provide input and guidance on the development and implementation of the monitoring program. A funding agreement with USGS for well sampling and laboratory services was completed in FY10. Initial groundwater sampling efforts, beginning in the Green River Basin, began during the 2nd quarter of FY10. EPA also provides laboratory assistance for groundwater sample analyses in order to help defray program costs.

What has been accomplished:

For both air and water, the department is focusing its monitoring efforts in areas of greatest concern, especially in relation to ongoing energy development. This approach will provide early identification of localized problem areas in which permit requirements may have to be strengthened or other mitigation measures put in place to protect our air and water resources. The goal is to increase the percentage of air and water monitored while ensuring the most critical areas receive first priority in that process.

Air Quality



In 2010, the Air Quality Division performed a five-year assessment of its ambient monitoring network in accordance with 40 CFR part 58.10. (*Wyoming Ambient Monitoring Assessment 2010*)

The network assessment uses historical monitored data, emissions, meteorological data and topographic data to perform a series of analyses. Results of these analyses are used to determine the most efficient and effective network for monitoring criteria pollutants, precursors, and meteorology. Results of the

Wyoming Ambient Monitoring Network Assessment 2010 will be used to guide future monitor placement in Wyoming.

In 2004, 37 priority areas were identified as a measure of performance. The network assessment and determination to exclude special studies were considered and resulted in the incorporation of three (3) additional and removal of two (2) priority areas in 2011, resulting in a total of 38 priority areas.

A stationary Special Purpose Monitor (SPM) began operation in FY13 in the population based area of Casper in Natrona County.

Mobile Monitoring Stations: In FY13, the AQD had three mobile trailers deployed, one in the Big Piney area, one in Rock Springs, and one in Gillette that was moved to Converse County near Douglas.



Special Studies: Due to the increase of ozone issues in Sublette County relating to the natural gas development, AQD has been involved in several studies over the past seven (7) years. The Upper Green Winter Ozone Study (UGWOS) is designed to look at winter ozone levels by gathering data on meteorological conditions and area ozone precursors. In 2013, the AQD collected speciated Volatile Organic Compound (VOC) samples at the Boulder monitoring station to supplement VOC precursor information gathered during the UGWOS study.

Water Quality

Surface Water

Surface water quality primarily is monitored by six DEQ staff using two approaches: targeted designated use assessments and probabilistic surveys. The first approach involves monitoring priority streams with suspected water quality problems to assess support of designated uses. Targeted studies often identify impaired stream segments that are added to Wyoming's 303(d) List and require a total maximum daily load, or TMDL. The percent of stream miles monitored with this approach is relatively low with only small annual increases due to the data and time intensive nature of these assessments, the fact that monitoring data are applied only to a discrete stream segment of a defined length, and the time and financial constraints of intensively monitoring over 280,000 miles of streams and hundreds of lakes in the state. In addition to DEQ's efforts, monitoring is conducted by other agencies, such as partially State-funded and

interagency monitoring networks administered by the U.S. Geological Survey (USGS), monitoring conducted by Conservation Districts and other groups. As of June 2013, 6.5 percent, approximately 18,000, of the State's stream miles had been assessed by DEQ as part of a targeted designated use assessment. This number increased by 0.2% from 2012 based on 33 assessments of approximately 400 stream miles.

The second approach to monitoring surface water quality is through the use of probabilistic surveys as a cost-effective, scientifically-defensible alternative to targeted monitoring for determining the condition of all waters in the state. The probabilistic survey involves assessing a statistically representative subsample of the State's streams and rivers to estimate the number of stream miles supporting their designated uses and the extent to which various stressors affect water quality. The statistically representative nature of this survey allows for data to be extrapolated to the state-scale and therefore 100 percent of Wyoming's stream miles can be considered monitored by this approach. In 2011, the Water Quality Division completed a state wide probabilistic survey of surface water quality. Results of this study were analyzed during 2011 and 2012, and overall results were published in a 2013 **summary report**. These results also will be included in the 2014 Integrated 305(b) and 303(d) Report, which is compiled and submitted to the United States Environmental Protection Agency (EPA) on a biennial basis.

In 2010, WQD implemented a new **comprehensive monitoring strategy** that better integrates probabilistic surveys with targeted monitoring. Specifically, smaller geographic regions are sampled more intensively during probability monitoring, and results are used to decide where targeted studies will occur. Conducting probability surveys at a smaller geographic scale has allowed WQD to increase efficiency and reduce costs for the agency; the value of the data for local monitoring, planning and restorations efforts has also improved. In 2010, WDEQ conducted a probabilistic survey of the Bighorn/Wind River basins. Results were used to identify and prioritize streams for targeted designated use assessments conducted during the summer/fall of 2012 and 2013. Several of these targeted studies and the probability monitoring summary report for the Bighorn/Wind River basins were still in progress as this annual report was developed. In summer/fall of 2011, WDEQ conducted a probabilistic survey of the Powder/Tongue/Belle Fourche/Cheyenne basins; a summary report will be completed following completion of the Bighorn/Wind River basins report. No streams in the Powder/Tongue/Belle Fourche/Cheyenne basins were chosen for targeted designated use assessments. Rather, **efforts in 2013** focused on the identification of additional reference streams in these basins, the ongoing Bighorn/Wind basins targeted assessments, sampling on lakes/reservoirs in the Wyoming Basin eco-region for future use in developing nutrient water quality criteria, TMDL development, and monitoring effectiveness of nonpoint source pollution reduction projects.

Ground Water

Groundwater monitoring within 'critical' areas relies heavily upon the use of existing landowner wells to minimize the cost of the sampling program, as well as to provide water quality data to participating landowners. During FY13 groundwater samples were collected from an additional 53 water wells within 'critical' groundwater areas in Albany, Converse, and Platte counties. To date, approximately 18 percent of the total 'critical' area has been sampled.

In cooperation with the Bureau of Land Management (BLM), EPA, and operators in the Pinedale Anticline area (Shell, Ultra, Questar), DEQ continued working towards completion of a ground

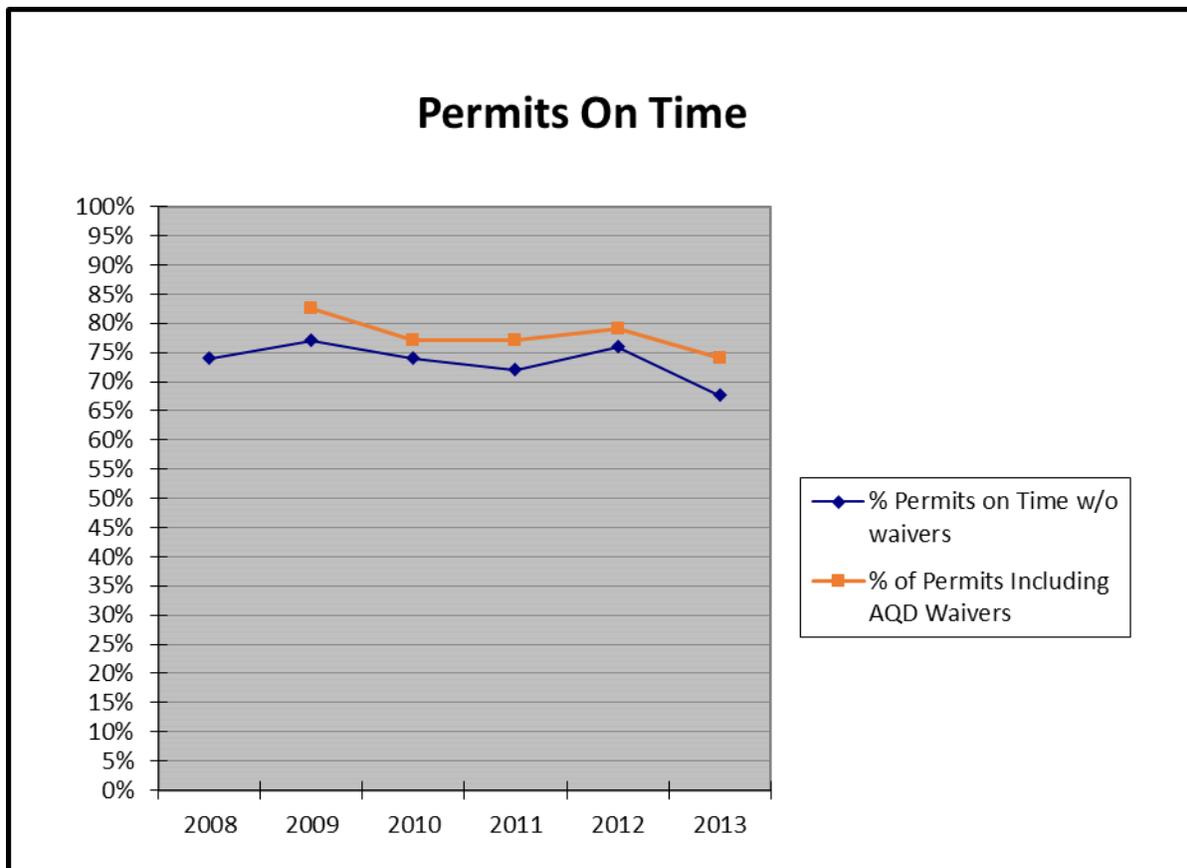
water characterization study. These results will provide the agencies and operators better information to re-design the existing ground water monitoring program. The group has recently completed a groundwater model for use in identifying appropriate groundwater monitoring locations, and a report on the evaluation of potential sources of low level hydrocarbons in water supply wells in the Pinedale Anticline project area.

This year DEQ continued to coordinate with OGCC and WWDC in a continuing investigation of groundwater quality concerns in the Pavillion, WY area. In 2013 the State of Wyoming completed an agreement with EPA and EnCana to establish the State of Wyoming in leading and directing continuing work on this project, including two reports to be completed by the OGCC before the end of year, one focusing on production well integrity and the other on the impacts associated with oilfield production pits.

TIMELINESS OF PERMIT ISSUANCE

It is the philosophy of DEQ to most effectively utilize the human resources available to both the applicant and the department to achieve more efficient, more effective permitting. This can be achieved by streamlining the efforts of both the applicant and the DEQ; by providing consistent training and guidance regarding permit content requirements; and implementing the most efficient means of compiling such requirements. The objective of the goal is to increase the quality of the applications, reduce review rounds and overall permit approval timeliness. DEQ also strives to employ electronic resources to reduce the volume of hard copy materials being submitted, and the space needed to inventory and archive documents.

Five divisions within DEQ issue permits. Because a majority (~87 percent) of permits are issued by the WQD and the AQD, the results below are heavily influenced by the performance of those divisions.



Story behind the last year of performance:

The timeliness of permit issuance is dependent upon a number of factors. These factors can include the number of new applications, renewals and revisions submitted to the Department; the complexity and quality of those packages; the internal procedures used to process them; the experience and efficiency of DEQ staff; changes in applicant plans and/or related federal requirements while the application is being processed; and the promptness of applicant responses to DEQ and third party questions/comments (additional information needs, objections by neighbors, requests for public meetings, etc.).

From 2012 to 2013, the department saw a slight decrease in timeliness of permit issuance. This decrease was directly related to the Water Quality Wyoming Pollution Discharge Program and is explained below. The department remains committed to increasing permit timeliness in all divisions and programs.

Air Quality

Beginning in 2009, reported permitting numbers have included both permits and waivers. Waivers are issued for sources deemed to be insignificant in terms of emission rates and ambient air impacts. These waivers authorize air emissions with conditions that are federally enforceable. The waiver process is similar to that for permits; application review, emission calculations, and regulatory applicability determinations are required. However, unlike permits, a 30 day public notice period is not required. The NSR program issued more waivers (682) than permits (582) in FY13. The numbers of issued permits and waivers have decreased from FY12 levels (792 waivers and 641 permits). The Title V operating permit program issued 56 permits in FY13, compared to 38 in FY12. Together the programs completed 85 percent of all permit actions in FY13 within statutory or regulatory timelines, compared to 83 percent in FY12.

Industrial Siting

The Governor-appointed Industrial Siting Council issues permits to construct and operate major industrial facilities. Permit hearings are conducted as contested cases. This year's permit activities featured the optimization of the FMC trona facility at Granger and for Black Hills Electric's Cheyenne Prairie Generating Station in Cheyenne. In addition to these permits, the North American Power Group's Two Elk Project and Wasatch Wind Intermountain, LLC's Pioneer Wind Park I and II both requested and received amendments to their existing permits. All permits were processed and issued within the statutory time line.

Land Quality

The Land Quality Division (LQD) regulates surface mining operations, regulates surface operations on underground mines, ensures successful reclamation following mining to the post mining land use, and establishes bond amounts and hold bonds on mine operations. LQD is responsible for ensuring that mining is conducted to meet all state and environmental standards as established in the Environmental Quality Act (EQA). LQD is also responsible for ensuring that mining is conducted to protect the safety and welfare of the citizens of the state and that the

impact on the environment is minimized. LQD currently regulates 844 mine operations, including 34 coal mines. Oversight of these operations requires review of 844 annual reports, and 1230 inspections.

Mining activities require a permit to operate. Permit types range from simple one-page documents for a fifteen acre gravel pit to complex 20-volume coal permits for over 50,000 acres. LQD has two programs; coal and non-coal. Under the provisions of the Surface Mining Control and Reclamation Act, LQD has primacy over the coal program in Wyoming. Therefore, rules for the coal program are consistent with federal rules and the EQA. Rules for the non-coal program are based on the EQA. Permits provide information on all activities associated with mining including exploration, mining, and reclamation commitments. LQD is responsible for reviewing and processing all permit applications to ensure compliance with environmental standards established through the EQA and LQD rules.

On average, approximately 475 permit actions are approved annually. These permit actions include approval of new permits, modifications of existing permits, including amendments of coal permits to allow for the addition of land to the existing permit. Approximately 25% of these permit actions are new permit actions, ranging from a very simple License to Explore, to more complex coal or uranium mine permits. The remaining 75% are permit actions associated with maintaining existing permits, which may be simple one-day approvals or major revisions which require public notice and comment.

LQD is also currently developing an electronic permitting process, which includes components for electronic inspection reports, electronic permitting, workflow, electronic records management, and a database. Electronic permitting will enable applicants to submit online permits, permit revisions, and other permit actions that will facilitate faster and easier submittals, and more efficient and effective reviews by LQD and other agencies. The project and its components are being implemented in four phases, with all phases scheduled for completion by June 2014. LQD is vigorously pursuing ways to improve timeliness of permitting. Careful tracking of received and approved permit actions has facilitated a greater understanding of LQD workloads and assured that statutory deadlines for permit application review and approval are met.

The LQD permitting program has many partners in other agencies. Smooth interactions among these agencies greatly facilitate timeliness of permitting. Many mine operators also must obtain some type of approval from one or several federal agencies, including the Bureau of Land Management, the Office of Surface Mining (coal only), and/or the Nuclear Regulatory Commission. As a consequence, the LQD has developed various memorandum and working agreements with all of these agencies, and participates in quarterly phone calls. These interactions result in better coordination among the agencies and improved regulatory efficiency.

Solid and Hazardous Waste

Solid Waste

The Solid Waste Program permit actions constitute about three percent of the Department's total permit actions. For FY13, the Solid Waste Program met its statutory or regulatory permit action

time frames over 95% percent of the time. This compares to 87% in FY12 and 70% in FY11. Factors affecting these timeframes include the complexity and quality of the permit applications, the efficiency of the DEQ staff, the internal procedures used to process permits, the promptness of responses by applicants to DEQ questions/comments and third party interests (objections by neighbors, requests for public meetings, etc.). In some cases, timeframes were extended as a result of working with communities to address issues related to municipal solid waste planning efforts, liner and groundwater requirements, the financial limitations of local governments, and municipal landfill lifetime permitting considerations. Also, the Solid Waste Permit Program has devoted time to changing rules and guidelines to implement recent legislation and issues related to municipal landfill closure and remediation. The Program has also devoted time to new reports required by recent legislation.

The improved performance in FY13 could be attributed to the completion of some of the tasks related to leaking landfills and new statutes, collaborative meetings and communications with applicants during permit application development, improved permitting guidance, web access to information, and better sharing of information.

Hazardous Waste

The Hazardous Waste Program has seven permitted operating or closed petroleum refineries. Hazardous Waste Permits are issued for 10 years. A permit reissuance for one facility will be in the fall 2013, and the next reissuance of a permit will be in 2017. Five-year permit reviews are conducted, and permits modified, as needed, to ensure permits stay current. Occasionally, permit modifications are made to address changes to facilities' operations and closure needs.

Water Quality

Water and Waste Water

The Water and Wastewater (WWW) Section issued 387 permits during the past year. We had 8 actions that exceed 60 days. The Water and Wastewater program completed 97.9% of the actions for permits issued in FY 2013 in 60 days or less. The WWW Section also issues permits for oil field operations. These include bonding requirements to ensure there is available money to clean up sites.

The operator certification program is having continued success with its updated database. We now have approximately 60% of the operators signed into the database. The number of operators signed into the database will be complete in the next two years as license renewals come due at the end of each year. There is also improved database functionality for district engineers in regards to new water treatment facilities and facility configurations. We have re-written the instructions for operators and facility owners and posted them online to assist in navigating the database.

The WWW section is in the process of revising Chapter 25, Small Wastewater Systems. We presented a draft of the revised chapter to the Water and Wastewater Advisory Board on June 14, 2013. Full promulgation of the revised Chapter 25 is anticipated to be mid-year 2014. Revolving Fund because the best customer support and service among the funding agencies.

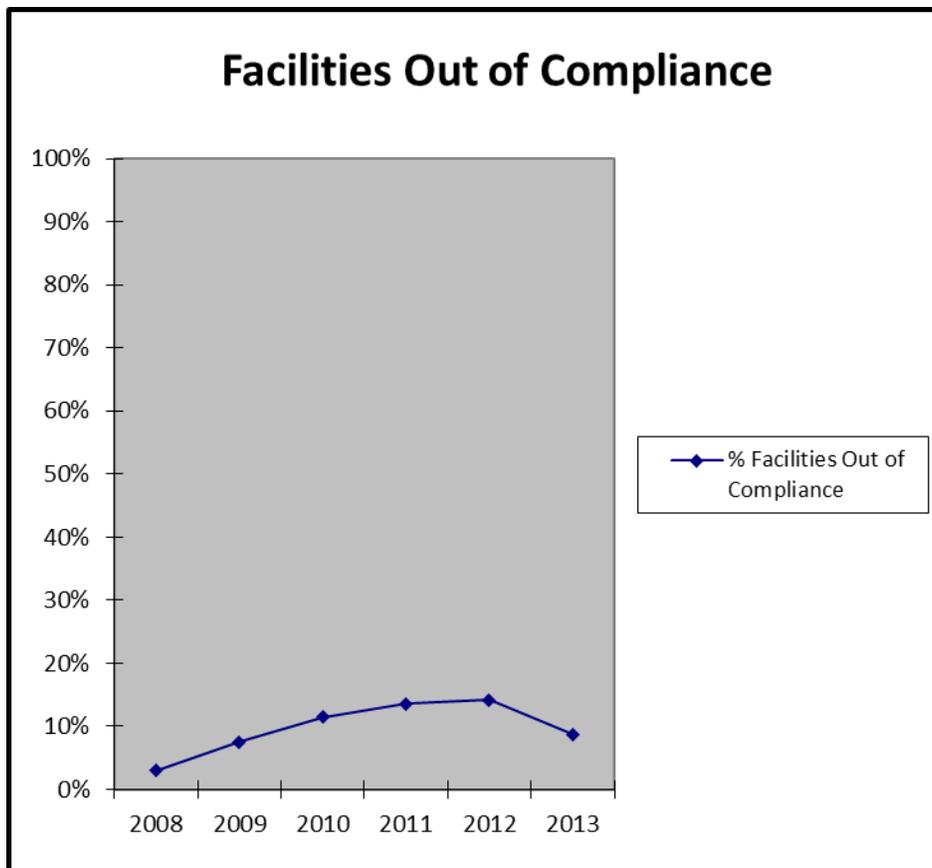
Wyoming Pollutant Discharge Program

The Wyoming Pollutant Discharge Elimination System (WYPDES) Program issued 58 percent of permits within the timeline goals. There are several factors that contribute to this percentage. In 2009, the WYPDES Program embarked on a process to develop a guideline that would be used to define how to incorporate numeric irrigation effluent limits into Coal Bed Methane (CBM) permits. While the WYPDES Program was working with various stakeholders to develop the guideline, the program was unable to issue or reissue permits that impacted downstream irrigation activities. A large backlog of CBM permits developed, precluding the ability to issue permits within the timeline goal. In May 2011, the guideline was approved and the WYPDES Program began reissuing the backlogged permits. During this time, the Environmental Protection Agency, (EPA) submitted formal objections to draft CBM permits that did not impact downstream irrigation activities; further delaying the issuance of CBM permits. In addition, the WYPDES Program is primarily reissuing existing permits rather than issuing new permits. Federal regulations require a permittee to submit a permit renewal application at least 180 days prior to the permit expiring. However, the current timeline goal for the WYPDES Program to issue a permit is 130 days. The WYPDES Program typically prioritizes the permit renewal process based upon the permit expiration date. As a result, some applications that are submitted to comply with federal regulations may be placed at a lower priority and are not processed than other applications.

COMPLIANCE

In administering compliance programs, DEQ staff strives to develop an atmosphere and culture where the regulated community and general public work together to achieve a mutually beneficial result where all environmental standards and laws are attained. DEQ provides assistance and education and communicates standards and permit requirements with clarity and provides guidance to the regulated community that fosters compliance. DEQ applies rules and regulations fairly and consistently across the state in all programs and across all sectors of the regulated community. DEQ operates compliance programs with timely inspections and timely decisions that provide certainty to the regulated community and reduces the environmental impact or harm. DEQ implements enforcement actions without bias and provides compliance programs with the necessary resources and training to implement the compliance programs in an efficient manner.

The following graph represents the relative contribution by each division to the overall compliance performance in FY13.



Story behind the last year of performance:

This performance measure addresses how well the regulated community is complying with the Environmental Quality Act and the rules and regulations of the department. This measure reflects both the efforts of the regulated community to stay in compliance and the effectiveness of the department's efforts to inspect facility operations, review reports required to be submitted by permittees, and provide educational materials and training opportunities to the regulated community.

DEQ identifies noncompliance through a combination of physical, on site compliance inspections, and through review of self-monitoring reports filed by permittees. Five of the divisions have authority to take enforcement action. While the options for enforcement actions are similar among the divisions, the applications of the options vary between divisions. The Water Quality Division (WQD) makes extensive use of Letters of Violations (LOV) while other divisions use them on a limited scale and the Land Quality Division (LQD) not at all.

In FY13, DEQ saw a drop in noncompliance % with the majority of division programs, while also having an increase in actual inspections.

What has been accomplished:

Air Quality

The Air Quality Division permits sources within Wyoming that emit pollutants into the air. There are two basic classifications and permit types in which these sources can fall, based on the amounts of pollutants that are emitted. The smaller sources are considered Minor Sources, while the larger sources are designated Major Sources.

In trying to address compliance concerns for sources within Wyoming, AQD commits to inspecting all Major Sources on a consistent basis. This is also outlined within the Annual Inspection Plan, where DEQ commits to giving priority to visiting major facilities yearly and to monitor compliance at these larger facilities. The number of Major Sources in Wyoming fluctuates around 230 facilities. During FY13 AQD had a universe consisting of 231 facilities with eight of those facilities out of compliance. This equaled a 3.5 percent non-compliance rate. Every year the goals set within the Inspection Plan are met. Currently, the AQD employs approximately 20 engineer/inspectors. It is truly a high achievement for the Compliance Staff, as these facilities are large, complicated, and governed by numerous rules and permits.

There are thousands of Minor Sources within Wyoming. Because oil and gas production sites are almost always minor sources and Wyoming is experiencing increases in production in various areas of the state, the number of these minor sources is growing. Compliance inspectors also inspect these facilities to identify and address compliance issues.

It is important to note that this only takes into account Major Sources and enforcement actions at these sources from a scheduled inspection (i.e. Annual Inspection Plan). This does not take into account inspections or enforcement at Minor Sources, nor inspection or enforcement actions of

Major Sources for any other reason (i.e. complaints, etc). Therefore, this number and rate are a snapshot of a percentage of the inspection and enforcement work conducted by AQD Compliance Staff.

Land Quality

Inspections are conducted by LQD staff to ensure consistency with permit commitments and compliance with the EQA and LQD Rules. The frequency of inspections ranges from monthly for the coal program to annual inspections for small, less active mine operations. For coal mines, LQD is required to inspect all active coal mines monthly. One inspection per quarter is required to be a complete inspection. Therefore, each active coal mine is inspected twelve times per year, with eight monthly/partial inspections and four quarterly/complete inspections. Inactive coal mines are inspected quarterly, with no monthly inspection requirements. LQD inspected 23 active mines and 11 inactive mines, totaling 287 coal mine inspections last year, and met all OSM requirements for mine and records inspection. LQD facilities had a compliance rate of 97.9 percent, based on the facilities inspected during FY13 (out-of-compliance rate was 2 percent). Sixteen (16) violations were issued during FY13.

Solid and Hazardous Waste

Solid and Hazardous Waste Facilities Inspection and Compliance

At the end of fiscal year 2013, the universe of active Inspection and Compliance (I&C) facilities inspected was 199. I&C issued 5 formal enforcement actions during FY13. The performance for this measure for I&C is $5/199 = 0.025$ or 3.0% out of compliance or 97.0% in compliance.

There are an estimated 2,500 – 3,000 individual facilities subject to waste management and used oil management regulations. In most years, SHWD inspection frequencies range from 3 – 6 % of smaller facilities such as vehicle maintenance shops to 100% of larger hazardous waste generators.

SHWD enforcement settlement values have generally been the highest among EPA Region 8 states, even though these other states have significantly more inspection/enforcement staff, number of facilities, populations, etc. For example, recent enforcement case settlements in 2010 - 2012 YTD have resulted in petroleum refinery waste and wastewater treatment/equipment upgrades which will result in at least a 1,000 lb/day (> 180 tons/yr) reduction in oily wastes/residues going to disposal units and/or evaporation ponds. Past enforcement cases in other industrial sectors continue to yield benefits through and beyond 2012, including process changes and waste stabilization additives required by SHWD/I&C to reduce hazardous levels of lead in metal foundry wastes by an estimated 75,000 – 100,000 lbs/yr. The SHWD strives to continue assuring any necessary enforcement cases yield significant environmental benefits in addition to providing a deterrent to future violations.

Underground Storage Tank (UST)

An STP-regulated UST system is any one or combination of tanks (including piping) that is used to contain a regulated substance, and the volume of the system is 10 percent or more beneath the surface of the ground. A regulated substance is petroleum or any substance defined in section 101(14) of the Comprehensive Environmental Response, Compensation and Liability Act

(CERCLA) of 1980 (but does not include any substance regulated as a hazardous waste under Subtitle C).

Aboveground Storage Tank (AST)

An STP-regulated AST system is any one or combination of tanks (including piping) that has 90 percent or more volume above the surface of the ground. The STP regulates ASTs only if the tank dispenses gasoline or diesel fuel directly to the public and the owner has a Wyoming Department of Transportation license to collect state fuel taxes.

STP Compliance Section

The STP Compliance Section performs the following functions:

- Ensures that tank owners and operators have tanks that are designed, constructed, and operated to protect public health and the environment;
- Conducts compliance inspections to ensure operational requirements are being met;
- Tracks compliance with and notifies tank owners and operators of operational requirements, such as inventory control, leak detection, cathodic protection, etc.;
- Maintains a database to track tank inventory, physical descriptions of tanks, tank locations, tank owner and operator contact information, tank and inspection fees;
- Notifies tank owners and operators of compliance due dates;
- Works with tank owners and operators to encourage compliance and resolve compliance issues;
- Provides training and outreach to tank owners and operators; and
- Assists the public and regulated community by providing information regarding facilities and answering questions.

At the end of FY 2013, the universe of active STP facilities was 764. The STP issued 22 enforcement actions during the fiscal year. The performance for this measure is $22/764 = 2.9\%$ facilities out of compliance or 97.1% in compliance.

Water Quality

Wyoming Pollution Discharge Compliance

The WYPDES Compliance program has calculated the Annual Compliance Percentage for permitted facilities within the WYPDES permit universe. For the time period of 6/30/12-7/1/13 WYPDES had 3195 active permits. Of these active permits, 416 of them received either a Letter of Violation or a Notice of Violation during the reporting period. Therefore, 13 percent of permits were in non-compliance and 87 percent of the permitted facilities were compliant.

The non-compliance rate is largely attributed to the tracking of Single Event Violations (SEV) which are essentially violations of permit conditions not including effluent exceedances and the attention given to reporting requirements that were not met on temporary discharge permits.

Enforcement actions were warranted based on the Enforcement Management Systems (EMS) guidelines regarding the type or number of violations. If the violations are of an administrative type with no actual impact to the environment (non-submittal, incomplete, or failure to

document) then the action is generally an LOV. If there have been multiple LOVs issued to the same permittee for the same administrative violations then an NOV and Order usually is issued. If the violations actually have potential to impact the environment or do impact the environment then an NOV and penalty is usually the action taken. The EMS has been designed with the idea of providing a fair and consistent enforcement process that treats violators with similar violations the same across the board and allows the DEQ to calculate penalties and propose corrective actions to resolve the violations in a consistent manner.

Coal Bed Methane (CBM) permit enforcement actions declined due to the decrease of production resulting in very few actual discharges occurring in the field. In addition, many of the CBM companies have opted to cease operations in many areas and some are or have been preparing to leave the State. Many companies had required reclamation surety bonds in place on the CBM containment units for reclamation, if needed, when the operations are ceased. DEQ is currently monitoring the CBM operations and preparing for possible bond forfeiture, reservoir reclamation, or approval of landowner responsibilities and relinquishing the bonds. It should be noted most of the enforcement actions taken were against other types of discharge permits such as Municipal and Storm Water.

Water and Waste Water

The WWW has enforcement responsibilities for drinking water, sewage, and Commercial Oil Field and Wastewater Disposal Facilities. This included inspecting sites, meetings with responsible parties, negotiating actions, directing corrective measures, pursuing formal enforcement, and calculating and collecting penalties. For most instances, enforcement actions are successfully resolved through proactive and collaborative action with responsible parties.

During the past year, WWW enforcement has successfully resolved 7 enforcement actions with 7 open enforcement actions remaining. With this in mind, there are 3 open enforcement actions that have long term resolutions already in place. Lastly, enforcement guidelines were sent to the district engineers and the oil & gas group to help streamline the enforcement process.

Wyoming Clean and Drinking Water State Revolving Funds

The State of Wyoming finances water and wastewater projects to protect the environment, bring facilities into compliance, and to develop the Wyoming economy. Many of these projects are multi-million dollar efforts. The Water Quality Division, in cooperation with the Wyoming Water Development Commission and the Office of State Lands, administers revolving fund loan programs. The Wyoming Clean and Drinking Water State Revolving Fund Programs provide assistance to communities to help finance sewage systems, landfills and drinking water systems. The programs regularly partner with other Wyoming and federal programs to round out funding packages. These programs and agencies include Wyoming Mineral Royalty Grants, Wyoming Joint Powers Act Loans, Wyoming Water Development Commission, Wyoming Business Council and USDA Rural Development.

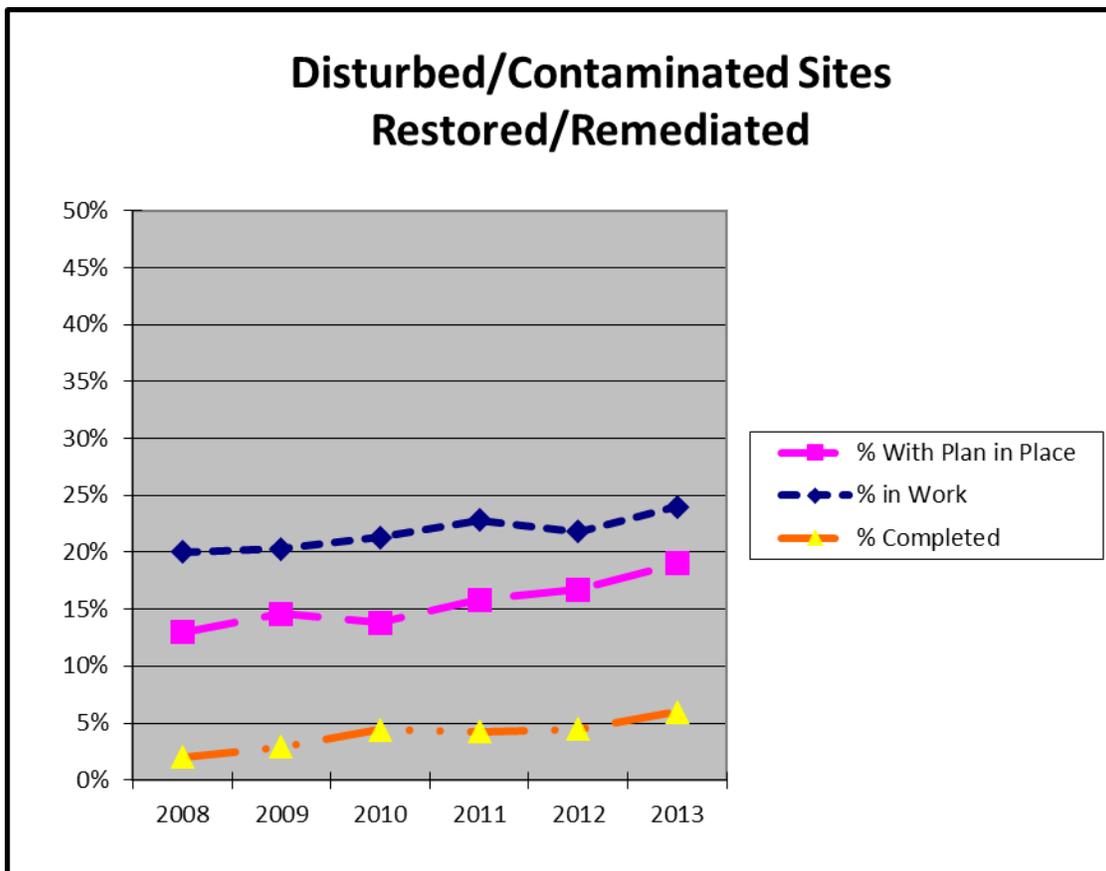
The Clean Water program has made 153 loans for more than \$387M in awards and currently has more than \$88M available. The Drinking Water program has made 152 loans for more \$189M in awards and currently has more than \$69M available. This has been a tremendous aid to Wyoming communities to address their infrastructure needs, but there is still more work to do. Currently Wyoming communities needs include \$188M for sewage projects, \$263M for drinking

water projects and \$295M for landfill projects that the State Revolving Fund programs could assist.

Both programs continued to receive federal capitalization grants with a reduction of 6.2% in drinking water and 5.6% in clean water compared to last year. Both capitalization grants continue to require an additional subsidization set aside and a green project set aside is required for clean water. The State Revolving Fund programs offer the lowest interest rates to communities in Wyoming with many of the communities and engineers often remark they enjoy working with the State Revolving Fund because the best customer support and service among the funding agencies.

SITES RESTORED/REMEDIED

DEQ investigates, remediates and restores contaminated and disturbed sites in order to protect the health, welfare and safety of Wyoming's citizens and to preserve, reclaim and enhance air, land and water resources of the state. DEQ recognizes the increasing focus that is being placed on the restoration and enhancement of habitat to address sage grouse and other wildlife concerns. In consideration of the future economic and environmental health of the state, we seek to maximize the value of post-mining and post-remediation landscapes. DEQ continues to respond to evolving and emerging priorities in order to address those sites that present the greatest risk to safety and health of Wyoming's citizens. In conjunction with restoration and remediation activities, we attempt to prevent, reduce, and mitigate impacts to the environment by fostering pollution prevention, spill prevention and control, and green and sustainable remediation approaches, including the beneficial use and re-use of materials, as appropriate. DEQ believes investigation, restoration and remediation actions are most successful when expectations are clearly defined and conveyed. DEQ continues to work closely with all affected stakeholders in striving to find the most protective and effective short- and long-term solutions.



The Performance Measures displayed in the above graph are defined as follows:

Corrective Action Plan in Place: DEQ has taken affirmative action to restore the site to a condition of beneficial use. The Corrective Action Plan may be a contract, issuance of a permit with conditions, an agreement with a landowner, responsible party or public entity, or other document that commits DEQ or a responsible party to take corrective action.

Work in Progress: DEQ or a responsible party has actively initiated a correction action involving on-the-ground activity which will ultimately result in restoration of the site to some level of beneficial use. On some severely impacted sites, or where the restoration or decontamination process proceeds incrementally over time, corrective work may be in progress for many years.

Sites Completed: Sites restored to some level of beneficial use.

The universe of impacted sites used to calculate the percentages displayed in the graph is comprised of the total of all currently known sites in DEQ Division inventories. The base number of impacted sites will vary over time as new sites are identified and added to inventories, and as known sites are restored and entered in the completed category.

Four DEQ divisions aggressively pursue the identification and restoration, reclamation, or remediation of impacted sites across the State with the goal of returning the site to an appropriate level of post-impact beneficial use. The Abandoned Mine Land Division (AML) reclaims hazardous mine sites which were disturbed before 1977. The Land Quality Division (LQD) manages the reclamation of mine sites with forfeited bonds. The Solid and Hazardous Waste Division (SHWD) reclaims and remediates petroleum storage tank sites, solid and hazardous waste sites, and other contaminated sites through the Solid and Hazardous Waste Permitting and Corrective Action programs, the Voluntary Remediation Program, the Brownfields Program, the Orphan Sites Program, and the Storage Tank Program. The Water Quality Division (WQD) restores impacted watersheds and manages groundwater cleanup not involving hazardous waste. While progress continues in this area, the downward trend in the number of completed sites reflects an increase in the number of known and newly identified sites in need of restoration and remediation.

What has been accomplished:

Abandoned Mine Lands

The AML Program continues to refine reclamation projections based on better information generated through ongoing inventory evaluations. Both the internal AML Inventory Database and the Federal Abandoned Mine Land Inventory System (AMLIS) Database are continuously updated. A recent QA/QC process eliminated redundancies. Between updates and QA, the databases now provide a more accurate accounting of known abandoned mine sites, and also sites that still need work versus sites that have been completed. The changes in numbers of sites in our "universe" reflect this data cleanup work, as well as ongoing inventory efforts, additions of newly evaluated sites, and the addition of certain coal sites as required by the Office of Surface Mining (OSM). As more sites are evaluated more site records will be added into the backlog in AMLIS. With the initiation of new non-coal engineering contracts, as site evaluations

confirm sites requiring reclamation, these, too will be entered into AMLIS and will increase the backlog number. Only sites requiring reclamation/remediation are entered into the AMLIS database, which is used to track these numbers. The internal inventory holds more site records still awaiting evaluation and action decisions, therefore, the number of sites requiring reclamation/remediation will never be static

The data used to derive the numbers comes from the OSM AMLIS database as well as other paper records related to AMLIS data entry that are retained in the Lander Field Office. The 2012 funding reduction due to a federal Transportation Bill amendment has substantially increased the length of time anticipated for the program to complete the majority of the site backlog. Unfortunately, the cut in funding leaves a shortfall that will make the AML Program unable to complete all reclamation.

The AML Program accomplishes hazard reduction and environmental restoration at long abandoned mine sites throughout the state. Many abandoned mines have serious public health and safety hazards, as well as environmental degradation, including habitat loss, resulting from past mining practices. In some areas large tracts are devoid of vegetation, heavily impacting the quality of wildlife habitat and rangeland. A number of these large-acreage areas have caused sage grouse habitat fragmentation, and contribute to habitat loss. Many of the smaller sites have very dangerous open mine shafts and unstable underground workings that are easily accessible to the public.

Over the life of the Wyoming Abandoned Mine Land Program, accomplishments have included restoration of approximately 26,790 acres of degraded abandoned mine land to beneficial use. Additionally 2,742 mine openings have been closed, and over 700,000 linear feet of dangerous highwalls have been remediated.

Abandoned mine hazards addressed by this program include open mine shafts and adits (tunnels), dilapidated buildings, unstable mine highwalls, flooded mine pits, sinkholes open to mine workings, actively burning coal fires, and other features that are hazardous to life and limb. Mine subsidence in developed areas continues to threaten economic damage, and sometimes causes significant safety hazards. The most hazardous sites are the highest priority sites for reclamation, and are addressed before lower hazard sites and environmental problems. The AML Program first performs a full environmental evaluation, consistent with the National Environmental Policy Act (NEPA), prior to initiating a reclamation project. Then, with consideration for the natural and cultural resources present, AML designs successful hazard mitigation and habitat restoration projects for these impaired sites. Larger AML projects may span several construction seasons before reclamation is complete, while reclamation of smaller sites can be completed in a single season.

AML completed reclamation involving 106 contracts on 90 individual abandoned mine sites across the state during the fiscal year. Demonstrating the statewide nature of the distribution of abandoned mines, AML actions during the report year spanned 14 counties. Among the reclamation actions Big Horn County 1, Campbell County 1, Carbon County 7, Converse County 1, Fremont County 39, Goshen County 4, Hot Springs County 9, Johnson County 2, Lincoln County 8, Park County 1, Platte County 4, Sheridan County 5, Sweetwater County 29,

and Uinta County 1. One coal mine subsidence abatement grouting project under Interstate 80 in Rock Springs expended nearly \$4.3 million of AML's budget alone. This was follow-up work to a discovery last year of an unremediated open mine haulage way directly underneath the Interstate highway. Several other grouting projects are underway in the Rock Springs area to protect other infrastructure installations from future subsidence damage.

AML has continued its increased interaction with energy, transportation, and utility companies, and continues to provide mine location data and information for large and small utility planning projects. This important service can help avoid placing sensitive utilities and infrastructure over subsidence-prone areas or in areas with other potential abandoned mine hazards.

The AML Program continues to implement new techniques for site reclamation to provide enhanced wildlife habitat and achieve greater site stability over the long-term. One specific goal is to collaborate proactively with other entities to improve sage grouse habitat, and to protect Sage Grouse Core Areas within the state. During the previous report year, AML started a sagebrush establishment pilot study in the Gas Hills to help develop more successful reestablishment techniques on AML reclamation sites. After a single growing season, results in this 30 acre area are very promising, and the effort will be expanded to additional acreage as opportunity allows. AML has proactively participated in consultation on sage grouse with the Wyoming Game and Fish Department (WGFD) and participated in finalization of an interagency memorandum of agreement on such consultation for a DEQ-wide effort.

Land Quality

LQD bonding program is a significant task, requiring the review of bond instruments and the responsibility of the technical staff is to ensure the bond amount is correct. LQD currently holds approximately 1,055 individual bond instruments for a total value of approximately \$3.2 billion. LQD approves annual renewal of many of these bond instruments, and changes in bond amounts that occur through the annual report review process.

The LQD regulatory program requires operators to reclaim mine operations after mining is completed. The great majority of sites are successfully reclaimed by operators. To date, 1380 facilities have been successfully reclaimed by operators, while only 125 have been forfeited. Of these, reclamation is not complete on 29. Reclamation of these forfeited mine operations are the responsibility of LQD, and is accomplished by contracting for necessary services using forfeited funds.

This concept of LQD contracting for services is illustrated by the successful reclamation of a 5 acre disturbance, called the ORO Management Site. The site was located on a Class 2AB stream, Rock Creek, in the South Pass area of the Wind River Mountains, had degraded to a veritable junkyard for several years through 2012. It contained scrap metal of all kinds and sizes, over 20 abandoned vehicles (including snowmobiles, water trucks, pick-up trucks), and tanks and mining equipment of all sizes. The site was essentially a 5-acre junkyard. RC Minerals & Rock purchased the forfeited/foreclosed property and, under a Sole Source Contract with LQD, reclaimed the site to an extremely high quality. The work was done within a year's time frame and involved the hauling of tens of thousands of tons of scrap materials a distance of 60 miles to

Rock Springs. The work also involved tracking VIN numbers on abandoned vehicles, contacting the local sheriff's office, and posting public notices.

The LQD encourages operator involvement in various awards programs intended to recognize the dedication to successful reclamation practices common to Wyoming's mining industries. The 2013 State of Wyoming Reclamation Award was awarded to Cloud Peak Energy's Antelope Coal Mine for its work on "Sustainable control of Bromus tectorum, "Cheatgrass" on Western Reclaimed Lands through Innovative Husbandry Practices." Also, the Interstate Mining Compact Commission (IMCC) awarded two Wyoming mines for reclamation work in the Coal and Noncoal Reclamation Award Categories: The M-I SWACO Bentonite Mine in Big Horn County, was awarded the winner of the IMCC's Reclamation Award in the Noncoal Category, while the Bridger Coal Mine, near Rock Springs, WY, received an Honorable Mention in the Coal Reclamation Category.

Solid and Hazardous Waste

Voluntary Remediation, Brownfields, and Orphan Site Remediation

Within the SHWD, the Voluntary Remediation Program (VRP), Brownfields, and the Orphan Site Remediation Program (OSRP) continue to investigate and cleanup contaminated properties and return them to productive use.

The ORSP conducted investigation and remediation in 2012 of an historic area of acidic petroleum materials that seeped to the street surface each summer. The "acidic seeps" were related to the Former Lobell Refinery, which operated in Casper c. 1896-1911. The project included excavation, treatment, and disposal of over 800 cubic yards of acidic petroleum materials and soils. The successful results include remediation of physical hazards associated with the acidic materials, restoration of Wolcott Street, improved community relations, and an enhanced understanding of current environmental conditions in the downtown Casper area. Additional investigation and remediation activities are planned for the fall of 2013.



Remediation activities at the Former Lobell Refinery Orphan site in Casper WY, August 2012

The Brownfields Assistance Program has grown in popularity with an increasing number of local governments receiving state and federal technical assistance for environmental assessments and cleanups of Brownfields sites in their communities. Nine communities across Wyoming have benefited from the Brownfields Assistance Program in identifying potential contamination and/or resolving pollution issues at their site. Five of these communities have seen significant progress toward reuse. These sites include the Former UPRR Roundhouse and Railyard in Evanston, the Upton Regional Industrial Site, the Former Ancar Tank Farm in Sheridan, the Dubois Mill Site, and the former Old Stoney school in Sundance. With future plans in progress, these sites are currently used for a community center in Evanston, a business ready industrial site in Upton, a parking area for the Sheridan Pathway system, an assisted living center in Dubois, and a museum in Sundance. In FY13, the Brownfields Assistance Program will conduct a groundwater assessment for Carbon County at a former junkyard site (Skyline Acres) near Rawlins; an environmental assessment for the Laramie Rivers Conservation District at a former Yttrium Plant in Laramie; and continue to oversee a federal Brownfields Cleanup Grant project in Dubois at the former LP Sawmill site (photo below). These efforts will facilitate the redevelopment of these properties in order to put them into productive reuse.



Former Sawmill Site, Dubois, WY

The VRP continues to accept new sites, resolve existing sites and issue environmental liability assurances. In 2011, 2012 and 2013, the VRP supported the City of Cheyenne as the City applied for and received a one million dollar EPA Assessment grant, and a second one million dollar EPA grant to establish a Revolving Loan Fund program. It is anticipated that as a result of

the activities associated with the two grants, the VRP may receive applications for up to 30 new sites over the course of 2013 and 2014.

Under the Hazardous Waste Program (HW), significant cleanup activities have occurred at all of the HW facilities (primarily closed/operating petroleum refineries) including implementation of remedial alternatives, such as: a Corrective Action Management Unit (CAMU) at the Sinclair Refinery that was constructed over a large scale in-place petroleum waste stabilization. The CAMU will provide for disposal of approximately 250,000 cubic yards of waste generated from remediation activities. The top photo below shows petroleum waste that was buried over a large area that migrated upwards to the surface in some locations. The bottom photo below shows stabilization of the petroleum waste and the area where the CAMU was constructed.



Storage Tank Program

In 1990, legislation was passed that made the state responsible for remediation (cleanup) of soil and groundwater contaminated by releases from STP-regulated USTs. In 1995, regulated ASTs became eligible for the state-funded cleanup program. STP-regulated tank owners are eligible for remediation by the state if the tank is registered, fees are paid, and a minimum site assessment is completed (if applicable).

The STP receives approximately \$10-\$11 million annually for the cleanup program. Sites are prioritized based on the severity of the release and the potential impacts to human health and the environment. However, priority rankings are assigned based on limited information available during tank removal and/or minimal site assessments. Therefore, priority rankings are subject to change after full site assessments are completed by the consultant. Contaminated sites with the highest priority are completed first; however, lower priority sites are grouped with higher priority

sites when projects are developed. This is a cost effective way to complete remediation based on location. The STP hires consultants to complete the cleanup, which is overseen by STP Project Managers.

As of June 30, 2013, approximately \$164.5 million had been spent for corrective action at leaking storage tank sites. During FY2013, approximately \$9.2 million was spent for corrective action at leaking storage tank sites. These costs do not include STP staff salaries or administrative costs. Approximately 66% of the known contaminated sites have been cleaned up, 25% are undergoing cleanup, and 9% are waiting for funding to begin cleanup.

The STP Remediation Section performs the following functions:

- Prequalifies and selects engineers, contractors, and equipment suppliers to complete remediation;
- Oversees engineers and contractors completing cleanup;
- Works with and assists site owners to mitigate impacts to sites during construction;
- Engages in community involvement and outreach before, during, and after construction; and
- Manages the cleanup fund in a sound and responsible manner.

During FY 2013, the STP started 5 remediation projects comprising 50 sites and completed remediation at 61 sites.

At the end of FY 2013 the total number of STP contaminated sites was 1,610. The number of contaminated sites in the “Action Plan in Place” category during FY13 was 119. The number of contaminated sites in the “Corrective Work in Progress” category during FY13 was 280, and the number of contaminated sites “Completed” during FY13 was 61. The total number of sites completed to date was 1,068. The performances for each of these categories in this measure are: $119/1,610 = 7.4\%$ (Action Plan in Place), $280/1,610 = 17.3\%$ (Corrective Work in Progress), and $1,068/1,610 = 66.3\%$ (Sites Completed to Date). The remaining 143 sites have not been placed into a project ($143/1,610 = 8.9\%$ Sites not Started).

The STP considers a site to be in the “Action Plan in Place” category if the site is in a project but is not in the operation & maintenance (O&M) phase. In other words, the site is under investigation, design, or construction of the remedial alternative. If a site is in O&M, it is considered to be in the “Corrective Work in Progress” category. These definitions are used because they are the same as the definitions used by EPA for the program.

Water Quality Division

WQD continues to oversee cleanup at numerous sites with groundwater contamination issues that were brought before DEQ prior to establishment of the Voluntary Remediation Program. These sites include several Formerly Used Defense (FUDs) sites, such as the former Atlas Missile sites in Laramie County. DEQ continues to work closely with the US Army Corps of Engineers to develop a scope of work to provide for synthesis of data collected during the investigation of one former missile site (MS4) west of Cheyenne on the City of Cheyenne's

Belvoir Ranch. The data synthesis effort should assist in the identification and selection of potential remedial options to control and restore contaminated TCE-contaminated groundwater that has impacted the City's drinking water supply wellfield.

Department of Environmental Quality

