



Supplemental Environmental Projects

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Idaho Cleanup Project

April 29, 2021



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Idaho Cleanup Project

Why do SEPs?

Enforcement Action:

The Department of Energy (DOE) and the Idaho Dept. of Environmental Quality (DEQ) signed a consent order in March 2015 containing milestones for start up of treatment of tank farm wastes that includes stipulated penalties if any milestone is missed. The current penalty is \$6000/day until the milestone is met

Supplemental Environmental Projects (SEPs) are identified in the consent order as an option for settling penalties

- *The SEPs were undertaken in connection with the settlement of an enforcement action taken by the Idaho Department of Environmental Quality for alleged violations of the requirements of the Hazardous Waste Management Act*

DEQ enforcement penalty for missed milestone for IWTU operations



What is a SEP?

Supplemental Environmental Projects (SEPs): Environmentally beneficial projects or activities that are not otherwise (legally) required but may be completed as part of the settlement of an environmental enforcement action. They are in addition to actions required to become compliant and once approved are incorporated into the enforceable agreement

SEP Purpose/Benefits & Policy:

- EPA Purpose: “Encourage and obtain environmental and public health protection and benefits that may not otherwise have occurred in the settlement of an enforcement action.” (2015 Update to the 1998 U.S. Environmental Protection Agency Supplemental Environmental Projects Policy, issued March 30, 2015)
- DEQ Policy Statement PS15-05 “Supplemental Environmental Projects” dated May 21, 2015

SEPs are approved by DEQ to settle all or part of the assessed penalty



Penalty & SEP Summary

- **\$7,866,000 in penalties** assessed for failing to meet milestones for treating sodium bearing waste between March 2015 & March 2020
- **\$1,488,800** of that has been paid to the DEQ Hazardous Waste Emergency Fund
- **23 SEPs** have been approved by DEQ with a total value of \$6.4M. The approved SEPs are underway or have been completed
- The **\$2.19M penalty** has been assessed annually through March 30th since 2017. The settlement proposal is due to DEQ by May 30th. DOE is liable for the penalty until the SEP is successfully completed



Penalty & SEP Summary

- The annual penalty assessed through March 30, 2021 will be less than \$2.19 M due to impacts on the project from COVID-19 that were outside DOE-ID control
- SEPs under consideration for FY2021 include:
 - Support to East Idaho Public Health for COVID-19 public health initiatives
 - Burnett Canal Project on the Big Lost River Drainage, canal lining to reduce erosion and water diversion from the Big Lost River



SEPs Project Types

Number of SEPs	Project Types	Amount \$
5	Funding for training of environmental regulatory personnel	211,314
8	Surface water and wetland protection and improvements	1,320,146
2	Air quality improvements	135,000
6	Waste and wastewater management, recycling, water conservation, and public health	1,559,740
3	Groundwater characterization and monitoring	3,151,000



Penalty & SEP Summary

Penalty Date	Amount \$	Number of SEPs/ Penalty Payment \$	Amount Resolved \$
5/3/2015	648,000	4 SEPs/ 338,800	648,000
3/30/2017	648,000	6 SEPs/ 0	648,000
3/30/2018	2,190,000	3 SEPs/ 0	62,300
3/30/2019	2,190,000	5 SEPs/ 1,150,000	1,914,335
3/30/2020	2,190,000	5 SEPs/ 0	388,431
Totals	7,866,000	23 SEPs/ 1,488,800	3,661,066

46% of the \$7,866,000 penalty has been resolved since March 2015.



Completed SEPs

Date	Project
2015 – 2019	Western States Project
2015 & 2017	Wood Creek Jack & Rail and Clear Creek & Spring Creek Jack & Rail Fencing Riparian Protection Projects, Fort Hall Reservation
2015	City of Salmon Clean Woodstove Project
2015	Rock Creek Restoration & Reconnection Project, The Nature Conservancy
2017	Protecting & Restoring Water Quality in the Teton River Watershed Project, Friends of the Teton River/Teton Regional Land Trust
2017	City of Idaho Falls Recycling, Stormwater and Water Conservation Project
2017	Eastern Snake River Plain Aquifer Monitoring Project, Idaho Dept. of Water Resources
2017	Henry's Creek Fire & Tex Creek Wildlife Management Area Water Quality Improvement Project, Bureau of Land Management
2019	Snake River School District 52 Sewer Upgrade Project
2019	Butte County Landfill Closure Investigation Project
2020	Eastern Idaho Public Health Districts COVID-19 Support



Fort Hall Source Water Protection Projects



Fencing to protect natural springs and habitat

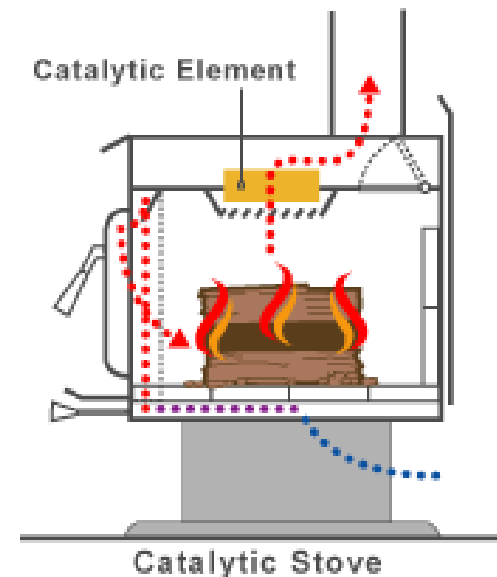
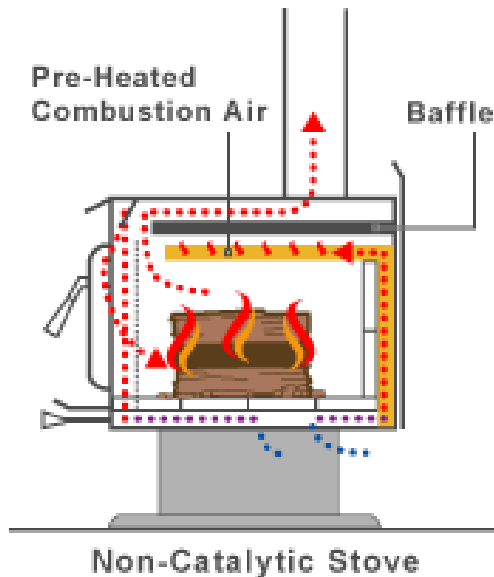


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City of Salmon Clean Woodstove Project



The City of Salmon-sponsored project provided rebates for replacement of older woodstoves with EPA certified clean woodstoves

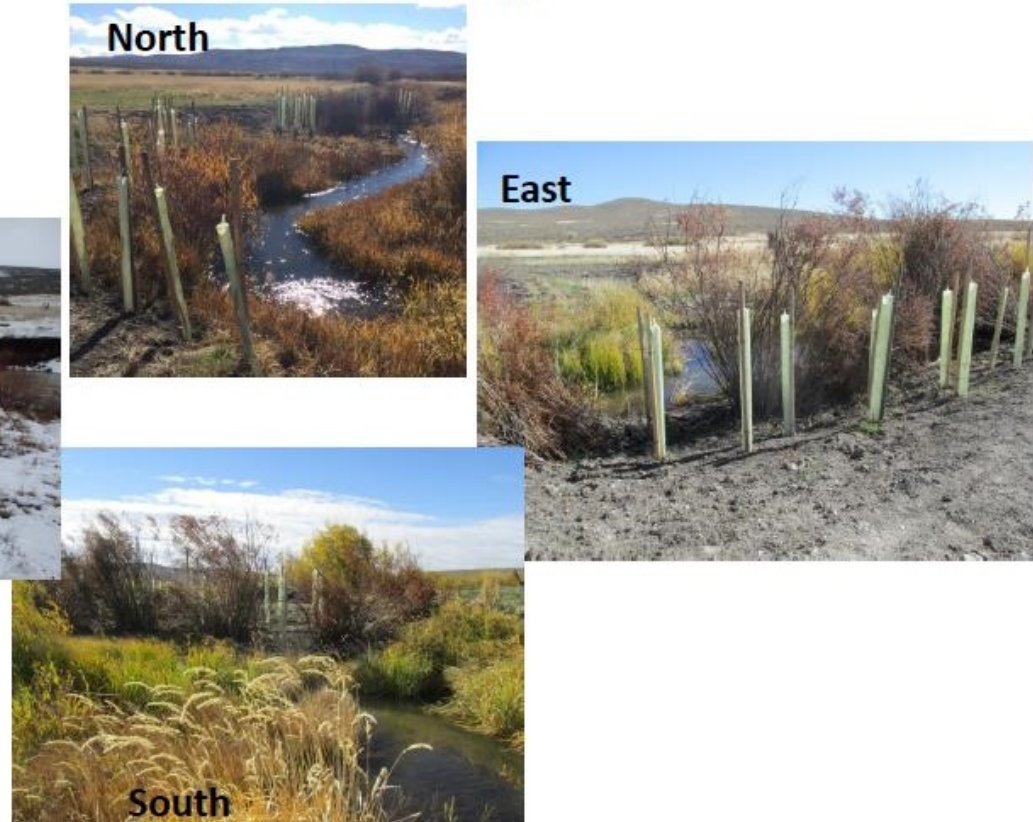


Nature Conservancy Rock Creek Restoration

Before – December 2015



After – October 2016



**The project restored the natural creek flow and vegetation
to improve water quality and ecology**



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Teton River Watershed Project

HOUSEHOLD HAZARDOUS WASTE FREE COLLECTION DAY

SATURDAY
MAY 19, 2018
8AM- 12PM



TETON COUNTY
IDAHO TRANSFER
STATION

DO BRING

- Oil-based paint
- Paint strippers & thinners
- Lawn & garden chemicals (herbicides, pesticides)
- Automotive products (antifreeze, brake fluid, transmission fluid)
- Pool & spa chemicals
- Gasoline, lighter fluid, & solvents
- Cleaning products (oven cleaner, drain opener, stain remover, polish, ammonia-based cleaners)
- Household products labeled "caution" "warning" or "poison"

DO NOT BRING

- Any container greater than 5 gallons
- Latex paint
- Industrial, commercial, or business waste
- Medical or pharmaceutical waste
- Agricultural chemicals
- Explosives, ammunition, or fireworks
- Asbestos
- Radioactive waste (smoke detectors)
- Compressed gas cylinders (fire extinguishers)
- Tires
- E-waste (computers, cellphones)

GUIDELINES FOR DISPOSAL

- Bring all substances in original container if possible. Please label if not in original container.
- Properly seal containers to prevent leaking
- Do not mix or consolidate products
- **Please keep in mind** that decisions to accept or reject materials will be made on site. We have the right to refuse service.

QUESTIONS? 208-354-3871 OR 208-354-3442 OR WWW.TETONWATER.ORG



This event is made possible by funding from Teton County, ID Solid Waste & Recycling and a grant from the U.S. Department of Energy in connection with the settlement of an enforcement action taken by the Idaho Department of Environmental Quality for alleged violations of the requirements of the Idaho Hazardous Waste Management Act.



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Idaho Falls Recycling Project



Public information on recycling & glass recycling in Idaho Falls



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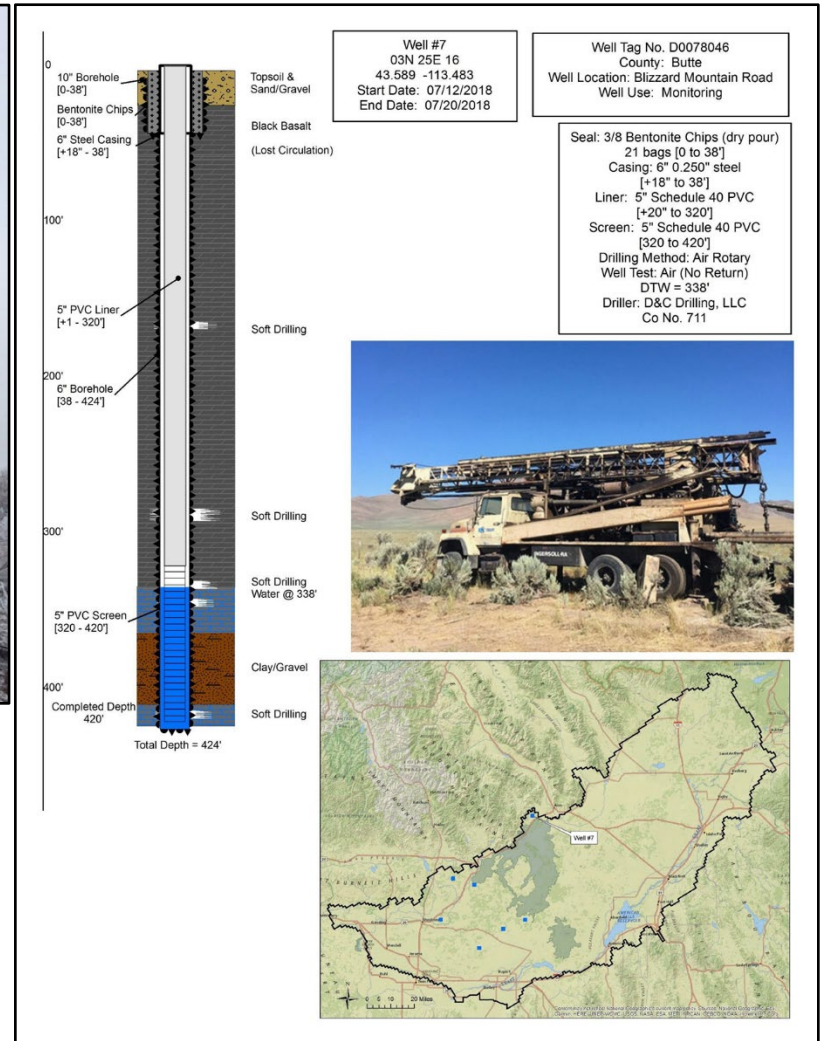
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IDWR Aquifer Monitoring Project



Well drilling and geophysical characterization



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BLM Henry's Creek Fire & Tex Creek WMA Project

Areas for fencing
and erosion control
after the fire.

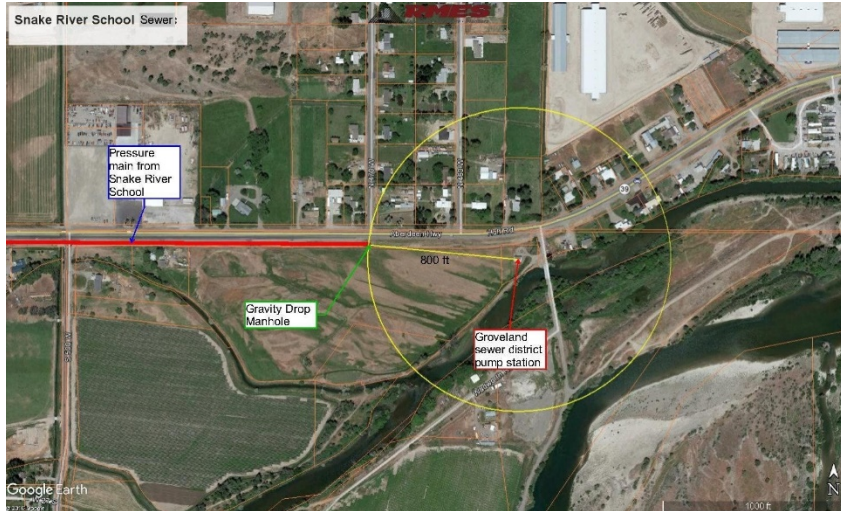


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Snake River School District Sewer Project



↑ Sewer Connect Project Layout

Lift Station Installation →

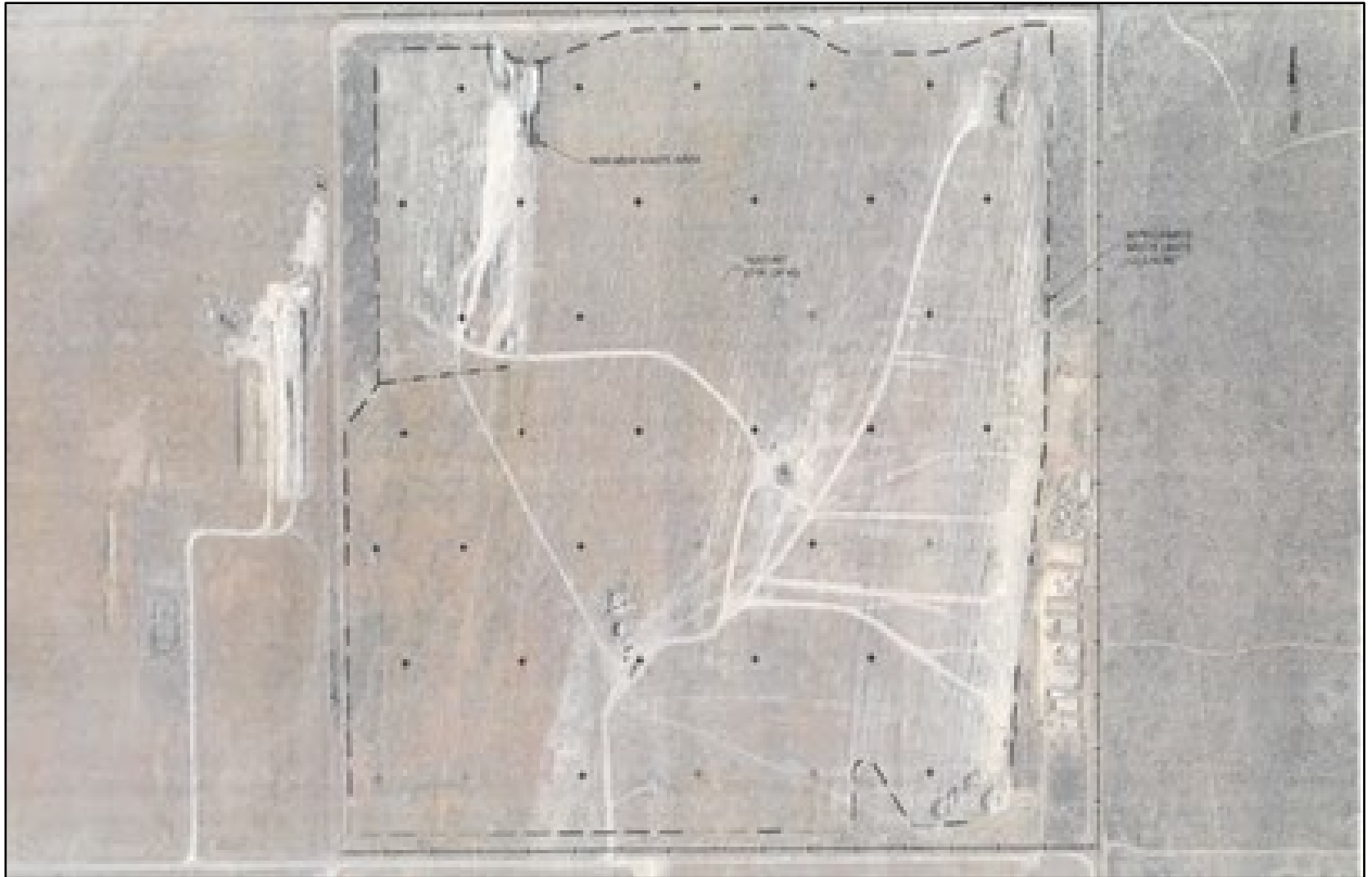


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Butte Co. Landfill Closure Investigation Project



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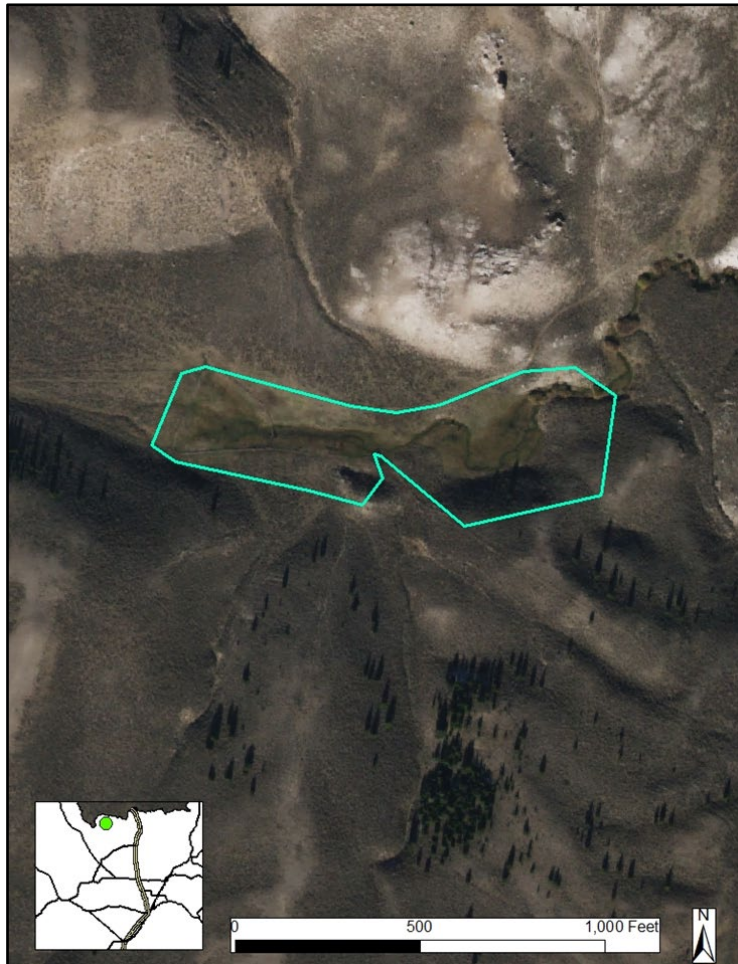
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SEPs Approved by DEQ – In Progress

Date	Project
2018 & 2019	Beck Canyon Riparian Fence & Market Lake Wildlife Management Area East Springs Wetland Restoration Project, and the Upper Snake Region Riparian/Wetland Restoration Project, Idaho Fish & Game
2018	Southeast Idaho Data Collection & Monitoring Project, Idaho Dept. of Water Resources
2019	Salmon, Idaho, PM Advance Project, Dept. of Environmental Quality
2020	Upper Snake Region Riparian and Wetland Restoration Projects, Idaho Department of Fish and Game
2020	The Nature Conservancy Crooked Creek and Silver Creek Tributaries Restoration Project
2020	City of Ammon Groundwater Conservation Project
2020	Raft River Basin Hydrogeologic Investigation Project, Idaho Department of Water Resources



F&G Surface Water & Wetland Protection Projects



Fencing & water management projects

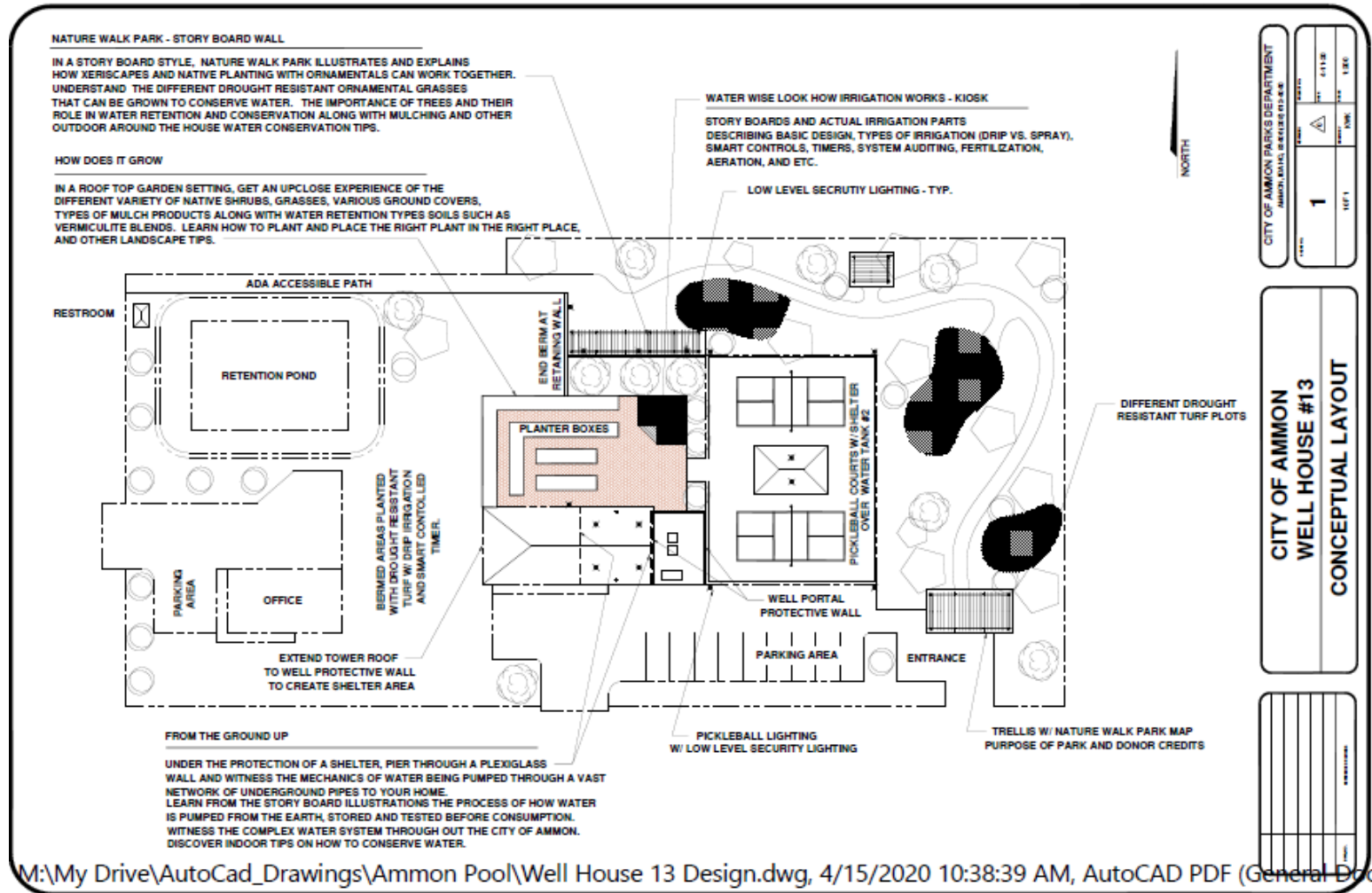


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City of Ammon Water Conservation & Public Education



Water conservation & protection public education area



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Background Slides



Background

SEP Key Characteristics and Categories

- Characteristics: “Environmentally beneficial,” “in settlement of an enforcement action,” and “not otherwise legally required to perform”
- Categories: Public Health, Pollution Prevention, Pollution Reduction, Environmental Restoration and Protection, Assessments and Audits, Environmental Compliance Promotion, Emergency Planning and Preparedness
- Not Acceptable: Research contributions, cash donations to environmental organizations, projects for profit, projects using external financing or financial assistance (i.e. double dipping)



SEPs Completed

Date(s) Approved	Project	Status
2015 2017 2018 2019	Western States Project: 4 SEPs totaling \$211,314 to fund training for state environmental regulatory personnel	Completed
2015 2017	Wood Creek Jack & Rail Fencing Project and the Jack & Rail Fence Riparian Protection Project for Clear Creek & Spring Creek on the Fort Hall Reservation, Shoshone Bannock Tribes: 2 fencing projects totaling \$80,351 to protect natural springs and surface water from degradation due to livestock	Completed



SEPs Completed

Date(s) Approved	Project	Status
2015	City of Salmon Clean Woodstove Project: A project for \$35,000 to improve air quality in and around Salmon using vouchers for upgrading wood-burning heating to EPA certified clean burning units	Completed
2015	Rock Creek Restoration & Reconnection Project, The Nature Conservancy: A project for \$200,000 to restore surface water quality and riparian habitat	Completed



SEPs Completed

Date(s) Approved	Project	Status
2017	Protecting & Restoring Water Quality in the Teton River Watershed Project, Friends of the Teton River/Teton Regional Land Trust: A project for \$100,000 to protect water quality in the Teton River area and conduct a household hazardous waste day & well water testing	Completed
2017	City of Idaho Falls Recycling, Stormwater and Water Conservation Project: A project for \$90,000 for public education and system improvements for stormwater and water conservation, and waste recycling	Completed



SEPs Completed

Date(s) Approved	Project	Status
2017	Eastern Snake River Plain Aquifer Monitoring Project, Idaho Dept. of Water Resources: A project for \$251,000 to characterize the Eastern Snake Aquifer for water quality and groundwater recharge	Completed
2017	Henry's Creek Fire & Tex Creek Wildlife Management Area Water Quality Improvement Project, Bureau of Land Management: A project for \$92,170 to reduce erosion and protect surface water after the 2016 Tex Creek wildland fire	Completed



SEPs Completed

Date(s) Approved	Project	Status
2019	Snake River School District 52 Sewer Upgrade Project: A project for \$700,000 providing partial funding to upgrade the septic systems at the high school and junior high school by connecting them to the Blackfoot Wastewater Treatment System	Completed
2019	Butte County Landfill Closure Investigation Project: A project for \$24,000 to investigate the adequacy of the soil cover for closure of the Butte County Landfill	Completed



SEPs Completed

Date(s) Approved	Project	Status
2020	Eastern Idaho Public Health Districts COVID-19 Support: A project to provide \$388,431 in support to the Southeast and Eastern Idaho Public Health Districts to assist with the response to the COVID-19 pandemic to reduce the environmental public health hazard	Completed



SEPs Approved by DEQ – In Progress

Date(s) Approved	Project	Status
2018 2019	Beck Canyon Riparian Fence & Market Lake Wildlife Management Area East Springs Wetland Restoration Project, and the Upper Snake Region Riparian/Wetland Restoration Project, Idaho Fish & Game: 2 projects totaling \$175,665 to improve and protect wetland habitats and water quality in springs and surface water	In progress
2018	Southeast Idaho Data Collection & Monitoring Project, Idaho Dept. of Water Resources: A project for \$2,068,000 to characterize the Eastern Snake Aquifer for water quality and groundwater recharge, with emphasis on the Big Lost River Basin	In progress



SEPs Approved by DEQ – In Progress

Date(s) Approved	Project	Status
2019	Salmon, Idaho, PM Advance Project, Dept. of Environmental Quality: A project for \$100,000 to reduce air quality impacts from wood-burning heating devices	In progress
2020	Upper Snake Region Riparian and Wetland Restoration Projects, Idaho Department of Fish and Game: 2 projects for a total of \$212,800 to improve and protect wetland habitats and water quality in springs and surface water	In progress



SEPs Approved by DEQ – In Progress

Date(s) Approved	Project	Status
2020	The Nature Conservancy Crooked Creek and Silver Creek Tributaries Restoration Project: 2 projects for \$499,460 to restore surface water quality and riparian habitat	In progress
2020	City of Ammon Groundwater Conservation Project: A project with the City of Ammon for \$257,309 to create an area for water conservation and pollution prevention public education at the site of a City drinking water tank	In progress



SEPs Approved by DEQ – In Progress

Date(s) Approved	Project	Status
2020	Raft River Basin Hydrogeologic Investigation Project, Idaho Department of Water Resources: A project for \$832,000 to characterize the for water quality and influence on Eastern Snake River Aquifer groundwater recharge, with emphasis on the Raft River drainage	In progress



NON-CO Milestones

- March 2015 Penalty of \$648,000 assessed at signing of 5th Modification to the NON-CO for missing the December 31, 2014 previous NON-CO milestone
- September 30, 2016 Initiate treatment of Sodium Bearing Waste (SBW)
- September 30, 2017 Complete treatment of 30% of the SBW
- June 30, 2018 Complete treatment of 70% of the SBW
- December 31, 2018 Permanently cease use of SBW tanks, WM-187, WM-188, WM-189, and WM-90
- Penalty continues, \$2000/day/tank or \$6000/day*, until the tanks are empty, or the NON-CO is renegotiated

* Penalty rate is same whether 1 or 4 milestones missed.

