

STATE OF COLORADO



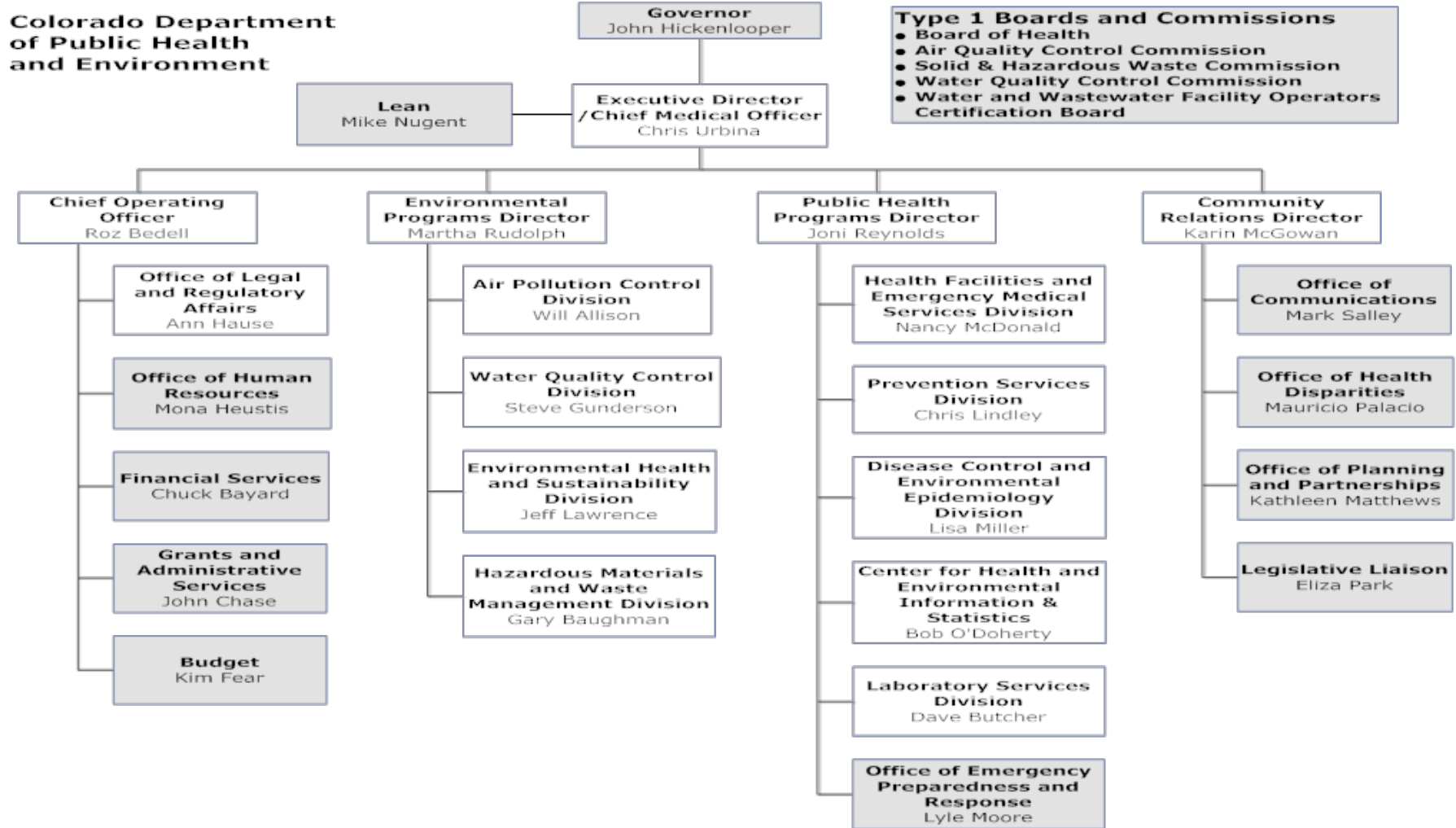
**Colorado Department
of Public Health
and Environment**

**Department of Public Health and Environment
Executive Director – Chris Urbina**

Department Description

FY 2013-14

Organization Chart



Total Funds: \$466,101,507
FTE: 1223.1

BACKGROUND INFORMATION

The Colorado Department of Public Health and Environment is one of 16 cabinet-level departments whose executive directors are appointed by the governor. The mission of the Colorado Department of Public Health and Environment is to protect and improve the health of Colorado's people and the quality of its environment. Dr. Christopher E. Urbina serves as executive director and the Chief Medical Officer of the Department.

The Department serves the people of Colorado by providing high-quality, cost-effective public health and environmental protection services. The Department focuses on evidence-based best practices in the public health and environmental fields and plays a critical role in educating our citizens so they can make informed choices. In addition to maintaining and enhancing our core programs, we continue to identify and respond to emerging issues that could affect Colorado's public and environmental health.

The Department pursues its mission through broad-based health and environmental protection programs, including disease prevention; control of disease outbreaks; health statistics and vital records; health facilities licensure and certification; health promotion; maternal, child, adolescent, and women's health; tuberculosis management; refugee health; prevention and treatment of sexually transmitted infections and HIV; nutrition services; suicide and injury prevention; emergency medical services; disease prevention and intervention services for children and youth; laboratory and radiation services; and emergency preparedness. The Department's environmental responsibilities span a full array of activities including air and water quality protection and improvement, hazardous waste and solid waste management, pollution prevention and environmental leadership, and consumer protection.

The Department has a staff of approximately 1,223 employees, with the vast majority working at the Department's offices in Glendale. The state Lab is located in Lowry and there are small satellite offices in Grand Junction and Pueblo. The Department receives approximately 94 percent of its \$466 million funding from fees, grants and other non-general fund sources. The statutory authority for the Department is found in Title 25 of the Colorado Revised Statutes.

OVERVIEW OF THE OFFICES AND DIVISIONS

Health Offices and Divisions

Office of Health Disparities – supports activities aimed at eliminating health disparities as seen in Colorado among communities of color, those residing in rural areas, and groups of individuals whose health and health care outcomes vary from those of other groups of citizens. The office supports the Minority Health Advisory Committee, the Interagency Health Disparities Leadership Council, and

FY 2013-14 Budget Request Cycle: Department Description

oversees the tax-funded Amendment 35 Health Disparities Grant Program.

Office of Planning and Partnerships- distributes general funding to local public health agencies for core public health services infrastructure and manages Colorado's health assessment and planning system for local and state public health. The office provides technical assistance to local public health agencies and serves as a liaison to CDPHE programs.

Center for Health and Environmental Information and Statistics Division – includes the health statistics section, vital records, information technology, medical marijuana program registry, and geographic information systems. This division gathers and analyzes health data, including the Behavioral Risk Factor Surveillance System (BRFSS), provides birth and death certificates, administers the Medical Marijuana Registry, and serves as the Liaison with the Governor's Office of Information Technology for the department.

Laboratory Services Division – includes the programs for laboratory certification, environmental chemistry, evidential breath-alcohol, microbiology, newborn screening, radiochemistry, serology, virology/molecular science, and toxicology. This division supports public health surveillance activities with laboratory analyses including screening for newborn metabolic disorders; breath alcohol levels; urine and blood drugs of abuse in support of law enforcement; bioterrorism surveillance; zoonotic disease testing (plague, West Nile Virus, hantavirus, avian flu); human disease testing (flu, TB, STIs, vaccine preventable diseases); radiochemical and radiation testing; water and air testing; milk testing; and private laboratory certification.

Disease Control and Environmental Epidemiology Division – includes programs for immunization, communicable disease, tuberculosis, viral hepatitis, environmental epidemiology and occupational health, birth defects monitoring and prevention, refugee preventive health and sexually transmitted infections/HIV. This division supports the prevention and/or control of communicable diseases, assesses the risk of illness related to environmental exposures, and monitors birth defects.

Prevention Services Division – includes programs for cancer, cardiovascular disease and chronic pulmonary disease prevention, early detection and treatment; Physical Activity and Nutrition (COPAN); cardiovascular disease and stroke prevention; cancer registry; comprehensive cancer prevention and control; Women's Wellness Connection providing breast and cervical cancer screening; diabetes control; arthritis; asthma; Tobacco Education and Prevention (STEPP); injury, suicide and violence prevention, including child fatality prevention systems; the special supplemental nutrition program for Women, Infants and Children (WIC); child and adult care food Program; child, adolescent, and school health; Nurse Home Visitor; Tony Grampas Youth Services; Children's Trust Fund/Family Resource Centers; health care program for children with special needs; interagency prevention systems project; family planning; prenatal care; oral health; and the Primary Care Office. The Prevention Services Division leads efforts to improve the health and well being of all Coloradans through health promotion, public health prevention programs, and access to health care.

FY 2013-14 Budget Request Cycle: Department Description

Health Facilities and Emergency Medical Services Division – includes the state licensure and, the Medicare and Medicaid certification programs for health facilities and the emergency medical and trauma services program. This division provides support and regulatory oversight for hospitals, ambulatory surgical centers, long term care facilities, assisted living residences and other health facilities; for emergency medical technicians and air ambulance services; and for the state trauma system.

Office of Emergency Preparedness and Response– includes the planning, assessment, integration, training, communication, and identification functions necessary for emergency preparedness. This division is responsible for all-hazards preparedness, including natural disasters, bioterrorism, pandemic flu, epidemics and other health emergencies, and hospital and emergency medical system preparedness.

Environmental offices and divisions

Air Pollution Control Division –The Air Pollution Control Division (APCD) provides comprehensive air quality services to Colorado citizens, businesses, local governments, and other customers. The APCD protects public health and environment by implementing sound regulatory and administrative clean air programs. The Division is responsible for coordinating and developing Colorado’s air quality plan consistent with state and federal law, and for submitting that plan to the Colorado Air Quality Control Commission, the Colorado General Assembly, and the U.S. EPA. The Division also implements and enforces all air quality requirements in the state. The APCD oversees a wide variety of sources, from neighborhood dry cleaners to large power plants. In discharging these duties, the Division issues permits, conducts inspections and brings enforcement actions to ensure that air pollution sources meet all applicable requirements. The Division also conducts statewide air quality monitoring and modeling, in order to ensure that air quality standards are being met and that Colorado’s programs are based on the best available science. The APCD consists of the following programs: Stationary Sources; Mobile Sources; Indoor Air Quality; Technical Services; and the Planning and Policy Program. These programs develop and implement requirements for industrial and commercial sources, motor vehicles, indoor air pollutants such as asbestos and lead based paint, and open burning within the state. In discharging its duties, the APCD often works with other state agencies. For example, the Division coordinates closely with the Colorado Oil and Gas Conservation Commission in regulating air emissions from oil and gas drilling operations.

Water Quality Control Division – includes the clean water and safe drinking water programs. This division administers the state water quality and drinking water programs, which includes the regulation of discharges of pollutants into the state’s surface and ground waters; the support and regulatory oversight of the public drinking water program; the administration of the industrial pretreatment program, biosolids program and reuse program; the monitoring and assessment of surface and ground waters; the development of Total Maximum Daily Load calculations that begin the process to address water bodies that do not meet standards; administering the Drinking Water Revolving Fund and the Water Pollution Control Revolving Fund programs to provide financial assistance to

FY 2013-14 Budget Request Cycle: Department Description

government entities for the construction of drinking water and wastewater facilities; the review and approval of site location and design of domestic wastewater treatment works; and the development of reports and information that reflect the status of water quality in Colorado.

Hazardous Materials and Waste Management Division – includes the radiation program, remediation program and solid and hazardous waste program. This division administers the state regulatory programs for solid and hazardous waste, which includes the management, treatment and disposal of solid waste, and the generation, storage, transportation, treatment and disposal of hazardous waste. The division also oversees the remediation of contamination associated with the release of solid or hazardous waste at regulated private sites, federal facilities, and superfund sites across the state. “Brownfields” redevelopment is also encouraged through implementation of the Voluntary Cleanup and Redevelopment Act. In addition, the division administers the state regulatory program for radiation control, which includes the use, management and disposition of radioactive materials, and the oversight of radiation services.

Division of environmental health and sustainability– Includes comprehensive food protection programs, institutional environmental health programs, tanning facilities, medical device manufacturers, health fraud and vector control. This division administers the state regulatory programs for wholesale food manufacturers and dairy plants and farms, which includes the statewide coordination and regulatory oversight of recalled food products within the state. The division is also responsible for overseeing regulatory activities within the retail food, school and child care programs including promulgation of regulations, inspections, and technical assistance to local health agencies. In addition the division coordinates consumer protection activities with local, state and federal agencies.

This division also includes programs for greening state government, environmental leadership, pollution prevention, regulation of animal feeding operations, administration of recycling grants and supplemental environmental projects, oil and gas consultation activities, small business ombudsman and environmental justice concerns. This office administers the department’s cross-media and non-traditional environmental protection programs and initiatives which includes the regulation of animal feeding operations; consultation with the Colorado Oil and Gas Conservation Commission; oversight of the Colorado Environmental Audit Privilege and Immunity Law; management of a statewide environmental leadership program; provision of assistance to communities in addressing environmental justice concerns; the collection and distribution of information regarding the annual Toxic Release Inventory report; and working with state departments and agencies to reduce energy consumption and increase energy efficiency.

2012 LEGISLATION

Electronic Death Certificate Registry System (HB 12-1041. Labuda/Guzman): Moves Colorado’s death certificate registry system to an electronic system. Prior to the legislation, all death certificates were signed, filed, and mailed to the appropriate parties manually costing coroners, funeral homes, local public health agencies and CDPHE time and money. This bill makes the system more efficient by creating an

FY 2013-14 Budget Request Cycle: Department Description

electronic registry that local offices will have live access to and will have accuracy checks such as spell check. The program is paid for by an increase of \$3 per death certificate for two years and roughly \$250,000 in reserves. After two years of implementation, the department shall report to both health committees on the status of implementation and an assessment of the fees.

Health Department Infant Eye Prophylaxis (HB 12-1058, Joshi/Nicholson): This bill removes certain requirements for the department to name, approve and provide, free of charge, a prophylaxis to be used in treating the eyes of newly born infants. Health care professionals are still required to use eye prophylaxis. Today, health care insurance covers these expenses and providers use their connections with pharmaceutical companies to provide the care to newborns.

Colorado Children's Trust Fund (SB12-064, Nicholson/Massey): This bill extended the repeal date of this program to 2022 and clarified that the funds must be used for primary and secondary prevention of child maltreatment, not tertiary prevention.

Health Facilities Licensing and Certification. In 2012, two major pieces of legislation were passed that change how licensed and certified health facilities will be regulated. HB 12-1294 (Liston-Tochtrop) substantially changes the way these facilities are licensed including a tiered survey process, change of ownership review, creation of 'deemed status' from another authority recognized by the Centers for Medicare and Medicaid, changes to how PACE providers are regulated by CDPHE as well as streamlining and improving how providers of the developmental disabled community interact with the three regulating entities (Health Care Policy and Financing, Department of Human Services and CDPHE).

In addition, HB 12-1268 (Acree-Hudak) was passed which, with CMS approval, transfers the function of Life Safety Code inspections for health care facilities to the Department of Public Safety from CDPHE. This transfer also includes the transfer of staff and all corresponding materials to the DPS. The Governor's office, CDPHE and DPS are in the process of developing the application to CMS for a successful transfer and implementation of this bill.

Dental Assistance Program Modifications (HB12-1326, Acree, Kefalas/Spence, Nicholson) - This bill transfers funds that are above the appropriated amount from the General Fund to the Older Coloradans Cash Fund in CDHS for the Senior Homestead Property Tax Exemption. In addition to these variable funds, roughly \$3M have been appropriated for dental services for older Coloradans throughout the state.

Continue Environmental Agriculture Program Fees (HB 12-1083, Sonnenberg/Schwartz): This bill continues the fee that the Agriculture industry pays to support staff in the Environmental Agriculture Program. This program is a "one-stop shop" for the industry so they don't need to go to multiple divisions to obtain the appropriate permits to operate. This was broadly supported by industry and was sponsored by both chairs of the Ag Committees.

FY 2013-14 Budget Request Cycle: Department Description

Repeal Rapid Screen for High-emitting Vehicles (SB 12-034. King, S/Miklosi): This bill removed a provision of law passed in 2006 that created a pilot to use road-side vans to screen dirty or “high-emitting” vehicles. While the road-side van is accurate in screening clean cars (over 90% accurate), it falsely identifies dirty cars by more than 58%. Roughly 6 out of every 10 cars are identified as dirty, when they are actually clean. This bill removed the “high-emitting” screening. Coloradans can still get their car screened for being clean with the road-side vans, but no longer will be screened for being “high-emitters”.

Stormwater Construction Permit Enforcement Stakeholder Process. As a result of HB 12-1119 (Coram-Giron), the Department is holding stakeholder meetings with the construction industry and other interested parties to attempt to develop more responsive and streamlined processes for both preventing stormwater construction permit violations and for improving the timeliness of enforcement actions when violations occur. By December 1, 2012, the Division shall submit a report to the General Assembly that summarizes the results of these stakeholder meetings, the actions being taken to develop more streamlined processes and any legislative recommendations that it may have.

HOT ISSUES

Affordable Care Act (ACA). In 2010 Congress passed the Patient Protection and Affordable Care Act. This legislation made a number of changes that will impact access to, and delivery of, quality health care. As there is a strong emphasis in the Act on public health infrastructure, prevention, and health care workforce development, a number of programs within CDPHE will be impacted.

Preventive Health and Health Services Block Grant. For FY 2013 this important source of public health funding has been targeted for elimination within the President’s budget submission to Congress. The Senate is expected to vote on this issue very soon. The House has not yet taken action.

Since the early 80’s, Colorado has received the Preventive Health and Health Services Block Grant from the Centers for Disease Control and Prevention. In FY 2011 Colorado received \$961,423 and \$932,651 in FY 12. The purpose of this funding is to allow states, American Indian tribes and U.S. territories the flexibility to address their own unique public health needs. Colorado directs these funds toward communicable disease investigation and control, oral health, treatment of sexually transmitted disease infections, TB treatment and control, sexual assault prevention, data surveillance, teen pregnancy reduction efforts and assisting local health agencies with public health assessments.

Flu Vaccinations for health care workers. The state Board of Health passed a rule regarding influenza vaccinations for health care workers in February 2012. The rule requires licensed health care facilities (employers) to submit data regarding their employee vaccination rates to the state Department of Public Health and Environment on an annual basis, beginning March 2013. The rule does

FY 2013-14 Budget Request Cycle: Department Description

not apply to health care facilities in Colorado not licensed by the Department of Public Health and Environment, including outpatient physician clinics such as doctor's offices, dental offices and chiropractor's offices. The rule was modeled to encourage facilities that are already appropriately implementing strategies to prevent influenza to continue to do so, to assist facilities that can improve, and to prompt facilities to adopt more effective policies to prevent influenza. The Department is currently working with stakeholders on a toolkit to make implementation easier.

Medical Marijuana. The medical marijuana registry currently tracks 96,700 patients (as of April 2012). During the last few years, the registry has experienced explosive growth, going from 5,000 applications during 2008 to a high of almost 130,000 in 2011 and now back down to the current 90,000 plus. The Registry currently employs 33 FTE to process and issue registration cards at this high volume within the 35 day constitutional mandate. A revision of the fee waiver process has resulted in an average of 10 percent of applications being approved for the fee waiver. The process for reviewing petitions to add additional qualifying medical conditions to the original list continues to be an area of concern to the advocacy community. In addition, the advocacy community has expressed concerns regarding potential mechanisms for improving the efficiency of the registry card status verification process for law enforcement. There continues to be concern expressed regarding the high fund balance of the medical marijuana fund. The registry fee was reduced from \$90 to \$35 per year as of January 2012, and the program projects this revenue should be sufficient to cover expenses during Fiscal Year 2013. During Fiscal Year 2012 the Registry was impacted by a law enforcement investigation into improper recommendations by a small number of physicians that impacted over 4,000 patients. Significant resources were diverted to address the impact of these investigations and subsequent legal proceedings. This resulted in delays in processing applications in excess of 35 days for a period of several months. This special project has now been completed, and the Registry is now processing applications well within the 35 day constitutional mandate.

Civil Penalties for Restaurants. Local Public Health Agencies are primarily responsible for restaurant inspections. In a few communities, inspections are performed by CDPHE. Up until HB 12-107, this inspection and enforcement process had not been changed since the 1990's. HB 12-1097 required an agency to go through the full enforcement and civil penalties process before closing a restaurant. The Governor's Office and CDPHE will continue to work with stakeholders over the 2012 interim to make the civil penalties process more efficient so expectations are clear for restaurant owners and public health authorities.

Rocky Mountain National Park Nitrogen Deposition. The department continues to work with the National Park Service and EPA, Region VIII to address increasing levels of nitrogen impacting ecosystems on the east side of Rocky Mountain National Park (RMNP). In 2005 these agencies formalized a commitment in a Memorandum of Understanding to address air quality issues affecting the park starting with a multifaceted, non-regulatory approach. One of the first steps taken by the MOU agencies was to develop a RMNP Nitrogen Deposition Reduction Plan. The plan sets resource management goals and recommendations for achieving nitrogen reduction milestones by the target year of 2032. Progress in achieving interim target goals will be evaluated at five-year intervals

FY 2013-14 Budget Request Cycle: Department Description

starting in 2013 and continuing through 2032. The agencies signed a contingency plan in June 2010. The contingency plan accounts for implementation if interim goals are not met, with the intent of achieving the desired goals within the planned timeframes.

Voluntary approaches, such as those proposed by the agriculture sector to reduce ammonia emissions from livestock and cropping activities, coupled with current and planned Nitrogen Oxide (NO_x) control measures resulting from regional haze and ozone planning efforts, should result in nitrogen reductions in RMNP. The Environmental Agriculture Program Unit coordinates an agriculture stakeholder subcommittee to ensure that agriculture is equitably represented in the discussions and has a voice in the recommendations being put forth to address air quality concerns in RMNP. The variability inherent in the technical supporting data, air quality modeling and potential contributions beyond Colorado's boundary, make setting a clear plan of action complex and difficult, especially considering the cost new pollution controls could impose on Colorado sources such as power plants, wastewater treatment plants, mobile sources, and livestock and cropping operations.

Federal Ozone Standard. Based on monitored values from 2005-2007, the 9-county Denver Metro/ North Front Range Area (DMA/NFR) was out of compliance with the 1997 ozone NAAQS standard of 84 ppb. As required by the Clean Air Act, Colorado prepared and submitted a State Implementation Plan (SIP) in December 2008 to come into attainment with the 84 ppb standard. Monitored values in the DMA/NFR from 2008-2011 demonstrate that the area has been in compliance with the 84 ppb standard. In 2009, EPA promulgated a more stringent 75 ppb ozone standard. Monitored values for the DMA/NFR from 2009-2011 indicate that the area continues to exceed the 75 ppb standard. EPA is in the process of establishing requirements and schedules for coming into compliance with the 75 ppb standard. The remainder of the state is currently in compliance with the 75 ppb standard.

Inspection and Maintenance Program. The Air Quality Control Commission is in the middle of a multi-month briefing series on the inspection and maintenance program for car emissions testing. The Commission is looking at ways to make the program more efficient, effective, and elegant for better customer services and a lower cost. It is expected that actual changes to the program will need to be made through a formal rulemaking process, and subject to legislative consideration as part of the established SIP review process.

Wildfires. Wildfires adversely impact air quality, and the significant fires across the state in the summer of 2012 are a potent illustration of that fact. The Air Pollution Control Division provides regularly updated air quality and smoke outlooks across the state. The department has a network of monitors throughout the state that collect hourly air quality readings. The information is provided via the division's website, social media posts, and traditional media interface. Wildfire smoke can cause exceedences of federal air quality standards. The department seeks to exclude these and other "exceptional (natural) events" from counting towards an air quality violation. However, such demonstrations are labor intensive and technically challenging, and EPA does not act on the submittals in a timely manner. Along with the many homes that have been destroyed or damaged, wildfires have greatly threatened

FY 2013-14 Budget Request Cycle: Department Description

the watersheds that are a critical source for drinking water for many communities located in or near the wildfire areas. Runoff from burned areas may significantly alter the quality of water entering the treatment facilities, leading to difficulties in treating the water to levels that protect the public health. Water systems within these watersheds will likely see elevated levels of total organic carbon, turbidity, iron, manganese, phosphorous, nitrates, ammonia and possibly other heavy metals. If not addressed, these effects could continue for several years. Runoff from wildfires also can significantly alter the taste and odor of drinking water as well. Erosion in burned areas can adversely affect recreational uses and aquatic life in a watershed. The Water Quality Control Division is working with the entities in the burn areas to address drinking water treatment and watershed restoration.

Oil & Gas Permitting/Enforcement. The Air Division continues to be challenged by the rapid growth of the oil and gas industry. From 2008-2010, the Air Division experienced an approximately 70% increase in permit applications for oil and gas facilities. According to projections from the Colorado Oil and Gas Association, the number of air permit applications is expected to grow at a 25% annual pace. The growing number of oil and gas facilities, in conjunction with the promulgation of new and complex regulatory requirements at the federal level, place burdens on the Air Division's enforcement staff. The Air Division has adopted a number of efficiencies over the last several years to streamline the permitting process. Moreover, during the 2012 legislative session the Joint Budget Committee approved spending authority for the division to hire additional FTE to address the permitting and other challenges associated with rapid industry growth. The division is moving forward with hiring additional FTE while also implementing LEAN principles to address the permitting backlog and to streamline the permitting process.

Numeric Nutrient Criteria Development and Implementation. High levels of the nutrients phosphorus and nitrogen can cause excessive growth of algae in streams, lakes and reservoirs. This can adversely impact public drinking water supplies, aquatic life, and recreational use of these waters. Sources of excessive nutrients in Colorado can include municipal wastewater treatment plant discharges, urban storm water runoff, agricultural crop fertilizer, and livestock manure. The development of water quality criteria and subsequent standards to address phosphorus and nitrogen is a national priority for EPA. This effort generated considerable scrutiny from a wide range of interests, including municipalities with wastewater treatment plants, drinking water systems who are concerned about the impacts of nutrients to their water supply, and from environmental groups. Members of the General Assembly were also extremely interested in the rulemaking process, and two bills were introduced to prevent the Water Quality Control Commission from adopting rules to control nutrients. The Water Quality Control Division proposed rules that it considered to be a practical approach to address nutrients that would start to make progress in the state's water quality but would not cause undue economic hardship for communities. In March 2012, The Water Quality Control Commission conducted a rulemaking hearing to consider adoption of rules proposed by the Division to address nutrients. After hearing testimony from the Division and from over 70 other parties, the Commission adopted most of the Division's proposal. These rules were finalized by the Commission in June 2012. At the request of the Governor, the Commission delayed the effective date of the portion of the new regulations that require installation of some treatment by some wastewater plants until July 2013. Actual installation of treatment infrastructure will occur slowly over the next

FY 2013-14 Budget Request Cycle: Department Description

ten years. It is expected that the Joint Water Resources Review Committee will conduct a hearing to discuss funding options for installing infrastructure to treat for nutrients at wastewater plants this fall.

Pesticide Permitting. In a February 2009 consolidated decision, the United States Court of Appeals for the 6th Circuit overturned an EPA rule that exempted the application of pesticides in or near waters from the requirement to obtain a discharge permit. As a result, applications of pesticides in Colorado must be done in accordance with a permit issued by the state Water Quality Control Division. This includes pesticide applications for purposes such as control of mosquitoes and aquatic weeds. This requirement is estimated to result in an increase of approximately 2,000 permits the Division is required to issue under state and federal law to an industry that has previously been unregulated under the state and federal Water Quality Acts. However, the division does not have the staffing or resources to implement these requirements. In response to applicators' concerns that not having discharge permit coverage might make them vulnerable to a citizen lawsuit, the Division issued a short-term (2 years) general permit based on the final EPA permit. The permit will provide automatic authorization of pesticide applications statewide. This will allow the Department time to seek and obtain permitting and compliance assurance resources in a future legislative session through a fee bill. The Division is now working with the Colorado Department of Agriculture to determine the most reasonable approach to manage the pesticides discharge permitting program and the resources needed to perform those activities. A report on program needs will be provided to the Joint Budget Committee in November.

Energy Fuels Proposed Uranium Mill. The Radiation Control Program issued a radioactive materials license for Energy Fuels to construct and operate a new uranium mill in Montrose County on January 5, 2011. This would be the first new uranium mill in the United States in approximately 30 years. The Sheep Mountain Alliance, a Telluride based environmental group and the Towns of Telluride and Ophir appealed the decision in Denver District Court. Colorado implements this regulatory program under agreement with the U.S. Nuclear Regulatory Commission. The court ruled that ten of the complaints were denied and that for the eleventh complaint, both the Department and plaintiff's interpretation of the requirements were flawed, and a new hearing would be held by September 18, 2012. The Department is implementing the court's decision.

U.S. Army Chemical Demilitarization Program. The U.S. Army is constructing a \$3.5 billion processing facility at the Pueblo Chemical Depot to treat and destroy the 780,000 WWII-era chemical weapons containing mustard blistering agents that are stored at the facility. These weapons are hazardous waste, and CDPHE has issued the Army a hazardous waste treatment permit that is guiding facility design and construction and will determine certain facility operations. Construction of the project is now 95% complete. The project is on target to complete destruction of the chemical weapons by the end of 2017. This project is having a positive economic impact on Pueblo having created about 400 jobs. It gets significant local media attention.

FY 2013-14 Budget Request Cycle: Department Description

Pueblo County Fair Grounds. Over the last several years the state and the Pueblo community have struggled with remediation of a contaminated building on the Fair Ground Property. The building is contaminated with asbestos and lead. Previously, this building was owned by the US Navy on property leased from the State. The Navy has since transferred the property and building back to the State. CDPHE is currently looking at using Brownfield funding to help clean up this property.

Suncor. In late 2011, a gasoline-like liquid was discovered emerging into Sand Creek, immediately adjacent to the Suncor refinery. As the likely source of the contamination, Suncor worked with CDPHE to stop the release and mitigate its effects. At present, the gasoline leaking into the creek has been stopped and a significant amount of work has been accomplished by Suncor to keep further contamination out of the creek. A significant effort is underway to clean up contaminated ground water on adjacent properties and to remove dissolved hydrocarbons in the ground water, including benzene, that are still affecting Sand Creek. This effort will continue well into the future.

Cotter Cañon City Mill. Concerned Citizens Against Toxic Waste (CCAT), a Cañon City environmental group, filed a legal complaint against the department for not fully complying with HB10-1348, “Increase Regulatory Authority Regarding Radioactive Materials”. The complaint also alleges that the surety amount is inadequate. No court date has been set; however, significant activity has occurred regarding process, administrative record and discovery. Colorado implements this regulatory program under agreement with the U.S. Nuclear Regulatory Commission.

Staffing and resource constraints. The Department is facing programmatic challenges on a number of fronts that are stretching resources to their limit, especially in the department’s environmental programs. Insufficient staffing is already resulting in significant delays and backlogs in permitting in the Air Pollution and Water Quality divisions. In recent years permit volumes have increased significantly, federal standards have grown more stringent, federal regulations have become more complex, and federal demands for compliance have become more insistent, all of which lead to programmatic challenges in permit volume management, inspections and enforcement, and air permit modeling. These challenges and programmatic impacts will require that the department seek additional resources and increased fee revenue authority for both air and water through a bill or bills. Without additional resources the department will be unable to manage its workload and will have to make decisions about allocating its insufficient resources. Without adequate staffing, public health, environmental quality and/or economic development in the state will likely suffer. Failure to comply with ever tighter regulations and deadlines may result in the federal government’s assuming control of certain programs that are currently delegated to the state. Additionally, the state may face penalties and potentially lose federal funding as a result.

Finally, the current economic climate has resulted in extremely large applicant pools. This provides the department the opportunity to select highly qualified and talented staff, but it also puts significant pressure on the human resources staff to screen such large numbers of applicants. This, in turn, causes delays in filling vacant positions. There is also risk that once the job market loosens there

FY 2013-14 Budget Request Cycle: Department Description

will be significant turnover among these newly hired staff due to the department's inability to stay competitive in terms of salary and benefits costs. This would mean loss of the investments that are currently being made in hiring and training staff.

WORKLOAD INDICATORS

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Administrative Services Division					
Human Resources	employee turnover rate	14%	10.8%	11%	11%
Purchasing and Contracts	# of Contracts processed		1279	1,285	1,285
Purchasing and Contracts	total contract \$		\$155,393,000	\$155,400,000	\$155,400,000
Purchasing and Contracts	# of Purchase Orders processed		1514	1,525	1,525
Purchasing and Contracts	Total Purchase order \$		\$22,441,000	\$22,445,000	\$22,445,000
Local Public Health Planning and Support	Percent of Local Public Health Agencies Receiving Technical Assistance and Support for Assessments, Planning, and Infrastructure Development (of a Total Number of 54 Agencies)	100%	100%	100%	100%
Office of Health Disparities	Number of Agencies Awarded new Health Disparities Grant Program Funding to Deliver Services to Underrepresented Racial and Ethnic Minority Populations in Colorado	-	8	30	24

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Office of Health Disparities	Number of Agencies Awarded continuation Health Disparities Grant Program Funding to Deliver Services to Underrepresented Racial And Ethnic Minority Populations in Colorado	11	6	6	24
Office of Health Disparities	Number of Office of Health Disparities Staff Technical Assistance, Capacity Building and Programmatic Site Visits Conducted to Assist Health Disparities Grantees Fulfil Their Contracts and Deliver Services to Underrepresented Populations in Colorado	26	16	30	30
Office of Health Disparities	Number of Presentations/Trainings on Health Disparities, Cultural Competence and Building Community Partnerships Conducted Throughout the State	15	10	10	18
Office of Health Disparities	Number of Community Outreach Activities Conducted	12	8	10	10
Center for Health and Environmental Information and Statistics					
Health Statistics	Number of Health Surveys Completed	15,457	19,250	16,000	16,000
Vital Records	Number of Births and Deaths Recorded	98,834	98,959	98,000	95,000

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Vital Records	Number of Birth and Death Certificates Issued state-wide	301,176	409,752	400,000	400,000
Vital Records	Number of Medical Marijuana applications approved.	128,000	98,910	95,000	92,000
Laboratory Services Division					
Laboratory Services	Number of Laboratory Tests Performed	2,834,708	2,753,961	2,750,000	2,750,000
Laboratory Services	Number of Laboratory Results Detected in Excess of Established Standards (Abnormal Results)	11,417	10,327	10,500	10,500
Laboratory Services	Number Of Lab Inspections Completed	356	411	380	380
Laboratory Services	Number of Law Enforcement Officers Trained Annually in the Proper Usage and Maintenance of Breathalyzer Equipment	1,378	1,632	1,600	1,600
Air Pollution Control Division					
Business Assistance Program	# of assistance contacts with small businesses	708	1,662	1,500	1,500
Business Assistance Program	Number of Workshops or Seminars With Small Business Entities or Associations	13	26	21	21

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Indoor Environmental Program	Number of Asbestos Permits Issued	4,824	5,833	5,500	5,500
Indoor Environmental Program	Number of Asbestos Inspections Performed	776	630	800	800
Indoor Environmental Program	Number of Lead Permits Issued	27	44	44	44
Indoor Environmental Program	Number of Lead Inspections Performed	27	29	37	37
Indoor Environmental Program	Number of CFC Inspections Performed	1,521	1,563	1,500	1,500
Mobile Sources	Number Of Quality Assurance Audits Performed.	3,198	3,164	3,200	3,200
Mobile Sources	Number of Emissions Inspectors Trained and Qualified	428	472	450	450
Mobile Sources	Number of Repair Appointments	4,790	6,825	6,200	6,200
Mobile Sources	Number of Clean Screen Vehicles Identified and Processed	280,228	287,058	290,000	290,000
Oil and Gas Program	Number of Oil and Gas Facility Inspections Conducted	186	160	280	280
Oil and Gas Program	Number of Oil and Gas Facility Enforcement Actions Completed	125	58	72	72
Stationary Sources	Number of Minor Source Permits Issued	3,323	4,358	3,500	3,500
Stationary Sources	Number of Major Source Permits Issued	37	48	45	45

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Stationary Sources	Number of Minor Source Inspections	904	867	1,135	1,135
Stationary Sources	Number of Major Source Inspections	159	159	143	143
Stationary Sources	Number of Enforcement Actions Completed in the Stationary Sources Program	172	100	143	143
Technical Services	Number of Prescribed Fire Permits Issued	385	362	360	360
Water Quality Control Division					
Clean Water Program	60% of river/stream miles and 40% of lakes/reservoirs meet standards.	NA	65% - R/S; 28% L/R	65% - R/S; 40% L/R	65% - R/S; 40% L/R
Clean Water Program	Percent of Permits and General Permit Certifications that are Current in Accordance With EPA's Permit Backlog Criteria	69%	55%*	65%	86%
Clean Water Program	Number of High Priority Permits Issued	49	21*	20**	20**
Clean Water Program	Number of Inspections Completed At Minor Wastewater Treatment Facilities	204	189	152	200

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Clean Water Program	Number of Inspection-Discovered Violations That Could Impact Water Quality	67	282	189	252
Clean Water Program	Number of Resolved Inspection-Discovered Violations That Could Impact Water Quality	28	207	138	183
Clean Water Program	Number of Completed and Substantially Implemented Source Water Protection Plans	44	79	99	119
Clean Water Program	Number of Water Bodies Where Total Maximum Daily Load Calculations Are Submitted to EPA for Approval	19	3	25	25
Clean Water Program	Number of Impaired Watersheds Where Water Quality Improved	-	-	3	1
Hazardous Materials and Waste Management Division					
Hazardous Materials	Number of Inspections of Hazardous Waste Generators and Treatment, Transportation, Storage and Disposal Facilities; Solid Waste Storage and Disposal Facilities; and Radioactive Materials Licensees	6,648	5,318	7,195	4,325

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Hazardous Materials	Number of Enforcement Actions Issued (Formal And Informal Actions)	254	1,074	1,096	751
Hazardous Materials	Number of Applications, Permits, and Licenses Processed.	2,485	4,175	4,402	4,402
Hazardous Materials	Number of Active Potentially Contaminated Areas At Regulated Facilities (Individual Contaminated Areas)	671	849	843	838
Environmental Health and Sustainability					
Dairy, Retail Food, Wholesale Food, Vector and Public Institution Inspection programs	Number of Inspections (Milk Producers/Processors, Wholesale/Retail Food Firms, Correctional Facilities, Child Care Facilities, Schools, Artificial Tanning Facilities And Non-Community Ground Water Systems)	2,567	2,382	2,500	2,500
Dairy, Retail Food, Wholesale Food, Vector and Public Institution Inspection programs	Number of Condemnation Actions to Ensure Contaminated Food Products do not Reach the Consumer or enter the Market Place	138	162	150	150
Dairy, Retail Food, Wholesale Food, Vector and Public Institution Inspection programs	Number Of Special Investigations/Recall Activities Conducted On Food Products	122	100	125	125

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Dairy, Retail Food, Wholesale Food, Vector and Public Institution Inspection programs	Requested and Required Activities That Include Investigations, Assessments, Surveillance and Public Presentations as they Relate to Plague, Encephalitis, Relapsing Fever, Tularemia, and Hantavirus Activity, Their Associated Arthropod Vectors and/or Rodent/Avian Hosts With the Purpose of Reducing the Risk of Human Exposure	16	12	10	10
Food Protection Program	Number of Vulnerability Assessments Conducted In Wholesale Food Manufacturing Facilities	50	20	25	25
Local Assistance Program	Number of Retail Food Standardization Exercises Conducted for State and Local Inspection Personnel	10	-	5	5
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Tons of Air Emissions Reduced	148	43,885	25	25
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Gallons of Water Conserved	352,000,000	234,800,282	3,500,000	3,000,000

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Tons of Hazardous Waste Reduced or Recycled	84	27	500	500
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Tons of Solid Waste Reduced	148	215	25	25
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Gallons of Petroleum Reduced	109,000	873,327	80,000	60,000
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Number of Water Quality and Air Quality Inspections	553	375	550	550
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Number of Compliance Assistance Activities Performed	1,825	2,310	2,400	2,200
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Number of Complaints Resulting in an On-Site Inspection	12	7	10	10

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Percent of Concentrated Animal Feeding Operations Meeting Water Quality Requirements	78%	90%	90%	90%
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Percent of Housed Commercial Swine Feeding Operations Meeting Water Quality And Air Quality Requirements	91%	92%	90%	90%
Office of Environmental Integration and Sustainability - Environmental Leadership Program	Number of New Water Quality and Air Quality Permits Issued	25	4	5	5
Office of Environmental Integration and Sustainability - Greening Government	Percent Of Energy Reduced Department-wide	-3%	13%	2%	2%
Office of Environmental Integration and Sustainability - Greening Government	Percent Of Water Reduced Department-wide	-13%	400%	2%	2%
Office of Environmental Integration and Sustainability - Greening Government	Percent Of Paper Reduced Department-wide	24%	-7%	2%	2%

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Office of Environmental Integration and Sustainability - Greening Government	Percent Of Petroleum Reduced Department-wide	-8%		2%	2%
Office of Environmental Integration and Sustainability - Greening Government	Number of Department Waste Reduction Goals Achieved	3	2	2	2
Office of Environmental Integration and Sustainability - Greening Government	Percent of Department new Vehicle Purchases that are Alternative Fuel or Hybrids	75%	73%	70%	70%
Office of Environmental Integration and Sustainability - Pollution Prevention Advisory Board Grants	Number of Recycling Projects Funded	16	12	9	10
Office of Environmental Integration and Sustainability - Pollution Prevention Advisory Board Grants	Tons of Waste Diverted from Colorado Landfills	41,304	30,000	22,500	25,000
Office of Environmental Integration and Sustainability - Pollution Prevention Advisory Board Grants	Number of New Recycling Markets Developed	7	7	10	10
Disease Control and Environmental Epidemiology					

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Colorado Responds to Children with Special Needs	Number of At-Risk Children Referred For Intervention Services	3,875	3,908	2,400	
Communicable Disease	Number of Reports of Notifiable Conditions Received	112,615	104,431	120,000	120,000
Immunization	Number of Doses of Vaccine Distributed	1,171,251	1,089,968	1,074,027	n/a
Refugee Program	Number of Refugees Screened for Health Conditions	1,810	1,416	n/a	n/a
Tuberculosis	Number of Contacts to Active Tuberculosis Cases that are Identified and Treated, in order to Prevent Further Spread of Tuberculosis	447	560	2,000	500
Prevention Services Division					
Family Planning	Number of Clients Receiving Title X Family Planning Services	65,808	62,354	6,500	6,200
Nutrition Services	Number of hospitals adopting all five breast feeding supportive practices	13	20	N/A	N/A
Tobacco Prevention	Number of Callers to the Colorado Quitline	23,110	19,603	23,335	24,598

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Tobacco Prevention	Number of Pregnant Callers to the Colorado Quitline	435	307	437	475
Health Facilities and Emergency Medical Services Division					
Emergency Medical Services and Trauma	Cumulative Number of Trauma Centers Designated - Successful	73	72	73	74
Emergency Medical Services and Trauma	# of Applications Received for Emergency Medical Technician (Basic, Intermediate And Paramedic) Certification and Renewal of Certification	5,839	6,122	6,100	6,100
Emergency Medical Services and Trauma	# of Applications Approved for Emergency Medical Technician (Basic, Intermediate and Paramedic) Certification and Renewal of Certification.	6,037	6,059	6,000	6,000
General Licensure	Number of Assisted Living Residence Licenses Processed	592	565	590	600
General Licensure	Number of Home Care Licenses Processed	581	610	640	670
General Licensure	Number of Other Licenses Processed	961	854	965	970
State Licensure & Federal Certification Program	Number of Surveys Conducted	3,968	3,963	3,900	3,900
State Licensure & Federal Certification Program	Number of Complaint Investigations	633	728	800	880

FY 2013-14 Budget Request Cycle: Department Description

Program	Description of Measure	FY 10-11 Actual	FY 11-12 Actual	FY 12-13 Revised	FY 13-14 estimate
Emergency Preparedness and Response Division					
Emergency Preparedness and Response Division	Number of Volunteers in the Colorado Volunteer Mobilizer	1,450	3,000	3100	3500
Emergency Preparedness and Response Division	Number of Clinicians and Public Health Response Plan Partners Who Receive Real-Time Public Health Emergency Communication Messages	14,000	18,500	20,000	20,000
Emergency Preparedness and Response Division	Number of Volunteers in the Colorado Volunteer Mobilizer	3,000		3,600	3,600
Emergency Preparedness and Response Division	Number of Trainings, Drills, and Exercises Conducted at the State and Local Level to Test and Improve the Ability to Respond to and Recover from Public Health Emergencies.	20	23	22	22
Emergency Preparedness and Response Division	Number of Activations of the CDPHE Department Operations Center	2	1	2	2
Emergency Preparedness and Response Division	Number of Times That CDPHE Provided Staff to the State Emergency Operations Center For Support During Activation.	2	7	2	2