



News Release

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Western Resource Advocates Serves Lawsuit to Protect Draper and Lehi Residents from Breathing Dust that Causes Cancer, Premature Death and Other Serious Health Problems

(Salt Lake City, January 20, 2017) Late yesterday, Western Resources Advocates served the Utah Division of Air Quality and the Department of Environmental Quality with an appeal filed in the Utah state Third Judicial District Court, asking that the Court order the Division of Air Quality to release records to show whether gravel operations at the Point of the Mountain area are meeting air pollution control requirements. Residents of Draper and Lehi are concerned that observed dust clouds from the operations are exposing them to dust that is known to lead to premature death, cancer and other serious health problems.

According to Erika Doty, long-time resident of Sandy and Draper, "Our daughter, age seven, has asthma, so air quality concerns are top of mind for my family. There are days she can barely catch her breath. Information regarding companies complying or not complying with air pollution laws should be public record and communicated regularly. The city, county and state should welcome input from citizens on these pollution laws and enforcement. I don't think the laws – or the enforcement - are nearly tough enough."

Adrian Dybwad, who lives near the gravel pit operations, stated: "I'm concerned for my family's health. We get dust for months every year blowing from the gravel pits. Getting information on the companies' efforts to follow air pollution laws and control their dust is critical to ensuring adequate public health protections."

Western Resource Advocates submitted an open records request in November 2016 asking that the public be able to review the documents that Geneva and Staker Parson gravel pits are required to maintain under the state's Dust Rule designed to protect public health. The gravel pits must show by these records that they are meeting the requirements of the Dust Rule. The Division of Air Quality and the Director of DAQ denied the records request claiming the gravel operations, not the Director, are in

possession of the records. While the Director may request the records, he chose not to and refused to give the records to the public as required by law. As a result, residents and public clean air advocates cannot determine whether the sources are meeting all the requirements of the Dust Rule.

“Dust is a substantial cause of Utah’s poor air quality, and we have no proof that the state is adequately monitoring and enforcing dust rules to protect public health,” said Ariel Calmes, Western Resource Advocates Staff Attorney. “It’s unacceptable that the state won’t provide public records on their enforcement when we know that strict control of dust is central to keeping our air safe.”

Windblown dust contributes substantially to Utah’s poor air quality. The Utah Division of Air Quality estimates that every week in the winter, almost 4 tons of dust is emitted into the Salt Lake Valley airshed. In its plan to control dust in the Salt Lake Valley, the Division relied on a rule that requires sources such as the gravel pits at Point of the Mountain to allow only minimal dust to blow off their properties. Even when it is windy, these sources are required to reduce dust emissions dramatically by applying water or using other means to prevent dust clouds from spreading over nearby communities.

“Dust is a really serious air pollutant leading to a large variety of major health problems, such as heart disease, shortened life expectancy, and cancer.” explained Denni Cawley, Executive Director of Utah Physicians. “We must know if these gravel facilities are doing all that’s required to protect public health.”

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For over 25 years Western Resource Advocates has been one of the West’s leading conservation groups protecting the region’s air, land and water. WRA’s lawyers, scientists and economists craft innovative solutions for the most complex natural resource challenges in the region. Go to www.westernresourceadvocates.org and follow us on Twitter @WRADV.

Utah Physicians for a Healthy Environment was formed in 2007 during one of Utah’s worse inversions. The organization consists of approximately 400 medical professionals within Utah, and another 3,000 supporting members of the public. UPHE is dedicated to protecting the health and well-being of the citizens of Utah by promoting science- based health education and interventions that result in progressive, measurable improvements to the environment. UPHE can be found at www.uphe.org or on Facebook.