

NDEQ News and Other Updates

Emerging Issues and Agency Vision

Jim Macy, NDEQ Director

Will Meet Our Statutory Responsibilities

- Be Responsive
- Use Common Sense in Problem Solving
- Assistance Focused
- Believe we should help “local people solve local problems”

We help create opportunity through more effective, more efficient and customer focused state government

Vision for the Department (cont'd)

Make Compliance Easier for Everyone

- Provide Assistance and Training
- Go out to Nebraska, be proactive in education
- Streamline Process
- Develop Performance Goals and Objectives

Air Quality

- Title 129 Proposal in June 2015
 - Streamline Construction Permit Process
 - Authority to Issue General Construction Permits
 - “Notice & Go”
- Source Categories Under Consideration:
 - Aggregate processing plants
 - Concrete Batch Plants (uncontrolled loadout & controlled loadout)
 - Asphalts Plants (batch & drum)
 - Emergency Engines up to 10,000 & 5,000
 - Surface Coating
 - Incinerators (controlled and operating)

Air Quality

- Permit Backlog

 - Process Improvement October 2016

 - Identified bottlenecks

 - Daily “huddles” moving projects forward

- 188 days to 87 with general permits 69

- Developing On-line smart application

- Working with consultants/facility owners

- Pre application meetings advance permits

- Developing a compendium of policies and answers

- Permitting process is collaborative, needs

 - engagement from application through review process₅

Standard Conditions

- Reason for improvements
 - a. Streamline OP and CP by putting standard conditions that apply to both in Condition 1 so when source receives OP those conditions are in the same location of the permit.
 - b. Conditions that only apply to all CPs put in Condition 2 as General conditions (same for OP).
 - c. Condition 3 is for specific conditions to the source.
 - d. Put out for comment/public notice to reduce source/consultant comments during permit process and issue permits quicker (sometimes these can be repetitive comments by the same consultant for different sources).

*****Very important to note: Even though the conditions went out for public notice NDEQ understands that there may be cases where the standard conditions need modified as a source cannot be in compliance with it. For example, one condition states records need to be completed by the 15th of the month for the previous month. If a source does not get their natural gas invoice until the 20th of the month they can't meet this condition and NDEQ will work with the facility. To change a condition, NDEQ requests the source provide us with a reason to why they can't meet the condition and suggestions to how modify it.

- Comments were due from Public Notice on November 20, 2017. We received 11 comment letters. Based on the letters we had a public meeting on December 19, 2017. I would guess there was approximately 35 people in attendance and I'm not sure how many conference called in.
- We extended the comment period to January 12, 2018. We received 6 comment letters. Only one commenter was from the previous 11.
- Air Division will be going through these comments and finalizing Standard Conditions 1 and 2. Plan to place final on website.

Fact Sheet

January 16, 2018 sent out a SurveyMonkey on the air list serve requesting feedback by January 29, 2018 on what they find useful or not useful in our fact sheets. We have noticed other states may not put as much information in them and we are determining if the sources (one of our customers) find value in the information as we want to focus our resources on things that matter.

Dana Superfund Site in Hastings, W. Hwy 6 & Hwy 281, Record of Decision

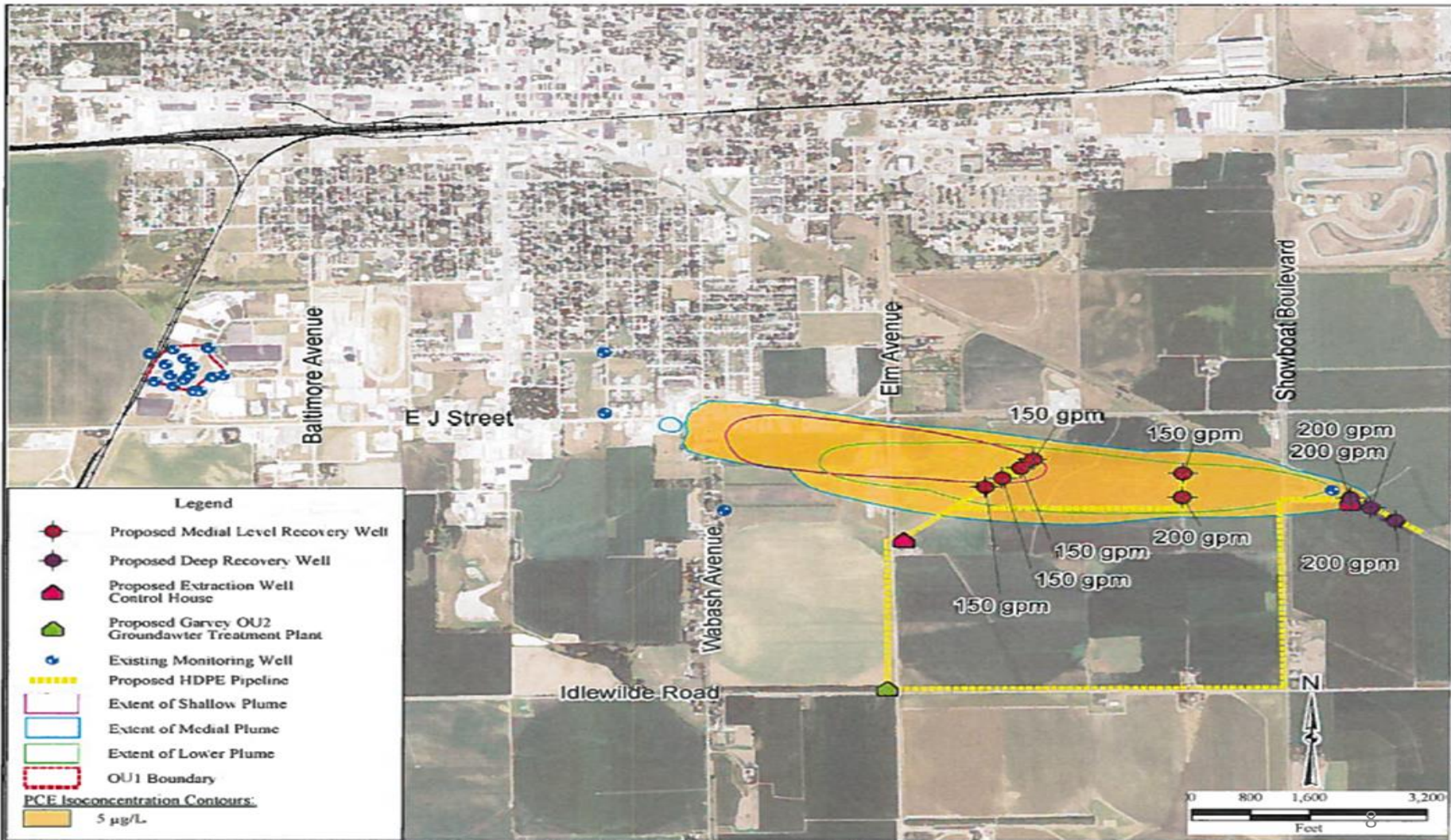


Figure 9 – Groundwater recovery wells and other features of the OU 2 Selected Remedy.

How was the process improved? Steps cut? Times reduced? Etc.

- After a successful challenge to EPA's initial remedial decision, the revised cleanup will now only take 16 years to complete versus 30 years. This is a benefit to the Hastings community and returns the site to productive use sooner. In addition, the State's cost for cleaning up the Dana site were reduced by an estimated \$3,627,000.
- Cleaning up the site 14 years quicker will improve property values in the area that much sooner. Facilitation and promotion of redevelopment of both on-site and down gradient properties will also be enhanced, helping to grow Nebraska. Probable increased tax base for the local community as well as the State. The value of these external savings it difficult to quantify but just as important.

Water Quality

- Construction storm water on-line permit
2,473 permits issued since November 2015
- Evaluating infrastructure needs
 - Omaha WIFIA announcement \$76 million, \$37 million SRF
 - \$ 54 million DW; \$ 18 million WW
 - Examine affordable alternatives

**DEQ Store Front Concept for Utilizing and Providing Online Services
Projected 2018 work**

Permits/Authorizations/Registrations		Reporting	Grants/Funds/ reimbursements	Certifications/ Licensing/Individuals	Notifications of work/ activities	Other Online Services Customer Base is all citizens of the state
Air General Permits Asphalt Plant - Drum	Industrial Stormwater	TIER 2	Waste Grant- Business Fee	Onsite (Septic Systems)	NESHAP Demolition & Renovation	ECM public record access
Air General Permits Asphalt Plant - Batch	Construction Stormwater	Emission Inventory	Waste Grant- Disposal Fee	Operator Certification	NESHAP Fire Training	Map Server with public record access
Air General Permits Concrete Plant - uncontrolled	NPDES - General- Pesticides	TIR	Waste Grant- Tire Collection	Chemigation Applicator Certification	Air Relocation Notice	Kayakona Pipeline comment & documents
Air General Permits Concrete Plant - Controlled	NPDES - General- Dewatering	DIBRs (with EPA)	Waste Grant- Tire Reimbursement		Livestock Request for Inspection	Clean Power Plan comment & documents
Air General Permits Aggregate Processing	NPDES - General- Hydrostatic Testing	HW Biennial Reports	Waste Grant- Deconstruction		Notifications/complaints	Solid Waste Management Plan comment & documents
Air General Permits Emergency Engines RSPS III	NPDES - General- Groundwater remediation	Nutrient Management	Litter - Recycling			Settlement comment & documents
Air General Permits Emergency Engines - other	Air General Permits Incinerator - Construct	Sludge reports	Litter - Cleanups			Public comment for all permits
Air General Permits Surface Coating	Air General Permits Incinerator - Operating		Litter - Public Education			Onsite (Septic System) Database Searches
Burn Permits	Air Operating		319H Grants			AIRM database searches
Onsite registrations	Air Construction		Stormwater Grants			
Ag - State	401/404		Source Water Grants			
Ag-NPDES	UC/ME		Title 288 Reimbursements			
IWM - landfills	RCRA		Online Payment Process			
NPDES - individual	Chemigation		State Revolving Fund SRF			
WWF Construction	Waste Tire Hauler					
OWT Construction	VCP					
Brownfields						

	In Production	Development / In Process	Idea	
	In Production 2018			
customer usage by operational status				
	annual customer usage	production	development	idea
Totals	14555	12271	849	1435
	percent	84	6	10

Regulation Review Update

	Total # of titles	Total Sent to PRO	Percent Sent to PRO		
Titles	24	12	50%		
				Chapters to Repeal	Chapters to Revise
Chapters	412	148	35.9%	78 / 52.7%	35 / 23.6%
	Beginning Word Count	# of words in chapters sent to PRO	Total Words Removed	Total Words after Changes	%-Reduced
Word Count	668531	195033	56087	138946	28.75%

Word Counts

	Beginning Total	Words Removed	New Total	Status
Title 116	1891	1891	0	Repealed
Title 117	56596	5016	51580	Pending at PRO
Title 120	2994	2426	568	Nov. EQC hearing
Title 123	18089	2285	15804	Pending at PRO
Title 131	11193	5058	6135	Pending at PRO
Title 132	56865	7466	49399	Pending at PRO
Title 133	4726	4464	262	Nov. EQC hearing
Title 194	18574	18574	0	Repealed
Title 195	5543	3309	2234	Pending at PRO
Title 197	7765	544	7221	Nov. EQC hearing
Title 198	5747	350	5397	Nov. EQC hearing
Title 199	5050	4704	346	Nov. EQC hearing
	195033	56087	138946	

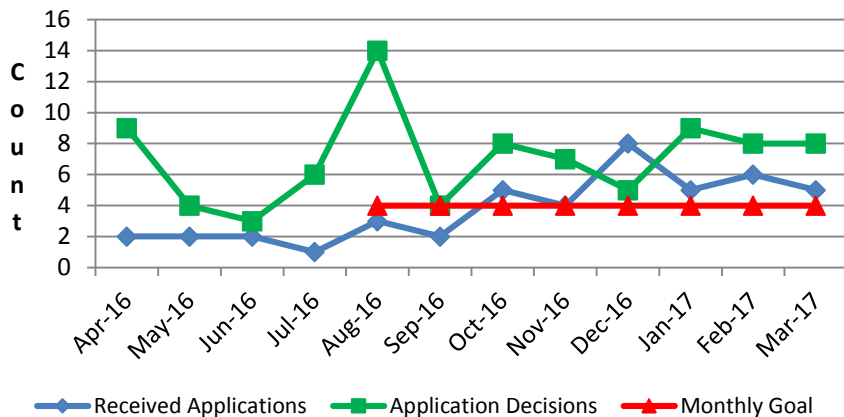
3 keys to Growing Nebraska at NDEQ

Governors priorities

- Providing exceptional service
- Focusing on compliance assistance
- Demonstrating accountability through performance measures

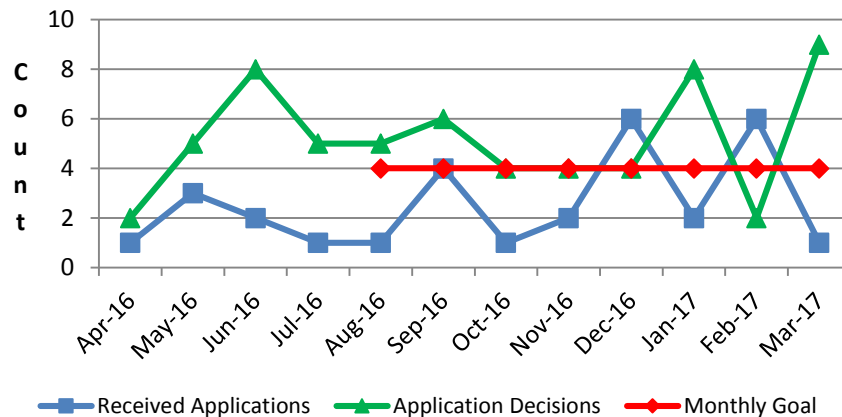
Air Construction Permits

Exceeding Monthly Goal



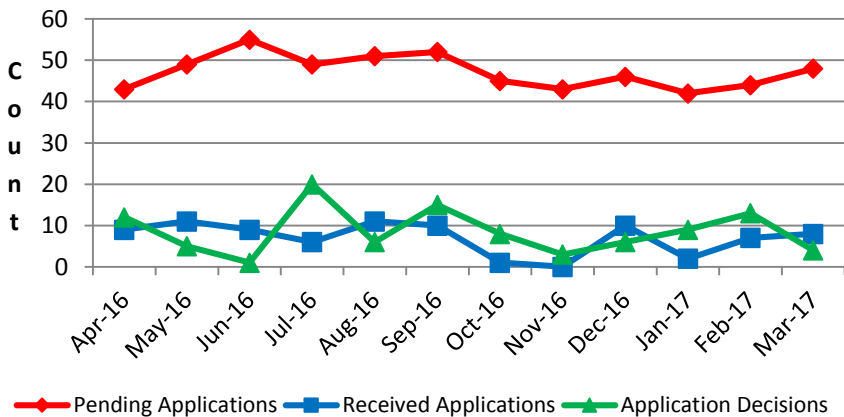
Air Operating Permits

Exceeding Monthly Goal



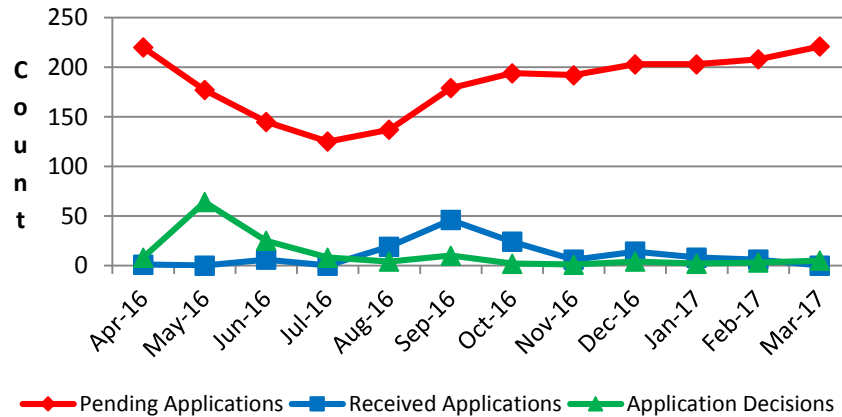
Ag/Livestock State Permits

Moving Towards Acceptable Progress



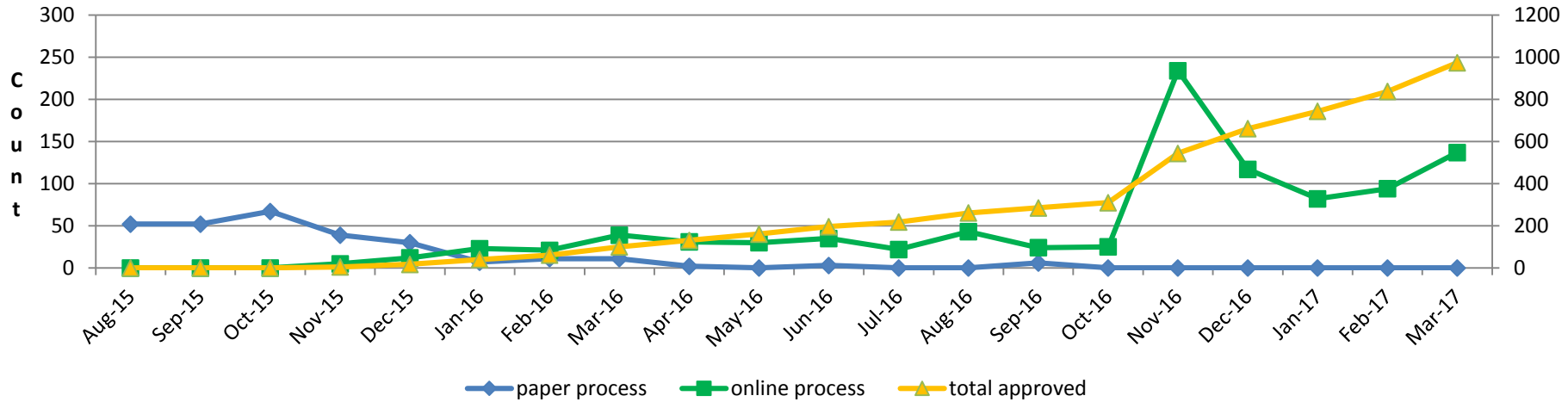
Ag/Livestock NPDES Permits

Needs Attention



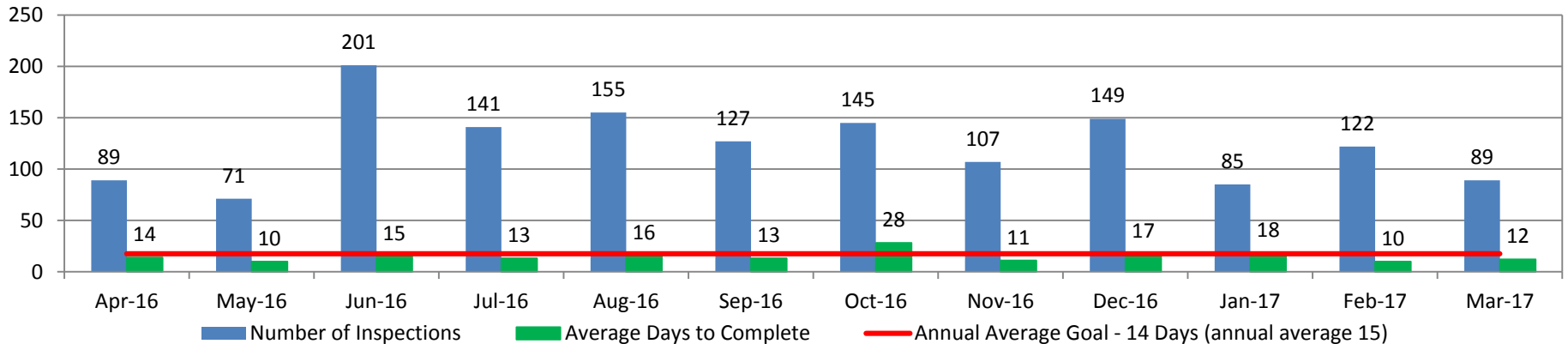
Construction Stormwater Permits Approved

Meeting Expectations



Agency Inspections by Month with Average Days to Complete Reports

Meeting Monthly Goal



Quality

About addressing rework and defects

What is the average # of rejections?

Goal: $\leq 50\%$

Use date approved column

Delivery

About timeliness, how quickly can we produce

How many business days is the report in our queue before it's approved?

Goal: ≤ 3 business days

Use date approved column

Inventory

About addressing backlogs, inventory and/or waiting

How long does a report sit before the 1st review?

Goal: ≤ 1 day

Use date 1st reviewed column

Productivity

About the number we produce

How many reports did we approve payment for?

Goal: ≥ 3

Use date approved column

Quarterly Reports

	<input type="checkbox"/> In	1st Review	2nd Review	Rejected	Approved Awaiting Payment
Ruth					901 902 984
Rich	869 Back in 690		989 766		
Katherine	965 982	962		947 with landscape 986 969	
Holly	101 147		781	1109 1140	
Candi					

Delivery

About timeliness, how quickly can we produce

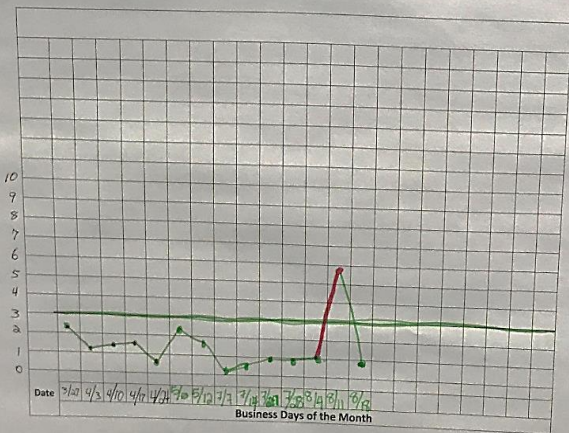
How many business days is the report in our queue before it's approved?

Goal: 3 business days

Use C's approved column

July 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
						1
2	3 0,0,0,0 C U	4 0,0,0,0	5 0,0,0,0 C U	6 C U	7 1,0,0,0 C U	8 .17
9	10 C U	11 0,0,0,0 C U	12 C U	13 1,1,0,0,0,0 C U	14 0,0,0,0 C U	15 .06
16	17 C U	18 1,0,1,0,0,0 C U	19 1,0,0,0,0 C U	20 2,1,0,0,0 C U	21 2,2,0,0,1 C U	22 .77
23	24 0,1 C U	25 0,1,1,2 C U	26 1,1,0,0 C U	27 2,0,0,0 C U	28 1,2 C U	29 .93
30	31 1,0,0 C U					



August 2017

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1 C U	2 C U	3 C U	4 C U	5 1.25
			8 C U	9 C U	10 C U	11 C U
6	7 C U	8 C U	9 2,3,9 C U	10 C U	11 C U	12 5.75
13	14 C U	15 C U	16 C U	17 C U	18 0,2,1,1,1 C U	19 .83
20	21 C U	22 C U	23 C U	24 C U	25 2 days	26
27	28 C U	29 C U	30 C U	31 C U		

End of Quarter Averages

January 1, 2017 - March 31, 2017

Quality

Goal: $\leq 50\%$

41.2% average number of rejections.

Delivery

Goal: ≤ 3
business days

1.68 average business days a report was in our queue before it was approved.

Inventory

Goal: ≤ 1 day

.87 average business days a report sat before 1st review.

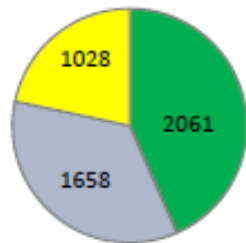
Productivity

Goal: ≥ 3

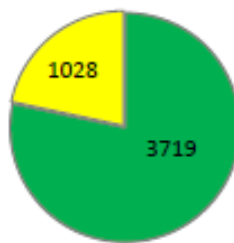
2.2 average reports were approved for payment

The following charts illustrate estimated and potential customers using online services from NDEQ.

Online Permitting Use
(Sep 30 estimate)



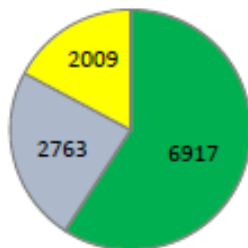
Online Permitting Use
(Dec 31 projection)



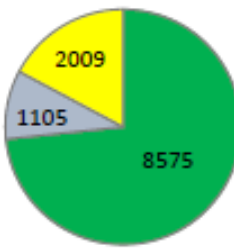
■ Currently Available
 ■ In Development
 ■ Proposed

Approximately 2061 customers are expected to have used online permitting services as of September 30. These services offer convenience for the customer, improve accuracy of documentation, and result in substantial time savings for the customer and the Department. Processes currently in development (blue) are projected to be available online by the end of 2017.

Online Services Use
(Sep 30 estimate)



Online Services Use
(Dec 31 projection)



Based on historical customer data, the online services available by the end of 2017 are projected to impact over 8,500 customers. NDEQ anticipates expanded reliance on online services and the number of potential customers is projected to increase significantly with the roll-out of newly available services.

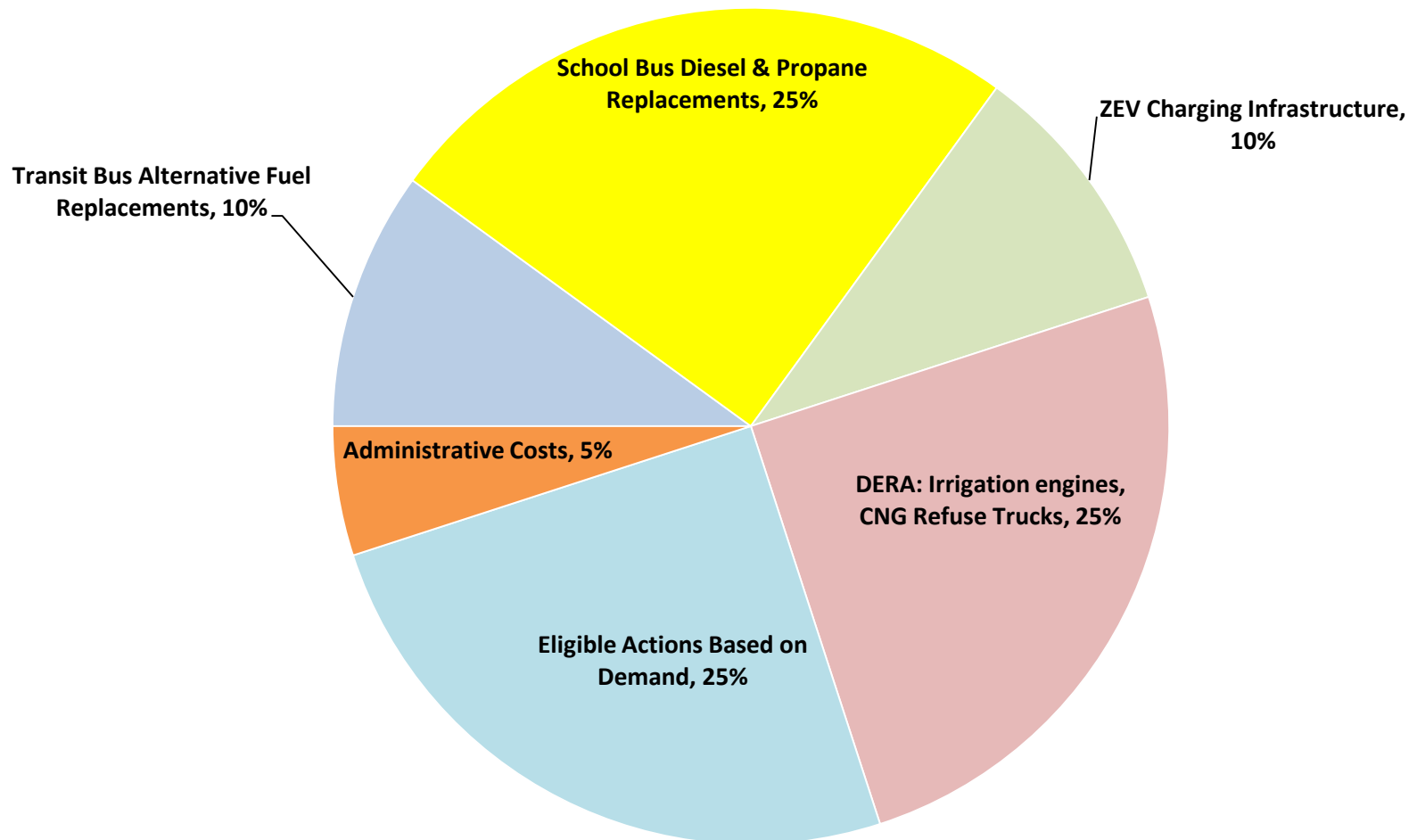
Other online services currently available include access to public records, public comments, State plans and documents, a map server, and facility data and information. Estimates of customer use are not available at this time.



Inspection Process

- Transparency
- On-site determination
- Post inspection exit and paper copy of findings
- Copy of inspection checklist with new or modified permit

Volkswagen Trust Mitigation Plan Development



Volkswagen Trust Mitigation Plan

Accomplishments

School Bus Diesel Replacement Rebates: ~ \$1.8 million

- 42 school bus replacements for 42 districts
- 50% rebate for new diesel, 60% for new propane
- Trustee approval and funds expected by early to mid-November

Transit Bus Diesel Replacement Rebates: ~ \$1.2 million

- Lincoln StarTran: partial funding for 2 battery-electric buses
- Omaha Metro: partial funding for 2 CNG-fueled rapid-transit buses
- Trustee approval and funds expected by mid-November

2018 Clean Diesel Program (DERA): ~ \$490,000

- Diesel refuse truck replacements
- All-electric replacements for diesel irrigation engines
- Funding request to be submitted to Trustee after applications close in mid-December

Environmental Quality

August 2018

Belt Training	White	214*
	Yellow	145*
	Green	1
	Executive Green	11*
Program Activities	Projects/Kaizens Completed (YTD)	3
	Active Huddles	13
Executive Decisions	Savings Realized (YTD)	\$13,102**
	Savings Target	\$52,848**
	Achievement Percentage	25%
Lean Six Sigma	Hours Saved (YTD)	4,995
	Hard Savings (YTD)	\$10,732
Performance	Number of Audits	2
	Passage Rate Average	89%

PROJECTS
<u>Define</u>
Supplies
Animal Disposal – Scoping w/ DOA
<u>Improve</u>
Confidential Requests – (Air)
State Implementation Plan (SIP) w/ Linc/Oma
Regulation Development for SIP
State Implementation Plan DEQ-EPA
Agriculture Compliance/Enforcement (Hold)
<u>Automation in-process</u>
Wastewater Operator Certification
<u>Control 2018</u>
Construction Permit Air Fact Sheet Dev.
Operating Permit Air Fact Sheet Develop.
Calendar Poster Contest
<u>Control (2017)</u>
PRR SPARC Invoice, Certified Mail

Notes

* As of 8/29/18 - Does not include new HHS Well Drillers or NEO staff

** Remainder of target identified and in process

- NEW: Attended 2nd Annual Iowa Lean Government Exchange in Des Moines IA, with my EPA Region 7 Partners and drafted a Region 7 Charter! Very beneficial conference! We need something like this in Nebraska!

Cooperative Federalism

Looking at State / Federal work and delegation

- Doctrine of Subsidiarity
- Reviewing Delegation agreements
- Reviewing National Priority Lists
- Advancing Outcomes more than Outputs



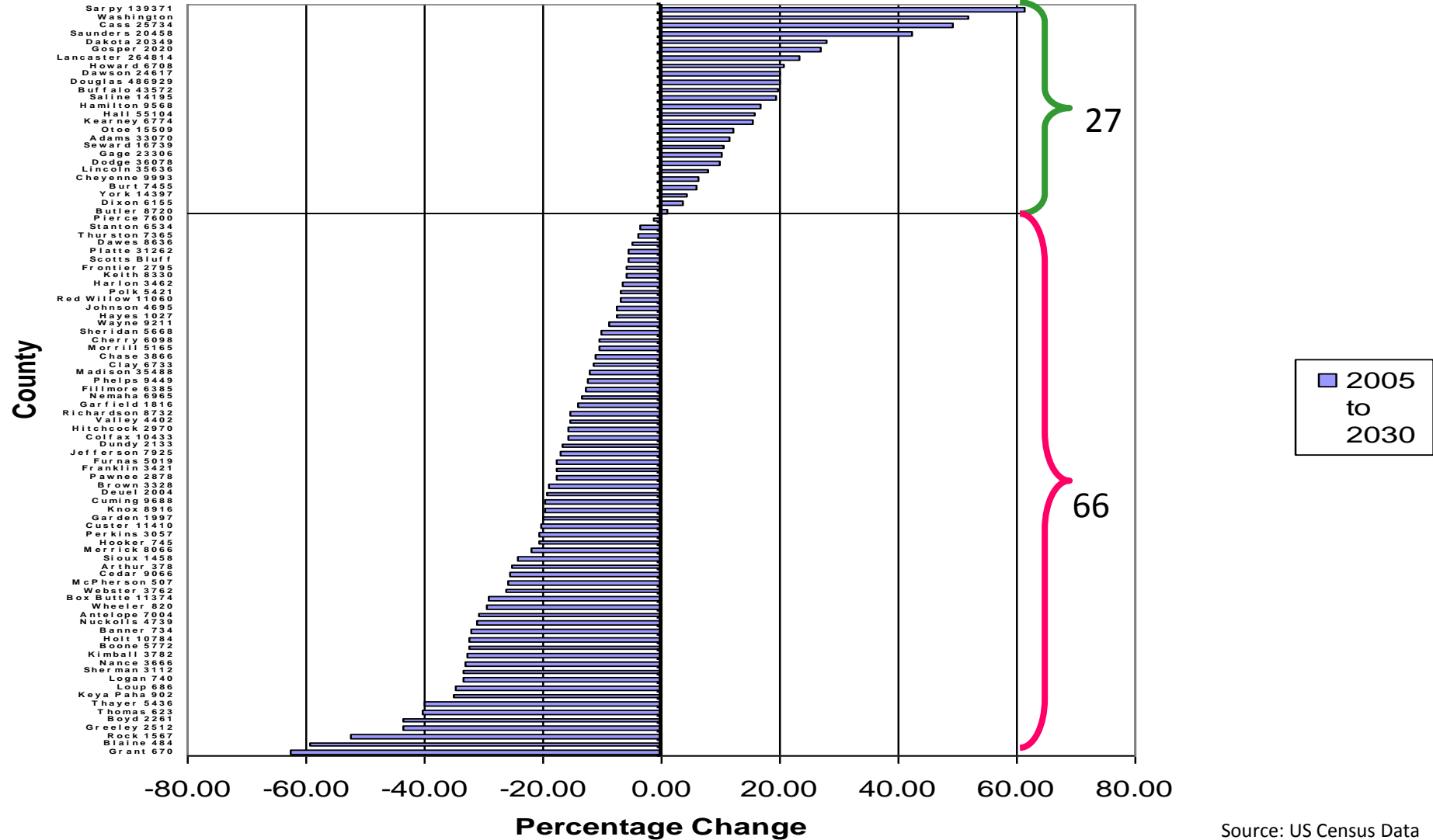
Grow Nebraska

3 keys to Growing Nebraska at NDEQ

- Providing exceptional service
- Focusing on compliance assistance
- Demonstrating accountability through performance measures



Nebraska County Projected Population Change 2005 to 2030



Source: US Census Data



QUESTIONS?