

Kentucky Department for Environmental Protection



Strategic Operational Plan for State Fiscal Year 2016 Mid-Year Update

Kentucky Energy and Environment Cabinet

January 2016



Department for Environmental Protection

Mission

Protect and enhance Kentucky's environment to improve the quality of life for all Kentuckians.

Vision

The Department for Environmental Protection envisions a healthy and productive commonwealth with balanced stewardship of the land, air and water where future generations enjoy an environment as good as or better than the present.

Principles

- **The department will make sound decisions that earn the public's trust.** The decisions made by the department will be prudent, defensible and consistent with the department's mission and in the best interest of the citizens of the commonwealth.
- **The department will focus on environmental results rather than programs or procedures.** The success of environmental programs will be measured in terms of achieving desirable environmental benefits, not in the number of staff or the size of budgets. We will evaluate programs and procedures in relation to their contribution to the mission.
- **The department will use good scientific information to aid in its decision making.** The foundation on which environmental protection programs are constructed is an understanding of the causes and effects resulting from actions that impact the environment. Scientific information is critical to the assessment and evaluation of existing environmental conditions and the determination of the effectiveness of our programs. We will employ generally accepted and applicable scientific methods and processes to accomplish our mission.
- **The department will consider the range of environmental benefits and consequences of proposed actions before making final decisions.** Good public policy encourages government agencies to promote actions that maximize benefits to society while minimizing adverse effects. While individual statutes, regulations, programs and organizational units may have a narrow focus, we will always consider the benefits and consequences of our actions to the environment as a whole.
- **The department will evaluate its performance using meaningful criteria.** We will require accountability from our managers, supervisors and staff in the continuing evaluation of program performance. We will gauge effectiveness based on actual program results.

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Goal 1



Clean Air

Protect human health and the environment by achieving and maintaining acceptable air quality.

Implementing and maintaining programs to achieve federal and state ambient air quality standards in the Commonwealth of Kentucky is important to the health and wellness of all citizens across the state. The amount of air pollution released into the air by industry and transportation sources is quantified and controlled by administering a comprehensive program involving air quality monitoring, planning, construction and operation permitting and inspections.

During the 2015-2016 monitoring year, the Kentucky Division for Air Quality will operate 98 instruments, including 11 meteorological stations, located at 27 ambient air-monitoring sites in 24 Kentucky counties. The Louisville Metropolitan Air Pollution Control District will operate an additional 32 instruments, including 5 meteorological stations, in Jefferson County. When combined with the air-monitoring site operated at Mammoth Cave National Park, Kentucky's total ambient air monitoring network will consist of 136 instruments, including 17 meteorological stations, located at 34 sites across 26 counties of the Commonwealth.



Air monitoring stations are selected using U.S. EPA guidance and are generally established near populous areas or pollutant sources. Station locations are reviewed annually to ensure adequate air quality monitoring coverage. Data from the network is used to demonstrate compliance with ambient air quality standards and identify pollution trends. This information is also used to provide pollutant levels for daily air quality index reporting and detect elevated pollutant levels for activation of emergency control procedures.

Creating effective partnerships with air pollution sources and the public enables the department to carry out its goal of protecting human health and the environment by achieving and maintaining acceptable air quality for all Kentuckians.

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Objective 1 – Ensure programs adhere to federal and state statutory and regulatory requirements.

Tactic 1.1: Attain and maintain the National Ambient Air Quality Standards.

- Measure:** The number of counties currently attaining the 2006 PM_{2.5} standard.
Baseline: The number of counties originally designated nonattainment for the 2006 PM_{2.5} standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2008 ozone standard.
Baseline: The number of counties originally designated nonattainment for the 2008 ozone standard based upon the ambient monitoring data.
- Measure:** The number of counties currently in attainment of the 2008 lead standard.
Baseline: The number of counties originally designated as nonattainment for the 2008 lead standard based on ambient monitoring data.
- Measure:** The number of counties currently attaining the 2010 SO₂ standard.
Baseline: The number of counties originally designated nonattainment for the 2010 SO₂ standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2010 NO₂ standard.
Baseline: The number of counties originally designated nonattainment for the 2010 NO₂ standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2012 PM_{2.5} standard.
Baseline: The number of counties originally designated nonattainment for the 2012 PM_{2.5} standard based upon the ambient monitoring data.
- Measure:** Improved visibility at Class I areas, including Mammoth Cave National Park, by EPA specified levels at interim deadlines and work toward long-range 2064 background visibility goals.
Baseline: 2000-2004 visibility levels.

Action 1.1.1: Implement and enforce federal and state control strategies to attain the 2006 PM_{2.5} standard (35 µg/m³).

Action 1.1.2: Implement and enforce federal and state control strategies for areas of Kentucky that do not meet the 2008 8-hour ozone standard (0.075ppm).

Action 1.1.3: Implement and enforce federal and state control strategies to attain the 2008 lead standard (0.15 µg/m³).

Action 1.1.4: Implement and enforce federal and state control strategies for areas of Kentucky that do not meet the 1-hour 2010 SO₂ standard (75ppb). Submit updated information relating to the 2010 SO₂ NAAQS due September 2015, which is in response to EPA's court-ordered designation deadline of July 2, 2016.

Action 1.1.5: Implement and enforce federal and state control strategies for 1-hour 2010 NO₂ standard (100ppb).

Action 1.1.6: Implement and enforce federal and state control strategies to attain the 2012 PM_{2.5} standards (Annual: 12 µg/m³, 24-hour: 35 µg/m³).

Action 1.1.7: Implement and enforce the federal programs and requirements contained in the December 2007 Regional Haze SIP.

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- Action 1.1.8:** Participate in regional modeling initiatives for ozone and visibility control strategies.
- Action 1.1.9:** Develop and finalize redesignation requests.
- Action 1.1.10:** Monitor EPA's actions of the submitted infrastructure SIP for the Pb, O₃, PM_{2.5}, NO₂ and SO₂ standards.
- Action 1.1.11:** Conduct education and outreach to those communities expected to be impacted by nonattainment designations.
- Action 1.1.12:** Administer SIP-approved programs implemented as part of historic control strategies.
- Action 1.1.13:** Develop required control strategy SIP as specified by the CAA and EPA guidance.

Status: All areas monitored in Kentucky meet the 2006 PM_{2.5} Standard. On April 7, 2015, EPA revised the initial designation of the 2012 PM_{2.5} Standard for the Louisville, Kentucky-Indiana area from nonattainment to unclassifiable. In the same action, EPA revised the initial designation of the Cincinnati-Hamilton, Ohio-Kentucky area from nonattainment to unclassifiable/attainment.

All areas monitored in Kentucky meet the 2008 Ozone Standard. On August 27, 2015, EPA proposed determination that the Cincinnati-Hamilton, OH-KY-IN nonattainment area is attaining the 2008 8-hour Ozone Standard. Kentucky has drafted the Redesignation Request for our portion of the nonattainment area and will hold a public hearing in the first part of 2016.

On October 1, 2014, the Ohio facility causing the SO₂ violations in Campbell County, Kentucky, ceased operations. Since that time, the monitor has shown that the area is meeting the standard. Kentucky has submitted the Redesignation Request for the 2010 SO₂ Standard nonattainment area to EPA. Written comments on the package were received during the public comment period. Kentucky will address those comments and submit a final Redesignation Request package to EPA in the first part of 2016.

On September 16, 2015, Kentucky submitted updated area designation recommendations of attainment for the 2010 SO₂ Standard for the two facilities identified by EPA by letter to Commissioner Bruce Scott on March 20, 2015. Kentucky followed the five factors recommended by EPA in making the designations. At this time, no formal response to Kentucky's designation recommendations has been received from EPA.

EPA published a final 2010 SO₂ Standard Data Requirements Rule on August 21, 2015. With this rule, EPA established minimum data requirements for states to use to characterize air quality for the next

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round of SO₂ designations. Kentucky will provide EPA a list of 2,000 tons per year sources of SO₂ emissions by the January 15, 2016 deadline.

All areas monitored in Kentucky meet the 2010 NO₂ Standard.

All areas monitored in Kentucky meet the 2008 Lead Standard. Kentucky's 2008 Lead NAAQS Infrastructure SIP was approved by EPA with an effective date of November 9, 2015.

All areas monitored in Kentucky meet the 2012 PM_{2.5} Standards. Kentucky's 2012 PM_{2.5} Infrastructure SIP public comment period ended December 10, 2015. Written comments were received from EPA. Kentucky will address the comments and submit a final Infrastructure SIP package to EPA the first part of 2016.

The Division follows public participation requirements as set forth in 40 CFR 51.102.

Tactic 1.2: Review and revise state air quality regulations and policies.

Measure: The number of regulatory packages developed, promulgated, and finalized in FY16.

Baseline: The number of FY15 packages developed, promulgated and finalized.

Action 1.2.1: Revise state regulations 401 KAR 51:010, 401 KAR 52:050, 401 KAR 52:070, 401 KAR 53:005, 401 KAR 53:010, 401 KAR 59:015, 401 KAR 59:174, 401 KAR 60:005, 401 KAR 63:002, and 401 KAR 63:060.

Action 1.2.2: Develop regulation packages that are inclusive of stakeholder input.

Status: The Division reviewed amendments to 401 KAR 59:174. The amendments were filed with LRC September 15, 2015. A public hearing was scheduled for October 22, 2015, but cancelled due to no request. Written comments were received during the public comment period ending November 2, 2015. These comments were addressed and a SOC was filed with LRC on December 4, 2015. The ARRS Hearing for the amendment is scheduled for January 11, 2016.

The Division reviewed amendments to 401 KAR 51:010 and 401 KAR 53:010. It is anticipated that amendments will be filed with LRC by June 30, 2016. The Division reviewed amendments to 401 KAR 60:005, 63:002 and 63:060. It is anticipated that amendments will be filed with LRC mid-2016.

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The Division reviewed amendments to 401 KAR 59:015 and anticipates filing with LRC mid-2016. The Division reviewed amendments to 401 KAR 52:050 and 401 KAR 52:070. The Division anticipates filing with LRC mid-2016.

Tactic 1.3: Assess source emissions annually through the Emission Inventory System.

Measure: The number of sources assessed, estimated calendar year emissions, and the amount of emission fees collected during CY 2014.

Baseline: The number of sources assessed, estimated calendar year emissions, and the amount of emission fees collected during CY 2013.

Action 1.3.1: Determine the sources eligible for the emission survey by the first quarter of the calendar year.

Action 1.3.2: Assess source emissions by third quarter of the calendar year.

Action 1.3.3: Assess emission fees by the fourth quarter of the calendar year.

Action 1.3.4: Develop projection of emission fee based on source emission assessments and divisional needs.

Status: With the completion of the FY16 emission survey process, all source emissions have been assessed. The total billable emissions for CY14 are 175,940 tons. Air emissions fees have been assessed to 692 facilities with a cost per ton of \$76.87 due February 19, 2016.

Tactic 1.4: Ensure air quality programs are fiscally and administratively viable.

Measure: The division staffing levels as compared to cap, budgeted amounts, number of grant programs administered and completed, number of training programs delivered for division staff during FY16.

Baseline: Corresponding measures for FY15.

Action 1.4.1: Prepare the division budget for the fiscal year.

Action 1.4.2: Communicate and coordinate with DEP budget staff on the divisional budget requirements.

Action 1.4.3: Track expenditures and receipts to ensure programs are within designated budgetary amounts.

Action 1.4.4: Implement Cabinet and DEP operational, personnel and human resource policies and programs.

Action 1.4.5: Monitor staffing levels and ensure timely processing of personnel actions.

Action 1.4.6: Educate and provide outreach to division staff on Cabinet and DEP policies.

Action 1.4.7: Track grants programs and ensure grant programs are meeting expectations.

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Status: OSBD has prepared and approved the FY16 budget. Communication continues with the department-level budget staff. Tracking expenditures, monitoring personnel programs, and staffing levels are ongoing. All Cabinet and DEP policies are addressed with staff. Current grant programs are meeting expectations.

Tactic 1.5: Ensure programs are legally sound.

Measure: Number and outcome of air quality litigation cases in FY16.

Baseline: Litigation cases in FY 2015.

Action 1.5.1: Provide technical expert witness testimony at Office of Administrative Hearings and courts of jurisdiction.

Action 1.5.2: Track relevant state and federal air quality policy issues and litigation.

Action 1.5.3: Track on-going DAQ litigation.

Status: The Division continues to review and provide technical resources to the Cabinet's Office of General Counsel to assist in their tracking of litigation. Additionally, the Division provides technical expert witnesses for any Administrative Hearing, as necessary. During this time, Division staff worked in cooperation with the Cabinet's Office of General Counsel on air quality legal issues relating to SO₂ designations, as well as the proposed and upcoming regulations regarding greenhouse gases and fossil-fueled electric generating units. The Division continues to review and provide comment and technical support in enforcement related issues and the drafting of agreed orders.

Objective 2 – Ensure permits are protective of Kentucky's air quality.

Tactic 2.1: Issue appropriate, lawful permits in a timely manner.

Measures: The total number of permit applications received; the total number of permits issued; the total number of permits pending; the total number of permits pending that exceed regulatory timeframes; the total number of other permit actions (i.e. registrations; off-permit changes; etc.) processed; the number of new permit staff; number of trainings programs provided for permit review staff.

Baseline: Average of the five previous state fiscal years.

Action 2.1.1: Issue permitting actions that are inclusive of all applicable federal and state requirements.

Action 2.1.2: Issue permitting actions within the designated regulatory timeframes.

Action 2.1.3: Utilize TEMPO to accurately track and report on permitting actions.

Action 2.1.4: Evaluate and implement streamlining opportunities to address procedural and institutional inefficiencies.

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Action 2.1.5: Recruit qualified permitting staff.

Action 2.1.6: Provide training to increase knowledge and enhance retention of qualified staff.

Status: During this interim, the Division received 540 permit applications and issued 593 permits. As of December 31, 2015, the total number of pending permits is 199. Of those, approximately 31% exceed the regulatory period. In addition, and for the same interim, the Division has received 344 registrations and “off-permit change” requests and issued 295 registrations and “off-permit change” requests.

Various reports are utilized each month for tracking purposes. General permits are issued where applicable. Automated permitting documents have been developed. Measures are discussed, developed and implemented both as staff encounters problems and proactively. Various tools including TEMPO reports and regularly scheduled workload reviews are used by section supervisors to facilitate staff in permit issuance.

During the interim, the Division hired nine employees. Orientation was provided for new staff. The Division provided three internal training courses for staff.

Tactic 2.2: Conduct air quality modeling to assess source impacts on air quality.

Measures: The total number of air toxic assessments and Prevention of Significant Deterioration (PSD) modeling assessments in FY16.

Baseline: Modeling assessments in FY15.

Action 2.2.1: Assess air toxic impacts as it pertains to permit requirements.

Action 2.2.2: Assess emissions as they relate to NAAQS.

Status: During this interim, the Division performed refined modeling for 59 criteria pollutant and air toxic assessments. The Division also completed five PSD modeling reviews during the permit review process. There are two PSD modeling reviews in progress, as of December 31, 2015.

The Division has completed five NAAQS modeling reviews for lead and sulfur dioxide for monitoring network and state implementation planning purposes. Reviews were also carried out and submitted in September to demonstrate attainment with the 1-hr SO₂ NAAQS.

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Objective 3 – Monitor Kentucky’s Air Quality.

Tactic 3.1: Operate a statewide ambient air-monitoring network.

Measures: The number of air monitors in the network based on population estimates; number of locations selected to represent population exposure; number of locations selected to represent background concentration levels; number of locations selected to represent regional transport of ambient air pollution; number of monitors and locations to represent source impacts; number of hours of continuous ambient air monitoring data collected; number of particulate matter; lead; and air toxics samples collected; concentrations of pollutants for which national ambient air quality standards have been established; and concentrations of pollutants for which health-based risk standards have been determined.

Baseline: 2013-2015 Kentucky Electronic Data Acquisition Systems data and 2013-2015 EPA Air Quality System (AQS) data.

Action 3.1.1: Develop and submit to EPA for approval the ambient air monitoring network plan by July 1, 2016.

Action 3.1.2: Operate monitor sites as approved in the ambient air monitoring network plan.

Action 3.1.3: Obtain ambient air pollutant concentrations for ozone, sulfur dioxide, and oxides of nitrogen on a continuous basis using automated analyzers in accordance with applicable regulatory requirements.

Action 3.1.4: Obtain ambient air pollutant concentrations for particulate matter 2.5 microns in diameter or smaller (PM_{2.5}) on a continuous basis using automated samplers in accordance with applicable regulatory requirements.

Action 3.1.5: Collect 24-hour samples for particulate matter (including PM_{2.5}, PM₁₀, and speciated PM_{2.5}), lead, and air toxics per the national EPA Monitoring Schedule.

Action 3.1.6: Minimize data loss by ensuring that failed equipment is repaired or replaced within 5 business days after notification of instrument malfunction.

Status: By December 18, 2015, the Technical Services Branch (TSB) had completed its annual siting evaluation of each air monitoring sampler and station in the Division’s air monitoring network. The TSB is currently reviewing the deficiencies found during these siting evaluations and is taking corrective actions.

All ozone monitors in the network were shut down in early November upon completion of the KY ozone-monitoring season (March 1 – October 31).

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To date, air-monitoring data for all continuously monitored pollutants through August has been entered into AQS. The TSB is currently reviewing September and October data. To date, air-monitoring data for all non-continuously monitored pollutants through August has been entered into AQS. The TSB is currently reviewing September PM_{2.5}, November PM₁₀, and September lead data. Annual mean concentration reports will be compiled once all of the 2015 data has been quality assured and entered into AQS.

The TSB has continued to maintain and audit the instruments in the Division's ambient air monitoring network; Field Operations Branch personnel operate the instruments on a daily basis and collect field samples. Speciation PM_{2.5} samplers are no longer operated within the Division's network as of December 31, 2014, due to discontinued funding. Failed equipment has been repaired or replaced by the TSB within 5 business days.

TSB upgraded all PM_{2.5} continuous samplers from a 1400 series to a 1405 series, which is a smaller, compact unit and a more automated sampler.

TSB purchased and installed a new, tighter manufactured shelter at the Grayson Lake site, and transferred all equipment into it. The site is up and functional.

Tactic 3.2: Ensure data accuracy and integrity of the ambient air-monitoring network.

Measures: The number of complete and current Quality Assurance Project Plans (QAPPs); number of complete and current standard operating procedures (SOPs); percentage of valid; quality-assured continuous ambient air monitoring data collected; percentage of valid; quality-assured particulate matter; lead; and air toxics samples collected; number of quality control checks performed on ambient air monitors; and number of ambient air monitoring performance evaluations conducted.

Baseline: EPA's 2009-2013 Kentucky Technical Systems Audit Results.

Action 3.2.1: Review 100% of division's air monitoring QAPPs on an annual basis.

Action 3.2.2: Review 100% of division's air monitoring SOPs on an annual basis.

Action 3.2.3: Develop SOPs for new methods within 6 months of start-up.

Action 3.2.4: Maintain 75% data recovery for each calendar quarter for all instruments within the ambient air-monitoring network.

Action 3.2.5: Conduct quality control precision checks on each automated analyzer that collects ozone at least once every two weeks, with results within $\pm 7\%$ difference.

Action 3.2.6: Conduct quality control precision checks on each automated analyzer that collects SO₂ and NO_x data at least once every two weeks, with results within $\pm 10\%$ difference.

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Action 3.2.7: Conduct quality control precision checks on each instrument that collects particulate matter samples at least once per month, with results within $\pm 4\%$ difference.

Action 3.2.8: Review and submit the annual ambient air quality data certification for each NAAQS pollutant measured by May 1, 2016.

Status: The Division's Criteria Pollutant QAPP is current and approved by EPA. The Division's National Air Toxics Trend Stations QAPP is under revision.

The TSB has been reviewing and revising the Division's monitoring SOPs this fiscal year. Currently, three SOPs are under revision, and they should be submitted to EPA for approval in 2016.

Excellent data recovery (greater than 90%) has been achieved by most analyzers and samplers in the network. Quality control checks for all gaseous analyzers and most particulate samplers have been performed every two weeks on the instruments within the Division's network. Whenever the quality control limits have not been achieved, the instruments have been recalibrated to ensure accuracy and data integrity.

Quality assurance audits have been conducted on all air monitoring instruments quarterly, which exceeds EPA requirements. Whenever an instrument has not met the required quality assurance limits, the instrument has been recalibrated.

The TSB will compile all quality assurance statistical analyses and reports for 2015 data after all data have been quality assured and entered into AQS. Afterwards, the annual certification of the pollutant data will occur.

Tactic 3.3: Administer the source-sampling program.

Measures: The number of source sampling events observed; number of test protocol reviews completed; and number of test report technical reviews completed in CY16.

Baseline: Corresponding measures for CY 2015.

Action 3.3.1: Review source-sampling protocols for adherence to standard test methods.

Action 3.3.2: Observe source sampling events to assure compliance with test protocols and permit requirements.

Action 3.3.3: Review source sampling test reports for adherence to standard test methods.

Action 3.3.4: Track source-sampling activities in TEMPO.

Action 3.3.5: Provide technical assistance to staff on source sampling methods and activities.

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Status: The following table compares the major tasks performed by the Source Sampling Section in calendar year 2014 to calendar year 2015. It should be noted that workload varies slightly and is dictated by the number of compliance tests performed per year. Overall, the number of compliance tests performed per year has been on the increase for the last several years.

Task	CY 2014	CY 2015
Protocols Received	378	359
Protocols Reviewed	210	198
Compliance Tests Observed	161	144
RATA Tests Observed	16	56
Test Reports Reviewed	403	315

In calendar year 2014 and calendar year 2015, the section observed 90% of the compliance tests that were scheduled during the year. The section significantly increased the percentage of RATA tests that were observed from 2014 (15%) to 2015 (41%). The Source Sampling Section is current on all tasks.

Tactic 3.4: Assess statewide source emission impacts in Kentucky and across state boundaries.

Measures: The number of analyses conducted in CY16.

Baseline: Baseline will be determined by the analysis on a case-by-case basis.

Action 3.4.1: Conduct analysis and research of statewide source emissions, impacts, and trends in Kentucky.

Action 3.4.2: Conduct analysis and research of Kentucky emissions and impacts on interstate air pollution.

Action 3.4.3: Provide technical assistance on source emissions, impacts, and trends.

Status: The Division continues to compile information and research regarding Kentucky's emissions relating to air pollution transport. The Division remains involved in the Kentucky Prescribed Fire Council in order to track issues relating to smoke management in Kentucky as it relates to emission impacts.

Objective 4 – Assure compliance and enforce air quality standards.

Tactic 4.1: Inspect sources of air pollution.

Measures: The number of major (Title V) and conditional major/Federally Enforceable State Origin Permit (FESOP) permits; the number of Title V source inspections conducted; number of conditional major/Federally

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Enforceable State Origin Permit (FESOP) inspections conducted; the number of annual compliance certifications for Title V major and conditional major (FESOP) sources received; the number of annual compliance certifications for Title V major and conditional major (FESOP) sources reviewed; and the compliance rate of stationary source inspections.

Baseline: FY 2010-2014 trends data.

Action 4.1.1: Complete full compliance evaluations (FCE) at all (100%) Title V major stationary sources on a biennial basis.

Action 4.1.2: Complete full compliance evaluations at all (100%) conditional major (FESOP) sources on a biennial basis.

Action 4.1.3: Complete review of 100% of annual compliance certifications for Title V major and conditional major (FESOP) sources annually.

Status: There are currently 233 active Title V major sources on file with DAQ. This includes those sources that emit or have the potential to emit (PTE) > 100 tons of a criteria pollutant and/or emit at levels > 10 tons/year or 25 tons/year for a single Hazardous Air Pollutant (HAP) or combined HAPs, respectively. During this interim period, a total of 592 inspections (all types excluding investigations) have been completed for these Title V air contaminant sources, with 105 of the inspections being FCEs.

There are currently 248 active conditional major/FESOP sources on file with DAQ. During this FY16 interim period, a total of 339 inspections (all types excluding investigations) have been completed for the conditional major/FESOP air contaminant sources, with 62 of the inspections being FCEs.

Tactic 4.2: Conduct enforcement actions regarding violations of air quality regulations.

Measures: Number of High Priority Violations (HPV); number of days taken to initiate appropriate enforcement action on each High Priority Violation; and track the number of Letters of Warning (LOWs) and Notices of Violation (NOVs) issued on an annual basis.

Baseline: FY 2010-2014 trends data.

Action 4.2.1: Initiate appropriate enforcement action on 100% of high priority violations (HPV) within 60 days of discovery.

Action 4.2.2: Issue LOWs and NOVs in a timely manner.

Status: During this interim period, one (1) facility with a High Priority Violation (HPV) was discovered. EPA guidelines specify that state agencies are to initiate an appropriate enforcement action within 60 days. DAQ staff initiated enforcement action by issuing Notices of

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Violation (NOV) no later than 48 days following the violation discovery dates.

The air program issued 259 NOV's and 30 LOW's for this interim period for the inspections and investigations conducted during this interim.

Tactic 4.3: Respond to air quality complaints.

Measures: The number of non-asbestos complaints received; number of non-asbestos complaint investigations conducted; the number of complaints resolved by other means; number of open burning complaints received (401 KAR 63:005); number of fugitive emission complaints received (401 KAR 63:010); number of odor complaints received (401 KAR 53:010) and the number of violations for these three complaint types.

Baseline: FY 2010-2014 trends data.

Action 4.3.1: Complete complaint assessments and/or investigations for 100% of complaints received during fiscal year.

Status: A total of 755 air quality complaints submitted, were received by, or referred to the DAQ for review and possible action during the FY16 interim period. For this interim period, a total of 618 (82%) investigations were conducted by DAQ in response to these complaints. The remaining complaints were either combined with previously received complaints, addressed as either incomplete information given, investigated by another Division (Water or Waste Management), or no action required. DAQ FOB staff attempt to respond to 100% of the actionable citizen complaints it receives.

Open burning – DAQ received 226 open burning complaints in this interim period.

Fugitive Emissions (FE) – Most of these complaints are related to dust or the tracking of material onto roads or highways. Most often FE complaints correspond to dry conditions. There were 173 complaints received during the FY16 interim period.

Odor complaints - The number of odor-related complaints varies from year to year. During this interim period, DAQ received 229 odor complaints.

Tactic 4.4: Administer the asbestos program.

Measures: The number of Asbestos Certification and Accreditations processed in TEMPO; number of non-complaint asbestos National Emission Standard

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for Hazardous Air Pollutants (NESHAP) inspections conducted; number of Asbestos Hazard Emergency Response Act (AHERA) inspections conducted; number of asbestos-related complaints received; number of asbestos-related complaint investigations conducted; number of asbestos NESHAP notifications received; and number of asbestos NESHAP notification investigations.

Baseline: FY 2010-2014 trends data.

- Action 4.4.1:** Review and issue certification and accreditations within the 30-day regulatory timeframe (RTF).
- Action 4.4.2:** Complete inspection of 75% of NESHAP-regulated asbestos activities within the current fiscal year for which the division has received a required notification.
- Action 4.4.3:** Complete inspection of 20% of selected AHERA local education agencies (i.e. school districts) for the current fiscal year.
- Action 4.4.4:** Complete asbestos complaint assessments and /or investigations for 100% of complaints received during fiscal year.
- Action 4.4.3:** Develop a QAPP for asbestos sampling.
- Action 4.4.4:** Develop a standard operating procedure on AHERA inspections.
- Action 4.4.5:** Develop standard operating procedures (SOP) for asbestos sampling.
- Action 4.4.6:** Develop Asbestos Certification and Accreditations in TEMPO.
- Action 4.4.7:** Establish required Kentucky Asbestos Orientation Course in an online format.
- Action 4.4.8:** Develop digitized Asbestos certification files.

Status: DAQ issued 1490 Asbestos Accreditations to individuals and 56 Asbestos Certifications to companies during the interim period. All accreditations and certifications were issued within the regulatory period.

A total of 44 asbestos complaints submitted, were received by, or referred to the DAQ for review and possible action during the FY16 interim period. A total of 43 (98%) investigations were conducted by DAQ in response to these complaints.

DAQ received 186 NESHAP notifications during this interim period and FOB staff completed 156 NESHAP notification-related investigations which constitutes an 83% response rate. DAQ has an EPA commitment to inspect at least 50% of regulated notifications received during a calendar year.

AHERA regulations specifically address asbestos control in both private and public schools. Asbestos inspectors completed 59 routine AHERA inspections during this interim period.

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DAQ inspectors and staff are currently working on SOPs for both asbestos sampling and AHERA inspections, and a QAPP for the asbestos sampling protocols.

Current procedures for certifications and accreditations are being examined to determine the most efficient way to utilize TEMPO.

The Kentucky Asbestos Orientation Course is being reformatted in an attempt to make an online method more efficient for both presenter and students, and improve participant tracking.

All historical asbestos certification files have been digitized and current applications are being scanned upon receipt.

Objective 5 – Participate in programs that improve Kentucky’s air quality.

Tactic 5.1: Participate in programs that reduce mobile and off road emissions.

Measures: The number of programs administered, partners, and any emission reduction results for FY16.

Baseline: Corresponding measures for FY15.

Action 5.1.1: Report annual data to the Kentucky Clean Fuels Coalition (KCFC) website for the DEP Green Fleets Program.

Action 5.1.2: Partner with the KCFC on initiatives such as promotion of electric vehicles, natural gas and other clean transportation fuels.

Status: The Division is currently preparing DEP fleet data to submit to the KCFC Green Fleets program. The Division continues to partner with KCFC on the promotion of alternative-fueled vehicles.

Tactic 5.2: Educate the public on Kentucky air quality issues.

Measures: The number of schools visited, students educated, outreach events conducted, and programs initiated and conducted in FY16.

Baseline: Corresponding measures for FY15

Action 5.2.1: Develop and conduct air quality educational programming for Kentucky’s primary and secondary educational institutions.

Action 5.2.2: Partner with organizations on environmental education opportunities.

Action 5.2.3: Develop educational materials including articles for print, non-print, and social media that educate the public on air quality issues.

Action 5.2.4: Maintain and update the division’s website.

Action 5.2.5: Coordinate and conduct public events and exhibitions that educate the public on air quality issues.

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Action 5.2.6: Monitor and coordinate environmental education information as it pertains to the division programs and air quality education.

Status: DAQ staff conducted elementary and middle-school outreach programs to 1924 students; conducted air quality teacher workshops reaching 42 educators; conducted outreach to universities reaching 80 students/staff. Coordinated and conducted public outreach events at conferences, festivals, and parks reaching 291 people. Conducted outreach/training for fire departments and solid waste coordinators reaching 119 people. Outreach programs reached people in 13 counties.

DAQ's environmental education specialist was elected to a 2-year term on the board of directors for the Kentucky Association of Governmental Communicators, and is an active member of the Kentucky Association for Environmental Education and the North American Association for Environmental Education. DAQ partnered with KSU, BCTC, University of KY, KY Environmental Education Council, and several other state and federal agencies on environmental education workshops, committees, and outreach events. DAQ also partnered with the KY Fire Commission and the Solid Waste Coordinators of Kentucky on open burning education. In addition, Division staff produced articles and brochures for state publications, social media, and press releases.

Tactic 5.3: Foster networking through regional and national partnership.

Measures: The number of DAQ staff participating in leadership roles or as committee members in FY16.

Baseline: Number of staff in leadership roles or serving as committee members in FY15.

Action 5.3.1: Participate in AAPCA, NACAA, ECOS, and SESARM on program and initiatives that affect the division.

Status: DAQ staff continues to participate in monthly conference calls and meetings for AAPCA, NAACA, ECOS, and SESARM. Division director Sean Alteri is currently serving as the vice-president of AAPCA and two staff members are currently chairing AAPCA's training and monitoring committees.

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Goal 2



Clean and Safe Water

To manage, protect, and enhance the quality and quantity of the Commonwealth's water resources for present and future generations through voluntary, regulatory, and educational programs.



Kentucky has an abundance of water resources that provide important sources for public water systems, recreation and tourism, and economic opportunities. Managing and protecting the state's waters, including lakes, streams and rivers, as well as the water beneath the ground's surface, is imperative to ensure safe water for human health, the subsistence of important ecosystems, and the prospect of economic development. The department is responsible for regulating and monitoring the quality of drinking water, surface water and groundwater resources, and wastewater treatment systems across the state of Kentucky.

Effective regulatory oversight of water quality via federal and state regulations along with appropriate water quality criteria controls the amount of pollutants that can be discharged to water sources. Continuous improvement of water quality in Kentucky is achieved through permitting, compliance and inspection, monitoring, and other water quality improvement programs. Inspections of permitted facilities, in conjunction with collection and analysis of data from rivers, streams, lakes and wetlands throughout the state, enable the department to closely monitor the safety of the public's drinking water and the state's water resources.

The department not only protects the public's safety by regulating water quality, but also assists the federal government in the effort to protect Kentuckians from dam failures and flooding. Permits for construction, reconstruction, and repair of dams are issued by the department and regular inspections of dams are also conducted. The National Flood Insurance Program is administered by the department; the department also issues permits for construction on floodplains to prevent losses from flooding in Kentucky.

Through the support of regulatory, monitoring and water quality improvement programs, Kentucky's water resources are enhanced and protected for present and future generations.

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Objective 1 - Protect, manage and restore water resources.

Tactic 1.1: Develop and Implement a strategy for completion of TMDLs and Alternative plans.

Measures: Number of impaired waters scheduled for TMDL development in SFY16.
Number of impaired waters bypassed for TMDL development in SFY16.
Number of permits that contain TMDL measures in SFY16.
Number of accepted watershed-based plans.
Number of implementation strategies completed.
GRTS load reductions for FFY.
Number of watershed plans accepted as TMDL alternative.

Baselines: Number of permits that contain TMDL measures in SFY15.
Number of impaired waters bypassed for TMDL development in SFY15.
Number of accepted watershed plans at beginning of fiscal year.

Action 1.1.1: Develop TMDLs or alternatives in accordance with Division's Prioritization Framework of the Long Term Vision under the Clean Water Act Section 303 (d) Program.

Action 1.1.2: Review accepted watershed-based plans in accordance with the Division's Prioritization Framework to determine if they are appropriate as alternatives to TMDLs and submit to EPA for review by June 2016.

Action 1.1.3: Develop a TMDL baseline and priority list for the development of TMDL's and TMDLs alternatives based on the long-term Division's Prioritization Framework by September 30, 2015.

Action 1.1.4: Develop an approach to TMDL alternatives in at least one watershed.

Action 1.1.5: Determine implementation strategies and outcomes that have been developed and put into practice for TMDLs or alternative plans by August 31, 2016.

Action 1.1.6: Recruit contractors by June 30, 2016 to apply for 319(h) funding to implement watershed plans.

Action 1.1.7: Develop monitoring strategies by August 31, 2016 for determining the outcomes of applied implementation strategies.

Action 1.1.8: Continue updates of the Water Health Portal and outreach to stakeholder groups by June 30, 2016.

Status: The TMDL report for pH and metals for six segments in Hopkins County was submitted to the USEPA and approved July 31, 2015 (16 pollutant water body combinations). The Division of Water Director's Office approved development of a Statewide Bacteria TMDL methodology for bacteria listings that were submitted to EPA as Long Term Vision Priorities. A preliminary draft of a segment TMDL for the Statewide Bacteria TMDL is in development. A TMDL addressing bacteria for the Ohio River is in development, and TMDLs

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addressing pH, Metals, and bacteria in Pond Creek are in development. The Gunpowder Creek Watershed Based Plan was selected as the pilot TMDL alternative in coordination with the Watershed Management Branch (WMB) and is in development (externally). The development of a strategic work plan for the TMDL Section is in development and outlines TMDL Section's activities, including development of TMDLs and TMDL-Alternatives through 2022.

The TMDL baseline and priority list has been completed. The Division has submitted draft priorities via EPA ATTAINS Web Application on September 28, 2015. Any updated finalized priorities determined by the Division need to be submitted during the open enrollment period set by EPA in May of 2016.

A Watershed Based Plan approach to TMDL-Alternative is in development in the Gunpowder Creek Watershed in coordination with SD1.

A Watershed based plan approach is under development as a TMDL-Alternative in the Gunpowder Creek Watershed. Data collection has been completed and a data report is in development for Strodes Creek that could lead to implementation, depending on the outcome of the data report and coordination efforts between the Water Quality Branch (WQB) and TMDL. Sulphur Creek is a straight-to-implementation plan.

Nonpoint Source Program staff are actively working to build watershed plan implementation capacity at the local level. Approximately eleven (11) potential contractors representing Health Departments, Conservation Districts, Universities, non-governmental organizations, and local government agencies are actively being recruited to implement eleven (11) accepted watershed plans. Approximately ten (10) additional contractors are actively being recruited for Programmatic projects to develop or revise existing watershed plans.

The WQB did not conduct monitoring for determining the outcomes of applied implementation strategies during the July 1, 2015 through December 31, 2015 reporting period. However, the WQB discussed several post-implementation monitoring options with WMB during the reporting period.

DEP blog and Land Air & Water articles were published explaining and advertising the new Water Health Portal (WHP). The errors and bugs were corrected on the WHP.

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Tactic 1.2: Implement a Nutrient Reduction Strategy.

Measure: Percentage of data collected and analyzed for the development of nutrient criteria in SFY14-16.

Baseline: The SFY14 inventory of existing nutrient criteria data.

Action 1.2.1: Continue collection and assessment of data for consideration of numeric criteria (nitrogen and phosphorus) for wadeable streams and reservoirs/lakes by June 2016.

Action 1.2.2: Update Kentucky Nutrient Reduction Strategy as identified in the NRS and appropriate.

Action 1.2.3: Implement and conduct public outreach regarding nutrients and water quality issues.

Action 1.2.4: Participate in the Mississippi River/Gulf of Mexico Hypoxia Task Force and work to implement the 2008 Gulf Hypoxia Action Plan.

Action 1.2.5: Participate in meetings of the Kentucky Agriculture Water Quality Authority.

Action 1.2.6: Work with Kentucky Agriculture Water Quality Authority in developing protocols for the Authority.

Action 1.2.7: Work with the Kentucky Agriculture Water Quality Authority on development of a strategic plan.

Status: The 2015 ambient lake sampling that includes nutrient sample collection has been completed and the data entered into KWADE. Data for lakes/reservoirs from the Division, USACE and TVA since 2004 was compiled into a common database format. The lakes/reservoirs compiled database completion and validation is anticipated for February 2016. Field work and lab analyses has been completed for Bluegrass wadeable streams nutrient project during this reporting period.

The Nutrient Reduction Strategy is in final draft form and being modified prior to public notice early in 2016.

The draft Kentucky Nutrient Reduction Strategy contains an extensive public education/outreach component that will be implemented when the document is finalized.

The Division participated in numerous conference calls regarding the Mississippi River/Gulf of Mexico Hypoxia Task Force Coordinating Committee and participated in the annual meeting of the Hypoxia Task Force at Columbus, Ohio and a fall meeting in Washington, DC.

Division representatives attended two Kentucky Agriculture Water Quality Authority meetings.

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Division representatives attended several meetings to develop protocols for the Kentucky Agriculture Water Quality Authority.

Division representatives attended several strategic planning meetings for the Kentucky Agriculture Water Quality Authority.

Tactic 1.3: Assess water qualities to develop, implement, maintain and enhance aquatic resources.

Measures: Water quality standards developed to protect, maintain and restore water resources.
Number of surface water resources monitored and assessed.
Acres of Wild Rivers corridors protected and enhanced.
Number of water quality information disseminated.

Baseline: Current water quality standards.
Surface waters assessed for support of the designated use for the previous SFY.
The acres and river-miles protected and maintained in the Wild River corridors during the previous SFY.
The number of reports, advisories, information requests created, revised or completed during the previous SFY.

Action 1.3.1: Complete triennial review for the development of water quality standards through the review of national recommended water quality criteria, stakeholder input, literature, and new emerging topics by February 1, 2016.

Action 1.3.2: Develop and promulgate water quality standards through the KRS 13A process and timeline.

Action 1.3.3: Collect surface water quality data from the current basin management unit, established monitoring sites, and special study locations to determine water quality conditions of the Commonwealth.

Action 1.3.4: Review and revise the statewide water quality monitoring strategy by December 31, 2015.

Action 1.3.5: Review and assess water quality monitoring data to determine designated use support for the waters of the Commonwealth by January 31, 2016.

Action 1.3.6: Coordinate with other agencies to enhance water quality monitoring of the surface waters of the Commonwealth by November 2015 for the 2016 monitoring season.

Action 1.3.7: Complete the 2016 integrated report by August 31, 2016.

Action 1.3.8: Provide water quality data and recommendations to agencies issuing aquatic use advisories.

Action 1.3.9: Provide the public with water quality, geospatial information, advisories and public notices, through the Division's website, the Water Health Portal, reports, meetings and press releases.

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Action 1.3.10: Respond to information requests and provide technical assistance.

Action 1.3.11: Develop management plans for the Wild River corridors by December 31, 2015.

Action 1.3.12: Expand and acquire Wild River corridor properties.

Action 1.3.13: Develop a plan for maintaining and enhancing Wild River corridor properties owned by the Cabinet.

Action 1.3.14: Update the Nutrient Criteria Development Plan by September 2015.

Status: The WQB completed its scientific review of national recommended water quality criteria and new emerging topics in the spring of 2015. The Division hosted three initial meetings for stakeholders input (London, Bowling Green, and Frankfort) in May 2015.

Following public meetings, the Division developed regulations, which were filed on August 10, 2015 and published in the September Kentucky Administrative Register commencing the 30-day public comment period. After receiving and reviewing comments, the Division filed its Statement of Consideration and one amended regulation in November 2015. The Administrative Regulation Review Subcommittee addressed and then referred the regulations to the substantive standing committees on December 9, 2015. Neither subcommittee is taking the regulations up at their January 2016 meetings, so the regulations will become effective on January 11, 2016. The Division is preparing to submit its latest water quality standards package to EPA for review and approval.

The Probabilistic, Reference, Ambient Lakes, Intensive Studies, Fish Tissue, and Harmful Algal Bloom sampling has been completed for 2015. Ambient river sampling is ongoing.

The statewide water quality monitoring strategy is currently under review and will not be completed until June 2016. Multiple divisional and branch meetings occurred from July 1, 2015 through December 31, 2015.

The 2014 Integrated Report to Congress on the condition of water resources in Kentucky was completed and submitted to EPA on December 7, 2015. The 2016 Integrated Report assessment has begun during this July 1, 2015 through December 31, 2015 reporting period and will be submitted to EPA in December of 2016.

Discussions are ongoing internally and with the Army Corps of Engineers, ORSANCO, USGS, and Kentucky Department of Fish and Wildlife Resources as the Division develops a monitoring strategy for 2016.

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The 2016 Integrated Report time line has the 303(d) list to public comment by August 2016 and final submittal to EPA by December 2016.

Fish tissue was collected during the July 1, through December 31, 2015 reporting period but tissue analysis results have not been completed. Discussions are ongoing to update the statewide fish consumption advisory based on fish tissue mercury levels.

The Division continues to make more information publically available in easily consumable formats. New online tools include Forestry and Harmful Algal Bloom applications (viewers). Story Maps for Wetland and Wild Rivers are now available from the Kentucky Water Maps website. The Division has provided regular articles for the DEP Blog.

Information requests are ongoing. The WQB responded to many requests and provided technical assistance through the Monitoring Section, TMDL Section, Water Quality Certification Section and senior staff.

Management plans are developed for the Wild River corridors and will be updated in 2016.

The Wild Rivers program acquired 2 tracts in the Little South Fork watershed totaling ~250 acres. The program also began the process of acquiring a 1,200-acre tract in the Martins Fork Wild River corridor. The Wild Rivers corridor program is currently developing a monitoring plan for 2016 with the WQB Monitoring Section.

The Nutrient Criteria Development Plan is under review is being completed for submitted to EPA in January 2016.

Objective 2 – Conduct effective water resources planning

Tactic 2.1: Revise and update the Kentucky’s Watershed Approach

Measures: Completion of the Watershed Framework.
Number of partners in Center of Excellence.
Promotion and increased usage of Recovery Potential tool.

Baseline: 1997 Watershed Framework.

Action 2.1.1: Complete a draft of the revised Watershed Framework by December 15, 2015.

Action 2.1.2: Implement, continue development of, and identify opportunities for new ‘Straight To (TMDL) Implementation Plans’.

Action 2.1.3: Complete Basin Status Reports by December 2015.

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Action 2.1.4: Work to recalculate prioritized metrics used in Recovery Potential Tool based on state-specific inputs by December 31, 2015.

Action 2.1.5: Work with KWRI to promote the Kentucky Watershed Center of Excellence, involve, and recruit Watershed Framework partners.

Status: A working draft of a new Watershed Framework has been completed, will be revised and finalized in early 2016. The Basin Status Reports have been replaced by creating a newly available Kentucky Water Health Guide and Water health Portal.

A Straight to Implementation (STI) Plan has been completed for the Sulfur Creek Watershed. Development work on STI Plans is ongoing in the Cane Run (Dix River) and Greenbrier Reservoir watersheds. Additional prioritization will be conducted during the remainder of this fiscal year using the Watershed Recovery Potential Tool (RPT) for future STI Plan development.

State-specific metrics have been completed for the RPT, and a quality assurance check is near completion. Non-priority metrics for the state are now being developed. A meeting with KWRI to discuss priorities for the Center of Excellence is scheduled for January 2016.

Tactic 2.2: Promote the EPA's Sustainable Infrastructure Initiative.

Measures: The number of dam safety inspections completed during the year.
The annual number of boil water advisories.
The number of sustainable infrastructure outreach activities completed.
The number of projects approved that incorporated "green" methods or practices such as regionalization, conservation, water and energy Expenditure of State-Owned Dam Repair (SODR) funds.

Baseline: The corresponding numbers from 2015.

Action 2.2.1: Develop a strategy for implementing Kentucky's Sustainable Infrastructure by January 15, 2016.

Action 2.2.2: Collaborate with key stakeholders from government, industry, and community groups to use their expertise in promoting sustainable water infrastructure.

Action 2.2.3: Conduct training and public outreach workshops around the state to explain the Sustainable Infrastructure Initiative to water and wastewater providers; discuss with utilities the available asset management tools; and provide them guidance on how to implement the sustainable infrastructure concepts by June 30, 2016.

Action 2.2.4: Revise the State Revolving Fund (SRF) project priority ranking systems to award more points to projects that implement sustainable concepts by January 15, 2016.

Action 2.2.5: Implement SODR program strategies and projects.

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Action 2.2.6: Train local officials, floodplain coordinators, and emergency management personnel on how to read inundation maps, and assist them in developing and exercising Emergency Action Plans by June 2016.

Status: The Division is continuing to work on a Sustainable Infrastructure Strategy. The Division is promoting sustainable concepts particularly in the areas where infrastructure is failing and utilities are borrowing public funds, such as State Revolving Fund loans to upgrade their utilities. Currently, the 2015 EPA Drinking Water Infrastructure Needs Survey is 76% complete, which is an effort that will form the final strategy.

The Division also has ongoing activities to promote the US EPA sustainable infrastructure initiative during the following events: Sanitary Surveys, planning and design meetings, site visits, and presentations at Area Development Districts meetings, Kentucky Rural Water Association conferences, and the Kentucky Water Operators and Wastewater Operators conferences.

The Division revised the state revolving fund project priority ranking system to give additional priority points for projects designed to promote regionalization, control nutrients and promote energy conservation.

The Division allocated State-Owned Dam Repair (SODR) funds to rehabilitate the following dams: Bullock Pen, McNeely, Scenic Lake, Willisburg, Beech Creek, and Spurlington. At this time, the Beech Creek project is under construction and the Spurlington project is complete. The remainder of the projects identified either are in the design phases, or are awaiting property acquisition.

As part of the SODR projects, the Dam Safety Section in the Division is working to educate local officials on reading inundation maps and Emergency Action Plans. As the Risk-Map program evolves, it will be a tool to communicate the importance of understanding the flood risks posed by the existence of Dam structures.

Tactic 2.3: Plan for sustainable infrastructure.

Measures: The number of facility plans and asset inventories reviewed and approved.
The number of dam safety inspections completed during the year.
The number of environmental information documents reviewed and approved.

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The number of projects approved that incorporated “green” methods or practices such as regionalization, wastewater reuse, as well as water and energy conservation.

Baseline: The corresponding numbers from 2015.

- Action 2.3.1:** Develop with stakeholders a strategic sustainability plan for small water and wastewater utilities by December 2016.
- Action 2.3.2:** Participate in the Area Development District Water Management Planning Council meetings to assist with planning future water infrastructure.
- Action 2.3.3:** Work with the Public Service Commission and potential receivers of failing systems to create more comprehensive options in the case of infrastructure abandonment by December 2015.
- Action 2.3.4:** Encourage water and wastewater systems to plan on watershed basis to protect water quality, reduce infrastructure construction costs throughout the planning, and design process by June 30, 2016.
- Action 2.3.5:** Continue investigation of innovative uses of the drinking water SRF set-asides that support the sustainable infrastructure initiative.
- Action 2.3.6:** Evaluate and provide recommendations regarding the relationships between floodplain permitting, floodplain compliance, and dam safety.
- Action 2.3.7:** Complete the dam safety inspections as scheduled to ensure dams are properly maintained.
- Action 2.3.8:** Implement the Dam Safety program Modernization Project by June 30, 2016.
- Action 2.3.9:** Evaluate the direction of the Capacity Development program and document findings in a revision to the Capacity Development Strategy for submittal to EPA by January 15, 2016.

Status: The Division of Water, along with other stakeholders has convened a group to develop a strategic sustainability plan. Currently this group includes members from the Kentucky Infrastructure Authority, the Public Service Commission, and the Division of Water. From July 1 through December 31, 2015, the group met two times to discuss goals, and determine the tools each agency can bring to develop the plan. It is envisioned that the membership of the group will expand once an initial draft is developed in early 2016.

The Division participated in several Area Water Management Council meetings. These meetings included the various Area Development Districts. The focus of these meetings was to discuss the importance of building resilient communities.

Representatives from the Division, Kentucky Infrastructure Authority and the Public Service Commission have convened to determine ways the respective agencies can work together to address the abandonment issue. During the current SRF funding cycle, \$500,000 has been set

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aside to implement solutions on a limited number of projects on a pilot-basis. These pilot projects are being used to determine comprehensive options for receivers when treatment plants are abandoned. This will help to decrease the burden on local governments when developing regional solutions. Depending on the assessment of need, additional funding may be set-aside in the future.

The Water Infrastructure Branch has conducted 19 environmental assessments and approved four facility plans since the start of the fiscal year. Facility plans and assessments are performed with the goal of infrastructure planning on a watershed basis, with input from all pertinent stakeholders.

The Division has begun partnering with the Kentucky Infrastructure authority to allow the WRIS system to be used for asset inventory input. Giving municipalities a tool for asset inventory management promotes watershed base planning. This is accomplished by making the existing infrastructure characteristics readily available to the Municipality, the Division and to KIA.

The Division has convened a Water Resources Workgroup consisting of members of the Director's Office, Water Infrastructure Branch, Surface Water Permits Branch and the Watershed Management Branch. The group has met three times, and is working to better integrate the implementation of the Risk-Map program, Floodplain permitting program and the Dam Safety program. This group has developed short-, intermediate- and long-term objectives and provided these to the Director's Office.

The Division conducted 161 dam inspections, 82 high hazard dams, 57 moderate hazard dams, and 22 low hazard dams.

Tablet computers have been acquired for the Dam Safety Modernization project. Currently, programming is being completed to flow data from the tablets into the appropriate portions of TEMPO.

The Division has developed a new draft Capacity Development Strategy that updates the 2009 strategy. The draft will be evaluated and finalized in early 2016. The Division continues to evaluate how drinking water utilities will maintain technical, financial and managerial capacity to operate and provide safe, reliable drinking water to the public.

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Objective 3 - Meet federal and state program requirements.

Tactic 3.1: Meet Federal grant guidance requirements.

Measures: On-time submittal of all federal grant applications, work plans and reports.
Percentage of PPA work plan inspections conducted.
Submittal of required primacy packages.
Number of scheduled sanitary surveys completed within the month assigned.
Implementation of Drinking Water State Revolving Fund (DWSRF) set-asides work plans.
Number of special appropriation (SPAP) projects inspected.

Baselines: FFY15 and FFY16 federal commitments.
The number of scheduled sanitary surveys completed within the month assigned during FY15.
The number of SRF and SPAP inspections completed in 2015.

Action 3.1.1: Commence the Performance Partnership Agreement (PPA) with EPA by October 1, 2015.

Action 3.1.2: Submit work plans, grant applications, and all reports to grantors within deadline specified in the PPA.

Action 3.1.3: Develop the FFY17 106 PPA work plan commitments in coordination with EPA by July 2016.

Action 3.1.4: Submit the final FFY17 106 work plan inspection commitments by July 15, 2016.

Action 3.1.5: Meet federal work plans, primacy requirements and applicable National Program Measures within associated federal timeframes.

Action 3.1.6: Submit DWSRF set-asides work plans and Intended Use Plan to Kentucky Infrastructure Authority by April 2016.

Action 3.1.7: Conduct field inspections of projects that received SPAP grants in accordance with the federal grant work plans.

Action 3.1.8: Conduct field inspections of projects that received financial assistance from the state revolving fund.

Action 3.1.9: Develop a strategy to reduce PWS monitoring and reporting violations.

Action 3.1.10: Implement and evaluate a compliance rate improvement plan for inspection activities by June 30, 2016.

Action 3.1.11: Implement the revised Total Coliform Rule on January 1, 2016.

Action 3.1.12: Comply with Section 303(c) of the CWA for triennial review requirements.

Status: The PPA is being negotiated with EPA Region IV.

The Division has submitted all workplans, grant applications, and reports to EPA in relation to the EPA.

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FFY17 106 work plan development will begin in April 2016. A draft list of inspection commitments will be submitted to EPA in May 2016, the inspection commitments will also be submitted to EPA in May 2016, and the final submitted in July 2016 in conformity with the requirements in the final plan.

Federal workplans, primacy requirements, and applicable National Program Measures were completed by the federal deadline.

The DW SRF call for projects ended on December 11, 2015. An updated IUP and set-asides workplan will be completed by April 1, 2016.

There were approximately four (4) SPAP inspections that received grants in accordance with the federal grant work plans and approximately 22 SRF inspections completed of projects that received financial assistance from the state revolving fund.

The Drinking Water Compliance and Technical Assistance Section have encouraged systems to begin submitting monitoring and reporting data electronically. Outreach to systems has increased to make them aware of rule/regulation changes and informing systems of reporting errors to reduce clerical issues. EPA's development of SDWIS Prime will have all data reported electronically.

Non-municipal wastewater treatment systems associated with schools and seasonal facilities that are within the immediate vicinity of specific impaired stream segments are currently being evaluated for their potential contribution to stream degradation and impairment. Inspections were performed as part of the FY15 106 grant commitments, and appropriate measures are being taken to improve the compliance rate.

A Revised Total Coliform Rule Public - Water System information form was sent out to all facilities providing guidance on the new rule. Facilities that are implementing new sampling locations and schedules have returned the form to the Division for review. The Division is on track to have all authorized systems' sampling locations and sampling schedules uploaded in January. The Season System Start-up Rollout Checklist is in process of being mailed out. Implementation is on track to be completed in January.

The Division completed the Triennial Review required by 303(c) of the Clean Water Act. The Division is preparing to submit its resultant water quality standards package to EPA.

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Tactic 3.2: Meet state requirements and maintain progress toward achieving and maintaining zero permit backlogs.

- Measures:**
- The total number of permits pending July 2016.
 - The total numbers of permits pending that exceed regulatory timeframes (RTF) by July 2016.
 - The total numbers of “major” facilities with permit applications that exceed regulatory timeframes by July 2016.
 - The number of general permits that have expired and not been issued or that have not been addressed by July 2016.
 - The number of general permits Notices of Intent (NOIs) for which coverage has not been issued or that have not been addressed by July 2016.
 - The percentage of permit reviews completed within RTF during SFY16.
 - The percentage of permit reviews that exceed RTFs during SFY16.
 - Employee productivity rates for permitting, data entry and scanning during SFY16.
 - The percentage of construction plan approvals issued within the RTF for drinking water facilities.
 - The percentage of clean water construction permits issued within the RTF.
 - The percentage of dam safety construction permits issued within the RTF.
 - Number of coal Individual Permit (IP) and General Permit (GP) coverages issued without objection.
- Baselines:**
- The corresponding percentages from 2015.
 - The SFY15 DOW permit backlog.
 - SFY15 backlog percentages.
 - SFY15 employee productivity rates.
 - Number of coal IP and GP coverages issued without objection on July 1, 2015.

Action 3.2.1: Meet RTF on permit issuances and plan reviews.

Action 3.2.2: Resolve issues regarding the registration of oil and gas sites and data management.

Action 3.2.3: Issue remaining expired general permits by January 15, 2016.

Action 3.2.4: Provide outreach to the regulated community regarding implementation of general permits by March 15, 2016.

Action 3.2.5: Issue permits for all “major” facilities that exceed the RTF by June 30, 2016.

Action 3.2.6: Issue permits for all facilities that exceed the RTF by >1.5 years by June 2016.

Action 3.2.7: Process coal general permits by January 31, 2016. Resolve coal permits, which are the subject of EPA objections by October 30, 2015.

Action 3.2.8: Meet regulatory time frames pertaining to 401 Water Quality Certifications.

Action 3.2.9: Resolve TEMPO issues for WQCs by December 31, 2015.

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Status: In 2015, the Surface Water Permits Branch (SWPB) finalized 94% of all applications received within RTF.

The Division is currently working with the Division of Oil and Gas on the future of the registration of tank batteries and will be an issue taken up in the Oil and Gas Workgroup (made up of regulators, industry and other stakeholders) if the workgroup is reconvened in 2016. In addition, the Division is working internally to resolve issues regarding scanning and indexing of registrations that have been received by the Division since 2008.

The SWPB continues to work with regulated entities and interested parties to develop the renewal KYG20 (MS4) permit. Additionally, the renewal of KYG50 (Maintenance and Equipment Facilities) is ongoing. As general permits are developed, the regulated communities are kept informed of likely changes. SWPB has worked with both the MS4 communities and KYDOT in development of KYG20 and KYG50, respectively.

Since July 1, 2015, SWPB has reduced the number of backlog applications from 329 to fewer than 290. Sixty-Four of the permits issued off this list were >1.5 beyond RTF.

SWPB has also issued coverages for nearly 60% of all coal NOIs received.

During this reporting period of July 1 through December 31, 2015, the Water Quality Certification Section met regulatory timeframes for 60-70% of the Water Quality Certifications issued. In 2016, new strategies will be developed and used to increase this percentage.

SOPs for Water Quality Certification and TEMPO reporting were under development during this reporting period of July 1, 2015 through December 31, 2015. TEMPO WAL clean-up and new TEMPO WAL reporting requirements will occur in 2016.

Tactic 3.3: Implement and maintain laboratory certification programs.

Measure: The number of wastewater and drinking water laboratories certified in SFY16.

Baseline: The number of certified labs on July 1, 2015.

Action 3.3.1: Continue implementation of the wastewater lab certification program. Field only labs will begin implementation January 2016.

Action 3.3.2: Maintain certification for general wastewater labs.

Action 3.3.3: Maintain lab certification program for drinking water labs.

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Status: Wastewater laboratory certification has completed the implementation of general laboratory certification and has begun implementation of field-only laboratory certification for wastewater laboratories.

The Division received applications for certification of 138 laboratories general labs and 414 for field-only certifications.

The Division certifies a total of 91 drinking water laboratories. The breakdown of certified drinking water laboratories is as follows: 51 in state, 40 out of state, 40 chemistry, 49 microbiology, 4 Cryptosporidium, & 9 radionuclides.

Objective 4 - Promote better management and communication of data.

Tactic 4.1: Implement an integrated data management system for water quality data.

Measures: Implementation of Kentucky Water Assessment Data for Environmental Monitoring (K-WADE).
Successful data exchange with EPA via K-WADE.

Baseline: Level of completion on July 1, 2015.

Action 4.1.1: Collaborate with the Division of Environmental Program Support (DEPS) to increase data type, flow, and efficiency to EPA using exchange.

Action 4.1.2: Collaborate with DEPS on a report and query tool for KWADE that is accessible division-wide by December 2015.

Action 4.1.3: Explore the integration of water quality data collected outside of the Water Quality Branch into KWADE by July 2016.

Status: There have been no new data submissions since July 1, 2015.

The KWADE report tool is functional and basic reports are being developed. The WQB Staff will be trained on how to use the tool and how to request additional reports by February 2016. By June 2016, wider Division accessibility is anticipated.

During this reporting period, one NPS project has been imported to KWADE and a template has been created for importing additional historical NPS projects.

Tactic 4.2: Make necessary changes to TEMPO to allow for a new e-filing system.

Measures: Development and creation of new e-filing system for Nonpoint Source Program.

Baseline: Level of completion for SFY 2015.

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Action 4.2.1: Collaborate with DEPS on development and creation of a new e-filing system for Nonpoint Source Program by June 2016.

Status: As part of the DEP Paper Elimination Project, the Non-Point Source Program worked with DEPS to move into TEMPO. Grant years 1999-2004 have been migrated into TEMPO, and 2005-2007 grant years are in process. Work Activity Logs are under development.

Tactic 4.3: Promote better decision making through GIS and Data Analysis (GDA).

Measures: Number of GIS training events in SFY16.
Number of data analysis projects completed in SFY16.
Numbers of GDA help desk requests fulfilled in SFY16.
Number of location corrections processed in SFY16.
Number of National Hydrologic Database (NHD) and Geographic Names Information System corrections processed in SFY16.
Watershed Boundary Dataset (WBD) stewardship achieved.

Baselines: Corresponding measures for SFY15.

Action 4.3.1: Conduct ten training events for DOW staff regarding GIS and ArcGIS 10 by June 30, 2016.

Action 4.3.2: Develop schedule to continue systematically analyzing data from current DOW databases.

Action 4.3.3: Improve the utility of TEMPO through data validation.

Action 4.3.4: Continue to serve as the steward of and maintain the Kentucky portion of the NHD.

Action 4.3.5: Pursue establishment of WBD stewardship program.

Action 4.3.6: Develop GIS tools (including mobile applications and desktop solutions) for inspectors, permit writers, others in the division, and the public that would be served by these tools by January 15, 2016.

Status: The GDA Section has completed seven training events.

The GDA Section continues to systematically analyze data as requests are made. Of 12 such requests, six have been completed for analyses, three for consultations, and three for data extracts.

The Initiative for TEMPO Location Correction has corrected and validated 920 latitude/longitude corrections.

As the Kentucky steward of the NHD, Round 3 of the Kentucky Karst Atlas Integration Project is complete. An application for a grant to establish a restructured position to lead the WBD stewardship program was submitted to the USGS. This application was not funded, but will be resubmitted in 2016.

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Several new GIS tools have been developed, including Forestry and Harmful Algal Bloom Map Applications (Viewers), and a new Dam Safety Database is under development.

Tactic 4.4: Manage the Safe Drinking Water Information System (SDWIS).

Measures: Implementation of eMOR.
Implementation of web-based data entry process.

Baseline: Level of completion for SFY 2015.

Action 4.4.1: Collaborate with DEPS to maintain SDWIS until SDWIS Prime implementation.

Action 4.4.2: Participate on SDWIS Prime workgroups.

Action 4.4.3: Develop an implementation plan for utilizing SDWIS Prime.

Action 4.4.4: Perform SWIS software update in order to receive data for the Revised Total Coliform Rule by June 30, 2016.

Status: Staff in the Drinking Water Compliance and Technical Assistance Branch (CTAB) are continuing to maintain contact with DEPS as new information on the implementation of SDWIS Prime is provided by EPA. EPA has provided patches for the current SDWIS software. This information is turned over to DEPS to make necessary function changes to maintain the system until SDWIS Prime is available.

CTAB staff participated in national SDWIS Prime workgroups and on conference calls for state participants.

SDWIS Prime is not fully developed at this time, therefore implementation planning is premature.

DEPS has created a patch to test the running of compliance and monitoring sampling schedules for the Revised Total Coliform Rule. CTAB staff will be beta testing this patch before implementation beginning in June 2016.

Tactic 4.5: Implement ICIS data flows and data entry via netDMR to improve permit compliance, tracking, and data analysis.

Measures: Implementation of permit and compliance data flows into ICIS.
Implementation of netDMR.

Baseline: Status of flowing data to ICIS and entering data into netDMR for SFY 2015.

Action 4.5.1: Implement eNOI system and flow permit data from TEMPO into ICIS for the coal mining industry by the effective date of coverage under KYGE4 and KYGW4.

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Action 4.5.2: Transition DMR submittals from the DNR portal to NETDMR and ICIS for the coal mining industry by the effective date of coverage under KYGE4 and KYGW4.

Status: eNOI system and permit data flow from TEMPO to ICIS was completed October 1, 2014. Permit data flows to ICIS weekly. The transition of DMR submittals to NETDMR for the coal mining industry is currently 60% completed. The remaining 40% will transition to NETDMR as coverages under KYGE4 and KYGW4 become effective. The expected completion date is June 30, 2016.

Tactic 4.6: Improve the utility of TEMPO to provide more accurate facility information data.

Measure: Improved accuracy demonstrated by TEMPO audit report in SFY16

Baseline: TEMPO audit reports generated during SFY15.

Action 4.6.1: Collaborate with DEPS to update work activity logs, requirements library and profiles to be reflective of regulatory changes and current processes.

Action 4.6.2: Collaborate with DEPS to provide TEMPO training to new staff to ensure they are effectively using all features of TEMPO.

Action 4.6.3: Corrections of data will be made based on regular audit reports from TEMPO.

Action 4.6.4: Regular auditing of water/wastewater permit locations by staff. Develop better methods for synchronization between Water Resource Information System and TEMPO database.

Action 4.6.5: Implement TEMPO 360.

Status: Ongoing – The Division and DEPS personnel have been working with staff on an “as-needed” basis to update requirements, work activity logs and letter builder documents.

TEMPO training is provided to new staff as they are hired.

The GIS and Data Analysis Section processed 920 location corrections in TEMPO.

SWPB and DEPS are working to populate outfalls (and their locations) for non-coal permits from ICIS into TEMPO as subject items, so that all outfalls will be represented in both TEMPO and ICIS.

The division is exploring ways to modify systems that will ensure consistency of latitude and longitude information in TEMPO, so that outfall data can be efficiently communicated and synchronized between TEMPO and WRIS.

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The Division and DEPS have completed rollout of TEMPO 360.

Tactic 4.7: Maintain and improve data quality.

Measures: Improved accuracy demonstrated by database audit reports.
Number of staff receiving quality assurance (QA) training in SFY16.
Number of division-approved SOPs for SFY16.
Number of Quality Assurance Project Plans (QAPPs) reviewed for DOW.
Number of QAPPs reviewed from outside organization data.

Baseline: Audit reports and laboratory flags generated during SFY15
Number of division approved SOPs for SFY15.

- Action 4.7.1:** Conduct regular training for DOW staff regarding QA and the review process.
- Action 4.7.2:** Assure cross-database accuracy demonstrated by regular database audit reports.
- Action 4.7.3:** Integrate K-Wade and ADB so they flow quality data to new EPA ATTAINS by April 30, 2017.
- Action 4.7.4:** Work with DEPS to upgrade Dam Safety database to a more robust version that will ensure quality data is flowed into TEMPO by June 30, 2016.
- Action 4.7.5:** Paper Elimination Project: digitize paper records for long-term storage by May1, 2016.

Status: QA training is scheduled for every other year, and the next training event will occur in spring 2016. Surveys and meetings to determine the most relevant topics for this training event have been completed and planning/preparations continue.

Several databases, including Groundwater, KWADE, Drillers Program, and ADB have been compared with TEMPO to ensure proper QA occurs within programs. The Division continues to work to ensure that TEMPO and ICIS data are standardized with watersheds, basins and receiving streams. Working on QA of permitted outfalls layer to ensure that accurate and more usable information is included.

During this reporting period, the ATTAINS/ADB workgroup has been engaged in ongoing work sessions to define system requirements in preparation for contractor application work.

The Dam Safety Database structure is complete; functionality (user interface) is 75% complete. Collector interface between database and GIS (map) is 95% complete; still working out a few minor bugs with contractor – will then schedule an additional demonstration for Dam Safety Section staff. Documentation on system is 50%

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complete. Data migration from old database to new will begin once user interface is completed, but much of the migration mapping has been completed.

DOW PEP Update – From July to December 2015 DOW completed processing all files stored in the main DEP file room; 1,812 linear feet of files processed during this time. Efforts are now focused on processing documents on the 4th floor that can and need to go into the TEMPO database to continue to reduce files before moving to the new location.

Objective 5 – Track water-related litigation

Tactic 5.1: Direct and participate in any legal challenges to water quality and water resource issues; track and participate via comments, etc. in federal water policy issues.

Measures: Outcome of the litigation.

Baseline: All on-going litigation relating to water quality and water resources represented by Environmental Protection Office of General Counsel.

Action 5.1.1: Provide technical expert witness testimony at Office of Administrative Hearings and courts of jurisdiction.

Action 5.1.2: Track relevant state and federal water policy issues and litigation.

Action 5.1.3: Track on-going DOW litigation.

Status: The Division provided technical counsel to the Office of General Counsel on several ongoing state and federal matters of litigation.

The Division tracked federal and state standards, remained informed of the latest science criteria, and submitted comments to EPA (and the USACE) on federal regulations, as appropriate. Division staff tracked and distributed daily to Director's Office, branch managers, and Office of General Counsel, from a variety of resources (Inside EPA; ACWA; EPA website and blogs; GPO; etc.) Federal legislation tracked weekly to bi-weekly (depending on Congressional schedule) and distributed to Director's and Commissioner's Offices. The DOW also tracks federal legislation via LegisScan. The Division submitted comments on pending Clean Water Act 304(a) criteria for selenium.

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Goal 3



Waste Management & Land Restoration

Preserve and restore Kentucky's land through the development and implementation of fair, equitable and effective waste management programs.

As Kentucky's population grows, the number of homes, businesses and industries that provide jobs, services and goods for residents continues to increase. This population and economic growth results in increased use of chemicals and residential and industrial materials, which increases the waste stream associated with these activities. The Department for Environmental Protection safeguards and ensures protection of human health and the commonwealth's land, air, water and groundwater resources.

To accomplish this, the department administers an array of programs that work together to protect human health and the environment from the impacts related to increased waste in landfills and other waste facilities, ranging from



Historic Orphaned Landfill in Jessamine County, Billy Glover, in final closure
Photograph courtesy of PECCO, Inc.

hazardous chemical and petroleum contamination to illegal trash disposal. This strategy protects and benefits the Commonwealth in a number of ways. It protects the citizens of the Commonwealth as well as protects and restores Kentucky's natural resources through preventative monitoring programs and remediation. Programs also preserve existing green space through the restoration and reuse of old brownfield space for new commercial and industrial ventures. They develop properties with existing infrastructure, beautify communities, and raise the value of surrounding properties. The department regulates and educates the public on these issues concerning solid and hazardous waste management, site remediation at contaminated properties, redevelopment and reuse of impacted properties, operation and corrective action of underground storage tanks, and recycling waste products.

The management of solid and hazardous wastes are achieved through comprehensive permitting, registration, monitoring, reporting and training requirements. In addition, the department promotes solid and hazardous waste minimization, landfill inspections, conducts public hearings and provides evaluation of waste streams to ensure proper protection of our state's natural resources.

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The health and environmental threats from leaking underground storage tanks are managed by a two-fold approach that monitors and prevents leaks and spills, and assesses and remediates contaminated sites. Prevention is achieved through a focus on compliance with state and federal operation and maintenance requirements. The department's management of state funds available for these activities supports the complementary focus on oversight of site assessment and cleanup.

The department uses state and federal funds to address environmental emergencies, state-lead assessments, cleanup and remediation of State-Lead and National Priority List sites that are contaminated and abandoned which pose a serious threat to human health and the environment, and redevelopment programs to support and encourage redevelopment of properties with real or perceived adverse environmental conditions. Department personnel work with regulated businesses, contractors, government agencies, and various stakeholders to characterize and remediate sites where contamination has been released into the environment. In addition, the department uses regional field offices to support the programs by performing inspections, and ensuring that facilities are compliant with regulatory requirements.

The department encourages public participation through various programs to protect our environment by recycling and reducing waste in order to minimize land disposal and to conserve energy and natural resources. These programs educate citizens and industry on environmentally friendly practices in the proper management of waste while emphasizing the significant environmental and economic benefits of reducing, reusing and recycling materials.

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Objective 1 - Ensure programs adhere to federal and state statutory and regulatory requirements.

Tactic 1.1: Review and revise administrative regulations, and propose legislative amendments to comply with federal regulatory requirements.

Measure: Number of legislative proposals drafted in the current fiscal year.

Baseline: Corresponding measure for FY2015.

Measure: Number of regulatory packages developed, promulgated and finalized in the current fiscal year.

Baseline: Corresponding measure for FY2015.

Action 1.1.1: Develop regulation packages for division programs that comply with state statutory and federal requirements in a manner protective of human health and the environment that accurately reflect programmatic policy.

Action 1.1.2: Prepare draft legislative agenda to address any issues requiring legislative solutions and pursue enactment.

Action 1.1.3: Develop regulation packages that are inclusive of stakeholder concerns.

Status: Two legislative proposals drafted in the current fiscal year.

One regulatory package developed, promulgated and finalized in the current fiscal year.

Tactic 1.2: Provide resources and oversight to the regulated community to achieve compliance with federal and state regulations.

Measures: Number of underground storage tank owners/operators that completed the Kentucky Tank Operator Online Learning System (KY TOOLS) training. Percentage of underground storage tank owner/operators in compliance with the requirement to have Designated Compliance Managers.

Baseline: Corresponding measures for FY2015.

Measure: Number and percentage of solid waste sites submitting the Environmental Remediation Fee in accordance with KRS 224.43-500.

Baseline: Corresponding measure for FY2015.

Measures: The percentage of authorized hazardous waste facilities in compliance. The percentage of registered underground storage tanks in compliance.

Baseline: Corresponding measures for FY2015.

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Measure: Number of facility inspections completed by staff to ensure regulatory compliance.

Baseline: Corresponding measure for FY2015.

Action 1.2.1: Utilize KY TOOLS as the program for UST Operator Certification in accordance with the federal Energy Policy Act. KY TOOLS has implemented a site-specific approach to training and testing to support certification, which will significantly aid in increased overall compliance and leak prevention.

Action 1.2.2: Maintain and enhance TEMPO reporting to accurately track and report on measures.

Action 1.2.3: Inspect regulated sites at established intervals to facilitate and ensure compliance with agency requirements.

Action 1.2.4: Take enforcement action on regulated sites as necessary to facilitate and achieve compliance with agency requirements.

Status: 818 underground storage tank owners/operators completed the Kentucky Tank Operator Online Learning System (KY TOOLS) training. 91% of underground storage tank owner/operators in compliance with the requirement to have Designated Compliance Managers.

74 solid waste sites, representing 54%, submitted the Environmental Remediation Fee in accordance with KRS 224.43-500.

85% of authorized hazardous waste facilities in compliance.

63% of registered underground storage tanks in compliance.

2909 facility inspections completed by staff to ensure regulatory compliance.

Tactic 1.3: Review and revise quality assurance documents annually and update as necessary.

Measure: Number of Standard Operating Procedures and guidance documents developed or revised in the current fiscal year.

Baseline: Corresponding measure for FY2015.

Measure: Number of Quality Assurance Project Plans developed or revised in the current fiscal year.

Baseline: Corresponding measure for FY2015.

Action 1.3.1: Develop and revise standard operating procedures that comply with state and federal requirements, and agency policy.

Action 1.3.2: Revise Quality Assurance Annual Report.

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Action 1.3.3: Prepare the division annual report and update the Strategic Operational Plan.

Action 1.3.4: Develop and revise Quality Assurance Project Plans as necessary.

Status: Three Standard Operating Procedures and guidance documents developed or revised in the current fiscal year.

One Quality Assurance Project Plan developed or revised in the current fiscal year.

Tactic 1.4: Ensure waste management programs are fiscally and administratively viable.

Measure: The division staffing levels as compared to cap and budgeted amounts.

Baseline: Corresponding measure for FY2015.

Measure: Number of grant programs administered and completed.

Baseline: Corresponding measure for FY2015.

Action 1.4.1: Prepare the division budget for the state fiscal year.

Action 1.4.2: Communicate and coordinate with DEP budget staff on the needs of the division.

Action 1.4.3: Track expenditures and receipts to ensure programs are within designated budgetary amounts.

Action 1.4.4: Implement cabinet, DEP and the division's operational, personnel, and human resource policies and procedures.

Action 1.4.5: Monitor staffing levels and ensure timely processing of personnel actions.

Action 1.4.6: Educate division staff on cabinet, DEP, and division policies.

Action 1.4.7: Track grants programs and ensure grant programs are meeting expectations.

Action 1.4.8: Ensure accurate and timely data entry and reporting.

Status: The division staffing level is 235 as compared to 236 cap and budgeted amount.

14 grant programs administered and 2 completed.

Objective 2 - Ensure permits are protective of human health and Kentucky's land resources.

Tactic 2.1: Issue appropriate, lawful permits in a timely manner.

Measures: Number of hazardous waste permit applications received.

Number of hazardous waste permits pending review.

Percentage of hazardous waste permit reviews completed within regulatory timeframes.

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Number of solid and special waste permit applications received.
Number of solid and special waste permits pending review.
Percentage of solid and special waste permit reviews completed within regulatory timeframes.

Baseline: Average of the five previous state fiscal years.

Measure: Number of training classes completed by DWM staff.

Baseline: Corresponding measure for FY2015.

Action 2.1.1: Issue permitting actions that are inclusive of all federal and state regulatory requirements.

Action 2.1.2: Issue permitting actions within the regulatory timeframes.

Action 2.1.3: Utilize TEMPO to accurately track and report on permitting actions.

Action 2.1.4: Evaluate and implement streamlining opportunities to address procedural and institutional inefficiencies.

Action 2.1.5: Allocate staff as necessary to assist in data entry and permit review.

Action 2.1.6: Recruit qualified staff.

Action 2.1.7: Provide training to increase knowledge and enhance retention of qualified staff.

Status: 9 hazardous waste permit applications received.

12 hazardous waste permits pending review.

43% (3 out of 7) hazardous waste permit reviews completed within regulatory timeframes.

24 solid waste and 6 special waste permit applications received.

27 solid waste and 8 special waste permits pending review.

97% solid waste and 76% special waste permit reviews completed within regulatory timeframes.

568 training classes completed by DWM staff.

Tactic 2.2: Reduce, eliminate, and maintain zero permits and permit activity backlogs.

Measures: Number of hazardous waste permits pending review outside regulatory timeframes.

Percentages of hazardous waste permit reviews completed outside regulatory timeframes.

Number of solid and special waste permits pending review outside regulatory timeframes.

Percentages of solid and special waste permit reviews completed outside regulatory timeframes.

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Baseline: Corresponding measures for FY2015.

Action 2.2.1: Obtain a zero backlog on all remaining applications beyond regulatory time frames.

Action 2.2.2: Allocate staff as necessary to assist with data entry and permit review.

Status: 7 Number of hazardous waste permits pending review outside regulatory timeframes.

57% (4 out of 7) hazardous waste permits reviews completed outside regulatory timeframes.

3 solid waste and 2 special waste permits pending review outside regulatory timeframes.

3% solid waste and 24% special waste permit reviews completed outside regulatory timeframes.

Objective 3 - Ensure remedial investigation, restoration, and management in place decisions are site specific, risk based, and environmental performance standards prone.

Tactic 3.1: Restore sites or manage contamination at sites with known or suspected releases to soil or groundwater.

Measures: The number of sites with known or suspected releases with potential human exposures where no further action is required or otherwise controlled because of implementing a management in place technique:
Number of underground storage tank cleanups conducted that resulted in a no further action being issued and number remaining.
Number of hazardous waste program corrective actions completed and number remaining.
Number of EPA indicators corrective action measures achieved.
Number of historic landfills remediated and number remaining.
Number of solid and special waste facilities in groundwater assessment.
Number of illegal open dumps remediated under the Kentucky PRIDE Program and number remaining.
Number of tire dumps remediated under the Waste Tire Trust Fund and number remaining.
Number of PRP-Lead State Superfund sites characterized and number remediated.
Number of State-Lead sites remediated utilizing the Hazardous Waste Management Fund.
Number of sites with a release of petroleum or a petroleum product remediated from a source other than a petroleum storage tank and number awaiting review.

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Number of methamphetamine-contaminated properties reported and number decontaminated.

Number of emergency or incident responses made and number of cases closed.

Baseline: Corresponding measures for FY2015.

Action 3.1.1: Identify resource and program constraints hindering achievement of our measures; pursue program changes and request funding as necessary in budget. At a minimum, work to maintain current level of funding in cleanup programs.

Action 3.1.2: Provide technical oversight and directives for projects to investigate, remediate, manage, or restore properties with contamination.

Action 3.1.3: Review analytical and reporting data for projects.

Action 3.1.4: Issue letters upon the completion of all corrective actions for facilities.

Action 3.1.5: Inventory the list of sites with known or suspected contamination.

Status: 123 underground storage tank cleanups conducted that resulted in a no further action being issued; 716 remaining.

152 hazardous waste program corrective actions completed; 20 remaining.

16 EPA indicators corrective action measures achieved.

79 historic landfills remediated; 542 remaining.

16 solid waste and 7 special waste facilities in groundwater assessment.

68 illegal open dumps remediated under the Kentucky PRIDE Program; 136 remaining.

One tire dump remediated under the Waste Tire Trust Fund; two remaining.

10 PRP-Lead State Superfund sites characterized and 3 remediated.

No State-Lead sites were remediated utilizing the Hazardous Waste Management Fund; 25 are undergoing review.

9 sites with a release of petroleum or a petroleum product remediated from a source other than a petroleum storage tank; 101 awaiting review.

43 methamphetamine contaminated properties reported and 24 were decontaminated.

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915 emergency or incident responses made and 551 cases were closed.

Tactic 3.2: Plan, design and execute Final Closure Period activities at Maxey Flats while maintaining regulatory compliance.

Measures: Substantial completion of final cap construction by October 2016.
Complete Institutional Control Period Work Plan by April 2016.

Baseline: Entry into the Final Closure Period, November 2012.

Action 3.2.1: Complete construction of final cap.

Action 3.2.2: Review weekly and monthly reports from contractors to determine necessary activities for closure.

Action 3.2.3: Attend weekly and monthly meetings to discuss progress on final closure activities.

Action 3.2.4: Prepare Institutional Control Period Work Plan to ensure compliance and maintenance and monitoring activities beyond the final cap completion.

Action 3.2.5: Attend weekly and monthly meetings with regulatory agencies involved in the collaborative compilation of the Institutional Control Period Work Plan.

Status: Substantial completion of final cap construction by October 2016. Construction of the final cap and overall remediation progress is estimated at 54% complete as of December 16, 2015, the construction winter shutdown period. Approximately 385,283 cubic yards of leveling fill has been placed as part of the final cap. The entire 55 acres of cap is now covered with soil. 129,000 cubic yards of dirt were hauled and placed for the final cap. By mid-August 2015, over three acres of geo-synthetic liner had been installed. An additional 12,000 to 18,000 cubic yards of leveling fill is remaining to be placed in the spring. An estimated 20 acres of geo-synthetic clay liner (GCL) and high-density polyethylene geomembrane (HDPE) has been deployed. Borrow areas have been reclaimed and Best Management Practices (BMPs) to reduce sediment discharge from the cap over the winter have been deployed and will be inspected and maintained during this time. The contract for Final Cap Construction is 54% complete: 399,864 cubic yards of leveling fill and 37,044 cubic yards of protective cover has been placed. 17 acres of the geo synthetic layers, 100% of the secondary geo grid, and 100% woven geo textile installed. Cap winterized for a soft shutdown Dec. 16. All erosion BMPs in place for winter including weekly inspections. Projected completion date: 9/13/16. Contract Final Completion: 11/2/15. Work to complete the final cap will resume by the end of March/early April, 2016. Substantial completion of final cap construction is scheduled for October 3, 2016.

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Complete Institutional Control Period Work Plan by April 2016. DWM continues to work on development of the ICWP and regular monthly meetings have been held with the Cabinet for Health and Family Services' Radiation Health Branch throughout 2015. Reached an agreement with RHB regarding monitoring requirements. Commonwealth is responsible for authoring PSVP an appendix of the Work Plan. 50% of the draft is complete. Work will continue until the plan is finalized. After further discussion with EPA, the ICWP will not be due until April, 2017. (After the work is certified complete, the MFP will enter into an Institutional Control Period of 100 years, which will include continued monitoring, maintenance, and facility control.)

Objective 4 - Support and encourage economic redevelopment of property with real or perceived contamination.

Tactic 4.1: Provide oversight to the investigation, remediation, management, or redevelopment of properties with real or perceived contamination.

Measures: Number of cleanups conducted under state oversight via the Voluntary Environmental Remediation Program (see also DCA Brownfields measure).
Number of brownfield sites assessed under the Targeted Brownfield Assessment Program and number awaiting review.
Number of brownfield sites reviewed under KRS 224.01-415, number of eligibility letters issued, and number of concurrence letters issued.

Baseline: Corresponding measures for FY2015.

Action 4.1.1: Review project data and determine compliance with program requirements.

Action 4.1.2: Issue notices and letters for projects in accordance with regulatory guidelines.

Status: No cleanups were conducted under state oversight via the Voluntary Environmental Remediation Program (see also DCA Brownfields measure).

4 brownfield sites assessed under the Targeted Brownfield Assessment Program and 2 are awaiting review.

25 brownfield sites reviewed under KRS 224.01-415, 15 eligibility letters issued, and 19 concurrence letters issued.

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Objective 5 - Minimize waste generation and disposal.

Tactic 5.1: Assure proper management and disposal of waste.

Measures: The compliance rates for authorized solid waste management facilities.
The amounts, by weight, of litter, open dump waste, and household hazardous waste collected by counties through the Kentucky Pride program.

Baseline: Corresponding measures for FY2015.

Action 5.1.1: Inspect regulated sites at established intervals to facilitate and ensure compliance with agency requirements.

Action 5.1.2: Increase communications between permitting central office staff and field operations staff.

Status: 67% compliance for authorized solid waste management facilities.

5,094 tons of litter, 4,281 tons of open dump waste, and 233,119 pounds of household hazardous waste were collected by counties through the Kentucky Pride program.

Objective 6 - Encourage beneficial reuse and recycling.

Tactic 6.1: Encourage reduced waste generation and disposal by promoting beneficial reuse, recycling, waste minimization, and pollution prevention.

Measures: Tonnage of municipal solid waste recycled or reused, by type.
Tonnage of material recycled through the State Government Recycling Program.
Tonnage of solid or special waste used as Alternate Daily Cover (ADC).
Percentage of solid or special waste used as Alternate Daily Cover (ADC).
Number of waste tires used in tire-derived fuel projects, crumb rubber grants and other beneficial reuse purposes as a percentage of number of tires generated.
Number of solid waste beneficial reuse determinations.
Number of registered special waste beneficial reuse sites.
Number of land farming and composting facilities.
Number of recycling grants and total amount of funding administered.

Baseline: Corresponding measures for FY2015.

Action 6.1.1: Maintain and enhance TEMPO reporting or other databases to accurately track and report on measures.

Action 6.1.2: Provide education and outreach for recycling opportunities.

Action 6.1.3: Update recycling fact sheets, as information that is more current is available.

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Action 6.1.4: Administer grant programs in accordance with regulatory requirements.

Action 6.1.4: Publish The Marketplace for Recycling Commodities newsletter.

Action 6.1.5: Identify resource and program constraints hindering achievement of measures; pursue program changes and request funding as necessary in budget.

Status: Tonnage of municipal solid waste recycled or reused, by type.

- Cardboard: 86,835
- Cloth: 260
- Co-Mingled Recyclables: 45,561
- Electronic Scrap: 1,469
- Glass: 6,863
- Metals Ferrous (steel): 1,045,540
- Metals Non-Ferrous: 40,458
- Mixed Residential Paper: 2,780
- Newsprint: 17,127
- Office Paper (*Mixed*): 25,898
- Office Paper (*White*): 5,613
- Plastic (*2 Liter Pop Bottles [PET]*): 992

2,028 Tons of material recycled through the State Government Recycling Program.

96,989 tons of solid or special waste used as Alternate Daily Cover (ADC).

2% (ranged from 0 to 42%) of solid or special waste used as Alternate Daily Cover (ADC).

5.1 million waste tires used in 37% of tire-derived fuel projects, 23% of crumb rubber grants and 20% other beneficial reuse purposes as 80% tires generated.

3 solid waste beneficial reuse determinations.

66 registered special waste beneficial reuse sites.

101 land farming and 48 composting facilities.

23 recycling grants and \$1,423,261 funds administered.

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Goal 4



Environmental Compliance

Ensure environmental compliance using a clear and consistent approach of enforcement.

Proper enforcement stops violators from releasing illegal pollution into the air, water and onto the ground. In situations where federal and state environmental laws have been violated, enforcement ensures responsible parties are held accountable for the contamination of the environment. Responsible parties are directed to clean up contaminated property or reimburse the department for the cleanup.

The Division of Enforcement serves both compliance and enforcement functions. Through its Compliance and Operations Branch, the Division's compliance efforts focus on identifying violations, notifying the regulated entity of the violations and returning the regulated entity back to compliance through informal processes without the assessment of penalties. This is uniquely different from the responsibilities of the Civil Enforcement Branch, which focuses on addressing violations that have already been cited, following formal administrative processes to resolve the violations and routinely assessing civil penalties as a part of the resolution.



Structural failure of the Hunters Hollow Subdivision WWTP

The enforcement process is conducted through referrals either from the Department's program divisions or internally from the Compliance and Operations Branch. When regulated entities fail

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to return to compliance through the compliance process, the referring party prepares, organizes and summarizes case-specific documentation and refers the violation to the Division of Enforcement's Civil Enforcement Branch for formal enforcement action.

The Division's Compliance and Operations Branch also operates an extensive program performing compliance reviews of discharge monitoring reports (DMRs) submitted by wastewater facilities to demonstrate compliance with permit effluent limits. Since its inception in 2004, the DMR compliance program has been critical in addressing numerous wastewater non-compliance issues in the Commonwealth. Between January 2004 and July 2015, the DMR review program has issued 3,958 Notices of Violations and Letters of Warning for non-compliance with wastewater permit requirements, and referred 777 cases for civil enforcement actions.

In 2007, the Division's Compliance and Operations Branch began performing compliance reviews of DMRs for surface coal mining facilities. Compliance reviews for the coal industry increased in late 2010. Since FY2011, the Compliance and Operations Branch has reviewed and estimated 198,501 coal DMRs for 2,406 surface coal-mining permits for 44 coal companies. This has resulted in 69 civil enforcement settlements with coal companies and the assessment of \$3,537,350.00 in civil penalties.



Discharge from sedimentation pond at a surface coal facility.

The Division of Enforcement is looking toward a number of important changes in FY2016. The Division is looking into the automation of DMR compliance reviews, which has been made possible with the implementation of the NetDMR system. The goal of DMR compliance automation is to develop the ability to address KPDES non-compliance comprehensively throughout the Commonwealth with improved timeliness. The Division continues efforts to comprehensively review wastewater compliance across the coal industry and initiate formal civil enforcement actions as appropriate.

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Objective 1 - Facilitate the return of regulated entities to compliance with environmental statutes and regulations.

Tactic 1.1: Facilitate processes that result in the successful resolution of environmental enforcement cases.

Measure: The number of new cases received in the Division during the fiscal year.
Baseline: From July 2005 through June 2013, the Division received an average of 36 new cases per month and an average of 427 new cases per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division received an average of 74 new cases per month and received an actual count of 446 cases (104% of baseline).

Measure: The number of cases closed by the Division during the fiscal year.
Baseline: From July 2005 through June 2013, the Division closed an average of 35 cases per month and an average of 416 cases per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division closed an average of 14 cases per month and closed an actual count of 84 cases (20% of baseline).

Measure: The total number of enforcement cases in the Division.
Baseline: From July 2005 through June 2013, the Division had an average of 994 open enforcement cases.

Status: From July 1, 2015, through December 31, 2015, the Division had an average of 811 open enforcement cases (82% of baseline).

Measure: The number of cases open in the Division of Enforcement only for monitoring compliance with an Agreed Order or Secretary's Order.
Baseline: From July 2005 through June 2013, the Division had an average of 255 enforcement cases open for monitoring of an executed settlement document (Demand Letter, Agreed Order, and Secretary's Order).

Status: From July 1, 2015, through December 31, 2015, the Division had an average of 217 cases open only for monitoring compliance of executed settlement documents (85% of baseline).

Measure: The number of cases in the Division that are unassigned.
Baseline: From January 2008 through June 2013, the Division had an average of 12 unassigned enforcement cases. Data developed prior to January 2008 is incomplete.

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Status: From July 1, 2015, through December 31, 2015, the Division had an average of 55 unassigned cases (458% of baseline).

Measure: The total amount of civil penalties collected and supplemental environmental projects imposed from enforcement cases during the fiscal year.

Baseline: From SFY05 through SFY13, the Division collected and average of \$2,032,680.69 in civil penalties per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division collected \$1,127,583 in civil penalties (55% of baseline).

Measure: The number of Agreed Orders signed by the responsible party in enforcement cases or cases otherwise resolved.

Baseline: From July 2005 through June 2013, the Division has received an average of 9 Agreed Orders signed by the responsible party per month and has received an average of 113 Agreed Orders signed by the responsible party per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division received an average of 5 Agreed Orders signed by the responsible party per month and received an actual count of 31 signed Agreed Order (27% of baseline).

Measure: The number of Demand Letters or Settlement Letters issued per fiscal year.

Baseline: The use of Demand Letters to resolve enforcement cases was reinstated in February 2008. From February 2008 through June 2013, the Division mailed an average of 6 Demand Letters to the responsible party per month and an estimated average of 73 Demand Letters to the responsible party per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division issued an average of 9 Demand Letters per month and issued an actual count of 52 Demand Letters (71% of baseline).

Measure: The number of agreed orders and Administrative Orders signed by the Secretary in enforcement cases per year.

Baseline: From July 2005 through June 2013, an average of 10 Agreed Orders was executed per month and an average of 122 Agreed Orders was executed per year.

Status: From July 1, 2015, through December 31, 2015, the Division executed an average of 4 Agreed Orders per month and executed an actual count of 21 Agreed Orders (17% of baseline).

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- Action 1.1.1:** Maintain and update protocols and the mechanisms necessary to implement timely and effective enforcement of environmental laws.
- Action 1.1.2:** Develop staff expertise in air, waste management and water programs to allow the Division to more effectively facilitate compliance with environmental laws.
- Action 1.1.3:** Work closely with program divisions to resolve enforcement cases in a timely and effective manner.
- Action 1.1.4:** Develop criteria and format for monthly reporting of Division activities and accomplishments to program divisions and Department and Cabinet management.
- Action 1.1.5:** Develop and implement criteria and mechanism for prioritizing enforcement cases to be referred to Cabinet attorneys for legal action.

Status: From July 1, 2015, through December 31, 2015, the Division has executed 73 settlement documents (21 Agreed Orders and 52 Demand Letters), received 446 new cases, and closed 84 cases with entities that have returned to compliance with Kentucky's environmental laws. The Division regularly pulls reports to determine the progress and timeliness of enforcement cases.

The Division's ability to provide program training has been limited by out-of-state travel restrictions, lack of in-state training opportunities, and limited travel and training budgets. The Division utilizes training opportunities available through other DEP divisions when training slots are available, and when those opportunities are communicated to the Division.

The Division staff coordinates with compliance and program staff from other DEP divisions, as well as the Cabinet's Office of General Counsel. The Division has a regular reporting structure.

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Illegal open burning at an unpermitted solid waste transfer facility.

Tactic 1.2: Resolve enforcement cases in a timely manner.

Measure: The length of time required to draft a case resolution proposal for approval once a case has been assigned to staff.

Baseline: The average time is 39 days to draft a case resolution proposal once a case has been assigned to staff.

Status: The average number of days between Case Assignments and the drafting of Case Resolution Proposals for all cases created since January 1, 2008 is 37 days. This is the average of all the cases created in the following years 2008 (56 days), 2009 (49 days), 2010 (36 days), 2011 (25 days), 2012 (29 days), 2013 (30 days), 2014 (41 days), and 2015 (24 days).

Measure: The length of time required to hold a settlement conference after a case resolution proposal has been drafted.

Baseline: The average time is 101 days to hold a settlement conference after a case resolution proposal has been drafted.

Status: The average number of days between the drafting of Case Resolution Proposals and conducting Administrative Conferences for all cases created since January 1, 2008 is 93 days. This is the average of all the cases created in the following years 2008 (119 days), 2009 (150 days), 2010 (91 days), 2011 (84 days), 2012 (82 days), 2013 (62 days), 2014 (61 days), and 2015 (52 days).

Measure: The length of time required to reach an agreement in principle or refer a case to EPLD after a case resolution proposal has been drafted.

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Baseline: The average time is 159 days to reach an agreement-in-principle after a case resolution proposal has been drafted, and an average of 289 days to refer a case to EPLD after a case resolution proposal has been drafted.

Status: The average number of days between the drafting of Case Resolution Proposals and reaching an Agreement in Principle for all cases created since January 1, 2008 is 147 days. This is the average of all the cases created in the following years 2008 (184 days), 2009 (196 days), 2010 (137 days), 2011 (135 days), 2012 (154 days), 2013 (121 days), 2014 (114 days), and 2015 (75 days).

The average number of days between the drafting of Case Resolution Proposals and referring a case to the Office of General Counsel for all cases created since January 1, 2008 is 301 days. This is the average of all the cases created in the following years 2008 (453 days), 2009 (416 days), 2010 (338 days), 2011 (275 days), 2012 (249 days), 2013 (172 days), 2014 (191 days), and 2015 (101 days).

Measure: The length of time required to have the responsible party under an executed settlement document once a case has been assigned to staff.

Baseline: The average time is 324 days from case assignment to execution of a DEP agreed order, 205 days from case assignment to mailing of a demand letter, 697 days from case assignment to execution of an EPLD agreed order, 752 days from case assignment to execution of a Secretary's Order, and 921 days from case assignment to execution of a court decision. There is currently insufficient data to determine a baseline for length of time from case assignment to a consent decree.

Status: The average number of days between reaching an Agreement in Principle and drafting an Agreed Order is 23 days. This is the average of all the cases created in the following years 2008 (42 days), 2009 (39 days), 2010 (24 days), 2011 (14 days), 2012 (25 days), 2013 (10 days), 2014 (15 days) and 2015 (10 days).

The average number of days between reaching an Agreement in Principle and drafting a Demand Letter is 18 days. This is the average of all the cases created in the following years 2008 (35 days), 2009 (18 days), 2010 (9 days), 2011 (20 days), 2012 (31 days), 2013 (21 days), 2014 (10 days) and 2015 (3 days).

Measure: The length of time required to draft an agreed order or demand letter once an agreement-in-principle has been reached.

Baseline: The average time is 30 days to draft an agreed order once an agreement-in-principle has been reached, and 19 day to draft a demand letter once an agreement-in-principle has been reached.

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Status: The average number of days between reaching an Agreement in Principle and drafting an Agreed Order is 23 days. This is the average of all the cases created in the following years 2008 (42 days), 2009 (39 days), 2010 (24 days), 2011 (14 days), 2012 (25 days), 2013 (10 days), 2014 (15 days) and 2015 (10 days).

The average number of days between reaching an Agreement in Principle and drafting a Demand Letter is 18 days. This is the average of all the cases created in the following years 2008 (35 days), 2009 (18 days), 2010 (9 days), 2011 (20 days), 2012 (31 days), 2013 (21 days), 2014 (10 days) and 2015 (3 days).

Measure: The length of time required to have the responsible party under an executed settlement document once a case has been assigned to staff.

Baseline: The average time is 324 days from case assignment to execution of a DEP agreed order, 205 days from case assignment to mailing of a demand letter, 697 days from case assignment to execution of an EPLD agreed order, 752 days from case assignment to execution of a Secretary's Order, and 921 days from case assignment to execution of a court decision. There is currently insufficient data to determine a baseline for length of time from case assignment to a consent decree.

Status: The average number of days between Case Assignments and the execution of a DEP Agreed Order for all cases created since January 1, 2008 is 318 days. This is the average of all the cases created in the following years 2008 (386 days), 2009 (396 days), 2010 (323 days), 2011 (289 days), 2012 (331 days), 2013 (254 days), 2014 (230 days), and 2015 (165 days).

The average number of days between Case Assignments and the mailing of a Demand Letter for all cases created since January 1, 2008 is 189 days. This is the average of all the cases created in the following years 2008 (248 days), 2009 (246 days), 2010 (165 days), 2011 (236 days), 2012 (189 days), 2013 (139 days), 2014 (156 days), and 2015 (88 days).

The average number of days between Case Assignments and the execution of an OGC Agreed Order for all cases created since January 1, 2008 is 873 days. This is the average of all the cases created in the following years 2008 (758 days), 2009 (1357 days), 2010 (924 days), 2011 (715 days), 2012 (571 days), and 2013 (534 days). There is no data for cases created in 2014 or 2015.

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Objective 2 – Provide assistance to Department programs by issuing and tracking compliance with letters of warning and notices of violation.

Tactic 2.1: Facilitate processes for the issuance and tracking of compliance with letters of warning and notices of violation.

Measure: The number of letters of warning and notices of violation issued by DENF per year.

Baseline: From July 2006 through June 2013, the Division issued an average of 3 Letters of Warning per month and an average of 31 Notices of Violation per month. From FY05 through FY13, the Division issued an average of 62 Letters of Warning per fiscal year and an average of 455 Notices of Violation per fiscal year.

Status: From July 1, 2015, through December 31, 2015, the Division issued an average of 79 Notices of Violation per month and issued an actual count of 473 Notices of Violation (104% of baseline). The Division has not issued any Letters of Warning.

Action 2.1.1: Monitor and report on a yearly basis the number of letters of warning and notices of violation issued by DENF.

Action 2.1.2: Work closely with program divisions to issue letters of warning and notices of violation in a timely and effective manner.

Status: In the first half of FY2016, the Division of Enforcement issued a total of 473 Notices of Violation, representing 23% of the notifications issued by the Department for Environmental Protection. The most notices (Letters of Warning and Notices of Violation) were issued by the Division of Waste Management, with 722 notices issued. A total of 2,052 notices were issued throughout the Department.

The Division issued 9 “*Permit/Program*” Notices of Violation upon referral from the central office programs. This makes up 0.4% of the notices issued by the Department. The “*ENF Program*” Notices of Violation, issued by the Division of Enforcement after the review of DMRs submitted by KPDES permitted facilities, made up 22.6% of the total number of notices issued. The remaining notices were “*Field Operations*” Notices of Violation and Letters of Warning, issued by the Department’s regional offices and “*Drinking Water*” Notices of Violation issued by the Division of Water’s Compliance and Technical Assistance Section.

In the first half of FY2016, the largest number of notifications issued by the Department was in the Wastewater program with 849 notifications issued (41%), followed by the UST program with 536 notifications issued (26%).

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Goal 5



Compliance Assistance and Environmental Stewardship

Promote responsible environmental stewardship.

The Division of Compliance Assistance administers four programs: certification and licensing, environmental compliance assistance, environmental leadership (KY EXCEL), and brownfield redevelopment. The division's innovative approach to facilitating compliance and excellence is improving the environment for all Kentuckians. The division has five COR²E purposes:



Certification – *DCA provides training and testing services for environmental professionals certified for operators of wastewater, drinking water and solid waste facilities.* These well-trained and knowledgeable professionals are entrusted with protecting public health.



Outreach – *DCA is a technical resource for all individuals with environmental questions and needs.* Understanding and complying with a very diverse and extensive set of environmental requirements can be confusing. Even committed and experienced environmental professionals face times when they simply need help. DCA provides email and telephone assistance for anyone seeking help with an environmental concern.



Recognition and Redevelopment – *DCA strongly believes that the future of Kentucky's environment depends on the stewardship of its citizens.* Every day, people make both large and small decisions in their homes, workplaces and communities that can benefit or harm the environment. DCA is helping these individuals and regulated entities become more aware of the economic and environmental benefits that result from sustainable decisions and provide recognition through its programs. Additionally, Kentuckians benefit both economically and environmentally from redevelopment of underutilized properties.



Education - *DCA is providing Kentucky with the knowledge it needs to care for Kentucky's environment.* In a 2008 survey, respondents identified a lack of knowledge regarding environmental requirements as one of the greatest barriers to ensuring environmental compliance. The training opportunities provided by DCA equip front-line environmental professionals with the information they need to succeed in their environmental efforts.

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DCA is uniquely positioned to partner with Kentucky's corporate and private citizens to proactively build environmental values and facilitate positive behaviors throughout Kentucky. DCA is accomplishing this through partnerships, training, mentoring and technical support.

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Objective 1 - Certify qualified environmental professionals.

Tactic 1.1: Certify environmental professionals to maximize appropriate actions and effective operations at regulated locations.

Measure: The number of certification licenses issued annually.

Baseline: In FY09, the Division of Compliance Assistance issued the following certification licenses:

Wastewater Certifications -	180
Wastewater Certification Renewals -	1068
Drinking Water Certifications -	273
Drinking Water Certification Renewals -	273
Solid Waste Certifications -	138

Action 1.1.1: Process certification applications and administer examinations in an accurate and timely manner to ensure that individuals possess the minimum competencies necessary to properly perform their professional duties.

Action 1.1.2: Participate in recruitment efforts to encourage individuals to consider the operator profession.

Action 1.1.3: Provide administrative support for the Kentucky Board of Certification of Wastewater System Operators and the Kentucky Board of Certification of Water Treatment and Distribution System Operators.

Action 1.1.4: Increase the program's state and national involvement to stay informed of operator issues, ensure the program is prepared to respond to changing needs, and influence the state and national policy related to certified operators.

Status: During the first half of FY16, the certification and licensing program issued 310 new certifications and 91 certification renewals were received. The program issued 106 wallet cards and administered 448 certification examinations.

During this reporting period, the Certification and Licensing Branch attended career fairs to bring awareness to environmental protection and to educate individuals of the operator profession.

The program continued to support the Kentucky Board of Certification of Wastewater System Operators and the Kentucky Board of Certification of Water Treatment and Distribution System Operators.

The program continued to administer the certification blog, Operation Matters. The blog has had more than 140,000 views with readers in over 160 countries.

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Objective 2 - Help entities comply with Kentucky's environmental requirements.

Tactic 2.1: Provide quality, one-on-one assistance services that help regulated entities comply with environmental obligations.

Measure: Changes in environmental knowledge and behavior resulting from one-on-one assistance activities.

Baseline: In FY08, the Division of Compliance Assistance responded to and received feedback from clients;

Client Assistance Requests - 867

Small Business Assistance Requests - 289

Client Response - 72% indicated a change in knowledge
83% indicated a behavior change

Action 2.1.1: Implement effective, proactive and reactive multi-media compliance assistance services with a special emphasis on small businesses and communities to enhance environmental performance.

Action 2.1.2: Serve as point of contact and advocate for the public and entities regulated by the Department to ensure that department programs are appropriately implemented.

Action 2.1.3: Communicate the availability of compliance assistance and the benefits of the program.

Status: The Division of Compliance Assistance Branch responded to 721 requests for assistance relating to understanding Kentucky's environmental regulations and permits. 92 were small businesses. For the reporting period, of the clients surveyed, 100% indicate an increase in knowledge with 100% indicating making positive behavior changes after receiving assistance or information from the Environmental Compliance Assistance Program. A total of 111 outreach activities were performed during the reporting period which includes meetings, presentations, articles for publication, and social media activities such as Facebook and blog posts.

Tactic 2.2: Implement meaningful programming that provides individuals with the knowledge needed to increase environmental compliance and performance.

Measure: Percent satisfaction from training events and the number of individuals reached through training and resources developed.

Baseline: FY12 indicators for communication tools and training:

88.5% satisfaction from training evaluations

1833 – Number of individuals trained on compliance topics (OCP and ECAP trainings)

11 – Number of regulatory resources developed

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8 – Number of regulatory trainings provided

- Action 2.2.1:** Work with agencies within DEP to produce and facilitate quality training that includes accurate and timely technical and regulatory information.
- Action 2.2.2:** Work with agencies within DEP to provide resources that clarify environmental requirements and offer technical solutions to common challenges.
- Action 2.2.3:** Establish communication tools that empower the regulated community to determine the environmental obligations that apply to their location and the resources that are available to make it easier for them to comply.
- Action 2.2.4:** Work with other state and federal agencies to develop comprehensive educational resources for the public.
- Action 2.2.5:** Develop and implement an outreach strategy to address communities impacted by environmental regulations.

Status: From July through December, the Environmental Assistance Branch developed, completed and published online educational resources and guidance documents for regulated and non-regulated communities on a variety of topics. The Environmental Compliance Assistance Program (ECAP) developed an Air Quality Potential-to-Emit Compliance Guide to assist small businesses with understanding and conducting a facility-wide air emissions assessment. In coordination with the Statewide Wood Energy Team and Department for Energy Development and Independence, ECAP published a Biomass fact sheet for entities interested in purchasing, installing, or modifying a biomass boiler and the Kentucky-wide potentially applicable regulations and requirements. ECAP worked with the Kentucky Poultry Federation, Division of Water, and the State Veterinarian's Office and coordinated a document regarding disposal of depopulated poultry houses in the instance of highly pathogenic avian influenza. Other items developed include a Pharmaceutical Waste Evaluation for Businesses and updated the Department's Storm Debris fact sheet. The division hosted 5 outreach events targeting the agriculture community and service providers to increase environmental compliance and performance at agricultural operations.

During this reporting period, the Certification and Licensing Branch trained approximately 522 individuals on compliance topics related to the drinking water and wastewater industries.

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Objective 3 – Facilitate Environmental Stewardship

Tactic 3.1: Encourage environmental stewardship by making the public more aware of the opportunities they can act on to make their communities stronger and healthier.

Measure: Number of entities assisted with stewardship projects and individuals trained.

Baseline: FY12 indicators are as follows:

10 – Number of entities assisted with stewardship projects

112 – Number of individuals trained on stewardship topics (Brownfield and KY EXCEL)

10,586 – Audience reached through DCA communication tools (Facebook, Exhibits, Presentations, and LAW)

Action 3.1.1: Provide quality, one-on-one assistance services that help individuals identify, plan, and implement environmental projects that are not required by Kentucky law.

Action 3.1.2: Offer quality environmental stewardship training to enable actions that improve Kentucky's environment and create healthier, stronger communities.

Action 3.1.3: Develop and compile stewardship resources in partnership with organizations, state and local agencies, nonprofit entities and other stakeholders.

Action 3.1.4: Establish communication tools that empower the regulated community to determine the stewardship resources that are available to increase their sustainability.

Status: During the first half of FY16, a total of 70 requests for assistance were received for KY EXCEL, Brownfields, or leadership assistance. The division conducted 11 compliance trainings reaching 321 participants.

During the reporting period, KY EXCEL held the 5th annual Sustainable Spirits Summit with distilleries and breweries around the state while looking at best management practices and sustainable efforts that have been made and potential energy saving and waste minimization projects that are geared towards distilleries and brewery operations. Additionally, KY EXCEL held the annual KY EXCEL Member Meeting, which was hosted at KY EXCEL Master Member Fort Knox.

In DCA's effort to educate and assist in nutrient reduction, resources for water and storm water were gathered into a single accessible reference document. DCA has conducted agriculture boot camps and agriculture professional meetings to further bring together the Division of Conservation, Agriculture Water Quality Authority, University of

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Kentucky Extension, Natural Resource Conservation Service and Division of Water.

Tactic 3.2: Recognize and publicize voluntary actions that improve Kentucky's environment and promote environmental awareness.

Measure: The number of voluntary actions identified because of DCA programs.

Baseline: In FY10, the number of voluntary actions observed was as follows:

New KY EXCEL Voluntary Projects -	121
Environmental Stewardship Award Nominations -	44
Eco-Art Submissions -	13

Action 3.2.1: Implement KY EXCEL, an environmental leadership program that recognizes entities for their voluntary commitments to improve Kentucky's environment.

Action 3.2.2: Administer the Department's environmental stewardship award program.

Action 3.2.3: Hold an annual eco-art contest for high school students.

Action 3.2.4: Communicate the successes of Kentucky's environmental stewards.

Status: During this reporting period, KY EXCEL approved or renewed membership for 22 entities. KY EXCEL members initiated approximately 73 new voluntary projects. These projects continue to make a positive impact on Kentucky's environment. The KY EXCEL Program also coordinated the DEP Environmental Excellence Awards in September 2015. A total of 19 nominations were received. From these worthy candidates, 6 awards were given at the 2015 Governor's Conference on Energy and the Environment.

The KY EXCEL program remodeled the EcoART contest with an emphasized focus on environmental themes and a new art media category. This year, students are being asked to create artistic works that are inspired by Kentucky's air, water and land resources and its natural habitats and may also submit artwork in graphic design. The department is currently soliciting nominations from Kentucky high school students for the contest, which is in its seventh year.

The KY EXCEL Program has begun a new publication for members: Green Moments. Green Moments is an online resource sent to KY EXCEL members once a month. The resource contains a wealth of information and ideas for ways members can be more sustainable and green in their daily lives.

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DCA has published 4 new case studies on businesses or communities that have used the Environmental Assistance Branch as a tool in their success, whether through the KY EXCEL, Brownfields or Compliance Assistance Programs. DCA also published articles in the Brownfield Renewal and Redevelopment magazine, the Environmental News Network, and Land, Air, and Water. In addition to these publications, sustainability information is posted on DCA's Facebook page.

Tactic 3.3: Increase visibility of the Brownfield Redevelopment Program by providing technical and fiscal assistance opportunities.

Measure: The amount of Brownfield communication tools developed and Targeted Brownfield Assessments conducted.

Baseline: In FY13, the DCA's Brownfield program conducted the following outreach and assessment activities
22 - Communication tools developed
8 - Number of applicants assisted with grant applications
5 - Number of Targeted Brownfield Assessments (Phase I assessments, Phase I updates, Phase II assessments)

Measure: Amount of funds issued through the Cleaner Commonwealth Fund.

Baseline: In FY13, the DCA's Brownfield program managed the following funding support activities
5 - Number of grant and loan applications received
\$98,000 - Amount of CCF grants obligated
\$0 - Amount of CCF loans issued

Action 3.3.1: Serve as a resource that encourages environmentally sustainable communities and facilitates the cleanup and beneficial reuse of Brownfield properties.

Action 3.3.2: Establish communication tools that raise awareness and empower communities to initiate a Brownfield redevelopment projects.

Action 3.3.3: Provide Targeted Brownfield Assessments with the goal of redevelopment.

Action 3.3.4: Develop procedures and tracking mechanisms for CCF grant and loan.

Action 3.3.5: Promotion of federal funding opportunities and assisting eligible entities in grant preparation.

Status: The Brownfield Redevelopment Program developed seven communication tools including two Brownfield Bits newsletters with distribution to 546 recipients. Ten grant applications for EPA Brownfield Assessment and Cleanup grants were submitted from Kentucky in this year's 104(k) grant competition. The program provided letters of support and review services for applications. During the first half of FY16 three Phase I assessments were completed, an application was approved during this period and one

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Phase II is ongoing. The program received seven applications for the second round of Cleaner Commonwealth Fund Grants. Four applications were chosen for funding, however, one was not awarded due to timing. The three funded projects were a former shoe factory in Vanceburg, Gateway Center in Louisville and the old Fayette County Courthouse in Lexington. The grants will help address asbestos on all three projects and lead-based paint at the Fayette County Courthouse.

The program provided presentations and resources to the Kentucky League of Cities at their annual conference. The program also developed two tools to assist communities in redeveloping brownfields. The program continued to develop the structure and materials for the loan portion of the Cleaner Commonwealth Fund, including contracts, applications and loan processing procedures.

Department for Environmental Protection

Goal 6



Environmental Program Support

Improve quality, efficiency and effectiveness of environmental programs and activities through innovative strategies, tools and approaches.

The Department for Environmental Protection involves a range of activities that collectively provide support to ensure decisions made by the department are practical and consistent with the department's mission. These activities provide a foundation to achieve desired environmental benefits in the best interest of Kentucky's citizens.



Assessing the environmental status of Kentucky's air, land and water is important to determine potential threats, evaluate risks and identify solutions to protect the environment and safeguard human health. The department maintains a centralized laboratory that performs analytical sample testing of air, water and soil to determine the nature and extent of pollutants within the Commonwealth. The department also maintains a 24-hour emergency environmental response line for accidental spills and releases of toxic and hazardous material that threaten the

environment. The Environmental Response Team (ERT) responds immediately to environmental emergencies and provides efficient, coordinated and effective action to minimize damage to Kentucky's environment.

Administrative support of information technology enables the department to efficiently manage data in a timely manner. Addressing the technological needs of our environmental management systems is an essential aspect of providing web-based electronic services to the public. Advancement of the department's technology and streamlining environmental response programs will provide the best possible service to Kentucky's local governments and communities.

Improvement in organizational and employee development, quality assurance and workplace safety are important areas to facilitate the accomplishment of the agency's mission and goals. Empowering employees with the tools, knowledge and skills to contribute effectively and efficiently enables employees to achieve long-term sustainable results to protect and enhance Kentucky's environment.

Department for Environmental Protection

COMMISSIONER'S OFFICE (CO)

Objective 1 – Continue to support and coordinate ongoing department-level programmatic activities.

Tactic 1.1: Identify recommendations that will assist in providing the service and responsiveness required for carrying out the day-to-day activities in the Commissioner's Office.

Measure: Provide recommendations to the Commissioner on an ongoing basis.
Baseline: SFY10 department-level activities.

Action 1.1.1: Coordinate e-clearinghouse and NEPA document reviews.

Action 1.1.2: Coordinate U.S. Army Corps of Engineers Public Notice Reviews.

Action 1.1.3: Coordinate review of Pollution Control Tax Exemption Certificates.

Action 1.1.4: In collaboration with DEPS, coordinate special projects including, Governor's Conference on the Environment, KECC, March of Dimes, and other department-wide activities.

Status: During this period, DEP has reviewed and responded to 506 e-clearinghouse reviews with an average review time of 4 days. During this same period, the department has reviewed and responded to 20 NEPA requests.

DEP has reviewed and responded to 19 U.S. Army Corps of Engineers Public Notice Reviews.

DEP received 3 requests from the Department of Revenue to review projects for eligibility under the Pollution Control Tax Exemption statutes.

The Commissioner's Office participated in all requests for assistance regarding the Governor's Conference on the Environment, KECC, March of Dimes, etc.

Objective 2 – Develop an effective strategic planning process.

Tactic 2.1: Develop a Department for Environmental Protection strategic plan for SFY16.

Measure: DEP strategic plan development is coordinated by the Commissioner's Office staff and completed at the beginning of the state fiscal year.

Baseline: Strategic plans are finalized in advance of deadlines.

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Action 2.1.1: SFY16 Strategic Plans for the Commissioner's Office and each of the six department divisions are finalized by July 31, 2015.

Action 2.1.2: Ensure the Department's goals and objectives are compatible with the SFY16 Department budget.

Action 2.1.3: Align the Department's strategic plan with Cabinet's strategic plan.

Action 2.1.4: Publish the mid-year status update to the Strategic Plan in January 2016.

Action 2.1.5: Each division shall publish an annual report by September 15, 2015 including results of the Strategic Plan measures and actions for the previous state fiscal year.

Status: Each division developed and submitted their SFY16 Strategic Operational Plan by the July 31, 2015 deadline.

Each division's Strategic Operation Plan goals and objectives were consistent and supported by the SFY16 Operating Budget.

Each division submitted their mid-year updates to the Commissioner's Office for review by the requested date.

Each division submitted their annual report by September 15, 2015. Each annual report was posted on the DEP Blog for public consumption.

Tactic 2.2: Provide input into USEPA's strategic planning processes at both the national and regional levels.

Status: The department participated in the USEPA's strategic planning process by submitting written comments and participating in calls and webinars via the Environmental Council of States.

Objective 3 – Develop and implement annual participation in the National Environmental Performance Partnership System (NEPPS).

Tactic 3.1: Develop Performance Partnership Grant (PPG) for SFY16.

Measure: DEP shall submit the annual Performance Partnership Grant by August 1 of each calendar year.

Baseline: Performance Partnership Grant finalized in advance of deadline.

Action 3.1.1: Continually work with EPAs NEPPS contact to ensure DEP is in compliance with programmatic requirements.

Action 3.1.2: Work with EPAs NEPPS contact to develop PPG award amounts for each federal fiscal year.

Action 3.1.3: Work with DEP divisions to develop PPG application data and budgets.

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Action 3.1.4: Develop PPG budget breakdown for each division and submit to GAPS.

Action 3.1.5: Monitor changes at the federal level that could affect the amount of funding available to DEP (example: rescissions.)

Status: DEP is in frequent contact with our EPA R4 contact to ensure that the department is complying with all programmatic requirements in our grant workplans.

DEP working with the departments EPA R4 contact developed and submitted the FFY16 PPG.

The Commissioner's Office in coordination with DEPS developed the PPG grant application and the fiscal breakdown for each grant relative to the appropriate division.

Tactic 3.2: Develop Performance Partnership Agreement (PPA) for SFY16.

Measure: DEP shall submit the annual Performance Partnership Agreement (PPA) by August 1 of each calendar year.

Baseline: Performance Partnership Agreement finalized in advance of deadline.

Action 3.2.1: Review and comment on National Program Guidance to ensure Kentucky's voice in the development of biannual EPA environmental priorities and implementation strategies.

Action 3.2.2: Negotiate annual DEP priorities and commitments list (P&C list) with EPA senior management in advance of PPA submittal.

Action 3.2.3: Work with EPAs NEPPS contact to develop P&C list negotiation schedule.

Action 3.2.4: Work with DEP divisions to develop annual PPA P&C list.

Status: The department participated in the USEPA's strategic planning process by submitting written comments and participating in calls and webinars via the Environmental Council of States.

The department has been in ongoing negotiations with senior EPA R4 staff to finalize the PPA P& C list. It is expected that the department will be submitting the "final" P&C list to EPA staff by the end of January 2016.

The Commissioner's Office worked with their EPA R4 contact and senior EPA staff to develop P&C list negotiation schedule. Unfortunately, the schedule was optimistic and did not consider several unforeseen roadblocks and issues that arose during the negotiation period.

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It is expected that future P&C list negotiations will proceed without significant deviations from the schedule. The Department was able to obtain significant changes to workplan language that will allow the divisions to simplify some of their reporting requirements and programmatic measures.

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DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT (DEPS)

Objective 1 – Recruit and retain qualified employees for positions at DEP.

Tactic 1.1: Continue ongoing efforts to identify resources that will assist in the hiring and retaining of qualified employees.

Measure: The number of new employees hired and retained on a yearly basis in critical positions.

Baseline: SFY15 hiring for critical positions.

Action 1.1.1: Work to develop recommendations to present to the Personnel Cabinet to increase employee retention and recruitment (may include promotion in place options and changes to class specifications).

Action 1.1.2: Ensure that all divisions within the Department for Environmental Protection have adequate funding budgeted to support the DEP Scholarship Program provided through the University of Kentucky.

Action 1.1.3: Ensure the department has the required number of internal certified trainers to meet annual training requirements to teach CPR/FA/BBP to departmental employees.

Action 1.1.4: Pursue the option to conduct internal training for HAZWOPER certification for required departmental employees.

Status: Efforts are ongoing to make recommendations to present to the Personnel Cabinet.

Adequate funding is available and was budgeted in FY16 for the Division of Waste Management (DWM) and the Division of Water (DOW). The Division for Air Quality did not select a candidate for this FY.

DEPS established and filled a program coordinator position to coordinate and oversee the administrative duties related to meeting annual training requirements for this program.

DEPS has established a Training Development Specialist position that could potentially take on this role.

Objective 2 – Provide technical, personnel and administrative support for DEP IT-Based Systems (TEMPO/SDWIS/K-WADE).

Tactic 2.1: Produce monthly TEMPO Reports for DEP Commissioner's Office that are timely and accurate.

Measure: Monthly submission of reports to the Commissioner's Office.

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Baseline: Monthly Reports submitted.

Action 2.1.1 Train appropriate Division staff to produce and format reports.

Action 2.1.2 Designate and train appropriate Division staff for back up.

Action 2.1.3 Hire additional contractors to assist in performing the architecting and programming functions as outlined in existing DEP grants.

Status: Division staff was trained to produce and format reports, but multiple employees and contractors have left DEPS IMB.

Knowledge transfer was completed, but new staff is still learning some of the intricacies.

We currently have 3 staff that has knowledge of creating reports.

DEPS IMB is currently staffed with four contractors. We are pursuing adding a System Consultant IT position.

Tactic 2.2: Provide TEMPO/ SDWIS/K-WADE Database Support.

Measure: Successful completion of tasks on IT Project List in FY16.

Baseline: July 2015 IT Updated Project List.

Action 2.2.1: Completion of requested reporting modules.

Action 2.2.2: Provide timely TEMPO Help Desk Support.

Action 2.2.3: Create web-based enhancements for TEMPO, including online permit applications and license/certification renewals in accordance with allocated SFY15 budget.

Action 2.2.4: Adhere to Federal Database Guidelines and modifications for the Safe Drinking Water Information System (SDWIS).

Status: Reporting modules completed for TEMPO. K-WADE reporting modules are available in test in production; however, the security part of the K-WADE reports tool has not been developed or implemented.

DEPS IMB staff has responded to 1,836 TEMPO and TEMPO 360 helpdesk requests in the first half of FY2016.

Two eForms were created within the past year. To fulfill an Exchange Network Grant commitment, 4 more eForms will be completed in FY2016.

SDWIS test systems have been upgraded including all patches. Production systems will be upgraded after end users complete testing. Monthly database scripts and SDWIS files have been upgraded in the DEP forms repository on the SharePoint internet site.

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Tactic 2.3: Meet goals of USEPA grant-based projects on time and on budget.

Measure: Successful completion of funded projects in FY16.

Baseline: Submission and acceptance of semi-annual and annual reports to and by USEPA.

Action 2.3.1: Complete “CROMERR” Exchange Network grant project as noted in project plan.

Action 2.3.2: Complete “TEMPO Modernization” Exchange Network grant project as noted in the project plan.

Status: DEPS IMB has taken CROMERR to the point of being able to submit a document for a signature and archive the copy of record (COR). Programmers are now working on integrating it with other systems such as eForms and ePortal.

Implementation of TEMPO 360 has been completed, but many users are still using Legacy TEMPO. There is a lot of post-implementation support that will be on going for the next year or two. However, the major milestones of the Exchange Network Grant have been met.

Objective 3 – Continue to Support and Coordinate Ongoing Programmatic Activities.

Tactic 3.1: Identify recommendations that will assist in providing the service and responsiveness required for carrying out the day-to-day activities in the DEPS.

Measure: Activities performed and coordinated in SFY16.

Baseline: SFY15 activities performed by staff in the DEPS. (IT activities are identified in Objective 2 above.)

Action 3.1.1: Coordinate the activities of the Environmental Response Team (ERT) to effectively respond to environmental incidents.

Action 3.1.2: Develop and maintain all Standard Operating Procedures and Standard Operating Guidelines of the Environmental Response Team (ERT) that include (ERT Operations and Procedures Plan, On-Scene Coordinators Field Guide, Drinking Water Emergency Plan, and Response Coordinators Guidelines, BGAD Re-entry & Recovery Plan, Emergency Transition Plan).

Action 3.1.3: Coordinate training for the Environmental Response Team (ERT) On-Scene Coordinators (Hazwoper, QCS Training, Air Monitoring, Oil Spill Containment Training, Flood Control Training, and Hazardous Materials Training).

Action 3.1.4: Coordinate all DEP facilities issues including maintenance, department services (phone, janitorial, trash, security, internal/external mail delivery, postage for field offices, uniforms, safety shoes, vehicle motor pool and inventory), and office relocations.

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- Action 3.1.5:** Coordinate DEP budgetary activities including submission of annual and biennial operating budgets, contractor furlough savings, and fiscal year closeout.
- Action 3.1.6:** Identify subject matter experts to serve as a point of contact and assistance for all departmental procurement needs. Maintain a database to track payment status for DEPS purchases and/or utility costs.
- Action 3.1.6:** Cross train all ASB employees to have a base knowledge in all support aspects.
- Action 3.1.7:** Review and develop Memoranda of Agreement (MOAs) and Personal Service Contracts (PSCs) including those for medical monitoring, and OSHA training for all applicable DEP employees.
- Action 3.1.8:** Coordinate personnel activities including the DEP scholarship program, EEO/ADA and Title VI activities.
- Action 3.1.9:** Work with cabinet staff as required ensuring that all IT software licenses are kept current and/or retained under the realm of COT.
- Action 3.1.10:** Provide technical advice concerning appropriate laboratory analytical methods and techniques.
- Action 3.1.11:** Oversee and maintain the DEP Motor Pool.
- Action 3.1.12:** Coordinate scheduling and oversee all safety training for DEP employees to include fire drills, tornado drills, earthquake drills, and active shooter training in FY16.
- Action 3.1.13:** Develop and implement a department wide tracking system for personnel action submittals.
- Action 3.1.14:** Coordinate grant activities for the Environmental Response Team (ERT) to receive grant money for equipment and training through Homeland Security, Emergency Management, and EPA.
- Action 3.1.15:** Coordinate the transition of data and curriculum from Pathlore to the Kentucky Electronic Learning Management System (KELMS) for the department.
- Action 3.1.16:** Facilitate departmental activities related to the upcoming move to a new facility in CY2016. DEPS staff will play an instrumental role in the facilitation of departmental activities related to the upcoming move to a new facility in CY2016. A DEP Move Planning Committee composed of representatives of every division in the department has been established to work with the Commissioner's Office to facilitate the development of actions and protocols needed to complete the move.

Status: The coordination of activities involving responses to environmental emergencies continues to be an ongoing activity that is performed by the Environmental Response Branch (ERB).

ERB staff is currently working with several state and federal agencies to draft and complete the Bluegrass Army Depot (BGAD), Re-entry and Recovery Plan.

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ERB staff is working with local fire departments on a new “Air Monitoring for Environmental Emergencies” training course that will be taught to local fire departments.

ERB has been working closely with Emergency Management and Homeland Security to increase training dollars for the current year Environmental Response Team activities.

The ASB continues to handle all day-to-day operational activities for the Department. On a daily basis, we handle all postage requests, mail delivery, and coordinate the submittal of the Annual Inventory Audit for the department. The Facilities Section processes approximately 12 work orders related to routine maintenance and phone service on a daily basis, dispatch all departmental vehicles in the motor pool, and coordinate logistics related to daily operations. In addition, we coordinate for responses to larger operational activities such as emergency events, in climate weather procedures, and health concerns related to building issues

ASB completed closeout activities and submittals for FY15, and FY16 monthly budget projections for each division within DEP. DEPS/ASB submitted the departmental biennial budget request and met with Division Directors to keep them informed of their individual division submittals. ASB continues to provide quarterly contract workers report to GAPS.

Procurement within ASB has changed significantly during this timeframe. Employee turnover has resulted in changes that have provided greater efficiencies and learning opportunities for our procurement process and our employees. DEPS now has an employee who serves as the point of contact for coordinating and providing guidance on procurement activities. We have developed a database to log and track all DEPS and Department-wide cost distribution billings. In addition, we are monitoring EMARS documents such as travel, SPRs, and contract documents. We have also been working on a procurement guide for department supervisors and managers that will be ready by the end of January 2016.

ASB has made progress with cross training during this timeframe. Budget staff has been given procurement duties and are learning processes and guidelines for procurement. DEP HR contacts have been assigned different divisions in an effort to familiarize them with various program needs within the agency. They are in the process of meeting with budget staff and division branch managers to learn programmatic aspects for each division that will assist them in developing position descriptions.

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DEPS has reviewed all applicable MOAs & PSCs within the department. In addition, staff has developed contracts for scholarship opportunities and medical monitoring, which are utilized department wide.

ASB management and the Assistant Director are coordinating EEO, ADA, and Title VI activities for the department. DEPS HR contacts are in the early stages of learning and monitoring the DEP scholarship program.

Most software license renewals are retained under the realm of COT.

During this period, DEPS ESB has provided technical advice to multiple divisions and departments that has enabled them to use the proper methods and techniques in regards to their specific scientific questions.

The Facilities Section continues to oversee DEP motor pool operations to include purchasing, coordination of routine maintenance for vehicles, and continued support of the Green Fleets Initiative Program.

The ASB has conducted monthly safety meetings as well as quarterly drills. The section has overseen all HAZWOPER training and revamped the CPR/1st Aide training program. We have begun planning for Active Shooter SOP's and will pursue educational classes for employees related to active shooter events.

The HR departmental tracking system currently in use has been modified. Management continues to emphasize to DEP HR contacts the importance of keeping information up to date. HR staff will also conduct weekly status update meetings with PPA managers within each division.

ERB has been working closely with Emergency Management and Homeland Security to increase training dollars for the current year Environmental Response Team activities.

ASB has been working closely with GAPS to move all training operations to KELMS. We have two trained administrators and have entered the Department training curriculum into KELMS. The systems have not been "activated" to date, but we are prepared to execute once it goes live.

DEPS staff will play an instrumental role in the facilitation of departmental activities related to the upcoming move to a new facility in CY2016. A DEP Move Planning Committee composed of

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representatives of every division in the department has been established to work with the Commissioner's Office to facilitate the development of actions and protocols needed to complete the move. The ASB has been active in the move planning process. We have conducted inventories of all workspaces in the department, consolidated questions/concerns into a Request for Information List (RFI), participated in the Move Committee Meetings and facilitated planning for lab renovations and improvements.

Objective 4 – Implement the Budget, Administrative, Facilities, and Procurement Coordination.

Tactic 1.1: Begin administrative improvement and redundancy 16APR2015-16MAY2015 with no loss in current production.

Measure: Deficiency rate of PARs, Accurate budget submissions and projections, CAP maintenance/increases.

Baseline: Accurate logistic, budget, and human resource processing with < 3% deficiency rate across all disciplines. No loss in department operations.

Action 1.1.1 Work with GAPS to ensure we have implemented an adequate PAR QA/QC process that is applied at the division and department level prior to submittal.

Action 1.1.2 Train budget staff to provide budget information in a timely and accurate manner.

Action 1.1.3 Continued HR/Budget education for all ASB staff.

Action 1.1.4 Develop informative and educational budget/grant/HR meetings.

Action 1.1.5 Maximize participation in training personnel and budget training.

Action 1.1.6 Establish additional training for department specific needs.

Status: DEPS has an adequate QA/QC process for submitting PARS to GAPS. We have minimal error rate based on returned actions.

Budget staff is providing monthly presentations to division directors and quarterly presentations to the Commissioner's Office. Budget staff will continue to work on monitoring expenditures and letting DEPS management know of issues that may occur.

In January, Budget and HR staff will meet with division managers and supervisors to understand programmatic aspects of each area within their respective divisions. ASB continues to have weekly branch meetings that allow for open communication for all areas within the branch.

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DEPS is currently providing informative meetings related to budget concerns; however, we are still developing HR and grant meetings/information.

HR and Budget groups are working well as teams. Our goals for the next six months are to work together with each other and divisional staff to discuss payroll templates, position descriptions and programmatic areas.

DEPS has initiated a training matrix that is being implemented starting January 1, 2016. ASB is in the process of developing informational classes for managers and supervisors to provide guidance on topic such as procurement, HR processes and interviewing tools.

Objective 5 – Provide accurate and defensible chemical analytical services to the program divisions of the Department for Environmental Protection.

Tactic 5.1: Analyze environmental samples collected by the Water and Waste Management divisions for chemical constituents.

Measure: The number of environmental samples analyzed each year.

Baseline: In calendar year 2014, there were 4819 samples analyzed by the Environmental Services laboratory.

Action 5.1.1: Provide testing services for samples in accordance with the allocated SFY15 budget.

Action 5.1.2: Maintain an average turn-around-time of less than 28 days for samples submitted beyond July 1, 2016. In CY15, the average turn-around-time for all samples was 22.78 days.

Status: In CY2015 there were 4,549 samples analyzed by the Environmental Services Laboratory.

The average TAT for all samples received was 23.826 days for CY2015 samples.

Measure: The number of individual tests performed by the Environmental Services laboratory.

Baseline: In calendar year 2014, there were 51,557 individual tests performed by the Environmental Services laboratory.

Action 5.1.3: Provide individual testing services in accordance with the allocated SFY16 budget.

Status: In Calendar Year, 2015 there were 45,780 individual tests performed by the Environmental Services laboratory.

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Measure: The number of individual chemical parameters reported by the Environmental Services laboratory.

Baseline: In 2014, there were 209,428 individual chemical parameters reported by the Environmental Services laboratory.

Action 5.1.4: Provide chemical parameter reporting to meet department needs.

Status: In calendar year 2015, there were 226,956 individual chemical parameters reported by the Environmental Services laboratory.

Measure: The number samples reported by the Environmental Services laboratory outside the 30 day from delivery.

Baseline: In 2014, there were 225 individual sample reports reported by the Environmental Services laboratory outside the 30-day mark. This represented 4.67% of the total samples for the year.

Action 5.1.5: Provide reports to clients within 30 days of delivery. The division goal is less than 5.0%.

Status: In calendar year 2015, there were 182 individual sample reports reported by the Environmental Services laboratory outside the 30-day mark. This represented only 4.0 % of the total samples for the year.

Tactic 5.2: Maintain accreditation by USEPA and the National Environmental Laboratory Accreditation Program (NELAP).

Measure: Accreditation status of the Environmental Services laboratory.

Baseline: Currently, the laboratory is certified as the State Principal Laboratory for Drinking Water by USEPA. In July 2007, the New Hampshire Department of Environmental Services granted the laboratory NELAP accreditation. Continuing accreditation status is dependent on successful ongoing participation in the NELAP program.

Action 5.2.1: Participate in a minimum of 2 Proficiency Testing (PT) studies approximately 6 months apart.

Action 5.2.2: Pass 2 out of the last 3 consecutive studies to maintain accreditation for various analytical methods.

Action 5.2.3: Secure funding through budget planning and contract writing that will pay for the on-site auditing fees biannually so that accreditation can be maintained.

Action 5.2.4: Review Environmental Services Laboratory analytical and administrative SOPs and Laboratory Operations and Quality Assurance Manual (LOQAM) annually and update as necessary. Maintain all SOPs with 23-point criteria.

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Status: ESB continues to participate in the required number of proficiency tests needed to maintain accreditation under USEPA and NELAP programs. In calendar year 2015, ESB participated in 2 Water Pollution (WP), 3 Water Studies (WS), and 2 full LPTP Soil studies. The total number of analytical results submitted was 1,493 and ESB received a passing/acceptable grade of 96.7%. DEPS has secured funding so that accreditation can be maintained and is current with the review of all analytical and administrative SOPs. The Laboratory Operations Quality Assurance Manual (LOQAM) was revised in 2015 and is under QC review for both cosmetic and method changes this coming year. NELAP conducted an on-site audit in March of 2015. USEPA also audited ESB on-site in April. Both accrediting groups findings and recommendations have been corrected (that can be) and responses have been approved. ESB is in good standing on their certification with both NELAP and the USEPA.

Tactic 5.3: Upgrade the analytical instrument base of the Environmental Services laboratory.

Measure: The analytical capacity and dollar value of new and replacement instrumentation.

Baseline: The Environmental Services lab maintains a major analytical instrument inventory with a baseline dollar value in excess of \$2 million.

Action 5.3.1: Secure additional funding that will allow replacement of old or outdated equipment and instruments.

Action 5.3.2: Secure additional funding that will allow purchase of equipment that utilizes new technologies to meet the department's changing program needs.

Status: In fiscal year 2015 ESB was able to acquire a large number of new and refurbished instruments through DEPS funding sources totaling over \$540,000. A highlight of these purchases took place in January of 2015 when ESB purchased a refurbished Gas Chromatograph/ Triple Quadrupole Mass Spectrometer (\$128,000), for the Mass Spec Section and a slightly used High-Performance Liquid Chromatograph Triple Quadrupole Mass Spectrometer (\$128,000), for the Pesticide/PCB Section. These two state-of-the-art instruments will take the ESB lab and the department into areas of environmental contaminant detection that KY has been unable to explore. The ESB organic preparation area of the lab was able to acquire Oil and Grease Extractor System (\$63,000), Gel Permeation Chromatograph (GPC) for (\$36,000), and a Buchi Syncore Evaporator for (\$45,000). The Standard Testing Section was able to acquire a new Ion Chromatograph (\$40,000), and a Discrete Analyzer (\$55,000).

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Objective 6 – Provide adequate training to DEP employees.

Tactic 6.1: The goal of the Department for Environmental Protection (DEP) is to provide the best, cost-effective services to the citizens of the Commonwealth. This goal is to be achieved by maintaining a qualified and healthy workforce.

Measure: The number of formalized training events sponsored by DEP in FY16.

Baseline: The baseline will be the number of training events sponsored by DEP in SFY15.

Action 6.1.1: Coordinate the scheduling with U.S. EPA of the Basic Inspector Training Course to ensure that the content is appropriate and current.

Action 6.1.2: Offer the DEP New Employee Orientation program on a monthly basis to all new DEP employees and maintain the manual (and PowerPoint presentation) to ensure that the content is appropriate and current.

Action 6.1.3: Coordinate scheduling and provide oversight of all Safety Training for DEP employees. Ensure certification and/or completion of all training is identified by individual and entered in the KELMS database.

Action 6.1.4: Coordinate scheduling mandatory Supervisor's Training program (includes training on employee relations, enforcement of state/cabinet/department-level policies, etc.)

Action 6.1.5: Assist the Divisions in identification of specialized training needs and provide approval and support for the training.

Action 6.1.6: Coordinate DEP employee participation in the Humana Vitality Program, and KECC activities.

Action 6.1.7: Partner with agencies and organizations outside DEP to provide environmental awareness training (including but not limited to Earth Day, Governor's Conference on the Environment, and Kentucky Recycling Interest Group).

Status: One department wide Basic Inspector Training Course has been conducted by U.S. EPA in FY16.

DEPS revised the NEO presentation to be more current and valuable to new employees. This presentation is a department requirement and is conducted on a monthly basis.

ASB is working with GAPS on setting up department curriculums. KELMS is not fully in production at this time.

ASB meets with department PPA managers frequently to determine training needs for department staff. This most critical at this point are the procurement guidelines that will be provided in January and HR process guidelines that ASB is currently developing.

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Objective 7 – Manage public records in a manner that is cost-effective and provides timely, accurate access to paper files and electronic documents for DEP staff and the public.

Tactic 7.1: Respond to all Open Records requests within three business days

Measure: Reports generated from TEMPO Reports Tool based on completed dates.

Baseline: Individual dates the requests are submitted.

Action 7.1.1: Complete Standard Operating Procedure that ensures all Open Records staff performs operations similarly.

Action 7.1.2: Enforce a standard process that requires immediate entry of open records requests and receipt dates into TEMPO.

Action 7.1.3: Continue running TEMPO reports that show the response times for open records requests.

Status: An Open Records SOP has been drafted and is awaiting management review.

The open records section supervisor has advised all staff to document all records request in TEMPO under the appropriate Agency Interest. TEMPO reports are ran weekly to identify any outstanding open records request. The supervisor checks staff To-Do lists in TEMPO once a month to pinpoint any unresolved tasks for open records.

TEMPO reports are run weekly to identify completed/outstanding open records requests. TEMPO reports are used to reflect a completed count of open records requests for each branch within DEP, as well as distinguishing any sensitive records requests from the media/public.

Tactic 7.2: Eliminate paper files residing in the file room

Measure: Weekly estimated measurements of linear feet of files and monthly count of linear feet.

Baseline: Linear feet of paper files at the end of FY15

Action 7.2.1: Train file room staff on the DEP Records Retention Schedule

Action 7.2.2: Assign staff to perform historic scanning and/or records destruction selected files

Action 7.2.3: Complete the appropriate paperwork to stay compliant with KDLA's records destruction policies

Action 7.2.4: File room supervisors will gather weekly numbers of linear feet destroyed. They or their designated staff will conduct monthly measurements to ascertain the current linear feet of files stored in the file room. This will also include files that are in offices waiting to be scanned.

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Action 7.2.5: Supervisors will record and report progress to DEP Management.

Status: All staff is aware of KDLA's retention schedule and defer to the programs for recycling guidance.

Currently there are five full time staff and 17 temporary staff dedicated to the Departmental Paper Elimination Project.

Records Destruction Officer submits the required form to Ms. Cynthia Snapp at KDLA. A Records Destruction Certificate is submitted every 2-3 weeks.

The Document Imaging Section Supervisor prepares a measured count of the remaining documents that need to be prepped as well as the number of documents that are ready to be scanned. The PEP started FY2016 with 4,096 linear feet (LF) of paper and is currently down to 330 LF remaining in the file room.

The Document Imaging Section Supervisor submits a weekly PEP Dashboard to DEP Management. The PEP Dashboard tracks the weekly, monthly, and yearly progress of the PEP.

Tactic 7.3: Accurately scan all documents received in the file room within one business day of arrival in the file room.

Measure: Number of pages scanned, number of documents scanned, and number of errors reported.

Baseline: Goal should be 99.9% scanned within one business day with less than 1% error rate.

Action 7.3.1: Run monthly reports to measure the number of pages scanned and number of documents scanned by individual staff.

Action 7.3.2: Create mechanism to record and report errors.

Action 7.3.3: Supervisors will record and report progress to DEP.

Status: The Document Imaging Section Supervisor runs a Scan Statistics program report each week to monitor the number of documents and pages each person has scanned during the specified time period (weekly). The Scan Statistics report is compared to the Weekly Log each staff person submits. The scanning staff has processed 108,587 documents, which equals 1,954,102 pages, since the beginning of FY 2015 through December 31, 2015.

The Error and Rejected pages report calculates the current number of documents with errors. Errors consist of something that has kept the document from being released into TEMPO and any documents that

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have been rejected by staff due to some kind of error/ flaw with and/or within the document.

The Document Imaging Section Supervisor reports to DEP Management when there is an issue with the Error and Rejects page report or when the number of errors and rejects spikes above normal. The Daily Scan Section guarantees a three-day turnaround time on all incoming daily mail. Daily documents are scanned, quality checked, and checked a second time to ensure accuracy. Documents are then returned to the programs, usually within 48 hours.

Objective 8 – Develop, enhance, and support DEP-specific IT applications

Tactic 8.1: Manage Projects on IT project list

Measure: Completing FY16 milestones on IT project list

Baseline: FY15 Project list

Action 8.1.1: Facilitate regular meetings with DEP management to prioritize project list

Action 8.1.2: Submit bi-weekly IT project dashboard to Division Director

Action 8.1.3: Complete all financially obligated projects prior to deadline

Action 8.1.4: Conduct bi-weekly project status meetings

Action 8.1.5: Provide appropriate communication with project team

Status: The facilitation of regular management meetings and the submittal of bi-weekly IT project dashboards have not been occurring. The absence of a supervisor in the Information Technology Section and the need to reformat the report has attributed to delays.

IMB is on-target for most projects. The ATTAINS project is behind due in part to EPA delays. We anticipate the project deadline to be extended. Progress is starting to be made on the status of the CROMERR project.

Project status meetings have been less frequent due to the absence of the IT section supervisor.

Project team meetings are reoccurring. Utilities like Confluence, JIRA and SharePoint are assisting communication.

Tactic 8.2: Provide TEMPO/ SDWIS/K-WADE Database Support.

Measure: Successful completion of tasks on IT Project List in FY16

Baseline: July 2015 IT Updated Project List

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Action 8.2.1: Completion of requested reporting modules.

Action 8.2.2: Provide timely TEMPO Help Desk Support.

Status: K-WADE reporting modules are available in test in production; however, the security part of the K-WADE reports tool has not been developed or implemented.

During the first half of FY2016, there were 1,836 TEMPO help desk tickets closed. The majority were closed within one hour. Over 81% were closed within one day.

Tactic 8.2.3: Adhere to Federal Database Guidelines and modifications for the Safe Drinking Water Information System (SDWIS)
(No Measure/Baseline or Actions)

Status: Upgraded SDWIS test systems including all patches. Waiting for end users to test upgrades before upgrading production systems. Ran the monthly database scripts and updated the SDWIS files in the DEP forms repository on the SharePoint internet site.

Tactic 8.3: Meet goals of USEPA grant-based projects on time and on budget.

Measure: Successful completion of funded projects.

Baseline: Submission and acceptance of semi-annual and annual reports to and by USEPA.

Action 8.3.1: Complete “CROMERR” Exchange Network grant project as noted in project plan.

Action 8.3.2: Complete “ATTAINS” Exchange Network grant project as noted in the project plan.

Status: DEPS IMB has taken CROMERR to the point of being able to submit a document for a signature and archive the copy of record (COR). Programmers are now working on integrating it with other systems such as eForms and ePortal.

An internal ATTAINS project team has been assembled and meets weekly to begin discussing requirements and the overall business processes for this application. The actual application and database development has been delayed due to EPA issues. We are now awaiting Finance Cabinet approval for the issuance of an RFP.

Tactic 8.4: Provide business analysis for proposed IT solutions

Measure: Results of project post-mortem.

Baseline: Initial project request/requirements/scope documentation.

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Action 8.4.1: Analyze current business processes and identify opportunities to improve them, leading to initiation of projects

Action 8.4.2: Identify and manage requirements for IT projects

Action 8.4.3: Collaborate with development team and project team(s) to ensure that the results of the project satisfy the needs identified in the requirements

Action 8.4.4: Facilitate a project post-mortem meeting with project stakeholders

Status: IT staff is currently reworking development setup to tackle projects in a more efficient manner. Loss of the Information Systems Supervisor has slowed progress in this area.

IT staff continue to identify and manage requirements for IT projects.

Collaboration is performed on all projects created for specific programs.

Facilitation has not been initiated on any projects as of yet.

Tactic 8.5: Provide IT application training

Measure: Number of staff trained in new and existing applications and number of videos created for new applications during FY16.

Baseline: Number of new and current staff who require training.

Action 8.5.1: Create training videos for new applications.

Action 8.5.2: Provide training for new DEP-specific applications.

Action 8.5.3: Provide training on existing DEP-specific applications for new employees and employees who need refresher training.

Status: Eight (8) training videos were created for TEMPO 360. This is in addition to the 12 videos created for Reports Tool V2.

Training was conducted for all staff using TEMPO 360.

The first steps in providing training are being performed. Training is being conducted for new and existing DEPS employees on existing technologies. Training videos are becoming more common so that training can be on going.

Tactic 8.6: Provide intra-agency and inter-agency IT related coordination.

Measure: IT Satisfaction Survey.

Baseline: Results of the previous year's IT Satisfaction Survey.

Department for Environmental Protection

- Action 8.6.1:** Initiate assistance with 2 business days of receipt of request.
- Action 8.6.2:** Coordinate with intra- and inter- agency IT operations staff and users to solve technical problems, which impede or delay the processing of data.
- Action 8.6.3:** Evaluate and determine automation needs.
- Action 8.6.4:** Relay information regarding user needs.
- Action 8.6.5:** Follow-up to ensure user needs met in timely fashion.
- Action 8.6.6:** Establish and maintain effective working relationships.

Status: Assistance with requests is currently exceeding anticipated response time. Most issues are responded to within 15 minutes. Most issues are resolved in less than one hour.

DEPS IMB staff has worked with COT to ensure servers and databases are more stable. Access to data systems and electronic files is still an issue; however, it has become more stable in FY2016.

IT planning is ongoing, but has suffered since the loss of the IT Supervisor.

DEP Senior Management meets with COT on a weekly basis to update them on our user's needs.

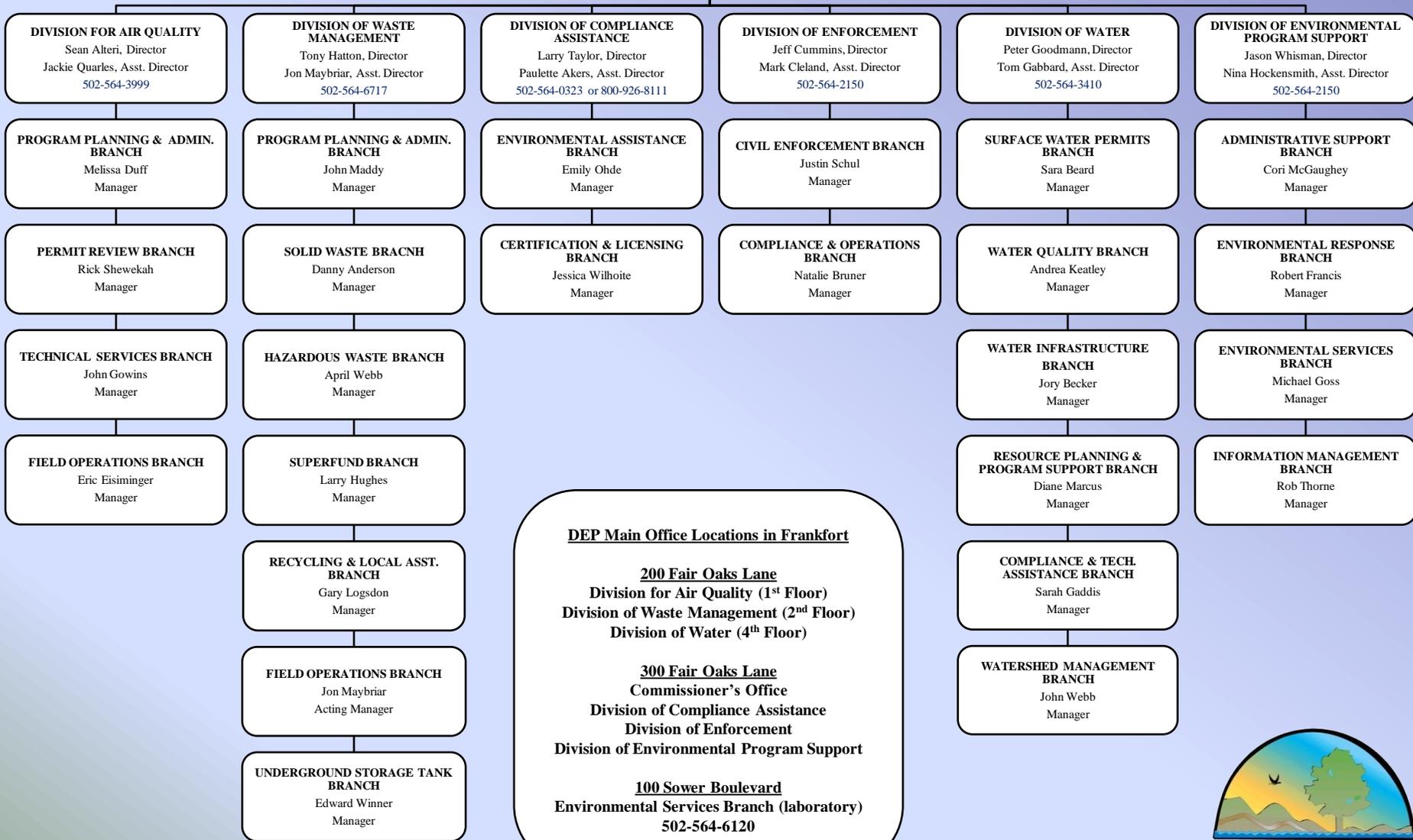
Although follow-up is occurring, no measurable action is in place.

DEPS IMB staff continues to maintain effective working relationships with COT and GAPS.

APPENDICES

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