

# **Kentucky Department for Environmental Protection**



## **Strategic Operational Plan for State Fiscal Year 2017**

Kentucky Energy and Environment Cabinet

**July 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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## Department for Environmental Protection

### 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 2016-2017 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 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 attaining the 2010 SO<sub>2</sub> standard.  
**Baseline:** The number of counties originally designated nonattainment for the 2010 SO<sub>2</sub> standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2010 NO<sub>2</sub> standard.  
**Baseline:** The number of counties originally designated nonattainment for the 2010 NO<sub>2</sub> 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 2012 PM<sub>2.5</sub> standard.  
**Baseline:** The number of counties originally designated nonattainment for the 2012 PM<sub>2.5</sub> standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2015 ozone standard.  
**Baseline:** The number of counties originally designated nonattainment for the 2015 ozone 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:** Submit updated information relating to the 2010 SO<sub>2</sub> NAAQS due July 1, 2016 and January 13, 2017, in response to the 2010 SO<sub>2</sub> NAAQS Data Requirements Rule.
- 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 (0.075 ppm).
- Action 1.1.3:** Implement and enforce federal and state control strategies for areas of Kentucky that do not meet the 1-hour 2010 SO<sub>2</sub> standard (75 ppb).
- Action 1.1.4:** Implement and enforce federal and state control strategies for 1-hour 2010 NO<sub>2</sub> standard (100 ppb).
- Action 1.1.5:** Implement and enforce the federal programs and requirements contained in the December 2007 Regional Haze SIP.
- Action 1.1.6:** Develop and finalize redesignation requests.
- Action 1.1.7:** Monitor EPA's actions of the submitted infrastructure SIP for the Pb, O<sub>3</sub>, PM<sub>2.5</sub>, NO<sub>2</sub> and SO<sub>2</sub> standards.
- Action 1.1.8:** Participate in regional modeling initiatives for ozone and visibility control strategies.

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**Action 1.1.9:** Conduct education and outreach to those communities expected to be impacted by nonattainment designations.

**Action 1.1.10:** Administer SIP-approved programs implemented as part of historic control strategies.

**Action 1.1.11:** Develop required control strategy SIP as specified by the CAA and EPA guidance.

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

**Measure:** The number of regulatory packages developed, promulgated, and finalized in FY17.

**Baseline:** The number of FY16 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 60:005, 401 KAR 63:002, and 401 KAR 63:060.

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

**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 2015.

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

**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.

**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 FY17.

**Baseline:** Corresponding measures for FY16.

**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.

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**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.

**Tactic 1.5:** Ensure programs are legally sound.

**Measure:** Number and outcome of air quality litigation cases in FY17.

**Baseline:** Litigation cases in FY 2016.

**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.

### 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.

**Action 2.1.5:** Recruit qualified permitting staff.

**Action 2.1.6:** Provide training to increase knowledge and enhance retention of qualified 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 FY17.

**Baseline:** Modeling assessments in FY16.

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

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**Action 2.2.2:** Assess emissions as they relate to NAAQS.

### 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:** 2011-2015 Kentucky Electronic Data Acquisition Systems data and 2011-2015 Kentucky 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, 2017.

**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<sub>2.5</sub>) 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<sub>2.5</sub>, PM<sub>10</sub>, and speciated PM<sub>2.5</sub>), 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.

**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.

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**Baseline:** EPA's 2010-2014 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 SO<sub>2</sub> and NO<sub>x</sub> data at least once every two weeks, with results within  $\pm 10\%$  difference.
- 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, 2017.

**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 CY17.

**Baseline:** Corresponding measures for CY 2016.

- 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.

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

**Measures:** The number of analyses conducted in CY17.

**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.

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

### Objective 4 – Assure compliance and enforce air quality standards.

**Tactic 4.1:** Inspect sources of air pollution.

**Measures:** The number of inspections 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 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 2011-2015 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.

**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 2011-2015 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.

**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 2011-2015 trends data.

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

**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 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 2011-2015 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 required Kentucky Asbestos Orientation Course in an online format.

### 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 FY17.

**Baseline:** Corresponding measures for FY16.

**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.

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**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 FY17.

**Baseline:** Corresponding measures for FY16.

**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.

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

**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 FY17.

**Baseline:** Number of staff in leadership roles or serving as committee members in FY16.

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

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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 Total Maximum Daily Loads (TMDLs) and alternative plans.

**Measures:** Number of impaired waters scheduled for TMDL development in SFY17.  
Number of impaired waters identified for a TMDL alternative in SFY17.  
Number of accepted watershed plans.  
Number of watershed plans accepted as TMDL alternatives.

**Baselines:** Number of impaired waters identified in the 2014 303(d) list in Kentucky and prioritized as low, medium, or high for TMDL development.  
Number of accepted watershed plans at beginning of SFY15.

**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 and Performance Partnership Agreement (PPA).

**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 by June 2017.

**Action 1.1.3:** Continue to recruit contractors to apply for 319(h) funding to fully implement watershed plans by June 30, 2017.

**Action 1.1.4:** Continue updates of the Water Health Portal and outreach to stakeholder groups by June 30, 2017.

**Tactic 1.2:** Implement a Nutrient Reduction Strategy.

**Measure:** Percentage of data collected and analyzed for the development of nutrient criteria in SFY14-17.

**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 in accordance with the nutrient criteria development plan and PPA.

**Action 1.2.2:** Develop an annual report of the Kentucky Nutrient Reduction Strategy and update the NRS as necessary 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 to meet 2035 goals of the Mississippi River/Gulf of Mexico Hypoxia Task Force.

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

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

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

**Tactic 1.3:** Assess water quality 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.

Number of Primary Contact Recreation (PCR) or fish tissue consumption advisories issued or updated.

**Baseline:** Current water quality standards.

Surface waters assessed for support of the designated use in the 2014 Integrated Report to Congress (2014 IR).

Number of PCR or fish tissue consumption advisories issued or updated in SFY16.

**Action 1.3.1:** Collect surface water quality data in accordance with the state monitoring strategy and PPA by establishing monitoring sites, and special study locations to determine water quality conditions of the Commonwealth.

**Action 1.3.2:** Review and revise the statewide water quality monitoring strategy by December 31, 2016.

**Action 1.3.3:** Review and assess water quality monitoring data to determine designated use support for the waters of the Commonwealth for the 2016 Integrated Report (2016 IR) by December 31, 2016.

**Action 1.3.4:** Coordinate with other agencies to enhance water quality monitoring of the surface waters of the Commonwealth by November 2016 for the 2017 monitoring season.

**Action 1.3.5:** Provide water quality data and geospatial information to coordinating agencies for PCR (including Harmful Algal Blooms (HABs) and fish tissue advisories.

**Action 1.3.6:** Provide public notices through the Division's website, the Water Health Portal, reports, meetings, and press releases for the PCR and fish tissue advisories as they occur or are updated.

### Objective 2 – Full compliance with the Safe Drinking Water Act

**Tactic 2.1:** Assess public water system compliance with the Safe Drinking Water Act (SDWA).

**Measure:** Number of Kentucky drinking water systems in compliance with the SDWA in SFY17.

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**Baseline:** Number of Kentucky drinking water systems in compliance with the SDWA in SFY16.

**Action 2.1.1:** Review compliance data submitted by public water systems for compliance with the SDWA.

**Action 2.1.2:** Implement the Revised Total Coliform Rule, including Level 2 Assessments, in response to non-compliance.

**Action 2.1.3:** Conduct meetings of the Lead in Drinking Water Work Group in order to develop recommendations regarding the Lead and Copper Rule.

**Tactic 2.2:** Provide technical assistance to drinking water systems.

**Measure:** Number of water systems provided technical assistance by the Drinking Water Compliance and Technical Assistance Section SYF17.

**Baseline:** Number of water systems provided technical assistance by the Drinking Water Compliance and Technical Assistance Section SYF16.

**Action 2.2.1:** Administer the Area Wide Optimization Program in Kentucky.

**Action 2.2.2:** Provide targeted technical assistance to small drinking water systems that struggle with disinfection by-product compliance.

**Action 2.2.3:** Conduct special studies and provide evaluations of drinking water systems that request technical assistance.

**Tactic 2.3:** Perform inspections and sanitary surveys in order to measure compliance with the SDWA.

**Measure:** Number of inspections and sanitary surveys performed in SFY17.

**Baseline:** Number of inspections and sanitary surveys performed in SFY16.

**Action 2.3.1:** Conduct inspections at drinking water facilities in order to measure compliance.

**Action 2.3.2:** Conduct sanitary surveys to measure the financial, managerial, and technical capacity of drinking water facilities.

### Objective 3 – Conduct effective water resources planning

**Tactic 3.1:** Revise and update the Kentucky Watershed Approach

**Measures:** Promotion and increased integration of Division programs to manage watersheds across the state.

Number of partners in Center of Excellence.

Promotion and increased usage of Recovery Potential Tool.

**Baseline:** 1997 Watershed Framework.

**Action 3.1.1:** Integrate Division programs to more effectively manage watersheds across the state.

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**Action 3.1.2:** Implement new “Straight-To-Implementation Plans”.

**Action 3.1.3:** Use the Recovery Potential Tool based on state-specific inputs by June 30, 2017.

**Action 3.1.4:** Promote the Kentucky Watershed Center of Excellence and involve and recruit Watershed Framework partners.

**Tactic 3.2:** Promote the EPA’s Sustainable Infrastructure Initiative.

**Measures:** The number of dam safety inspections completed during SFY17.  
The annual number of boil water advisories issued in SFY17.  
The number of sustainable infrastructure outreach activities completed in SFY17.  
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 in SFY17.

**Baseline:** The corresponding numbers from SFY16.

**Action 3.2.1:** Develop a strategy for implementing Kentucky Resilient and Sustainable Infrastructure by September 1, 2016.

**Action 3.2.2:** Conduct training and public outreach workshops to implement changes to the Water Resource Information System to explain the Asset Management Tool and how it can help to implement sustainability by June 30, 2017.

**Action 3.2.3:** Revise the State Revolving Fund (SRF) project priority ranking systems to award more points to projects that implement sustainable concepts by January 15, 2017.

**Action 3.2.4:** Implement SODR program strategies and projects.

**Action 3.2.5:** Develop tools to assist local officials, floodplain coordinators, emergency management personnel, dam owners, and the general public to better understand the benefits and risks of dams.

**Tactic 3.3:** Plan for sustainable infrastructure.

**Measures:** The number of facility plans and asset inventories reviewed and approved during SFY17.  
The number of dam safety inspections completed during SFY17.  
The number of environmental information documents reviewed and approved in SFY17.  
The number of projects approved which implement regionalization, and addresses the abandonment of aging private wastewater facilities in SFY17.

**Baseline:** The corresponding numbers from SFY16.

**Action 3.3.1:** Develop with KIA, PSC, and other stakeholders a strategic sustainability plan for small water and wastewater utilities by December 2016.

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- Action 3.3.2:** Participate in the Area Development District Water Management Planning Council meetings to assist with planning future water infrastructure.
- Action 3.3.3:** 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 2016.
- Action 3.3.4:** Evaluate and provide recommendations regarding the relationships between floodplain permitting, floodplain compliance, and dam safety.
- Action 3.3.5:** Complete dam safety inspections as scheduled to ensure dams are properly maintained.
- Action 3.3.6:** Implement the Dam Safety program Modernization Project by August 30, 2016.
- Action 3.3.7:** Evaluate the Capacity Development program and revise the Capacity Development Strategy by December 31, 2016.

### Objective 4 - Meet federal and state program requirements.

**Tactic 4.1:** 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 projects (SPAP) inspected.
- Baselines:** FFY16 and FFY17 federal commitments.  
The number of scheduled sanitary surveys completed within the month assigned during FFY16.  
The number of SRF and SPAP inspections completed in 2016.

- Action 4.1.1:** Comply with the FFY16 and FFY17 PPAs.
- Action 4.1.2:** Submit work plans, grant applications, and all reports to grantors within deadline specified in the PPA.
- Action 4.1.3:** Develop the FFY18 106 PPA work plan commitments in coordination with EPA.
- Action 4.1.4:** Submit the final FFY18 CMS work plan percentages and inspection commitments to EPA by due date.
- Action 4.1.5:** Meet federal work plans, primacy requirements, and applicable National Program Measures within federal timeframes.
- Action 4.1.6:** Submit DWSRF set-asides work plans and Intended Use Plan to Kentucky Infrastructure Authority by April 2017.
- Action 4.1.7:** Conduct field inspections of projects that received SPAP grants in accordance with the federal grant work plans.

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**Action 4.1.8:** Conduct field inspections of projects that received financial assistance from the SRF.

**Action 4.1.9:** Develop a strategy to reduce PWSS monitoring and reporting violations.

**Action 4.1.10:** Implement Risk MAP (Mapping, Assessment, and Planning) watershed prioritization plan and conduct activities pursuant to the National Flood Insurance Program workplan.

**Tactic 4.2:** Meet state requirements and maintain progress toward achieving and maintaining zero permit backlogs.

**Measures:** The total number of permits pending July 2017.  
The total numbers of permits pending that exceed regulatory timeframes (RTF) by July 2017.  
The total numbers of “major” facilities with permit applications that exceed RTF by July 2017.  
The number of general permits that have expired and not been issued or that have not been addressed by July 2017.  
The number of general permits Notices of Intent (NOIs) for which coverage has not been issued or that have not been addressed by July 2017.  
The percentage of permit reviews completed within RTF during SFY17.  
Employee productivity rates for permitting and data entry during SFY17.  
The percentage of construction plan approvals issued within the RTF for drinking water facilities.  
The percentage of floodplain permits issued within the RTF.  
The percentage of dam safety construction permits issued within the RTF.  
The percentage of 401 certifications issued within the RTF.  
The percentage of water withdrawal permits issued within the RTF.

**Baselines:** The corresponding percentages from 2016.  
The SFY16 Division permit backlog.  
SFY16 backlog percentages.  
SFY16 employee productivity rates.

**Action 4.2.1:** Meet RTF on permit issuances and plan reviews.

**Action 4.2.2:** Develop a plan to address the registration of oil and gas sites and data management.

**Action 4.2.3:** Re-issue general permits scheduled to expire prior to expiration.

**Action 4.2.4:** Issue permits for all “major” facilities that exceed the RTF by June 30, 2017.

**Action 4.2.5:** Issue permits for all facilities that exceed the RTF by >1.5 years by June 2017.

**Action 4.2.6:** Resolve coal permits, which are the subject of EPA objections by October 30, 2016.

**Action 4.2.7:** Meet regulatory timeframes pertaining to 401 Water Quality Certifications.

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**Tactic 4.3:** Implement and maintain laboratory certification programs.

**Measure:** The number of wastewater and drinking water laboratories certified in SFY17.

**Baseline:** The number of certified labs on July 1, 2016.

**Action 4.3.1:** Implement the wastewater lab certification program.

**Action 4.3.2:** Implement the drinking water lab certification program.

### Objective 5 - Promote better management and communication of data.

**Tactic 5.1:** 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, 2016.

**Action 5.1.1:** Increase data type, flow, reporting, and efficiency to the Division of Water and EPA using the exchange network.

**Action 5.1.2:** Integrate K-WADE and ADB so they flow quality data to new EPA ATTAINS by April 30, 2017.

**Tactic 5.2:** Promote better decision making through GIS and Data Analysis (GDA).

**Measures:** Number of GIS training events in SFY17.

Number of data analysis projects completed in SFY17.

Numbers of GDA help desk requests fulfilled in SFY17.

Number of location corrections processed in SFY17.

Number of National Hydrologic Database (NHD) and Geographic Names Information System corrections processed in SFY17.

Watershed Boundary Dataset (WBD) stewardship achieved and developed.

**Baselines:** Corresponding measures for SFY16.

**Action 5.2.1:** Conduct training events for Division staff regarding GIS and for management regarding GIS analysis and applications by June 30, 2017.

**Action 5.2.2:** Work with Division programs to continue systematically analyzing data from current databases.

**Action 5.2.3:** Maintain the Kentucky portion of the NHD.

**Action 5.2.4:** Develop WBD stewardship program.

**Action 5.2.5:** Develop GIS tools (including mobile applications and desktop solutions) for inspectors, permit writers, Division staff, and the public by June 30, 2017.

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**Tactic 5.3:** 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 2016

**Action 5.3.1:** Collaborate with DEPS to maintain SDWIS until SDWIS Prime implementation.

**Action 5.3.2:** Participate on SDWIS Prime workgroups.

**Action 5.3.3:** Develop an implementation plan for utilizing SDWIS Prime.

**Tactic 5.4:** 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 SFY16.

**Action 5.4.1:** Implement eNOI system and flow permit data from TEMPO into ICIS for applicable reissued general permits by the effective date of coverage.

**Tactic 5.5:** Improve the utility of TEMPO to provide more accurate facility information data.

**Measure:** Improved accuracy demonstrated by TEMPO audit report in SFY17.

**Baseline:** TEMPO audit reports generated during SFY16.

**Action 5.5.1:** Improve the utility of TEMPO through data validation.

**Action 5.5.2:** Provide TEMPO 360 training to new staff to ensure they are effectively using all features of TEMPO.

**Action 5.5.3:** Regular auditing of water/wastewater permit locations by staff. Develop better methods for synchronization between ICIS and TEMPO database.

**Action 5.5.4:** Implement TEMPO 360.

**Tactic 5.6:** Maintain and improve data quality.

**Measures:** Improved accuracy demonstrated by database audit reports.  
Number of staff receiving quality assurance (QA) training in SFY17.  
Number of Division-approved SOPs for SFY17.  
Number of Quality Assurance Project Plans (QAPPs) reviewed for the Division.  
Number of QAPPs reviewed from outside organization data.

**Baseline:** Audit reports and laboratory flags generated during SFY16.  
Number of Division-approved SOPs for SFY16.

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**Action 5.6.1:** Conduct regular training for Division staff regarding QA and the review process.

**Action 5.6.2:** Assure cross-database accuracy demonstrated by regular database audit reports.

**Action 5.6.3:** Upgrade Dam Safety database to a more robust version that will ensure quality data flows into TEMPO by June 30, 2017.

### Objective 6 – Track water-related litigation

**Tactic 6.1:** 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 6.1.1:** Provide technical expert witness testimony at Office of Administrative Hearings and courts of jurisdiction.

**Action 6.1.2:** Track relevant state and federal water policy issues and litigation.

**Action 6.1.3:** Track on-going Division litigation.

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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 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.



*Maxey Flats during liner installation with leveling fill and protective soil cover in place during 2016 final closure period.*

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.

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

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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 FY2016.

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

**Baseline:** Corresponding measure for FY2016.

**Measure:** Number of public notices issued and public hearing conducted by branch.

**Baseline:** Corresponding measure for FY2016.

**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.

**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 FY2016.

**Measure:** Number and percentage of solid waste sites complying with KRS 224.43-500, including those solid waste sites required to submit the Environmental Remediation Fee.

**Baseline:** Corresponding measure for FY2016.

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

**Baseline:** Corresponding measures for FY2016.

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

**Baseline:** Corresponding measure for FY2016.

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**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.

**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 FY2016.

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

**Baseline:** Corresponding measure for FY2016.

**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.

**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.

**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 FY2016.

**Measure:** Number of grant programs administered and completed.

**Baseline:** Corresponding measure for FY2016.

**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.

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**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.

### 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.  
Number of solid and special waste permits applications received by type.  
Number of solid and special waste permits pending review.  
Number and 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 FY2016.

**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.

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

**Measures:** Number of hazardous waste permits pending review outside regulatory timeframes.  
Percentage of hazardous waste permits reviews completed outside regulatory timeframes.  
Number and percentage of solid and special waste permits pending review outside regulatory timeframes.  
Number and percentage of solid and special waste permit reviews completed outside regulatory timeframes.

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**Baseline:** Corresponding measures for FY2016.

**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.

**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 as a result 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 historic landfills with on-going remediation projects.

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 new Superfund sites.

Number of PRP-Lead State Superfund sites under review and number remediated.

Number of State-Lead sites that require remediation, number remediated utilizing the Hazardous Waste Management Fund, and number under review.

Number of sites with a release of petroleum or a petroleum product remediated from a source other than a petroleum storage tank and number of under review.

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 FY2016.

**Action 3.1.1:** Identify resource and program constraints hindering achievement of our measures; pursue program changes and request funding as

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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.

**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 October 2017.

**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.

### 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 sites under review pursuant to the Voluntary Environmental Remediation Program.  
Number of brownfield sites assessed under the Targeted Brownfield Assessment Program and number awaiting review.  
Number of KRS 224.01-415 Brownfields Redevelopment Program applications received, number of eligibility letters issued, number of concurrence letters issued.

**Baseline:** Corresponding measures for FY2016.

**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.

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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 FY2016.

**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.

### 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 recycling grants and total amount of funding administered.

**Baseline:** Corresponding measures for FY2016.

**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 more current information is available.

**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.

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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.



*Working Face of Big Run Landfill, Boyd County, Kentucky*

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 to return to compliance through the compliance process, the referring party prepares, organizes

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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 operates an extensive program of performing compliance reviews of discharge monitoring reports (DMRs), which are submitted by facilities to demonstrate compliance with Kentucky Pollutant Discharge Elimination System (KPDES) Permits. The DMR compliance program has been critical in addressing numerous wastewater non-compliance issues in the Commonwealth, with most reviews being conducted of municipal and private wastewater treatment facilities and surface coal mining facilities. The Compliance and Operations Branch also issues Notices of Violation for violations referred by Central Office Programs from the Division of Air Quality, Division of Waste Management, and the Division of Water. Between SFY 2006 and SFY2016, the DMR review program has issued over 5,000 Notices of Violations, averaging 483 Notices of Violation issued each year.



*Fish kill from unpermitted discharge to Russell Creek, Adair County, Kentucky*

The Division of Enforcement is looking toward a number of important changes in FY2017. The Division continues to work towards 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.

**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.

**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.

**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).

**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.

**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 an average of \$2,032,680.69 in civil penalties per fiscal year.

**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.

**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

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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.

**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.

**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.



*Illegal open burning of wood waste in Knox County, Kentucky*

**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.

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

### 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.

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

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

## Department for Environmental Protection

### 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 COR<sup>2</sup>E purposes:



kentucky operator  
certification program

**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.



environmental compliance assistance program

**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.

### 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

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**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.

**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

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.

### 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:

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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.

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

**Measure:** The number of voluntary actions identified as a result 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.

**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

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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 or 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.

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

**Action 3.3.6:** Process applications for CCF and award eligible applicants.

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### 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.

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### 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:** SFY16 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.

#### **Objective 2 – Develop an effective strategic planning process.**

**Tactic 2.1:** Develop a Department for Environmental Protection strategic plan for SFY17.

**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.

**Action 2.1.1:** Ensure that the SFY17 Strategic Plan for the Commissioner's Office and each of the six department divisions are finalized by June 30, 2016.

**Action 2.1.2:** Ensure the Department's goals and objectives are compatible with the SFY17 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 December.

**Action 2.1.5:** Each division shall publish an annual report by September 15, 2016 including results of the Strategic Plan measures and actions for the previous state fiscal year.

**Tactic 2.2:** Assist staff in understanding their role in the DEP strategic plans by ensuring that employees are clear about the objectives, goals and directions of the agency.

**Tactic 2.3:** Provide input into USEPA's strategic planning processes at both the national and regional levels.

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

**Tactic 3.1:** Develop Performance Partnership Grant (PPG) for SFY17.

**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.

**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.)

**Tactic 3.2:** Develop Performance Partnership Agreement (PPA) for SFY17.

**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.

## Department for Environmental Protection

### 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:** SFY16 hiring for critical positions.

**Action 1.1.1:** Continue to provide 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 maintains the required number of internal certified trainers to meet annual training requirements to teach CPR/FA/BBP to departmental employees.

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

**Tactic 2.1:** Provide TEMPO/ SDWIS/K-WADE Database Support.

**Measure:** Successful completion of tasks on IT Project List in FY17.

**Baseline:** July 2016 IT Updated Project List.

**Action 2.1.1:** Completion Implementation of the PSTEAF database in TEMPO.

**Action 2.1.2:** Provide timely TEMPO Help Desk Support.

**Action 2.1.3:** Enhance Reports Tool to replace the current DEPORR application.

**Action 2.1.4:** Adhere to Federal Database Guidelines and modifications for the Safe Drinking Water Information System (SDWIS).

**Action 2.1.5:** Complete Dam Safety Modernization project including oversight of data-cleanup and integration of back-end database to link to TEMPO.

**Action 2.1.6:** Even though grant funding was not provided by EPA for state-specific enhancements, DEP is obligated to complete the requirements of the eReporting rule for data collection and data flow to EPA.

**Action 2.1.7:** Finish ‘Doc-In’ and ‘Doc-Out’ Services and integrate them into DEP applications.

**Tactic 2.2:** Meet goals of USEPA grant-based projects on time and on budget.

**Measure:** Successful completion of funded projects in FY17.

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

**Action 2.2.1:** Complete “ATTAINS” Exchange Network grant project as noted in project plan.

**Action 2.2.2:** Complete “ICIS eForms” Exchange Network grant project as noted in the project plan.

**Action 2.2.3:** Begin the “Access to Data” Exchange Network grant project as noted in the project plan.

**Action 2.2.3:** Apply for EPA multipurpose grants, and complete portions of the projects as noted in the project plan.

### 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 SFY17.

**Baseline:** SFY16 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.

**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.

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- 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.

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

**Tactic 1.1:** Begin administrative improvement and redundancy 16APR2016-16MAY2016 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.

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**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.

### 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 2015, there were 4545 samples analyzed by the Environmental Services laboratory.

**Action 5.1.1:** Provide testing services for samples in accordance with the allocated SFY17 budget.

**Action 5.1.2:** Maintain an average turn-around-time of less than 28 days for samples submitted beyond July 1, 2017. In CY15, the average turn-around-time for all samples was 24.05 days.

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

**Baseline:** In calendar year 2015, there were 46,569 individual tests performed by the Environmental Services laboratory.

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

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

**Baseline:** In 2015, there were 235,021 individual chemical parameters reported by the Environmental Services laboratory.

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

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

**Baseline:** In 2015, there were 193 individual sample reports reported by the Environmental Services laboratory outside the 30-day mark. This represented 4.97% 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%.

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**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.

**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.

### 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 FY17.

**Baseline:** The baseline will be the number of training events sponsored by DEP in SFY16.

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- 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).

### **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:** Finalize the Draft Standard Operating Procedure that ensures all Open Records staff performs operations similarly.
- Action 7.1.2:** Continue to 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.
- Action 7.1.4:** Work with the Office of General Counsel to streamline the process in response to the new directive to send all requests from attorneys and media to OGC.
- Action 7.1.5:** Implement any needed changes to the open records response process in accordance with Office of General Counsel recommendations.

**Tactic 7.2:** 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.

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**Baseline:** Goal should be 99.9% scanned within one business day with less than 1% error rate.

**Action 7.2.1:** Run monthly reports to measure the number of pages scanned and number of documents scanned by individual staff.

**Action 7.2.2:** Create mechanism to record and report errors.

**Action 7.2.3:** Supervisors will record and report progress to DEP.

### Objective 8 – Develop, enhance, and support DEP-specific IT applications

**Tactic 8.1:** Manage Projects on IT project list

**Measure:** Completing FY17 milestones on IT project list

**Baseline:** FY16 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 7.1.5:** Provide appropriate communication with project team

**Tactic 8.2:** Provide TEMPO/ SDWIS/K-WADE Database Support.

**Measure:** Successful completion of tasks on IT Project List in FY17

**Baseline:** July 2016 IT Updated Project List

**Action 8.2.1:** Completion of requested reporting modules.

**Action 8.2.2:** Provide timely TEMPO Help Desk Support.

**Tactic 8.2.3:** Adhere to Federal Database Guidelines and modifications for the Safe Drinking Water Information System (SDWIS)  
**(No Measure/Baseline or Actions)**

**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.

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**Tactic 8.4:** Provide business analysis for proposed IT solutions

**Measure:** Results of project post-mortem.

**Baseline:** Initial project request/requirements/scope documentation.

**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

**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 FY17.

**Baseline:** Number of new and current staff who require training.

**Action 8.5.1:** Modify training videos for TEMPO360 and TEMPO Reports Tool as necessary.

**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.

**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.

**Action 8.6.1:** Initiate assistance with one 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.

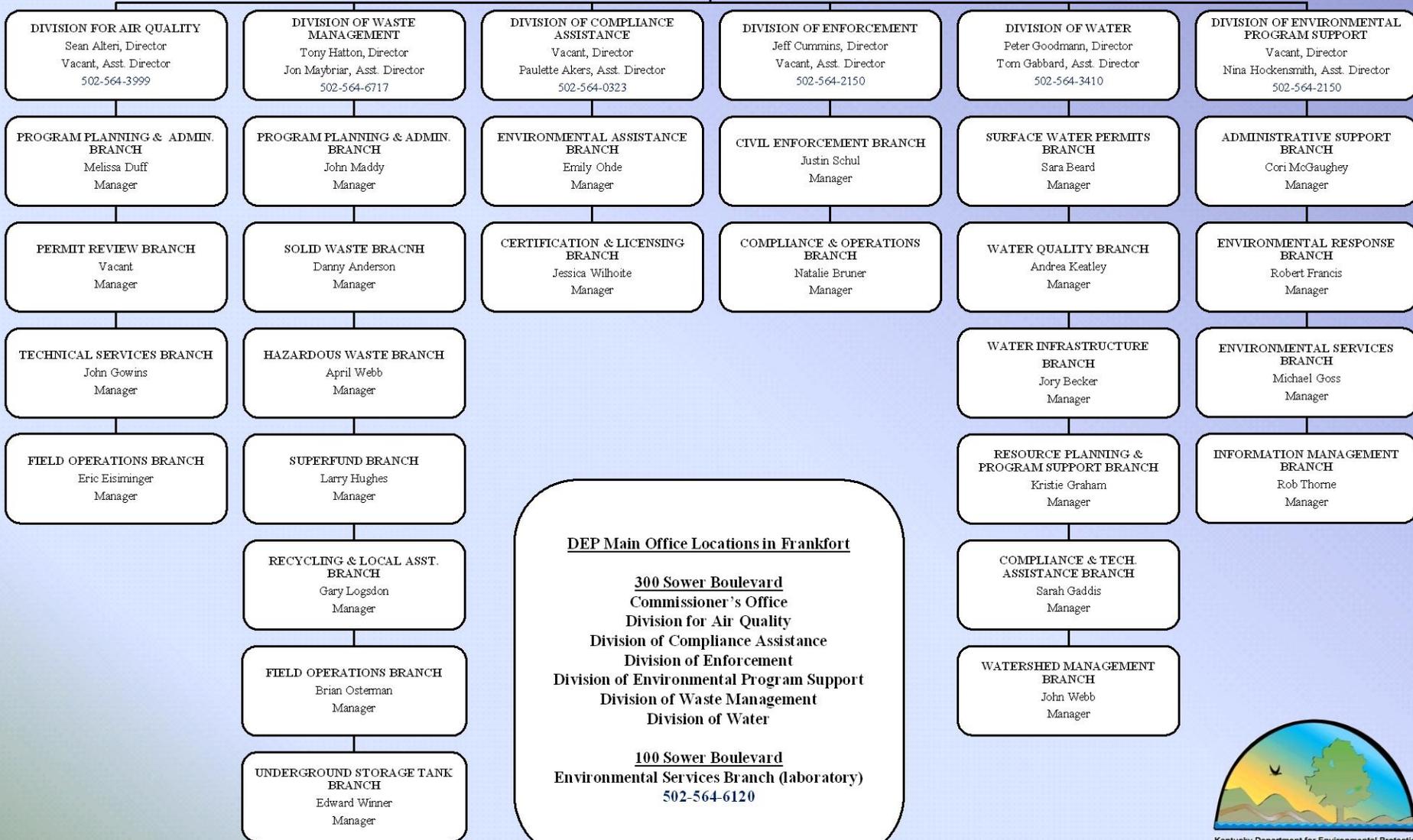
**Action 8.6.6:** Establish and maintain effective working relationships.

**Action 8.6.7:** Expand user base by assisting Office of General Counsel in completing implementation of TEMPO360.

# **APPENDICES**

**Kentucky Department for Environmental Protection**

**R. Bruce Scott, Commissioner**  
**Aaron, Keatley, Deputy Commissioner**  
**Lanny Brannock, Executive Staff Advisor**  
**Ronald Price, Staff Assistant**  
**Larry Taylor, Environmental Scientist Consultant**  
 502-564-2150



**DEP Main Office Locations in Frankfort**

**300 Sower Boulevard**  
 Commissioner's Office  
 Division for Air Quality  
 Division of Compliance Assistance  
 Division of Enforcement  
 Division of Environmental Program Support  
 Division of Waste Management  
 Division of Water

**100 Sower Boulevard**  
 Environmental Services Branch (laboratory)  
 502-564-6120



**Office of the Commissioner**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-2150  
Fax: 502-564-4245  
[www.dep.ky.gov](http://www.dep.ky.gov)

**Division for Air Quality**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-3999  
Fax: 502-564-4666  
[www.air.ky.gov](http://www.air.ky.gov)

**Division of Environmental Program Support**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-2150  
Fax: 502-564-4245  
[www.dep.ky.gov/deps](http://www.dep.ky.gov/deps)

**Division of Compliance Assistance**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-0323  
Fax: 502-564-9720  
[www.dca.ky.gov](http://www.dca.ky.gov)

**Environmental Services Branch**

100 Sower Boulevard  
Suite 104  
Frankfort, KY 40601  
Phone: 502-564-6120  
Fax: 502-564-8930  
[www.dep.ky.gov/deps](http://www.dep.ky.gov/deps)

**Division of Enforcement**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-2150  
Fax: 502-564-9710  
[www.dep-enforcement.ky.gov](http://www.dep-enforcement.ky.gov)

**Division of Waste Management**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-6716  
Fax: 502-564-4049  
[www.waste.ky.gov](http://www.waste.ky.gov)

**Division of Water**

300 Sower Boulevard  
Frankfort, KY 40601  
Phone: 502-564-3410  
Fax: 502-564-0111  
[www.water.ky.gov](http://www.water.ky.gov)