

Kentucky Department for Environmental Protection



Strategic Operational Plan for State Fiscal Year 2015

Kentucky Energy and Environment Cabinet

July 2014

January 16, 2015 Status Updates



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.

Department for Environmental Protection

CONTENTS

Goal 1 Clean Air5

- Objective 1 – Ensure Programs Adhere to Federal and State Statutory and Regulatory Requirements6
- Objective 2 – Ensure Permits are Protective of Kentucky’s Air Quality8
- Objective 3 - Monitor Kentucky’s Air Quality9
- Objective 4 – Assure Compliance and Enforce Air Quality Standards.....11
- Objective 5 – Participate in Programs that Improve Kentucky’s Air Quality12

Goal 2 Clean and Safe Water..... 14

- Objective 1 – Protect, Manage And Restore Water Resources15
- Objective 2 –Conduct Effective Water Resources Planning.....16
- Objective 3 – Meet Federal and State Program Requirements.....17
- Objective 4 – Promote Better Management and Communication of Data20
- Objective 5 – Track Water-related Litigation.....22

Goal 3 Waste Management and Land Restoration.....23

- Objective 1 – Reduce\Eliminate DWM Permit and Data Entry Backlogs24
- Objective 2 – Protect Human Health and Enhance Kentucky’s Land Resources .25

Goal 4 Environmental Compliance29

- Objective 1 – Facilitate the Return of Regulated Entities to Compliance30
- Objective 2 – Issue and Track Compliance with Letters of Warning and Notices of Violation32

Goal 5 Compliance Assistance and Environmental Stewardship33

- Objective 1 – Certify Qualified Environmental Professionals34
- Objective 2 – Help Entities Achieve Environmental Compliance34
- Objective 3 – Facilitate Environmental Stewardship 35

Goal 6 Environmental Program Support38

Commissioner’s Office (CO):

- Objective 1 – Support and Coordinate Ongoing Programmatic Activities.....39
- Objective 3 – Develop an Effective Strategic Planning Process39

Department for Environmental Protection

Division of Environmental Program Support (DEPS):

Objective 1 – Recruit and Retain Qualified Employees	40
Objective 2 – Provide Support for DEP IT-Based Systems	40
Objective 3 – Support and Coordinate Ongoing Programmatic Activities.....	41
Objective 4 – Provide Accurate and Defensible Chemical Analytical Services	42
Objective 5 – Provide adequate training to DEP employees	43
Objective 6 - Manage public records cost-effectively and provides timely, accurate access for DEP staff and the public	44
Objective 7 – Develop, enhance, and support DEP-specific IT applications	45

Appendices

Department Organizational Chart	48
Department Addresses	49

Department for Environmental Protection

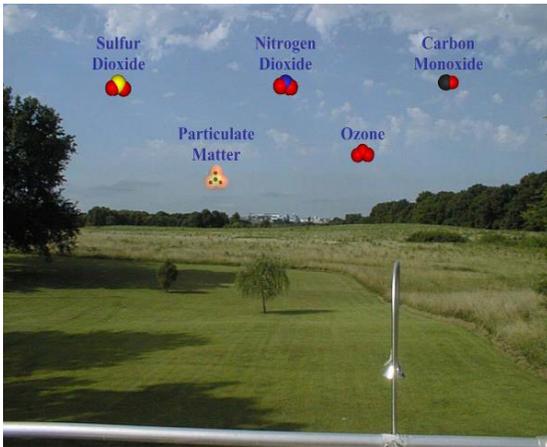
Goal 1



Clean Air

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

Implementing and maintaining programs to achieve federal and state 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 monitored using a comprehensive program involving air quality monitoring, planning, construction and operation permitting and inspections.



Kentucky currently operates an air quality monitoring network composed of 142 monitors located in 27 counties. 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.

Department for Environmental Protection

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

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

- Measure:** The number of counties currently attaining the 2006 PM_{2.5} standard.
Baseline: The number of counties originally designated nonattainment for the 2006 PM_{2.5} standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2008 ozone standard.
Baseline: The number of counties originally designated nonattainment for the 2008 ozone standard based upon the ambient monitoring.
- Measure:** The number of counties currently attaining the 2010 SO₂ standard.
Baseline: The number of counties originally designated nonattainment for the 2010 SO₂ standard based upon the ambient monitoring data.
- Measure:** The number of counties currently attaining the 2010 NO₂ standard.
Baseline: The number of counties originally designated nonattainment for the 2010 NO₂ standard based upon the ambient monitoring data.
- Measure:** The number of counties currently 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:** 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:** Review and respond to documentation contained in the EPA 120-day letter due August, 2014, which is in response to the recommendations for 2012 PM_{2.5} nonattainment areas sent by Kentucky to EPA in December, 2013.
- Action 1.1.2:** Implement 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 federal and state control strategies for areas of Kentucky that do not meet the 1-hour 2010 SO₂ standard (75 ppb).
- Action 1.1.4:** Implement federal and state control strategies for 1-hour 2010 NO₂ standard (100 ppb).
- Action 1.1.5:** Implement the federal programs and requirements contained in the December 2007 Regional Haze SIP.
- Action 1.1.6:** Develop and finalize re-designation requests.
- Action 1.1.7:** Monitor EPA's actions of the submitted infrastructure SIP for the Pb, O₃, PM, NO₂ and SO₂ standard.
- Action 1.1.8:** Participate in regional modeling initiatives for ozone and visibility control strategies.

Department for Environmental Protection

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.

Status: In a letter dated October 29, 2014, Kentucky responded to the EPA's 120-day letter which was dated August 19, 2014. In this response Kentucky requested that EPA designate the Louisville area attainment/unclassifiable once the monitoring data for the area is certified as attaining the standard. Additionally Kentucky requested that EPA designate the proposed portions of Boone, Campbell, and Kenton counties as attainment due to nearby sources influencing the monitors that show violations of the standard.

Existing federal and state control strategies for ozone have been successful, demonstrated by the monitors in all areas of Kentucky showing that they are meeting the 2008 8-hour ozone standard (0.075 ppm). Kentucky will work with Ohio to initiate the redesignation to attainment process in the first part of 2015.

In April 2014, the uncontrolled facility in Ohio that was causing the SO₂ violations in Campbell County, Kentucky, ceased operations. Since that time the monitor has shown that the area is now meeting the standard. Kentucky will work with Ohio to initiate the redesignation to attainment process in the first part of 2015.

All areas in Kentucky meet the 2010 NO₂ standard.

Due to the likelihood that there will be no new nonattainment areas in Kentucky in 2015 there are no outreach meetings planned.

On September 17, 2014, the Division submitted to EPA a formal SIP revision that included Kentucky's Regional Haze 5-Year Periodic Report for Kentucky's Class I Federal area Mammoth Cave National Park. This SIP revision addressed the regional haze SIP requirements requiring periodic reports that evaluate progress towards the State's Reasonable Progress Goals for visibility improvement in Class I areas.

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

Measure: The number of regulatory packages developed, promulgated, and finalized in FY15.

Baseline: The number of FY14 packages developed, promulgated and finalized.

Department for Environmental Protection

Action 1.2.1: Revise state regulations 401 KAR 51:010, 401 KAR 53:010, 401 KAR 63:002, 401 KAR 63:060, and 401 KAR 52:050.

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

Status: The Division reviewed amendments to 401 KAR 51:010 and 401 KAR 53:010. It is anticipated that amendments will be filed with LRC by February 15, 2015. The Division reviewed amendments to 401 KAR 63:002 which would incorporate 401 KAR 63:060. It is anticipated that amendments will be filed with LRC by March 15, 2015. The Division reviewed amendments to 401 KAR 52:070 and anticipates filing with LRC by March 15, 2015.

The Division met with stakeholders in revising the permit forms covered by 401 KAR 52:050. Amendments have been reviewed and the Division anticipates filing with LRC by March 15, 2015.

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 2013.

Baseline: The number of sources assessed, estimated calendar year emissions, and the amount of emission fees collected during CY 2012.

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 needs of the division.

Status: With the completion of the FY15 emission survey process, all source emissions have been assessed. The total billable emissions for CY13 are 177,843 tons. An air emissions fees has been assessed to 687 facilities with a cost per ton of \$65.25 due February 10, 2015.

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 FY15.

Baseline: Corresponding measures for FY14.

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

Department for Environmental Protection

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 and DEP operational, personnel and human resource policies and programs.

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

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

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

Status: The FY15 budget was prepared and approved by OSBD. Communication continues with the department level budget staff. Tracking expenditures and monitoring personnel programs and staffing levels are on-going. All Cabinet and DEP policies are addressed with staff. Current grant programs are meeting expectations.

Tactic 1.5: Ensure programs are legally sound.

Measure: Number and outcome of air quality litigation cases in FY15.

Baseline: Litigation cases in FY 2014.

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

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

Action 1.5.3: Track on-going DAQ litigation.

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

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

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

Department for Environmental Protection

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 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.

Status: During this interim, the Division received 192 permit applications and issued 204 permits. As of December 31, 2014, the total number of pending permits is 213. Of those, approximately 28% exceed the regulatory time frame. In addition, and for the same interim, the Division has received 204 registrations and “off-permit change” requests and issued 190 registrations and “off-permit change” requests.

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

During the interim, two employees were hired. Orientation is provided for new staff. The division provided three internal training courses for staff.

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

Measures: The total number of air toxic assessments and Prevention of Significant Deterioration (PSD) modeling assessments in FY15.

Baseline: Modeling assessments in FY14.

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

Action 2.2.2: Assess emissions as it relates to prevention of significant deterioration.

Department for Environmental Protection

Status: During the interim, 24 air toxics reviews and 2 Prevention of Significant Deterioration (PSD) modeling assessments were performed.

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: 2009-2013 Kentucky Electronic Data Acquisition Systems data and 2009-2013 Kentucky Air Quality System (AQS) data.

Action 3.1.1: Develop the ambient air monitoring network plan by July 1, 2015.

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

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

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

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

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

Status: By December 17, 2014, the Technical Services Branch (TSB) had completed its annual siting evaluation of each air monitoring sampler and station in the Division’s air monitoring network. The TSB is currently reviewing the deficiencies found during these siting evaluations and is taking corrective actions.

The Division’s SO₂ network meets the monitoring requirements of the SO₂ NAAQS.

Department for Environmental Protection

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

To date, air monitoring data for all continuously monitored pollutants through September (3Q14) has been entered into AQS. The TSB is currently reviewing 4th quarter data. Annual mean concentration reports will be compiled when all of the 2014 data has been quality assured and entered into AQS.

The TSB has continued to maintain and audit the instruments in the Division's ambient air monitoring network; Field Operation Branch personnel operate the instruments on a daily basis and collect field samples. Failed equipment has been repaired or replaced by the TSB within 5 business days.

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

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

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

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

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

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

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

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

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

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, 2015.

Department for Environmental Protection

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

The TSB has been reviewing and revising the Division's monitoring SOPs this fiscal year. Currently, four SOPs are under revision; they should be submitted to EPA for approval in spring 2015. One new SOP is under development.

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

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

The TSB will compile all quality assurance statistical analyses and reports for 2014 data after all data have been quality assured and entered into AQS. Afterwards, the annual certification of the pollutant data will occur.

Tactic 3.3: Administer the source sampling program.

Measures: The number of source sampling events observed; number of test protocol reviews completed; and number of test report technical reviews completed in CY15.

Baseline: Corresponding measures for CY 2014.

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.

Status: The following table gives the year-to-date totals for source sampling activities for CY14, which serves as the baseline for CY15. These numbers represent January – December 2014 activity totals.

Department for Environmental Protection

Activity Type Label	YTD Total
Protocols Received	349
Test Reports Received	374
Protocols Received	211
Completed Technical Reviews	403
Final Decision Approvals	452
Updated AFS File	309
Reviewed by Branch Manager	109
Field Observations by Staff	167

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

Measures: The number of analyses conducted in CY15.

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

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

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

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

Status: The Division continues to compile information and research regarding Kentucky’s emissions relating to air pollution transport. The Department continues to work with the Ozone Transport Commission in regard to the December 9, 2013 petition under Section 176A of the Clean Air Act to expand the Ozone Transport Region into Kentucky. The Division remains involved in the Kentucky Prescribed Fire Council in order to track issues relating to smoke management in Kentucky as it relates to emission impacts.

Objective 4 – Assure compliance and enforce air quality standards.

Tactic 4.1: Inspect sources of air pollution.

Measures: The number of major (Title V) stationary source inspections conducted; number of conditional major (FESOP) inspections conducted; number of High Priority Violations; and compliance rate of stationary source inspections.

Baseline: FY 2009-2013 trends data.

Department for Environmental Protection

- 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.
- Action 4.1.4:** Review 100% of Field Operations Branch SOPs on an annual basis.

Status: As part of DAQ's inspection commitment to U.S. EPA, Full Compliance Evaluations (FCEs) are to be completed at least once every two years at major Title V (TV) permitted air contaminant sources. EPA also requires that DAQ complete an FCE once every five (5) years at facilities with conditional major or federally enforceable state origin permits (FESOP).

There are currently 234 active Title V major sources on file with DAQ. This includes those sources that emit or have the potential to emit (PTE) > 100 tons of a criteria pollutant and/or emit at levels > 10 tons/year or 25 tons/year for a single Hazardous Air Pollutant (HAP) or combined HAPs, respectively. During this interim period, a total of 650 inspections (all types excluding investigations) have been completed for these TV air contaminant sources, with 117 of the inspections being FCEs. This compares to 103 FCEs completed in the 1st part of FY14. The current number of FCE's at major sources is about 114% of FY14 interim period.

As of January 1, 2015, a total of nine (9) Title V sources are overdue for their biennial FCE inspection. That constitutes a 96% biennial FCE inspection coverage rate for TV sources.

There are currently 254 active conditional major/FESOP sources on file with DAQ. Based on EPA's 5 year FCE completion cycle, there are no overdue FCEs for these types of sources.

During this FY15 interim period, a total of 330 inspections (all types excluding investigations) have been completed for the conditional major/FESOP air contaminant sources, with 101 of the inspections being FCEs. This compares to 68 FCEs completed in the 1st part of FY14. The current number of completed FCE's at FESOP sources is about 148% of FY14 interim period.

For calendar year 2014, a total of 4 major sources were overdue for their Annual Compliance Certification Review. That constitutes a 99% completion rate for these reviews.

Department for Environmental Protection

Tactic 4.2: Conduct enforcement actions regarding air quality regulations.

Measures: Number of days taken to initiate appropriate enforcement action on each High Priority Violation and issue Letters of Warning (LOWs) and Notices of Violation (NOVs) in a timely manner.

Baseline: FY 2009-2013 trends data.

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

Action 4.2.2: Track the number of LOWs and NOVs issued on an annual basis.

Status: During this interim period, one (1) facility with a High Priority Violation (HPV) was discovered, as compared to three (3) discovered during the FY14 interim period. EPA guidelines specify that state agencies are to initiate an appropriate enforcement action within 60 days. DAQ staff initiated enforcement action by issuing Notices of Violation (NOV) no later than 22 days following the violation discovery dates. During the interim period of FY14, NOVs were issued no later than 48 days.

The air program issued 217 NOVs and 30 LOWs for this interim period for the inspections and investigations conducted during this interim.

Tactic 4.3: Respond to air quality complaints.

Measures: The number of non-asbestos complaints received; number of non-asbestos complaint investigations conducted; number of open burning complaints (401 KAR 63:005); number of fugitive emission complaints (401 KAR 63:010); and odor complaints (401 KAR 53:010).

Baseline: FY 2010-2014 trends data.

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

Status: A total of 763 air quality complaints submitted, were received by, or referred to the DAQ for review and possible action during the FY15 interim period as compared to 660 received during the same period of FY14 for the air program. For this interim period, a total of 721 (94%) investigations were conducted by DAQ in response to these complaints. The remaining complaints were either combined with previously received complaints, addressed as either incomplete information given, investigated by another Division (Water or Waste Management), or no action required. DAQ FOB staff attempt to respond to 100% of the actionable citizen complaints it receives.

Department for Environmental Protection

Open burning – The number of citizen reports/complaints of open burning received for the six (6) month interim period was 297 as compared to 308 during the same interim period of FY14.

Fugitive Emissions (FE) – Most of these complaints are related to dust or the tracking of material onto roads or highways. Most often FE complaints correspond to dry conditions. One-hundred and twenty four (124) complaints were received during the FY15 interim period as compared to 118 for the same interim period of FY14.

Odor complaints - The number of odor-related complaints varies from year to year. During this interim period, DAQ received 292 odor complaints as compared to 189 received during the same time period in FY14.

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 2010-2014 trends data.

Action 4.4.1: Review and issue certification and accreditations within the 30-day regulatory timeframe (RTF)

Action 4.4.2: Complete inspection of 75% of NESHAP-regulated asbestos activities within the current fiscal year for which the division has received a required notification.

Action 4.4.3: Complete inspection of 20% of selected AHERA local education agencies (i.e. school districts) for the current fiscal year.

Action 4.4.4: Complete asbestos complaint assessments and /or investigations for 100% of complaints received during fiscal year.

Action 4.4.3: Develop a QAPP for asbestos sampling.

Action 4.4.4: Develop a standard operating procedure on AHERA inspections.

Action 4.4.5: Develop standard operating procedures (SOP) for asbestos sampling.

Action 4.4.6: Develop Asbestos Certification and Accreditations in TEMPO.

Action 4.4.7: Establish required Kentucky Asbestos Orientation Course in an online format.

Action 4.4.8: Develop digitized Asbestos certification files.

Status: DAQ issued 1221 Asbestos Accreditations to individuals and 70 Asbestos Certifications to companies during the interim period. The regulatory

Department for Environmental Protection

timeframe for issuance is 30 days, but we typically issue them in 5-7 business days.

A total of 48 asbestos complaints submitted, were received by, or referred to the DAQ for review and possible action during the FY15 interim period as compared to 120 received during the same period of FY14. For this interim period, a total of 48 (100%) investigations were conducted by DAQ in response to these complaints.

DAQ received 217 NESHAP notifications during this interim period and FOB staff completed 163 NESHAP notification-related investigations which constitutes a 75% response rate. This compares to 221 notifications received and 63 investigations (29% response rate) completed during the 1st interim of FY14. DAQ has an EPA commitment to inspect at least 50% of regulated notifications received during a calendar year. The significant increase in notification investigations was due to filling previously vacant asbestos inspector positions.

AHERA regulations specifically address asbestos control in both private and public schools. Asbestos inspectors completed 54 routine AHERA inspections during this interim period as compared to 95 inspections in the first interim of FY14. The 44% reduction in the inspection numbers has occurred because of an increased focus on NESHAP notifications and that not all of the newer asbestos inspectors have obtained all necessary AHERA training and lack experience in the program. EPA requires that at least 20% of schools, known as LEA's (Local Education Agencies) be inspected on an annual basis. Over the last 5 years about 47% of the schools have been inspected.

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 FY15.

Baseline: Corresponding measures for FY14.

Action 5.1.1: Administer the Diesel Emission Reduction Grant Program.

Action 5.1.2: Report annual data to the Kentucky Clean Fuels Coalition (KCFC) website for the DEP Green Fleets Program.

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

Status: During this semi-annual time period, the Division awarded Crittenden County Board of Education \$95,438.00 through the Kentucky Clean

Department for Environmental Protection

Diesel Program. Crittenden County used the funds to replace four older model diesel school buses with four new school buses powered by propane auto gas. The new buses are already on routes picking up and dropping off school children, producing fewer emissions and saving the school district thousands of dollars in fuel and maintenance. On September 30, 2014, Crittenden County Schools held a press event attended by their staff involved in obtaining and using the grant, select DAQ personnel, and local media, in which they showed off all of their propane school buses, spoke to reporters, and answered questions. The Division is currently preparing DEP fleet data to submit to the KCFC Green Fleets program. The Division continues to partner with KCFC on the promotion of alternative-fueled vehicles.

Tactic 5.2: Partner with other states agencies to reduce air quality emissions.

Measures: The number of partnerships and initiatives conducted for FY15.

Baseline: The number of partnerships and initiatives conducted for FY14.

Action 5.2.1: Coordinate with DEDI on energy-related research, training, and initiatives such as the Combined Heat and Power project.

Action 5.2.2: Coordinate with Finance and Administration Cabinet on Green Fleet efforts.

Status: During this time period, Division staff worked in concert with DEDI and the Secretary's office on researching implications of greenhouse gas regulations for Kentucky's fossil fueled electricity generating units. The Division also coordinated with Finance and Administration Cabinet to provide and install idle reduction window clings for state fleet vehicles to help reduce unnecessary engine idling and save fuel.

Tactic 5.3: 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 FY15.

Baseline: Corresponding measures for FY14

Action 5.3.1: Develop and conduct air quality educational programming for Kentucky's primary and secondary educational institutions.

Action 5.3.2: Partner with organizations on environmental education opportunities.

Action 5.3.3: Develop educational materials including articles for print, non-print, and social media that educates the public on air quality issues.

Action 5.3.4: Maintain and update the division's website.

Action 5.3.5: Coordinate and conduct public events and/or exhibits that educate the public on air quality issues.

Action 5.3.6: Monitor and coordinate climate change information as it pertains to the division programs and air quality education.

Department for Environmental Protection

Status: DAQ staff conducted elementary and middle-school outreach programs to 1775 students in 18 counties; conducted outreach to universities reaching 86 students/staff. Coordinated and conducted public outreach events at conferences, festivals, and parks reaching 1755 people. Conducted outreach/training for fire departments reaching 213 fire fighters.

DAQ partnered with the University of Kentucky Cooperative Extension Service to produce an Indoor Air Quality Fact Sheet, which is expected to be published in early 2015.

DAQ's environmental education specialist completed a term as board member of the KY Association for Environmental Education, and is an active member of the Climate Literacy Network and the North American Association for Environmental Education. DAQ partnered with KSU, BCTC, University of KY, and the KY Environmental Education Council on environmental education workshops, committees, and outreach events. DAQ also partnered with the KY Fire Commission and East Kentucky PRIDE on open burning education. In addition, Division staff produced articles and brochures for state publications, social media, and press releases.

Tactic 5.4: Foster networking through regional and national partnership.

Measures: The number of DAQ staff participating in leadership roles or as committee members in FY15.

Baseline: Number of staff in leadership roles or serving as committee members in FY14.

Action 5.4.1: Participate in AAPCA, NACAA, ECOS, and SESARM on program and initiatives that affect the division.

Status: DAQ staff continues to participate in monthly conference calls and meetings for AAPCA, NAACA, ECOS, and SESARM. Two staff members are currently chairing AAPCA's training and monitoring committees.

Department for Environmental Protection

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.

Department for Environmental Protection

Objective 1 - Protect, manage and restore water resources.

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

Measures: Number of impaired waters scheduled for TMDL development in SFY15.
Number of impaired waters bypassed for TMDL development in SFY15.
Number of permits that contain TMDL measures in SFY15.
Number of accepted watershed-based plans in 2014
Number of implementation practices (BMPs) completed
Number of installed BMP practices in SFY15
GRTS load reductions for FFY 2015
Number of watershed plans accepted as TMDL alternative

Baselines: Number of permits that contain TMDL measures in SFY14.
Number of impaired waters bypassed for TMDL development in SFY14.
Number of accepted watershed plans at beginning of fiscal year

Action 1.1.1: Develop 40 approved TMDLs or alternatives by June 2015.

Action 1.1.2: Review accepted watershed-based plans to determine if they are appropriate as alternatives to TMDLs and submit to EPA for review by January 2015.

Action 1.1.3: Develop a list of potential candidates for alternatives to TMDLs by September 2014.

Action 1.1.4: Develop a Priority Framework Document by December 2014.

Action 1.1.5: Pilot a watershed through one of the alternative approaches by April 2015.

Action 1.1.6: Determine the number of implementation strategies that have been developed and put into practice for TMDLs or alternative plans by February 2015.

Action 1.1.7: Work with groups to apply for 319(h) funding specifically aimed at implementing plans by March 2015

Action 1.1.8: Develop monitoring strategies for determining the outcomes of applied BMPs on water quality by April 2015.

Action 1.1.9: Conduct public education and demonstrations of the Water Health Portal to 5 groups by February 2015.

Status: Twenty-seven TMDLs have been completed since July 1, 2014. Twenty-four have been completed for Floyds Fork Bacteria and 3 have been completed for North Elkhorn.

Review has commenced and Hinkston Creek has been identified to submit to EPA as an alternative TMDL for feedback in early 2015 prior to additional selections.

Department for Environmental Protection

A draft framework document was submitted to EPA in December 2014, with an anticipated finalization date of February 28, 2015.

Strodes Creek is being considered as the candidate watershed to pilot an alternative approach to TMDL development and implementation in early 2015.

The Division of Water (DOW) is working on a mechanism for tracking implementation of TMDLs and alternative plans, both permits and via other actions.

DOW staff is currently working with 7 local watershed groups and government entities toward the development of 12 Watershed Plan implementation projects to be funded through the FFY 2015 Nonpoint Source Grant. Additionally, programmatic 319(h) funding will be utilized to develop approximately 3 additional watershed plans for implementation.

DOW Staff from the Water Quality Branch and the Watershed Management Branch have formed a successful monitoring work group with a goal of developing a division-wide effective monitoring program. Approximately 5 group meetings have been held, within which a broad success monitoring program framework has been developed along with a basic informational presentation that will be given to KDOW management. Water Quality Branch staff continue to conduct Nonpoint Source Program success monitoring on 3 streams.

The DOW has met with numerous stakeholder groups twice to demonstrate functionality of the Water Health Portal to receive feedback on the development and implementation of the Water Health Portal. One meeting was held at the draft stage for feedback regarding development and another meeting was held at the test phase for feedback regarding implementation. The Water Health Portal was also presented at GIS Day. The Water Health Portal is ready to go live but is awaiting the 2014 305(b) layer and assessment summaries.

Tactic 1.2: Implement a Nutrient Reduction Strategy.

Measure: Percentage of data collected and analyzed for the development of nutrient criteria in SFY 14-15.

Baseline: The SFY14 inventory of existing nutrient criteria data.

Action 1.2.1: Continue collection and assessment of data for implementation of narrative water quality standards for nutrients while continuing to evaluate implementation of numeric criteria (nitrogen and phosphorus) for wadeable streams and reservoirs/lakes by June 2014.

Department for Environmental Protection

Action 1.2.2: Finalize Kentucky Nutrient Reduction Strategy by August 2014.

Action 1.2.3: Develop a public outreach approach and conduct public outreach regarding nutrients and water quality issues by December 2014.

Action 1.2.4: Participate in the Mississippi River/Gulf of Mexico Hypoxia Task Force and work toward implementing the Gulf Hypoxia Action Plan 2008 by June 2015.

Action 1.2.5: Participate and provide updates to the Kentucky Agriculture Water Quality Authority throughout the fiscal year.

Status: DOW's Water Quality Branch is involved in a joint data collection grant with the USGS concerning stream nutrient conditions in the Outer Bluegrass physiographic region. This project is scheduled to conclude in the fall of 2015. DOW has received 106 supplemental monitoring funds which will be used to gather nutrient data for Kentucky's lakes and reservoirs. Previous lake/reservoir data will be sent to EPA for gap analysis. DOW plans to submit a revised Nutrient Criteria Development document to EPA in 2015.

The Nutrient Reduction Strategy is in final draft form and being modified prior to public notice early in 2015.

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

The DOW participated in numerous conference calls regarding the Mississippi River/Gulf of Mexico Hypoxia Task Force Coordinating Committee and participated in the fall meeting of the Hypoxia Task Force at Alton, IL

DOW representatives attended two Kentucky Agriculture Water Quality Authority meetings and held several meetings to update the Streams and Other Waters BMPs.

Objective 2 – Conduct effective water resources planning

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

Measures: Completion of the Watershed Framework.
Number of partners in Center of Excellence.
Number of Staff trained in Recovery Potential tool.

Baseline: 1997 Watershed Framework.

Action 2.1.1: Complete draft of Watershed Framework by January 2015.

Action 2.1.2: Prioritize 'Straight To Implementation Plans' to be developed by September 2014.

Department for Environmental Protection

Action 2.1.3: Complete template for Basin Status Reports by December 2014.

Status: A working draft of a new Watershed Framework has been completed and should be finalized in 2015. Basin coordinators are working to complete the Basin Status Report template by mid-2015 to incorporate into the Framework.

Four watersheds have been identified for Straight to Implementation (STI) Plan development, and development work has begun on two of those plans. Additional prioritization will be conducted during the remainder of this fiscal year using the Watershed Recovery Potential Tool for future STI Plan development.

As a result of the creation of a Water Health Portal (WHP), the scope of this project has changed to better compliment the WHP. A rough draft of the Basin Status Report was completed in December 2014, and basin coordinators are working to finalize by mid-2015.

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

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

Baseline: The corresponding numbers from 2014.

Action 2.2.1: Collaborate with key stakeholders from government, industry, and community groups to use their expertise in promoting sustainable water infrastructure.

Action 2.2.2: Conduct training and public outreach workshops around the state to explain the initiative to water and wastewater providers; discuss with utilities the available asset management tools; and provide them guidance on how to implement the sustainable infrastructure concepts by June 2015.

Action 2.2.3: Make additional revisions to the State Revolving Fund (SRF) project priority ranking systems to award more points to projects that implement sustainable concepts by August 2014.

Action 2.2.4: Implement SODR program strategies and projects.

Action 2.2.5: Train local officials, floodplain coordinators, and emergency management personnel on how to read inundation maps, and assist them in developing Emergency Action Plans.

Status: DOW convened a Wastewater Advisory Council, modeled after the Drinking Water Advisory Committee, to identify, discuss and plan for

Department for Environmental Protection

present and future wastewater challenges. Wastewater infrastructure and funding was identified as the top priority of this council. DOW participated in a public meeting in Augusta to speak in support of the proposed regional wastewater treatment plant that would serve the residents of Augusta, Brooksville, and Bracken County. Also, DOW and FIVCO Area Development District are developing an asset inventory report for the City of Raceland to bring them into compliance with the Kentucky wastewater planning regulation and improve the wastewater system managerial and financial capacity.

DOW promoted the US EPA sustainable infrastructure initiative during the following events: Sanitary Surveys, planning and design meetings, site visits, and presentations at Area Development Districts meetings, Kentucky Rural Water Association conferences, and the Kentucky Water Operators and Wastewater Operators conferences.

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

DOW allocated State-Owned Dam Repair funds to rehabilitate the following dams: Bullock Pen, McNeely, Scenic Lake, Willisburg, Beech Creek, and Spurlington.

DOW trained Kentucky Emergency Management personnel on reading inundation maps and participated in Emergency Action Plan tabletop exercise at Kentucky Utility. DOW made several presentations to local elected officials about issues related to dam safety and construction in the floodplain at Kentucky Association of Counties conferences.

Tactic 2.3: Plan for sustainable infrastructure.

Measures: The number of facility plans and asset inventories reviewed and approved.
The number of dam safety inspections completed during the year.
The number of environmental information documents reviewed and approved.
The number of projects approved that incorporated “green” methods or practices such as regionalization, wastewater reuse, as well as water and energy conservation.

Baseline: The corresponding numbers from 2014.

Action 2.3.1: Participate in the Area Development District Water Management Planning Council meetings to assist with planning future water infrastructure.

Department for Environmental Protection

- Action 2.3.2:** Encourage the consideration and evaluation of onsite and decentralized wastewater treatment systems to meet their current and future needs during the planning process by June 2015.
- Action 2.3.3:** Encourage water and wastewater systems to plan on watershed basis to protect water quality and reduce infrastructure construction costs throughout the planning and design process by June 2015.
- Action 2.3.4:** Continue investigation of innovative uses of the drinking water SRF set-asides that support the sustainable infrastructure initiative.
- Action 2.3.5:** Evaluate and provide recommendations regarding the relationships between floodplain permitting and dam safety.
- Action 2.3.6:** Complete the scheduled dam safety inspections to ensure dams are properly maintained.
- Action 2.3.7:** Evaluate the direction of the Capacity Development program and document findings in a revision to the Capacity Development Strategy for submittal to EPA by December 31, 2014.

Status: DOW participated in Area Development District (ADD) Water Management Planning Council meetings throughout the state to encourage effective planning for future infrastructure. Additionally, DOW provided technical assistance to the ADDs on different topics ranging from looking up water quality data in the Integrated Report to explaining the SRF project priority ranking system.

The wastewater planning regulations and related guidance documents incorporate a strategy to encourage evaluation of the suitability of using onsite and decentralized systems for treating wastewater, and to develop facility plans on a watershed basis. This approach was used during planning meetings with Troublesome Environmental Authority, Marion, Paintsville, Pikeville, Mountain Water District, and Frankfort.

DOW funded Kentucky Rural Water Association small public water systems technical assistance program using the Drinking Water State Revolving Fund set-asides.

An internal DOW strategic planning workgroup has been formed including staff from the Water Infrastructure, Surface Water Permits, and Watershed Management Branches. Evaluation of each program's requirements and assets is ongoing with further evaluation needed. The workgroup will provide recommendations to the KDOW Director's Office upon completion of their work.

The DOW Dam Safety engineers conducted 134 dam inspections; 57 high hazard, 56 moderate, and 21 low.

DOW continues to evaluate the effectiveness of the current Capacity Development Strategy including the feasibility of developing drinking water infrastructure planning regulation for helping public water

Department for Environmental Protection

systems acquire and maintain technical, financial, and managerial capacity.

Objective 3 - Meet federal and state program requirements.

Tactic 3.1: Meet Federal grant guidance requirements.

- Measures:** On-time submittal of all federal grant applications, work plans and reports.
Percentage of 106 work plan inspections conducted.
Submittal of drinking water primacy packages with interim or final primacy granted.
Submittal of required primacy packages.
Number of scheduled sanitary surveys completed within the month assigned.
Implementation of Drinking Water State Revolving Fund (DWSRF) set-asides work plans.
Number of special appropriation (SPAP) projects inspected.
- Baselines:** FFY14 and FFY15 Federal Commitments.
The number of scheduled sanitary surveys completed within the month assigned during FY14.
The number of SPAP inspections completed in 2014.

- Action 3.1.1:** Submit work plans, grant applications, and all reports to grantors within deadline specified.
- Action 3.1.2:** Develop the FFY15 106 work plan commitments in coordination with EPA by May 2014.
- Action 3.1.4:** Submit the final FFY15 106 work plan inspection commitments by July 15, 2014.
- Action 3.1.5:** Meet federal work plans, primacy requirements and applicable National Program Measures within associated federal timeframes.
- Action 3.1.6:** Submit DWSRF set-asides work plans and Intended Use Plan to Kentucky Infrastructure Authority within the timeframe.
- Action 3.1.7:** Conduct field inspections of projects that received SPAP grants in accordance with the federal grant work plans.
- Action 3.1.8:** Conduct field inspections of projects that received financial assistance from the state revolving fund.
- Action 3.1.9:** Conduct Performance Audit Inspections on permitted facilities that possess the greatest potential to impact public health.
- Action 3.1.10:** Implement and evaluate a compliance rate improvement plan for inspection activities.
- Action 3.1.11:** Comply with Section 305(b) CWA requirements pertaining to monitoring and assessments and Integrated Reporting.
- Action 3.1.12:** Prepare and submit the revised Total Coliform Rule to EPA, Region 4, by March 2015.
- Action 3.1.13:** Submit the Governor's Triennial Capacity Development Report to the governor and EPA, Region 4, by September 15, 2014.

Department for Environmental Protection

Status: All work plans, grant applications, and reports were submitted to EPA and FEMA by the federal due date.

Final FFY15 106 work plans were submitted and approved by EPA in May 2014.

The final 2015 106 work plan inspection commitments were submitted by the established deadline, and the work plan was approved by EPA on August 12, 2014.

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

The Drinking Water State Revolving Loan set-aside work plans and Intended Use Plans were submitted to KIA within the timeframe defined in the MOA.

The DOW's Water Infrastructure Branch engineers inspected 25 projects funded by the SRF and 2 projects funded by federal special appropriation.

Performance Audit Inspections are being completed as needed on facilities with the greatest impact to public health.

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

DOW's Water Quality Branch is currently in the process of developing study plans for 2015 monitoring programs (i.e. Ambient, Probabilistic, Reference Reach, etc.). The 2014 Integrated Report compilation is ongoing. The 305(b) summary tables are complete and narrative content is in preparation. Programming for automated production and QA/QC of the 303(d) list is complete. QA/QC of the 303(d) list will begin following completion of GIS reach-indexing of 303(d) segments.

Preliminary draft revised Total Coliform Rule primacy package was submitted to EPA for review in September 2014. The regulation was approved through ARRS on November 6, 2014.

Department for Environmental Protection

The Governor's Triennial Capacity Development Report was submitted timely and approved by EPA on November 19, 2014.

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

Measures:

- The total number of permits pending July 2015.
- The total number of permits pending that exceed regulatory timeframes (RTF) by July 2015.
- The total number of "major" facilities with permit applications that exceed regulatory timeframes by July 2015.
- The number of general permits that have expired and not been issued or that have not been addressed by July 2015.
- The number of general permit Notices of Intent (NOIs) for which coverage has not been issued or that have not been addressed by July 2015.
- The percentage of permit reviews completed within regulatory timeframes during SFY15.
- The percentage of permit reviews that exceed regulatory timeframes during SFY15.
- Employee productivity rates for permitting, data entry and scanning during SFY15.
- The percentage of construction plan approvals issued within the regulatory timeframe for drinking water facilities.
- The percentage of clean water construction permits issued within the regulatory timeframe.
- The percentage of dam safety construction permits issued within the regulatory timeframe.
- Number of coal Individual Permit (IP) and General Permit (GP) coverages issued without objection.

Baselines:

- The corresponding percentages from 2014.
- The SFY14 DOW permit backlog.
- SFY14 backlog percentages.
- SFY14 employee productivity rates.
- Number of coal IP and GP coverages issued without objection on July 1, 2014.

Action 3.2.1: Meet regulatory timeframes on permit issuances and plan reviews.

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

Action 3.2.3: Issue remaining expired general permits by January 2015.

Action 3.2.4: Provide outreach to the regulated community regarding implementation of general permits by March 2015.

Action 3.2.5: Issue permits for all "major" facilities that exceed the RTF by June 2015.

Department for Environmental Protection

Action 3.2.6: Issue permits for all facilities that exceed the RTF by >1.5 years by January 2015.

Action 3.2.7: Process coal general permits. Resolve coal permits which are the subject of EPA objections.

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

Status: Sec. Peters convened the Oil and Gas Workgroup comprised of representatives of the cabinet, industry, and public and environmental organizations to review current oil and gas statutes and regulations and determine if these provide appropriate and adequate oversight of a modern oil and gas industry. The workgroup has made recommendations on statutes and regulations, including requiring reclamation plans for all oil and gas well sites and access roads. DOW intends to issue an industry-specific stormwater permit requiring the mandatory reclamation plan as the stormwater management plan. DOW tentatively intends to resolve the registration issue via eNOI process.

Three KPDES General Permits (KYGE4, KYGW4, for the coal mining industry and KYR10 for the construction industry) have been issued since the beginning of SFY15. KYG12 (old landfills) is at public notice. Two remaining General Permits (KYG84 non-coal mining and KYG11 ready mix) are drafted and are beyond the public notification stage of the permitting process clearing the way for issuance in early 2015.

Outreach has been conducted for these industry sectors to assist in implementing the requirements of the new coal general permits. This outreach included the development of additional internet-based tools for application and reporting, and conducting three training sessions at various locations in the state.

Through the mid-year, 10 “major” KPDES permits have been issued.

As of December 31, 2014 there were 155 pending applications that exceed the RTF by >1.5 years. This represents a 7.7% decrease from the beginning of SFY15 (168 to 155).

The DOW issued two new Coal General Permits effective 10/1/2014. Prior to the expiration of the previous coal GP on 7/31/2014 the division processed all existing NOIs for coal GPs.

401 Water Quality Certifications continue to be reviewed and issued within RTFs. The section has had significant attrition including the supervisor position and a currently being vacant as is a reviewer

Department for Environmental Protection

position. In addition, the section has two new employees that are being trained.

Tactic 3.3: Implement a wastewater lab certification program.

Measure: The number of wastewater laboratories certified in SFY15.

Baseline: The number of certified labs on July 1, 2014.

Action 3.3.1: Continue implementation of the wastewater lab certification program with full implementation of general laboratories beginning January 2015. Field only labs will begin implementation January 2015.

Status: Wastewater laboratory certification has completed the implementation of general laboratory certification and has begun implementation of field-only laboratory certification for wastewater laboratories. We currently have 125 laboratories that have applied for general certification and 18 for field-only certifications. It is estimated that there will be approximately 150 laboratories apply for field-only certification for 2015.

Objective 4 - Promote better management and communication of data.

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

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

Baseline: Level of completion on July 1, 2014.

Action 4.1.1: Collaborate with the Division of Environmental Program Support (DEPS) to submit data to EPA using exchange network by December 2014.

Action 4.1.2: Collaborate with DEPS on Implementation of K-WADE Production Version with data partner access by January 2015.

Status: The 2013 Ambient program and Lakes program data are complete in KWADE and ready for WQX submittal. Required mapping to WQX is complete and DEPS is configuring the flow process. DEPS expects that submittal will occur by end of January 2015. Remaining 2013 monitoring data are being migrated from EDAS and will be ready for DEPS to submit by mid-February 2015.

DEPS is working on the process to automatically upload data from K-WADE into EPA's WQX/STORET system and on a reporting module using the new TEMPO Reports Tool v2 as a model. The K-WADE project team is drafting a user manual (to be followed by a technical

Department for Environmental Protection

manual for administrators) while working to finalize reference tables. The K-WADE production database should be implemented once both the reporting tool and the LIMS (state lab) data import are completed.

Tactic 4.2: Maintenance of Share Point to educate the public and assist regulated entities with compliance with program requirements.

Measures: Implementation of DOW SharePoint/Knowledge Lake Nonpoint Source Program intranet website.

Baseline: Level of completion on July 1, 2014.

Action 4.2.1: Collaborate with DEPS on developing and implementing SharePoint/Knowledge Lake intranet site for Nonpoint Source Program by June 2015.

Status: Nonpoint Source Program staff developed a new electronic filing structure, and is currently working to organize the existing program electronic files into that structure. A quality check will be performed after file re-organization, and then the electronic file will be reconciled with the official paper file. Currently no plans have been finalized for the placement of Nonpoint Source Program Files into a database.

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

Measures: Number of staff receiving GIS training in SFY15.
Number of Division approved SOPs for SFY15.
Number of data analysis projects completed in SFY15.
Number of GIS requests fulfilled in SFY15.
Number of location corrections processed in SFY15.
Number of National Hydrologic Database (NHD) and Geographic Names Information System corrections processed in SFY15.
Watershed Boundary Database (WBD) stewardship achieved.

Baselines: Corresponding measures for SFY14.

Action 4.3.1: Conduct training for DOW staff regarding GIS and ArcGIS 10.

Action 4.3.2: Continue systematically analyzing data from current DOW databases.

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

Action 4.3.4: As the steward, continue to maintain the Kentucky portion of the NHD.

Action 4.3.5: Establish WBD stewardship program.

Status: GIS training continues in house with 76 people attending “It’s GIS Lunches” (July – November). The 2nd Annual GIS Day Conference was well attended with 107 management and staff members attending.

Department for Environmental Protection

Data analysis projects completed since July 2014:

- Recovery Potential Screening Tool calculation of metrics
- Final updates of General Permits Metals
- 305b Category Shift
- MTBE data analysis
- Sample Size Determination for Compliance Review of DMR Submittals
- Well Installation and Plugging Reports for SFY2014
- Active Drillers (by Type) 1985 to Present
- Kentucky Well Usage and Plugging's for FFY2014

The GIS & Data Analysis Section (GDA) continues work on the Initiative for TEMPO Location Correction using the TEMPO out-of-county reporting tool. Since starting this effort in March 2011, GDA has provided DEP lists containing 12,876 records in TEMPO with suspect latitude/longitude coordinate. 10,387 records have since been corrected (either by GDA, by the DEP TEMPO Service Group, or through a user process in TEMPO). In July, GDA created an exceptions log to track reported errors that, upon further investigation, turned out not to be in error (*e.g.*, location plots on the county border). Our reporting tools filter out these exceptions so they are not sent back to program staff a second time.

The NHD Stormwater Data Integration project is an ongoing effort to incorporate stormwater data provided by local and regional sanitation districts into the NHD. Requests for digital stormwater pipeline and drainage ditch data were made to various cities and sanitation districts through the MS4 program. All data sets have now been incorporated into one new data set that is compliant with EPA guidelines. The new dataset replaces the old MS4 data set that had been removed from the Kentucky GeoNet several years ago. The revised data set and GIS layer were published to the GeoNet on November 19 and are available to the public.

LiDAR elevation data from the Kentucky From Above program (KYAPED) are now being utilized as part of the NHD Stewardship process to find and digitize rivers and streams which pass under roads and railroads via culvert pipe. In addition, general NHD maintenance, such as locating new lakes/ponds and determining changed stream channels, continues.

DOW's Watershed Management Branch continues to investigate the logistics of establishing a Watershed Boundary Database stewardship program.

Department for Environmental Protection

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

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

Baseline: Level of completion on July 1, 2014.

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

Action 4.4.2: Participate on SDWIS Prime workgroups.

Status: Discussions with EPA are continuing with SDWIS Prime. SDWIS is still being maintained by DOW personnel, awaiting EPA action before implementing SDWIS Prime.

A workgroup was created between DOW program staff and IT staff. Review of current data processes and revisions to documentation is continuing in preparation of SDWIS Prime implementation.

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

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

Baseline: Status of flowing data to ICIS and entering data into netDMR on July 1, 2014.

Action 4.5.1: Develop and implement eNOI system and flow permit data from TEMPO into ICIS for the coal mining industry by the effective date of KYG04E and KYG04W.

Action 4.5.2: Transition DMR submittals from the DNR portal to NETDMR and ICIS for the coal mining industry by the effective date of KYG04E and KYG04W.

Action 4.5.3: Complete the transition from paper DMR submittals to NETDMR for all permittees other than the coal mining industry by October 1, 2014.

Status: The eNOI system for KYG04E and KYG04W was implemented on the permit effective date of 10/1/2014.

KYG04E and KYG04W DMRs will transition from the DNR portal to NetDMR with the effective date of each coverage under the GPs. The transition is anticipated to be complete by July 2016, with the majority of the coverages transitioning by the end of 2015. The rate of transition is based on the timeliness of eNOI submittals and the time required reviewing and approving eNOIs received (up to 2000 anticipated).

Department for Environmental Protection

Coal IPs are scheduled to transition from the DNR portal to NetDMR by mid-2015, with the majority scheduled to be complete by April 2015. Permit modifications to incorporate the QAPP/instream outfalls for each permit must be completed prior to the transition, and are currently in review.

As of 12/31/2014, 95.1% (2677 of 2807) of all non-coal KPDES permittees that were required to submit DMRs in 2014 have completed NetDMR signup, and 97.8% of those facilities had submitted DMRs. All newly issued permits required electronic DMR submittal using NetDMR, and including permits with effective dates after 12/31/2014, 94.4% (2787 of 2951) have completed NetDMR signup, and 92.4% of those facilities had submitted DMRs. The KPDES program began notifying permittees of unsubmitted DMRs on a quarterly basis in the second quarter of 2014, and will begin monthly notification in January 2015. These notifications have been successful in prompting permittees to submit over 4000 past due DMRs using NetDMR in 2014.

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

Measure: Improved accuracy demonstrated by TEMPO audit report in SFY15

Baseline: TEMPO audit reports generated during SFY14.

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

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

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

Action 4.6.4: Develop regular audit reports to facilitate data verification of water/wastewater permit locations by staff. Develop better methods for synchronization between Water Resource Information System and TEMPO database.

Status: Ongoing - DOW and DEPS personnel have been working with the Compliance and Technical Assistance Branch, the Wet Weather Section and the WIB Engineering Section to update requirements and profiles. DOW personnel have also added and updated TEMPO Letter Builder documents for the Permit Support Section. In addition, DOW personnel have been working with the Surface Water Permits Branch and the Water Quality Branch to update Work Activity Logs.

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

Department for Environmental Protection

GIS and Data Analysis Section worked with Surface Water Permits Branch (SWPB) to identify 1,113 permitted facility records that were missing latitude/longitude coordinates in either the ICIS or TEMPO database, or both. SWPB worked with DEPS to populate coordinates from ICIS that were missing in TEMPO and vice-versa and continues to work with permittees to fill in the remaining data. SWPB and DEPS are working to populate outfalls (and their locations) for non-coal permits from ICIS into TEMPO as subject items, so that all outfalls will be represented in both TEMPO and ICIS.

Tactic 4.7: Maintain and improve data quality.

Measures: Improved accuracy demonstrated by database audit reports.
Number of staff receiving quality assurance (QA) training in SFY 15.
Number of division approved SOPs for SFY 15.
Number of Quality Assurance Project Plans (QAPPS) reviewed for DOW.
Number of QAPPS reviewed from outside organization data.

Baseline: Audit reports and laboratory flags generated during SFY14
Number of division approved SOPs for SFY 14.

Action 4.7.1: Conduct training for DOW staff regarding QA and the review process by March 2015.

Action 4.7.2: Assure cross-database accuracy demonstrated by database audit reports.

Status: The Department for Environmental Protection Quality Assurance Team includes members from DOW, DWM and DAQ. Training sessions were developed and presented to approximately 120 personnel from all Divisions including the field offices, on March 4, 2014. Topics from 2014 include a quality systems introduction, an introduction to the wastewater lab certification program in DOW, a presentation on how to treat data from extraordinary events, an overview of laboratory created data flags, and a presentation on quality controls for data review.

GIS Data Analysis Section has worked and continues to work across multiple programs, in all Branches of the Division of Water toward increased database accuracy. Databases in the Groundwater Programs, Surface Water Permits Branch, and Water Quality Branch are being reviewed on a regular basis, and information contained within is being quality checked.

Department for Environmental Protection

Objective 5 – Track water-related litigation

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

Measures: Outcome of the litigation.

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

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

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

Action 5.1.3: Track on-going DOW litigation.

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

DOW tracked federal and state standards, remained informed of the latest science criteria, and submitted comments to EPA (and the USACE) on federal regulations, as appropriate. DOW subscribes to [Inside EPA](#) and receives daily communication from GWPC, ACWA, ASSDWA, and ECOS for daily water policy tracking. DOW participated in numerous EPA and FEMA conference calls and webinars to discuss issues related to pending regulations and policy changes. The DOW also tracks federal legislation via LegisScan. DOW submitted comments on three pending federal regulations – the Clean Water Act definition of “waters of the United States”; the interpretive rule regarding agricultural practices under the Clean Water Act, and the addition of selenium to water quality standards.

DOW meets regularly with the Office of General Counsel for input and updates on the progress of ongoing litigation. OGC tracks cabinet litigation via ProLaw. DOW and DENF met with OGC in November to review the status of all enforcement cases that were referred to OGC. DOW and DEP Commissioner meet regularly with OGC regarding ongoing and anticipated litigation, as well as litigation, etc. with EPA that may affect the cabinet (e.g. CWA 402 petitions).

Department for Environmental Protection

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.

The Department of Environmental Protection administers an array of programs to minimize contamination risks that may threaten the health, safety and environment of various life forms. These programs regulate and educate the public on issues concerning solid and hazardous waste management, site remediation at contaminated properties, underground storage tanks and recycling waste products.

Solid and hazardous wastes are managed through comprehensive permitting, registration, monitoring, reporting and training requirements. The promotion of solid and hazardous waste minimization, landfill inspections, public meetings and evaluation of waste streams ensures proper protection of our state's natural resources.

The department utilizes state and federal funds to address environmental emergencies, state-lead assessments, and cleanups of abandoned contaminated sites that pose a serious threat to human health and the environment.



Assisting owners and operators with compliance of operational and maintenance requirements for underground storage tanks is a service provided by the department to prevent soil, surface water and ground water contamination. Additionally, the department provides for the abatement and control of contaminant risks associated with releases from underground storage tanks.

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

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 economical benefits of reducing, reusing and recycling materials.

Department for Environmental Protection

Objective 1 - Reduce or eliminate DWM permit and data entry backlogs.

Tactic 1.1: Maintain progress towards reducing and/or maintaining zero permit and data entry backlogs.

Measures: Number of hazardous waste permits pending review.
Number of hazardous waste permits pending review that are outside of regulatory timeframes.
Percentage of hazardous waste permit reviews completed within regulatory timeframes.
Percentage of hazardous waste permit reviews completed outside of the regulatory timeframe.
Number of solid waste permits pending review.
Number of solid waste permits pending review that are outside of regulatory timeframes.
Percentage of solid waste permit reviews completed within regulatory timeframes.
Percentage of solid waste permit reviews completed outside of the regulatory timeframe.

Baseline: The SFY04 DWM permit backlog.

Action 1.1.1: Obtain a zero backlog on all remaining applications beyond regulatory time frames by June 30, 2015.

Action 1.1.2: Maintain and enhance TEMPO reporting to accurately track and report on measures. Implement TEMPO 360 to improve efficiency.

Action 1.1.3: Allocate staff as necessary to assist in permit review.

Action 1.1.4: Evaluate and implement additional streamlining opportunities to address process and institutional inefficiencies (example: continuously evaluate business processes to identify inefficiencies and implement effective alternatives).

Action 1.1.5: Ensure that all permits are issued within regulatory timeframes.

Status: The division has 15 hazardous waste permits pending review. 8 of those hazardous waste permits pending review are outside of the regulatory timeframe. 100% of hazardous waste permit reviews were completed within regulatory timeframes. 0% of hazardous waste permit reviews were completed outside of the regulatory timeframe.

In addition, the division has 36 solid waste permits pending review. Two of those solid waste permits pending review are outside of regulatory timeframes. Fifty of the fifty-three, or 94% of solid waste permit reviews were completed within regulatory timeframes. Three of fifty-three, or 6% of solid waste permit reviews were completed outside of the regulatory timeframe.

Department for Environmental Protection

Tactic 1.2: Ensure accurate data entry and reporting, and provide training and guidance to staff and stakeholders.

Measures: Number of trainings completed by DWM staff.
Number of underground storage tank owners/operators that complete the Kentucky Tank Operator On-line Learning System (KY TOOLS) training.

Baseline: The FY14 DWM Pathlore training log.

Action 1.2.1: Maintain and enhance TEMPO reporting to accurately track and report on measures. Implement TEMPO 360 to improve efficiency.

Action 1.2.2: Allocate staff as necessary to assist with data entry.

Action 1.2.3: Enhance training and retention of qualified staff by providing and encouraging staff attendance in cost-effective trainings. (Example: In-house CPR trainings and free online webinars).

Action 1.2.4: Implement KY TOOLS as the program to use 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 1.2.5: Review Standard Operating Procedures and guidance documents annually and update as necessary. Update as part of implementation of TEMPO 360.

Action 1.2.6: Develop and/or amend regulations for Division programs to accurately reflect programmatic policy and agency requirements (example: drafting regulatory amendments to changes to the annual report and the 5-year plan submitted by counties in accordance with KRS 224.43).

Status: Trainings completed by DWM staff included:

- 157 In-State trainings;
- 41 Out-of-State trainings;
- 16 First Aid/CPR (Instructed by DWM) trainings;
- 5 Blood Borne Pathogen (Instructed by DWM) trainings; and
- 145 GSC trainings.

2,291 Underground storage tank owners/operators have completed the Kentucky Tank Operator On-line Learning System (KY TOOLS) training out of 3,347.

Department for Environmental Protection

Objective 2 - Protect human health and enhance Kentucky's land resources.

Tactic 2.1: Restore 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 historic landfills characterized, number remediated and number remaining.
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 State Superfund sites characterized and number remediated.
Number of State-Lead sites remediated utilizing the Hazardous Waste Management Fund.
Number of sites with a release of petroleum or a petroleum product remediated from a source other than a petroleum storage tank and number awaiting review.
Number of methamphetamine contaminated properties reported and number decontaminated.
Number of emergency or incident responses made and number of cases closed.
Number of cleanups conducted under state oversight via the Voluntary Environmental Remediation Program (see also DCA Brownfields measure).
Number of brownfield sites assessed under the Targeted Brownfield Assessment Program and number awaiting review.
Number of brownfield sites reviewed under KRS 224.01-415, number pending review, and number of concurrence letters issued.

Baseline: SFY04 inventory of existing sites.

Action 2.1.1: Maintain and enhance TEMPO reporting to accurately track and report on measures. Implement TEMPO 360 to improve efficiency.

Action 2.1.2: Inventory the list of sites with known or suspected contamination.

Action 2.1.3: Identify resource and program constraints hindering achievement of our measures; pursue program changes and request funding as necessary in budget. At a minimum, work to maintain current level of funding in cleanup programs.

Department for Environmental Protection

Action 2.1.4: Prepare draft legislative agenda to address any issues requiring legislative solutions and pursue enactment. (Example: Extension of Waste Tire Trust Fund in KRS 224.50-868).

Action 2.1.5: Develop and/or amend regulations for Division programs to expedite cleanup progress in a protective manner to human health and the environment.

Status: The division conducted 124 underground storage tank cleanups that resulted in a no further action being issued and 804 remain.

There were 185 hazardous waste program corrective actions completed and 49 remain.

272 historic landfills were characterized, 58 underwent remediation and 563 remain.

68 illegal open dumps were remediated under the Kentucky PRIDE Program and 39 remain.

One tire dump was remediated under the Waste Tire Trust Fund and 3 remain.

2 State Superfund sites were characterized and 4 were remediated.

4 State-Lead sites were remediated utilizing the Hazardous Waste Management Fund.

6 sites with a release of petroleum or a petroleum product, from a source other than a petroleum storage tank were remediated and 93 are awaiting review.

60 methamphetamine contaminated properties were reported and 30 were decontaminated.

236 emergencies were responded to with 235 of those cases were closed. 1,097 incident responses were made, and 770 were closed.

0 cleanups were conducted under state oversight via the Voluntary Environmental Remediation Program (see also DCA Brownfields measure).

14 brownfield sites were assessed under the Targeted Brownfield Assessment Program and 7 are awaiting review.

19 brownfield sites were reviewed under KRS 224.1-415, 3 are pending review, and 12 concurrence letters were issued.

Department for Environmental Protection

Tactic 2.2: Encourage reduced waste generation and disposal by promoting beneficial reuse, recycling, waste minimization, and pollution prevention.

Measures: Tonnage of solid and special waste recycled or reused, by type.
Tonnage of material recycled through the State Government Recycling program.
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.
Tonnage of waste recycled as a result of recycling grant program.

Baseline: SFY04 reported quantities of waste generation, disposal. SFY07 reported quantities for recycling grant program and reuse.

Action 2.2.1: Maintain and enhance TEMPO reporting or other databases to accurately track and report on measures. Implement TEMPO 360 to improve efficiency.

Action 2.2.2: Identify resource and program constraints hindering achievement of DWM measures; pursue program changes and request funding as necessary in budget.

Action 2.2.3: Prepare draft legislative agenda to address any issues requiring legislative solutions and pursue enactment. (example: revision of the statute relating to waste tires).

Action 2.2.4: Develop and/or amend regulations for Division programs to enhance and encourage beneficial reuse and recycling in a protective manner to human health and the environment (example: development of technical requirements for defining when a “recovered material” is exempt from being a solid waste).

Status: Tonnage of solid and special waste recycled or reused, by type (*reporting based on fiscal year 2014*):

- 120,517 tons of paper-fiber and paperboard;
- 685,082 tons of mixed metals (aluminum and bi-metal);
- 7,055 tons of glass;
- 1,764 tons of electronics (e-scrap);
- 38,422 tons of co-mingled (mixed) recyclables; and
- 9,556 tons of plastics.

591 tons of materials were recycled through the State Government Recycling Program.

Approximately two and a half to three million passenger tire equivalents (PTEs) of waste tires were used in tire-derived fuel projects. 58,416 PTEs of waste tires were used in crumb rubber grants, and 1 million PTEs of waste tires were used for other beneficial reuse projects. This diverted a total of 86% of the waste tires generated in

Department for Environmental Protection

Kentucky from the landfill. *(Reporting based on entire calendar year 2014).*

As a result of the Household Hazardous Waste (HHW) collection efforts, the following were collected from county recycling events:

- 5.3 tons of HHW from the City of Shelbyville;
- 4.6 tons HHW from Ballard County;
- 2.1 tons of HHW from Bullitt County;
- 13.2 tons of HHW and Hardin County;
- 1.9 tons HHW from Wayne County; and
- 4.3 tons HHW from Pennyriple Solid Waste Management Authority.

Results from the recycling program grants awarded to cities, counties, and multi-county/regional organizations include *(reporting based on fiscal year 2014)*:

- The grant amount for 72 Recycling and Household Hazardous Waste Grants totaled \$3,041,950.85. Grantees were responsible for a 25% match.
- Of the total 72 Kentucky PRIDE grants awarded, 49 of those for a total of \$2,563,318.87, were used to promote the growth of recycling infrastructure through the purchase of shredders, balers, trailers, containers, forklifts, scales and other equipment used in recycling facilities.
- The remaining \$478,631.98 was awarded to 23 grants used to pay for qualified contractor services to properly manage and dispose of household hazardous waste collected at individual local collection events. In addition, grant funds were used for advertisement of the collection events, public education, and outreach.

Tactic 2.3: Assure proper management and disposal of waste.

Measures: The compliance rates for authorized solid waste management facilities.
The amount, by weight, of litter, open dump waste, recycled municipal solid waste and household hazardous waste collected by counties through the Kentucky Pride program.
The compliance rates for authorized hazardous waste facilities.
The compliance rates for registered underground storage tanks.

Baseline: SFY04 tonnages disposed; litter collected; compliance rates.

Action 2.3.1: Maintain and enhance TEMPO reporting to accurately track and report on measures. Implement TEMPO 360 to improve efficiency.

Action 2.3.2: Evaluate and implement streamlining opportunities to address process and institutional inefficiencies inhibiting compliance.

Department for Environmental Protection

- Action 2.3.3:** Develop and/or amend regulations for Division programs to facilitate compliance with agency requirements (example: drafting regulatory amendments to changes to the annual report and the 5-year plan submitted by counties in accordance with KRS 224.43; review 401 KAR Chapter 49 and draft regulatory amendments as necessary)
- Action 2.3.4:** Inspect regulated sites at established intervals to facilitate and ensure compliance with agency requirements.
- Action 2.3.5:** Increase communications between permitting central office staff and field operations staff. Take more opportunities for central office permitting staff to conduct site visits with field inspectors.
- Action 2.3.6:** Take enforcement action on regulated sites as necessary to facilitate and achieve compliance with agency requirements
- Action 2.3.7:** Implement KY TOOLS as the program to use 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.

Status: 66% of authorized solid waste management facilities are in compliance

6,937 tons of litter was collected in 2013. The illegal open dump waste collected included:

- 6,632 tons of municipal solid waste disposed at permitted solid waste management facilities;
- 23,543 PTEs of waste tires; and
- 70 tons of recycled material.

A total of 5,801 tons of litter was collected by counties through Kentucky PRIDE grant funds. The household hazardous waste collected by counties through the Kentucky PRIDE program is described under Tactic 2.2. (*Reporting based on fiscal year 2014*).

81% of authorized hazardous waste facilities are in compliance.

61% of registered underground storage tanks are in compliance.

Tactic 2.4: Plan, design and execute Final Closure Period activities at Maxey Flats while maintaining regulatory compliance.

Measures: Complete design package submitted by URS and approved by EPA.
Documentation of sump abandonment completion.
Modified contract completed with URS to include sump abandonment oversight and design of the final cap.

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

Department for Environmental Protection

Action 2.4.1: Procure cap construction contractor and issue notice to proceed.

Action 2.4.2: Complete the design for the final cap.

Action 2.4.3: Complete sump abandonment.

Status: The complete remedial design package for the final cap was submitted to EPA on Sept. 19, 2014. EPA issued a letter on Oct. 24, 2014, approving the remedial design.

A modified contract was completed with URS to include sump abandonment oversight and design of the final cap. Sump abandonment was completed and certified by URS on Dec. 9, 2014.

A cap construction contractor, The Walker Company (TWC), was procured on Sept. 10, 2014. TWC's conceptual haul road plan and final closure management plan are being reviewed by DWM, EPA and URS. Mobilization is scheduled for January 2015.

Department for Environmental Protection

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.

The enforcement process is conducted through referrals from either 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 and summarizes case-specific documentation and refers the violation to the Division of Enforcement's Civil Enforcement Branch for formal enforcement action.



Mid-Valley Pipeline Crude Oil Release, Owen County, January 2005

Department for Environmental Protection

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

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

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

Status: From July 1, 2014, through December 31, 2014, the Division received an average of 35 new cases per month and received an actual count of 210 cases (49% of baseline).

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

Status: From July 1, 2014, through December 31, 2014, the Division closed an average of 25 cases per month and closed an actual count of 149 cases (36% of baseline).

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

Status: From July 1, 2014, through December 31, 2014, the Division had an average of 652 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).

Status: From July 1, 2014, through December 31, 2014, the Division had an average of 203 cases open only for monitoring compliance of executed settlement documents.

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.

Status: From July 1, 2014, through December 31, 2014, the Division had an average of 5 unassigned cases.

Department for Environmental Protection

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

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

Status: From July 1, 2014, through December 31, 2014, the Division collected \$1,275,538.52 in civil penalties (63% of baseline).

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

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

Status: From July 1, 2014, through December 31, 2014, the Division received an average of 7 Agreed Orders signed by the responsible party per month and received an actual count of 39 signed Agreed Order (35% of baseline).

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

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

Status: From July 1, 2014, through December 31, 2014, the Division issued an average of 4 Demand Letters per month and issued an actual count of 23 Demand Letters (32% of baseline).

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

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

Status: From July 1, 2014, through December 31, 2014, the Division executed an average of 9 Agreed Orders per month and executed an actual count of 55 Agreed Orders (45% of baseline).

Action 1.1.1: Maintain and update protocols and the mechanisms necessary to implement timely and effective enforcement of environmental laws.

Department for Environmental Protection

Action 1.1.2: Develop staff expertise in air, waste management and water programs to allow the Division to more effectively facilitate compliance with environmental laws.

Action 1.1.3: Work closely with program divisions to resolve enforcement cases in a timely and effective manner.

Action 1.1.4: Develop criteria and format for monthly reporting of Division activities and accomplishments to program divisions and Department and Cabinet management.

Action 1.1.5: Develop and implement criteria and mechanism for prioritizing enforcement cases to be referred to Cabinet attorneys for legal action.

Status: From July 1, 2014, through December 31, 2014, the Division has executed 78 settlement documents (55 Agreed Orders and 23 Demand Letters), received 210 new cases, and closed 149 cases with entities that have returned to compliance with Kentucky's environmental laws. The Division regularly pulls reports to determine the progress and timeliness of enforcement cases.

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

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

Tactic 1.2: Resolve enforcement cases in a timely manner.

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

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

Status: The average number of days between Case Assignments and the drafting of Case Resolution Proposals for all cases created since January 1, 2008 is 40 days. This is the average of all the cases created in the following years 2008 (71 days), 2009 (48 days), 2010 (36 days), 2011 (24 days), 2012 (30 days), 2013 (28 days), and 2014 (28 days).

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

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

Department for Environmental Protection

The average number of days between the drafting of Case Resolution Proposals and conducting Administrative Conferences for all cases created since January 1, 2008 is 94 days. This is the average of all the cases created in the following years 2008 (115 days), 2009 (147 days), 2010 (85 days), 2011 (82 days), 2012 (83 days), 2013 (59 days), and 2014 (51 days).

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

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.

The average number of days between the drafting of Case Resolution Proposals and reaching an Agreement in Principle for all cases created since January 1, 2008 is 147 days. This is the average of all the cases created in the following years 2008 (176 days), 2009 (190 days), 2010 (136 days), 2011 (137 days), 2012 (147 days), 2013 (111 days), and 2014 (77 days).

The average number of days between the drafting of Case Resolution Proposals and referring a case to the Office of General Counsel for all cases created since January 1, 2008 is 294 days. This is the average of all the cases created in the following years 2008 (458 days), 2009 (404 days), 2010 (306 days), 2011 (243 days), 2012 (200 days), 2013 (144 days), and 2014 (94 days).

Measure: The length of time required to draft an Agreed Order or Demand Letter once an agreement-in-principle has been reached.

Baseline: The average time is 30 days to draft an Agreed Order once an agreement-in-principle has been reached, and 19 day to draft a Demand Letter once an agreement-in-principle has been reached.

Status: The average number of days between reaching an Agreement in Principle and drafting an Agreed Order is 24 days. This is the average of all the cases created in the following years 2008 (42 days), 2009 (39 days), 2010 (24 days), 2011 (14 days), 2012 (21 days), 2013 (9 days), and 2014 (9 days).

The average number of days between reaching an Agreement in Principle and drafting a Demand Letter is 18 days. This is the average of all the cases created in the following years 2008 (32 days), 2009 (16 days), 2010 (11 days), 2011 (19 days), 2012 (17 days), 2013 (28 days), and 2014 (8 days).

Department for Environmental Protection

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 OGC Agreed Order, 752 days from case assignment to execution of a Secretary's Order, and 921 days from case assignment to execution of a court decision. There is currently insufficient data to determine a baseline for length of time from case assignment to a consent decree.

Status: The average number of days between Case Assignments and the execution of a DEP Agreed Order for all cases created since January 1, 2008 is 320 days. This is the average of all the cases created in the following years 2008 (386 days), 2009 (387 days), 2010 (319 days), 2011 (288 days), 2012 (318 days), 2013 (245 days), and 2014 (148 days).

The average number of days between Case Assignments and the mailing of a Demand Letter for all cases created since January 1, 2008 is 193 days. This is the average of all the cases created in the following years 2008 (248 days), 2009 (238 days), 2010 (165 days), 2011 (214 days), 2012 (185 days), 2013 (129 days), and 2014 (108 days).

The average number of days between Case Assignments and the execution of an OGC Agreed Order for all cases created since January 1, 2008 is 807 days. This is the average of all the cases created in the following years 2008 (758 days), 2009 (1296 days), 2010 (924 days), 2011 (653 days), 2012 (495 days), 2013 (500 days), and 2014 (210 days).

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

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

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

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

Status: From July 1, 2014, through December 31, 2014, the Division issued an average of 35 Notices of Violation per month and issued an actual count of 208 Notices of Violation (46% of baseline). The Division has not issued any Letters of Warning.

Department for Environmental Protection

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

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

Status: In FY2014, the Division of Enforcement issued a total of 344 Notices of Violation, representing 11% of the notifications issued by the Department for Environmental Protection. The most notices were issued by the Division of Waste Management, with 1,497 notices issued. A total of 3,201 notices were issued throughout the Department.

The Division issued the 3% of “*Permit/Program*” Notices of Violation upon referral from the central office programs. The “*ENF Program*” Notices of Violation, issued by the Division after the review of DMRs submitted by KPDES permitted facilities, made up 9% of the total number of notices issued. The remaining notices were “*Field Operations*” Notices of Violation and Letters of Warning, issued by the Department’s regional offices.

In FY2014, the largest number of notifications issued by the Department was in the UST program with 1116 notifications issued (35%), followed by the Wastewater program with 1106 notifications issued (35%).

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, brownfield redevelopment, environmental compliance assistance and environmental leadership (KY EXCEL). The division's innovative and important approach to facilitating compliance and excellence is improving the environment for all Kentuckians.



Technical Assistance - *DCA is a technical resource for individuals with environmental questions and needs.* Complying with a very diverse and extensive set of environmental requirements can be difficult. Even committed and experienced environmental professionals face times when they simply need help. DCA maintains a compliance assistance hotline that allows anyone to seek help with an environmental concern.



Education - *DCA is providing Kentucky with the knowledge it needs to care for Kentucky's environment.* In a 2008 survey, more than 3,000 entities regulated by the department were asked what impacted their ability to comply with environmental requirements. Respondents identified a lack of knowledge regarding environmental requirements as one of the greatest barriers to ensuring environmental compliance. DCA's training is equipping front-line environmental professionals with the information they need to succeed in their environmental efforts.



Sustainability - *DCA strives to help all of its clients recognize and implement sustainable behaviors that protect and improve Kentucky's environment.* DCA stands 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.



Stewardship - *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 become more aware of the economic and environmental benefits that result from sustainable decisions, so they can make positive choices that are environmentally beneficial.

Department for Environmental Protection

Objective 1 - Certify qualified environmental professionals.

Tactic 1.1: Certify select 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: Develop and implement a recruitment strategy that encourages 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 national involvement to stay informed of operator issues, ensure the program is prepared to respond to changing needs, and influence the national policy related to certified operators.

Status: During the first half of FY15, the certification and licensing program issued 258 new or upgraded certifications and 74 drinking water renewals. The program administered 359 certification examinations.

The program continues to participate in high school and college career fairs promoting the operator certification profession.

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

The 2015 training schedule was prepared and notification postcards were mailed to all certified operators.

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

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

Department for Environmental Protection

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

Baseline: In FY08, the Division of Compliance Assistance received feedback from its clients that indicated the following changes:

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

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

Action 2.1.2: Provide ombudsman services for the public and entities regulated by the Department to ensure that department programs are appropriately implemented.

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

Status: During the first half of SFY15, the Environmental Assistance Branch responded to 606 requests for assistance relating to understanding Kentucky's environmental regulations and permits. Eighty-six of these entities were small businesses. For the reporting period, of the clients surveyed, 69.2% indicate an increase in knowledge with 81.3% indicating making positive behavior changes. A total of 129 outreach activities were performed for the reporting period which includes meetings, presentations articles for publication, and social media activities such as Facebook and blog posts.

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

Measure: Percent satisfaction of those entities trained and audience reached through communication tools.

Baseline: FY12 indicators are as follows:

88.5% satisfaction from training evaluations

1,611 – Total number of daily unique visitors on the DCA Website

8,666 – Audience reached through DCA communication tools (SNIPS, LAW, and OCP subscribers)

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

Action 2.2.1: Produce and facilitate quality training that includes accurate and timely technical and regulatory information.

Action 2.2.2: Provide resources that clarify environmental requirements and offer technical solutions to common challenges.

Department for Environmental Protection

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.

Status: During the first half of SFY15, the Environmental Assistance Branch developed, completed and published online educational resources and guidance documents for regulated and non-regulated communities on a variety of topics. The latest developments for training include self-paced, anytime learning modules covering topics such Potential-to-Emit Components, Emission Factors:AP42, and Compliance Guide: Standards of Performance for Crude Oil and Natural Gas Production, Transmission and Distribution (40 CFR 60, subpart OOOO). New fact sheets and guidance documents include Ebola Waste Guidance, revisions to the Household Pharmaceutical Hazardous Waste Collection and Disposal, and Environmental Permitting. The branch provided oversight for outreach projects to dairies and the agricultural community that was completed using settlement money through an MOA with the University Kentucky.

The Certification and Licensing Branch conducted 13 training events totaling 204 training hours and reaching an audience of approximately 508 individuals. SNIPS, the compliance e-newsletter, along with the Operator Certification Operation Matters blog continue to be well-liked sources for compliance-based information.

From July 2014 through December 2014 the certification program continued its implementation of the certification blog, Operation Matters. The blog has had more than 43,080 views with readers in 161 countries. SNIPS has been added to the DEP's Naturally Connected which has 115 subscribers to blog updates and 191 Twitter followers. 4,822 subscribers receive weekly emails that summarize the Naturally Connected posts and 1,112 receive the bi-weekly Operation Matters blog post emails.

The certification program has continued its partnership with the University of Kentucky to enhance and expand its solid waste operators training materials, study manuals and examinations.

Objective 3 – Facilitate Environmental Stewardship

Tactic 3.1: Encourage environmental stewardship by making individuals 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.

Department for Environmental Protection

Baseline: FY12 indicators are as follows:

- 10 – Number of entities assisted with stewardship projects
- 112 – Number of individuals trained on stewardship topics (Brownfield and KY EXCEL)
- 1,611 – Total number of daily unique visitors on the DCA Website
- 10,586 – Audience reached through DCA communication tools (Green DOT, 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:** Serve as a resource that encourages environmentally sustainable communities and facilitates the cleanup and beneficial reuse of brownfield properties.
- Action 3.1.5:** Establish communication tools that empower the regulated community to determine the stewardship resources that are available to increase their sustainability.

Status: For the reporting period, a total of 62 requests for assistance were received by the branch for KY EXCEL, Brownfields, or leadership assistance. The branch conducted 5 compliance trainings reaching 269 participants.

During the reporting period KY EXCEL completed the final draft of “Sustainable Spirits: A Look Into Sustainable Practices of Kentucky’s Distilleries and Breweries” which was created by DCA to showcase the best management and sustainable practices by members in the Commonwealth’s spirits industry. It highlights examples of energy efficiency, recycling, waste reduction, water conservation, public outreach and education and habitat restoration.

Also during the reporting period, DCA applied for and received a Source Reduction Grant from EPA. The application DCA submitted was titled “KY EXCEL Get the Green Ball Rolling.” In the application DCA proposed to host a couple workshops to discuss ways for small colleges and high schools in Kentucky to green their sporting events. The workshops will be held in July through August 2015. DCA has developed a survey to send to the potential participants of the training and anticipates sending the survey out mid-January 2015.

Department for Environmental Protection

This survey will help us determine what topics are the most important for the attendees. Once DCA receives the survey results, materials for the workshops will be developed and a subcontractor will be selected.

The Brownfield e-newsletter, *Brownfield Bits*, continues to be a successful outreach tool reaching 495 recipients as of Dec. 31, 2014.

The Kentucky Brownfield Redevelopment Program announced the first grant recipients of the Cleaner Commonwealth Fund. This fund provides financial assistance for projects that clean up brownfield sites. The fund is a grant-and-loan program established with an \$850,000 U.S. Environmental Protection Agency Brownfield Revolving Loan Fund grant.

Two projects were funded in this round, both for asbestos removal:

- Lincoln Hall in Annville will receive \$49,000. This historic building will be redeveloped as a cultural center, reception hall and classrooms for after-school and summer youth programs. Although Lincoln Hall has already received a federal EPA Brownfield Cleanup Grant of \$200,000, the funding is insufficient to cover all the costs for a project of its size and scope. The additional CCF funding will be pivotal in conducting cleanup activities beyond those performed under the federal grant.
- Columbia Theatre in Paducah will receive \$49,000. The restored theater will be used as a cinematic art house and provide a venue for live music and educational programs.
- Another round of grants for local governments and nonprofit entities will be available in early 2015. The loan program, which will be open to public, private and nonprofit entities, is being developed, with a planned launch date of mid-2015.

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

Department for Environmental Protection

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

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

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

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

Status: During this reporting period, KY EXCEL approved or renewed membership for 32 entities. KY EXCEL members initiated approximately 94 new voluntary projects. These projects continue to make a positive impact on Kentucky's environment. The KY EXCEL program also coordinated the DEP Environmental Excellence Awards in October 2014. A total of 13 nominations were received. From these worthy candidates, six (6) awards were given at the 2014 Governor's Conference on Energy and the Environment. The program is currently accepting nominations for the 2014-2015 Eco-Art Contest and plan on recognizing Kentucky high school students for representing environmental stewardship through art. The Environmental Assistance Branch was successful at placing stories in new media outlets such as The American Distilling Institute newsletter, KY Agconnection, Kentucky Oil & Gas Association newsletter, Kentucky Association of Manufacturers newsletter, as well as establishing relationships with new and existing stakeholders.

Tactic 3.3: Show the division's commitment to environmental stewardship by implementing Lead by Example projects.

Measure: The amount of resources utilized by the Division (DCA estimates it consumes 32% of the total building consumption).

Baseline: FY11 resource utilization:

91 pounds of aluminum cans recycled
153,600_kWh of electricity used annually
53,024 gallons of water used
108 MCF of natural gas used

Action 3.2.1: Strive for zero waste at division-held training events.

Action 3.2.2: Efficiently use natural resources.

Action 3.2.3: Recycle within the office.

Status: The Division continues to uphold waste reduction opportunities at division held training events and provides support in the areas of energy efficiency and waste reduction within the office environment.

Department for Environmental Protection

The program continued to implement a recycling program while conducting training at locations across the state. In 2014, we have recycled over 424 pounds of plastic and 25 pounds of aluminum.

Department for Environmental Protection

Goal 6



Environmental Program Support

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

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



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

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

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

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

Department for Environmental Protection

COMMISSIONER'S OFFICE (CO)

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

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

Measure: Provide recommendations to the Commissioner on an ongoing basis.

Baseline: SFY10 department-level activities.

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

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

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

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

Action 1.1.5: Conduct an annual review of the department Quality Management Plan and update as necessary.

Status: The Commissioner's Office staff coordinated the review and response of 17 NEPA reviews and 230 e-clearinghouse reviews during the first six months of this strategic plan.

The Commissioner's Office staff coordinated the review and response of 17 U.S. Army Corp of Engineers Public Notice Reviews during the first six months of this strategic plan.

The Commissioner's Office staff has coordinated the review and response of 6 Pollution Control Tax Exemption with the Department of Revenue during the first six months of this strategic plan.

The Commissioner's Office staff coordinated or assisted in the planning of the Governor's Conference on the Environment, KECC, March of Dimes, and several other special projects during the first six months of this strategic plan.

The department is in the process of developing the annual review of the QMP Plan and will update the plan accordingly.

Objective 2 – Develop an effective strategic planning process.

Tactic 2.1: Develop a Department for Environmental Protection strategic plan for SFY15.

Department for Environmental Protection

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: SFY15 Strategic Plans for the Commissioner's Office and each of the six department divisions are finalized by July 31, 2014.

Action 2.1.2: Ensure the Department's goals and objectives are compatible with the SFY15 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, 2014 including results of the Strategic Plan measures and actions for the previous state fiscal year.

Status: The SFY 2015 Strategic Plans for the Commissioner's Office and the six divisions within the department were finalized and published by the due date of July 31, 2014.

To date, the Department's goals and objectives have been supported by the SFY15 Departmental budget. At this time, departmental budget reductions are not anticipated in the remainder of SFY15.

The Department's strategic plan supports the actions and tactics of the Cabinet's strategic plan and provides frequent input to the changing conditions that the agency's encounter.

Each division published their SFY14 Annual Reports as prescribed and on schedule.

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.

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: SFY14 hiring for critical positions.

Department for Environmental Protection

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

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

Status: As of January 1, DEP had 724 filled positions. The FY15 budgeted personnel cap was 759 positions. DEP is working diligently to fill critical vacancies funded within the allotted budget amounts. To date, DEP has awarded scholarships to 70 students. The Department worked with GAPS staff to develop recommendations to present to the Personnel Cabinet as part of our effort to increase career ladder opportunities for Department staff and to simplify the personnel job classification system. As a result the Personnel Cabinet adjusted titles of the Environmental Scientist job classification series. Specifically, grade 12 and grade 13 job classification steps were established at the entry level and a grade 18 position was established at the top of the series, each that did not previously exist in the Environmental Scientist job classification series.

In July 2014, DEP awarded four students a scholarship. Two students were sponsored by the Division of Water and two students were sponsored by the Division for Waste Management.

ACE and ERA Awards have been suspended since SFY09, and will continue to be suspended until further notice. DEP has initiated an Employee Awards Program for the last three years. This year's program will be held on January 16, 2015, to recognize outstanding employees and employee units (branch, section or program) for calendar year 2014.

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

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

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

Baseline: Monthly Reports submitted.

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

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

Department for Environmental Protection

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

Status: Target achieved of producing monthly required reports for Commissioner's Office and other DEP department directors; as produced by DEPS-IS staff.

Cross-training within the DEPS-IS is continuing. DEPS-IS is using this program to develop depth and breadth to the agency through Knowledge Transfer.

DEPS-IS has added an additional two (2) contractors during the current fiscal year to the staff to augment the continuing and increasing need for software development projects.

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

Measure: Successful completion of tasks on IT Project List in FY15.

Baseline: July 2014 IT Updated Project List.

Action 2.2.1: Completion of requested reporting modules.

Action 2.2.2: Provide technical support as the Kentucky Water Assessment Data for Environmental Monitoring (K-WADE) system is developed to replace the Ecological Data Application System (EDAS).

Action 2.2.3: Provide timely TEMPO Help Desk Support.

Action 2.2.4: Create web-based enhancements for TEMPO, including online permit applications and license/certification renewals in accordance with allocated SFY14 budget.

Action 2.2.5: Adhere to Federal Database Guidelines and modifications for the Safe Drinking Water Information System (SDWIS).

Status: Reporting modules still in development.

A production-level K-WADE web application and database have been set up but is in limited use at this time. Several members of the IMB IT Section are working with KDOW program staff to migrate legacy data from the EDAS system into K-WADE. In addition, the K-WADE project team is working to finalize the reference tables and has begun investigating the process for flowing data from K-WADE into EPA's WQX/STORET with a test and possibly a production level flow available sometime in January 2015. A finalized process for importing LIMS data from the state lab and setting up a reports tool need to be completed before the system can be released fully into production/maintenance status.

Department for Environmental Protection

DEPS-IS responds to and closes 57.5 support tickets per work regarding TEMPO.

eForms for KYG84 have been completed. Work on KYG04 90% complete. KYG11 95% complete.

The IMB IT section provide technical assistance to the KDOW drinking water staff which includes running monthly data process duties and fixing any issues that arise with the current system. In addition, the at least one member of the IT section is involved in the new SDWIS PRIME conversion, scheduled for some time in late 2015 or early 2016, and attends monthly teleconferences regarding this topic.

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

Measure: Successful completion of funded projects in FY15.

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

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

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

Status: DEPS-IS has this project to the point where we are capable of doing file uploads and working on a viewer. Next stages of development include signing ceremony, getting copy of records back and development of API tie-in to LEXUS-NEXUS. We have contacted EPA for refresh of documentation to verify we are still in compliance and changes in EPA schema have not changed.

DEPS-IS will be moving TEMPO-360, (formerly TEMPO Modernization), from Alpha testing under controlled environment to Beta phase tests where we are running in parallel production with Tempo Legacy by the middle of February. Plan is on target to be fully implemented by Q3 2015.

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 SFY15.

Baseline: SFY14 activities performed by staff in the DEPS. (IT activities are identified in Objective 2 above.)

Department for Environmental Protection

- 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 a Department Continuity of Operations Plan (COOP).
- Action 3.1.3:** Coordinate training for all ERT On-Scene Coordinators
- 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 close-out.

- Action 3.1.6:** 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 3.1.7:** Coordinate personnel activities including the DEP scholarship program, EEO/ADA and Title VI activities.
- Action 3.1.8:** Work with cabinet staff as required ensuring that all IT software licenses are kept current and/or retained under the realm of COT due to the recent reorganization.
- Action 3.1.9:** Provide technical advice concerning appropriate laboratory analytical methods and techniques.
- Action 3.1.10:**Oversee and maintain the DEP Motor Pool.
- Action 3.1.11:**Coordinate scheduling and oversee all Safety Training for DEP employees.

Status: The Environmental Response Branch coordinated 236 incident responses from July 1 to December 31, 2013. The COOP project has been completed, and the final document was issued on July 30, 2013. The Branch additional equipment through a local SEP that included donating air monitoring equipment to expand the branch's capability to detect particulate released into the air. The branch also acquired a field portable GC/MS that was provided through a grant by the Chemical Stockpile and Emergency Planning Program (CSEPP).

DEPS staff continues to coordinate all DEP facilities issues including maintenance, and department services such as phones, janitorial, trash pickup, internal mail delivery, uniforms, and vehicle motor pool.

Divisions within the department completed their FY15 operating budgets and the department submitted a rollup to the GAPS budget office in July of 2014. Each division within the department completed estimates of contractor furlough savings in November of 2013, and completed the contract workers report for the first two quarters of FY15 in October 2013 and January 2014. The medical monitoring contract with the University

Department for Environmental Protection

of Kentucky, and the scholarship program with the University of Kentucky Research Center, was renewed for FY15. Closing package forms for FY14 were completed and submitted to GAPS Fiscal Management in July of 2013.

Personal Service Contracts for OSHA Training and IT software maintenance were approved for FY15. The DEPS personnel administrator continues to coordinate personnel activities within the department.

Objective 4 – Provide accurate and defensible chemical analytical services to the program divisions of the Department for Environmental Protection.

Tactic 4.1: 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 2013, there were 4954 samples analyzed by the Environmental Services laboratory.

Action 4.1.1: Provide testing services for samples in accordance with the allocated SFY15 budget.

Action 4.1.2: Maintain an average turn-around-time of less than 28 days for samples submitted beyond July 1st, 2014. In CY13, the average turn-around-time for all samples was 26.7 days.

Status: The Environmental Services Branch (ESB) continues to provide testing services for the division in accordance with the allocated SFY15 budget monies. The total number of samples received for the calendar year of 2014 was 4819. This number is less than last year's number but can be attributed to changes in programmatic responsibilities and resource constraints due to hiring freezes this past year. The average TAT for samples in CY2014 currently sits at 27.4. There are still 192 samples from CY14 that need analyzed and this TAT average should go down slightly.

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

Baseline: In calendar year 2013, there were 49,587 individual tests performed by the Environmental Services laboratory.

Action 4.1.3: Provide individual testing services in accordance with the allocated SFY15 budget.

Status: The Environmental Services Branch (ESB) continues to provide individual testing services in accordance with the allocated SFY15

Department for Environmental Protection

budget monies. In calendar year 2014 there were 50,940 individual tests performed and reported by the ESB laboratory.

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

Baseline: In 2013, there were 236,741 individual chemical parameters reported by the Environmental Services laboratory.

Action 4.1.4: Provide chemical parameter reporting to meet department needs.

Status: The Environmental Services Branch (ESB) continues to provide chemical parameter reporting to meet department needs. In calendar year 2014 there were 205,814 individual chemical parameters reported by the ESB laboratory.

Tactic 4.2: 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 4.2.1: Participate in a minimum of 2 Proficiency Testing (PT) studies approximately 6 months apart.

Action 4.2.2: Pass 2 out of the last 3 consecutive studies to maintain accreditation for various analytical methods.

Action 4.2.3: Secure funding that will pay for the fees so that accreditation can be maintained.

Action 4.2.4: Review Environmental Services Laboratory analytical and administrative SOPs and Laboratory Operations and Quality Assurance Manual (LOQAM) annually and update as necessary.

Status: The Environmental Services Branch (ESB) continues to participate in the required number of proficiency tests needed to maintain accreditation under U.S. EPA and NELAP programs. In calendar year 2014, ESB participated in 2 Water Pollution (WP), 2 Water Studies (WS), and 2 full LPTP Soil studies this past calendar year. The total number of analytes submitted was 1409 and ESB received a passing acceptable grade of 97.2%. DEPS has secured funding so that accreditation could be maintained and ESB is current with the review of all analytical and administrative SOPs. The LOQAM was revised in July of 2014.

Department for Environmental Protection

Tactic 4.3: 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 4.3.1: Secure additional funding that will allow replacement of old or outdated equipment and instruments.

Action 4.3.2: Secure additional funding that will allow purchase of equipment that utilizes new technologies to meet the department's changing program needs.

Status: In calendar year 2014 ESB acquired three (3) new instruments through DEPS funding sources. The Standard Testing Section was able to acquire a new automated Discrete Analyzer (\$54,600) and Ion Chromatograph (\$40,460). The Pesticide/PCB Section was able to purchase a new High Pressure Liquid Chromatograph (\$40,480). The addition of these three instruments will do very nicely in securing analysis testing for the department for many years to come. DEPS has also secured monies for the purchase of two (2) state of the art triple quad mass specs that will take the department's testing capabilities to the highest level it can go, in the environmental testing arena. These new technologies will not only meet but should exceed the department's changing program needs for the foreseeable future.

Objective 5 – Provide adequate training to DEP employees.

Tactic 5.1: 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 FY15.

Baseline: The baseline will be the number of training events sponsored by DEP in SFY14.

Action 5.1.1: Coordinate the scheduling with U.S. EPA of the Basic Inspector Training Course to ensure that the content is appropriate and current.

Action 5.1.2: 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 5.1.3: Coordinate scheduling and provide oversight of all Safety Training for DEP employees.

Department for Environmental Protection

- Action 5.1.4:** Coordinate scheduling of Cabinet (GAPS) mandatory Supervisor's Training program (includes training on employee relations, enforcement of state/cabinet/department-level policies, etc.)
- Action 5.1.5:** Assist the Divisions in identification of specialized training needs and provide approval and support for the training.
- Action 5.1.6:** Coordinate DEP employee participation in the Humana Vitality Program, and KECC activities.
- Action 5.1.7:** Partner with agencies and organizations outside DEP to provide environmental awareness training (including but not limited to Earth Day, Governor's Conference on the Environment, and Kentucky Recycling Interest Group).

Status: The DEP New Employee Orientation presentation material has been updated to ensure the content is appropriate and current. Due to the hiring freeze earlier in the fiscal year departmental orientation was conducted on a quarterly basis.

DEP/DEPS has identified a significant cost savings by having a select number of internal staff certified as instructors to provide CPR/FA training to required staff.

Staff continues to support and coordinate ongoing programmatic activities through identifying recommendations that will assist in providing the services and responsiveness required for carrying out the day-to-day activities in DEPS/DEP.

Objective 6 – 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 6.1: 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 6.1.1: Create and enforce a standard process that requires immediate entry of open records requests and receipt dates into TEMPO.

Action 6.1.2: Create and schedule TEMPO reports that show the response times for open records requests

Action 6.1.3: Train the KORA staff on both the standard process and generation of the reports.

Status: Reports have been created to measure the date/time that users enter requests into the system.

Department for Environmental Protection

Reports have been developed for both response times and for the number of requests processed by DEPS PRMS staff.

Training sessions have been scheduled for January.

Tactic 6.2: Reduce/eliminate paper files residing in the file room

Measure: Quarterly estimated measurements of linear feet of files

Baseline: Linear feet of paper files at the end of FY14 (9,937 feet)

Action 6.2.1: Train file room staff on the DEP Records Retention Schedule

Action 6.2.2: Assign staff to perform historic scanning and/or records destruction selected files

Action 6.2.3: Complete the appropriate paperwork to stay compliant with KDLA's records destruction policies

Action 6.2.4: File room supervisors will conduct quarterly measurements to ascertain the current linear feet of files stored in the file room. This will also include files that are in offices waiting to be scanned.

Action 6.2.5: Supervisors will record and report progress to DEP Management.

Status: Several file room employees have been trained on the DEP Records retention schedule as it pertains to UST files.

A Paper Elimination Project team was assembled and trained. Temporary employees have been hired to perform the majority of the daily scanning.

A dashboard report was created to measure the weekly accomplishments. Currently, 1889 linear feet of files have been removed.

Tactic 6.3: Accurately scan all documents received in the file room within one business day of arrival in the file room.

Measure: Number of pages scanned, number of documents scanned, and number of errors reported.

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

Action 6.3.1: Run monthly reports to measure the number of pages scanned and number of documents scanned by individual staff.

Action 6.3.2: Create mechanism to record and report errors.

Action 6.3.3: Supervisors will record and report progress to DEP.

Status: Chip Hovey at GAPS is working on a program that will capture data pertinent to pages and documents scanned.

Department for Environmental Protection

Objective 7 – Develop, enhance, and support DEP-specific IT applications

Tactic 7.1: Manage Projects on IT project list

Measure: Completing FY15 milestones on IT project list

Baseline: FY15 Project list

Action 7.1.1: Facilitate regular meetings with DEP management to prioritize project list

Action 7.1.2: Submit bi-weekly IT project dashboard to Division Director

Action 7.1.3: Complete all financially obligated projects prior to deadline

Action 7.1.4: Conduct bi-weekly project status meetings

Action 7.1.5: Provide appropriate communication with project team

Status: Bi-weekly meetings are held for programming project update status and review.

Dashboard of project statuses as a result of the target being met is completed with 24 hours of that meeting.

To date, all projects are on-budget or have been completed on budget.

DEPS-IS maintains open communications channels with programming staff and key DEP stakeholder's.

Tactic 7.2: Provide IT Application Support

Measure: Percentage of completed helpdesk tickets/emails as reported on the weekly 5x5 report

Baseline: Number of helpdesk tickets/emails submitted

Action 7.2.1: Respond to helpdesk requests submitted on the GAPS helpdesk site within 1 business day

Action 7.2.2: Respond to TEMPO service account requests within 2 business days

Status: DEPS-IS maintains 99% of target for GAPS helpdesk ticket response within 2 days.

DEPS-IS maintains 100% of target for TEMPO helpdesk ticket response within 2 days.

Tactic 7.3: Provide business analysis for proposed IT solutions

Measure: Results of project most-mortem

Baseline: Initial project request/requirements/scope documentation

Department for Environmental Protection

Action 7.3.1: Analyze current business processes and identify opportunities to improve them, leading to initiation of projects

Action 7.3.2: Identify and manage requirements for IT projects

Action 7.3.3: Collaborate with development team and project team(s) to ensure that the results of the project satisfy the needs identified in the requirements

Action 7.3.4: Facilitate a project post-mortem meeting with project stakeholders

Status: Staff attends regularly scheduled meeting with DEP agencies providing IS direction and strategy.

DEPS-IS has a MS Project that is updated bi-weekly to manage all of the programming projects that we are working on for the department and agencies within.

DEPS-IS staff work on projects together in a symbiotic work environment to drive projects to success.

All projects, upon completion, have a “lessons learned” meeting to follow-up with agency stakeholders and to solicit feedback from those stakeholders that the project has delivered the desired client solution and can be closed per the client.

Tactic 7.4: Provide intra-agency and inter-agency IT related coordination

Measure: IT Satisfaction Survey

Baseline: Results of the previous year’s IT Satisfaction Survey

Action 7.4.1: Initiate assistance with 2 business days of receipt of request

Action 7.4.2: Coordinate with intra- and inter- agency IT operations staff and users to solve technical problems which impede or delay the processing of data

Action 7.4.3: Evaluate and determine automation needs

Action 7.4.4: Relay information regarding user needs

Action 7.4.5: Follow-up to ensure user needs met in timely fashion

Action 7.4.6: Establish and maintain effective working relationships

Status: We have not yet created an IT survey that is inclusive of all IT issues.

DEPS-IS is exceeding expectations by responding to request in less than the current target of 2 business days to respond to all requests.

We have regularly scheduled weekly meetings with COT to get outstanding issues resolved; and initiate escalation procedures with COT when tickets for IT support for COT exceed standard, agreed upon SLA targets.

Department for Environmental Protection

We have initiatives of integrating better technology tools to current legacy systems for improvement of the IT infrastructure: TEMPO360, Report Tools for K-WADE, K-WADE STORET/WQX.

We successfully positioned ourselves as the liaison between DEP and COT as IT experts.

All users are contacted within 24-72 hours of problem resolution to verify problem has been resolved and to the client's satisfaction.

DEPS-IS is forming stronger ties with all DEP agencies, but also with external agencies in other cabinets to create a "best of breed" practices, procedures and policies that DEP may take advantage of.

Tactic 7.5: Provide IT application training

Measure: Number of staff trained in new and existing applications and number of videos created for new applications during FY15

Baseline: Number of new and current staff who require training

Action 7.5.1: Create training videos for new applications

Action 7.5.2: Provide training for new DEP-specific applications

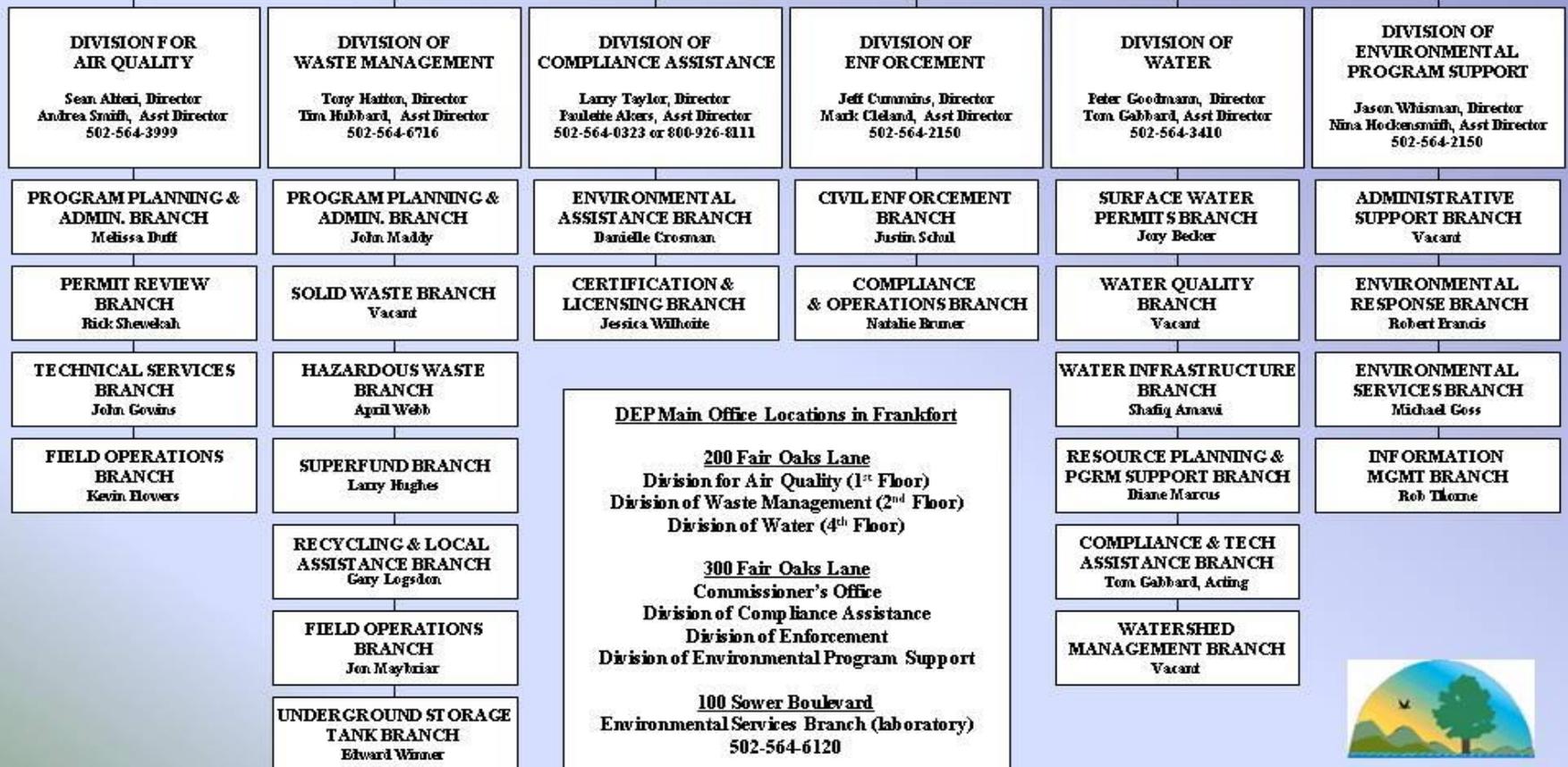
Action 7.5.3: Provide training on existing DEP-specific applications for new employees and employees who need refresher training.

Status: DEPS-IS is in the process of developing a video and classroom training for TEMPO360. Others training videos will be developed as projects are targeted. Current classroom training for TEMPO continues to be offered and held.

APPENDICES

**DEPARTMENT FOR ENVIRONMENTAL
PROTECTION**

R. Bruce Scott, Commissioner
Aaron Keatley, Deputy Commissioner
Ronald Price, Executive Staff Advisor
Vacant, Staff Assistant
502-564-2150



Revised 10/24/14

Office of the Commissioner

300 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-2150
Fax: 502-564-4245
www.dep.ky.gov

Division for Air Quality

200 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-3999
Fax: 502-564-4666
www.air.ky.gov

Division of Environmental Program Support

300 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-2150
Fax: 502-564-4245
www.dep.ky.gov/deps

Division of Compliance Assistance

300 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-0323
Fax: 502-564-9720
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

Division of Enforcement

300 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-2150
Fax: 502-564-9710
www.dep-enforcement.ky.gov

Division of Waste Management

200 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-6716
Fax: 502-564-4049
www.waste.ky.gov

Division of Water

200 Fair Oaks Lane
Frankfort, KY 40601
Phone: 502-564-3410
Fax: 502-564-0111
www.water.ky.gov