

**LOUISIANA DEPARTMENT OF ENVIRONMENTAL QUALITY**

**Commission on Streamlining Government  
Executive Summary**



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## **SECTION ONE: AGENCY OVERVIEW**

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### **IDENTIFY YOUR OVERARCHING REFORM GOAL(S) FOR THE AGENCY.**

The reform goals for the Department of Environmental Quality (DEQ) include:

1. Protect public safety, health and welfare and increase compliance with environmental laws that meet state and federal mandates.
2. Operate in an efficient and effective manner, and to the maximum extent possible, conduct programs consistent with sound policy for employment and economic development.
3. Enhance customer service and provide regulatory flexibility.

The mission of the DEQ is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.

As we move into a new era of state government, the DEQ has embraced Governor Bobby Jindal's philosophy grounded in ethics and integrity, transparency, performance-based budgeting, maximizing efficiency, customer service, controlled spending, serving as a good steward of taxpayers' dollars to provide a return on investment and achieving measurable results.

The Governor's vision as outlined in his nine (9) statewide goals has been incorporated as a roadmap by the department in its DEQ LEADERSHIP 10-Point Plan and includes the following: Ethics and Integrity, Transparency, Level Playing Field, Regionalization, Investment in Employees, Investment in Community Organizations and Local Governments, Investment in Small Businesses, Investment in Applied Research, and Investment in Technology – e-Business.

*A detailed picture of DEQ's activities as they relate to the Ten Point Plan are included in the attached Appendices A and B. Appendix A sets out the record of DEQ for the past eighteen (18) months of the new administration and Appendix B provides the goals and initiatives of the agency in aggressively pressing forward the vision of the Governor.*

**REVIEW AND BRIEFLY OUTLINE THE CONSTITUTIONAL AND STATUTORY MANDATES FOR YOUR AGENCY.**

The constitutional basis for DEQ is found at Article IX, Section 1, and mandates the natural resources of the state, including air and water, and the healthful, scenic, historic, and esthetic quality of the environment shall be protected, conserved, and replenished insofar as possible and consistent with the health, safety, and welfare of the people.

The statutory basis for DEQ and its responsibilities and functions are found in the Louisiana Environmental Quality Act, Title 30 of the Louisiana Revised Statutes. The primary enabling provision for the establishment of DEQ is found at La. R.S. 30:2011 which outlines the power of the Secretary. Specifically, the department shall have jurisdiction over matters affecting the regulation of the environment within the state, including but not limited to the regulation of air quality, noise pollution control, water pollution control, the regulation of solid waste disposal, the protection and preservation of scenic rivers and streams of the state, the regulation and control of radiation, the management of hazardous waste, and the regulation of those programs which encourage, assist, and result in the reduction of wastes generated within Louisiana. The offices within DEQ are also statutorily mandated under article 2011(C)(1) and provide for the executive office of the secretary, environmental assessment, environmental compliance, environmental services.

DEQ also functions as a quasi-federal agency acting as the officially delegated state departmental body with full authority to issue permits and enforce provisions of the Federal Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act (hazardous waste).

*A detailed analysis of individual statutory mandates by office and division is hereby attached in Appendix C.*

**LIST THOSE MANDATES WHICH IMPEDE ATTAINING AGENCY GOAL(S) AND SUGGESTIONS FOR CHANGES IN LAW(S).**

- Public Notice in newspapers  
The department currently mails out hard copies, e-copy through “listserve,” and maintain the web. Seeking permission from EPA to move away from newspapers should be explored. DEQ staff has been tasked to poll the hearing attendees to determine if they became aware of the hearing through newspaper or other source.
- Mandatory hearings currently required for Solid Waste permits for waste tires  
There has been no history of interest by the public in a hearing for waste tires for the receipt of applications (new, renewal or modification). Currently, a hearing has to be conducted within 60 days of receipt of application. Based on the complete lack of public interest and unnecessary expense borne by the State, the department should explore opportunities to improve upon this process.

- Hearing request by companies

Many times, DEQ conducts hearings at the request of the company during the permitting process when there is no public interest. Companies request hearings in order to expedite the permitting process, so they will not get a request later that will potentially extend the process. This cost should be passed on to company or no hearing conducted.

The average cost of a public hearing is between \$2,000 and \$3,000. Estimated costs are based on salary and travel costs for DEQ staff in preparation and conducting of the hearing, public notice costs, cost for the hearing officer, costs for the court report, room rental (when needed) and security costs (when needed).

Based on a review of past hearing requests, it appears that company-requested hearings represent roughly 25-40% of the public hearings conducted. Typically, our records indicate that attendance at company-requested public hearings represent roughly 5-15% of total hearing attendance.

- Hearings conducted based on few or single request for hearing (Hazardous Waste).

In cases where these are not a significant public interest in a hearing, money can be saved by not holding a public hearing. In those cases where a public hearing will not be held, the public shall be immediately advised to submit comments in writing. Hazardous waste regulations should be revised similar to other media to allow for this flexibility.

- Regulatory Permits

The DEQ would like to implement a three-tiered approach like Texas. Depending on the source category and emissions, some activities are automatically covered; some require notification, but not approval; and others require both notification and approval. The DEQ thinks this is a very good approach.

Louisiana's Regulatory Permit program, codified under LAC 33:III.Chapter 3 and authorized by R.S. 30:2054(B)(9), is loosely based on the Texas Commission on Environmental Quality (TCEQ's) Permits by Rule (PBR) system set forth under 30 TAC § 106.

Basically, TCEQ requires applicants seeking coverage under a PBR to use a "PI-7 Submission Form." This form is analogous to Louisiana's Regulatory Permit Notification Forms. The PI-7 form directs applicants as follows:

1. read the requirements of 30 TAC § 106.4 and the specific PBR you want to claim;
2. determine if the facility meets all the eligibility requirements of 30 TAC § 106.4;
3. determine if the facility meets all the applicable requirements of the specific PBR;
4. begin construction immediately if the facility meets the requirements of 30 TAC § 106.4 and the PBR does not require registration;

5. begin construction when the Form PI-7 and attachments are submitted to the TCEQ if the PBR requires registration, but does not require site approval; or
6. do not begin construction until you are notified by the TCEQ if the specific PBR requires registration and written site approval.

For example, equipment used in eating establishments for the purpose of preparing food for human consumption is simply “permitted by rule,” whereas surface coating or stripping facilities must meet a number of conditions and be registered with the TCEQ using Form PI-7 before construction begins.

It is the tiered approach described in 4 – 6 above that would be beneficial to DEQ. Currently, R.S. 30:2054(B)(9)(b)(vii) ties authorization to operate under a Regulatory Permit to being “notified by the department that the notification was complete.” Thus, even operations resulting in negligible emissions require pre-approval of the department.

The last sentence of R.S. 30:2054(B)(9)(b)(vii) is somewhat restrictive. It does not allow the source to begin operations until notification is received from the department. This was a last-second amendment added in Committee to satisfy an environmental group.

- Increased recycling of reclaimed water & exploration of new uses.  
This initiative would require the modification of the limits for reclaimed water to levels appropriate for the intended reuse. This modification would allow usage of treated reclaimed water for all currently approved purposes. This could potentially increase the need for reclaimed water, and at the same time reduce the quantity of discharged waste water statewide. Current usages include wetlands restoration projects, field irrigation, non agricultural watering activities, irrigation reclamation activities and dust controls. Potential future usages could include once through cooling water, utilization in cooling tower makeup activities, industrial watering processes or as a clarified water supply source, and fire control and protection watering activities. If approved and promoted this would result in a potential reuse of as much as 100-200 million gallons of water per day and thereby reduce the demand for intake water from both groundwater and surface water sources. This could significantly reduce and potentially eliminate most waste water discharges for a number of regulated entities state wide. The statute is La. R.S 30:2393(1). These changes would facilitate the usage of treated reclaimed water with higher effluent/permitted limits. Usage would be for currently approved purposes or purposes approved in the future. No such reclaimed water discharges will be implemented in water bodies if it would adversely affect downstream water quality and or is determined to be injurious to wildlife, fish, or plant life.

## **SECTION TWO: EFFICIENCY AND BENCHMARKING**

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### **IDENTIFY UNDER-PERFORMING PROGRAMS THAT SHOULD BE OVERHAULED OR ELIMINATED**

- Early Warning Organic Compound Detection System (EWOCDS)  
The EWOCDS program could be identified here as under-performing due to lack of funds and staffing. EWOCDS along the Miss. River was instituted in the late 80’s at the request of DHH to provide them with monitoring stations (9 locations) to identify pollutants of

significance in the river to prevent contamination of drinking water intakes. There has never been funding for this effort; initially EPA provided grant funds to start up the project and after that DEQ absorbed this cost annually. Over the past several years companies who voluntarily opted to participate dropped out so there are now 6 sites, which is not sufficient to capture a significant event along the river from Baton Rouge to the mouth of the river. Also 2 water works dropped out due to lack of funding and staff. It can cost upward of \$100,000 per year to maintain and replace equipment at these sites. Post-Katrina, the funding for this effort was used elsewhere and DHH and DEQ have attempted to work out funding for some of the sites, notably the drinking water intakes (DHH can fund through the drinking water fund but funds can only be used for municipal intakes, not industrial). Industry, with the recession, cannot fund or man the sites and there has not been a significant event since the late 90's.

Prior to Gustav, DEQ, DHH, industry and municipal water intakes met to discuss the feasibility of replacing the current system with a voluntary program, funded by industry, the municipal water works and DHH (drinking water fund), similar to the program that exists along the Ohio River. The stakeholders along the Ohio River have a consortium of industrial and municipal drinking water sources that have established sampling sites that monitor the river's water quality. The Ohio River partnership is a very good model to establish a similar effort for the lower Miss. River and DEQ is willing to work with all stakeholders to move this forward. The EWOCDS project is not truly a regulatory function but rather an alert system to protect drinking water supplies from chemical contamination. As such a partnership among users and dischargers between Baton Rouge to below New Orleans, with possible oversight or assistance from DHH, has the potential of a fully implemented sampling program (9-12 sites) that protects drinking water supplies.

- Mercury Fish Tissue Sampling

This program supports DHH and Louisiana Department of Wildlife & Fisheries (DWF) efforts related to mercury contamination advisories in specific streams and lakes and assists with decisions related to mercury discharge limits in Louisiana Pollution Discharge Elimination System (LPDES) permits. The legislature authorized this activity and provided general funds to conduct this project. However, general funds have been cut for the project. DEQ also participates in a national data collection effort that costs approximately \$78,000 per year and this may also be eliminated due to lack of funding (this is under AQAD). Funding for this program at some level benefits the citizens of Louisiana to protect public health and ensures adequate mercury discharge limits into our streams and lakes.

- Change terms of all environmental permits to 10 years. Alternately, allow the option to go beyond the current 5 year permit terms for "good actors."

LAC 33:IX.2711.A states that, "LPDES permits shall be effective for a fixed term not to exceed five years." Title V air permits are limited to a five year term under LAC 33:III.507.E.1. Solid and Hazardous Waste permits are issued for a ten year term. If the term of all permits could be changed from five to ten years, there would be a considerable savings in resources. This change would require federal coordination and approval, or the state would risk loss of its delegated authority to administer the federally delegated water and air permit

programs, but the ability to properly manage our sites and effectively produce both direct and indirect savings would be a bountiful harvest which could result from this initiative.

- Extending the permit from 5 to 10 years will have no effect on the effectiveness of DEQ's current permitting program. DEQ will continue to maintain oversight of these facilities through frequent inspections to ensure compliance with statutory and permit conditions.
- Any changes in the operating facility process during the ten year will continue to be addressed in a permit modification pursuant to statutory and permit conditions.

For example, in the Title V air program, there is a current permitted universe of 767, each of which must be renewed every five years. Renewals are considered "baseline" workload or approximately 20% of the division's work. Normalized over five years, every year 153 Title V permits must be renewed. This requires a complete permit application, technical review, public notice, and EPA review. There is no current fee for a Title V renewal, unless a modification is also requested at the time of the renewal.

Normalized over ten years, 77 Title V permits would require renewal each year. Over time, assuming no significant number of new Title V sources due to regulation changes, the department's resources needed to maintain this program could be reduced, resulting in savings to the department, the state, and the regulated community. Alternately, resources currently used in permitting could be re-deployed to other critical needs areas, such as compliance and assistance activities.

In the water program a similar situation exists. the permitted universe in water permits is as follows:

Total permitted universe :	11,833
Major permits:	235
Minor Individual permits:	1,276
General permits:	10,322

- Overhaul general permit program.  
Though this water program is not under performing it could be increased and expanded to include other general permits, (e.g., barge cleaning facilities, oilfield service and equipment facilities, seafood (non-processing) facilities, private domestic individual homes, stevedore operations and facilities, one-time discharge permits and self implementing small-insignificant discharge permits). DEQ could increase the general permit coverage "types" by ~30%. This would increase the potential to cover activities currently addressed by individual permits and many unpermitted activities not currently captured.

For example, the Bayou Lafourche Discharger Inventory Project was completed to ensure that all waste water discharges to Bayou Lafourche were permitted as required by state law. Of 780 facilities visited and confirmed to have waste water discharges subject to LPDES permitting, 287 (or ~37%) were discharging without proper DEQ authorization (no permit). This did not include the estimated 1300 residential homes in the watershed. These structures

(facilities and homes) are potentially contributing to the water quality impairment of the water body associated with elevated levels of fecal coliform bacteria. Applying the regulatory control offered by the applicable LPDES permit (nearly all qualify for a small sanitary general permit) may have the desired positive effect of reducing bacteria loading to Bayou Lafourche. If not, additional compliance and/or infrastructure planning measures can be taken to apply further actions for water quality improvement. .

An added benefit is this would allow DEQ to issue self implementing general permits for individual homes, which has been a recurring program goal of both DEQ and EPA.

The Department is also in the process of expanding the general permit program in the Air Permit program. Currently, the department has one air general permit and two more in development. General permits allow for the consistent, effective regulation of similar activities. The streamlined process will allow DEQ to focus greater resources on those projects that have the potential to offer greater risk to human health and the environment.

- Solid Waste Permitting.

Louisiana's solid waste permitting program has been identified by DEQ as an underperforming program. The department has recently launched a complete overhaul of the solid waste program and, in doing so, established a stakeholder team to re-invent the solid waste program. The desired outcome of this overhaul is a program that is protective of human health and the environment while giving due consideration to social and economic impacts. The resultant permit process should be predictable, consistent, transparent, and timely. The end product will be solid waste regulations and permits that are more enforceable, and ultimately offer greater protection to human health and the environment while resulting in a more level playing field for the regulated community. This will include a complete re-write of the solid waste regulations and will explore the potential for utilization of general permits and regulatory permits to further streamline the solid waste permitting process.

Internally, process improvements began with a re-evaluation of the solid waste application and permitting process that has been in use since the DEQ was formed. Bottlenecks and inefficiencies have been identified and are currently being corrected and/or eliminated. The next internal step involves full utilization of an electronic data system for issuing permits and maximization of this currently available technology.

Louisiana's hazardous waste permitting program is currently meeting or exceeding commitments to the United States Environmental Protection Agency (USEPA) under our Performance Partnership Grant and performance indicators in accordance with our Operational Plan.

- The "Inactive and Abandoned Sites" potential sites list required by regulation.

The remaining sites on this list are not believed to present a significant threat to human health and the environment. However, the department does not maintain hard data to confirm all potential threats have been eliminated which would allow removal from the list and the subsequent return of the property back into the commerce stream. This program should be

overhauled to re-allocate resources and/or outsourced to address sites on this list, thereby allowing for these properties to be removed from the list and potentially put back into commerce.

### SECTION THREE: OUTSOURCING AND PRIVATIZATION

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#### LIST PROGRAMS, FUNCTIONS, OR ACTIVITIES THAT CAN BE PRIVITIZED OR OUTSOURCED.

- Campaign Design and Media Buying.  
Outsourced activities could include campaign design and media buying. However, the cost could be cost prohibitive and the institutional knowledge of DEQ-related activities may be diminished.
- Damage Assessments after Hurricanes.  
One key area that can be outsourced is the damage assessments conducted after a hurricane. FEMA pays for most of this activity under the Stafford Act so DEQ would oversee a contract to conduct this activity, allowing field staff to focus on other aspects of response and recovery and conduct normal surveillance activities in unaffected areas. For the ERSD, all of the functions could possibly be outsourced with appropriate oversight.
- Water General Permit (GP) authorizations  
This activity will require solid communication and coordination, of complex schedules and Total Maximum Daily Load (TMDL) issues. The process would be as follows; 1) after the Master General Permit(s) is/are approved, DEQ would identify acceptable permittees and forward a listing to the selected contractor; 2) the contractor would then, coordinate, process, mail out permits, resolve mailing/postage issues, enter the required information into TEMPO; and 3) pass only problem GPs back to the DEQ staff for guidance on resolution.
- Public Hearings  
The conducting of hearings could be contracted out to the private sector. This may reduce some costs and potentially result in an overall reduction or reassignment of DEQ staff members. The contract could be written so that contractor performance baselines and incentives were included.
- Permit Writing Duties  
Conceptually, some of the permit writing duties of the Permits Division could be privatized or outsourced. Statutes such as R.S. 30:2014.6(B) and regulations such as LAC 33:I.Chapter 18 contemplates the possibility of “contractors” being utilized to process permit applications.

However, it is unknown if the federal government would completely fund a non-governmental third party entity to perform these performance duties. In all likelihood, a certain degree of oversight would have to be provided by the State.

Selection of a contractor familiar with Louisiana regulations and permitting practices may be difficult. This is a consequence of Louisiana stringent ethics laws. If a contractor prepared a

draft permit for APD review, that contractor would likely be barred from performing similar services for that client for several years.

- Opportunities in Water Quality Assessment Division

Data collection is a task that is easily subject to outsourcing, and in addition, sections within the WQAD have been identified as potentially being able to assist in data collection needs, thereby gleaned efficiencies for this division, some other divisions, and the agency as a whole.

Modeling of impaired waters for Total Maximum Daily Load development is critical for the development of LPDES (water-discharge) permits that are protective of the environment. TMDL modeling is a project-oriented task that can be readily outsourced.

Data management is potentially a task that can be outsourced, but efficiencies in data management (which occurs in many divisions within the agency) may best be realized in the implementation of a centralized data management system for all data use, similar to the agency “all-activities” database TEMPO, designed to centralize activity information for all Offices in the agency. This may be nearing maturity with the planned use of the EQUiS data management system and tools such as the Oracle Business Intelligence for data retrievals in all Offices.

- Vehicle Inspection and Maintenance Programs

Currently, the Air Quality Assessment Division outsources some of the activities related to operation of the Vehicle Inspection and Maintenance Program (federally required program). For example, the emissions testing program is enforced by the Department of Public Safety through an interagency agreement. This allows the required emission testing to be done at the same time as the motor vehicle safety inspection is conducted. In addition, inspection software maintenance is provided by an outside software firm with proven experience. Louisiana Technical College provides a third party verification (free retest) for vehicles who fail an emissions test. This is also done via interagency agreement. Failure to implement this mandated program could result in the loss of federal highway funds.

- Investigative and Remedial Activities

Currently, Remediation Services Division (RSD) outsources its investigative and remedial activities. RSD currently has contracts in place to perform the following “Two-Step Remediation” contract process, “coring” contract, and individual project contracts.

The Remediation Services Division has a two-step remediation contract in place that allows the department to have pre-qualified bidders available to bid on Scopes of Services for remediation work. The objective is to streamline the procurement process for site remediation. This contract is used by the Remediation Services Division (RSD) on sites determined to be a priority for assessment and/or cleanup by the agency and where there is not a viable responsibility party. RSD staff prepare a Scope of Services and “hire” the contractors. Funding comes from the Hazardous Waste Site Cleanup Fund. The Remediation Services Division provides oversight of the contractor.

The Remediation Services Division has a Coring Contract. For sites without responsible parties where DEQ has the need to gather data including soil sampling, ground water sampling and the installation of groundwater monitoring wells using a Geoprobe, this contract provides for those services. There is no interpretation of data.

The Remediation Services Division also contracts site specific cleanup projects by Invitations to Bid on a Scope of Work Prepared by Remediation Services Division Staff.

- Underground Storage Tank (UST) Compliance Evaluation Inspections

The Underground Storage Tank Division is currently responsible for conducting Compliance Evaluation Inspections (CEIs) on approximately 4500 sites statewide. The Federal Energy Policy Act of 2005 requires a CEI to be conducted on each of these facilities at least every three years. This results in a rate of approximately 1500 inspections per year. These active and inactive fuel stations are inspected for compliance with standards established for release detection, corrosion protection, spill and overflow prevention, registration, financial assurance, and record keeping and reporting requirements. Approximately 800 of these inspections are performed each year by in-house staff and 700 by contractors.

- UST Certified Operator Training

The Federal Energy Policy Act of 2005 requires all UST operators to be trained by August 8, 2012. The purpose of this training is to assure that UST owners and operators properly maintain their storage and delivery systems in such a manner that the extent and duration of releases and spills are minimized. Plans are currently underway to outsource the administration and implementation of this program. All training program content and trainers utilized by the contractor requires pre-approval by LDEQ staff. We estimate that there are approximately 3000 operators to be trained. Training will be conducted in a classroom setting across the state.

## **SECTION FOUR: INFORMATION TECHNOLOGY INTEGRATION**

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### **LIST IT PROJECTS ALREADY UNDERWAY DESIGNED TO IMPROVE EFFICEINCY AND EFFECTIVENESS AS WELL AS POTENTIAL PROJECTS.**

- ePayment – status: underway. This web based system allows the regulated community to pay their annual monitoring fees online via credit card or electronic bank draft. This system saves the regulated community and the department time and money. DEQ has plans to expand this system to accept electronic payment for any service provided by DEQ
- Electronic Document Management System (EDMS) – status: recently completed. The EDMS system was expanded this year to make all 25 million documents available to the public via the internet. In the past citizens desiring this information had to come to DEQ's headquarters or one if DEQ's regional offices. This promotes efficiency and availability of documents to the public.
- eDocs – status: near completion. This is an enhancement to the EDMS system which enables DEQ employees to electronically submit documents to the EDMS instead of having

them scanned. This greatly reduced the time and expense of scanning the documents. Future plans are to make this system available via the internet to enable the regulated community to submit documents to the EDMS.

- TEMPO upgrade – status: completed. a major upgrade was performed on the agency’s Oracle database. This database tracks all information about the regulated community from the application process, to the monitoring and inspections, and, if necessary, enforcement actions. This upgrade provided new and improved functionality to the permitting, surveillance, enforcement and other activities of the agency.
- ERIC upgrade – status: near completion. ERIC is the system that allows industry to electronically submit their annual emissions inventory reports. This upgrade provided tools to make this process easier for industry to electronically submit their reports and improved synchronization with TEMPO.
- DNR link – status: complete. This was created to enable real time data exchange between DNR and DEQ on oil and gas operations that are regulated by both agencies.
- ePermits – status: underway. The framework was developed for the agency to accept permit applications via the internet. The first permit (Water Oil and Gas permit) is in beta test and should go live soon. This framework will be used to deploy other online permit applications, some of which are already under development.
- Data Warehouse / Business Intelligence – status: underway. This project will enable DEQ employees and the public much better access to the agency’s data. It will enable management to make more informed decisions and open up the agency’s data to the public thus increasing transparency of government.
- Net-DMR – status: underway. This project enables industry to submit their discharge monitoring reports via the internet instead of paper forms. This is a huge time and cost savings over keying in this data. It also eliminates key punch errors and enables more timely access to the information.
- FileNet replacement project – status: evaluating bids. This project will replace the FileNet software used in the EDMS system with software that creates cost savings and provides better public access to the data.
- Time Tracking / Material Billing System – status: under development. This system enables DEQ employees to track their time and assign it to specific projects. It also provides the documentation necessary for DEQ to recover the cost of emergency response efforts.
- Server Virtualization – status: underway. This project will create virtual servers and virtual lands to enable DEQ to more efficiently utilize its server farm.

- Network Printers – status: underway. This project utilizes network printers and multi function printers instead of desktop printers, thus greatly reducing the cost per page of print jobs. This is part of a statewide effort.
- VPN upgrade – status: near completion. This project utilizes open source software to reduce the price of Virtual Private Network, while improving the service to DEQ. The VPN increases productivity by enabling employees to work remotely.
- Laptop with Docking Stations – status: underway. DEQ has gone to a one computer per employee policy, but providing laptops with docking stations instead of desktops to employees. This is a huge cost savings over supplying both a desktop and a laptop to employees that need laptops, and increases productivity by enabling a more mobile workforce.
- Video Conference / Audio Conference / Web Meeting – status underway. These web conferencing tools save money by reducing the need to travel for many meetings.
- EQUIS –status: underway. EQUIS is a repository for analytical data that will enable DEQ to have better access to the information necessary to make sound scientific decisions. Currently remediation data is stored in EQUIS with plans to include all lab data.
- Air Vision – status: underway. Air Vision is an improved tool to better enable the agency to collect and analyze air emissions that contribute to Ozone. This is particularly important in the five parish ozone nonattainment area.
- Single Sign On – status: underway. This project will enable DEQ employees to access all data systems with a single sign on instead of requiring a different username and password for each system.
- Field inspection forms – status: planned. This project will enable the field staff to collect data on an electronic device that synchronizes with the databases, instead of filling out paper forms that must be keyed into the systems.
- Louisiana Environmental Analytical Data Management System (LEADMS). This project will allow outside parties to submit data electronically. In addition this project aids in disaster recovery by providing a standardized format. By providing this standardized submittal format and data delivery;
- Oracle Business Intelligence (OBIEE) –The acquisition of Oracle Business Intelligence which accesses multiple data sources for consistent data reporting is underway and holds much promise for efficient and effective usage of data. In addition, the anticipated use of EQUIS to centralize data management will greatly aid in reducing resource allocation and uncertainty in water quality data management. Efforts between Surveillance Division data gatherers and WQAD data users in the development and implementation of automated uploading of GPS and continuous dissolved oxygen data has provided "touch free" data handling to improve

data quality by eliminating opportunity for data transcription errors. Currently, planning is being conducted to enable additional "touch free" data collection and upload to achieve gains in data quality through the use of field "notepad" computers and mainframe interface and through acquisition of additional features associated with water quality monitoring instruments.

## **SECTION FIVE: ELIMINATION OF DUPLICATIVE AND UNNECESSARY SERVICES**

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### **LIST THE ACTIVITIES OF YOUR DEPARTMENT THAT FALL OUTSIDE OF YOUR CONSTITUTIONAL AND STATUTORY MANDATES.**

- EWOCDS  
Please see discussion on EWOCDS that begins on page 4 under Section Two: Efficiency and Benchmarking.
- Sanitary Wastewater Compliance Assistance Training (SWAT) and UST Compliance School  
These proactive schools were instituted by the department in an effort to promote compliance and assist small businesses to obtain and maintain compliance without having burdensome penalties levied against them. These schools have been successful in achieving department goals of reducing repeat violators through proactive measures.

#### SWAT

The Louisiana Department of Environmental Quality (the Department) has the responsibility to ensure compliance with the federal Clean Water Act, the Louisiana Environmental Quality Act, and the Department's water quality regulations through its permitting, surveillance, and enforcement functions. A large percentage of the wastewater treatment facilities and permits are associated with systems that receive and treat 25,000 gallons of wastewater per day or less from small businesses, small apartment complexes, mobile home parks, and car washes. Noncompliance with these permits include the failure to conduct the required sampling, failure to submit Discharge Monitoring Reports, and the failure to adequately operate and maintain the facility. These types of violations are often the result of lack of knowledge rather than an unwillingness or inability to comply. Many of the small business owners have stated that they were not aware of the regulatory requirements and have gained compliance once made aware of the issue. The focus of the program is to educate permittees and address the backlog of actions so that future noncompliance may be prevented.

The Enforcement Division is currently evaluating the impact of SWAT school through file reviews of DMRs, checking for repeat referrals, and review for DMR submittal. There have been 31 Swat classes throughout the state since 2006, and 850 people have attended.

#### Underground Storage Tanks (UST) compliance school

There are a large number of USTs owned by small businesses with limited or no knowledge of the regulations and/or requirements. In addition, some of the larger businesses suffered from high employee turnover rates; therefore, the employees responsible for compliance frequently changed. These factors led to a high rate of noncompliance within the UST

regulated community. Noncompliance with these regulations can ultimately lead to groundwater contamination. Prior to the Expedited Penalty Program (XP), noncompliance was addressed through the issuance of Compliance Orders and formal Penalties. The costs to comply with the regulations can represent a significant percentage of income at the small facilities. Penalties were difficult to collect after compliance was achieved. The XP regulations were developed in order to educate the regulated community, lower penalty amounts, and ensure compliance. Attendance is required as a component of the XP program. Since the inception of the program, some owners and/or operators have their employees voluntarily attend annually as a refresher and as a means for them to keep updated with current regulations.

The UST compliance school is tied to the Department's Expedited Penalty Program. Early on in the Program, the Enforcement Division verified compliance with the Expedited Penalty by review of documents requested that demonstrated compliance. Currently with the passing of the Energy Bill, the Department issues Notice of Potential Delivery Prohibition letters that causes facilities to come into compliance move quicker in order to avoid being red tagged. There have been 61 classes since 2005 offered throughout the state, and 1101 people have attended.

- Review of minor Discharge Monitoring Reports (DMRs)  
All DMRs for major water dischargers are reviewed and the data analyzed for non-compliances. A percentage of the DMRs for minor water dischargers have also been reviewed annually in an effort to have a more complete picture of what is being released to the waters of the State. The department's e-DMR project will allow this activity to be conducted more efficiently.
- Water Permits Memorandums of Agreements and Understandings  
Though each of the MOAs and MOUs identified above fall outside DEQ's constitutional and statutory mandates they do enhance cooperation, promote interagency coordination and result in a more effective and protective LPDES program. To eliminate the identified MOAs and MOUs and discontinue the combined coordination and interagency cooperation would streamline water permitting activities, but at a significant future cost to the environment....potentially. The Memorandums of Understanding (MOU) between the U.S. Fish and Wildlife Service (FWS), the Louisiana Department of Health and Hospitals (DHH), the Louisiana State Historical Preservation Office (SHPO) and the LDEQ are not mandated by any existing constitutional or statutory regulation of the State of Louisiana.
- Request for Preliminary Determinations (RPDs)  
The evaluation, completion and issuance of RPDs are not specifically identified as either a constitutional or statutory mandate. The activity is however implied, in that it protects the environment and informs the regulated and unregulated community of potential issues associated with acquiring a waste water permit prior to initiating construction efforts. The activity has merit and the department supports continuing this activity.

- Hurricane Response

Many of the activities associated with response to Hurricanes Katrina, Rita, Gustav and Ike fall outside of DEQ's constitutional and statutory mandates, but were deemed necessary and appropriate to expedite a timely and efficient recovery. These activities included the approval and oversight of emergency debris management sites. DEQ is currently taking the lessons learned from these past events to be better prepared for future emergencies. We are currently working with local governments to identify and pre-approve emergency debris management sites.

- Louisiana Environmental Laboratory Accreditation Program (LELAP)

The department is currently restructuring in order to terminate the use of private auditors. Presently the average cost for a routine laboratory audit by a private audit contractor about \$10,000 where in the department can accomplish the same audit for around \$5,000.

The LELAP program has instituted best management practices in two areas; streamlining audits to increase efficiency of existing staff and regionalization to ensure laboratories away from Baton Rouge have proportionate audit costs.

- Reporting and response to Phase 1 and Phase 2 property assessments

Review and response to real estate transactions and reporting by the real estate and banking industries. Reporting and response to Phase 1 and Phase 2 property assessment reports are time-sensitive for real estate transactions. These reviews are not required by DEQ regulation. Many times the banking industry requires documentation from the department before a real estate transaction can close. There are often requests to provide a response – usually in the form of a letter of no further action or a letter that indicates, based on the information provided that the department does not intend to respond further.

- 29B Closure Sites

There has always been some overlap in regulatory jurisdiction at “oil and gas” sites. Soils are typically cleaned to 29B pit closure standards. Recently, DNR began allowing ground water at oil and gas sites to be cleaned to RECAP standards, a regulatory standard at DEQ. Rather than apply the standard, DNR has begun sending these ground water contamination issues to DEQ. However, regulations require DNR's continued involvement. 29B pit closure sites should be handled exclusively by DNR.

- IT Functions

Support divisions such as the IT and Administrative Services division do not have constitutional or statutory mandates, but provide support to mandated activities performed by other divisions of the department.

- Waste Tire Program

The state's involvement in the Waste Tire Program could be lessened if the burden of collection and disbursement of funds were shifted to the tire dealers.

- Criminal Investigation Division (CID)

CID performs criminal investigative functions of the department which DEQ is statutorily mandated. Specifically, DEQ shall investigate and determine whether an environmental crime has occurred, refer it to the local District Attorney, and then to provide all evidence in support of the referral to make the case to the prosecutor. CID, as a division, is not statutorily mandated, but the statutory function cannot ethically and independently be executed by DEQ without it. DEQ has discharged this duty by maintaining a full-time criminal investigations section since 1990. Under this administration, DEQ has audited CID and completely re-tooled its personnel, policies and procedures, and implemented a bold education and outreach program for purposes of developing partnerships and promoting deterrence to much success.

**IDENTIFY OUTDATED ACTIVITIES THAT SHOULD NO LONGER BE PART OF THE MISSION OF YOUR AGENCY.**

- Litter & Recycling

DEQ currently receives complaints from a litter hotline by citizens and in response sends “litterbug” warning letters to the subjects of said complaints. This activity is unfunded and state-wide efficiency dictates this program may be best consolidated with the current Louisiana Department of Wildlife & Fisheries (LDWF) litter education and enforcement programs. At present, LDWF maintains funding sources focusing on litter abatement and an overarching anti-litter campaign is best planned and coordinated by a single state office.

- Reduced EPA oversight of Louisiana Pollution Discharge Elimination System (LPDES) program.

The requirement for oversight of the DEQ water discharge program by EPA is in the delegation package (DEQ/EPA MOA) Section III.E.2.a.iv, however it could be changed. The current oversight provision which requires review of all major permitting actions is excessive in view of the satisfactory performance by DEQ over the last five years. EPA has stated that they have revised this provision in other Region 6 states and are considering it for DEQ. If EPA did not have to review every major permitting action, permit decisions would be made more efficiently and timely.

- Methanol alcohol liquid waste pre-treatment

R.S. 30:2074.E required DEQ to adopt rules to govern the pre-treatment of liquid wastes containing methanol alcohol by October 1, 1995. DEQ did not promulgate rules in accordance with this statute. Since the assumption of the NPDES program from EPA in 1996, DEQ has had a pre-treatment program to regulate all discharges, including methanol, into publicly owned sewerage treatment plants. Therefore, this statute is no longer necessary and should be removed.

- Odor

Due to the subjective nature of odor and its effect on communities, local communities by way of ordinances are in a better position to effectively regulate odor. DEQ’s regulations are statewide and do not offer the flexibility to tailor regulations to address odor issues a

particular community. By regulating odor at a local level, communities can make regulations more stringent than state regulations and structure those ordinances to cover broader sources of odors.

The legislature has, in some cases, empowered certain municipalities to enact specific odor control ordinances at R.S. 30:2055.2. Further, DEQ's authority is already restricted. DEQ cannot establish a program to regulate odors caused by "agricultural, fiber, timber, poultry, seafood, or fisheries production or by byproducts created by agricultural, fiber, timber, poultry, seafood, or fisheries production."

- Noise

Following the same reasoning mentioned above, local communities are in a distinct position to regulate noise in a more effective way as they can enact stricter ordinances than state regulations or statutes can provide.

Acceptable noise levels are usually site-specific, often related to zoning issues or existing land use patterns, and can be more effectively addressed at a local level. The legislature has acknowledged local governments are free to adopt local noise pollution control ordinances (see R.S. 30:2011(A)(2)).

**IDENTIFY DUPLICATION OR OVERLAP WITH OTHER STATE AGENCIES, WITH THE FEDERAL GOVERNMENT, OR WITH PUBLIC OR PRIVATE STAKEHOLDER GROUPS.**

- Oilfield Inspections

The DEQ and the Louisiana Department on Natural Resources (DNR) are exploring possibilities regarding oilfield inspections.

- Surveillance

The Surveillance division conducts inspections with EPA of regulated industries to address both state and federal requirements. These joint inspections have been a good training mechanism for state inspectors. We conduct fish kill investigations with LDWF and LDAF; each agency has specific responsibilities related to their regulatory mandates to determine the cause(s) of aquatic mortalities. We serve as the technical support to LOSCO for oil spill response and partner with EPA and USCG responding to oil spills. We overlap with LDAF for the handling of vegetative debris and occasionally there are issues related to LDAF's BMPs. The handling of vegetative debris, along with the management of untreated and unprocessed wood waste, is probably an area that could be handed off to LDAF. Sewage issues – joint efforts with DHH; they review and approve STP plans; DEQ regulates discharges. We assist one another related to sewage complaints for both permitted and unpermitted discharges.

- Enforcement

The enforcement division coordinates with EPA on enforcement of regulated industries to ensure there is no overlapping in enforcement. We also partner with EPA on global settlements. The Enforcement Division also communicates with the Department of Agriculture regarding BMPs of vegetative and agricultural wastes and the Department of

Natural Resources on cases involving Exploration and Production wastes to ensure the appropriate agency takes the action.

- Emergency Response

The OEC-Chemical Emergency Response program, along with the OEC Surveillance Division, responds to oil spills that may be related to the Louisiana Oil Spill Coordinator program (LOSCO). The OEC-Chemical Emergency Response program overlaps with the Louisiana State Police Hazardous Materials' Response program. These two agencies briefly share responsibilities only during the emergency portion of an incident; however, OEC-ERSD performs oversight of mitigation and disposal during the nonemergency phase of an incident. At such a point that long-term mitigation begins then OEC-ERSD will hand off to OEA-Remediation Services Division.

- Domestic Wastewater Program

Entire Domestic Wastewater Program (including individual homes) is a program where efficiencies exist by having this program in one department. Discussions between agencies on how to take advantage of this streamlining opportunity should be explored.

- Drinking Water Program

The department is presently exploring opportunities with the Department of Health and Hospitals regarding consolidation of its drinking water programs.

- Lead-based Paint Program

Adopted in 1996, (ERC, Chapter 28), has seen a decrease in activity because target facilities were devastated in the New Orleans area following Hurricane Katrina. This is one program authorization that could be explored with EPA and other state agencies with no significant impact for the citizens of Louisiana.

The primary intent of the Lead-based Paint Program is to protect children from lead exposure risk from improperly conducted lead abatement activity. The federal and state law that forms the basis for the regulations has historically been described as "intent based legislation". If someone is intending to abate lead at a regulated facility, then the activity is regulated. If someone is abating lead risk incidentally during the course of renovation, the activity is not regulated. Because abatement is significantly more expensive than renovation most lead reduction activity is addressed as a renovation. DEQ has received only two lead abatement notifications in the past year. EPA recently tried to correct this loop-hole by creating the "the lead-based paint; renovation, repair and painting rule". The cost of the DEQ program has primarily been through the salary of one individual estimated at \$66,163 (08-09). The program generates revenue of about \$100,000 a year through training provider, accreditation fees, and contractor letters of approval (\$46,000). All lead fees are dedicated to the program, and the monies from the fund shall be used solely for the purpose of funding the programs and activities provided by the statute (La. R.S. 30:2351.41. Currently, the Lead Hazard Reduction Fund has about \$336,470.

Because Louisiana Department of Health and Hospitals (DHH) are well aware of the locations and conditions of lead-poisoned children, it could order abatements and oversee

abatement activity and monitor improvements more efficiently than DEQ. DHH already has a significant outreach program to address lead poisoning called the Childhood Lead Poison Prevention Program (CLPPP), and it would be more efficient if one agency administered the entire program: <http://www.dhh.louisiana.gov/offices/?ID=360>. DHH could use the Lead fund to establish a position to process training provider, accreditation fees, and contractor letters of approval.

- DEQ's Waste Minimization Program and the DEQ Mercury Initiative  
These programs focus resources on preventing pollution. Both essentially mirror equivalent federal programs and have potentially overlapping functions.
- Criminal Investigation Division (CID)  
CID shares criminal enforcement duties with The United States Environmental Protection Agency, Criminal Investigation Division (EPA-CID). Many functions of these programs are similar; however the ability of DEQ to regulate solid waste is one factor that distinguishes the programs. EPA-CID does not investigate solid waste violations or have jurisdiction concerning any state criminal or regulatory violations. The ability of DEQ to criminally enforce these violations is significant due to the abundance of illegal dumping in this state.

DEQ's Civil Enforcement Division also enforces the Louisiana Environmental Quality Act; however, the Enforcement Division's authority is limited to monetary penalties. There are also limitations on what a civil inspector can do during an investigation. For example, they cannot obtain arrest or search warrants or make an arrest.

The Louisiana Department of Wildlife and Fisheries issues misdemeanor citations for littering. The maximum penalty for littering is significantly less in the fine and absent of the possibility possible jail time, whereas under La R.S. 30:2025, the fine can be up to \$100,000 for the illegal disposal of a substance that endangers human health and the environment under the felony provision and up to \$25,000 for illegal disposal under the misdemeanor provision.

Public or private stakeholder groups are unable to perform law enforcement functions and the resultant liability concerns would be unsustainable.

- IT Functions  
All state agencies perform very similar IT functions. The broad categories of these functions are:
  - Infrastructure Support, which includes servers, SAN's, and network
  - Client Support, including helpdesk support for hardware and software
  - Application Development Support
  - Security
  - Geographic Information Systems Support

## SECTION SIX: CIVIL SERVICE AND EMPLOYEE BENEFITS

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### LIST AND IDENTIFY ANY CURRENT INITIATIVES OR IDEAS RELATED TO EMPLOYEE BENEFITS, HIRING AND PROMOTION, AND OTHER EMPLOYEE REGULATIONS

The DEQ has taken a pro-active approach in keeping with Governor Jindal's philosophy of fiscal reform and government accountability primarily through DEQ's "Leadership Ten Point Plan" and the development of a Workforce Development Plan. Below are some of the accomplishments of the DEQ which have resulted in a more streamlined, efficient organization.

- Implemented various **organizational structure and classification changes** to accomplish the regionalization efforts.
- Transferred and will be transferring the **Laboratory employees** into various positions to support the core functions of the Department such as Permits and Surveillance activities.
- Revamped and obtained the Civil Service Director and Commission approval of our new **Rewards and Recognition Program** policy instituting the "Spot Award" program which has been used as an example of a 'Best Practice' by Civil Service.
- Created and obtained Civil Service approval for our new **Environmental Scientist 4** job which creates a mentoring and 'bridge' relationship between our staff Environmental Scientists and the supervisory/technical staff.
- Developed and obtained Civil Service Commission approval for our new **Engineer DCL policy**.
- Implemented the new on-line application process, **LA Careers**.
- Instituted the **PPR Report Card** in order for management to monitor supervisory compliance with PPR rules and regulations.
- Between the Fall of '08 and the Spring of '09, we made **28 recruitment trips** including; all of the major state and private universities, Baton Rouge Community College, Engineering network receptions, the Louisiana Association of Colleges and Employers career fair and the career fair for 'Persons with Disabilities'.
- Developed and maintains a **Student Intern** database of mainly scientific undergraduate and graduate students.
- The DEQ has an established **Flexible Work Hours** policy which clearly sets forth perimeters to ensure:
  - Adequate coverage during business hours.

- Approval by the supervisor, manager, and division administrator of each employees schedule which designates the employees start, end, and lunch times.
      - That employees, supervisors, managers and administrators are clearly knowledgeable of their responsibilities for the success of the program.
    - The policy requires a Work Hours Plan Approval Form which certifies that each functional area:
      - Supports adequate coverage
      - Provides service to the public and internal customers
      - Provides adequate phone coverage
      - Balances workload of the section and,
      - Accomplishes the Department's mission
    - Additionally, the employee must complete a Work Hours Request form which must be approved by the supervisor, manager, administrator, and Human Resources before the work schedule can begin. This approved work schedule is on each employee's timesheet and is monitored and audited for compliance and adherence to the schedule. Annual audits are completed by the DEQ Internal Auditors and Legislative Auditors. Additionally, Human Resources conducts annual spot audits and audits sections upon request or as needed.
  - **Telecommuting** policy:

The DEQ has an established Telecommuting policy which outlines the rules and procedures of the telecommuting program. An employee and his/her supervisor, manager, and administrator must agree on the terms of the telecommute via a "Telecommuting Work Agreement". This agreement outlines the Alternate Work Location

    - Communication during the Telecommuting hours
    - Network Access
    - State-owned equipment, if applicable
    - Telecommuting Schedule
    - Work Results and Expectations  - The immediate supervisor is responsible for assuring that all documentation supporting the telecommuting hours and expectations are accessible for audit purposes for each employee. The employee is responsible for indicating on their timesheets each telecommuting day by a telecommuting code of TEL or TC. Annual audits are completed by the DEQ Internal Auditors and Legislative Auditors. Additionally, Human Resources conducts annual spot audits and audits sections upon request or as needed.
- Utilizes the various **Optional Pay Options** in accordance with Civil Service rules in our recruitment and retention efforts.

## SECTION SEVEN: STUDIES AND OTHER RESOURCES

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- DEQ's "a path forward report: environmental protection, quality of life & economic development." March 27, 2008

- “The report of the Task Force in Response to Executive Order MJF 02-12

## SECTION EIGHT: AGENCY BEST PRACTICES

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### LIST AND IDENTIFY ANY CURRENT SUCCESSFUL STREAMLINING INITIATIVES TAKING PLACE (OR HAS TAKEN PLACE) WITHIN YOUR AGENCY

- Expedited Permits

The Expedited Permit Processing program can be considered a hybrid form of outsourcing. Rather than contracting permits out, the applicant voluntarily agrees to reimburse the department for the overtime costs the department’s employees incur to process the permit application outside of normal work hours. The expedited permit processing program is a win-win program for the applicant, the department, and is totally independent of the outcome in the final permit decision. The program directly supports the governor’s goals of economic development and wise use and protection of Louisiana’s natural resources.

The department is currently evaluating the possibility of incorporating LELAP audits and assessments into the expedited permit processing program.

- Personnel Reductions

Beginning FY 2009, the department reduced 39 positions. During the FY09 fiscal year, an additional 20 positions were reduced. These reductions included 1 unclassified position, 5 supervisor positions, 7 senior/staff positions, 3 engineer/geologist position, 5 clerical/paraprofessionals, and 38 professional positions.

- *Please see Appendix D on the breakdown of these reductions by DEQ office.*

- Consolidation of Activities

In consolidation efforts, the department merged the Technology Division with the Remediation Division, which eliminated an administrator position. The outsourcing of the lab services division will eliminate another administrator position. The department also eliminated a manager position by moving the functions of the Contracts & Grants Division under Financial Services.

- *Please see Appendix D on the breakdown of these activities by DEQ office.*

- DEQ Laboratory

DEQ commissioned Astrix Technology Group in early 2008 to conduct a laboratory cost-benefit analysis to determine the operational efficiency of the DEQ Laboratory Services Division (LSD) housed in the DEQ Laboratory at 1209 Leesville Avenue, Baton Rouge, Louisiana. The Study was designed to evaluate the financial health of the LSD. The evaluation was focused on developing an income statement using the number and type of tests conducted. The fiscal year 2008 income statement revealed losses in excess of \$3 million while costs of outsourcing all analytical testing is about \$2.2 million. Therefore, DEQ has chosen to outsource all analytical testing utilizing the RFP process. The DEQ is also in the process of relinquishing the laboratory facility to the Department of Health and Hospitals (DHH). This alone will save the DEQ about \$1.5 million in rental charges. Personnel will be allocated to core functions of the department such as permitting and water quality.

- DEQ-LDAF Office and Warehouse Space Initiative.  
The DEQ and LDAF are working on a project where the LDAF will lease office and warehouse space to DEQ in Baton Rouge, Haughton, and Woodworth, La and an estimated annual savings of \$50,000. Currently DEQ leases office and warehouse space in East and West Baton Rouge Parish as well as Caddo and Rapides. DEQ and LDAF have been in negotiations where LDAF will lease similar space to DEQ at a reduced rate.
- DEQ-LDAF Gasoline & Maintenance Initiative  
DEQ and LDAF are in negotiations whereby we will be able to purchase fuel from LDAF at tanks placed at LDAF locations around the state. Some of these fueling stations are located at properties where DEQ will be leasing space. This will allow reduced travel to and costs to DEQ in fueling vehicles. LDAF can also provide vehicle maintenance services such as oil changes, tire rotations, body work, and other routine vehicle maintenance services.
- Fleet Reduction  
The Louisiana Department of Environmental Quality fleet operations were streamlined during Fiscal Year 2009 by reducing overall fleet size by 10 %.
- Library Services  
DEQ is in the process of ceasing operations of its library. This streamlining effort will save \$270,000 annually, 149,000 of which is rental space.
- Savings in Fiscal Years 2009 and 2010  
In FY 2009 DEQ realized a savings of \$894,000 by reducing acquisitions, closure of Mandeville office and no new vehicle purchases.  
  
In FY 2010 DEQ realize a savings of \$3.2 million by reducing acquisitions, professional services, closure of the Mandeville office, no new vehicle purchased, and a reducing in operating automotive supplies due to the previous streamlining efforts.
- Legal Division  
While the Legal Division met its performance standard in the Louisiana Performance Accountability System in FY2009, the division nonetheless embarked on a streamlining initiative beginning in 2008 to further improve its efficiency and cost-effectiveness in the delivery of legal services. For example, by May of 2009, the Legal Division had streamlined its operations by eliminating six positions and unnecessary personnel details, while at the same time more fully integrating regulation development operations within the division and promoting regionalization (Secretary Leggett's initiative to make all DEQ services available in every region of the state) through assignment of attorneys to individual regional offices.
- Water Quality Analysis Division (WQAD)efforts  
Allocation of personnel resources to regional locations for efficient discharge of duties (lessening travel, improving local area knowledge) has begun in one section previously within the WQAD (Surveys Section) by transferring the section to the Surveillance Division (a main component of regional office staff) to pool resources at the local level. Similar efforts can be

anticipated for other WQAD sections, such as, but not limited to, the Non-point Management Section. Agency decisions are largely based on environmental data, and the advent of Equips will provide a greater sharing of data among the various agency programs for efficient information transfers as needed. Internal business processes are being reviewed for opportunity to advance agency tasks (some outside current WQAD) that may be important but underfunded.

- Geographic Information Systems (GIS)

A serious candidate for consolidation lies in Geographic Information Systems (GIS). Many state departments, such as DNR, DOTD, and LSP, have similar needs based on their programs and therefore individual GIS divisions. A centralized GIS group to support the base layers for the entire state would be cost and resource efficient.

## CONCLUSION

The mission of the DEQ is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development. The department is embraces the opportunity to accomplish this mission through open communication and coordination as we all continue to seek to meet or exceed the Governor's vision in making Louisiana a model state of excellence.

DEQ ACTIVITIES AND ACCOMPLISHMENTS IN REGARD TO THE LEADERSHIP TEN POINT PLAN

TEN POINT PLAN ELEMENTS	OFFICE OF THE SECRETARY	ENVIRONMENTAL COMPLIANCE	ENVIRONMENTAL ASSESSMENT	ENVIRONMENTAL SERVICES	MANAGEMENT AND FINANCE
<p>1. Ethics and Integrity</p>	<p><b><u>Communications</u></b>                      The Communications Division contributes to this part of the plan by being the first contact for all media outlets, some elected officials and some citizens. By providing information that is sound and truthful, the Communications Division is carrying the ethics and integrity torch for the department. The division's interaction with the media, and other sources, often determines the perception of ethics and integrity.</p>	<p>The Administrators in the OEC have attended annual ethics training. OEC will provide annual ethics training for all staff. Managers and supervisors in the regions communicate this aspect as part of the ongoing training of all OEC staff. Additionally, OEC management emphasizes professional integrity continuously.</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b>                      Standards, Assessment, Nonpoint Source, and Data Evaluation Section</p> <p><b><u>Remediation Services</u></b>                      Conduct RSD Staff Meeting</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Provides annual ethics training for all UST staff. (In development)</p> <p>Ongoing dialog with staff regarding ethics and customer service.</p> <p>State Implementation Plan (SIP) Program</p>	<p>Ethics training is a required activity for all employees as specified in LDEQ PPM 1027 - Ethics, Integrity and Conflict of Interest dated May 23, 2005. Supervisors, Managers, Administrators, and officials are responsible for ensuring that subordinates read, comprehend, and comply with the Ethics Code and the LDEQ policy. The Assistant Secretary and OES Division Administrators attended the ethics training on October 03, 2008 (Ethics Update for Executives and Administrators). The Assistant Secretary also attended the Executive Ethics Training Class on January 20, 2009.</p> <p>The OES staff is encouraged to attend the Ethical Behavior in the Workplace class held by CPTP. In addition to LDEQ required courses, the LELAP staff participates in annual ethics training as part of NELAC certification. OES will continue to emphasize participation in Ethics Training in 2009.</p>	<p><b><u>ADM</u></b>                      The members of this division will attend the ethics briefing by the Louisiana Ethics Commission Program.</p> <p><b><u>IT Services</u></b>                      TEMPO EDMS                      Public Records Requests</p> <p><b><u>Financial Services</u></b>                      Participated in department training made available to DEQ employees regarding the State Code of Ethics</p>

TEN POINT PLAN ELEMENTS	OFFICE OF THE SECRETARY	ENVIRONMENTAL COMPLIANCE	ENVIRONMENTAL ASSESSMENT	ENVIRONMENTAL SERVICES	MANAGEMENT AND FINANCE
2. Transparency	<p><b><u>Business and Community Outreach Division (BCOD)</u></b> Ombudsman</p> <p>Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Statement of Views (SOVs)</p> <p><b><u>Communications</u></b> Again, the Communications Division is the first contact for mainly the media, but other sources as well. The media have a far-reaching ability to portray the department in a positive or negative light. By providing information in a truthful, factual and timely manner, the Division continues to show that DEQ is transparent. Whether it is a good news story or bad news story, the Communications Division provides information in a transparent manner so the media, and the public, can trust the entire DEQ.</p> <p><b><u>Criminal Investigation Division (CID)</u></b> CID maintains a dedicated website accessible from the main LDEQ site. On this site, CID posts information about its arrests and convictions.</p>	<p>All documents received or generated by OEC, are sent to DEQ's Electronic Data Management System (EDMS) and made available for public viewing unless the Secretary has declared the document(s) confidential as defined in La. R.S. 30:2030. Examples of these documents sent to EDMS are inspection reports, enforcement actions, citizen complaints, spill and release notifications, and in-coming and out-going correspondence.</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b> Standards, Assessment, Nonpoint Source, and Data Evaluation Section activities</p> <p>Water Quality Modeling Section activities</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b> State Implementation Plan (SIP)</p> <p>Ambient Air Monitoring Program</p> <p>Air Engineering Support Program</p> <p>Emission Inventory Program</p> <p><b><u>Remediation Services</u></b> Track work progress on high profile sites</p> <p>Track Brownfield's program work progress</p> <p>Track remediation sites work progress</p> <p>Conduct RSD Staff Meeting</p> <p>Schedule updates to RSD public web site</p>	<p>OES communicates openly with all stakeholders through meetings, workshops, the LDEQ website and public access to EDMS. OES has an open door policy to all groups and schedules meetings at LDEQ or at other locations upon request.</p> <p>OES posts many reports on the LDEQ website, including a report of incoming permit applications and expedited permit application requests. A monthly report of incoming permit applications is also sent to each Parish governing body and group who request notification.</p> <p>Draft and proposed permits and supporting documents from the OES are made available on the LDEQ website and available at selected repositories for review by all stakeholders. OES also coordinates with LDEQ Community Industry Relations and Communications staff to assure communities are notified of all the public noticing, hearings, and public meetings associated with the proposed/draft permitting activities.</p>	<p><b><u>Financial Services</u></b> Provided financial information as requested by the Division of Administration as they made available budget and expenditure information for the department to provide transparency in government reporting to the public</p> <p><b><u>IT Services</u></b> TEMPO EDMS Public Records Requests</p>

APPENDIX A

TEN POINT PLAN ELEMENTS	OFFICE OF THE SECRETARY	ENVIRONMENTAL COMPLIANCE	ENVIRONMENTAL ASSESSMENT	ENVIRONMENTAL SERVICES	MANAGEMENT AND FINANCE
			<p><b><u>Underground Storage Tank Division (UST)</u></b></p> <p>Obtain GPS coordinates for 100% of the UST sites. (In development)</p> <p>Provide annual ethics training for all UST staff. (In development)</p> <p>Develop and make available to the public and staff GIS layers for active UST sites, active UST Remediation sites and Stage 1 and 2 vapor recovery sites.</p> <p>Involve the Motor Fuels Underground Storage Tank Trust Fund Advisory Board in addressing issues that are brought to our attention by Response Action Contractors such as bid issues, changes in policy, cost control measures and in any unit cost or pricing adjustment to improve transparency of the operation of the fund</p> <p>Evaluate the establishment of a Certified Worker Board and either establish this board or initiate rulemaking to eliminate this requirement.</p>		

TEN POINT PLAN ELEMENTS	OFFICE OF THE SECRETARY	ENVIRONMENTAL COMPLIANCE	ENVIRONMENTAL ASSESSMENT	ENVIRONMENTAL SERVICES	MANAGEMENT AND FINANCE
<p>3. Level Playing Field</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b> Ombudsman</p> <p>Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Statement of Views (SOVs)</p> <p><b><u>Criminal Investigation Division (CID)</u></b> The DEQ Criminal Investigation Division provides an additional enforcement tool for DEQ in its mission of protecting human health and the environment, while promoting economic development. Every environmental crime is also an economic crime. Aggressive criminal enforcement provides deterrence to ensure a level playing field for industry and guarantee that those who commit environmental crimes are dealt with appropriately. Legitimate business owners, who follow federal and state laws, cannot compete with the operators who chose to cheat. Those who are dishonest deprive honest businesses</p>	<p>The OEC utilizes a number of internal procedures in order to ensure a level playing field for all of our activities.</p> <p><b><u>Surveillance Division</u></b> The Surveillance Division strives to be consistent in our inspections and response to complaints and environmental incidents by providing staff with media-specific training and following the guidance outlined in their SOPs for the various activities conducted. They also utilize supervisory accompaniments of field staff to ensure consistency and quality of effort among inspectors.</p> <p><b><u>Enforcement Division</u></b> The Enforcement Division strives to address all issues of non-compliance in the timeframes established by EPA and Legislative commitments. The Enforcement Division ensures that fair and consistent enforcement is taken for non-compliance through the regional circuit rider program and ensures that the nine factors for issuance of penalties or settlements are reviewed. Economic Benefit and Enforcement costs are recouped during settlement negotiations. Senior enforcement staff periodically visits each region in order to discuss current compliance issues and</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b> Standards, Assessment, Nonpoint Source, and Data Evaluation Section activities</p> <p>Water Quality Modeling Section activities</p> <p>Aquifer Evaluation and Protection Section activities</p> <p>Lower Mississippi River Conservation Committee</p> <p>Atchafalaya Basin Program</p> <p>Mississippi River/Gulf of Mexico Watershed Nutrient Task Force</p> <p>Gulf of Mexico Alliance</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b> State Implementation Plan (SIP)</p> <p>Ambient Air Monitoring Program</p> <p>Air Engineering Support Program</p> <p>Emission Inventory Program</p>	<p>OES continues to look for ways to streamline the permitting process and to ensure consistency among permits. OES has improved permit applications and instructions by creating more specific applications with detailed instructions. Regulatory and general permits are being developed and implemented as an aid to save time in the permitting process. Standard templates are being developed and implemented to ensure consistency in permits between facilities with similar operations. OES is also implementing the expedited permit program, which is a program to fast track permits. OES also meets with LED on potential economic development projects to explain the permitting process.</p>	<p><b><u>Human Resources</u></b> Implemented various organizational structure and classification changes to accomplish the regionalization efforts.</p>

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	<p>of the ability to contend on a level playing field by avoiding costs in operation which are legally mandated under the Louisiana Environmental Quality Act.</p>	<p>help ensure that all regions are handling similar compliance issues in the same manner. Additionally, enforcement staff accompanies Surveillance staff on inspections frequently to ensure communication and understanding of cases.</p> <p><b><u>Emergency and Radiological Services Division (ESRD)</u></b>                      The ERSR Radiation, Chemical Accident Prevention and Chemical Emergency Response staff have schedules, deadlines and milestones that must be met in the pursuit of licensing, compliance, enforcement and response activities. The ERSR staff adheres to practices that provide fair and consistent compliance with the environmental regulations and statutes. When taking action for non-compliance, the nine factors for issuance of penalties or settlements are utilized. When responding to environmental emergencies, the ER staff will track all appropriate costs and submit reimbursement claims through the DEQ Legal Division to the appropriate responsible parties.</p>	<p><b><u>Remediation Services</u></b>                      Develop and Implement Louisiana Environmental Analytical Data Management System (LEADMS)</p> <p>Conduct RSD staff meeting</p> <p>Revise RSD Cost Recovery Process</p> <p>Provide for TEMPO integration with Remediation Process</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Strive to meet the inspection requirements of the Energy Act by performing 1500 site inspections with UST staff and contractors.</p> <p>Implement Delivery Prohibition program and red tag facilities that are determined to have non-compliance items that meet the criteria for red tagging</p> <p>Complete rulemaking for secondary containment</p>		
4. Front-Loading	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Ombudsman                       Clean Water State</p>	<p>The OEC participates in a number of outreach processes on a regular basis. All three Divisions provide speakers to industry workshops</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b>                      Standards, Assessment, Nonpoint</p>	<p>OES uses a variety of methods for front-loading including participation in workgroups, creating and</p>	

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	<p>Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Litter/Recycling</p> <p>Environmental Leadership Program (ELP)</p> <p><b><u>Communications</u></b>                      The Communications Division provides a front-loading service through the educational and informational campaigns, the workshops we are in the process of doing and through various informational publications such as the annual report, e-newsletter and brochures on a variety of environmental topics. The division attends DEQ meetings and keeps up with local and national issues so that DEQ is proactive on issues instead of reactive. Works closely with media to provide the public information.</p>	<p>and conferences, EnviroSchool where the general public can get a better understanding of DEQ functions and activities, regulatory conferences with other states and federal counterparts as well as participate in Department/Stakeholder workgroups to achieve better understanding of issues. OEC personnel have also been very involved in teaching FEMA National Incident Management classes to external groups along with Department employees.</p> <p><b><u>Surveillance Division</u></b>                      The Surveillance Division Regional staff participates with staff from OSEC in meetings with parish and local government officials. These meetings and forums have been successful in providing local government and regulated entities with local contacts for questions and issues that arise.</p> <p><b><u>Enforcement Division</u></b>                      The Enforcement Division sponsors a UST Compliance School and Sanitary/Vehicle Wastewater Assistance Training (SWAT school) that is available to the regulated community in order to explain regulatory compliance in layman's terms and assist them in maintaining compliance with UST and sanitary</p>	<p>Source, and Data Evaluation Section activities</p> <p>Water Quality Modeling Section activities</p> <p>Aquifer Evaluation and Protection Section activities</p> <p>Lower Mississippi River Conservation Committee</p> <p>Atchafalaya Basin Program</p> <p>Mississippi River/Gulf of Mexico Watershed Nutrient Task Force</p> <p>Gulf of Mexico Alliance</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b>                      State Implementation Plan (SIP)</p> <p>Ambient Air Monitoring Program</p> <p>Air Engineering Support Program</p> <p>Emission Inventory Program</p> <p><b><u>Remediation Services (RSD)</u></b>                      Revise RSD Cost Recovery Process.</p> <p>Track Brownfield's program work progress.</p>	<p>updating guidance manuals, conducting pre-permit meetings, sending notifications to stakeholder groups, posting information on the LDEQ website, and conducting workshops. All four of the OES Divisions have participated in the EnviroSchool program and received positive feedback. OES also works with LED on attracting potential economic development projects by explaining the permitting process, including the expedited program, to potential investors.</p>	

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		<p>wastewater discharge regulations.</p> <p><b><u>Emergency and Radiological Services Division (ERSD)</u></b>                      The ERSD staff regularly conducts training and examinations to various individuals and groups. The Radiation group conducts licensing examinations for radiographers. The REP&amp;R group provides radiation response training to individuals, parish officials, law enforcement and NGOs. The Radiation and Chemical ER staff travels to various areas of the state and conducts Rad/Chem ER training for law enforcement and fire service first responders. The CAPP inspectors have provided compliance training at conferences with industry officials. Finally, ERSD staff has an ongoing commitment to provide OSHA HAZWPR training to individuals in DEQ and other state agencies expressing a need.</p>	<p>Conduct RSD staff meeting</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Distribute quarterly e-newsletters to the regulated community to provide information and improve awareness.</p> <p>Distribute UST brochures to assist the regulatory community in achieving compliance.</p> <p>Conduct Expedited Penalty Seminars, operator certification training, on-site training, and an informative and dynamic informational website to the regulated community.</p>		
<p>5. Regionalization</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Litter/Recycling</p>	<p>The OEC has a significant number of its employees located in Regional Field Offices.</p> <p><b><u>Surveillance Division</u></b>                      The Surveillance Division has 6 regions and 2 sub-regions to provide inspection coverage, customer service, and timely response to citizen complaints, local issues and concerns.</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b>                      Standards, Assessment, Nonpoint Source, and Data Evaluation Section activities</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b></p>	<p>OES has five employees working out of regional offices. All documents and work products are either created in or attached in TEMPO or are accessible via EDMS. The review of work product is accomplished on line. OES is currently developing how best to utilize this concept for</p>	<p><b><u>ADM</u></b>                      All of the activities of this division are shared through the Regional Office Coordinators.</p> <p><b><u>Human Resources</u></b>                      Implemented various organizational structure and classification changes to accomplish the regionalization efforts.</p> <p><b><u>Financial Services</u></b>                      Implemented financial</p>

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	<p>Environmental Leadership Program (ELP)</p> <p><b><u>Criminal Investigation Division (CID)</u></b>                      CID has hired three investigators who will be based at DEQ's Shreveport, Lake Charles and Lafayette regional offices. These changes will facilitate CID's timely response to leads, while providing local law enforcement consistency in who they can reach out to in times of need.</p>	<p><b><u>Enforcement Division:</u></b>                      The Enforcement Division has 3 circuit riders, 2 which are housed in regional offices. Additionally, senior enforcement staff visits each region regularly to provide assistance and training.</p> <p><b><u>Emergency and Radiological Services Division</u></b>                      The ERSD has eight Chemical ER responders and nine Radiation Compliance Inspectors housed in five regional offices. There are six Chemical ER responders and five Radiation Compliance Inspectors located in the DEQ HQ. The CAPP program only has two inspectors operating statewide from the DEQ HQ along with the three REP&amp;R responders covering three nuclear power stations. Other divisions housed at some of the regions are Remediation, UST, Permits, AQ Assessment, and Legal.</p> <p>The addition of divisional staff is an ongoing process and more staff will be added in the years to come to better serve the citizens of the State.</p>	<p>Air Engineering Support Program</p> <p>Emission Inventory Program</p> <p><b><u>Remediation Services (RSD)</u></b>                      Successful establishment of a position in three regional offices.</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Offer certified worker examinations, operator certification classes, and expedited penalty seminars at regional locations to provide improved customer service. (In development)</p>	<p>more employees.</p>	<p>accounting organizational structure to accomplish the reorganization efforts of the department.</p>
<p>6. Investment in Employees</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Ombudsman</p>	<p>The OEC expends considerable time and money training staff both internally and externally. Staff from each division regularly</p>	<p><b><u>Remediation Services</u></b>                      Develop and Implement Louisiana Environmental</p>	<p>A number of OES staff telecommutes, a privilege that increases morale and retention of staff.</p>	<p><b><u>ADM</u></b>                      With the reduction in staff and the streamlining of functions, it is imperative that training</p>

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	<p><b><u>Criminal Investigation Division (CID)</u></b>                      CID has hired a new CID Manager and a criminal enforcement attorney with 18 years of law enforcement and prosecutorial experience. In addition, the enhancement of the legal team will provide valuable counsel with regard to search and seizure issues, interviewing subjects, and legal issues that arise during a criminal environmental investigation.</p> <p>In keeping with the advanced technology available to law enforcement entities, CID has an analyst who underwent computer forensic training in order to expedite a return and review of electronic information gathered from search warrants.</p>	<p>trains the other divisions in order to promote understanding and communication. Some examples for each division are:</p> <p><b><u>Surveillance Division</u></b>                      The Surveillance Division provides training for staff, in-house and at EPA sponsored workshops, to ensure in-depth knowledge of the regulations and the investigatory process. We utilize mentors (experienced DEQ staff) to oversee and train new and less-experienced staff to ensure they become proficient in one or more media by the time they qualify for the supervisory or staff scientist positions (5 and 6 years respectively).</p> <p><b><u>Enforcement Division</u></b>                      The Enforcement Division provides ongoing in-house training and assigns an experienced staff member to serve as a mentor for each new employee coming in. Examples of recent classes are Penalty Class and Legal Overview of the Enforcement Process. Additionally, some media have developed charts and diagrams for new employees in order to develop understanding more quickly.</p> <p><b><u>Emergency and Radiological Services Division (ERSD)</u></b>                      The ERSD staff receives ongoing</p>	<p>Analytical Data Management System (LEADMS)</p> <p>Track Brownfield’s program work progress</p> <p>Provide for TEMPO integration with Remediation Process</p> <p>Development of RSD and Louisiana Environmental Analytical Data Management System (LEADMS) internal websites (DEQ Wiki).</p> <p>Conduct RSD staff meeting.</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Offer on-site training, when requested, all over the state.</p> <p>Hold semi-annual staff meetings to ensure that employees are aware of all issues and have an opportunity for input</p> <p>Develop and offer an “Introduction to UST Remediation” training class for new USTD staff who are not familiar with the UST remediation process</p>	<p>The OES staff is also offered the benefit of working flexible schedules as long as coverage is maintained during the core business hours.</p> <p>A Performance Planning and Review (PPR) process is used in some areas to give employees the critical information they need to grow and improve. A PPR matrix is utilized to ensure that the reviews are consistent and fair; the matrix lists the expectations included in each employee’s Planning document and describes the level of performance associated with each rating. The OES continues to work to refine the PPR and work expectations and standards.</p> <p>In addition, OES actively seeks and provides training opportunities for its staff, most of which is at no cost to the agency.</p>	<p>of the remaining employees be placed as a high human capital priority.</p> <p><b><u>Human Resources</u></b>                      Transferred many of the Laboratory employees into various positions within the Department in anticipation of the closure of the Laboratory Division.</p> <p>Revamped and obtained the Civil Service Director and Commission approval of our new Rewards and Recognition Program policy instituting the “Spot Award” program which has been used as an example of a ‘Best Practice’ by Civil Service.</p> <p>Created and obtained Civil Service approval for our new Environmental Scientist 4 job which creates a mentoring and ‘bridge’ relationship between our staff Environmental Scientists and the supervisory/technical staff.</p> <p>Developed and obtained Civil Service Commission approval for our new Engineer DCL policy.</p> <p>Implemented the new on-line application process, LA Careers.</p> <p>Continues the use of Flexible Work Schedules and Telecommuting as part of our recruitment and retention strategies.</p>

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		<p>training from all available resources through a rigorous curriculum. This division has the responsibility to lead the agency staff in the capability of responding to a variety of incident scenarios related to the following: chemical or radiation release; natural disaster or storm related incident; terrorist or pandemic related incident. The ERSD staff must maintain and continually refresh training in response capabilities to provide the necessary services for the citizens of this state and protection of this state's environmental assets.</p>	<p>Provide PPR training for all Managers and Supervisors</p> <p>Encourage and Make Certified Public Training Program available to staff</p> <p>Provide extensive on-the-job training to staff via mentoring</p>		<p>Utilizes the various Optional Pay Options in accordance with Civil Service rules in our recruitment and retention efforts.</p> <p>Employee of the Year award</p>
<p>7. Investment in Community Organizations and Local Governments</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Litter/Recycling</p> <p>Environmental Leadership Program (ELP)</p> <p>Ombudsman</p> <p>Statement of Views (SOVs)</p> <p><b><u>Communications</u></b>                      The Communications Division works with local governments on such activities as the Ozone Steering</p>	<p>The OEC meets regularly with community organizations and concerned citizens in order to better understand their perspective on local issues. Local governments are regulated by many of the media under the jurisdiction of the Department, and all OEC divisions work with them to resolve compliance issues as well as give them compliance assistance. The divisions also participate in community forums and activities to educate and inform business entities, local governments and citizens as to regulatory requirements and jurisdictions.</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b>                      Standards, Assessment, Nonpoint Source, and Data Evaluation Section activities</p> <p>Aquifer Evaluation and Protection Section activities</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b>                      State Implementation Plan (SIP)</p> <p>Ambient Air Monitoring Program</p> <p><b><u>Remediation Services</u></b>                      Develop and Implement</p>	<p>OES participates in conferences, community meetings, city council meetings, develops and presents a number of workshops and training courses.</p> <p>OES also communicates and coordinates with state and local civic and municipal organizations on matters such as zoning and Economic Development.</p> <p>OES worked extensively with local government in the response to Hurricanes to encourage local government and other stakeholder input into the Comprehensive Plan for Disaster</p>	

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	<p>Committee campaign. The division has set up a statewide air quality notification system for citizens who are interested. We also work with local governments to provide information to the public in emergency situations such as the Plaquemine train derailment, the Lafayette train derailment or the DOW chemical release in Lake Charles.</p> <p><b><u>Criminal Investigation Division (CID)</u></b>                      A fundamental aspect of economic development for prospective businesses that choose to site in Louisiana is quality of life. Insuring quality of life is a hallmark of CID. For example, blight caused by the illegal disposal of solid waste is an ongoing problem for the state and the callous nature of such crimes is of paramount concern to DEQ. Action by CID is swift and the consequences are severe.</p> <p>CID presented a webinar to the Louisiana Municipal Association on environmental crimes. In August, CID will present EnviroSchool all over the state.</p> <p>CID attended</p>		<p>Louisiana Environmental Analytical Data Management System (LEADMS).</p> <p>Track work progress on high profile sites.</p> <p>Track Brownfield's program work progress.</p> <p>Track remediation sites work progress</p> <p>Schedule updates to RSD public website.</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Expand the number of sites addressed under the Abandoned Tank programs and partner with Brownfields program to address abandoned UST sites. Develop No Further Action decisions including tables, maps and other information for these sites that may be critical for redevelopment.</p> <p>Develop joint SOP's with RSD for ozone awareness during implementation of remediation projects.</p> <p>Play significant role in multiple aspects of real estate</p>	<p>Clean-up and Debris Management.</p>	

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	<p>annual Louisiana Environmental Action Network convention and lectured to the general assembly on our program. .</p> <p>CID is partnering with LDWF on an anti-littering and illegal dumping campaign.</p>		<p>transactions and development.</p>		
<p>8. Investment in Small Businesses</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Ombudsman</p> <p>Statement of Views (SOVs)</p> <p><b><u>Communications</u></b>                      Communications sends the e-newsletter out statewide and include small businesses, local governments, industry representatives and citizens. Also, we highlight small businesses that make environmental improvements in the e-newsletter. We have started, and continually update, a Good News section on the website to highlight</p>	<p>The OEC invests in small business by providing compliance assistance at the local level to help individuals understand the rules and regulations that are applicable to their activities. These activities are accomplished during inspections, incident investigations enforcement activities and the UST and SWAT compliance schools. We also work with the Small Business Section on special outreach projects.</p>	<p><b><u>Water Quality Assessment Division (WQAD)</u></b>                      Water Quality Modeling Section activities</p> <p><b><u>Air Quality Assessment Division (AQAD)</u></b>                      Air Engineering Support Program</p> <p><b><u>Remediation Services</u></b>                      Develop and Implement Louisiana Environmental Analytical Data Management System (LEADMS)</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Make trust fund ‘insurance’ available to the regulated community at very reasonable rates</p> <p>Make Small Business Assistance</p>	<p>The OES Assistant Secretary encourages the development of regulatory permits and the development or reissuance of general permits to simplify the application process for small businesses, who may not have dedicated environmental staff or the resources necessary to hire a consulting firm.</p> <p>The expedited permit program has also been a useful tool for small businesses. The expedited program allows the applicant to request a date for final decision on a permit. This allows those facilities with limited funds to initiate operations and hence generate cash flow in a minimal timeframe.</p> <p>The OES webpage assists small businesses in determining their</p>	

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	<p>small business and others that contribute positively to the environment.</p>		<p>Group available to regulated community, when appropriate</p> <p>Provide technical support to small businesses in the form of Expedited Penalty program, free operator training program, newsletters, website, and personal attention</p>	<p>environmental permit needs without the cost of expensive consultants. One of the most utilized is our “Do I need a Permit?” page. Applications and guidance documents for the all divisions are also assessable through the website.</p> <p>OES also refers eligible applicants to LDEQ’s Small Business/Small Communities Assistance Program staff.</p>	
<p>9. Investment in Green Government and Applied Research</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Clean Water State Revolving Loan Fund (CWSRF)</p> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <p>Litter/Recycling</p> <p>Environmental Leadership Program (ELP)</p> <p><b><u>Communications</u></b>                      Communications has updated their website to provide tips on how to live “green” and how to make environmentally positive contributions. We have organized the Enviroflash system that allows the public to sign up for air quality alerts.</p>	<p>The OEC contributes to green government by prudent use of vehicles and using electronic means wherever possible to help meet the agency goal to go paperless as much as possible. There are recycling programs in all the regional offices. Additionally, equipment purchases are standardized as much as possible in order reduce costs, spend less energy on multiple maintenance and calibration programs, extend the life of processes and procedures to create less waste from outdated supplies.</p>	<p><b><u>Water Quality Assessment Division (WOAD)</u></b>                      Standards, Assessment, Nonpoint Source, and Data Evaluation Section activities</p> <p><b><u>Remediation Services</u></b>                      Develop and Implement Louisiana Environmental Analytical Data Management System (LEADMS).</p> <p><b><u>Underground Storage Tank Division (UST)</u></b>                      Facilitate electronic submittals. (In development)</p> <p>Efficient scheduling/staging of inspections</p> <p>Establish online applications, renewals, and payments for UST certified</p>	<p>OES encourages staff and local governments to recycle, reuse and reduce waste to the greatest extent practical in day-to-day operations. Each employee has a recycle bin and large recycle containers are housed in the break-room. OES uses e-mail and other electronic means of transmittal to forward documents to EPA, the regulated community, other state agencies, private and public organizations, environmental groups and other interested entities in an effort to save state resources. Additionally, the Office has decreased the number of vehicles, by transferring a LELAP vehicle to Small Business and Community Assistance, and by reducing the</p>	<p><b><u>ADM</u></b>                      This department has operated four hybrid-electric vehicles within our fleet.</p>

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	<p><b><u>Criminal Investigation Division (CID)</u></b>                      CID is developing an electronic case and document management system which will reduce the need for paper reports and time keeping. It will also permit for interaction between the manager located in Baton Rouge and the investigators assigned to the regional offices.</p>		<p>workers and response action contractors. (In development)</p>	<p>number of vehicles in the Waste Permits Division from three vehicles to one. A number of OES employees telecommute, which results in a reduction in emissions due to vehicle travel.</p>	
<p>10. Investment in Technology &amp; e-Business</p>	<p><b><u>Business and Community Outreach Division (BCOD)</u></b>                      Environmental Leadership Program (ELP)</p> <p><b><u>Criminal Investigation Division (CID)</u></b>                      In keeping with the advanced technology available to law enforcement entities, CID has an analyst who underwent computer forensic training in order to expedite a return and review of electronic information gathered from search warrants.</p>	<p>The OEC has several recent projects that demonstrate our commitment to an investment in Technology and e-business. All divisions fully utilize EDMS and encourage outside entities to use this tool to access facility records. Specific division projects include:  <b><u>Surveillance Division:</u></b>                      The Surveillance Division utilizes the Department's Global Positioning Device (GPS) Up-loader. This new computer program allows the department to manage data more efficiently in an electronic format. It has also improved the accuracy of the data. The Continuous Monitoring Water Quality Data Up-loader is also now being used. This new computer program allows us to handle large amounts of data</p>	<p><b><u>Air Quality Assessment Division (AQAD)</u></b>                      State Implementation Plan (SIP)</p> <p>Ambient Air Monitoring Program</p> <p>Air Engineering Support Program</p> <p>Emission Inventory Program</p> <p><b><u>Remediation Services</u></b>                      Develop and Implement Louisiana Environmental Analytical Data Management System (LEADMS)</p> <p>Provide for TEMPO integration with Remediation Process</p>	<p>OES played an important role in all aspects of the implementation of TEMPO 11 (reviewing proposed enhancements, participating in acceptance testing, identifying and reporting bugs, preparing training documents, etc.). TEMPO 11 is important to the OES in that the upgrade included several enhancements to increase speed and efficiency of data input including a portal that will allow the regulated community to apply/reapply/modify and update permits on-line.</p> <p>OES also worked and continues to work with LDEQ IT staff to develop an electronic Application Portal/System (one</p>	<p><b><u>IT Services</u></b>                      ePayment;                      Electronic Document Management System (EDMS);                      eDocs;                      TEMPO upgrade;                      ERIC upgrade;                      DNR link;                      ePermits;</p> <p><b><u>Financial Services</u></b>                      Implemented the e-payment system, allowing for DEQ customers to pay invoices either by credit card or Electronic Fund Transfers (EFT's)</p> <p><b><u>Human Resources</u></b>                      Implemented the new on-line application process, LA Careers.</p>

TEN POINT PLAN ELEMENTS	OFFICE OF THE SECRETARY	ENVIRONMENTAL COMPLIANCE	ENVIRONMENTAL ASSESSMENT	ENVIRONMENTAL SERVICES	MANAGEMENT AND FINANCE
		<p>more efficiently. It will decrease the time it takes to process the data and have it available to the public.</p> <p><b><u>Enforcement Division</u></b> The Enforcement Division has played a vital role in the e-DMR project that now will allow facilities to submit their DMRs electronically to the Department.</p> <p><b><u>Emergency and Radiological Services Division(ERSD)</u></b> The ERSD Radiation staff has recently upgraded to state of the art radiation testing equipment that provides enhanced compliance testing capability. The ERSD Chemical ER staff is now deploying a new command center that has employed the newest technologies in communication and environmental monitoring capabilities.</p>	<p>Development of RSD and Louisiana Environmental Analytical Data Management System (LEADMS) internal websites (DEQ Wiki)</p> <p><b><u>Underground Storage Tank Division (UST)</u></b> Establish online applications, renewals, and payments for UST certified workers and response action contractors. (In development)</p> <p>Make UST closure, installation and registration forms available electronically.</p> <p>Provide for electronic submittal of UST remediation reports and submittals. (In development)</p>	<p>application is in testing and one is under development). This portal will allow the regulated community to apply/reapply/modify and update permits on-line. This system will also allow access to pertinent electronic documents and payment of permit application fees.</p> <p>OES uses e-mail and other electronic means of transmittal to forward documents to EPA, the regulated community, other state agencies, private and public organizations, environmental groups and other interested entities in an effort to save state resources such as certificate paper, envelopes, postage, and staff time.</p>	

GOALS AND INITIATIVES OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY

TEN POINT PLAN ELEMENTS	
1. Ethics and Integrity	<p>Governor Bobby Jindal called a special legislative session in for the sole purpose of considering a comprehensive ethics and government reform legislative package, sending a clear signal to officials and business leaders across the country that Louisiana was serious when we proclaim a “fresh start” and that we are open for business. In response to the Governor’s call, on February 29, 2008, at the close of the 1st Extraordinary Session in 2008, the Louisiana Legislature passed the nation’s “Gold Standard in Ethics Reform” – the most comprehensive ethics package in the history of the state that immediately catapulted Louisiana in the national rankings for government integrity and ethics. Instead of ranking 44th overall by the Center for Public Integrity, 46th overall by the Better Government Association’s Integrity Index, and 49th place for doing business according to Forbes Magazine. Louisiana made history overnight by becoming the national standard bearer for ethics, transparency and government accountability. The DEQ’s commitment to ethics and integrity mirrors that of the Governor. The DEQ will adhere strictly to the Louisiana Code of Governmental Ethics and all members of the DEQ and the executive team have completed ethics training.</p>
2. Transparency	<p>The DEQ recognizes the importance and value of communicating openly with all stakeholders – the regulated community, the non-business, non-government environmental community, and the social/environmental justice community. The DEQ is committed to increase its responsiveness to all stakeholders. All members of the DEQ executive team are committed to have an open door policy to citizen groups and seek their input. Not only will this result in a more efficient operation for the department, but it will send a clear signal that Louisiana is seriously open for business that serves the best interest of all the state. On March 14, 2008, the DEQ complied with the Governor’s Executive Order NO. BJ 2008-2.</p>
3. Level Playing Field	<p>Environmental regulations are becoming increasingly complex. The DEQ is committed to ensuring that our application and permitting processes are easy to navigate by all potential investors. If the environmental permitting process is not clearly understood, Louisiana risks losing major economic development projects to other states with clearer and/or more timely regulatory processes. Accordingly, Louisiana’s environmental regulations and their application are being reviewed for consistency and competitiveness with other states to ensure that we compete with other states on a level playing field. The DEQ is committed to enforcing its existing environmental regulations more consistently and predictably, and ensuring that penalties are fairly and effectively applied. Strong enforcement efforts result in a cleaner environment for everyone and send the signal to the public that Louisiana is serious about enforcing our laws and cleaning up our environment. The enormous costs of maintaining environmental compliance shouldered by our corporate environmental stewards shall not be undercut by a few who attempt to gain an economic advantage in the international market place.</p>
4. Front-Loading	<p>Front-loading is a proactive approach that focuses primarily on education, technical assistance, and sharing information. The DEQ is committed to work closely with the Louisiana Department of Economic Development to attract new businesses to the state while educating existing businesses on regulatory requirements. The DEQ will provide more technical assistance and educational opportunities to its customers in the regulated community and the general public by providing written guidance and training/workshops where necessary to ensure that complex regulations are better understood. With the emergence of environmental technologies and increasing economic development competition, Louisiana has to take advantage of all available opportunities to lure investments to the state by pursuing new economic opportunities related to the environment. Front-loading will allow the DEQ to decrease the obstacles faced by existing businesses and assist new businesses to better understand</p>

TEN POINT PLAN ELEMENTS	
	<p>the regulatory process and requirements, thereby allowing them to invest in Louisiana with confidence.</p>
<p>5. Regionalization</p>	<p>Regionalization is a decentralized approach designed to make the DEQ more efficient and responsive to our customers statewide. Regionalization will allow the DEQ to increase customer service, decrease referral backlogs, improve turnaround time and provide rapid responses. The DEQ estimates that more than 65 percent of all services can be provided at the regional level and to that end the department is working diligently to strategically increase resource allocation to the regions. Regionalization will foster better working/living relationships between communities and industry, and the department intends to dedicate more staff to the regional offices to provide outreach opportunities. This will bring communities and business together to anticipate and diffuse common problems. Regionalization will also permit the DEQ to expand more front-loading opportunities – for example the department plans to develop additional compliance assistance training for even more industry types. To achieve greater efficiency, division of labor, and better customer service, the DEQ is expanding the number of its regions from six regions to eight regions. A breakdown of the regions and the parishes they serve is listed below in attachment B.</p>
<p>6. Investment in Employees</p>	<p>The DEQ’s greatest resource is its employees. The expertise and dedication they bring to the job in protecting Louisiana’s environment is exemplary. Unfortunately, the ability to attract and retain qualified people has always been a challenge. Historically, entry-level staff members begin their careers at the DEQ, gain three to eight years of experience, and leave for higher-paying jobs in consulting or industry. Frequent turnover of staff in mid-level positions creates a constant cycle of retraining and represents a major barrier to building consistent, experienced teams. This pattern is exacerbated by staff losses to other agencies as well as expertise losses due to aging of the workforce. As part of its Workforce Development Plan, the DEQ is working diligently through its internal human resources office and the State Civil Service Department to address recruitment and retention problems. Retention strategies under consideration include the development of an ES 4 Series, a competitive career track for mid-level professionals (8-15 years of service) to grow professionally, advance, and stay with the department. Other retention strategies include expanding professional development training to include no-cost technical assistance by industry staff during DEQ sponsored training workshops. The use of flexible work schedules is also being implemented. Additionally, the strategic use of Civil Service’s Special Entrance Rate for Environmental Scientists, especially ES 3’s is also being strongly considered. The DEQ strategy is to have fewer staff while investing in our remaining staff.</p> <p>Components of a broad recruiting strategy include better use of Performance Planning and Reviews (PPRs), where new hires spend the first two years mastering one media (e.g., air), before moving to a second media (e.g., water) for two years, then a third media (e.g., solid waste) for two years, and finally hazardous waste for approximately two years. Thus, over a period of eight to 10 years, the new recruit will become proficient in all the media and by this time will be eligible for promotion to a supervisory position or to the non-supervisory proposed ES 4 Series. Working closely with public and private colleges and universities, the DEQ is expanding its recruitment efforts through a student intern program. Other recruitment strategies include re-recruitment of previous employees to replenish lost talent and offering employment opportunities to retired industry employees, who may wish to return to the workforce, but have no mobility aspirations and are more than happy to mentor newer employees. Finally, the DEQ will advertise job opportunities through professional organizations, and if there are not enough candidates within Louisiana, national recruiting efforts will be considered to attract qualified, experienced candidates to key positions.</p>
<p>7. Investment in Community</p>	<p>Working closely with stakeholders from community organizations, public and private colleges and universities, local and state government leaders and representatives from</p>

TEN POINT PLAN ELEMENTS	
Organizations and Local Governments	<p>large corporations, mid-level companies and small businesses, the DEQ is in the process of creating the Louisiana Environmental Advisory Panel (LEAP), an advisory task force that will periodically meet with the Secretary and his executive staff to discuss big-picture issues facing the state and department. In the process the department will strengthen its relationships with its external constituents, especially those experts who care deeply for the environmental health of Louisiana. Stronger partnerships among key stakeholders will facilitate broad-based input and well-designed environmental policies and practices. The DEQ is committed to devoting significant resources as part of its front-loading efforts to educate communities about regulatory processes and to assist local governments in the decision making process.</p>
8. Investment in Small Business	<p>The DEQ is committed to maintaining and enhancing a clear, expedient, and predictable environmental permitting process to leverage expansions among existing small businesses and attract new investments. Small business has been the greatest growth area in Louisiana in recent years. The DEQ will focus on providing more assistance to our small businesses to assist them in achieving and sustaining compliance. Additionally, the department has reduced permit and enforcement backlogs. Communication with small businesses will be enhanced, enabling them to know exactly how long it will take to get a permit, thereby building their confidence levels to invest in infrastructure and create jobs. The DEQ will be more proactive with small businesses, by providing them with important information, technical assistance and education, thereby keeping more companies in compliance.</p>
9. Investment in Green Government and Applied Research	<p>In compliance with the Governor’s Executive Order NO. BJ 2008-8, the DEQ has taken the following steps:</p> <ol style="list-style-type: none"> <li>1. The DEQ has identified a senior staff member to serve as our liaison with the Division of Administration in the development of sustainable and energy efficient programs, budget and management review, purchasing of alternative and renewable energy, and implementation of the sustainable building guidelines.</li> <li>2. Working in cooperation with the Division of Administration and the Department of Natural Resources, the DEQ Communications Division is charged to develop an information campaign to disseminate to other departments best methods and practices regarding energy efficiency, conservation, and the benefits of adopting such practices. This dynamic campaign will be updated annually.</li> <li>3. The DEQ has implemented a fleet reduction of approximately 15 percent in FY 2009, which in terms of avoided cost should yield a projected savings in excess of \$900,000.</li> <li>4. Effective immediately, replacement of remaining fleet vehicles will be expanded to include a heavy emphasis on hybrid and other fuel-efficient vehicles as well as alternative fuel vehicles on state contract.</li> <li>5. The department has adopted an aggressive in-house recycling and paperless program to reduce solid waste with emphasis on single stream recycling.</li> <li>6. The DEQ is fully committed to energy conservation and has adopted a strict purchasing policy to replace all future appliances with more energy efficient models using the Energy Star as a minimum standard.</li> </ol> <p>The DEQ will continue to invest in applied research and commercialization efforts. We anticipate that such efforts will have the potential to develop new environmental assessment technologies (e.g., FLIR). By building strong ties with relevant research enterprises, we will engage more intellectuals in the process of addressing environmental challenges and market opportunities and, in turn, refine research programs to ensure greater collaboration with the private and government sector.</p>
10. Investment in Technology & e-Business	<p>Effective July 31, 2008, the DEQ will begin to roll-out its on-line services – e-Payments, e-Permits, e-Data Submittal (Title V Reports, Discharge Monitoring Reports, Emissions Inventory), and e-Identity, an identification system that will provide a unique user name and password for conducting future e-business with the</p>

TEN POINT PLAN ELEMENTS	
	<p>DEQ. Technology will be leveraged as part of our efforts to become more efficient, transparent, customer friendly, and a strong partner in advancing economic development opportunities for our state. On-line submittal of permit applications will be a significant benefit to many DEQ customers by decreasing the amount of time and paperwork involved in the permitting process. Furthermore, a computerized submittal system will help to identify incomplete applications and ensure that all information required is submitted in a clear format.</p> <p>The Electronic Document Management System (EDMS) is the system used the by DEQ to provide access to the regulated community and public for documents and information submitted to the department. In 2007, the DEQ recorded over 171,000 documents in EDMS. Between on-line submittals of Discharge Monitoring Reports (DMRs) and Green Cards (Receipts of Certified Mail) alone, the DEQ can increase efficiency by 31 percent and re-direct scarce resources to critical front-loading needs in the regions and away from Baton Rouge. The DEQ does recognize the fact that in unique cases documents may have to be either hand delivered or delivered using certified mail. Efforts to utilize more electronic submittal will greatly reduce the cost and manpower currently required to enter data and information into EDMS.</p>

**ACADIANA REGIONAL OFFICE (ARO)** – Parishes served: Acadia, Evangeline, Iberia, Lafayette, St. Landry, St. Martin, St. Mary, and Vermillion. **Main Office: Lafayette.**

**CAPITAL REGIONAL OFFICE (CRO)** – Parishes served: Ascension, East Baton Rouge, East Feliciana, Iberville, Livingston, Pointe Coupee, St. Helena, West Baton Rouge, and West Feliciana. **Main Office: Baton Rouge.**

**NORTHEAST REGIONAL OFFICE (NERO)** – Parishes served: Caldwell, East Carroll, Franklin, Jackson, Lincoln, Madison, Morehouse, Ouachita, Richland, Tensas, Union, and West Carroll. **Main Office: Monroe.**

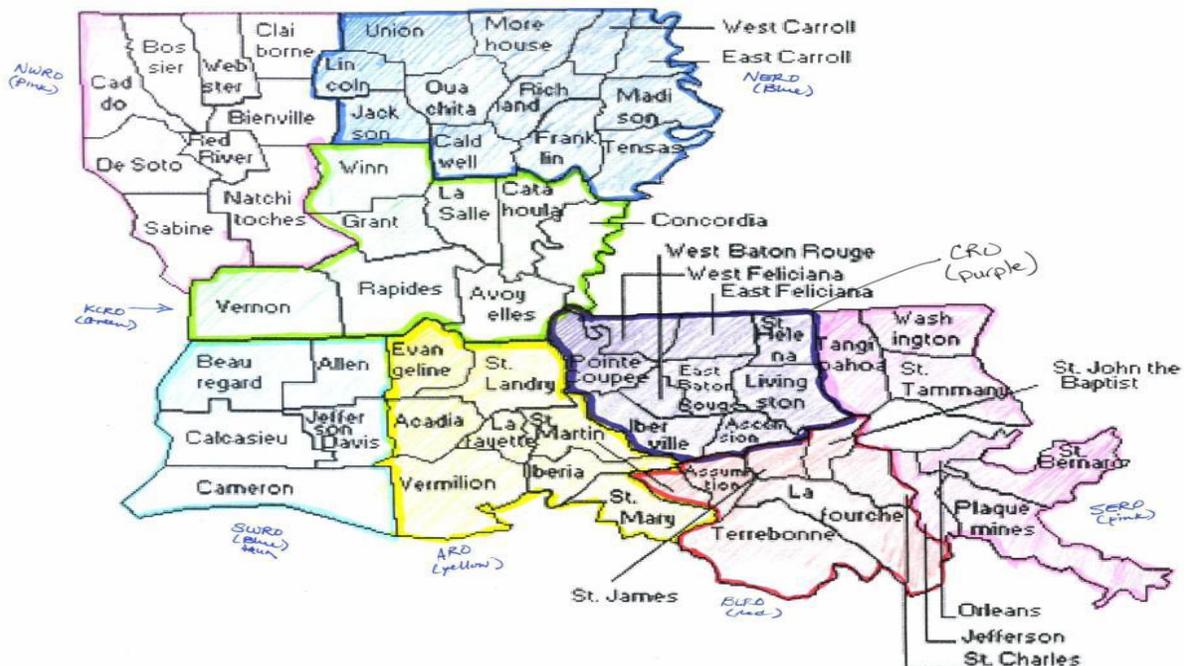
**KISATCHIE CENTRAL REGIONAL OFFICE (KCRO)** – Parishes served: Avoyelles, Catahoula, Concordia, Grant, LaSalle, Rapides, Winn, and Vernon. **Main Office: Pineville.**

**NORTHWEST REGIONAL OFFICE (NWRO)** – Parishes served: Bienville, Bossier, Caddo, Claiborne, De Soto, Natchitoches, Red River, Sabine, and Webster. **Main Office: Shreveport.**

**SOUTHEAST REGIONAL OFFICE (SERO)** – Parishes served: Jefferson, Orleans, Plaquemines, St. Bernard, St. Tammany, Tangipahoa, and Washington. **Main Office: Harahan.**

**BAYOU LAFOURCHE REGIONAL OFFICE (BLRO)** – Parishes served: Assumption, St. Charles, St. James, St. John, Lafourche, and Terrebonne. **Main Office: Lockport.**

**SOUTHWEST REGIONAL OFFICE (SWRO)** – Parishes served: Allen, Beauregard, Calcasieu, Cameron, and Jefferson Davis. **Main Office: Lake Charles.**



DEQ STATUTORY AUTHORITIES AND JUSTIFICATIONS BY ACTIVITY

Division/Activity With State and Federal Citations	Activity Justification And Consequence if Activity not Performed
Executive Section/Activity La. Const. Art. 9, § 1 La. R.S. 30:2002 La. R.S. 30:2003(B) La. R.S. 30:2011 La. R.S. 36:231 La. R.S. 36:233 La. R.S. 36:234 La. R.S. 36:238	<p><u>Justification:</u> The Executive Section is the managerial branch of the department the houses the department’s secretary. It represents the department when dealing with external agencies and promotes initiatives that serve a broad environmental mandate.</p>
Communications Division/Activity STATE: La. R.S. 30:2011(C)(1)(a)(i); La. R.S. 36:238(B)(1); La. R.S. 30:2050.1; La. R.S. 30:2050.1(B)(2)(a); La. R.S. 30:2162(A)(2)	<p><u>Justification:</u> The Communications Division serves as a centralized source of DEQ information to media outlets such as newspapers, broadcast news networks, radio and online news services. The Communications group also produces various publications, works with the public on educational and outreach projects concerning the environment and coordinates statewide informational campaigns.</p> <p>The Communications Division advances the state’s goal of natural resource preservation by providing information to the public and the media on environmental issues. For example, the Communications staff has worked with the Air Assessment Division to promote a series of meetings for the Ozone Steering Committee. The Communications Section instituted the Be Air Aware campaign, under the umbrella of “Be the Solution,” with the goal of educating the public about air quality. This campaign used newspaper, radio spots and the DEQ website to get the message out. By promoting the events and by receiving news coverage from every major media outlet in the state, DEQ has worked as a team to inform citizens of Louisiana of the importance of improving air quality. DEQ also had a statewide campaign for clean waters under the umbrella of “Be the Solution.” This campaign, featuring radio, billboard and TV PSAs, was funded by the U.S. Environmental Protection Agency.</p> <p>Communications staff attends public hearings, coordinates booths and outreach at conferences, fills in on many DEQ events such as Household Hazardous Materials days and generally assists the department in many outreach activities. The division has built credibility and a rapport with statewide media, has produced the unified look for DEQ publications such as its annual report and e-newsletters and has executed air quality and water quality campaigns throughout the state.</p> <p>The goal for the future is to work with our local, state and federal partners to build on the “Be the Solution” campaign as a leading outreach tool to educate and inform the public and to continue to demonstrate integrity and transparency with the media and public.</p> <p><u>Consequences:</u> Each federal program, including solid and hazardous waste, air, water and other federal programs require opportunity for public hearings and public participation. The state plans must include these same requirements in order to substitute for the federal program. Maintenance of the Communications Division enables the Secretary to carry out communications with both the public and the regulated community. Absent state public communication functions, there would be no way to carry out the public information functions required by the federal programs. Loss of those</p>

	<p>programs would result in significant additional expense in complying with federal requirements. Permittees would have to apply to EPA for permits, respond to EPA notices (presumably issued from Dallas TX, Region VI) and would have to rely on federal sources for information on environmental matters.</p>
<p>Business and Community Outreach                  Division/Activity                  STATE:                  La. R.S. 30:2078-2089;                  La R.S. 30:2060 N. (6);</p> <p>FEDERAL:                  Clean Air Act Amendments of 1990                  SS 507 and                  Title VI of the Clean Water Act, 33                  U.S.C. 1381-1387</p>	<p>Clean Water State Revolving Loan Fund (CWSRF)</p> <ul style="list-style-type: none"> <li>• The CWSRF Program provides financial assistance in the form of low interest loans to finance eligible wastewater projects, bringing them into compliance with the requirements of the Clean Water Act, and in order to protect public health. Eligible projects include: publicly owned wastewater treatment systems (Section 212), implementation of a non-point source management program (Section 319), and development &amp; implementation of an estuary management plan (Section 320). Both federal and state governments provide the funding for this program. All monies loaned from the CWSRF are repaid back into the Fund and subsequently loaned out to new borrowers. This process provides a permanent source of funding for future Louisiana projects.</li> </ul> <p>Small Business/Small Communities Assistance Program (SB/SCAP)</p> <ul style="list-style-type: none"> <li>• Spearheaded the department’s Front-Loading mission, a proactive approach that focuses primarily on education, technical assistance, and information sharing. Front-Loading efforts are designed to 1) promote a proactive approach to issues instead of a reactive approach to problems, 2) inform local communities about the regulatory process, and 3) assist local governments in strengthening their rules and processes pertaining to environmental concerns.</li> <li>• Provided assistance to small business stationary sources with pollution prevention and accidental release prevention and detection</li> <li>• Notified applicable businesses of their obligations under CAA</li> <li>• Conducted training sessions designed to educate communities and encourage meaningful participation in the regulatory process</li> <li>• Implemented ENVIROSCHOOL that serves as the educational arm of the DEQ. The “School” is designed to help the public at large better understand the agency and how it operates. ENVIROSCHOOL introduces a different topic each month covering a wide variety of environmental issues ranging from public participation, environmental regulations, to understanding the permitting process and environmental compliance. The instructors for ENVIROSCHOOL are DEQ employees who bring years of experience to each seminar and share information in a simple and user-friendly format. Currently, ENVIROSCHOOL is offered in Baton Rouge, New Orleans, Lake Charles, Shreveport, Monroe and Alexandria.</li> </ul> <p>Litter and Recycling</p> <ul style="list-style-type: none"> <li>• Partnered with Environthon, local governments and industry, Keep Louisiana Beautiful Program</li> <li>• Staffed Litterbug Hotline; distributed anti-litter bumper stickers</li> <li>• Provided educational material for teacher, citizens, organizations regarding the litter program</li> <li>• Set up exhibits at conferences, school functions, earth day, etc.</li> </ul> <p>Environmental Leadership Program (ELP)</p> <ul style="list-style-type: none"> <li>• The ELP is a voluntary partnership program with businesses, municipalities, non-governmental organizations, federal entities, schools and universities and community organizations designed to promote a cleaner and better environment for Louisiana. Any Louisiana entity that</li> </ul>

	<p>fits into one of above categories and is committed to improving the quality of Louisiana’s environment is eligible to join.</p> <p>Statement of Views (SOVs)</p> <ul style="list-style-type: none"> <li>• Serves as the single point of contact for all requested SOVs or Environmental Impact Statements for projects involving federally funded construction.</li> <li>• Provides department-wide coordinated response to the requesting entity.</li> </ul> <p>Ombudsman</p> <ul style="list-style-type: none"> <li>• Facilitated the collection and submittal of information and responses to inquiries and requests from state legislators.</li> <li>• Investigated complaints and concerns submitted by concerned citizens regarding environmental incidents, DEQ actions, and DEQ employees.</li> <li>• Assisted individuals seeking information or other assistance by directing them to the appropriate section or person capable of answering the question or providing the information.</li> <li>• Participated in DEQ Front-Loading activities.</li> <li>• Served as small business ombudsman.</li> <li>• Served as Title VI Coordinator.</li> <li>• Helped citizens and neighborhood groups participate in regulatory processes; served as the agency contact to address allegations of environmental injustice.</li> <li>• Ensured that agency programs that substantially affect human health or the environment operate without discrimination.</li> </ul> <p><u>Justification:</u> The Business and Community Outreach Division provides environmental regulatory assistance and information to small businesses and small communities and thereby nurtures the Department’s “frontloading” concept. Through frontloading the Business and Community Outreach Division will (a) provide an interface between the Department, businesses, and communities; (b) provide outreach and educational materials to customers related to environmental regulations, pollution, community and industry relations; (c) provide funding options for publicly owned waste water treatment systems; and (d) provide environmental assistance and improved public participation for small businesses, small communities and industry.</p> <p><u>Consequences:</u> Federal programs require that there be public involvement in regulatory and permit decisions (citations to the federal requirements for public participation are addressed in other, more specific areas of this report). Failing to have a public outreach function may endanger authorization in those programs requiring that the regulatory agency offer an opportunity for public input. Small business would likely incur additional costs if information had to be obtained from federal instead of state sources. Should DEQ lose federal authority to administer the programs it would be expected that communication function would be more costly to business. An example of a federal requirement would be the Clean Air Act’s requirement that the State Implementation Plan include a provision for public involvement. Without state authorization, federal law imposes escalating penalties for state non-compliance. Those penalties include stricter permit limits, and possible loss of highway funds.</p>
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<p>Audits Division/Activity                  STATE:                  La. R.S. 36:238</p>	<p><u>Justification:</u> The Audit Division advances the state’s goal of natural resource preservation by providing an independent appraisal function which examines and evaluates the department’s activities. This activity supports the mission of the department which is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.</p> <p><u>Consequences:</u> The DEQ Audit Division is not strictly required by federal law, but is implied in all of the programs. Federal law and the EPA grants require that the state use specific accounting guidelines. Failure to follow federal grant guidelines for accounting can result in both civil and possible criminal sanctions. The Audit Division, among its many tasks, insures that federal accounting standards are met. Failure to monitor federal grant guidelines could result in the loss of federal money granted to DEQ to run the federally mandated programs. The Audit Division also maintains the Motor Fuels Underground Storage Tank Trust Fund (MFUSTTF) and the Waste Tire Management Fund (WTMF), both state mandated programs. The MFUSTTF is a fund that acts to fulfill a federal requirement contained in 40 CFR 280.93, which requires that every gas station in Louisiana maintain financial assurance to clean up any release of gasoline that may occur. The MFUSTTF acts as the financial assurance for those gas station owners. The Audit Division acts to maintain the soundness of that fund.</p> <p>The Audit Division also is charged with auditing the collections of all fees deemed necessary to maintain the state’s authority in other programs. Absent the collection of those fees, DEQ would lose its federal authority to maintain the federally required programs. Losing that authority would result in the programs being administered by the federal government, with added costs for the regulated community.</p>
<p>Criminal Investigations Division/Activity                  STATE:                  La. R.S. 30:2025(F)(4)                  La. R.S. 30:2076.2.</p>	<p><u>Justification:</u> The DEQ Criminal Investigation Division (CID) provides an additional enforcement tool for DEQ in its mission of protecting human health and the environment, while promoting economic development. Aggressive criminal enforcement provides deterrence to ensure a level playing field for industry and guarantee that those that do commit environmental crimes are dealt with appropriately.</p> <p><u>Consequences:</u> The CID of the DEQ investigates willful and knowing violations of Louisiana’s environmental laws. There is no direct requirement for a CID, but each program requires that the state have an ability to prosecute criminal violations of the environmental laws. Failure to have the ability to investigate and prosecute willful violations will result in the loss of authority to operate the programs. Loss of those programs will result in less control over investigations and prosecutions of environmental criminals. The federal prosecutions will be in federal court beyond the state’s ability to influence. State supervision of the use of its most fundamental police power will be lost.</p>
<p>Legal Affairs Division/Activity                  La. Const. Art. 9, § 1                  La. R.S. 30:2011(C)(1)(a)(ii) and (D)(1)                  La. R. S. 30:2024                  La. R.S. 30:2050.1(C)                  La. R.S. 30:2050.4 (A), (B), and (G)(1)</p>	<p>In identical language, La. R. S. 36:238(B)(2) and La. R. S. 30:2011(C)(1)(a)(ii) both provide that “[t]he executive office of the secretary shall also include a legal division which shall provide legal consultation and representation to the various offices of the department with regard to permitting, enforcement, grants, contracts, personnel, legislation, intergovernment agreements, or such other matters as may be necessary.” Accordingly, all activities of the Legal Division as an in-house public sector law firm are thus mandated by law.</p>

<p>La. R.S. 36:238                  La. R.S. 30:2015.1(B) and (E)                  La. R.S. 30:2019                  La. R.S. 30:2030                  La. R. S. 30:2050.1(C)                  La. R. S. 30:2050.4(A) and (B)                  La. R.S. 36:231(B);                  La. R.S. 36:234(A)(3);                  La. R.S. 36:238                  La. R.S. 49:950, et seq., particularly 952, 953, 954, 954.3, 962, 962.1, 963, 964, 965, 965.5, 965.6, 968, 972, 992, 992.1, 998, 999.21, 999.24,</p>	<p>In addition, specific legal mandates fulfilled by Legal Division staff include the following:</p> <ul style="list-style-type: none"> <li>• Attorney review of each proposed compliance order, penalty assessment, suspension of a permit, emergency cease and desist order, settlement or compromise, and other proposed final enforcement action for legal sufficiency (La. R. S. 30:2050.1(C));</li> <li>• Attorney review of requests for hearing (La. R. S. 30:2050.4(A) and (B); La. R. S. 30:2024), then representation of the agency in the adjudicatory proceedings that follow if the hearing is granted (La. R. S. 30:2024; La. R. S. 30:2050.4(G)(1));</li> <li>• Regulations specialists assist the agency in promulgating regulations in accordance with the requirements of La. R.S. 30:2019 to meet the strict standards of the Administrative Procedure Act, make available for public inspection and rules and related items (La. R. S. 49:952), and compile, edit, update, and sell to the public the Environmental Regulatory Code (La. R. S. 49:954.3); and</li> <li>• In-house attorneys assist agency staff in the regulation development process and review all draft regulations for legal sufficiency with state and federal law, and to ensure federally authorized and delegated programs are not jeopardized.</li> </ul> <p><u>Justification:</u> The Legal Affairs Division advances the state’s goal of natural resource preservation by providing legal consultation and representation to the various offices of the department in support of the department’s activities to maintain, preserve, protect, and enhance Louisiana’s environment and natural resources through governmental regulation and control using comprehensive statewide policies. The division identifies and pursues all legal means available to support the department’s mission and goals, specifically including but not limited to those with regard to natural resource damage claims which seek to recover for injury to natural resources; permitting, which allows resources to be used in a responsible and efficient manner; enforcement, which monitors compliance with environmental laws and regulations; and remediation, which identifies and seeks clean up of contamination. The division provides other legal support in the areas of collections, contracts, personnel, legislation, and intergovernmental agreements.</p> <p><u>Consequences:</u> The Legal Affairs Division acts as enforcement agent for all of the environmental programs. While the federal programs do not directly address a “Legal Division” all of them require that the state have in its program the functions that would require the services of an attorney. All federal programs require that a state program have the ability to enforce the standards in the state, which are generally required to be at least as strict as the federal program. The attorney is the only individual that is authorized to litigate to enforce environmental standards. Failure to provide for the enforcement function would jeopardize DEQ’s authority to operate the federal programs. EPA would be required to assume the programs, with all enforcement being handled by federal attorneys. Other functions would also be impaired. Liens, cost recovery, etc., would have to be privatized, with additional expense incurred.</p>
<p>Surveillance Division/Activity                  STATE:                  La. R.S. 30:2002(3)                  La. R.S. 30:2011(c)(1)(c)                  La. R.S. 30:2012                  La. R.S. 36:231</p>	<p><u>Justification:</u> Businesses, industries, and residential areas all have the potential to contribute to environmental degradation in the form of waste streams, water discharges and air emissions/releases that can pollute the environment if not treated and handled properly. Economic growth and new housing developments, while socially desirable, can contribute to increased environmental pollution. While permits issued to business, industry and</p>

<p>FEDERAL:                  42 USC 6926, specifically subsections (d) and (e)                  42 USC 6926(b)                  42 USC 7401, et seq.                  42 USC 7410                  42 USC 9601, et seq.                  33 USC 1251, et seq.                  42 USC 1313                  42 USC 1372(b)                  42 USC 1319</p>	<p>residential developments limit air emissions, waste streams and water discharges to protect natural resources, periodic inspections are needed to ensure they operate in a manner that is consistent with their permit(s). While traditionally focused on enforcement of environmental law and regulation, inspections also serve an important function of assisting facilities in clearly understanding the requirements imposed upon them. Many issues of non-compliance are addressed by providing information and guidance to assist owners/operators in achieving compliance and continued protection of the environment.</p> <p><u>Consequences:</u> Authority to administer the hazardous and solid waste programs are through authority granted under 42 USC 6926, specifically subsections (d) and (e). The regulations implemented by the state must be at least as stringent as those in the federal programs. Under 42 USC 6926(b), the EPA Administrator may withdraw authorization to administer these programs if “such program does not provide <u>adequate enforcement of compliance.</u>”</p> <p>Under the Clean Air Act, 42 USC 7401, et seq., Louisiana must develop and implement a procedure to enforce, for example, laws and regulations relative to Prevention of Significant Deterioration of Air Quality (PSC) and New Source Performance Standards. See 42 USC 7410, the State Implementation Plan.</p> <p>Under CERCLA, 42 USC 9601, et seq., through Presidential delegation, states may provide a mechanism to respond and abate releases of hazardous substances to land, air or water.</p> <p>Under 33 USC 1251, et seq., approved states are required to administer the Clean Water Act. To maintain delegation, the states’ enforcement program must be no less stringent than the federal requirements. 42 USC 1313. Louisiana is an approved state pursuant to 42 USC 1372(b). States are specifically required to enforce Clean Water Act standards through the issuance of Compliance Orders. See 42 USC 1319.</p>
<p>Emergency Response and Radiological Services Division/Activity                  STATE:                  La. R.S. 30:2011;(D)(9)                  La. R.S. 30:2035                  La. R.S. 30:2063                  La. R.S. 30:2104;                  La. R.S. 30:2106;                  La. R.S. 30:2110;                  La. R.S. 30:2109,                  La. R.S. 36:231</p> <p>Radiation Protection                  La. R.S. 49:950 and                  La. R.S. 49:954.3</p> <p><u>Atomic Energy Act</u>, 42 U.S.C. §§ 2011, <i>et seq.</i>, as amended in <u>NUREG-0980</u>  <u>Energy Reorganization Act of 1974</u>, 42 U.S.C. §§ 5801, <i>et seq.</i>  <u>Low Level Radioactive Waste Policy</u></p>	<p><u>Justification:</u> The Emergency and Radiological Services Division ensures that public health and occupational safety and welfare of the citizens and the environmental resources of the state are protected by developing radiation operating permits, licenses and registrations; conducting inspections of permitted and non-permitted radiation-related facilities; responding to chemical and radiation-related incidents (i.e., unauthorized releases, spills and citizen complaints); and providing compliance assistance to the regulated community when appropriate. This division establishes a multimedia compliance approach; creates a uniform approach for compliance activities; assigns accountability and responsibility to appropriate parties; provides standardized response training for all potential responders; and provides the necessary oversight monitoring of spill mitigation and the resulting appropriate wastes’ disposal.</p> <p><u>Consequences:</u> The specific authorization from the U.S. Nuclear Regulatory Agency was received by Louisiana more than 30-years ago. The RSD is applying for a copy of the specific authorization from the NRC.</p>

<p><u>Act Amended</u>, 42 U.S.C. §§ 2021(b), <i>et seq.</i>  <u>Occupational Safety and Health Act</u>,  <u>29 C.F.R. Part 1910</u>, particularly §  <u>1910.120</u></p>	
<p>Enforcement Division/Activity</p> <p>STATE:          La. R.S. 30:2025;          La. R.S. 30:2050.2;          La. R.S. 30:2050.3;          La. R.S. 30:2050.7          La. R.S. 36:231</p> <p>FEDERAL: 42 USC 6926,          specifically subsections (d) and (e)          42 USC 6926(b)          42 USC 7401, et seq.          42 USC 7410          42 USC 9601, et seq.          33 USC 1251, et seq.          42 USC 1313          42 USC 1372(b)          42 USC 1319</p>	<p><u>Justification</u>: The Enforcement Division advances the state’s goal of natural resource preservation through issuing appropriate and timely enforcement actions to facilities that have been identified to be out of compliance with the DEQ regulations and assisting them in gaining compliance. The DEQ has Memorandums of Understanding with EPA Region 6 for the timely issuance of enforcement actions for significantly non-compliant violations for the air, water, and hazardous waste programs, based on EPA prescribed timelines. The Department developed appropriate timelines for the issuance of solid waste, underground storage tank, and radiation enforcement actions. The Enforcement Division provides for vigorous prosecution and timely resolution of enforcement actions.</p> <p><u>Consequences</u>: Authority to administer the hazardous and solid waste programs are through authority granted under 42 USC 6926, specifically subsections (d) and (e). The regulations implemented by the state must be at least as stringent as those in the federal programs. Under 42 USC 6926(b), the EPA Administrator may withdraw authorization to administer these programs if “such program does not provide <u>adequate enforcement of compliance</u>.”</p> <p>Under the Clean Air Act, 42 USC 7401, et seq., Louisiana must develop and implement a procedure to enforce, for example, laws and regulations relative to Prevention of Significant Deterioration of Air Quality (PSC) and New Source Performance Standards. See 42 USC 7410, the State Implementation Plan.</p> <p>Under CERCLA, 42 USC 9601, et seq., through Presidential delegation, states may provide a mechanism to respond and abate releases of hazardous substances to land, air or water.</p> <p>Under 33 USC 1251, et seq., approved states are required to administer the Clean Water Act. To maintain delegation, the states’ enforcement program must be no less stringent than the federal requirements. 42 USC 1313. Louisiana is an approved state pursuant to 42 USC 1372(b). States are specifically required to enforce Clean Water Act standards through the issuance of Compliance Orders. See 42 USC 1319.</p>
<p>Air Permits Division/Activity</p> <p>STATE:          La. R.S. 30:2011.(A);          La. R.S. 30:2011.(D)(2);          La. R.S. 30:2011.(D)(5) ;          La. R.S. 30:2011.(D)(6);          La. R.S. 30:2011.(D)(12);          La. R.S. 30:2011.(G);          La. R.S. 30:2014.(A)(1);          La. R.S. 30:2014.5          La. R.S. 30:2023.(B)(1);          La. R.S. 30:2054.(B)(2);          La. R.S. 30:2056</p>	<p><u>Justification</u>: The Air Permits Division maintains and protects Louisiana’s environment and natural resources by conducting comprehensive technical evaluations of incoming air permit applications and by preparing air permits that are protective of human health and the environment. Permits shall: be compliant with the Clean Air Act and the Louisiana Environmental Quality Act; accurately reflect all applicable laws and regulations; ensure compliance with federal and state air quality standards; and contain testing, monitoring, recordkeeping, and reporting requirements sufficient to assure compliance with the terms and conditions of the permit. Permit decisions are based on sound, comprehensive information that is scientifically and economically supported.</p> <p><u>Consequences</u>: The states are required to implement an air permitting program pursuant to Title V of the Clean Air Act. (42 U.S.C. 7661 et seq). The permit program must identify all applicable federal standards including New Source Performance Standards (NSPS, 42 U.S.C. 7411), and National Emission</p>

<p>FEDERAL:                  42 U.S.C. 7661 et seq                  NSPS, 42 U.S.C. 7411                  NESHAPS. 42 U.S.C. 7412                  42 U.S.C. 7651                  42 U.S.C. 7509                  42 U.S.C. 7661f                  42 U.S.C. 7470-7492                  42 U.S.C. 7501-7509                  15 U.S.C. 2641</p>	<p>Standards for Hazardous Air Pollutants (NESHAPS. 42 U.S.C. 7412), which can be delegated to the state. Title V permits are also used to implement requirements under the Acid Rain Program (42 U.S.C. 7651). Failure to implement the Title V permit results in sanctions against the state under the Clean Air Act including an increase in “offset ratio” for Nonattainment New Source Review to 2:1 (making economic development more difficult) and loss of federal highway funds. (42 U.S.C. 7509). This program also includes Small Business Assistance. (42 U.S.C. 7661f).</p> <p>Other requirements implemented by air permits, (such as Prevention of Significant Deterioration (PSD) Permits (42 U.S.C. 7470-7492), Nonattainment New Source Review, (42 U.S.C. 7501-7509), Residential Lead Based Paint Hazard Reduction, (15 U.S.C. 2681), Asbestos Hazard Emergency Response (15 U.S.C. 2641)<sup>1</sup>, are federal standards which are applicable to the sources regardless of implementation by the state. Failure of the state to implement these programs means that they would be implemented by the federal government, presumably EPA Region 6 in Dallas. Implementation by the EPA would make permitting activity more difficult as applicants would be required to deal with EPA in Dallas. EPA also has fewer inspectors available to conduct surveillance to ensure compliance with applicable standards.</p>
<p>Waste Permits Division/Activity                  STATE:                  La. R.S. 30:2011.(A);                  La. R.S. 30:2011.(D)(2);                  La. R.S. 30:2011.(D)(5);                  La. R.S. 30:2011.(D)(6);                  La. R.S. 30:2011.(G);                  La. R.S. 30:2014.(A)(1);                  La. R.S. 30:2023.(B)(1);                  La. R.S. 30:2151                  La. R.S. 30:2154.(B)(2);                  La. R.S. 30:2178 (A)                  La. R.S. 30:2180.(A)(2)                  La. R.S. 30:2183 (A)</p> <p>FEDERAL:                  33 U.S.C. 6926                  33 U.S.C. 1341</p>	<p>DEQ is mandated to perform hazardous waste permitting activities by R.S. 30:2183.A and 30:2178.A. DEQ is mandated to perform solid waste permitting activities by R.S. 30:2151.</p> <p><u>Justification:</u> The Waste Permits Division maintains and protects Louisiana’s environment and natural resources by conducting comprehensive technical evaluations of Solid and Hazardous Waste permit applications and Water Quality Certifications to ensure that the permits are protective of human health and the environment. These permits shall: be in compliance with the applicable sections of the Resource Conservation and Recovery Act, Clean Water Act and the Louisiana Environmental Quality Act; accurately reflect all applicable laws and regulations; and include design, construction, testing, monitoring, recordkeeping, and reporting requirements sufficient to assure compliance with the terms and conditions of the permit. Permit decisions are based on sound, comprehensive information that is scientifically and economically supported.</p> <p><u>Consequences:</u> The Solid Waste Disposal Act as amended by the Resource Conservation Recovery Act and the Hazardous and Solid Waste Amendment Act requires the implementation of a hazardous and solid waste program. The authority to implement may be delegated to the states. (33 U.S.C. 6926). Pursuant to this delegation, the states are required to issue permits, conduct inspections, enforce provisions, and other regulatory activities. Failure to implement the program would result in withdrawal of delegation and the EPA would implement the program in lieu of the state, presumably in Dallas. Implementation by the EPA would make permitting activity more difficult as applicants would be required to deal with EPA in Dallas. EPA also has fewer inspectors available to conduct surveillance to ensure compliance with applicable standards.</p> <p>The Waste Permit Division also conducts Water Quality Certifications pursuant to the Clean Water Act (33 U.S.C. 1341). Although the state is not obligated to conduct Water Quality Certifications, failure to do so would relinquish the</p>

<sup>1</sup> Federal regulations are applicable to “school” buildings. Louisiana regulations also address “state” buildings (i.e., owned or leased by the state).

	<p>opportunity to review projects affecting water quality within the state.</p>
<p>Water Permits Division/Activity                  STATE:                  La. R.S. 30:2011.(A);                  La. R.S. 30:2011.(D)(2);                  La. R.S. 30:2011.(D)(5)                  La. R.S. 30:2011.(D)(6);                  La. R.S. 30:2011.(D)(11);                  La. R.S. 30:2011.(G)                  La. R.S. 30:2014.(A)(1);                  La. R.S. 30:2014.5                  La. R.S. 30:2023.(B)(1);                  La. R.S. 30:2074.(B)(4)</p> <p>FEDERAL:                  33 U.S.C. 1342</p>	<p><u>Justification:</u> The Water Permits Division maintains and protects Louisiana’s environment and natural resources by conducting comprehensive technical evaluations of incoming Water permit applications and by preparing Water permits that are protective of human health and the environment. Permits shall be compliant with the Clean Water Act and the Louisiana Environmental Quality Act; accurately reflect all applicable laws and regulations; ensure compliance with federal and state Water quality standards; and contain testing, monitoring, recordkeeping, and reporting requirements sufficient to assure compliance with the terms and conditions of the permit. Permit decisions are based on sound, comprehensive information that is scientifically and economically supported.</p> <p><u>Consequences:</u> The Clean Water Act requires the implementation of the National Pollutant Discharge Elimination System permit program. (33 U.S.C. 1342). The states may receive delegation from the U.S. EPA. Louisiana has received delegation of the federal program which requires the issuance of permits and inspections for monitoring of compliance. Failure to implement the program would result in withdrawal of delegation and the EPA would implement the program in lieu of the state, presumably in Dallas. Implementation by the EPA would make permitting activity more difficult as applicants would be required to deal with EPA in Dallas. EPA also has fewer inspectors available to conduct surveillance to ensure compliance with applicable standards.</p>
<p>Permit Support Services                  Division/Activity                  STATE:                  La. R.S. 30:2011.(A);                  La. R.S. 30:2011.(D)(2);                  La. R.S. 30:2011.(C);                  La. R.S. 30:2011.(D)(5)                  La. R.S. 30:2011.(D)(6);                  La. R.S. 30:2011.(D)(22);                  La. R.S. 30:2011.(G);                  La. R.S. 30:2014.(A)(1);                  La. R.S. 30:2015.1;                  La. R.S. 30:2023.(B)(1);                  La. R.S. 30:2054.(B)(2)(a);                  La. R.S. 30:2056;                  La. R.S. 30:2074.(B)(4);                  La. R.S. 30:2154.(B)(2)(a)                  La. R.S. 30:2180.(A)(2);                  La. R.S. 30:2344.(B)(2);                  La. R.S. 30:2351.2                  La. R.S. 30:2351.8;                  La. R.S. 30:2351.23.(C)                  La. R.S. 30:2351.23.(E)</p> <p>FEDERAL: Resource Conservation                  and Recovery Act, (PL 102-579; 42                  U.S.C. 6901-6992k);                  Comprehensive Environmental                  Response and Liability Act of 1980,                  (PL 101-510; 42 U.S.C. 9601-9675);                  Clean Water Act, (PL 92-500; 33</p>	<p><u>Justification:</u> The Permit Support Services Division assists in the maintenance and protection of Louisiana’s environment and natural resources by supporting the issuance of permits which control or limit pollution at levels that have been determined to be protective of human health and the environment. This is accomplished by: the timely processing of notifications, permit applications, certifications; maintaining accurate data and records; and supporting public participation.</p> <p><u>Consequences:</u> The permit support services division is necessary to implement certain portions of the air, waste, and water permitting programs. Without these services, the programs could not function properly.</p>

<p>U.S.C. 1251 et seq);                  Clean Air Act, 42 U.S. C. 7401 et seq., 40 CFR Parts 50, 51, 60, 61, 63, 81, 82, 93, and 124</p>	
<p>Water Quality Assessment                  Division/Activity                  STATE:                  La. Const. Art. 9, § 1                  La. R.S. 30:2002                  La. R.S. 30:2003                  La. R.S. 30:2011(A)(1) and (C)(1)(b)                  Louisiana Water Control Law, La. R. S. 30:2071, et seq.                  La. R. S. 36:231                  La. R.S. 36:238(C)</p> <p>FEDERAL:                  Clean Water Act, particularly §§101, 205(j), 208(h)(2)(K), 303(c), 303(d), 303(e), 304, 305(b), 319 (33 U.S.C. § 1251, et seq.)                  Safe Drinking Water Act, 42 U.S.C. § 300(f), et seq., Amendments of 1996 (Source Water Assessment Program), and Amendments of 1986 (Wellhead Protection Program)</p>	<p><u>Justification:</u> The Water Quality Assessment activity directly advances the state goal of natural resource preservation through 1) planning and directing activities to gather the necessary data to determine the current quality of the water resource; 2) evaluating that data to determine natural versus man-induced impacts on the quality of the water resource; 3) developing strategies to prevent and/or improve man-induced impacts on the quality of the water resource; and 4) informing and educating the public about the water resource and how each person can impact that resource, positively or negatively.</p> <p><u>Consequences:</u> Responsibility for assessments would shift to the federal government, which currently lacks adequate manpower and resources to do the work DEQ is doing. This would result in fewer assessments of rivers, streams, lakes and coastal waters, and reduce likelihood of detecting and correcting water quality problems such as contamination with sewage and toxic chemicals. This in turn would lead to greater incidence of water-borne illnesses, and more state waters being unsuitable for irrigation, industrial uses, fishing and swimming. Populations of fish and shellfish could be reduced. The EPA would establish Total Maximum Daily Loads and waste load allocations based on conservative assumptions rather than actual water quality data, which would result in more restrictive permit conditions requiring installation of new, expensive treatment systems by municipalities and private sewage treatment providers. Some water bodies would be closed to any discharges, requiring municipalities and other dischargers to either pay for trucking or piping of wastewater to other discharge points, or cease operation.</p>
<p>Air Quality Assessment                  Division/Activity                  STATE:                  LAC 33:III.919 and 5107                  La. R.S. 30:2054(A)(1) and 2060                  La. R.S. 30:2054                  LAC 33:III.Chapter 7                  La. R.S. 30:2060                  La. R.S. 30:2012                  La. R.S. 30:2054                  La. R.S. 30:2001 et seq.                  La. R.S. 30:2019                  La. R.S. 30:2054(B)(8)                  La. R.S. 32:1301-1314</p> <p>CAA Sections 172(c)(3), 182(a)(1) and 182(a)(3)                  CAA Section 106(a)(2)(B)</p> <p>40 CFR Parts 51, 60, 61, 63                  Section 110 of the CAA                  40 CFR 51 Subpart S</p>	<p><u>Justification:</u> The activities of the Air Quality Assessment Division support the state’s goal of natural resource preservation in a number of ways. Our comprehensive air monitoring network provides quality validated data that assists the public and environmental professionals in making informed decisions. Emissions quantification and testing for large industrial facilities as well as personal vehicles helps ensure that our air quality resources are being protected for future generations.</p> <p><u>Consequences:</u> Failure to perform air monitoring required by Section 110 of the federal Clean Air Act would result in disapproval by EPA of the state’s implementation plan and the issuance of a federal implementation plan, as well as federal sanctions, such as an increase in “offset ratios” to 2:1 (making economic development more difficult) and loss of federal highway funds. Implementation of the program by EPA, through Washington D.C. or Region 6 in Dallas, would be more onerous to Louisiana citizens and businesses, due to greater travel expenses and/or less face-to-face communication.</p>

<p>Environmental Technology Division/Activity                  STATE:                  La. R.S. 30:2171 et seq.;                  La. R.S. 30: 2221 et seq. and in particular La. R.S. 20: 2226(H)(1); La. R.S. 30:2271 et seq.;                  La. R.S. 30:2001 et seq. and in particular R.S. 30:2154;                  La. R.S. 30:2011 (D)(25);                  La. R.S. 30:2205(D) and                  La. R.S. 30: 2206;                  La. R.S. 30:2225;                  La. R.S. 30:2280;                  La. R.S. 30:2205 and                  La. R.S. 30: 2276;                  La. R.S. 30:2226 (H)(2);                  La. R.S. 30:2551 and                  La. R.S. 30:2552;                  La. R.S. 30:2285;                  La. R.S. 30:2272.1;                  La. R.S. 30:2076.</p>	<p><u>Justification:</u> The Environmental Technology Division activity advances the Governor’s goal of Natural Resource Preservation through the management of assessment and cleanup activities on contaminated or potentially contaminated sites. These sites include hazardous waste sites, large chemical plants and refineries, ground water sites and Brownfield sites. Brownfields are under-utilized sites that are either contaminated or perceived to be contaminated. The environmental evaluation and/or remediation of these properties to human health risk based standards allow contaminated properties to be returned to active commerce while achieving the goal of Natural Resource Preservation.</p> <p><u>Consequences:</u> Responsibility for site assessments and inspections would shift to the federal government, which currently lacks adequate manpower and resources to do the work DEQ is doing. This would result in fewer site assessments and inspections, and therefore reduced likelihood of discovering soil and groundwater contaminated with hazardous substances. This, in turn, would expose more humans and animals to risk of illness due to exposure to hazardous substances in soil, groundwater, surface water, indoor air, and seafood. Sites currently known to be contaminated will remain so longer, due to slowdown in government oversight and approval of site assessments and cleanups by private parties or government contractors. Overall, more property would be rendered unsafe for residential, commercial, or agricultural uses.</p>
<p>Remediation Services Division / Activity                  STATE:                  La. R.S. 30:2001, et seq.                  La. R.S. 30:2011(D)(25)                  La. R.S. 30:2076                  La. R.S. 30:2154                  Louisiana Hazardous Waste Control Law, La. R.S. 30:2171, et seq.                  La. R.S. 30:2205, particularly (D)                  La. R.S. 30:2206                  La. R.S. 30:2221, et seq.                  La. R.S. 30:2225                  La. R.S. 30:2226 (H)(1) and (2)                  La. R.S. 30:2271, et seq.                  La. R.S. 30:2272.1                  La. R.S. 30:2275                  La. R.S. 30:2276                  La. R.S. 30:2280                  La. R.S. 36:231                  La. R.S. 36:238(C)</p> <p>FEDERAL:                  Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601, et seq.</p>	<p><u>Justification:</u> The Remediation Division advances the state goal of Natural Resource Preservation through the management of assessment and cleanup activities on contaminated or potentially contaminated sites. Superfund and Inactive and Abandoned sites make up part of this universe. Many have been evaluated and/or cleaned up, some continue to be evaluated and/or cleaned up and others remain, yet to be evaluated and/or cleaned up so the properties can be safely utilized by future generations. Other sites are the result of historic or more recent spills or are discovered during due diligence investigations prior to commercial sales transactions where money is being loaned by banks and the banks require property assessments and some form of environmental “clearance” from the DEQ. The Assessments completed by this Division often facilitate these commercial transactions and provide for the appropriate reuse of the property in question.</p> <p><u>Consequences:</u> Responsibility for site assessments and inspections would shift to federal government, which currently lacks adequate manpower and resources to do the work DEQ is doing. This would result in fewer site assessments and inspections, and therefore reduced likelihood of discovering soil and groundwater contaminated with hazardous substances. This, in turn, would expose more humans and animals to risk of illness due to exposure to hazardous substances in soil, groundwater, surface water, indoor air, and seafood. Sites currently known to be contaminated will remain so longer, due to slowdown in government oversight and approval of site assessments and cleanups by private parties or government contractors. Overall, more property would be rendered unsafe for residential, commercial, or agricultural uses.</p>

<p>Laboratory Services                  Division/Activity                  STATE:                  La. R.S. 30:2011.C.(1)(b);                  La. R.S. 30:2011.F.</p>	<p><u>Justification:</u> The Laboratory Services Division advances the state goal of natural resource preservation through the accomplishment of all identified missions, goals, objectives and strategic planning imperatives. Support includes, but is not limited to, providing data of known and defensible quality which is consistent with established and emerging state ethical and usability guidelines. They also ensure that efficient means exist to produce timely, accurate, comprehensive and validated and verified analytical results for the environmental samples received. This activity meets the needs of the Department by continuing to lower quantitation limits, maintaining competency with changing analytical methods, and promoting continual improvement. Technical support and management assistance will be provided by reviewing assigned departmental contracts, assuring the validity of all laboratory analyses and managing third-party validation contracts to ensure tasks are accomplished as required.</p> <p><u>Consequences:</u> DEQ would be required to contract with private labs for sample analysis, possibly resulting in delays due to shipping of samples. This would also delay decisions and actions to address violations and environmental contamination posing unacceptable risks to human health.</p>
<p>Underground Storage Tanks                  Division/Activity                  STATE:                  La R.S. 30:2012;                  La R.S. 30:2077;                  La R.S. 30:2194 through 2195.11; and                  La. R.S. 30:2054.B                  La. R.S. 26:231                   FEDERAL: 42 USC 6991</p>	<p><u>Justification:</u> The Underground Storage Tank Division advances the goal of natural resource preservation through prevention of releases from Underground Storage Tanks by ensuring that those tanks are properly registered, installed, maintained, monitored and closed in accordance with State and Federal laws and regulations. In addition, this activity also ensures that when releases from these tanks do occur, they are properly investigated and remediated to ensure the protection of human health and the environment.</p> <p><u>Consequences:</u> Responsibility for site inspections and incident response would shift to the federal government, which currently lacks adequate manpower and resources to do the work DEQ is doing. This would result in fewer site inspections and incident responses, and therefore reduced likelihood of discovery and cleanup of soil and groundwater contaminated with gasoline, diesel, and other hazardous substances. This, in turn, would expose more humans and animals to risk of illness due to exposure to hazardous substances in soil, groundwater, surface water, and indoor air. Sites currently known to be contaminated will remain so longer, due to slowdown in government oversight and approval of site assessments and cleanups by private parties or government contractors. Overall, more property would be rendered unsafe for residential or commercial uses.</p>
<p>Financial and Administrative Services                  Division/Activity                  STATE:                  La. R.S. 30:2011(D)(10);                  La. R.S. 30:2015(C)(1)                  La. R.S. 30:2011(D)(10))                  La. R.S. 30:2205                  La. R.S. 30:2195.2                  La. R.S. 30:2011(D)(4) and (25)                  La. R.S. 30:2015                  La. R.S. 30:2418(G)).                  La. R.S. 30:20608(K)                  La. R.S. 30:2011(D)(19)                  La. R.S. 30:2011(D)(23)                  La. R.S. 30:2078</p>	<p><u>Justification:</u> The Financial and Administrative Services Division provides effective and efficient support and resources to all of the DEQ offices and external customers necessary to carry out the mission of the department. The department's mission is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.</p> <p><u>Consequences:</u> Handles all financial and contract transactions for the agency. In its absence or if reduced in size, there would be no one/fewer staff to receive, process, and deposit payments to the agency from user fees (30:2011(D)(10); 30:2015(C)(1)) the main source of operating revenue for the agency, and other sources, including EPA grants (30:2011(D)(10)) to the state, totaling \$37.2 million for FY 08 and estimated to total \$35.6 million for FY09, and other grants. There will be no one/fewer staff to process payments by the</p>

<p>FEDERAL: 40 CFR 6991</p>	<p>agency from the Hazardous Waste Site Clean up Fund (30:2205) to clean up spills around the state. Failure to speedily clean up spills of hazardous materials will negatively impact the safety and health of the public, driving up health care costs.</p> <p>If no/fewer staff are available through budget cuts, the Motor Fuels Underground Storage Tank Trust Fund (30:2195.2; 40 CFR 280.93) may not be managed or could have to be managed or could have to compete for staff management resources, thus leading to possibly longer processing times for payments to remediate and clean up underground storage tank leaks around the state, negatively impacting the safety and health of the public, and driving up health care costs. The MFUSTTF is a fund that acts to fulfill a federal requirement contained in 40 CFR 280.93, which requires that every gas station in Louisiana maintain financial assurance to clean up any release of gasoline that may occur. The MFUSTTF acts as the financial assurance for those gas station owners. Contracts (30:2011(D)(4) and (25)) may not be issued, may take longer to issue, and may not be issued properly in accordance with legal requirements if staff is overworked.</p> <p>There would be no/fewer staff to manage the Environmental Trust Fund (30:2015), thus negatively impacting the agency's ability to get any work done, either by contract staff or its remaining employees.</p> <p>Waste tires may go unmanaged or their management may be negatively impacted with no/fewer staff to manage the collection of waste tire fees, audits for compliance, and payments to processors (30:2418(G)). Programs designed to protect the environment may be negatively impacted by the failure to assess and collect fees (e.g., 30:20608(K)).</p> <p>The issuance, sale, execution, and delivery of bonds, notes, or other evidences of indebtedness of the department, obligations representing guarantees by the department of the debt of other entities, and the granting of pledges of the sums deposited in, credited to, or payable to the Municipal Facilities Revolving Loan Fund will also be impacted (30:2011(D)(23); 30:2078), along with the management of the Fund itself, preventing or reducing the ability of municipalities, other political subdivisions, public trusts, and intermunicipal or interstate agencies to get low cost loans to capitalize wastewater treatment and other public projects.</p>
<p>Human Resources Division/Activity STATE: La. R.S. 36:234(A)&amp;(B) La. R.S. 36:236(A),(B),&amp; (C) La. R.S. 30:2011(F)</p>	<p><u>Justification:</u> The Human Resources Division provides effective and efficient support and resources to all of the DEQ offices and external customers necessary to carry out the mission of the department. The department's mission is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.</p> <p><u>Consequences:</u> Handles all personnel transactions for the agency (36:234(A) and (B); 36:236(A), (B), and (C); 30:2011(F)). In its absence or if reduced in size, there would be no/fewer staff to recruit, hire, manage, pay, and provide for the human resources employed by the agency. This could negatively impact the quality and number of employees recruited, hired, and/or retained and the morale of employees, thus negatively impacting the ability of the department to complete its mission efficiently and effectively through its human agents. This, in turn, could negatively affect the safety and health of the public and increase health care costs.</p>

<p>IT Division/Activity STATE: La. R.S. 36:234(5); La. R.S. 36:236(B); La. R.S. 44:32</p>	<p><u>Justification:</u> The Information Technology Division provides effective and efficient support and resources to all of the DEQ offices and external customers necessary to carry out the mission of the department. The department's mission is to provide service to the people of Louisiana through comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.</p> <p><u>Consequences:</u> Handles the technology, information, and records needs of the agency (36:234(5); 36:236(B)). In its absence or if reduced in size, there would be no/fewer staff to create, distribute, and apply the necessary technology, information, and records needed by the agency to complete core functions. This could negatively impact the ability of the department to complete its mission efficiently and effectively through delay or lack of adequate technology, information, and/or records, which in turn could negatively affect the safety and health of the public and increase health care costs. Creation, maintenance, and provision of public records to the public could be negatively impacted (44:32).</p>
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BREAKDOWN OF FY09 REDUCTIONS BY OFFICE AND ACTIVITY

	7/1/2008 REDUCTIONS	1/1/2009 REDUCTIONS	TOTAL REDUCTIONS
<b>OFFICE OF THE SECRETARY (OSEC)</b>			
EXECUTIVE		1	1
SPECIAL PROJECTS	1		1
CRIMINAL INVESTIGATION DIVISION (CID)	1		1
LEGAL SERVICES		1	1
LEGAL/REGULATION DEVELOPMENT	1	2	3
<b>TOTAL OSEC REDUCTIONS</b>			<b>7</b>
<b>OFFICE OF ENVIRONMENTAL COMPLIANCE (OEC)</b>			
ENFORCEMENT	3	3	6
SURVEILLANCE	7	2	9
EMERGENCY RESPONSE	1	1	2
<b>TOTAL OEC REDUCTIONS</b>			<b>17</b>
<b>OFFICE OF ENVIRONMENTAL SERVICES (OES)</b>			
AIR PERMITS	1	1	2
PERMIT SUPPORT SERVICES	3	1	4
WATER PERMITS	2	1	3
WASTE PERMITS	2	1	3
<b>TOTAL OES REDUCTIONS</b>			<b>12</b>
<b>OFFICE OF ENVIRONMENTAL ASSESSMENT (OEA)</b>			
AIR QUALITY ASSESSMENT	5		5
WATER QUALITY ASSESSMENT	2		2
REMEDIATION/TOXICOLOGY	3	1	4
LABORATORY SERVICES	1	3	4
<b>TOTAL OEA REDUCTIONS</b>			<b>15</b>
<b>OFFICE OF MANAGEMENT &amp; FINANCE (OMF)</b>			
FINANCIAL/ADMIN SERVICES	5		5
INFORMATION SERVICES	1	2	3
<b>TOTAL OMF</b>			<b>8</b>
<b>TOTAL DEQ REDUCTIONS</b>			<b>59</b>