

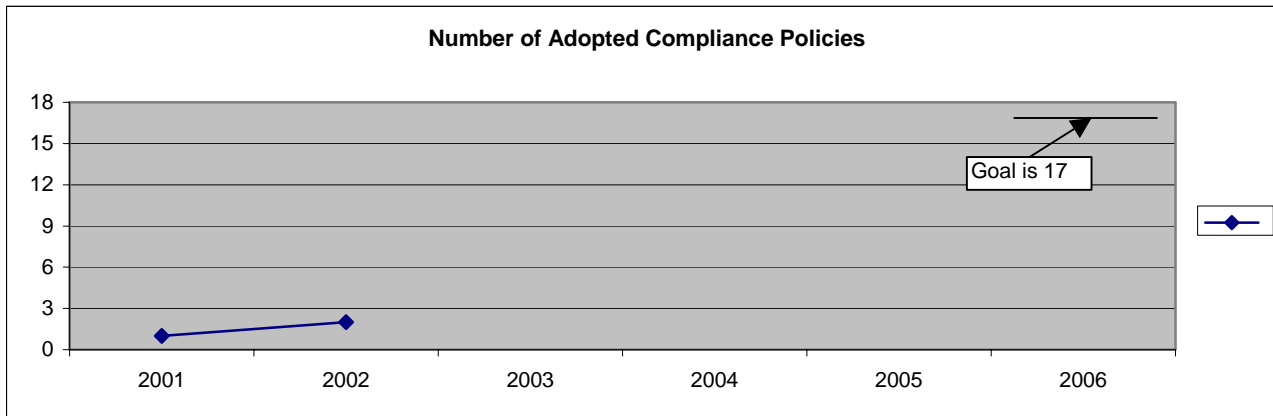
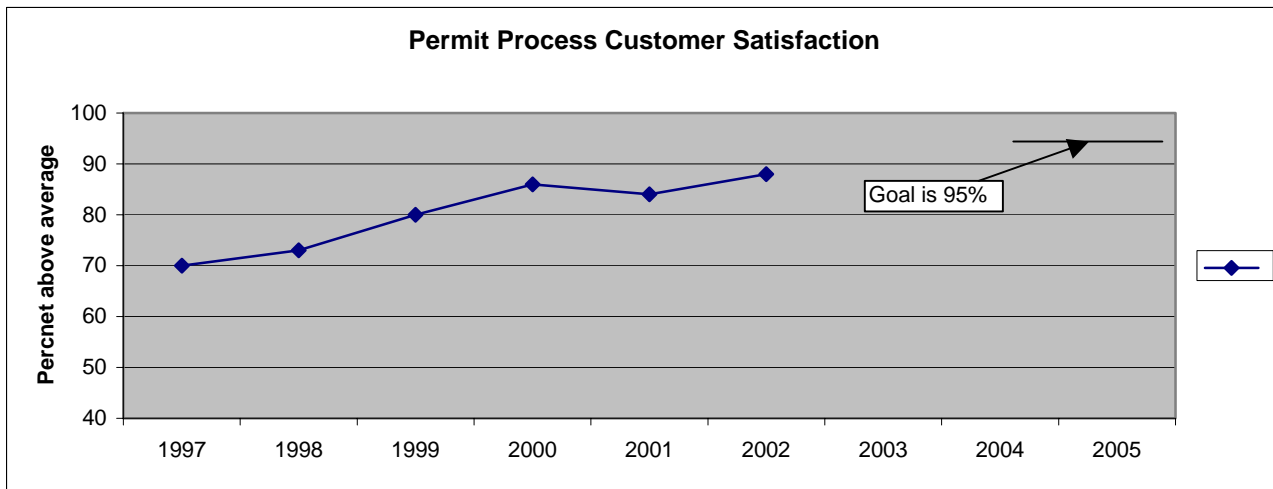
# Permit and Compliance Assistance

Environmental Assistance Division

July 14, 2003

**PROGRAM'S RESULTS:** The regulated community is better able to make decisions and take actions that result in environmental compliance. Department processes and staff maximize efficiency, timeliness, consistency, predictability and coordination of permitting and compliance interactions with internal and external customers.

**KEY ENVIRONMENTAL INDICATORS:**



### Significant Non-Compliance (SNC)

| Year | Water Supply    |                   | Air Pollution Control |                   | Direct Discharge |                   | Indirect Discharge |                   |
|------|-----------------|-------------------|-----------------------|-------------------|------------------|-------------------|--------------------|-------------------|
|      | # Quarterly SNC | Total # Regulated | # Quarterly SNC       | Total # Regulated | # Quarterly SNC  | Total # Regulated | # Quarterly SNC    | Total # Regulated |
| 2001 |                 |                   | 4                     | 1080              |                  |                   |                    |                   |
| 2002 | 6               | 1400              | 12                    | 1080              | 24               | 300               | 4                  | 220               |
| 2003 |                 |                   |                       |                   |                  |                   |                    |                   |
| 2004 |                 |                   |                       |                   |                  |                   |                    |                   |
| 2005 |                 |                   |                       |                   |                  |                   |                    |                   |
| 2006 |                 |                   |                       |                   |                  |                   |                    |                   |

## **STORY BEHIND THE BASELINE:**

Since 1995 the permit assistance specialist positions and the Small Business and Municipal Compliance Assistance Programs were created and have been enhanced to provide direct technical and regulatory assistance to the regulated community. Since that time, efforts have also been underway to identify and implement continuous improvements in the Department's permitting and compliance functions. Both of these efforts contribute toward creating more realistic expectations, increasing potential satisfaction levels, and helping our external customers to be better able to take environmentally positive actions more efficiently (reduced SNC). Enhancing our internal information, coordination and communication processes (including having all programs adopt compliance policies in accord with the DEC Compliance Policy) aids both internal and external customers.

## **STRATEGIES:**

- I. Permit Assistance and Coordination
  - A. Identification of Required Permits: Project Review sheet development - Regional permit specialists assist applicants to identify all necessary permits or approvals for projects so informed business decisions can be made, regulatory delays are minimized and compliance with regulations is maximized. The summary of these requirements is the PR sheet.
  - B. Permit Assistance Outreach: Permit specialist is available at a base office and satellite office to serve as a resource for the public. Municipal officials are contacted as appropriate for regulatory and handbook updates. Permit specialist are available as requested to serve as speakers. Represents EAD at business fairs and other events relative to permitting information.
  - C. Permitting process facilitator: Serve as project manager or facilitator for selected multi-permit projects. As needed, resolve inter-program conflicts and respond to inter-program complaints related to the project.
  - D. DEC Continuous Improvement of permitting processes: Independently or through facilitation or leading a cross-divisional team, develop an assessment of current permitting policies/procedures or, at the request of the Commissioner, develop new policies/procedures. Generally the need for changes is brought about by changed basic policies (secondary impacts/sprawl) or the desire to make permitting across the department more consistent and "user friendly".

## **PROPOSED ACCOMPLISHMENT NARRATIVES:**

Identification of required permits and permit process facilitation: PR sheets, I&E outreach and project management . In FY04 revise PR sheet development to maximize usefulness to internal and external customers. This will mean not completing a PR sheet on very small projects that we've historically completed one for, and enhancing the remaining sheets. This will mean fewer PR sheets over the next several fiscal years. Plus resources will be shifted to increased project management type work.

Permit System Improvements narrative:

FY03: Complete review of DEC permit systems and identify areas for improvement.

Complete critical evaluation of federal stormwater programs.

FY04: Project manager with consultant for DEC Permit Customer Satisfaction Survey. Begin implementation of DEC permit system improvements with focus on ENB and automated permitting systems. Assist with implementation of general permit systems. FY05: Complete implementation of automated permit pilot program.

**PERFORMANCE MEASURES:**

| <b>Program</b>               |          | <b>FY 00</b> | <b>FY 01</b> | <b>FY 02</b> | <b>FY 03</b> | <b>FY 04</b> | <b>FY 05</b> | <b>FY 06</b> |
|------------------------------|----------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| <b>PR sheets developed *</b> | <b>P</b> | <b>2500</b>  | <b>2500</b>  | <b>2500</b>  | <b>2500</b>  | <b>2250</b>  | <b>2000</b>  | <b>2000</b>  |
|                              | <b>A</b> |              | <b>2550</b>  | <b>2459</b>  |              |              |              |              |
| <b>I&amp;E outreach *</b>    | <b>P</b> | <b>4000</b>  | <b>5000</b>  | <b>5000</b>  | <b>5500</b>  | <b>5000</b>  | <b>4500</b>  | <b>4500</b>  |
|                              | <b>A</b> |              | <b>3955</b>  | <b>4578</b>  |              |              |              |              |
| <b>Project Mgmt</b>          | <b>P</b> | <b>5</b>     | <b>5</b>     | <b>5</b>     | <b>5</b>     | <b>10</b>    | <b>15</b>    | <b>20</b>    |
|                              | <b>A</b> |              |              | <b>4</b>     |              |              |              |              |

II. Regulation, Compliance Assistance and Enforcement

- A. Compliance Coordination: Independently or through facilitation of cross-divisional teams, develop new policies and procedures aimed at making compliance activities more consistent across the department. Develop electronic databases so that information about the regulated community can be shared across the DEC and with ANR Enforcement. Develop electronic tracking systems for use as management tools. (Vision program 53872)
  
- B. Municipal Compliance Assistance (MCAP): Provide answers to towns on their environmental compliance questions via the hotline and provide on-site compliance reviews so towns can voluntarily correct existing and prevent future non-compliance. Also provide regulatory program-specific training to towns when the need/opportunity presents itself. (Vision program 53907)
  
- C. Small Business Compliance Assistance: Provide answers to small businesses on their environmental compliance questions via the hotline, provide on-site compliance reviews so businesses can voluntarily correct existing and prevent future non-compliance and develop fact sheets on common compliance issues. Also provide sector-specific and regulatory program-specific training when the need/opportunity presents itself. (Vision program 53905)

**PROPOSED ACCOMPLISHMENT NARRATIVES**

- A. Compliance Coordination, Program 53872
  - 1999—DEC Compliance Policy adopted
  - 2001—DEC Electronic Complaint Tracking System implemented
  - 2002—first annual DEC complaint report produced; work started on Notice of Alleged Violation (NOAV) system development.
  - 2003—work continuing on NOAV system development

Proposed Accomplishments:

2004—ANR NOAV Electronic Tracking System finalized, staff training provided and system launched.

2005—ANR Enforcement & DEC Complaint systems merged  
 2005—ANR Enforcement Action Tracking System developed & implemented

B. Municipal Compliance Assistance, Program 53907

Proposed Accomplishments:

2004, 2005—develop municipal compliance manual & MCAP website,  
 maintain existing program.

2006—maintain existing program

**PERFORMANCE MEASURES: MCAP**

| <b>Performance measure</b>          |          | <b>FY 00</b> | <b>FY 01</b> | <b>FY 02</b> | <b>FY 03</b> | <b>FY 04</b> | <b>FY 05</b> | <b>FY 06</b> |
|-------------------------------------|----------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| # towns having on-sites             | <b>P</b> | 1            | 1            | 10           | 25           | 25           | 25           | 25           |
|                                     | <b>A</b> | <b>0</b>     | <b>8</b>     | <b>22</b>    |              |              |              |              |
| # calls to MCAP hotline             | <b>P</b> | 5            | 25           | 45           | 175          | 200          | 200          | 200          |
|                                     | <b>A</b> | <b>0</b>     | <b>5</b>     | <b>141</b>   |              |              |              |              |
| # towns contacting MCAP via email   | <b>P</b> | ---          | ---          | 25           | 25           | 35           | 50           | 50           |
|                                     | <b>A</b> | ---          | ---          | <b>12</b>    |              |              |              |              |
| # violations id'd via hotline       | <b>P</b> | 30           | 30           | 145          | 70           | 60           | 50           | 40           |
|                                     | <b>A</b> | <b>136</b>   | <b>68</b>    | <b>76</b>    |              |              |              |              |
| # violations corrected via on-sites | <b>P</b> | 10           | 10           | 20           | 100          | 100          | 75           | 75           |
|                                     | <b>A</b> | <b>0</b>     | <b>11</b>    | <b>117</b>   |              |              |              |              |

C. Small Business Compliance Assistance(SBCAP), Program 53905

Proposed accomplishments:

2004, 2005, 2006—maintain existing program, produce needed FAQ sheets

**PERFORMANCE MEASURES: SCAP**

| <b>Performance measure</b>                   |          | <b>FY 00</b> | <b>FY 01</b> | <b>FY 02</b> | <b>FY 03</b> | <b>FY 04</b> | <b>FY 05</b> | <b>FY 06</b> |
|--|----------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| # businesses with on-site compliance reviews | <b>P</b> | 30           | 30           | 30           | 30           | 30           | 30           | 30           |
|  | <b>A</b> | <b>16</b>    | <b>71</b>    | <b>25</b>    |              |              |              |              |
| # businesses calling SBCAP hotline           | <b>P</b> | 70           | 70           | 600          | 600          | 600          | 600          | 600          |
|  | <b>A</b> | <b>448</b>   | <b>599</b>   | <b>793</b>   |              |              |              |              |
| # businesses contacting SCAP via email       | <b>P</b> | ---          | ---          | 25           | 300          | 300          | 300          | 300          |
|  | <b>A</b> | ---          | <b>215</b>   | <b>283</b>   |              |              |              |              |
| # violations corrected via on-site           | <b>P</b> | 30           | 30           | 60           | 150          | 150          | 150          | 150          |
|  | <b>A</b> | <b>136</b>   | <b>303</b>   | <b>122</b>   |              |              |              |              |
| # violations id'd via hotline & email        | <b>P</b> | 50           | 300          | 300          | 600          | 600          | 600          | 600          |
|  | <b>A</b> | <b>153</b>   | <b>730</b>   | <b>668</b>   |              |              |              |              |
| # sector specific guidebooks developed       | <b>P</b> | 1            | 1            | 2            | 0            | 0            | 0            | 0            |
|  | <b>A</b> | <b>1</b>     | <b>1</b>     | <b>2</b>     |              |              |              |              |