

NDEQ News and Other Updates

Jim Macy
NDEQ Director

2017 Environmental Updates

May 23, North Platte

May 24, Ithaca

May 25, Norfolk

Vision: Grow Nebraska

Mission: Create opportunity through more effective, more efficient, and customer focused state government

Priorities:	We Value	Key Measures of Success
Efficiency & Effectiveness Customer service Growth Public Safety Reduced regulatory burden	- The taxpayer - Our Team - Simplicity • Transparency - Accountability - Integrity • Respect	• Cutting regs • Reducing government size/spend • Faster constituent service • lower taxes • Business growth • Safer communities

Strategies at the Agency level to drive results:

Process Excellence

- Redesign Processes
- Look for automation and technology
- End to End and customer back
- Enable centralized and shared services

Organizational Effectiveness & Workforce Planning

- Distinguish work that is core & context
- Align talent and space needs to agency mission
- Identify redundancy
- Capture savings from Process improvement efforts

Vision for the Department

Will Meet Our Statutory Responsibilities

- Be responsive
- Use common sense in problem solving
- Assistance focused
- Believe we should help “local people solve local problems”

Vision for the Department (cont'd)

Make Compliance Easier for Everyone

- Provide assistance and training
- Go out to Nebraska, be proactive in education
- Streamline process
- Develop performance goals and objectives

Emerging Issues

Title 129 Proposal in June 2015

- Streamline Construction Permit Process
- Authority to Issue General Construction Permits
- “Notice & Go”

Source Categories Under Consideration

- Concrete Batch Plants
- Hot Mix Asphalts Plants
- Emergency Engines
- Crushing & Screening
- Surface Coating
- Incinerators
- Grain Elevators & Dryers
- Working on general construction

Emerging Issues (cont'd)

General Permits for Air's Construction Permits Program

- To reduce permitting backlogs, the air program is to expand the authority to develop general permits to include both the operating permit program and the construction permit program.
- Another option may be extending the terms of Class II operating permits from 5 years to 10 years or longer

Emerging Issues (cont'd)

Air Quality

- Permit Backlog
 - Process Improvement October 2016
 - Identified bottlenecks
 - Daily “huddles” moving projects forward
- Developing On-line smart application
- Working with consultants/facility owners
- Pre-application meetings advance permits

Emerging Issues (cont'd)

Water Quality

- Construction storm water on-line permit
- 1000 permits issued since November 2015
- Assessing Wastewater Infrastructure Needs (AWIN) Process
 - Evaluating infrastructure needs
 - Examine affordable alternatives
 - Sustainability Risk List and Individual Community Datasheets on NDEQ website, deq.ne.gov

Emerging Issues (cont'd)

Waste Management

- Former Manufactured Gas Plant Remediation
- Coal Combustion Residue Rule
- Superfund Sites moving from EPA-lead cleanup to state-lead operation and maintenance
 - Columbus – 10th Street
 - Grand Island – Cleburn Street

Grow Nebraska

Three Keys to Growing Nebraska at NDEQ – Governor’s Priorities

- Providing exceptional service
- Focusing on compliance assistance
- Demonstrating accountability through performance measures

March 2017 Metrics Report (cont'd)

Emerging Risks / Issues: NDEQ received a request from the Public Service Commission (PSC) to review the application they received from TransCanada Keystone Pipeline, L.P. for the construction of the Keystone XL crude oil pipeline. The Obama administration denied the original request; the new application submitted by TransCanada is nearly identical to the previous one submitted. NDEQ reviewed the original Keystone XL application and submitted a letter to Governor Heinemann on January 4, 2013, informing the Governor that the related environmental issues had been addressed. The same NDEQ team that reviewed the original Keystone XL application also reviewed the new application and found no new issues. On March 14th, Director Macy sent a letter to the PSC, informing them that NDEQ's review was complete and we did not identify any issues.

Accomplishments: NDEQ's Agriculture Section recently initiated a team building exercise intended to identify areas where additional effort would improve overall operations. The event occurred over two days and a number of ideas were presented and are now being acted upon. A key outcome is moving toward online submittal of permit applications. The Army Corps of Engineers issued a Nation-wide General Permit for Section 404 permits. These permits are needed if waters of the United States are going to be impacted by proposed activities. NDEQ commented on the Corps proposal with Nebraska-specific conditions for inclusion in the permit. The General Permit program will save the Corps, NDEQ, and the affected entity time and resources.

Misc. Items of Note: NDEQ staff met with NioCorp representatives and their consultants to discuss various waste management issues. NioCorp informed NDEQ of design and operational standards and procedures which should serve to reduce the environmental footprint of the facility. The Small Business Compliance Advisory Panel met March 3rd to discuss NDEQ's small business assistance activities that occurred in 2016. The Panel is made up of both legislative and gubernatorial appointees. In their 2016 report to the Governor, the Panel stated they will continue to pursue their goals of commenting on NDEQ regulatory proposals as well as commenting on NDEQ's assistance initiatives.

Building Partnerships

- More presence at ag industry and animal agricultural meetings
- Go out to producers and seek ideas
- Bi-annual meetings, for Environmental Updates, go to 3 locations
- Webinars
- One-on-one meetings, at facility

Inspection Process

- Transparency
- On-site determination
- Post inspection exit and paper copy of findings
- Copy of inspection checklist with new or modified permit



Inspection Exit Summary

NDFQ ID: _____ NDFQ Program ID: _____ NDFQ Notification #: _____

Facility/Operation Name: _____

Address _____

City/Town: _____, County _____, State of Nebraska.

Legal Description/Location: _____

Coordinates: Latitude: _____ Longitude: _____ Source: _____

Description: _____

Owner/Occupant/Operator Inspection Contact Information

Person(s): _____

Inspector: _____ Phone No.: _____ E-Mail address: _____

Inspector: _____ Phone No.: _____ E-Mail address: _____

Mailing Address: Department of Environmental Quality, PO Box 98822, Lincoln, Nebraska 68509-8822

Inspection Date: _____ Start Time: _____ End Time: _____

No concerns observed:

Concerns observed:

Actions to perform within 10 days:

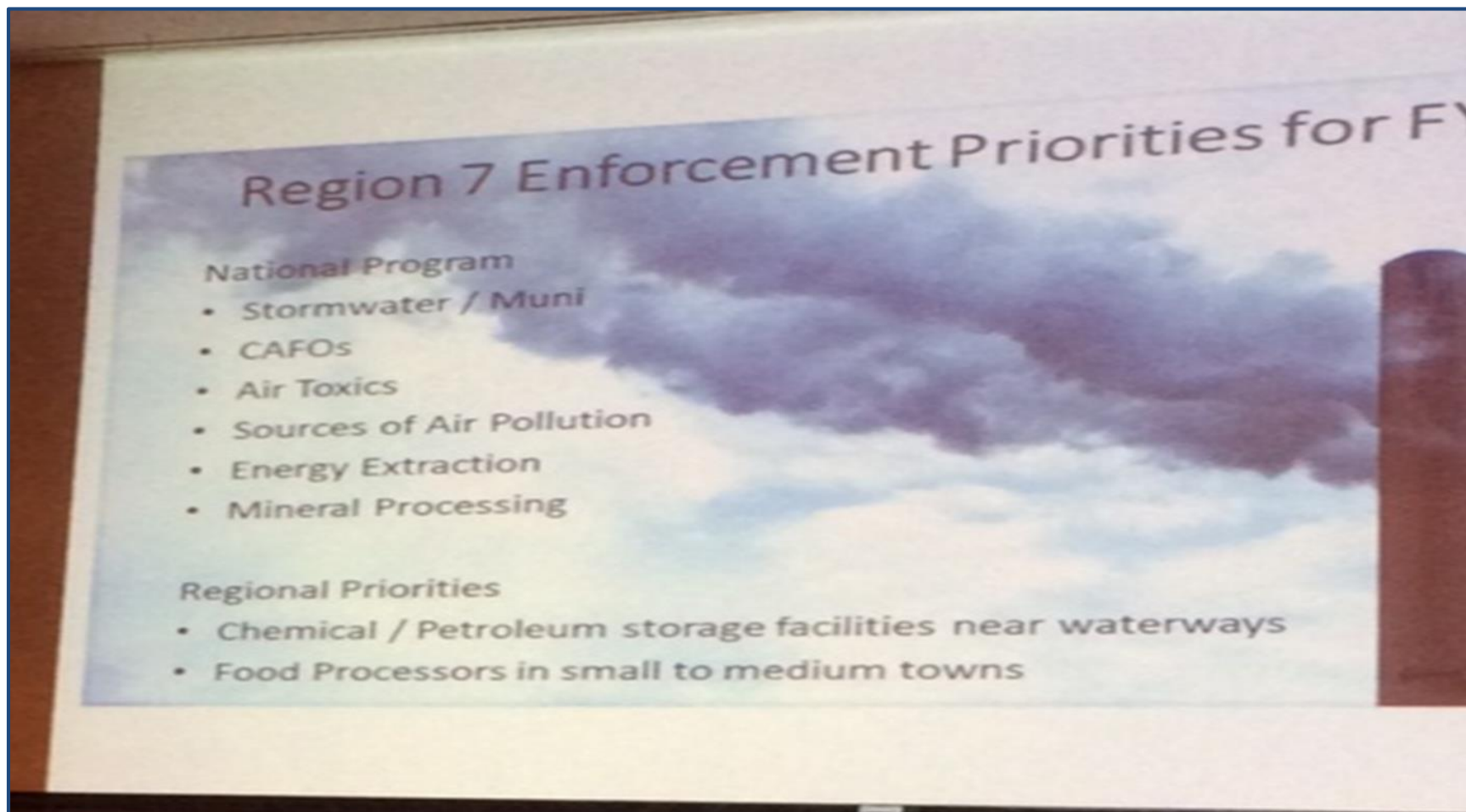
Please notify the Inspector when the above actions are completed.

The Department will provide a final inspection report to you usually within 45 days of the inspection. This final inspection report will contain a complete list of any alleged violations. This inspection exit summary does not preclude any other legal action by the Nebraska Department of Environmental Quality and your prompt attention to the documented concerns will be considered in assessment of your voluntary compliance. This summary was left with: _____ . Please contact the Inspector if you have any questions concerning this inspection exit summary.

Inspector Signature _____

Inspection Contact Signature _____

EPA Region 7 Priorities



EPA Enforcement Initiatives

National Enforcement Initiatives (NEIs)

- EPA selects NEIs every three years to focus resources on national environmental problems where there is significant non-compliance with laws, and where federal enforcement efforts can make a difference.
- NEIs are in addition to EPA's core enforcement work, including protecting safe drinking water, reducing air pollution, and protecting safe and healthy land.
- NEIs are chosen with input from the public and from stakeholders across EPA's state, local and tribal agency partners.

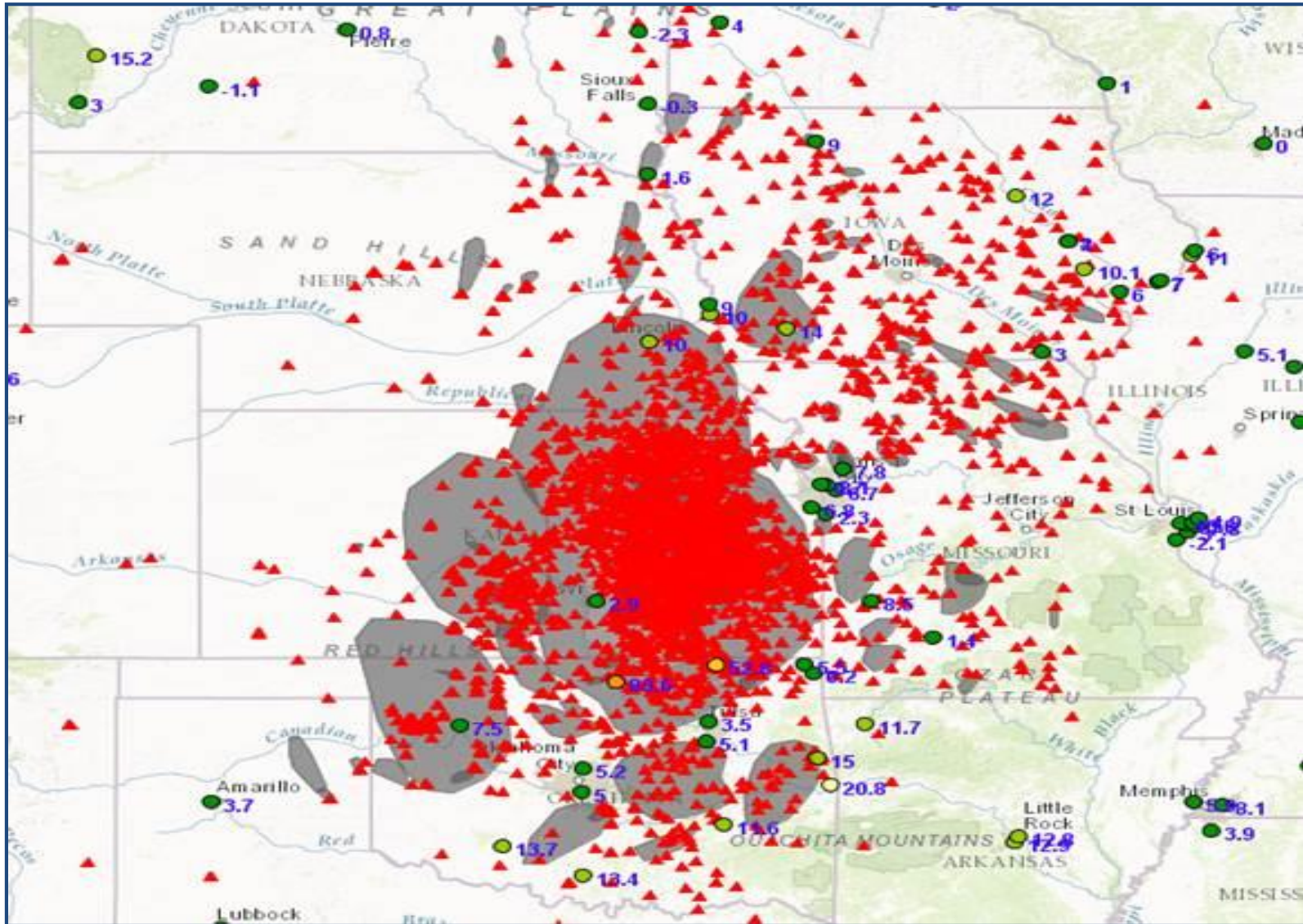
EPA Enforcement Initiatives (cont'd)

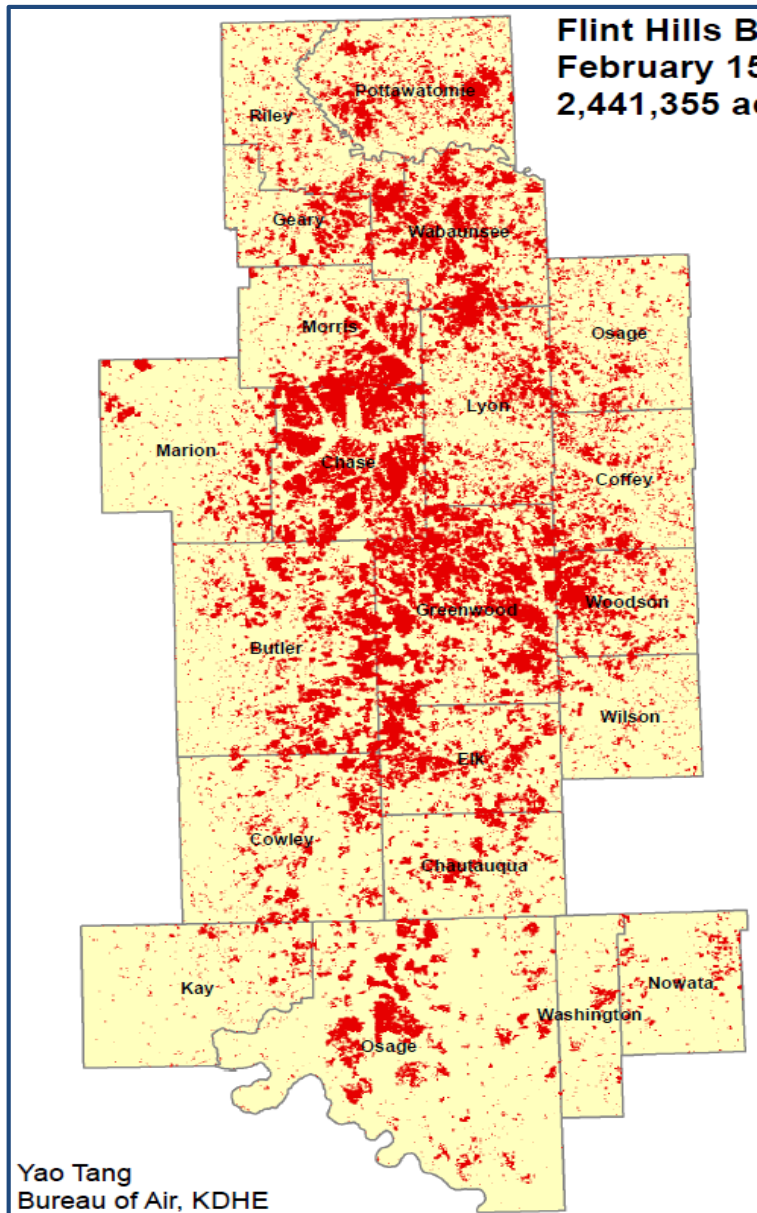
Current NEIs

- Started October 1, 2016; for three fiscal years
- Air
 - Reducing air pollution from the largest sources
 - Cutting hazardous air pollutants
- Energy Extraction
 - Ensuring energy extraction Activities comply with environmental laws
- Hazardous Chemicals
 - Reducing pollution from mineral processing operations
 - Reducing risks of accidental releases at industrial and chemical facilities
- Water
 - Keeping raw sewage and contaminated storm water out of waters
 - Preventing animal waste from contaminating surface and ground water
 - Keeping industrial pollutants out of the Nation's waters

NEBRASKA

DEPT. OF ENVIRONMENTAL QUALITY





Flint Hills Prescribed Fire Update

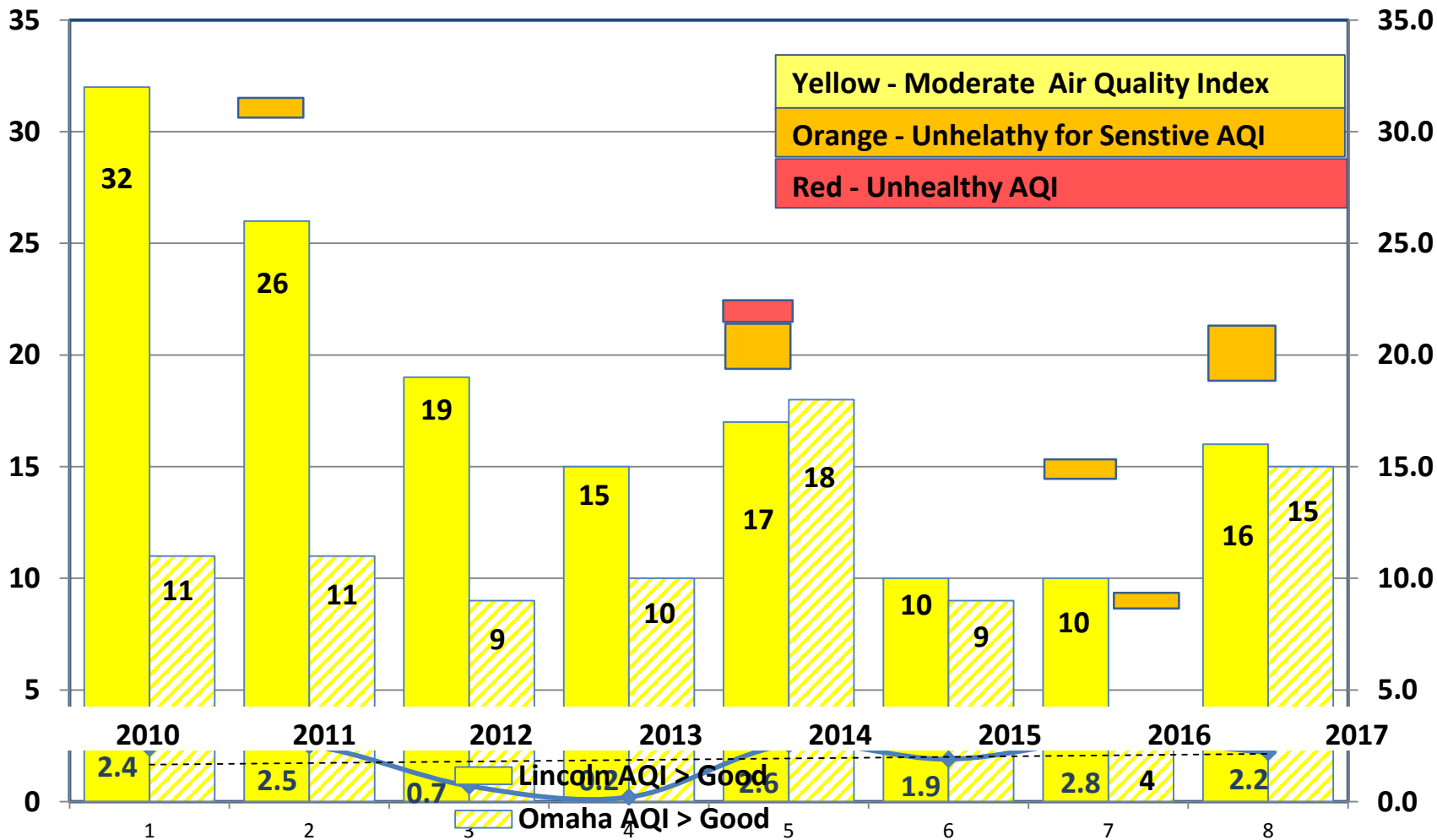
Thursday, May 11, 2017 • 1

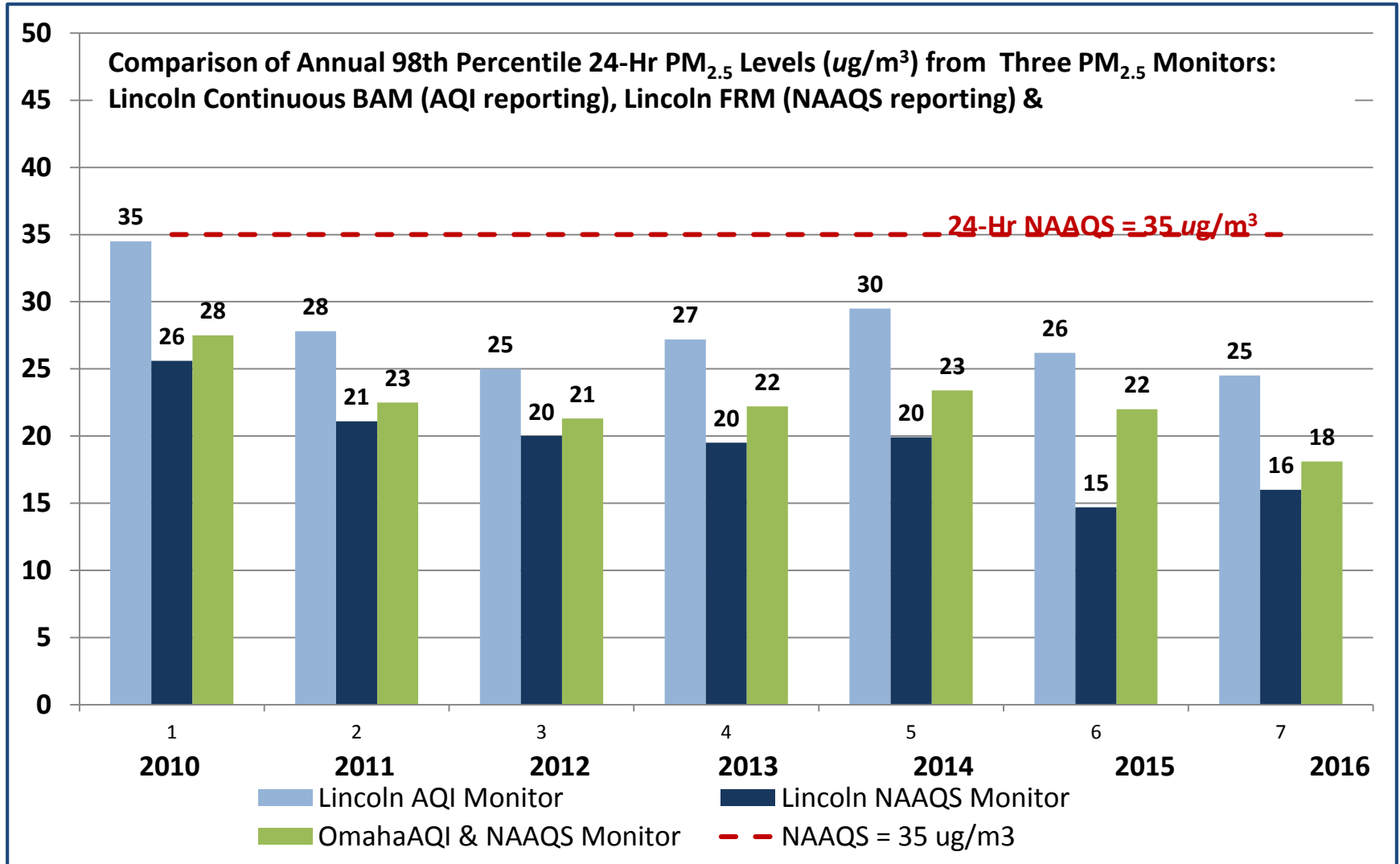
Flint Hills Acreage Burned (February 15 – May 7, 2017) Counties

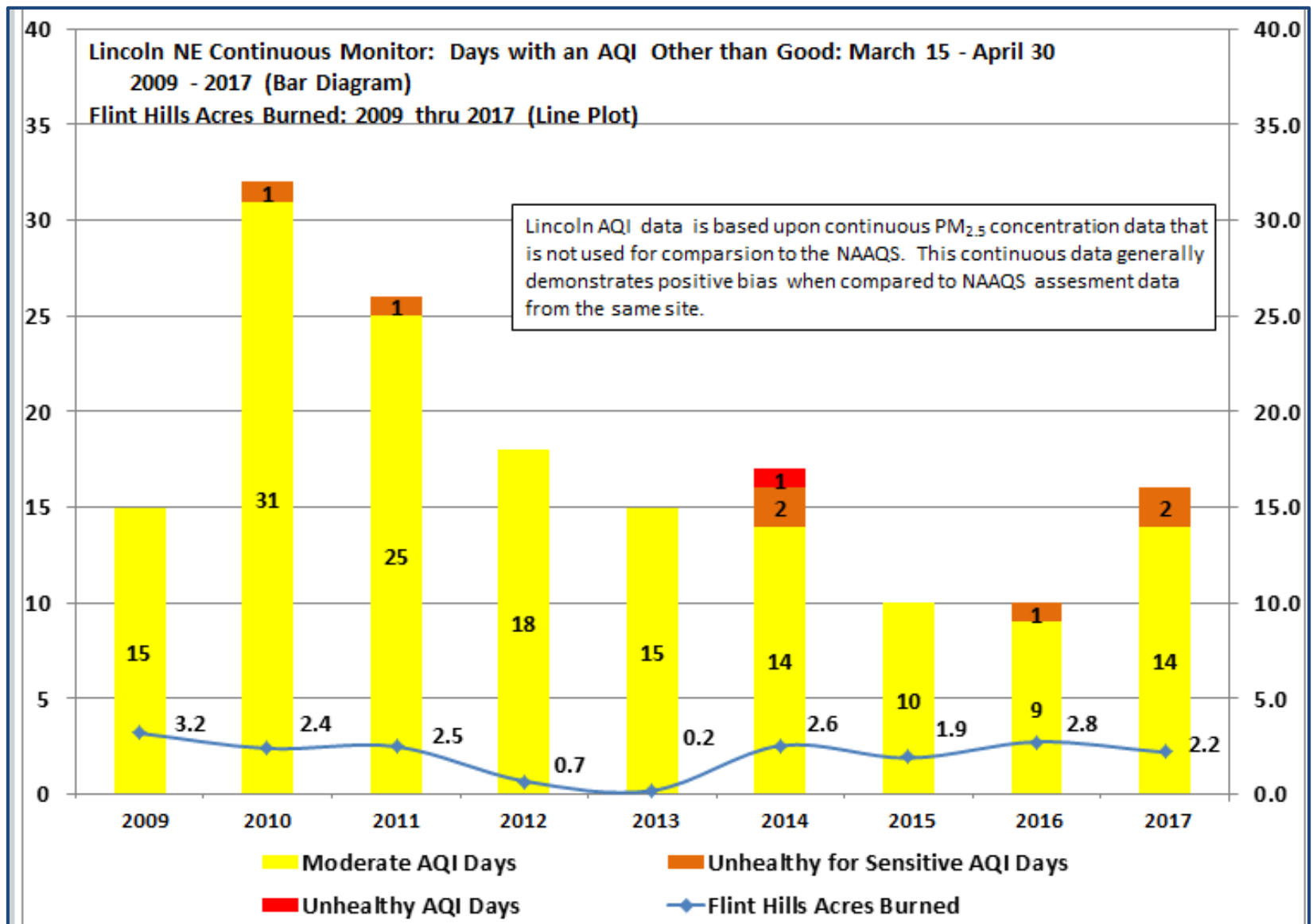
County	Acres Burned
Butler	220,221
Chase	273,258
Chautauqua	59,353
Coffey	84,697
Cowley	99,786
Elk	126,613
Geary	62,195
Greenwood	351,467
Lyon	151,865
Marion	68,357
Morris	118,721
Osage (KS)	67,229
Pottawatomie	125,671
Riley	63,723
Wabaunsee	194,954
Wilson	31,090
Woodson	100,759
Nowata (OK)	25,051
Osage (OK)	173,703
Washington (OK)	14,904
Kay (OK)	27,738
Total	2,441,355

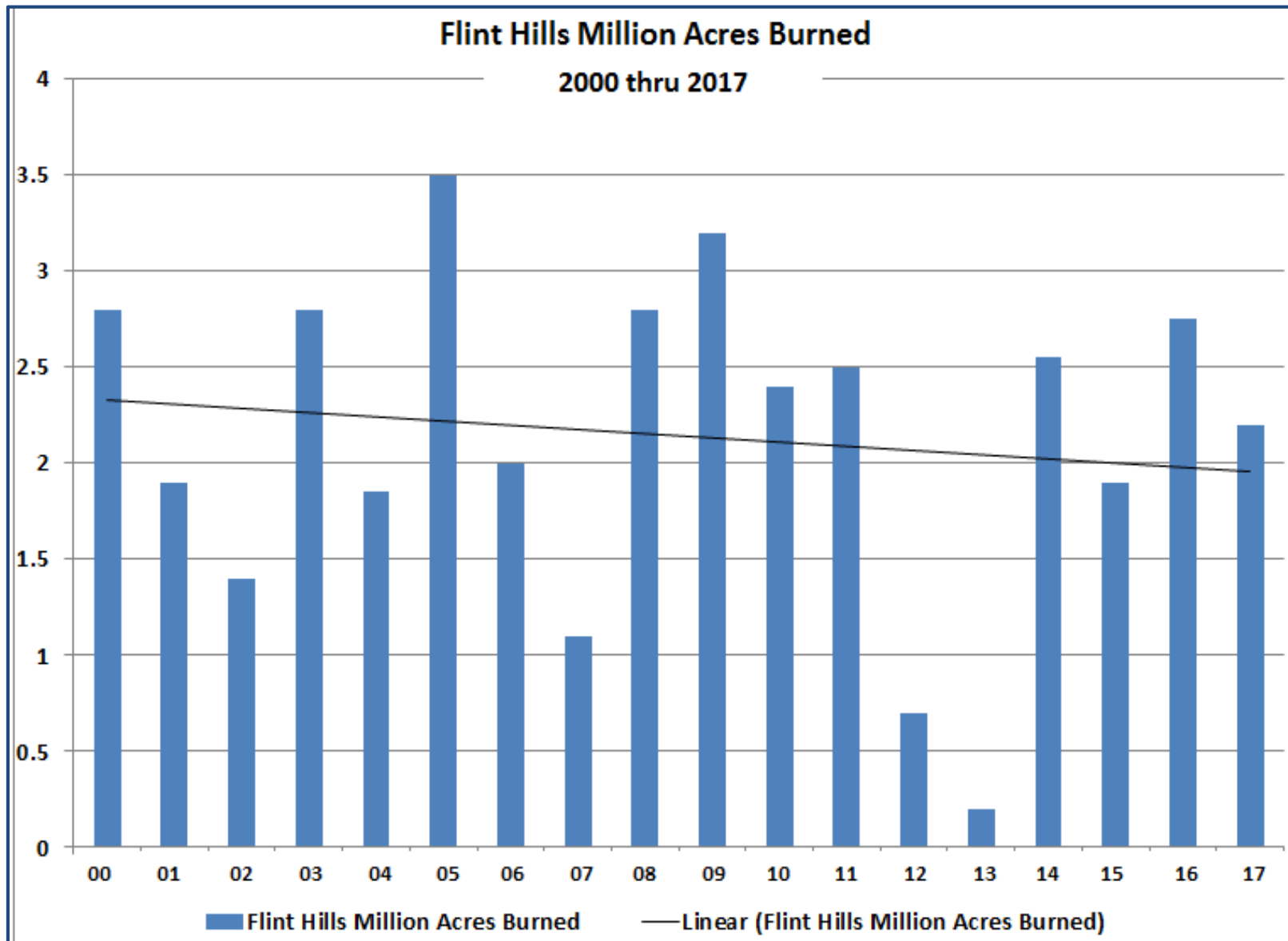
* Denotes county was partly or completely covered by clouds during analysis.

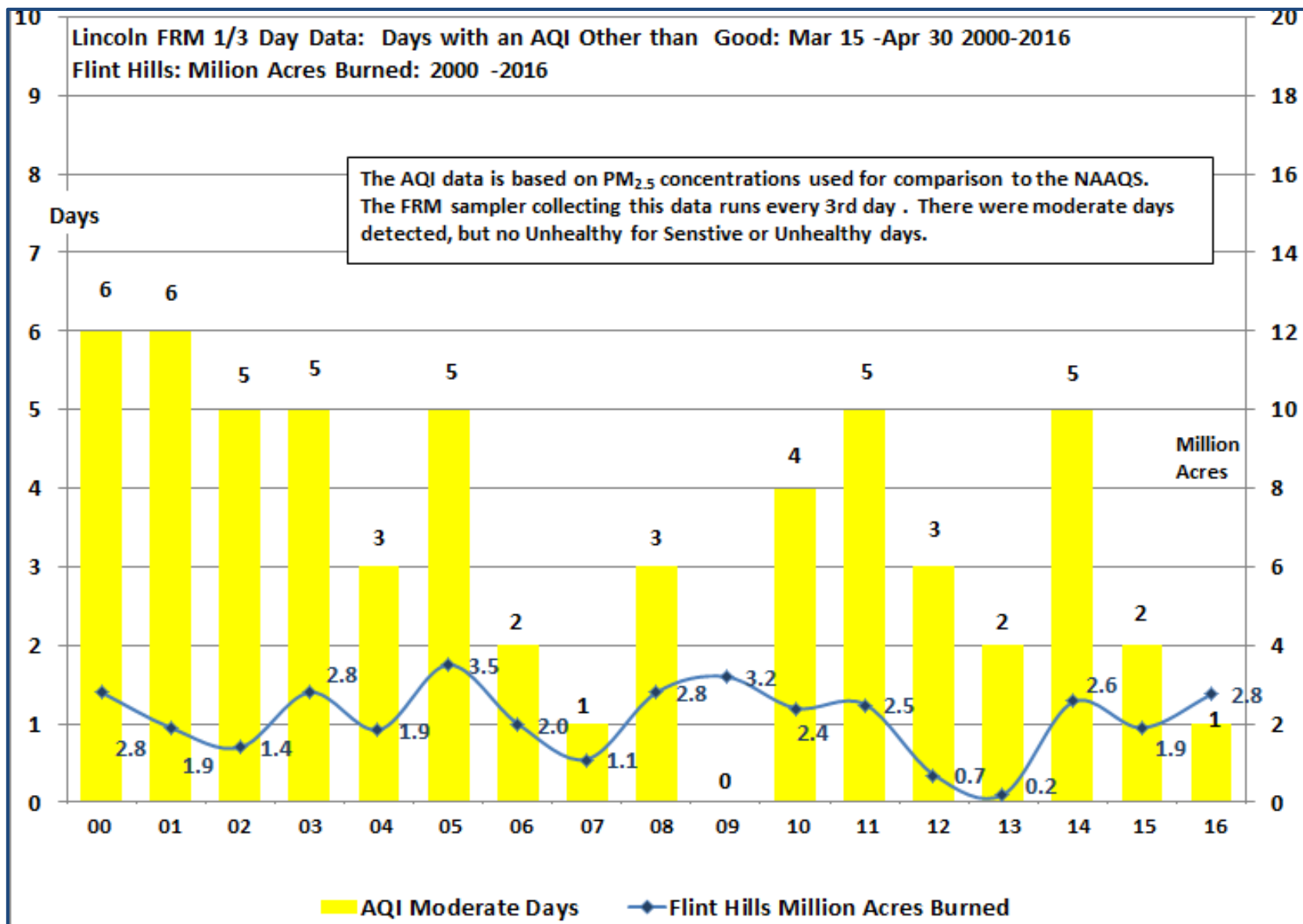
Lincoln & Omaha: Days with Air Quality Other Than Good: March 15th - April 30th 2010-2017 (Bar Plot)
 Flint Hills Million Acres Burned Acres (Line Plot)

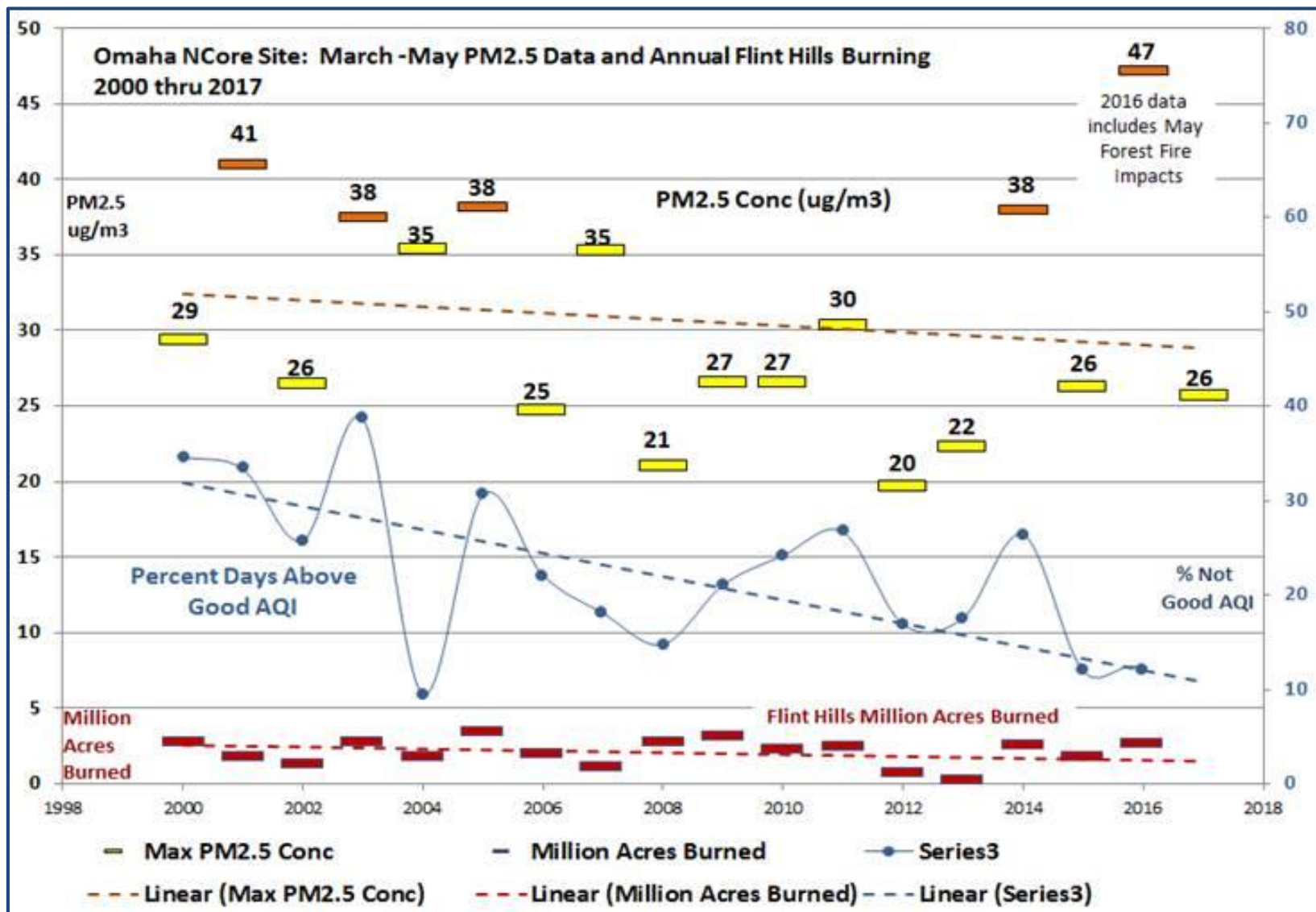




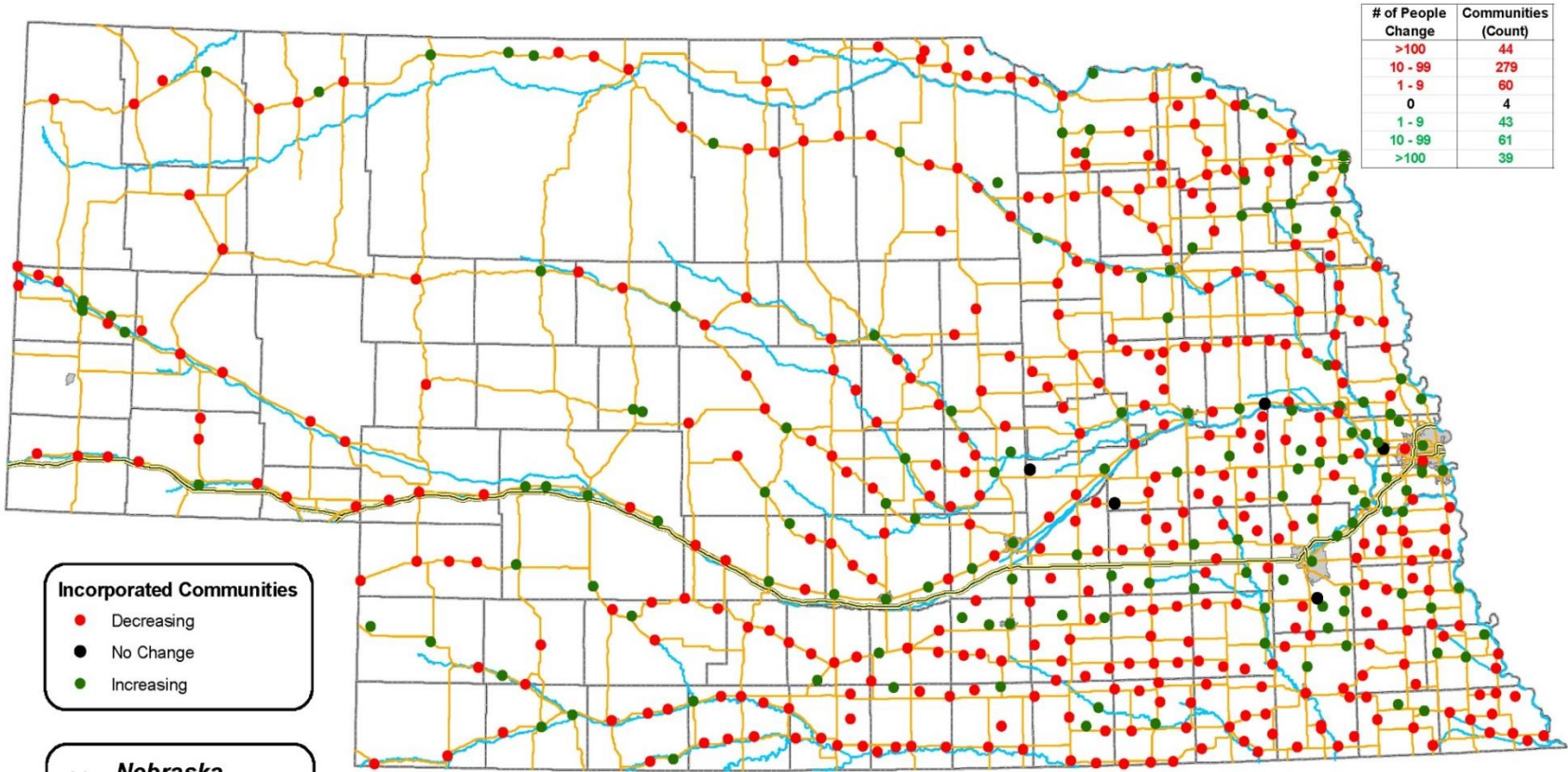








Nebraska Population Change 2000 - 2010 Census



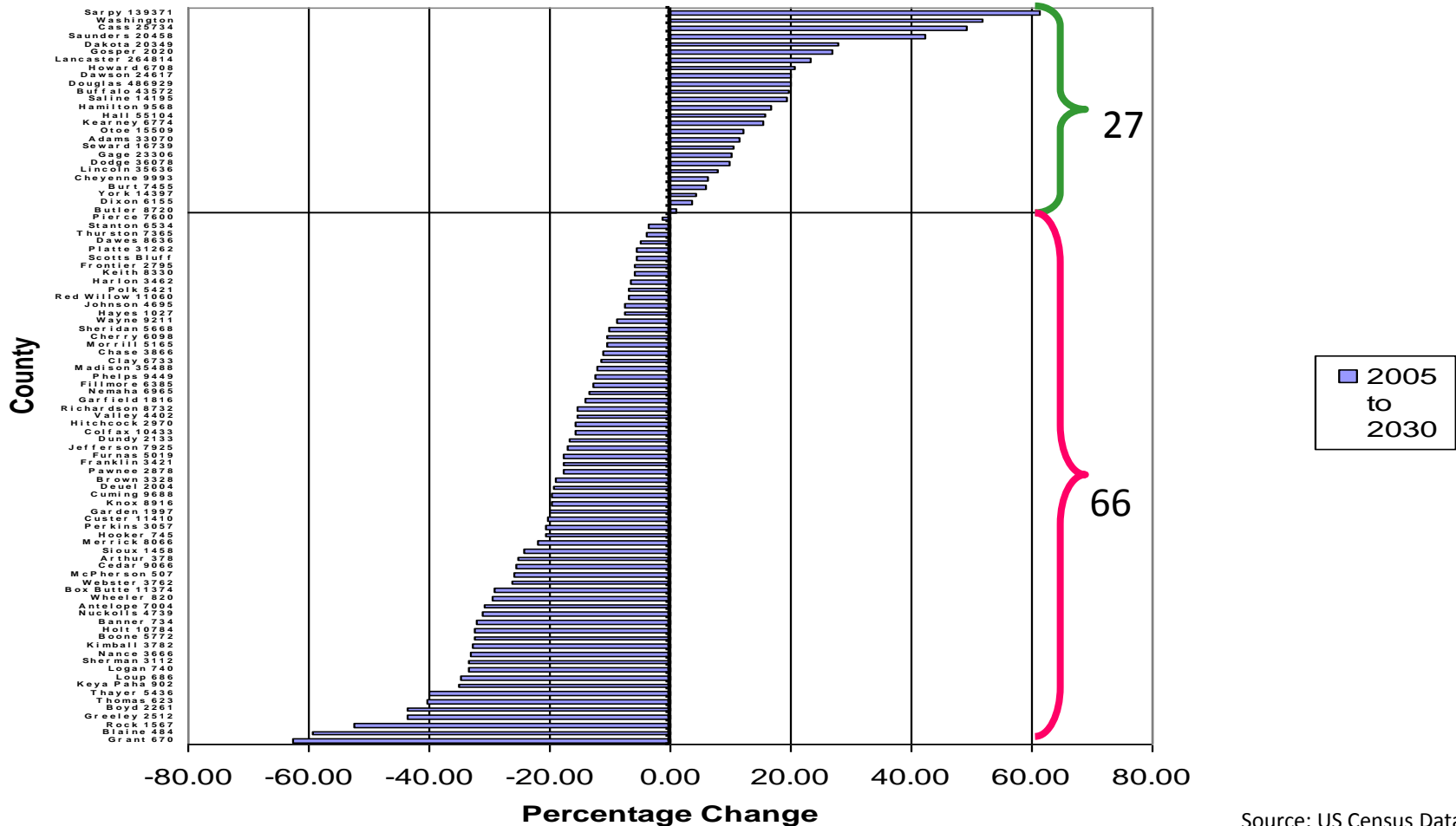
# of People Change	Communities (Count)
>100	44
10 - 99	279
1 - 9	60
0	4
1 - 9	43
10 - 99	61
>100	39

Incorporated Communities

- Decreasing
- No Change
- Increasing

Nebraska
 2000 Population - 1,711,263
 2010 Population - 1,826,341
 2000 Median Population - 341
 2010 Median Population - 318
 Total Communities - 530

Nebraska County Projected Population Change 2005 to 2030



Source: US Census Data

Grow Nebraska

Three Keys to Growing Nebraska at NDEQ

- Providing exceptional service
- Focusing on compliance assistance
- Demonstrating accountability through performance measures

