



WYOMING DEPARTMENT OF  
ENVIRONMENTAL  
QUALITY

**FY 2020 Strategic Plan**

Submitted

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By

**Wyoming Department of  
Environmental Quality**

## Message from the Director

Since 1973, the Wyoming Department of Environmental Quality has been a trusted leader and principal steward for protecting the state's precious air, water and land resources. To fulfill our stewardship responsibilities it is extremely important to look ahead and anticipate the needs and challenges associated with the protection of our environmental resources. For that reason, I am pleased to provide the Wyoming Department of Environmental Quality's Fiscal Year 2020 Strategic Plan.

This Strategic Plan sets forth DEQ's goals, objectives, and strategies that will support conserving and protecting the state's natural resources, while maintaining a high quality of life and fostering economic development. The Strategic Plan also imposes accountability on DEQ by setting forth performance measures with which we will measure our successes and identify areas to continue to strive for improvement.

While the Strategic Plan identifies the means by which DEQ will measure its efforts to protect the environment, DEQ will continue to work above and beyond these measures to deliver exceptional service to the State of Wyoming. In addition to these efforts, DEQ is committed to working with stakeholders, other state agencies, and federal partners to meet the agency's mission.

Wyoming is a wonderful place to live and recreate and DEQ is committed to protecting the State's resources now and for generations to come. Please review the Strategic Plan and let us know if you have questions or if your organization could be a partner with DEQ in the implementation of the plan. Feel free to contact Keith Guille at (307) 777-6105 or [keith.guille@wyo.gov](mailto:keith.guille@wyo.gov).

Todd Parfitt



Director,  
Wyoming Department of Environmental Quality

## Introduction

The Department of Environmental Quality (DEQ) was established by the Wyoming Environmental Quality Act and Industrial Development Information and Siting Act pursuant to W.S. §§ 35-11-101 through 2001 and W.S. § 35-12-101 through 119 respectively. As Wyoming's environmental regulatory agency, DEQ is responsible for the implementation and enforcement of delegated federal programs under the Clean Air Act, Clean Water Act, Safe Drinking Water Act, Resource Conservation and Recovery Act, and Surface Mining Control and Reclamation Act, as well as other state environmental regulatory programs.

DEQ consists of seven divisions; Air Quality, Water Quality, Solid and Hazardous Waste, Land Quality, Industrial Siting, Abandoned Mine Lands, and Administrative. DEQ has 266 employees located in Sheridan, Lander, Casper, Rock Springs, Pinedale, and headquartered in Cheyenne. Together we ensure that Wyoming's natural resources are managed to maximize the economic, environmental and social prosperity of current and future generations. DEQ does this through a combination of monitoring, permitting, enforcement, remediation and restoration activities that protect, conserve and enhance the environment while supporting responsible stewardship of Wyoming's resources. Other important DEQ functions include human resources, accounting, and emergency response. Together DEQ's programs serve over 5,000 businesses operating thousands of facilities across the state.

Over the past decade, the workload of DEQ has grown. To effectively deal with growth and environmental management requirements associated with expanding regulatory oversight from federal agencies, DEQ continually works to identify efficiency opportunities in programs and where justified, request and add staff. Some staff additions were to address specific legislative mandates. DEQ has implemented a paperless office initiative and worked with outside consultants to improve performance in targeted areas. DEQ continually looks for opportunities to restructure programs in a manner to bring added focus to priority areas and make concerted efforts to collaborate with stakeholder groups to streamline the permitting process.

### DEQ's Mission

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

### DEQ's Values

The success of this mission requires our shared commitment to values that define and guide who we are, what we do and how we do it. These values are:

**We are proactive** by anticipating future impacts on Wyoming's environment and taking actions to minimize those impacts.

**We are innovative** by encouraging people from both inside and outside the agency to consider new approaches to protecting, preserving and enhancing a healthy environment.

**We are consistent** by fairly applying and implementing regulatory requirements.  
**We are responsive** through timely and open communications with the public, the regulated community and other stakeholders who are affected by our work.  
**We are committed** to a culture and work environment where everyone is treated respectfully, professionally developed and continuously challenged.  
**We are decisive** and make decisions in a rigorous and timely manner supported by thorough analysis, quality data and sound rationale.

### **DEQ's Vision Statement**

The Wyoming Department of Environmental Quality envisions a future where vibrant economic development and prosperity is achieved while providing sound and sensible environmental protection for the benefit of Wyoming and its citizens.

### **Strategic Plan Development Process**

DEQ is directed by statute to develop and maintain a strategic plan that guides its functions and activities. The plan is designed to plan activities, evaluate effectiveness and cover a four-year term.

The purpose of this plan is to provide planning and performance measurements to DEQ, the legislature and the public. This plan allows the legislature and the public to see the activities and achievements of DEQ by tracking its performance with the strategies outlined in this plan with the accomplishments identified in DEQ's Annual Reports.

### **Goals, Objectives, Strategies and Performance Measures**

DEQ developed goals that describe the broad environmental responsibilities with which the various Divisions are tasked. These broad goals are applied to each Division, and each Division identifies its objectives that fall under this goal and the strategies that are needed to achieve these objectives. Performance measures are attached to the strategies to ensure that progress is made to accomplishing the strategies, objectives and overall goals. Through this process, DEQ can monitor the progress on the achievement of its goals through each of the Divisions. The following provides a brief description of each of the levels in this Plan.

**Goals** – Describe broad environmental tasks that DEQ is striving to achieve.

**Objectives** – Incremental steps that will aid in the accomplishment of the goals.

**Strategies** – Specific actions needed to achieve the objectives.

**Performance Measures** – The measurable milestones that show achievement of the strategies.

## **DEQ Goals**

### **Goal 1 – To investigate, remediate and restore contaminated and disturbed sites.**

DEQ investigates, remediates and restores contaminated and disturbed sites in order to protect the health, welfare and safety of Wyoming's citizens and to preserve, reclaim and enhance air, land and water resources of the state. For example, DEQ recognizes the continued focus placed on the restoration and enhancement of Greater sage-grouse habitat and other wildlife concerns. In consideration of the future economic and environmental health of the state, we seek to maximize the value of post-mining and post-remediation landscapes. DEQ continues to respond to evolving and emerging priorities in order to address those sites that present the greatest risk to safety and health of Wyoming's citizens. In conjunction with restoration and remediation activities, we attempt to prevent, reduce, and mitigate impacts to the environment by fostering pollution prevention, spill prevention and control, and green and sustainable remediation approaches, including the beneficial use and re-use of materials, as appropriate. DEQ believes investigation, restoration and remediation actions are most successful when expectations are clearly defined and conveyed. DEQ continues to work closely with all affected stakeholders in striving to find the most protective and effective short- and long-term solutions.

DEQ continues to plan ahead for the effective and efficient completion of all abandoned mine land projects within the state Abandoned Mine Lands (AML) projects inventory. In addition, we will continue efforts to determine the long-term maintenance effort needed after the completion of the major reclamation activities. By planning ahead for the completion of reclamation activities, we will be able to efficiently apply the available resources to meet those goals.

### **Goal 2 - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.**

DEQ continues to strive for excellence in developing and maintaining scientifically based and quality controlled data to support the DEQ's diverse programs, activities and regulatory responsibilities. Though the type and extent of monitoring may be different in each of the DEQ's divisions, monitoring activities are designed to measure compliance with permitting requirements and with state and federal regulations and standards; to identify and understand trends in environmental conditions and performance; and to plan for future growth and sustainable use of resources.

DEQ endeavors to take advantage of improving technologies and cooperative efforts with outside entities to collect, manage and interpret the environmental data needed to accomplish its regulatory and programmatic responsibilities. DEQ's data needs are served from various sources. Generally, monitoring to assess ambient environmental conditions such as statewide or regional air and water quality is performed directly by DEQ or its contractors. Permit compliance data is generally required to be submitted by permittees and verified by systematic DEQ inspections. Remediation and restoration monitoring data is typically submitted by the

responsible party and verified by DEQ, but in other programs (e.g., AML, Storage Tank Program and Orphan Sites Program), DEQ is responsible for collecting and managing monitoring data. DEQ also enters into cooperative agreements with federal agencies such as the United States Geological Survey (USGS) and the U.S. Environmental Protection Agency (EPA) to collect data where there is a mutual interest.

**Goal 3 - To develop a clear, concise and consistent regulatory framework.**

The development of a regulatory framework that regulated entities and the public can understand is key to efficient regulation. DEQ, with input from the public and other stakeholders, continues to develop sensible and appropriate environmental standards that are protective of Wyoming's air, water and land resources. This provides a system that can deliver the requirements of the regulatory program in a clear and consistent manner. DEQ is committed to continued review and updates of its regulations to ensure simplified and streamlined regulations are maintained.

In addition to DEQ's goal of a consistent regulatory framework, DEQ examines the potential for additional reductions and/or updates in our current regulations. The objective is more accessible and better organized rules, fewer rules, and shorter rules – in sum, more efficient and effective government. The proposed reductions have been and continue to be realized by reorganization, consolidation, repeal of obsolete or unnecessary rules, and more concise rule language or some combination.

**Goal 4 - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.**

DEQ strives to make the application of environmental standards easier for stakeholders to understand and for the regulated community to comply. The application of environmental standards is a complex and challenging process. DEQ will strive to make this process less complex through more efficient and environmentally protective permitting. This facilitates diverse economic growth and development to proceed in an environmentally responsible manner.

**Goal 5 - To ensure adherence with environmental standards and other requirements.**

In administering compliance programs, DEQ will promote a culture that engages both the regulated community and general public to achieve attainment of environmental standards and laws. DEQ will assist, educate and clearly communicate standards and permit requirements to the regulated community in a manner that fosters compliance. DEQ will apply rules and regulations fairly and consistently across the state in all programs and across all sectors of the regulated community. DEQ will operate compliance programs with timely inspections and decisions that provide certainty to the regulated community and reduce environmental impact where compliance concerns are identified. DEQ will implement enforcement actions without bias and provide compliance programs with the necessary resources and training to implement the compliance programs in an efficient manner.

**Goal 6 – To develop and maintain an outcome oriented workforce and culture.**

DEQ is committed to developing and maintaining an outcome oriented workforce and culture. DEQ will continue to explore and develop strategic objectives to address workforce challenges related to recruitment, retention and workforce reductions. Some of these include workload allocation analysis, the implementation of a workforce development program, continued training initiatives, enhancing employee reward and recognition efforts and revisions to employee Performance Management Instrument (PMI) plans to promote strategic results.

**Goal 7 - To administer and manage the resources of the agency in a responsible manner.**

DEQ is committed to managing its resources in the most efficient and effective manner. This requires critical analysis of budget expenditures and efficient contract processing procedures. DEQ will maximize utilization of limited resources to satisfy its mission. Through meticulous budgeting and planning, DEQ will continue to devote resources to areas where they are most needed and manage the business of the agency in the most efficient manner possible.

## **Air Quality Division**

The Air Quality Division (AQD) is responsible for the protection and preservation of the ambient air (the air we breathe) in the State of Wyoming. The United States Environmental Protection Agency (EPA) sets National Ambient Air Quality Standards (NAAQS) for six criteria pollutants: particulate matter (PM), nitrogen dioxide (NO<sub>2</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), ozone (O<sub>3</sub>), and lead (Pb). These standards are designed to protect public health. The AQD establishes requirements designed to maintain state primacy and attainment of the NAAQS and Wyoming's ambient air quality standards (WAAQS). These requirements are implemented through the Division's permitting, compliance and inspections, resource management and regulatory and state plan development programs.

### Challenges of Division

The AQD faces challenges protecting the ambient air shed in Wyoming for the health and welfare of its citizens. It is the largest of the three environmental media (air, water, land) that the WDEQ must protect and it has a complicated chemistry that is constantly affected by changes in weather and anthropogenic influences globally. Both Wyoming and EPA regulations provide tools to set limits on the amount of man-made pollution that can be emitted to the atmosphere. AQD's greatest challenge remains in understanding how air pollution affects ambient air and how to work with industry to allow continued economic growth while ensuring all our citizens breathe air that meets air quality standards to protect their health.

A second challenge is the pendulum of federal air regulations promulgated, revised or rescinded. New and revised federal regulations trigger numerous state obligations and deadlines. These obligations often involve revisions to state regulations and State Implementation Plans (SIP) revisions in order to retain primacy. Generally, the state must meet these deadlines and obligations even though many of the federal regulations are simultaneously being litigated.

**Application of Goal 1 to AQD** – To investigate, remediate and restore contaminated and disturbed sites.

AQD responsibilities will be in a support role, when necessary. Sometimes the site remediation technique(s) to be employed result in emissions of air pollutants to the atmosphere, such as with an air stripper. Depending on the type and quantity of these air emissions, an air quality permit may be required. Otherwise, no authorization of activities or oversight by the AQD is typically needed.

**Application of Goal 2 to AQD** – To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Objective: The AQD strives to monitor, collect and evaluate data statewide so that compliance with the EPA mandated NAAQS are attained. One way this is done is through the operation of a statewide ambient air monitoring network that operates according to EPA federal reference methods to ensure data is collected accurately and consistently. The monitoring network has been developed and modified through time according to the Division's Network Assessment that

is reviewed every five years and the Division's Network Plan that is reviewed every year. These reviews are part of the ongoing partnership with the EPA to ensure adequate ambient air monitoring data is collected in Wyoming.

Another way air data is collected is through the Emission Inventory reporting program. This data is reported to the AQD by industrial and commercial sources statewide and in accordance with the conditions in their air permit or other federal and state requirements. The Emission Inventory is collected annually for major sources of emissions and every three years for minor sources. In the Upper Green River Basin (UGRB) ozone nonattainment area, the Emission Inventory is collected annually for all sources of emissions.

Strategy 1: AQD will continue to operate the ambient air monitoring network statewide and to include revisions to the network as necessary guided by the results of the Network Assessment and Network Plan.

Performance Measure 1: Annually, evaluate and prioritize network improvements, reconfiguration, removal or installation of monitors to ensure an efficient and effective network is implemented for monitoring criteria pollutants, precursors and meteorology that satisfy the seven monitoring objectives outlined in the 2019 Wyoming Ambient Air Monitoring Network Plan.

Performance Measure 2: Maximize the availability of the WyVisNet website for public access to near-real time air quality, meteorological and scene data and long-term validated data.

Performance Measure 3: Timely quality assure and upload ambient air monitoring network data into WyVisNet and EPA's Air Quality System in accordance with the DEQ-EPA Performance Partnership Agreement, such that data is uploaded within 90-days of the end of each calendar quarter.

Performance Measure 4: Assess air quality of the State and downwind impacts of industrial development and pollution transport to ensure air quality standards are attained or maintained.

Strategy 2: AQD will collect Emission Inventory data through the established frequency to ensure accurate and timely compilation for accurate reporting and other use.

Performance Measure 1: Data collected will be quality assured and uploaded annually into IMPACT and EPA's Emissions Inventory System (EIS).

Performance Measure 2: Annually analyze, develop and implement improvements that maximize and enhance data quality and collection.

Strategy 3: AQD will focus on bringing all nonattainment areas back into attainment and maintaining the attainment status of all other areas currently meeting the standards.

Performance Measure 1: Evaluate the process and requirements for redesignation of the UGRB from nonattainment to attainment of the 2008 ozone strategy.

Performance Measure 2: Annually review, revise and summarize the DEQ's overall ozone reduction strategy to bring the area back into attainment.

Performance Measure 3: Review and provide input on federal agency actions that may complicate or interfere with Wyoming's plans to attain and maintain air quality standards.

Performance Measure 4: The construction permitting program will utilize information obtained from the ambient air monitoring network and analyze ambient air modeling to ensure that facilities do not cause or contribute to a violation of the ambient air standards.

**Application of Goal 3 to AQD** – To develop a clear, concise and consistent regulatory framework.

Objective: AQD is tasked to keep pace with EPA's new and updated rules and regulations. AQD will continue to pursue this task in addition to the challenge of drafting our regulations so they are easier to understand and organized better for the user.

Strategy 1: AQD will continue to use its resources wisely in regulation development so that timely state rulemaking occurs and subsequent SIP submittals to the EPA are supported.

Performance Measure 1: The AQD will take necessary actions to maintain primacy, including timely and complete State Plan submittals to EPA.

Performance Measure 2: AQD will complete SIP submittals to the EPA within required federal timeframes.

Performance Measure 3: The AQD will examine and evaluate opportunities to participate in rule revisions or development at the national level that may directly impact Wyoming's air quality resources.

Strategy 2: AQD will conduct review of its regulations to ensure compliance with federal standards, while maintaining they are understandable and clear to the public and regulated community.

Performance Measure 1: AQD will complete the review of its regulations for streamlining opportunities annually.

Performance Measure 2: The AQD will examine and revise regulations during rulemaking opportunities to address Asbestos and Incorporation by Reference in order to streamline, simplify and better organize existing regulations.

**Application of Goal 4 to AQD** – To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective: AQD continues to look for ways to improve the air permitting process in both the New Source Review and the Title V Operating permit programs. This is important so the rate of permit issuance can keep pace with the demand for air permits from the energy industry and other businesses in our state.

Strategy 1: The AQD will ensure that permitting decisions are timely and appropriate in the ozone nonattainment area in the UGRB and statewide.

Performance Measure 1: The AQD will review and participate in opportunities to provide comment on federal rulemakings, EPA standards, guidance and other requirements.

Performance Measure 2: The AQD will review and act on permit applications and respond to comments within statutory and regulatory timeframes.

Strategy 2: The AQD will continue the development and implementation of IMPACT as the Division's singular enterprise system. Industry and the AQD Permitting, Compliance, Emission Inventory and Monitoring sections use IMPACT for electronic data and information submittals and retrieval in part to satisfy paperless office initiatives.

Performance Measure 1: Prioritize IMPACT maintenance and enhancements in accordance with the task list, identified issues and risks and project funding. Implement timely and effective communication strategies in order to keep AQD staff informed of modifications.

Performance Measure 2: Continue to enhance industry use and AQD's customer service for IMPACT by providing timely and consistent support and training. Enhance existing and create new business processes in order to consistently manage large volumes of integrated, high-quality regulatory data within IMPACT to meet AQD goals.

Performance Measure 3: The AQD will review and act on permit applications and respond to comments within statutory and regulatory timeframes.

Strategy 3: Actively participate in the NEPA process, including participation as a Cooperating Agency, to ensure appropriate and timely air quality analyses on federal lands.

Performance Measure: Participate in meetings and calls to provide updates to and work with the Governor's staff and other state agencies on new energy projects and Environmental Impact Statement development. Attend meetings and calls with federal agencies for effective and efficient use of staff resources.

**Application of Goal 5 to AQD** – To ensure adherence with environmental standards and other requirements.

Objective: Promote compliance with permit conditions and regulatory requirements through facility site inspections, compliant response, report reviews and environmental self-audits.

Strategy 1: Provide verbal feedback to the facility at the end of the site inspection, followed by a timely, clear and concise written inspection report.

Performance Measure 1: AQD will track the number of major and minor sources inspected.

Performance Measure 2: AQD will track the amount of time from inspections to written report sent to facilities.

Performance Measure 3: AQD will track the number of facilities in substantial compliance.

Strategy 2: Maintain compliance rates for permitted facilities on an annual basis.

Performance Measure 1: AQD will calculate the compliance rate for Major Sources using the number of inspections versus Notices of Violations and Letter of Violations.

Performance Measure 2: AQD will calculate the compliance rate for Minor Sources in the statewide region using the number of inspections versus Notice of Violations and Letter of Violations.

Performance Measure 3: AQD will calculate the compliance rate for Minor Sources in the UGRB region using the number of inspections versus Notice of Violations and Letter of Violations.

Strategy 3: The Air Quality Resource Management (AQRM) program will represent AQD in NEPA activities to ensure that impacts from activities on federal lands are

evaluated and communicated. AQRM staff will attend meetings and conference calls to ensure an efficient use of staff time.

Performance Measure 1: AQD will submit a Compliance Management Strategy (CMS) to EPA. The CMS outlines the facilities to be inspected by the AQD staff during the upcoming federal fiscal year. AQD will meet or exceed the expectations set forth in the CMS.

Performance Measure 2: AQD will participate in periodic update meetings with the Governor's staff on new projects and the latest developments of each Federal EIS in Wyoming.

Strategy 4: Provide oversight of continuous emissions monitoring systems (CEMS) at industrial facilities.

Performance Measure: Assess CEMS compliance to determine pollutant concentrations or emission rates for comparison to the applicable emission limitations or standards at stationary sources.

Strategy 5: Provide outreach and education to the industry regarding Environmental Audits.

Performance Measure 1: AQD will maintain a list of companies and facilities with Environmental Audits.

Performance Measure 2: AQD will track the total money spent by industry to conduct Environmental Audits.

**Application of Goal 6 to AQD** - To develop and maintain an outcome oriented workforce and culture.

Objective: Develop and maintain a well-educated staff with technical expertise in air quality. Staff development takes time and other resources, so it is imperative to create a work environment that retains staff long enough for the Division to benefit now and long-term.

Strategy 1: AQD will explore ways to create professional development opportunities within AQD to increase staff knowledge and job satisfaction as well as orient new staff. Participation will be available to all staff and can be in the form of training, participation in state or federal led information sessions, course work and peer mentoring.

Performance Measure 1: The AQD will develop and integrate new staff members using a training initiative that provides new staff with an opportunity to learn about programs within the Division, share knowledge and maximize resource utilization.

Performance Measure 2: Annually and to coincide with the employee goal setting, the AQD supervisors will meet with staff to establish a goal within the Performance Management Instrument (PMI) specific to each employee's personal growth and professional development.

Performance Measure 3: Staff that represent the Division in local, regional, national or international organizations will maintain and enhance interagency relationships and partnerships and share information or training expertise back through to the AQD and Department.

Strategy 2: AQD will explore and manage ways to provide internal and external outreach opportunities.

Performance Measure 1: The AQD will explore outreach efforts and communication opportunities within the Division, Department and other State Agencies such as the Public Service Commission and the Oil and Gas Conservation Commission.

Performance Measure 2: The AQD will continue to explore external community outreach including opportunities such as Air Quality Awareness Week and Earth Day efforts.

**Application of Goal 7 to AQD** - To administer and manage the resources of the agency in a responsible manner.

Objective: Track and manage resources to be as efficient as possible. Work priorities can change rapidly, so AQD management staff must communicate effectively to ensure timely and appropriate response and resource utilization, and accurate and consistent messaging.

Strategy 1: AQD management staff will continue to meet monthly to communicate emerging priorities so that adequate planning to accomplish these goals is possible.

Strategy 2: Prior to each budget planning period, AQD management staff will discuss budget challenges, program requirements and priorities and identify possible opportunities for efficiency.

Performance Measure 1: During each biennium fiscal planning period, AQD will provide program priorities and cost estimates by the prescribed times so the Agency is timely with its budget requests.

Performance Measure 2: Ensure proper grant application and management, contract management and budget adjustment options are timely formulated and completed.

Performance Measure 3: Utilize the AQD's IMPACT system for electronic data and information submittals in order to implement paperless office initiatives.

Performance Measure 4: Establish fees sufficient to meet program needs each biennium.

Performance Measure 5: Promptly process all permit fees and emission inventory invoices.

## **Water Quality Division**

Principal goals of the Water Quality Division (WQD) are to ensure the proper disposal of wastewaters, ensure the proper design of water and wastewater treatment facilities, to monitor and evaluate the quality of surface and groundwater and to require and to facilitate the clean-up of water quality impaired surface and groundwater. The WQD works to accomplish these goals through the operation of four (4) distinct sections:

The Wyoming Pollutant Discharge Elimination System (WYPDES) Section permits the discharge of wastewater effluent via point sources into surface waters of the state. These permits contain limits on the quality of the discharge based on in-stream conditions and standards, and establish self-monitoring and reporting requirements for the permittees. The WYPDES section also has an independent compliance and monitoring unit that ensures compliance with permit conditions.

The Groundwater Section includes the Underground Injection Control (UIC) program that permits the discharge of wastewater effluent, in-situ uranium processing waste and oilfield waste into subsurface geologic formations. These permits contain limits on the quality of the discharge based on aquifer or groundwater conditions and standards, and establish self-monitoring and reporting requirements for the permittees. In addition to the UIC program, the Groundwater Section is responsible for developing groundwater classifications for exemption of aquifers impacted by in-situ uranium mining operations, overseeing groundwater investigations, implementing the division's ambient groundwater monitoring program, administering the division's groundwater data management system and overseeing the cleanup of legacy groundwater contaminated sites such as at historic spill sites and Department of Defense cleanup of Formerly Used Defense Sites (FUDS), such as the former Atlas Missile Sites in Laramie and Platte counties.

The Water/Wastewater Section permits the construction of water and wastewater treatment facilities to design criteria established in regulation by the division. In addition to construction permitting, this section reviews and provides recommendations to county officials regarding proposed water and wastewater system for new rural subdivision developments, oversees the permitting, bonding and inspection of commercial oilfield waste disposal facilities and licenses water and wastewater system operators to ensure their technical competency. Finally, this section coordinates with the Office of State Lands and Investment and the Wyoming Water Development Office in the management of the federal program for funding of construction of water and wastewater systems via the State Revolving Fund (SRF).

The Watershed Protection Section monitors and evaluates the ambient quality of Wyoming surface waters, identifies which surface waters may be impaired and the cause of those impairments through the development of Total Maximum Daily Loads (TMDLs). This section is responsible for the distribution and management of approximately \$850,000/yr. in federal grant (i.e. CWA Section 319) monies provided to local governments and conservation districts for water quality improvement projects, such as constructed wetlands below storm sewer outlets and stream stabilization and restoration projects. This section is also responsible for the establishment

and review of the state's surface water quality standards, certification of U.S. Army Corps of Engineers permits (i.e. CWA Section 404) for dredge and fill activities, development of Total Maximum Daily Loads for impaired surface waters and development of the agency's Integrated Report to EPA on the status of the quality of Wyoming's surface waters based on monitoring performed by the division, conservation districts and others.

The division's Administrative Support Section provides data management, document management, management of the division's website and administrative and clerical support to staff within the Cheyenne and District offices. This section is the division's lead for developing strategies, procedures and providing technical assistance to accommodate transition to electronic document management and e-Permitting frameworks. In addition, this section facilitates the development of new or amended rules and regulations and facilitates rule development with the division's Water and Waste Advisory Board and the Environmental Quality Council.

### Challenges of Division

Permitting - The UIC program continues to work with EPA to obtain primacy for Class VI carbon sequestration wells.

Inspection and Compliance – In addition to their existing job responsibilities, the WYPDES Section will continue to oversee the reclamation of on-channel coal bed methane (CBM) impoundments.

Monitoring and Corrective Action – WQD will continue with efforts to develop consistent groundwater monitoring requirements for commercial oilfield waste disposal and other facilities having groundwater monitoring requirements in place.

Overall, WQD will continue to implement recommendations stemming from Kaizen events with each Section within WQD, intended to identify process modifications to help streamline major functions performed by WQD staff. In addition, WQD will continue to streamline document management processes and to develop and implement electronic document workflow, filing and archiving processes. WQD could benefit greatly by having an updated data management system to streamline permitting, compliance, enforcement and monitoring information. Responding to public records requests continues to be a challenge

**Application of Goal 1 to WQD** - To investigate, remediate and restore contaminated and disturbed sites.

Objective 1: WQD will work with local stakeholders and partnering agencies to reduce and prevent nonpoint source pollution to surface and ground waters of the state.

Strategy: WQD will administer grant funds (i.e., Clean Water Act Section 319 and Section 205(j) grant funds) disbursed by the EPA to support voluntary and locally-led

projects (selected through the Governor-appointed Nonpoint Source Task Force) that will restore and protect waters of the state.

Performance Measure: WQD will provide an annual report to the public and partnering agencies that includes information about planned and completed projects, improvements in water quality, and successful restoration of impaired waterbodies by June 30 of each year.

Objective 2: WQD will work with governmental and non-governmental stakeholders to identify impaired surface waters.

Strategy: WQD will complete TMDL reports for waters prioritized for the 2022 Long-term Vision Strategy.

Performance Measure: From the 2018 and 2020 Integrated Reports (IR) of assessed surface waters, WQD will describe the method for prioritizing waters for TMDL development; identify waters prioritized for the 2022 Long-term Vision Strategy; and discuss the status of TMDL projects in the IR. The public will be provided with an opportunity to comment during development of the 2018 and 2020 IR.

Objective 3: WQD will encourage, facilitate and implement plans for the reclamation of both orphaned and unused CBM on-channel impoundments associated with CBM development.

Strategy 1: WQD will monitor and track the reclamation of on-channel CBM impoundments that were bonded for reclamation with DEQ. WQD will coordinate closely with the State Engineers Office (SEO) to ensure that reservoirs retained by landowners for beneficial use are properly permitted before releasing bond funds back to the CBM operators.

Performance Measure: WQD will ensure that all reservoirs to be retained by landowners are properly permitted by the SEO before releasing bond funds back to operators.

Strategy 2: For reservoirs that will not be retained by landowners for beneficial use, WQD will inspect reclamation performed by CBM operators to ensure that site restoration complies with WQD reclamation guidance and ensure that the sites are adequately vegetated and stabilized before releasing bond funds back to CBM operators.

Performance Measure: WQD will ensure that all reservoirs that are reclaimed meet WQD reclamation and closure criteria before releasing bond funds back to operators.

Strategy 3: Where operators failed to reclaim or transfer reservoir operation to the landowners, or in the case of bankruptcy, WQD shall require forfeiture of bond funds to reclaim these 'orphaned' reservoirs. The reclamation of these sites will be accomplished by contracting for construction and reclamation services. The agency will also consider allowing bonding companies to complete the necessary reclamation in lieu of bond forfeiture on a case-by-case basis.

Performance Measure: For those reservoirs whose bonds have been forfeited, WQD (or the appropriate bonding company) will implement reclamation within twelve (12) months of bond forfeiture or finalization of an agreement with a bonding company.

**Application of Goal 2 to WQD** - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Objective 1: WQD will ensure appropriate evaluation and use of surface water quality data for reporting and decision making purposes and evaluate the adequacy of its current quality assurance and quality control (QA/QC) systems.

Strategy: Evaluate internal QA/QC processes related to surface water monitoring and laboratory practices to ensure all collected and analyzed data are scientifically defensible and reproducible.

Performance Measure: Summary of work completed

Objective 2: WQD will expand implementation of its Unified Groundwater Data Management System (RBDMS) to provide for efficient data management and data analysis.

Strategy 1: WQD will develop and implement an outreach and education strategy to train sister agencies (DEQ/LQD, DEQ/SHWD, State Engineers Office, Water Development Office, Oil and Gas Conservation Commission, Wyoming State Geological Survey) on procedures to access data and upload data into the electronic data management system.

Performance Measure: WQD will provide training on an annual basis.

Strategy 2: WQD will develop a strategy to educate permittees and others that report groundwater quality data to WQD to report that data electronically into RBDMS. The initial effort, or pilot project, will focus on commercial oilfield waste disposal facilities that report groundwater monitoring data to WQD.

Performance Measure: WQD will complete its education and outreach training in by June 30, 2022.

**Application of Goal 3 to WQD** - To develop a clear, concise and consistent regulatory framework.

Objective 1: During its Triennial Review, WQD will develop protective surface water quality rules and regulations that are consistent with the federal Clean Water Act and improve regulatory clarity where needed.

Strategy: With input from a broad group of stakeholders, the WQD will develop and propose clear and consistent regulations governing the protection of the quality of Wyoming surface waters.

Performance Measure: The WQD will complete its Triennial Review process by June 30, 2021.

Objective 2: WQD Section Managers will provide one-day training each year to review existing Section policies, guidance documents and applicable regulations with staff and educate and train staff on the proper application of these policies, guidance documents and regulations.

Strategy: Training will be provided annually.

Performance Measure: Training completed annually.

Objective 3: WQD will obtain primacy for Class VI Underground Injection Control (UIC) wells.

Strategy: WQD complete the required Class VI primacy package documents and proceed through the process to achieve primacy approval from the EPA to implement the Class VI program. This will include review of the existing Memorandum of Agreement with EPA and Memorandum of Understanding with DEQ's Land Quality Division, the Wyoming Oil and Gas Conservation Commission and State Engineers Office, and update those agreements as necessary.

Performance Measure: Obtain primacy for the program in 2020.

**Application of Goal 4 to WQD** - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective: WQD will work update and streamline groundwater monitoring requirements for permitted commercial oilfield waste disposal facilities.

Strategy: An inventory of permitted commercial oilfield waste disposal facilities' monitoring requirements will be developed and used to ensure consistent approach of monitoring for all facilities. In addition, a compliance audit will be conducted to determine whether permit requirements are being met.

Performance Measure: To be completed in FY 2021.

**Application of Goal 5 to WQD** - To ensure adherence with environmental standards and other requirements.

Objective: WQD's WYPDES and UIC programs will achieve or exceed its commitments to EPA regarding the number of compliance inspections completed.

Strategy: Identify and schedule inspections sufficient to meet or exceed commitments to EPA as part of Program Performance Goals.

Performance Measure: Completion of the number of inspections within periods as specified in State/EPA work plans.

**Application of Goal 6 to ADM** - To develop and maintain an outcome oriented workforce and culture.

Water Quality does not have any tasks related to this goal.

**Application of Goal 7 to WQD** - To administer and manage the resources of the agency in a responsible manner.

Objective 1: WQD will continue to implement work flow process modifications to improve efficiencies identified during Kaizen events for each Section in WQD.

Strategy: Section Managers will develop modified work flow process diagrams that illustrate improvements toward efficiencies, educate and train staff on the new processes, and implement those processes.

Performance Measure: All modified processes to be implemented before June 30, 2022.

Objective 2: WQD will continue developing electronic document management systems and division-wide policies to promote consistency, efficiency and quality.

Strategy: WQD will continue developing and using SharePoint libraries and records centers to facilitate information sharing, collaborative document editing, improved records management and reduced physical space needed to house hard copy records. Workflows will be modified as necessary to support electronic document management and increase efficiency. WQD will also develop or update division-wide policies to standardize and document workflows.

Performance Measure: WQD will complete an estimated three SharePoint libraries or records centers per year with associated revised workflows and policies as needed. WQD will track an estimated amount of hard copy records converted to an electronic format each year.

## **Solid and Hazardous Waste Division**

The Solid and Hazardous Waste Division (SHWD) regulates the storage, treatment and disposal of municipal solid waste, industrial waste and hazardous waste to ensure that these activities do not harm the public or damage the environment. SHWD also oversees environmental remediation projects and regulates certain storage tanks that store and dispense petroleum products throughout the State. The primary programs are:

### Storage Tank Program (STP)

Tanks regulated by the STP include most underground storage tanks (UST) and only those aboveground storage tanks that sell fuel to the public. Currently there are 1,581 active tanks requiring inspection by the STP. The STP ensures tank owners/operators operate, maintain, install and modify regulated tanks in accordance with the regulations, which helps to minimize the potential for future releases from the tanks. The STP also offers tank owners/operators a cost effective means to meet federal requirements for cleanup and financial assurance. Without the program, tank owners would be responsible for cleanup or obtaining private insurance which can be difficult to obtain and costly. Cleanup and insurance costs could result in smaller gas stations going out-of-business.

### Hazardous Waste

SHWD is responsible for permitting hazardous waste treatment, storage and disposal activities under the federal Resource Conservation and Recovery Act (RCRA) Subtitle C. SHWD is also responsible for coordination of corrective action for hazardous waste sites. Currently, there are nine (9) hazardous waste facilities in the Hazardous Waste Corrective Action program. Corrective action is required to address releases from units or areas where wastes were treated, stored or disposed at these facilities. The corrective action process at these large facilities is complex, often taking several years to complete. The Hazardous Waste Program also oversees corrective action at nine (6) other sites under administrative orders.

### Voluntary Remediation Program (VRP)

The VRP encourages Wyoming facilities to conduct environmental remediation of sites that experienced environmental degradation as a result of historic facility operations and new releases. Under this program, the Volunteer has the option to voluntarily clean-up the affected properties cooperatively with the DEQ in lieu of more stringent enforcement actions. The Brownfields Assistance Program (BFAP) is a sub-program of the VRP, designed to provide additional incentives to local governments to develop and put idle, unused and potentially contaminated properties back into productive reuse. The BFAP also provides assistance and support for EPA grant applications, community outreach and workshop development.

### Orphan Sites Remediation Program (OSRP)

The OSRP investigates, mitigates and remediates contaminated sites that have no viable party that is responsible for causing the release of the contamination. The OSRP is currently conducting these activities at thirteen (13) sites throughout the state. An additional ten (10) sites are awaiting funding for further investigation.

### Solid Waste Program

The Solid Waste Program has the responsibility for regulation of municipal and industrial landfills and waste transfer, treatment and storage facilities; improving state-wide waste diversion; recycling and beneficial use; providing planning assistance to local governments; and collaborating with state and local organizations to improve waste management in Wyoming. Currently, there are over 400 permitted solid waste facilities in the State.

### Landfill Remediation Program

The Landfill Remediation Program oversees and funds up to 75% of the cost of investigating and remediating contamination at landfills for up to 10 years after completion of the remedial activities.

### Cease and Transfer Program

The Cease and Transfer Program works in cooperation with the Office of State Lands and Investments to provide funding assistance for landfill operators who wish to cease receipt of municipal solid waste and transfer it to regional landfills.

### Inspection and Compliance Program (I&C)

The I&C supports the Hazardous Waste and Solid Waste Programs by performing inspection of facilities and completing enforcement when necessary.

### Challenges of Division

SHWD continues to be challenged by program funding. Financial conditions in the State result in pressure to more effectively manage costs and program activities. Decreased federal funding has already been experienced for many programs and future federal budgets may continue to reflect downward pressure on federal funding for state programs. This presents a significant challenge when SHWD is asked to provide more with fewer resources.

**Application of Goal 1 to SHWD** - To investigate, remediate and restore contaminated and disturbed sites.

Objective: SHWD will continue its efforts to remediate the contamination at sites where releases have occurred.

Strategy 1: The STP will continue to initiate remediation of contaminated sites as funding is available.

Performance Measure: The STP will track the number of sites under active remediation, the number of sites waiting to go into a project and the number of sites that have been fully remediated and closed out.

Strategy 2: The Solid Waste Program will continue to provide technical and permitting assistance to local governments, including the implementation of general permits for municipal landfill closure. The program will also continue to implement the Cease and Transfer and Landfill Remediation Programs to ensure that landfill remediation and closure activities are conducted.

Performance Measure: The Solid Waste Program will continue to implement the Cease and Transfer Program using funds awarded by the State Loan and Investment Board. The program will continue implementation of the municipal Landfill Remediation Program through the initiation of the remediation process at eligible facilities.

Strategy 3: The Hazardous Waste, VRP, BFAP and OSRP will continue to lead the remediation activities for contaminated sites including facilities regulated under the jurisdiction of RCRA Subtitle C. The remediation will be addressed both under the RCRA permit authority and the VRP.

Performance Measure: The Hazardous Waste Program will track the number of permits issued and number of VRP and BFAP sites completed, and OSRP sites where remediation is completed by the end of each fiscal year.

**Application of Goal 2 to SHWD** - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Objective - All programs under SHWD collect environmental data as part of program operations. The data collected is primarily groundwater but soil and other data are collected where necessary. This data is primarily collected by consultants engaged on specific projects and activities.

Strategy: SHWD will continue to collect, manage and monitor environmental data required for program activities. SHWD will continue work to improve the internal IT systems and processes to increase the ease of entering and accessing all environmental data.

Groundwater data will be entered into the DEQ groundwater database as appropriate. It is anticipated that the DEQ groundwater database will be able to access data from existing databases so that dual uploading of data will not be necessary.

Performance Measure: SHWD will continue to implement appropriate IT improvements that will improve the ease of entering and managing environmental data.

**Application of Goal 3 to SHWD** - To develop a clear, concise and consistent regulatory framework.

Objective: The SHWD continues to review existing rules to determine if rules applicable to their respective programs need to be updated and or reduced.

Strategy: SHWD will review all existing regulations to evaluate where changes may be appropriate to eliminate redundancy and make the rules easier to read and understand.

Performance Measures: All regulations will be reviewed for potential revision. A timeline will be developed to revise any regulation identified for revision each fiscal year.

**Application of Goal 4 to SHWD** - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective: SHWD addresses this goal through permitting where required, inspection and enforcement, state-funded cleanup at STP sites and voluntary actions. Federally delegated programs, such as under RCRA, must adopt regulations and standards no less stringent than federal law. SHWD fully complies with that requirement but works with the regulated community to explain the requirements and expedite permitting where appropriate and possible.

Strategy 1: STP will cleanup eligible sites as funding is available. Sites will be closed as soon as cleanup objectives (EPA MCLs in groundwater) are met.

Performance Measure: The goal will be measured by the number of STP sites put into a remediation project during the year, the number of sites that went into O&M during the year and the number that were closed during the year.

Strategy 2: Hazardous Waste and Solid Waste will continue to work with potential permit applicants early in the permit development process to help them complete applications and will issue draft and final permits.

Performance Measure: Hazardous Waste and Solid Waste will measure performance based on the timeliness of issuing permits within statutory and regulatory requirements.

Strategy 3: Hazardous Waste and VRP (including Brownfields) will continue to collaborate with responsible parties to complete investigations and remedial alternatives to meet cleanup standards. OSRP will perform investigations and remedial alternatives will be evaluated and implemented to meet cleanup standards.

Performance Measure: The goal will be measured by the number of sites entered into the VRP or issued an Order. For the HW, VRP (including Brownfields) and

Orphan sites, the goal will also be measured by the number of sites in investigation or remediation and the number of sites where remedy is completed.

Strategy 4: I&C will evaluate enforcement actions in consideration of how those actions may impact future development.

Performance Measure: I&C will compile any feedback received from responsible parties on potential economic development impacts from enforcement cases and provide to the Administrator for review and decision on revisions to current and future enforcement actions.

**Application of Goal 5 to SHWD** - To ensure adherence with environmental standards and other requirements.

Objective: SHWD has a strong inspection and compliance program focused on ensuring compliance with permit requirements and adherence to environmental standards. The STP has one of the highest compliance rates of all tank programs nationwide, which demonstrates the success of the STP compliance program. The I&C program will continue to judiciously use enforcement when it will provide environmental benefits, compliance and competitiveness of Wyoming waste generators. This approach has ensured significant upgrades to waste and wastewater treatment at Wyoming's largest and most complex waste generators. Adhering to this objective has significantly improved compliance rates for hazardous waste generators, achieved large-scale reductions in waste generated and helped ensure these facilities are competitive with operations in other states regarding compliance and efficiency.

Strategy: SHWD will continue a strong inspection and compliance program. The STP will notify owners ahead of time of upcoming deadlines, which enables the owner to have the required testing/inspection completed before it is past due and the facility is out of compliance

Performance Measure: SHWD will track the number of inspections conducted and enforcement actions taken. SHWD will further track most common violations, compliance by general industry/waste activity sectors (mines, petroleum refineries, vehicle maintenance facilities, etc.) and enforcement case settlement values to detect trends and develop/apply resolutions. STP will track owner notifications.

**Application of Goal 6 to SHWD** - To develop and maintain an outcome oriented workforce and culture.

Objective: SHWD recognizes that staff is the key to SHWD programs ability to be effective and successful. It will be important to ensure that staff secures appropriate training to improve professionally and be more effective in their programs.

Strategy: Staff will be provided the opportunity to pursue appropriate training that aids them in their professional development and improves their effectiveness. Staff meetings will be held to provide staff with opportunities to present new ideas on program improvements. When appropriate, electronic meetings will be conducted to minimize travel expenses. Performance evaluations will receive full and thorough attention to help serve as work planning and development. As positions become vacant, careful consideration will be given to where those positions should be located in the future to best reflect the work load of SHWD.

Performance Measure: SHWD will measure this by staff attending training when funds are available. Training will be completed in the following order to best use fund resources: required training, needed training and wanted training. Equitable distribution of training amongst all staff is considered when approving training programs. This will be measured by evaluating work load distribution and filling vacant positions in programs and offices based on projected workloads for the division and discussion between Program Managers and the Administrator. SHWD will be measure this by completing PMIs on time and using the PMIs as planning and development tools.

**Application of Goal 7 to SHWD** - To administer and manage the resources of the agency in a responsible manner.

Objective: SHWD will manage all programs to ensure the most cost-effective application of available funds and the most effective use of staff resources. The implementation of the two newer programs (cease and transfer and the municipal solid waste remediation program) will be managed in the most efficient and cost-effective manner possible to ensure that the funds that are made available are used wisely and accomplish the greatest amount of remediation as possible.

Strategy 1: Implementation of the cease and transfer and the municipal solid waste remediation programs will be done in a manner that results in the lowest administrative cost and the most cost-effective option for completing remediation.

Performance Measure: SHWD will continue to implement the Cease and Transfer and Landfill Remediation Programs with a focus on ensuring that facilities are properly sized for operations and remediation is conducted in a fiscally responsible and environmentally protective manner.

Strategy 2: Continued implementation of the Corrective Action Account in a cost-effective manner. A cash flow projection spreadsheet is maintained and updated as cash flow changes so new projects can be started as soon as possible. Project costs are tracked monthly and future costs are revised at the end of the fiscal year based on the past fiscal

year's data. Operation and maintenance data are reviewed as soon as reports are available and systems are shut down as soon as possible to minimize electricity and other operational costs.

Performance Measure: SHWD will measure STP's on-going update of cash flow projections based on monthly cost tracking and system shut down to complete remediation projects as quickly and efficiently as possible. New projects are started as soon as funds are available. Project costs are revised annually.

Strategy 3: OSRP will continue with implementation of the strategy memo that provides protection to human health and the environment and will pursue appropriate funding options when identified in order to address the highest priority sites. BFAP will provide assistance to local governmental entities in order to evaluate environmental conditions and put the properties back into productive use while being protective of human health and the environment. The BFAP will seek funding options to provide financial assistance to local governmental entities.

Performance Measure: The OSRP will evaluate the budget balances and adjust work priorities accordingly. The BFAP will work with grant recipients and the EPA Brownfields Program basis to facilitate federal funding options. The BFAP will identify funding options to provide funds to assist local governmental entities and evaluate state Brownfields budget balances monthly if funds are available. BFAP will provide assistance to at least one community per fiscal year.

## **Land Quality Division**

The Land Quality Division (LQD) regulates surface and underground mining operations and ensures successful reclamation following mining to the approved post mining land use. LQD establishes bond amounts and holds reclamation financial assurance for mine operations. LQD is responsible for ensuring that mining is conducted in a manner that complies with state environmental standards as established in the Environmental Quality Act (EQA). LQD is also responsible for ensuring that mining is conducted in a responsible manner that protects the safety and welfare of the citizens of the state and that the impact on the environment is minimized. LQD currently regulates 852 mine operations, including 33 coal mines that are active or in reclamation. Oversight of these operations requires review of 832 annual reports, and 1,370 inspections.

Mining activities require a permit to operate. Permit types range from simple one-page documents, like Limited Mine Operation applications, to complex 20-volume coal permits that can cover > 50,000 acres. LQD maintains two programs - coal and non-coal. Under the provisions of the Surface Mining Control and Reclamation Act, LQD has primacy from the Office of Surface Mining Reclamation and Enforcement (OSMRE) over the coal program in Wyoming. The rules for the coal program are therefore consistent with federal OSMRE rules and the EQA. The non-coal program regulations are based on the EQA. Permits provide information on all activities associated with mining including prospecting, exploration, mining and reclamation commitments. LQD is responsible for reviewing, processing and issuing all permit applications to ensure compliance with environmental standards established through the EQA and LQD rules and regulations.

On average, approximately 435 permit actions are approved annually. These permit actions include approval of new permits, modifications of existing permits, including amendments of coal permits. Approximately 25% of these permit actions are new permit actions, ranging from a very simple License to Explore, to more complex coal or uranium mine permits. The remaining 75% are permit actions associated with maintaining existing permits, which may be simple one-day approvals or major revisions that require the public notice and comment process.

Regular field inspections are conducted by LQD staff to ensure consistency with permit commitments and compliance with the EQA and LQD rules and regulations. The frequency of inspections range from monthly for the coal program to annual inspections for small, less active Limited Mining Operations.

The LQD bonding program is a cornerstone of the permitting process. Annual review of active bond instruments includes both the evaluation of the proposed reclamation bond for adequacy and revisions to any financial assurance instruments that may be necessary. LQD currently holds 981 individual bond instruments for a total value of \$2.9 billion.

### Challenges of Division

LQD faces several challenges in the upcoming years. The largest challenge is the continuing task of balancing the extraction of Wyoming's mineral resources in the most environmentally

conscious manner possible. In order to meet this task, LQD develops and maintains long-term technical systems for capturing and managing vast amounts of permitting and environmental data associated with mine permitting and compliance. Over time, system platforms change and adjusting to these changes is a continuous process. Technological advancements have resulted in larger data sets that are available for review when complex permitting decisions are made.

LQD has effectively managed the challenge of losing a high percentage of long-term senior technical staff due to retirements. Recruiting and training new staff to fill these positions is in process and will be a continued effort. This natural attrition provides opportunities to re-evaluate positions and programs in accordance with current needs while optimizing use of resources.

**Application of Goal 1 to LQD** - To investigate, remediate and reclaim contaminated and disturbed sites.

Objective 1: LQD has develop a systematic approach to remediating and restoring sites associated with forfeited mining activities.

Strategy: LQD maintains a list of forfeited mining sites across the state, along with their associated forfeited bond amounts. As sites complete the forfeiture process, the site is added to the list.

Performance Measure 1: LQD will update the forfeited site list quarterly.

Performance Measure 2: Understand the scope and source of capital investment (in addition to the forfeited bond value).

Performance Measure 3: Identify the necessary human resources to prioritize this work, from the perspective of the Land Quality Division and the perspective of multiple DEQ divisions.

Performance Measure 4: Initiate processes for soliciting contracting for necessary design and construction services and complete the remedial construction work.

Objective 2: LQD strives to ensure current mines are meeting reclamation requirements.

Strategy: LQD will maintain a list of current mines and their reclamation

Performance Measure 1: LQD will track number of reclamation work within Phases 1, 2, and 3.

**Application of Goal 2 to LQD** - To collect, manage and monitor the environmental data needed to accomplish agency requirements for permitting, reclamation and bond release responsibilities.

Objective: LQD is committed to completing an extensive IT project to convert conventional paper permits to electronic formats using the Mine Information Database System (MIDAS) program.

Strategy: LQD has deployed the electronic permitting program in segments, starting with the inspection application, uploading LMO and small mine permits and progressing to more complex large coal mine permits that will require an upload interface.

Performance Measure: Percent of permits, number of annual reports, number of correspondence, number of letters and templates all processed electronically.

**Application of Goal 3 to LQD** - To develop a clear, concise and consistent regulatory framework.

Objective: LQD is committed to ensuring all rules and regulations are up to date.

Strategy 1: The Land Quality Division will evaluate its existing rules and identify reductions that can be achieved.

Performance Measure: LQD will complete its review and the results of such evaluation will be reported to the DEQ Director and the Land Quality Advisory Board.

**Application of Goal 4 to LQD** - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective: LQD strives to be timely in permitting and process.

Strategy: Develop and implement changes identified in the LEAN and efficiency process.

Performance Measure: LQD will track the number of days for permitting to be completed. Will also compare to previous years.

**Application of Goal 5 to LQD** - To ensure adherence with environmental standards and other requirements.

Objective: LQD will continue to strive for excellence in the inspections of mines throughout Wyoming.

Strategy: LQD will conduct inspections with the goal of identifying and correcting any identified environmental issues prior to causing adverse environmental damage.

Performance Measure 1: LQD will track the number of inspections conducted monthly at coal and non-coal mines.

Performance Measure 2: LQD will track the number of Bond Release inspections in FY 2020.

**Application of Goal 6 to LQD** - To develop and maintain an outcome oriented workforce and culture.

Objective: LQD will continue rigorous position justification assessments, by evaluating the need for, or classification of, that position in its current capacity as positions become available from attrition or as staffing needs change based on industry trends. An assessment of regulatory need for mining industries statewide relative to staffing expertise and availability, decisions will be made annually at a minimum.

Strategy: LQD will conduct an on-going assessment of the regulatory need for the various mining industries statewide based on permitting activity and bond release activity.

Performance Measure: Based on annual evaluations, LQD will make staffing recommendations that can provide reliable service to existing and new mine permits. LQD will evaluate forward industry trends and determine if additional or temporary staffing will be needed to accommodate a surge in demand in a particular commodity sectors.

**Application of Goal 7 to LQD** - To administer and manage the resources of the agency in a responsible manner.

Objective: LQD will manage its program to ensure the most cost-effective application of funds and the most effective use of staff resources.

Strategy: LQD will continue to manage the program with a strong focus on fiscal restraint.

Performance Measure: LQD will manage the program in accordance with its approved budget.

## **Industrial Siting Division**

The Industrial Siting Division (ISD) provides a mechanism to assess and mitigate adverse effects of major industrial facilities on the social, economic and environmental conditions of communities in Wyoming. This purpose is accomplished by coordinating the timely processing of permits for the construction of large industrial facilities. Permit applications are reviewed for completeness and evaluated to ensure that impacts from the project are identified and properly mitigated. ISD represents the State's interest at the contested case hearing for projects and provides recommendations to the Industrial Siting Council (Council) for specific permit conditions, as well as the advisability of the issuance or denial of permits.

The Industrial Siting process establishes closure of other local and state government requirements (with the exception of the Public Service Commission and the DEQ.) This allows projects to have certainty that no additional permits will be required after the Council has issued a permit. The process also establishes a distribution ratio amongst affected local governments for impact assistance funds.

In addition to the permitting of large industrial facilities, ISD is also responsible for monitoring the construction of permitted facilities to determine if construction is taking place in compliance with the permit issued by the Council.

Through departmental reorganization, the ISD has assumed staffing and management of several other agency functions:

### Centralized Bonding Program

The centralized bonding program is a significant task, requiring the transfer of existing bond files from the divisions, standardization of bond files and the required documents and bond instruments. In addition to assuring the consistency and accuracy of the bonding documentation the staff provide skilled review of the bonding instruments to protect the interests of the state. The bonding program currently holds 1,241 individual bond instruments with a value of \$3.4 Billion.

### Emergency Response Program

The Emergency Response Coordinator serves on the State Emergency Response Commission (SERC) and EPA's Region 8 Regional Response Team. The coordinator receives and processes over 500 spill reports annually and maintains the spill/complaint reporting database.

### National Environmental Policy Act (NEPA) Coordination

This program provides agency level coordination for NEPA projects statewide. The staff engages in projects, provides close coordination with Governor's Policy Office and establishes the agency's role as a cooperator. Additionally, the Program Manager leads a core NEPA team comprised of staff from each Division. The team works collaboratively to streamline document reviews and provide consistent comments.

### Office of Outreach and Pollution Prevention

The Office of Outreach provides information and assistance to industry, public, small businesses and non-governmental organizations. The Outreach Program is a non-regulatory service that DEQ provides to minimize environmental impacts through education and pollution prevention efforts. The Outreach program manages funds and implements a number of Federal grants such as Diesel Emissions Reduction Act (DERA), Source Reduction Act (SRA) and Pollution Prevention (P2).

### Challenges of Division

Coordinating ISD's limited workforce with the demand for permits on an unknown timetable and the additional workload of establishing the centralized bonding program. ISD consists of one Administrator and one Principal Economist. ISD has little control over when projects will file applications. This can create significant resource challenges in meeting statutory timelines. ISD anticipates the submission of four applications within the next year.

**Application of Goal 1 to ISD** - To investigate, remediate and restore contaminated and disturbed sites.

Objective: The division will respond to spill reports in an expedient manner and refer them to the appropriate Division for further remediation when necessary.

Strategy: ISD will track spill reports to ensure adequate cleanup and remediation is completed.

Performance Measures: ISD will complete the spill response process within 90 days. ISD will track the number of spills referred and resolved and report this monthly.

**Application of Goal 2 to ISD** - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Objective: Staying informed on potential projects is crucial to the success of the Division. In the pursuit of this objective, the Division must develop and maintain relationships with the regulated industry as well as other state and federal agencies.

Strategy: ISD will continue to develop relationships with stakeholders in order to stay informed on projects throughout Wyoming. ISD will accomplish this by continuing coordination with County Commissioners, outreach to the public and federal agencies.

Performance Measures: ISD will schedule and hold Renewable Energy Coordination Committee meetings and four informational meetings with County Commissioners in the area of proposed projects.

**Application of Goal 4 to ISD** - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective 1: ISD is committed to manage/process the permitting of facilities that meet the Division requirements.

Strategy: Process permit applications that meet all regulatory requirements.

Performance Measure: ISD will track how many permit applications are processed in FY 2020.

Objective 2: The Outreach Program is committed to answer questions and disseminate environmental standards to the public.

Strategy: The Outreach Program will provide support to the public, industry and the small business community to minimize environmental impacts through education and pollution prevention programs.

Performance Measure: The Outreach Program will provide an annual summary of education and pollution prevention program efforts conducted in FY 2020.

Objective 3: The Bonding Program will ensure that adequate financial assurance is in place to meet the reclamation and remediation requirements established by the various divisions.

Strategy: The Bonding Program will review bonding instruments for form, sufficiency and risk.

Performance Measure: The bonding program will provide a monthly program summary to the director. This will list the amount of bonds processed per year, the total dollar amount bonded through the division and time spent to process bonds.

**Application of Goal 5 to ISD** - To ensure adherence with environmental standards and other requirements.

Objective: ISD is committed to monitoring facilities to ensure that the facilities are constructed and operated in accordance with the conditions of its permit. ISD performs this task by requiring quarterly reports during the construction period and other updates after construction is completed to ensure that all conditions are addressed.

Strategy: ISD will continue to monitor facilities for compliance with conditions of permit and develop quarterly reports to report the progress to the Industrial Siting Council.

Performance Measure: ISD will monitor 100% of facilities in construction to ensure compliance and present this information to the Council quarterly.

**Application of Goal 6 to ISD** – To develop and maintain an outcome oriented workforce and culture.

Objective: ISD recognizes that staff is the key to the program’s ability to be effective and successful. It is important to ensure that staff secures appropriate training to improve professionally and be more effective in their programs.

Strategy: ISD staff will be provided the opportunity to pursue appropriate training that aids them in their professional development and improves their effectiveness in their programs.

Performance Measure: Staff will attend two appropriate training programs through FY 2020.

**Application of Goal 7 to ISD** - To administer and manage the resources of the agency in a responsible manner.

Objective: ISD will manage its program to ensure the most cost-effective application of funds and the most effective use of staff resources.

Strategy: ISD will continue to manage the program with a strong focus on fiscal restraint.

Performance Measure: ISD will manage the program in accordance with its approved budget.

## **Abandoned Mine Land Division**

The Abandoned Mine Land Division (AML) is responsible for reclaiming and remediating lands disturbed by historic mining activities prior to the passage of the Surface Mining Control and Reclamation Act in 1977. Reclamation includes, but is not limited to, reclaiming open pits and shafts, addressing mine subsidence features, mine fire impacts and watersheds impacted by the historic mining. Important elements of the reclamation activities are the re-vegetation of those disturbed sites and creation of stable landforms, which will return the land to the previous land use and re-establish appropriate habitat for wildlife. AML also focuses on mitigating the impacts from historic underground coal mining in communities in the state.

AML administers the Mine Subsidence Insurance Program. The subsidence insurance program offers homeowners and businesses in communities impacted by historic underground coal mining insurance to repair damage that may result from mine related subsidence. The insurance is an option available to homeowners and businesses for a reasonable fee. This program operates strictly as an insurance program.

### Challenges of Division

AML is funded through the Office of Surface Mining Reclamation and Enforcement (OSMRE) from funds collected through a mine reclamation fee assessed on each ton of coal produced. The Surface Mining Control and Reclamation Act (SMCRA) includes a provision that each state, including Wyoming, receive an amount equal to 50% of the mine reclamation fee collected in that state. The current AML fee collection authority expires September 30, 2021. If the reclamation fee collection authority is not extended by Congress, the last AML fee distribution to Wyoming would be in 2022.

**Application of Goal 1 to AML** - To investigate, remediate and restore contaminated and disturbed sites.

Objective: AML will continue to pursue the goal of reclaiming historic mining activities with the following strategies:

Strategy 1: AML will continue to update the Wyoming abandoned mine land inventory to include any new sites or features that are discovered.

Strategy 2: AML will continue to review sites on the abandoned mine land inventory to determine the highest priority sites to reclaim with the limited funding that remains.

Strategy 3: AML will continue to work with Wyoming communities such as Rock Springs, Hanna and Glenrock to address mitigation priorities for critical infrastructure and structures within their communities.

Strategy 4: AML will review past projects reclaimed in crucial habitat areas to determine if further re-vegetation should be conducted to improve and restore habitat to pre-mining conditions.

Strategy 5: AML will continue to investigate and manage soils to increase the odds of successful reclamation.

Performance Measure: AML will measure its success by the numbers of hazards abated and the number of acres restored to beneficial use. Metrics would include such items as the numbers of open shafts or portals closed, linear feet of dangerous highwalls reduced and miles of stream channels restored, as well as estimates of acres of disturbed lands returned to beneficial use.

**Application of Goal 2 to AML** - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Objective: AML will improve the surface water, groundwater and vegetation impacted by past mining activities through sampling and post reclamation monitoring.

Strategy 1: AML will share water quality data from AML reclamation programs with other divisions within DEQ to ensure that the sampling results are made a part of the DEQ water database.

Strategy 2: AML will continue to conduct post-reclamation monitoring and, where necessary and appropriate, develop a plan to perform further reclamation.

Performance Measure 1: AML will track project completions in the federal Abandoned Mine Land Inventory System Database (e-AMLIS).

Performance Measure 2: AML will close out the post-reclamation monitoring for a project and ensure the recordation of Certificates of Completion in the appropriate county courthouse certifying the project is complete and accepted.

**Application of Goal 3 to AML** - To develop a clear, concise and consistent regulatory framework.

Objective: AML is committed to ensuring all rules and regulations are up to date.

Strategy: AML's regulations are largely driven by federal regulation and must meet the requirements of the federal program. AML will review its regulations to determine if reductions can be made to streamline its rules and maintain the requirements of the federal program.

Performance Measure: AML will continue to closely monitor federal regulations to determine if the AML rules require modification.

**Application of Goal 4 to AML** - To apply environmental standards and requirements that protect the environment while allowing for responsible economic development.

Objective: AML is committed to work with other state agencies and federal land managers to ensure that the appropriate environmental standards are being applied to abandoned mine land reclamation. AML also works with developers and utility companies that are proposing projects in areas where past mining may have occurred.

Strategy: AML will respond to all inquiries for information and, where necessary, conduct limited exploration drilling for further information.

Performance Measure: All inquiries will be addressed and documented.

**Application of Goal 5 to AML** - To ensure adherence with environmental standards and other requirements.

Objective: AML is committed to following all environmental and permitting requirements during reclamation activities. AML works closely with the WGFD to ensure that the most appropriate wildlife safeguards are in place, such as seasonal stipulations. This coordination also includes work with other state agencies and federal land managers on reclamation and revegetation standards and requirements. AML also works closely with SHPO to ensure that all cultural and historic standards are identified and that significant cultural properties are properly protected.

Strategy: AML will work closely with other state and federal agencies to determine the appropriate standards to include in all reclamation. AML will continue to work with all surface and mineral owners as well as any lessees to identify site specific reclamation strategies.

Performance Measure: AML will continue to perform NEPA compliance analyses on all projects and to consult with appropriate federal agencies, SHPO and WGFD on: threatened, endangered and sensitive species; crucial wildlife habitat, wetlands, floodplains and cultural resources; as well as consulting with the Tribes on issues of Native American concern. Where necessary the AML projects will incorporate appropriate mitigation actions.

**Application of Goal 6 to AML** - To develop and maintain an outcome oriented workforce and culture.

Objective: AML strives to maintain a work environment that is positive and encourages attention on the positive outcomes of each staff member and every project.

Strategy 1: AML will hold annual staff meetings to focus on what is working and what needs improvement, new developments or pending changes for each of the AML partners and identify issues or concerns that will need attention.

Performance Measure: AML will hold an all staff meeting each year.

Strategy 2: AML supervisors will continually review and mentor employees on an on-going basis to encourage the development of increased skills and knowledge.

Performance Measure: Employee feedback will be continuous.

**Application of Goal 7 to AML** - To administer and manage the resources of the agency in a responsible manner.

Objective: AML is committed closely managing projects and all contracts to ensure that the funding is used in the most cost-effective manner, thereby allowing the available funding to achieve the maximum benefit for Wyoming. AML will diligently work to complete all known reclamation as quickly as possible. As reclamation projects are completed, the AML transition plan will address long-term monitoring and maintenance, as well as emergency response, ensure funding is available for newly discovered AML sites and recurring problems at old AML sites. Funding will continue for the subsidence insurance program and its administration. It is recognized that AML reclamation will continue for several years to complete the funded AML reclamation activities.

Strategy 1: AML will work closely with the DEQ Administration Division to track and monitor all expenditures and to explore opportunities to control costs.

Strategy 2: AML will also continue to work cooperatively with funding partners such as BLM. AML will continue to perform traditional reclamation projects as long as the physical hazards on abandoned mine sites require remedial actions.

Performance Measure: AML will continue to monitor the workloads of AML Project Managers and future funding levels to ensure resources are being utilized effectively and efficiently to address the most hazardous sites first.

## **Administration Division**

The Administration Division performs or secures, in support of the Director's Office and all of the DEQ's divisions, administrative services to assist the DEQ programs, activities and personnel. Administration also provides financial management support, supplies personnel support to ensure effective management of human resources while protecting the employee rights and safety, coordinates emergency response actions for the agency, supplies information technology support, establishes internal policies, coordinates information requests and press releases through the public information office, manages the DEQ's inventory, promotes operational efficiency and provides timely and adequate information, direction and other assistance required to fulfill the DEQ's purpose.

### Challenges of Division

The primary challenge facing Administration is the ongoing changes and increased number of federal grant requirements and funding levels. The change in federal grant requirements impacts DEQ's fiscal structure and often requires changes in state budgeting policies and procedures. Finally, Administration is also challenged by the rapid changes to Federal and State Human Resource laws, regulations and policies.

Another challenge facing Administration is key staff turnover. The change in staff creates challenges administering complex federal grants, contract management and fiscal processes.

**Application of Goal 1 to ADM** - To investigate, remediate and restore contaminated and disturbed sites.

Administration does not have responsibilities for tasks related to this goal.

**Application of Goal 2 to ADM** - To collect, manage and monitor the environmental data needed to accomplish agency responsibilities.

Administration does not have responsibilities for tasks related to this goal.

**Application of Goal 3 to ADM** - To develop a clear, concise and consistent regulatory framework.

Administration does not have responsibilities for tasks related to this goal.

**Application of Goal 4 to ADM** - To apply environmental standards and requirements that protects the environment while allowing for responsible economic development.

Administration does not have responsibilities for tasks related to this goal.

**Application of Goal 5 to ADM** - To ensure adherence with environmental standards and other requirements.

Administration does not have responsibilities for tasks related to this goal.

**Application of Goal 6 to ADM** - To develop and maintain an outcome oriented workforce and culture.

Objective: Administration is committed to communicate benefits and opportunities to staff and emphasize appropriate staff training and development.

Strategy 1: Administration will ensure DEQ employees take and complete the Defensive Driving Course.

Performance Measure: 100% completion of the Defensive Driving Course by the end of 2020.

Strategy 2: Administration will ensure employee PMI reviews are completed by established deadlines.

Performance Measure: 100% completion of the Employee PMI review by A&I established deadlines.

Strategy 3: Administration will ensure DEQ employees successfully complete Substance Abuse Awareness Training.

Performance Measure: 100% completion of the Substance Abuse Awareness Training by the end of 2020.

**Application of Goal 7 to ADM** - To administer and manage the resources of the agency in a responsible manner.

Objective 1: Administration is committed to ensuring fiscal compliance with state and federal audit principles.

Strategy: Administration will establish and maintain internal accounting controls through policy.

Performance Measure: Administration will track its progress through audit exceptions.

Objective 2: Administration will continue to develop, administer, manage and participate in new IT solutions that enhance the agency's ability to perform its duties and those we serve.

Strategy 1: Administration will develop additional enhancements to the DEQ web page which provides public with up to date information on agency issues.

Performance Measure 1: Administration will make enhancements to the public facing DEQ Site Profiler on the main DEQ web page by the end of FY 2020.

Performance Measure 2: The administration will develop and finalize a list of enhancements and changes for a new DEQ website by the end of FY 2020.

Strategy 2: Administration will embrace and incorporate the SAO WOLFS upgrade.

Performance Measure: Administration will ensure DEQ compliance with the SAO WOLFS Chart of Accounts upgrade within the established timelines.

Strategy 3: Administration IT program will complete and enhance various IT projects

Performance Measure 1: Initiate consolidation of Water Quality Division software applications.

Performance Measure 2: Migrate WYVISNET to an "off the shelf" hosted solution by the end of FY2020.

Performance Measure 3: Incorporate an electronic payment system with the agency by the end of CY 2020.

Performance Measure 4: Incorporate electronic signature software within the agency by FY 2020.

Performance Measure 5: Enhance and incorporate the agency spill and complaint software by FY 2020.

Strategy 4: Administration will lead paperless office initiative for agency

Performance Measure: Prioritize projects for implementation and continue scanning and electronic archiving initiatives.

Strategy 5: Administration will lead DEQ's effort to upgrade and migrate SharePoint.

Performance Measure: Complete migration of SharePoint applications to a hosted solution by June 2020.

Objective 3: Administration will continue to develop, administer, manage and participate in internal agency processes that enhance, improve and reduce redundancy.

Strategy: Administration will lead “Lean” efforts that help improve internal financial processes and communication between the division and Abandoned Mine Lands.

Performance Measure: Complete LEAN evaluation with Administration and AML staff by FY 2020.