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20 BY 20 RESULTS

Winter 2020

20 GOALS

aimed at increasing **predictability**,
efficiency, and **transparency** of
DEEP's regulatory processes

TO MEET IN 2020

Commissioner's Introduction



Dear Friends,

Thank you for the opportunity to share our second quarterly report of the 20BY20 initiative. First and foremost, I want to use this space to extend my heartfelt thanks to our staff, who have rallied around these goals and are delivering strong progress. I have been so inspired by the energy and sustained focus around this effort. I would also like to thank the dozens of stakeholders, from businesses and trade groups to environmental advocates, who have actively engaged with DEEP in shaping these goals.

Out of all of the significant areas of progress in the first two quarters, I am most proud of our permitting programs for meeting the permitting timeframes we announced in the last report, and making a significant reduction in our backlog of "legacy" applications. I would also like to acknowledge the formation of the Client Concierge Team, a new central point of contact for applicants with complex projects. Together, these and other 20BY20 successes are delivering on our pledge to make DEEP's regulatory processes more predictable, efficient, and transparent.

I hope you will find this report informative, and I welcome your feedback in person or by emailing 20BY20@ct.gov.

Sincerely,

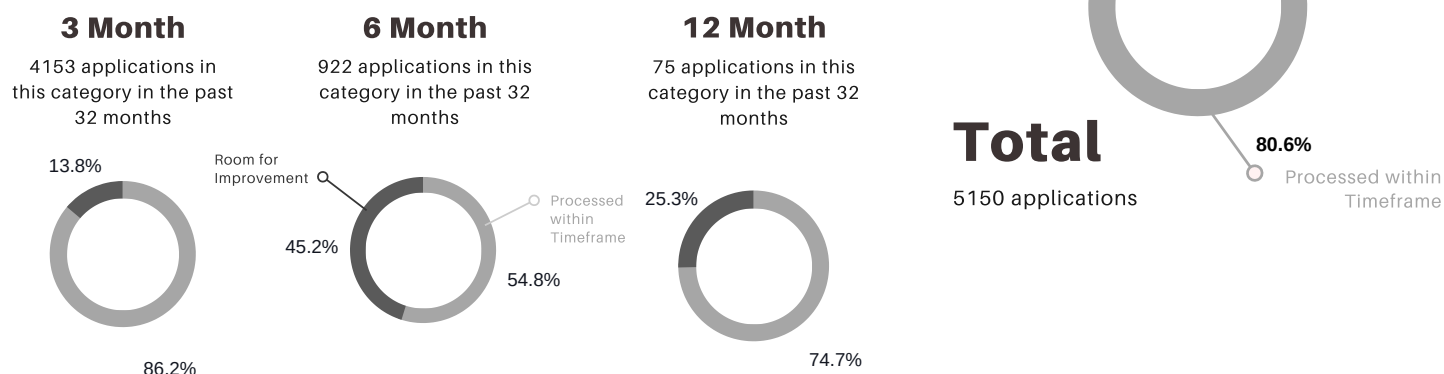
KATIE DYKES
DEEP COMMISSIONER

GOAL 1: MAKE PERMITTING TIMEFRAMES MORE TRANSPARENT

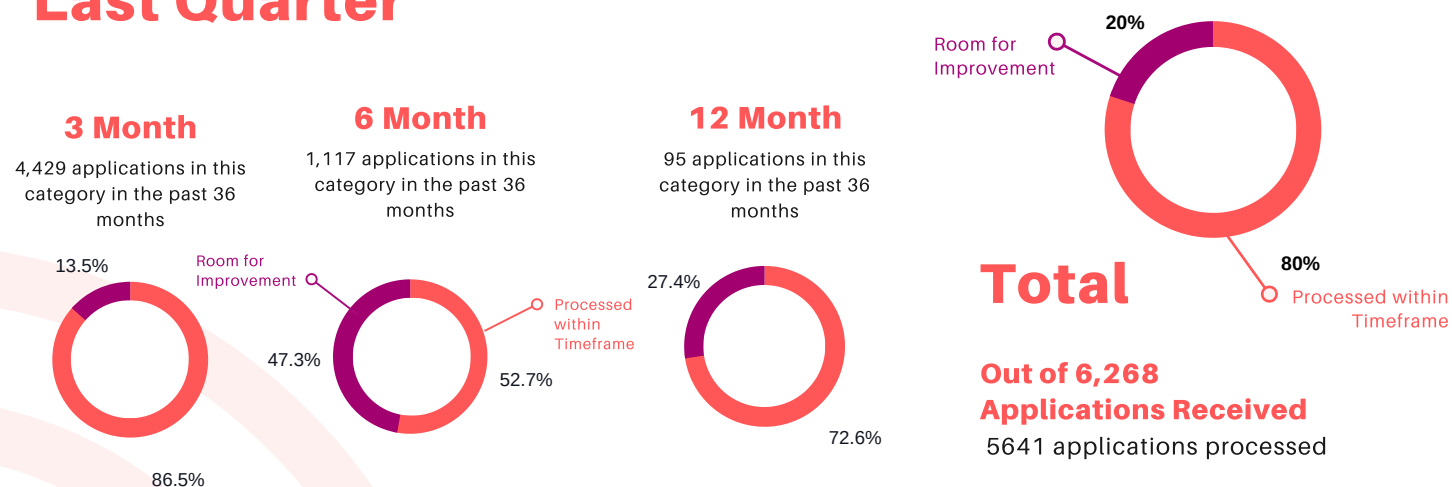
In the past quarter, DEEP's permitting programs achieved an overall 80 percent success rate in meeting permitting timeframes. The data show room for improvement, particularly in the 6 month category, and permitting managers have been meeting to share ideas for process improvements and best practices. Each program is tracking quarterly progress and we can expect to see consistent improvement in meeting timeframes in the months to come.

[View DEEP's Permitting Timeframes](#)

Baseline



Last Quarter



GOAL 2: ENHANCE PRE-APPLICATION ASSISTANCE

Ninety-seven percent of applicants left pre-application meetings with an improved understanding of the environmental permits that are applicable to their projects.

Baseline

96% of applicants reported their experience as "good," or "excellent" within last 12 months

Last Quarter

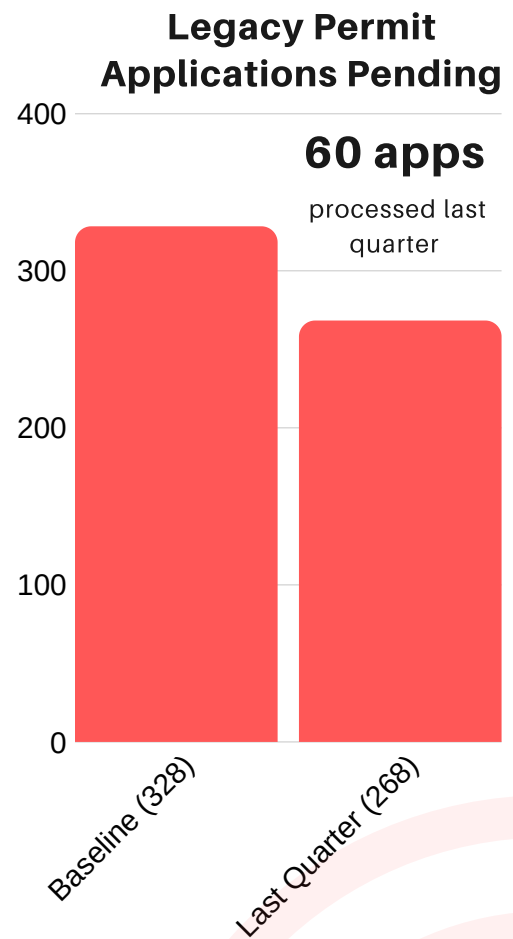
97% of applicants reported their experience as "good," or "excellent" within last 4 months

GOAL 3: REDUCE NUMBER OF LEGACY PERMIT APPLICATIONS PENDING

A legacy permit application is an application that dates back to 2016 or earlier. Bringing these applications to a conclusion is important both for applicants and to ensure that environmental standards are met.

Out of an initial 328 legacy applications pending with DEEP, 60 applications were processed during this past quarter. Programs resolving the most legacy applications include Remediation, Water Discharge, and Air.

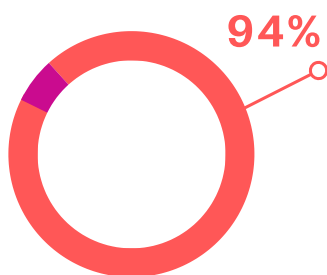
The compliance history of an applicant is considered in the permitting process. In the case of some legacy applications, significant noncompliance was the reason an application was placed on hold. In these cases, permitting staff work closely with enforcement staff and the applicant to bring compliance issues to resolution so these applications can proceed.



GOAL 4: REDUCE TIME FOR TRANSFER ACT AUDITS

Percent of filings receiving an audit/no audit decision

within 90 days



Last Quarter

It is DEEP's goal to achieve this timeframe 100% of the time by the end of 2020.

DEEP's remediation program staff have been working hard to meet to goal of reaching the Audit/No Audit decision within 90 days of receiving a verification under the Transfer Act. This work includes engaging with a key stakeholder organization - Environmental Professionals Organization of Connecticut - to share ideas and receive feedback.

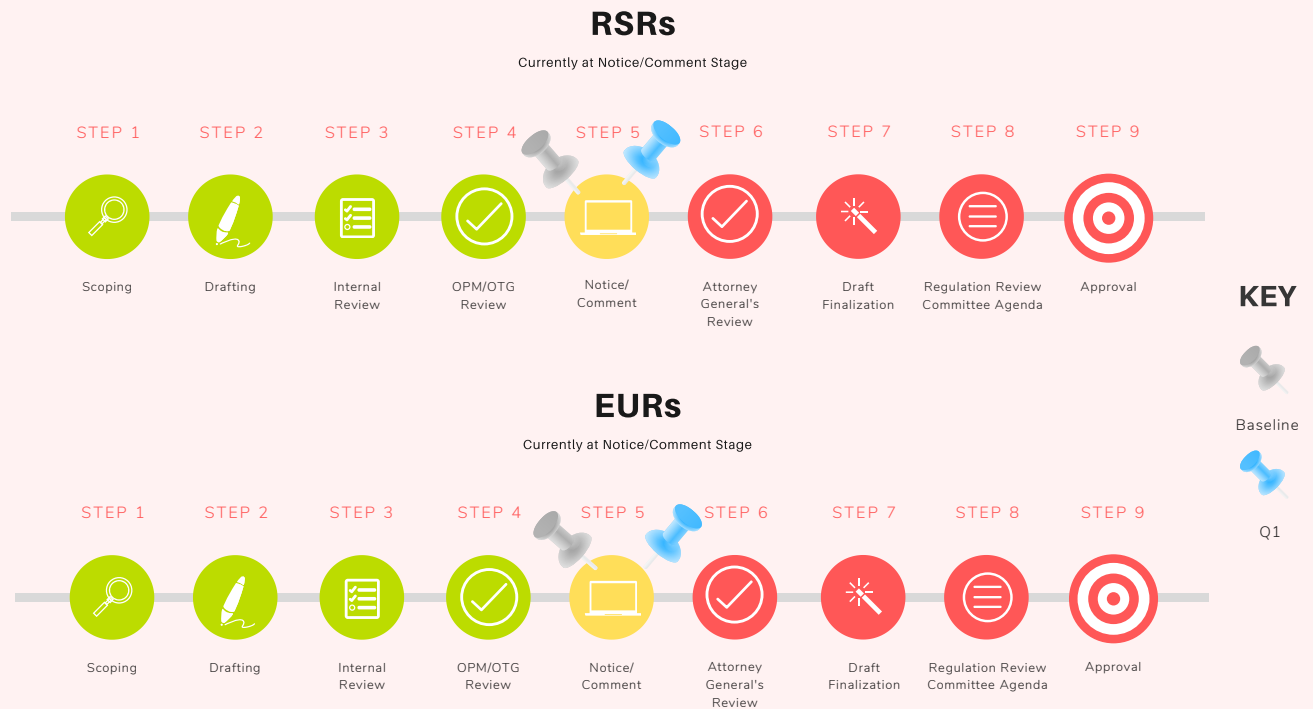
Re-tooling actions to date include replacing the standard means of communicating through letters ("No Audit Letter") and ("Audit Reports") with the use of a "No Audit" or "Audit/Accepted Stamp. While a very small part of the effort, a visible sign of a changed approach.



GOAL 5: FINALIZE RSR AND EUR REGULATIONS



Remediation Standards Regulations (RSRs) set the options under which a site can be cleaned up. Regulations concerning Environmental Use Restrictions (EURs) will allow the use of notices that go in the land records rather than complex ELURs for some cleanup situations. Together, these regulations will ensure environmentally sound standards and greater efficiency of property transfer and redevelopment.



DEEP conducted public outreach meetings to discuss the proposed amendments to the RSRs and to the EURs during the period from July 30, 2019 through September 11, 2019. The public hearing for the RSRs was held on September 25, 2019 and the public hearing for the EURs was held on November 4, 2019. As a result of the public comments received regarding the proposed amendments to both sets of regulations, DEEP has received valuable input from a variety of stakeholders. DEEP is now reviewing all comments received and preparing a response to comment and modified regulations.

GOAL 6: FAST TRACK SAME-TO-SAME PERMIT RENEWAL TIME

Renewals without modifications should take less time to process – but still require careful review of the application to determine whether there are any modifications requested such as a change in operational processes.

Last quarter, DEEP invited stakeholders to participate in a forum and provide feedback on an improved Solid Waste Facility individual permit renewal protocol. **The protocol will streamline the renewal process and eliminate application components that do not add value in same-to-same renewals** (i.e. renewals with no modifications to an existing permit). Based upon the valuable, constructive comments received, DEEP made adjustments to the documents and will unveil the new renewal forms during the second quarter.

Implementing this process improvement should substantially decrease the average processing timeframe for same-to-same renewals of solid waste facility individual permits, eliminate unnecessary information/documentation exchanges and simplify the same-to-same renewal application process.

GOAL 7: CHANGE INDIVIDUAL PERMITS TO GENERAL PERMITS

DEEP has been working closely with stakeholders through mediation sessions to address both process and technical issues related to the discharging of many common industrial and commercial wastewaters to the sanitary sewer. The proposed general permits for Significant Industrial Users (SIU General Permit) and for Miscellaneous Industrial Users (MIU General Permit) consolidate and streamline the regulation of thousands of industrial and commercial wastewater discharges to Publicly Owned Treatment Works (POTW) statewide. The eight mediation sessions held have been constructive in clarifying language and requirements.

Development of Pretreatment Miscellaneous Industrial User General Permit

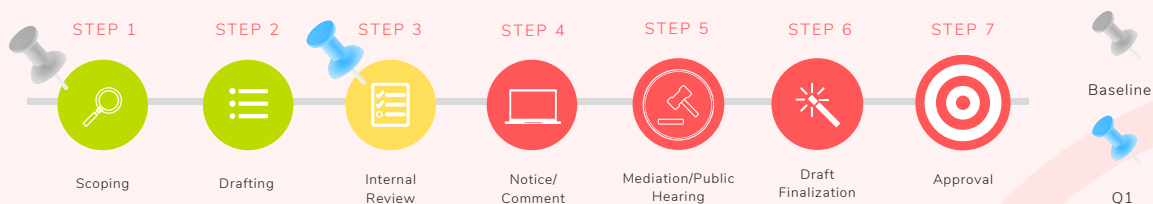
Currently at Mediation/Public Hearing Stage



DEEP receives hundreds of applications annually to use approved pesticides to control aquatic organisms in Connecticut waters. DEEP has developed a working draft of a general permit to better triage applications, increase efficiency in processing proposed pesticide uses that are low risk and have minimal effect on the environment and allow staff to focus efforts on the more complex applications. DEEP looks forward to engaging with stakeholders in the next quarter.

Development of Aquatic Pesticides General Permit

Currently at Internal Review Stage

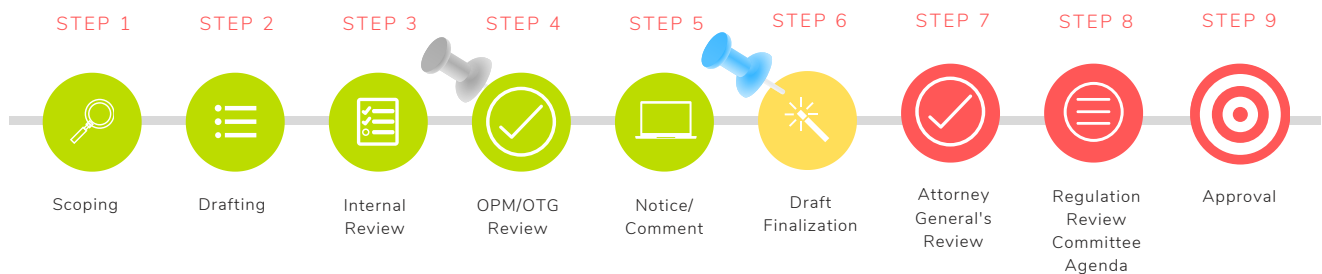


GOAL 8: ELIMINATE SOME PERMITS AND MOVE TO “PERMIT BY RULE”

Well-crafted regulations can eliminate the need for certain permits. DEEP is currently working to convert the General Permit to Limit Potential Emissions, which covers 200 sources, into regulation.

Conversion of General Permit to Limit Potential Emissions

Currently at Draft Finalization Stage



A public hearing on the draft regulations was held on Nov. 20, 2019. The overall response was very positive. A response to comment document and updated regulations are expected to be ready for DEEP internal review and submission to the Office of the Attorney General in early 2020.

GOAL 9: SIMPLIFY NATURAL DIVERSITY DATA BASE DETERMINATIONS

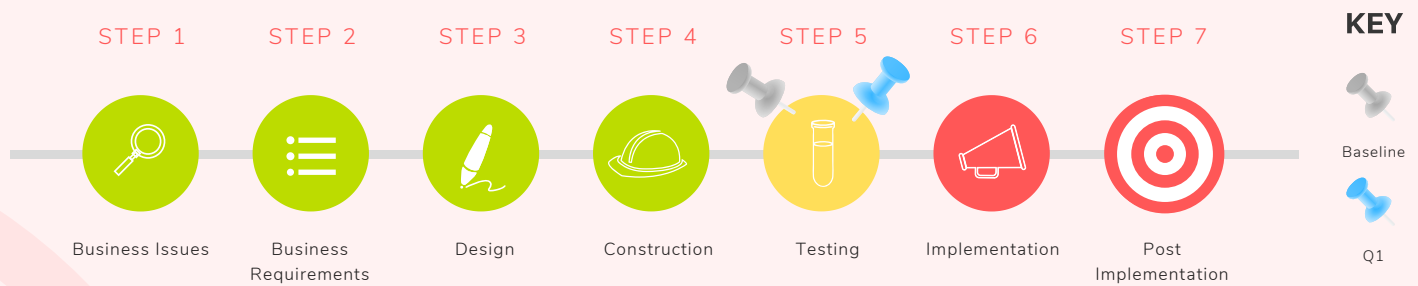


DEEP's Natural Diversity Data Base (NDDDB) program performs hundreds of environmental reviews each year to determine the impact of proposed development projects on state listed species and to help landowners conserve the state's biodiversity.

To help reduce the time it takes to complete the initial NDDDB screening, DEEP is developing a self-serve user portal that can provide instant screening.

Development of the NDDB Portal

Currently at Testing Stage



During the testing stage of the NDDB portal development, 80% of testing scenarios were completed with a 90% success rate. The first phase of system testing is anticipated to be completed next quarter.

GOAL 10: INCREASE EFFICIENCY OF GRANT ADMINISTRATION

DEEP administers over 500 contracts each year, including outgoing grants and contracts for services. We are taking steps to improve efficiency related to grant administration and contracting such as **refining contract templates** and **standard operating procedures across DEEP programs** as well as with other appropriate state agencies. The goal is to reduce the amount of time it takes to arrive at an executed contract.



GOAL 11: AGENCY-WIDE SUCCESSION PLANNING

DEEP faces the likelihood of significant attrition over next few years. As much as 40 percent of our workforce is eligible to retire by 2022. To help ensure we continue to deliver quality services, we are evaluating the impacts of attrition on our programs, resource needs in each bureau, and have established an internal working group assigned to provide recommendations for managing this transition. We are also seeking external input.

DEEP held a **stakeholder meeting** in November to address how attrition may impact the agency and what we are doing to manage this transition. We received useful feedback from diverse stakeholders representing the environmental and business communities. The recommendations shared included a stronger emphasis on innovative partnerships as a means to leverage resources in areas such as training, grant development, monitoring/compliance and connecting the relevancy of outdoor activities and natural resources to the quality of life of our residents.

GOAL 12: ESTABLISH PERMITTING CONCIERGE FUNCTION

A central goal of the 20BY20 initiative is to make improvements in how we communicate to our stakeholders about DEEP's processes. In support of this goal, the Office of Planning and Program Development (OPPD) is developing a Client Concierge Team. This team will serve as a central point of agency contact for priority development projects and provide assistance in shepherding projects through permit processes in a timely manner from pre-application meetings through NDDDB review and permit decisions. High priority projects include major development projects that need to meet ambitious timeframes, projects that have a significant economic development impact, including those identified as priorities by DECD, and projects that involve multiple permitting programs and need extra project management support to move through multiple regulatory processes.



To grow the capacity of this program, **we are identifying two staff to join this team this quarter** to ensure prompt follow-up to questions regarding status of applications, assisting applicants in identifying appropriate program contacts for specific questions, keeping program managers informed about any applications that may need increased attention, and actively tracking the progress of a portfolio of projects.

For more information about the Client Concierge Team, please contact Nicole Lugli at Nicole.lugli@ct.gov.

GOAL 13: ACCELERATE E-GOVERNANCE INTEGRATION

E-governance integration is a high priority across state government. DEEP works closely with the Department of Administrative Services (DAS) to identify opportunities to align information technology with internal and external business needs. To help prioritize these initiatives, **DEEP will be seeking stakeholder feedback** in the next quarter on the ease of use of its online systems and opportunities for improvement.

Dovetailing with this effort, the Department of Administrative Services (DAS) is pursuing the development of a business portal or “**Business One Stop**” to better serve the state’s business community. Business One Stop will provide a platform to support businesses, citizens, and employees, and DEEP will look to integrate many of its online systems with this platform.

GOAL 14: ENHANCE DATA TRANSPARENCY

This past quarter, DEEP held a public demonstration of **DEEP's Document Online Search Portal** with a feature on the waste manifests – over 1 million in total - available on the DEEP Document Online Search Portal. A recording of the system demonstration is available on the [DEEP website](#).

DEEP also kicked-off an Oil and Chemical Spills reports digitization project. Oil and Chemical Spill Incident Reports are an essential source of information regarding environmental spills. Having these documents on line provides convenient, speedy access to these records to facilitate real estate transactions, environmental compliance reviews and due-diligence searches, saving businesses and DEEP both time and resources.

DEEP is currently working on publishing Leaking Underground Storage Tank, Oil & Chemical Spills, and Remediation datasets to the **statewide Open Data Portal**. Additionally, DEEP is working on creating an ESRI Open Data portal to publish our GIS datasets and layers.

Documents Digitally Available in DEEP Document Online Search Portal

1,161,644 04

Baseline



804

new documents
added this
quarter

GOAL 15: DEVELOP PREDICTABLE REGULATION ADOPTION TIMELINE

Regulations are an essential part of our regulatory foundation. DEEP is finalizing a Standard Operating Procedure (SOP) for staff that clearly identifies the process and steps for the development, review and approval of regulations. This will provide for more consistency and efficiency for the regulatory development.

DEEP continues to work on the more than 20 regulations that are under development. A comprehensive **list of regulations** either in the approval process, or under development are available on DEEP's website.

GOAL 16: INCREASE STAKEHOLDER ENGAGEMENT IN PROCESS IMPROVEMENT EFFORTS

This quarter, DEEP continued to seek opportunities for dialogue regarding 20BY20 priorities and other facets of our work through large forums such as SIPRAC, the Remediation Roundtable and a 20BY20 fall report webinar. We also held a number of goal focused 20BY20 stakeholder events including Goal 6 Solid Waste Permitting fast track same-to-same renewal, Goal 8 Air Bureau's move to "permit by rule" for the General Permit to Limit Potential Emissions and Goal 11 Succession Planning as well as an introduction to the new Goals 17-20. DEEP appreciates the outstanding feedback from stakeholders that we will consider and rely upon as we strive to achieve our goals.

SUCCESS STORY INPUT ON NEW STREAMLINED FORMS

In November DEEP's Land & Water Resources Division (LWRD) held a stakeholder outreach meeting to introduce the regulated community to new, streamlined forms they launched for consolidated permit applications for the various land use regulatory programs administered by the division. The meeting was well attended and well received. The catalyst for the new forms was a reorganization which brought together eight permit programs from three different divisions. LWRD receives on average 450 permit applications annually for the 8 programs. While implementing the change in application forms, LWRD also took the opportunity to modernize the application submittal process, moving from paper to a hybrid approach that involves submitting a hardcopy of only the transmittal form, with the corresponding attachments being submitted electronically through an FTP site. Filing electronically through an FTP site will save energy, paper, physical handling and much needed file space. The new application forms can be found on [LWRD's new home page](#).



To receive updates on opportunities for stakeholder participation in 20BY20 initiatives, please register for our email list at www.ct.gov/DEEP/20BY20

GOAL 17: INCREASE THE TRANSPARENCY OF ENVIRONMENTAL ENFORCEMENT ACTIVITIES

To protect our environment and natural resources, DEEP monitors adherence to environmental statutes and regulations through a variety of strong compliance assurance tools. These tools are comprised of permit conditions and reporting requirements, complaints, inspections, and informal and formal administrative enforcement actions as well as referrals to the Office of the Attorney General, the federal Environmental Protection Agency (EPA), or the Chief State's Attorney Office for criminal matters, as appropriate.

DEEP's formal enforcement actions including Consent Orders, Unilateral Orders, Cease and Desist Orders and Penalty Notices as well as Stipulated Judgements settled in court by the Office of the Attorney General are available at our Case Summaries [webpage](#). Statistics on DEEP's inspections and informal actions such as Notices of Violations and formal enforcement actions including penalty amounts for the federal fiscal year 2019 are available on DEEP's Enforcement

In future reports, DEEP will share additional details on environmental compliance monitoring, the type of violations identified and the enforcement tools chosen to attain compliance.

[DEEP'S Enforcement webpage](#)

GOAL 18: SEEK OPPORTUNITIES FOR INNOVATIVE PARTNERSHIPS TO ENHANCE SERVICES

At a 20BY20 stakeholder meeting held in November, 2019, there was a valuable dialogue on how innovative partnerships may be useful in areas such as training, grant development, monitoring/compliance and outdoor activities and natural resources.

During the next quarter, DEEP will take a deeper dive into opportunities to leverage partnerships in these areas.



SUCCESS STORY

PARTNERSHIPS FOR CITIZEN SCIENCE

DEEP has developed partnerships for volunteer water quality monitoring with dozens of organizations across Connecticut. DEEP helps to train these volunteers on monitoring protocols and, in turn, is able to rely upon this valuable data to monitor the health of some of our waterways.

Most recently, DEEP helped to organize the first ever “Shell Day” to monitor for the effects of ocean acidification. Ocean acidification is the term used to describe the lowering of the pH of the ocean due to increasing carbon dioxide in the atmosphere. This event was part of a Northeast Coastal Acidification Network regional effort stretching from New York to Maine. Monitoring teams collected 500 samples for total alkalinity analyses from 100 unique sampling sites. DEEP staff facilitated the sampling event for eight groups in Long Island Sound (four in Connecticut). The data will help DEEP to assess the extent and potential impacts of ocean acidification in Long Island Sound and Connecticut’s harbors and bays.

[Additional information on DEEP volunteer monitoring programs.](#)

GOAL 19: ENHANCE USE AND EASE OF FINANCIAL ASSURANCE MECHANISMS AS PART OF PERMITTING AND ENFORCEMENT.

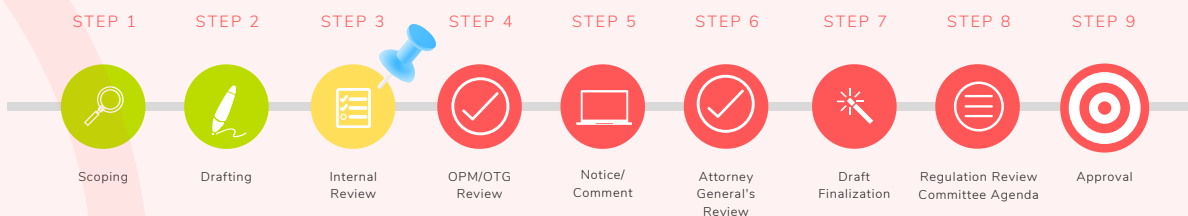
DEEP relies upon financial assurance mechanisms within many of its programs to ensure compliance. Financial assurance mechanisms need to be robust and clear to ensure any non-compliance can be easily addressed through access to third-party financial resources if necessary. **DEEP is reviewing and updating, as needed, the inventory and document tracking process for financial assurance documents; the types of financial instruments utilized by various programs; and existing document templates.** In addition, DEEP will identify additional opportunities within the agency that warrant or would benefit from reliance upon a financial assurance. These process improvements will **improve efficiencies within DEEP and strengthen the consistency and predictability for regulated entities** while at the same time providing a more universally available compliance tool that requires limited resources to implement.

GOAL 20: UPDATE SPILL-REPORTING REGULATIONS.

Adoption of spills regulations will ensure clear and concise spill-reporting standards pertaining to future spills of common substances based on reportable quantities.

Spill Reporting

Currently at Internal Review Stage



The proposed regulations will define those releases considered to be reportable and the procedures and requirements for notifying DEEP. This quarter DEEP staff are preparing the draft regulations and supporting materials for internal review.

THANKS FOR READING

*We look forward to sharing more
20by20 Results with you.*

Future Report Releases

April 2020

July 2020

October 2020

January 2021

