

Wyoming Department of Environmental Quality
Strategic Plan Annual Report
2006

Quality of Life Result

Wyoming natural resources are managed to maximize the economic, environmental and social prosperity of current and future generations.

Department

Wyoming Department of Environmental Quality

Contribution to Wyoming Quality of Life

This agency contributes to Wyoming's quality of life through a combination of monitoring, permitting, inspection, enforcement and restoration/remediation activities which protect, conserve and enhance the environment while supporting responsible stewardship of our state's resources.

Basic Facts

This agency has 229 employees and operated with a 2005 budget of \$106.4M of which \$20.6M were in general funds.

The five most important programs in our Department are:

Monitoring – of both ambient air and water

Permitting – setting standards to limit pollution from all major sources

Inspection – verifying that permitted standards are being met

Compliance – actions taken in cases where permitted standards are not met

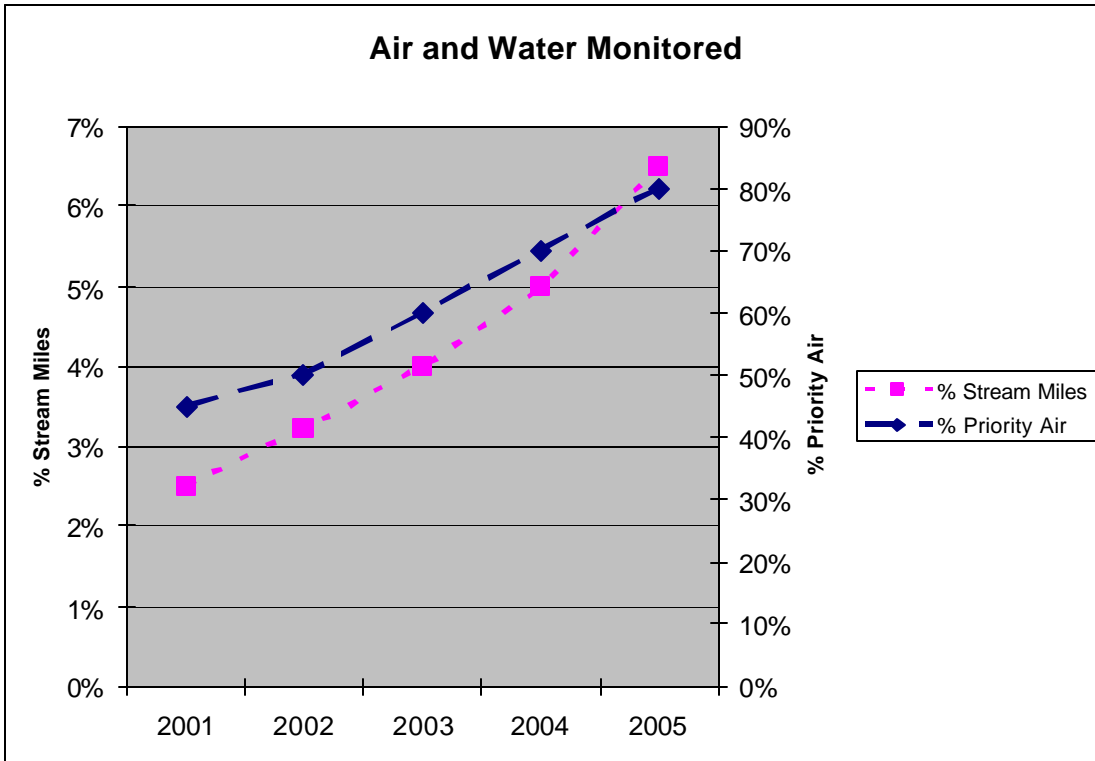
Restoration/Remediation – fixing problems from the past

Together, these programs serve approximately 5,000 businesses annually operating over 28,000 individual facilities throughout the state. By minimizing environmental pollution, enabling responsible economic development and restoring previously polluted and hazardous sites, the department provides benefits to not just these businesses, but to the entire population as well as to all visitors who benefit from the quality of life we share in this great state.

Performance Measures

Updated performance measures to reflect our work of the previous year follow.

MONITORING TRENDS IN OUR ENVIRONMENT



Story behind the Last Year of Performance:

Statewide air quality monitoring is currently conducted for pollutants which have been shown to affect health. These pollutants include ozone, carbon monoxide, nitrogen dioxide, lead and fine particulate matter. Historic monitoring data shows that the air quality in Wyoming consistently meets federal standards for these pollutants. Based on the most recent review of the ambient monitoring network, the Air Quality Division has identified 37 priority areas where ambient monitoring should be conducted. Currently, monitoring takes place at 30 of these sites. The chart above reflects the monitoring percentages for 2004 and 2005 and projections from previous years to indicate a notional historic trend for this data.

Statewide monitoring of surface waters is tabulated on a two year cycle. The chart above shows that the percentage of stream miles monitored continues to increase. There are a total of 116,895 stream miles in Wyoming. In 2005, 1,342 stream miles were listed as impaired (not supporting their designated use). To date we have assessed only about 6.5 percent of the total stream miles and it is expected that the number of impaired stream miles will increase as more assessments are made.

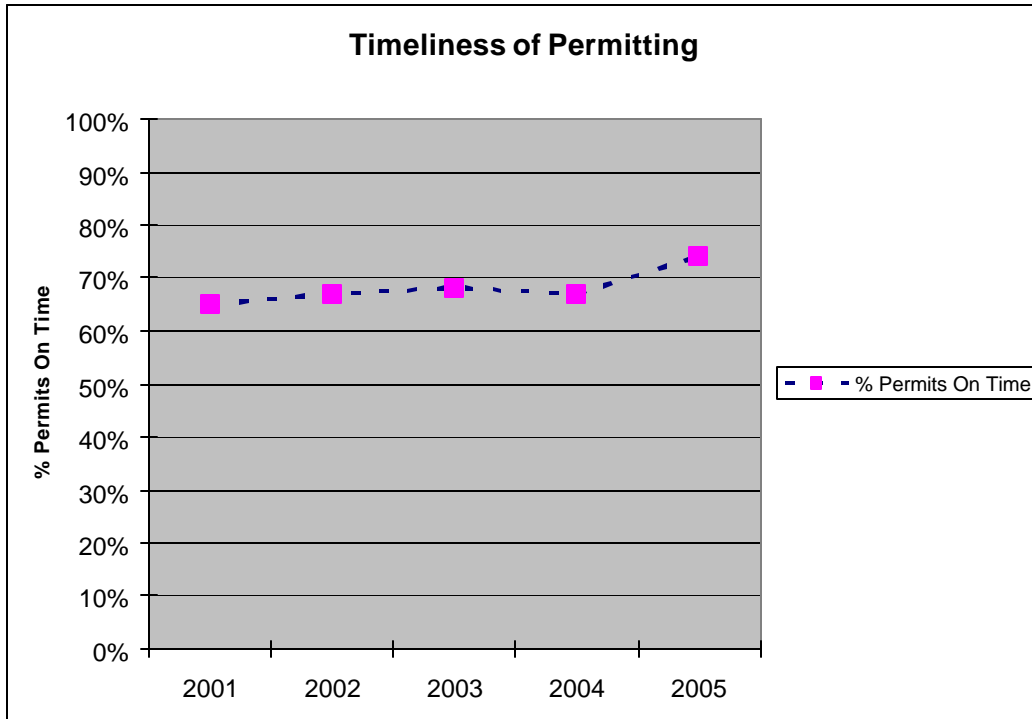
What has been Accomplished:

For both air and water, the department continues to focus its monitoring efforts in areas of greatest concern, especially in relation to ongoing energy development. For the air quality

program 3 new monitoring sites were activated. For water quality, an additional 1,709 miles of streams were monitored.

TIMELINESS OF PERMIT ISSUANCE

Five divisions within DEQ issue permits. In 2005 the Water Quality Division (WQD) issued about 67% of the DEQ's permits, the Air Quality Division (AQD) about 25%, the Land Quality Division (LQD) about 8%, the Solid and Hazardous Waste Division (SHWD) and the Industrial Siting Division (ISD) less than 1% each. The following graph is a composite of the total data from all five divisions for the years 2001 through 2005. Because the WQD and the AQD do the majority of the permitting within the DEQ, the results are heavily influenced by the results from those divisions.



Story behind the Last Year of Performance:

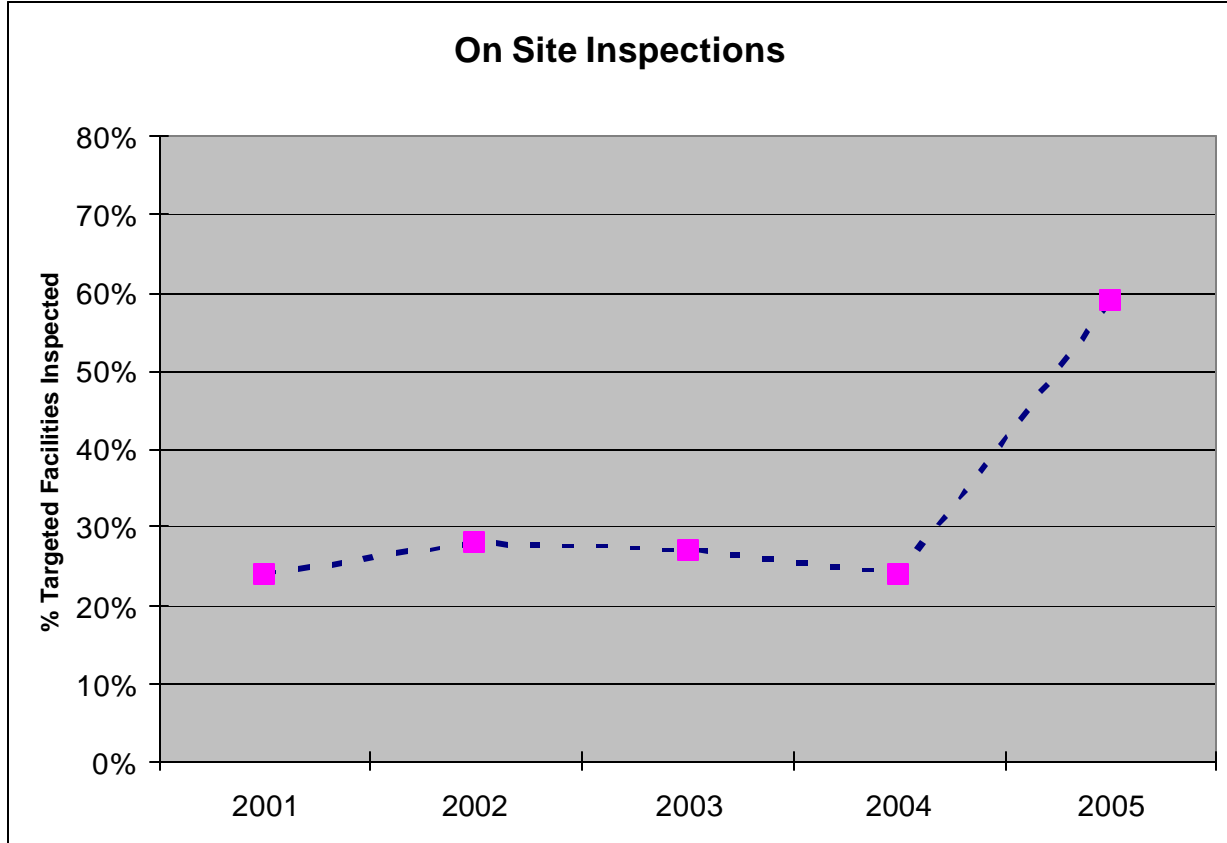
The timeliness of permit issuance is dependant upon a number of factors. They include the number of new applications, renewals and revisions submitted to the Department, the complexity and quality of those packages, the efficiency of the DEQ staff, the internal procedures used to process them, the promptness of responses by submitters to DEQ questions/comments and third party interests (objections by neighbors, requests for public meetings, etc.). In recent years, the permitting workload has increased significantly because of the energy development activities in the state. As a result, our permitting timeliness has remained relatively flat throughout most of this period. In the past year however, there has been some progress made and new staff additions which are now coming on board are anticipated to further improve this trend.

What has been Accomplished:

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Through a combination of reallocating staff, working on improved efficiency in the permitting processes and hiring additional staff, the percentage of permits processed in a timely manner improved from 67% to 74%.

ON-SITE INSPECTIONS



Story behind the Last Year of Performance:

The Department of Environmental Quality inspects a wide variety of facilities. Annual inspection plans are developed based on available manpower and a review of the facilities within the targeted inspection pool. The overall objectives of the Department’s inspection planning are to: 1) maintain a strong level of enforcement presence in the field, 2) concentrate those resources available on the areas that generate the maximum environmental benefit, and 3) maintain the commitments and responsibilities of the State of Wyoming to the Federal-State partnership in regard to compliance and enforcement activities

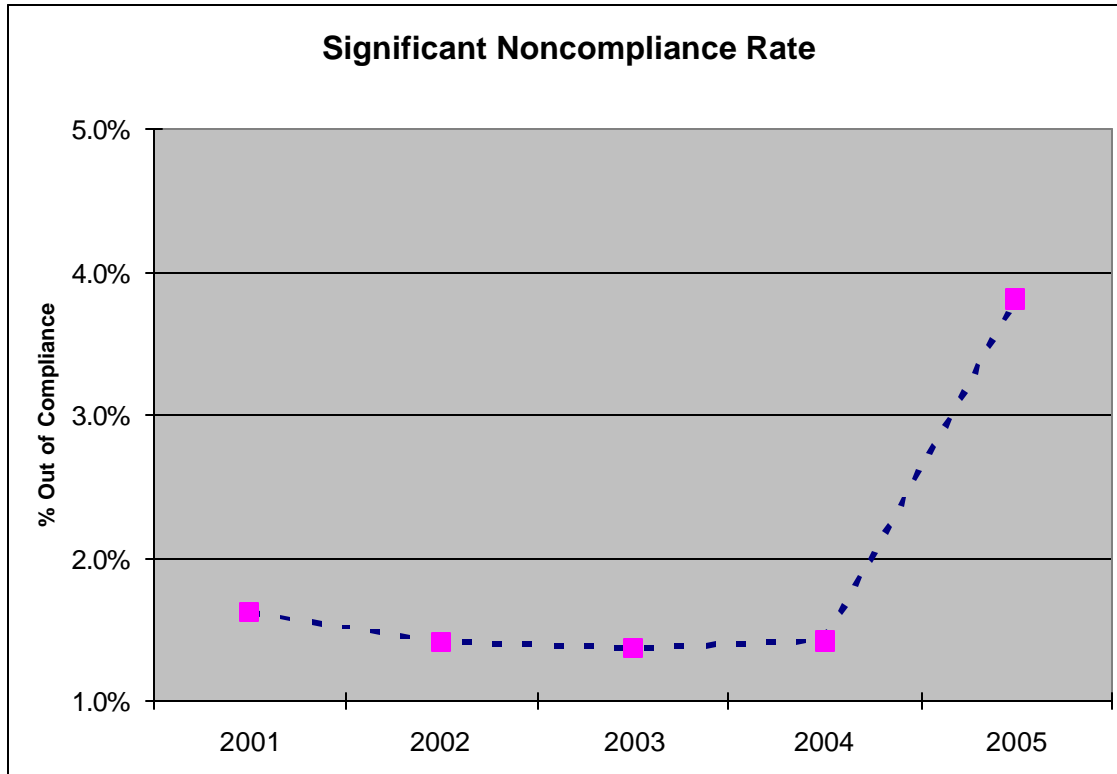
What has been Accomplished:

All divisions made strong efforts to improve their inspection programs to verify the environmental performance of the facilities in their programs. Most notable in this effort was the Solid and Hazardous Waste Division which had significantly increased federal inspection requirements for the storage tank program. They successfully met those requirements as well as

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those of their normal inspection program, completing inspections on 818 of their 819 targeted facilities.

COMPLIANCE RATE



Story behind the Last Year of Performance:

DEQ performs a wide range of compliance assurance activities during a typical year. Where instances of noncompliance are found, DEQ weighs the severity of the violation and responds accordingly, using its available enforcement mechanisms. Minor violations which do not directly threaten human health or the environment are often resolved through a process called 'conference and conciliation', where the DEQ uses informal means to attain compliance. For other violations, DEQ can issue informal letters requesting a prompt return to compliance, or formal Letters of Violation, or, for more significant violations, a formal Notice of Violation with a legal order to comply. DEQ is also empowered to request the Attorney General sue a violator to recover a penalty or can enter into settlement agreements with violators to secure a return to compliance and/or recover a penalty.

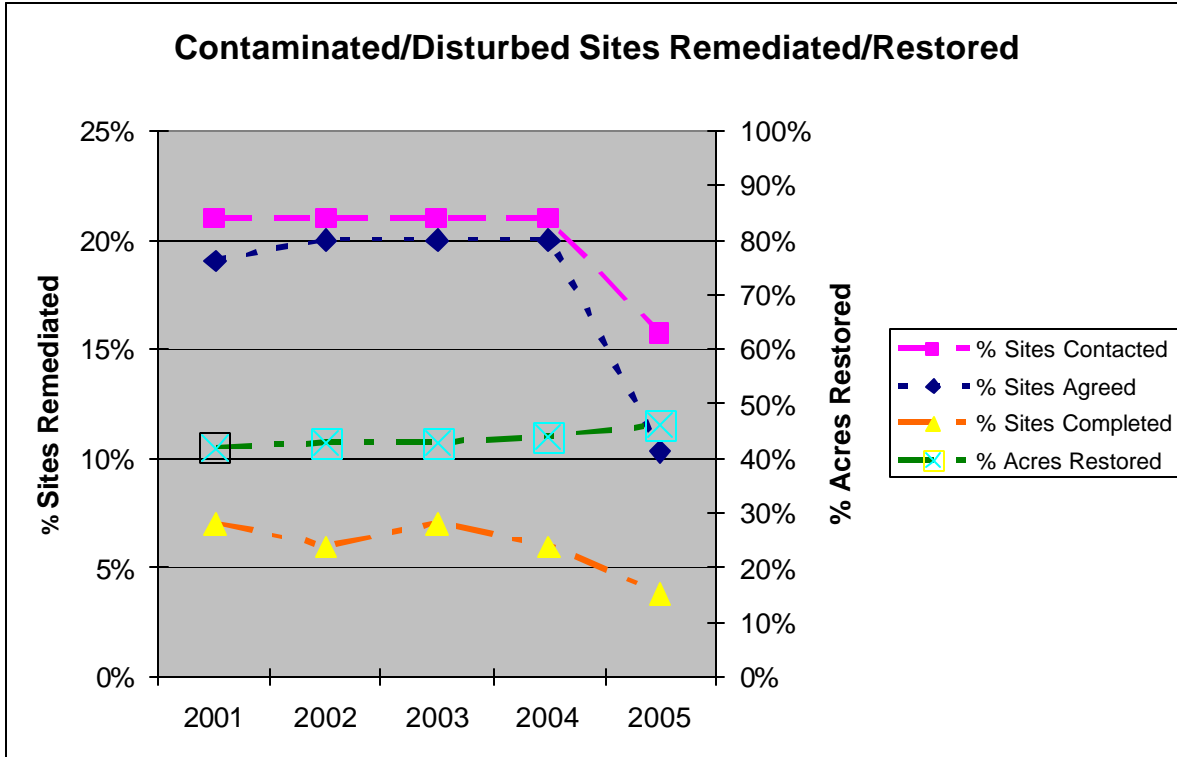
What has been Accomplished:

The increase in this measure from 1.4% to 3.8% can be attributed to a combination of factors. Part is related to increased energy development in the state, which is often done by new companies that may not be fully aware of the environmental requirements affecting their

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operations. There were also a number of problems identified through the high number of inspections conducted by the Solid and Hazardous Waste Division referenced above.

SITES RECLAIMED/REMEDIATED



Story behind the Last Year of Performance:

The trend lines on this chart are strongly influenced by the identification of over 1,000 new abandoned mine sites in the last year. Because of those newly identified sites, the percentage of identified sites which have been remediated has decreased significantly.

The categories of sites ‘Contacted’, those on which corrective actions are identified and ‘Agreed,’ and those on which corrective action has been ‘Completed’ reflect the stages in the reclamation process which the department typically uses to track progress in this area.

The acres restored percentage is included here because the percentage of sites reclaimed does not directly parallel the percentage of acres reclaimed. Many of the large mines such as the bentonite, open-pit uranium, and coal mines have thousands of acres reclaimed but the entire "site" has not been reclaimed. For an example, by 2005, the coal mines had reclaimed nearly 60,000 acres of land or over 45% of the total number of acres disturbed to date, but these mines will not be totally reclaimed until they are completed with mining which may not be for several decades.

What has been Accomplished:

Continued progress has been made by the department in remediating/restoring contaminated/disturbed sites. However, because of the large number of new sites identified, in the AML program, the trend lines mask that progress.

Supplemental Budget Implications:

If your agency is submitting a supplemental budget request, how much is required, for what, and why is it not a part of your biennial budget?

The department will submit a supplemental budget request for \$12.2M. It is being submitted following a request in 2005 by the Joint Appropriations Committee that DEQ conduct a study for a paperless office information technology initiative. They asked that the results of this study and its associated costs be presented at the upcoming legislative session for consideration.

This project was not included in our biennial budget because the study was not conducted until after the budget was submitted.

2006 Annual Report for DEQ

Air and Water Monitored

Air – 30 of 37 priority areas monitored = 81%
Water – 7,586 of 116,895 miles of stream miles = 6.5%

Timeliness of Permitting

Air – 289 of 603 permits on time = 48%
Water – 1,383 of 1,600 permits on time = 86%
Land – 99 of 185 permits on time = 53.5%
Waste – 1 of 2 permits on time – 50%
IS – 2 of 2 permits on time = %100
Total – 1,774 of 2,392 permits on time = 74.1%

On Site Inspections

Air – 194 of 753 targeted facilities inspected = 25.8%
Water – 743 of 1,723 targeted facilities inspected = 43.1%
Land – 780 of 1,024 targeted facilities inspected = 76.2%
Waste – 818 of 819 targeted facilities inspected = 100%
Total – 2,535 of 4,319 targeted facilities inspected = 58.6%

Non-Compliance Rate

Air – 3 of 260 facilities out of compliance = 1%
Water – 37 of 1,723 facilities out of compliance = 2.2%

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Land – 17 of 415 facilities out of compliance = 4.1%

Waste – 66 of 819 facilities out of compliance = 8%

Total – 123 of 3,217 facilities out of compliance = 3.8%

Contaminated/Disturbed Sites Remediated/Restored

Waste – 598 of 983 sites contacted = 60.8%, 461 of 983 sites agreed = 46.9%, and 65 of 888 sites restored/remediated = 8.2%

Land – 36 of 73 sites contacted = 49.3%, 36 of 73 sites agreed = 49.3%, 1 of 73 sites restored/remediated = 1.3%; 59,996 of 129,125 acres restored/remediated = 46%

AML – 74 of 3,435 sites contacted = 2.2%, 61 of 3,435 sites agreed = 1.8%, 105 of 3,435 sites restored/remediated = 3.1%

Totals – 708 of 4,491 sites contacted = 15.7%, 498 of 4,491 sites agreed = 10.3%, 171 of 4,491 sites completed = 3.8%