

# Environmental Quality Commission meeting

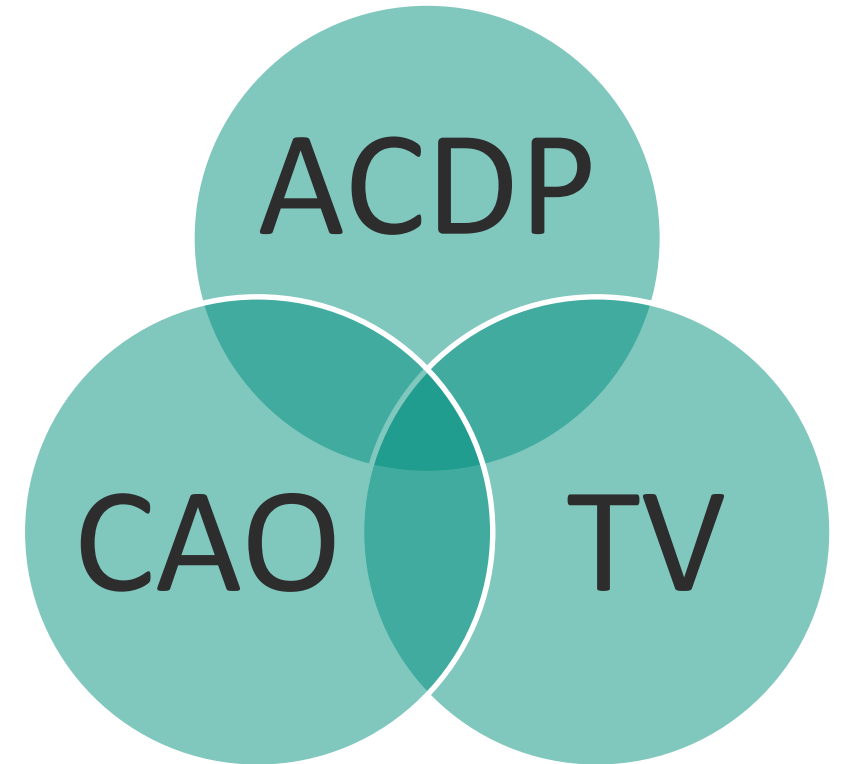
## Update on Air Quality Permitting

Item D

Sept. 17, 2020

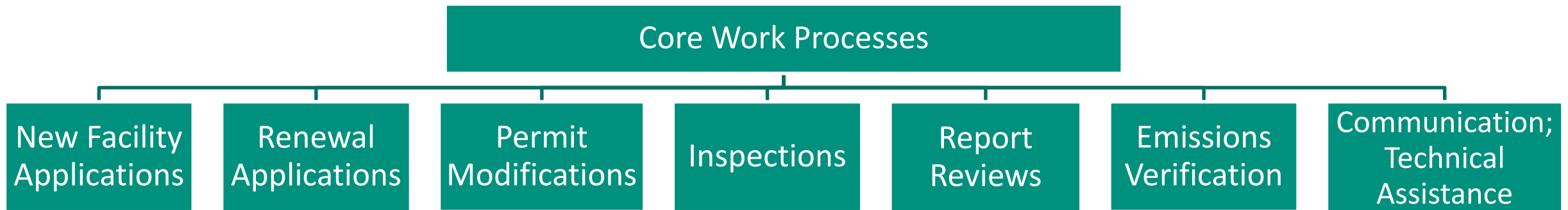
# Permitting

- Air Contaminant Discharge Permits
  - State level operating permit
- Title V Operating Permit
  - Federal Clean Air Act operating permit
- Cleaner Air Oregon
  - Health/Risk based limits and conditions incorporated into ACDP or TV
- Permits are 'living' documents
  - Modifications for construction/changes
  - New rules to incorporate
  - Recurring renewal



# Program Metrics and Deliverables

Permit Type	Number of Permits	Issuance Timeliness Guidelines	Permit Term	Compliance Inspection Frequency
Title V	104	365 days	Up to 5 years	Every 2 years
Standard ACDP	140	180 days	Up to 5 years	Every 3-5 years
Simple ACDP	145	120 days	Up to 5 years	Every 4 years
General ACDP	1,976	30 days	Up to 10 years	Every 5 years
Basic ACDP	194	30 days	Up to 10 years	Every 10 years



# Permitting Backlog

## Why Keeping Permits Current is Important

### To DEQ

- Core deliverables and responsibilities not met
- Re-work required for each permit
- Not meeting expectations of permittees or the public

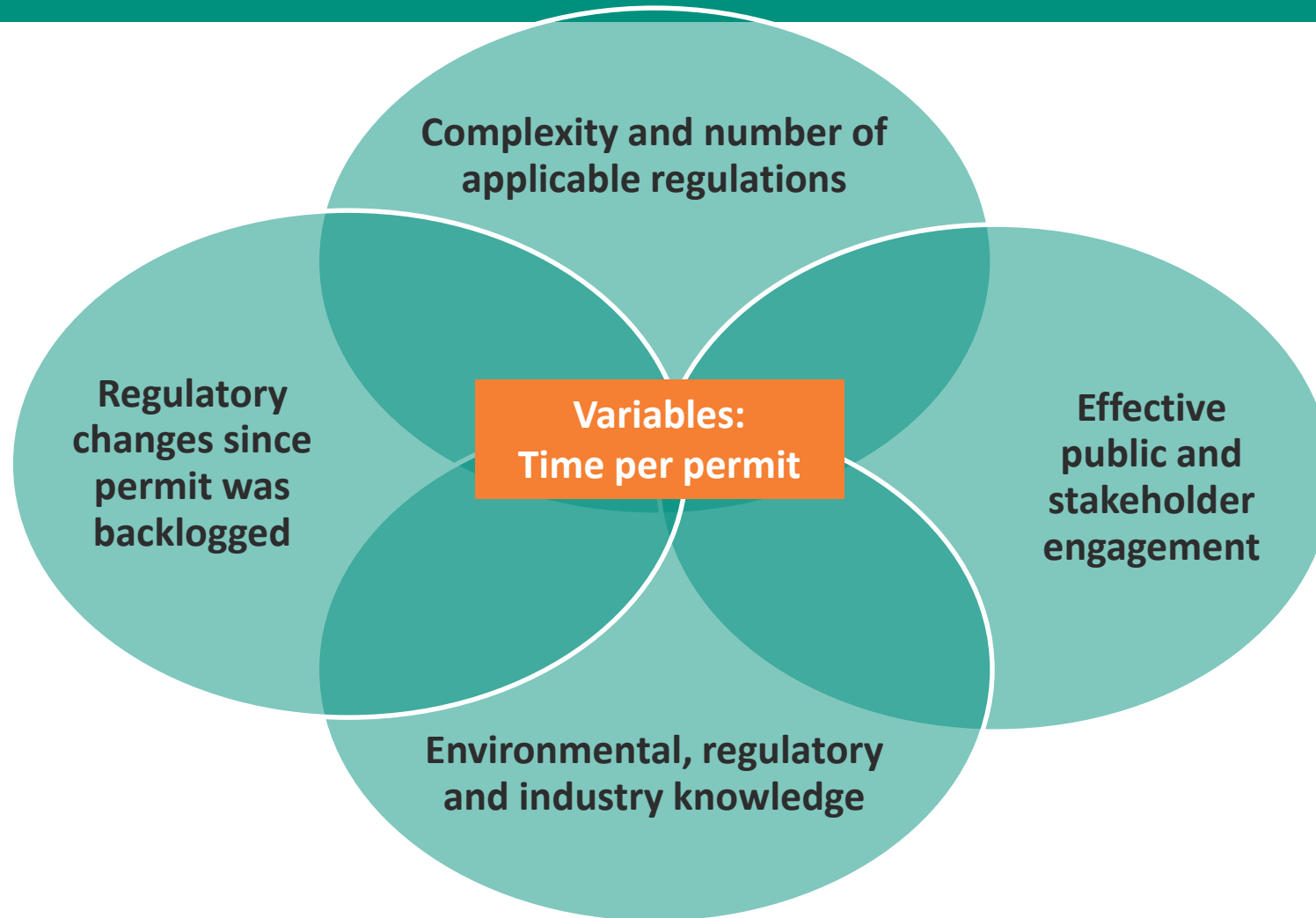
### To permittees

- Updated standards not addressed
- Ambiguity on how to comply with applicable requirements
- Revised permit templates not implemented

### To community and environment

- Lack of confidence in permitting system
- Criteria pollutants and air toxics not re-evaluated
- Potential health impacts to community

# Core Permitting Work



# Time-Consuming Permitting

Reciprocating Internal  
Combustion Engines

Title V or  
ACDP source

- NESHAP 40 CFR part 63 subpart ZZZZ
- NSPS 40 CFR part 60 subpart IIII
- NSPS 40 CFR part 60 subpart JJJ

Date of engine  
manufacture

Engine fuel  
type

Horsepower  
rating

10 engine use  
categories

Each engine  
reviewed  
separately

References to other  
federal rules

Per engine:  
Variations based on  
type of operation

# Secretary of State Audit 2017-2018

## Secretary of State Audit

- Independent auditing of all three branches of government and entities that receive state money.
- Ensure state government is accountable to the people of Oregon.
- Performance audits to: provide information, improve accountability, facilitate decision-making, review operational efficiency, review economic operation, and assess the success of the agency in achieving desired results.

## Overall Issues

Workload analysis needed: Find revenue sources

Complex Permit Issuance: Not timely

Inspections: Not timely

Unmanageable workloads

Improve tools and resources

### Reduced staffing and resources results in:

- Difficult decisions regarding various priority work items/ deliverables (permit issuance and inspections)
- Staff workloads unbalanced

# Secretary of State Audit Recommendations

**Conduct staffing analysis; Identify sources of funding to align workload demands with staff levels.**



**Work with DAS to begin succession planning**



**Conduct Lean process improvement**



**Provide consistent guidance and support for permit writing staff**



- Identify areas for improvement beginning with permit backlog

**Centralize and improve inspection tracking**



**Improve pre-application guidance for applicants (for Title V renewal)**



- Timely and completeness

**Implement the Basic ACDP for autobody repair facilities in the Portland area**



**Improve the Title V and ACDP permitting webpages to enhance usability**



**Fill vacancies as timely as possible**



**Provide clear information to the public on the purpose of public comment in the permitting process.**





# State Review Framework 2018

## State Review Framework

- EPA recurring review of permitting and inspection programs
- Five categories: Data, Inspections, Violations, Enforcement and Penalties
- Final report from EPA received March 2020.

## Issues

Permit Consistency

Permit Quality

Completeness



Violations

### Reduced staffing results in:



- Tension between conducting high quality inspections and meeting inspection targets
- Tension between thorough/detailed permits and meeting timeliness targets

# State Review Framework Recommendations

## Data

- Include EPA ID on inspection reports 
- Find source of test results delayed input and errors 



## Inspections

- Training for staff on inspection documentation details 
- Develop SOP or template updates for inspections 

## Violations

- Standardize violation categories with updated template or form 

## Enforcement

- Ensure all violations are addressed timely 
- Provide staff training with EPA assistance 

# Measuring Success

## Key Performance Measures (KPM)

- Legislatively established
- Reporting measures to express agency performance
- For entire agency; a few are AQ permitting-specific
- Some measures overlap with QMR

## KPM Includes

- Timely new permit issuance
- Timely permit modifications
- Overall percent of permits 'current' (backlog)

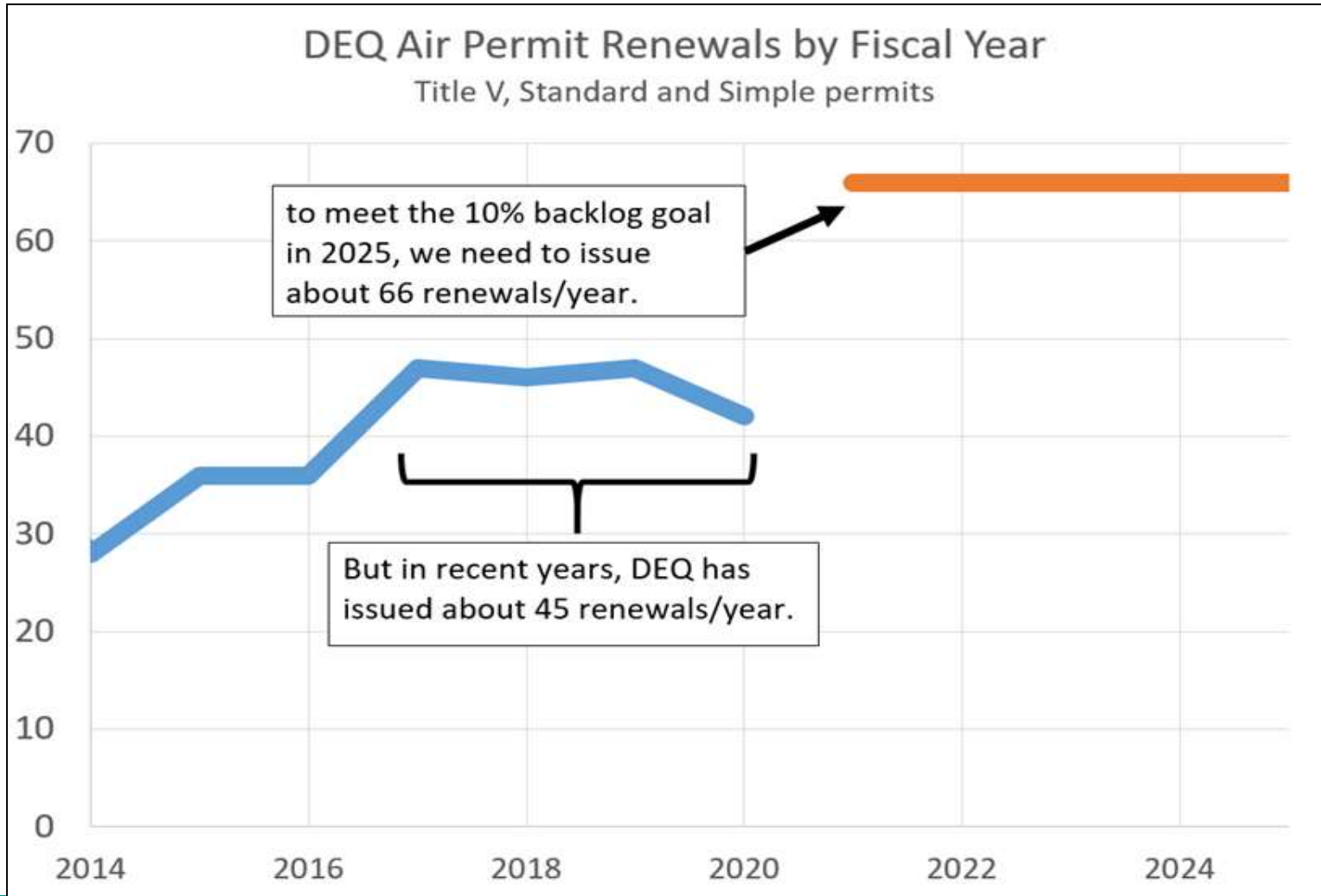
## Quarterly Measure Review (QMR)

- Recurring review (quarterly) of success in meeting goals
- Agency-specific for finding areas of improvement
- More detailed than KPM; array of metrics

## QMR Includes

- Percent backlog for ACDP and Title V permits
- Timely issuance of new, renewal and permit modification for ACDP and Title V permits
- Inspections conducted on schedule

# Backlog Trajectory



Basic ACDPs not included

- Permit renewals per year varies based on:
1. The number of permit modifications DEQ receives
  2. The amount of changes needed to (and complexity of) the permit
  3. Number/time of staff available to work on permits

2017 Backlog = 38%  
2020 Backlog = 32%  
2025 Backlog Goal = 10%

# Overview and Final Takeaways



## Process, resource, and tool improvements

- Implemented or implementing all recommendations
- Ongoing efforts



## New permits and construction take priority

- Outside of DEQ control; reactive in nature



## Work to improve all areas within DEQ control are ongoing

- Funds and FTE needed to continue progress