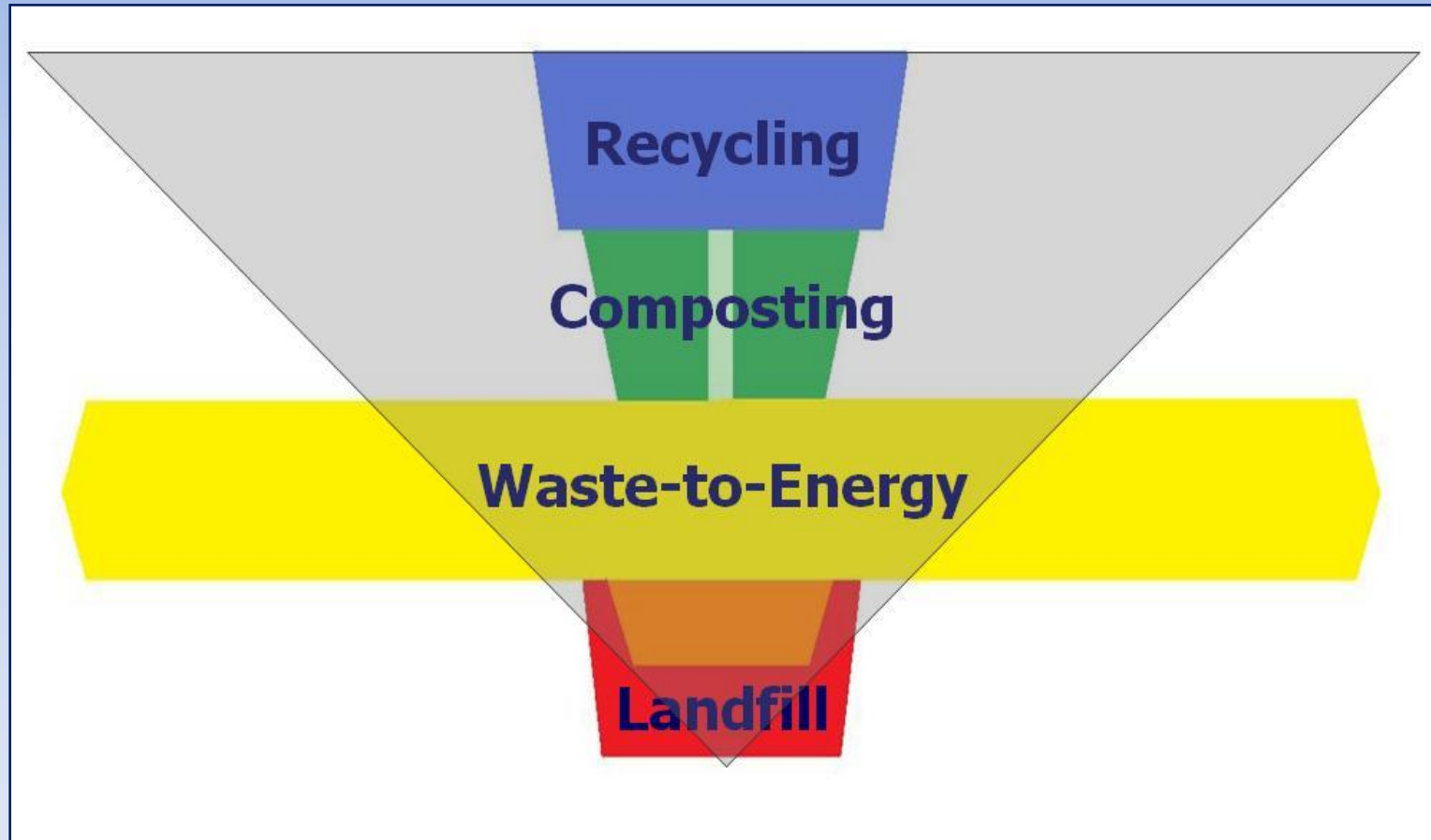# Evaluating our Permitting Process of Solid Waste Management Facilities

Today's Agenda

- Context:
  - Permit Task Force 2010
  - Public Act 10-158
- Summary of recent process improvements
- Summary of permit process review
- Resources needed to reduce timeframes
- Recommendations
- Next steps planned
- Listening to your feedback

Executive Order 39
# Governor Rell's Permit Task Force

Charge:

- Simplify and streamline permit application process
- Repeal as appropriate
- Shorten timeframes
- Maintain public health and orderly conduct of business
- Submit report to the Governor

Task Force:

- Chaired by CEO of CT company
  - Stakeholder input from CT business / industry
  - Looked at processing time frames
  - Recommended opportunities for sterling

Task Force Report April 2010
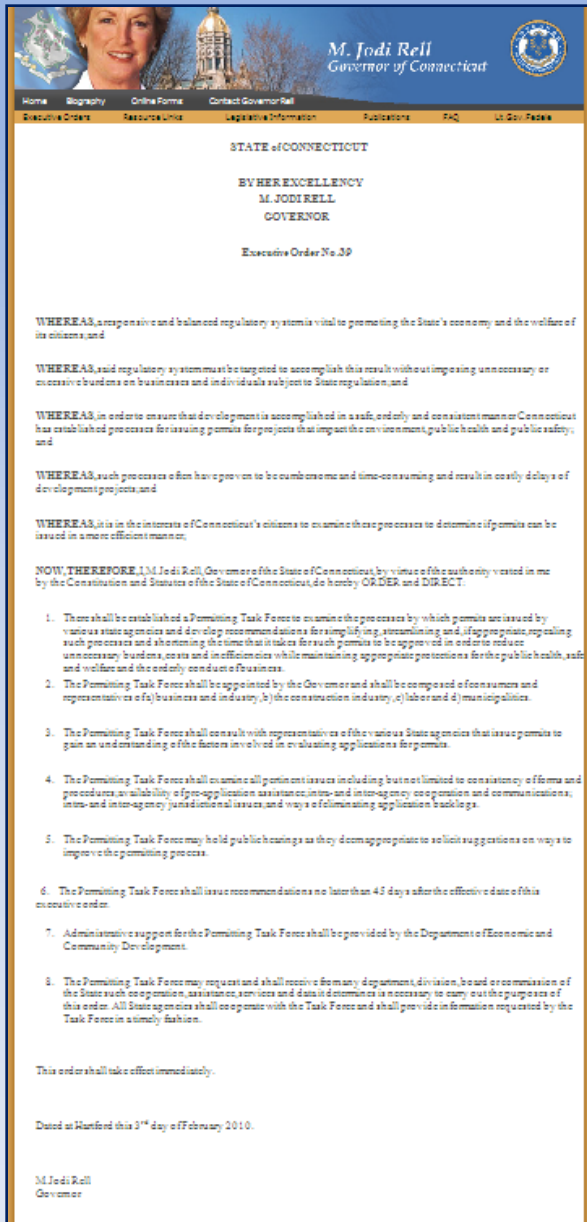
Task Force Recommendations:

- Timeliness is sufficiency in 60 days and technical review in 180 days

- Complete Permitting Program Reviews

- Establish DECD permit ombudsman

- Expand and extend GPs

- Change Adjudicatory Process

- Expand e-Gov

- Use regulations in force at time of application

- Culture change to encourage economic development and timeliness

Public Act 10-158
An Act Concerning the Permit and Regulatory Authority of DEP....

- Incorporates Task Force suggestion to conduct analyses of permit application processing timeframes
  - Identify what resources it will take to achieve:
    - 60 days for sufficiency review
    - 180 days for technical review

Timeframe Recommendation

- Recommend that the Commissioner of Environmental Protection conduct an analysis of permit processing timeframes, including but not limited to:
  - Assessment of the current timeframes and current resource levels
  - Potential timeframes with Lean improvements
  - Additional resource needs to meet suggested timeframes
- Report to Governor and General Assembly September 30, 2010

Permit Timeframe Analysis

- Analyze processes for 25 permit programs to determine current timeframes
  - Identify process improvements, additional resources, staffing and programmatic changes necessary to improve upon time frames
  - Public informational meetings as part of analysis
  - Comprehensive report to Governor and General Assembly 9/30/2010
  - Track our progress at www.ct.gov/dep/permitassessments

Process Improvement Goals:
Ensuring Environmental Protection while Revitalizing CT's Economy

- Ensure permits add value in achieving environmental outcome and advancing state's Solid Waste Management Plan

- Promote and maintain a sustainable economy: through waste minimization and optimized use of materials and resources

- Focus on eliminating waste, process and physical

Recent Improvements

- Continued stakeholder involvement via SWAC
- General permit development MTSGP
- Solid Waste Demonstration Project process developed
- Consolidation of Permit to Construct and Operate
- Permit Templates
- Checklists developed to ensure applications and permit transmittals complete
- Publishing and Invoicing of Public Notices
- Use of General Permits
- Staff person-of-the-Day Help Line
- Pre-application meetings
- Application materials continuously updated
- Delegation of Authority for modifications and reissuance delegated to Bureau Level
- Lean Process applied to solid waste enforcement and permitting programs
- Beneficial Use Determination (BUD) authority

Review of Permit Process: Lean

- Lean is......Process improvement approach that identifies and minimizes wasted time and effort
  - Empower staff
  - Increase efficiency without lowering environmental requirements
  - Embrace continuous improvement

- Most time is spent waiting for re-submittals or reviews
- Catching up from years when only 1 permitting staff existed
- Certain timeframe aspects are beyond staff's control (e.g., EJ Report preparation, local approval issues, public hearings, comment periods)

Review of Permit Process: Initial Customer Feedback

- *Positives:*
  - Recent website improvements are helpful
  - Staff informative during process

- *Suggestions:*
  - Include model applications on website
  - Status of pending application available on web
  - Fast track renewals
  - Incentives for "good" applications

Review of Permit Process:
What Other States Do

Assistance Initiatives & Electronic Investments

- Workgroups with consultants and regulated community to work on continuous improvement
- Certified permit professionals prepare applications
- Guidance, permits, regulations, apps and subject matter contacts all in one place
- Interactive on-line systems, search permit status
- Virtual file cabinets with all related permit docs on-line

Process Improvements Will Mean...

Written Notification of Insufficiency: Timely & Clear

- WEED currently works with applicant to obtain additional information informally—however:
    - No more extensions
    - No more than 2 requests for additional information
    - One Notice of Insufficiency is enough

Technical Review: Prompt & Predictable

- PA 10-158 clock stops when applicant responding
- Reduced use of informal means to obtain additional information

Notice of Tentative Determination: Timely & Predictable

- May limit applicant's review time to the 30-day public comment period

Challenges Ahead

Staff Resources Constrained:
• Significant number of staff eligible to retire
• Division staff attrition about 1 person / year

Budget Challenges
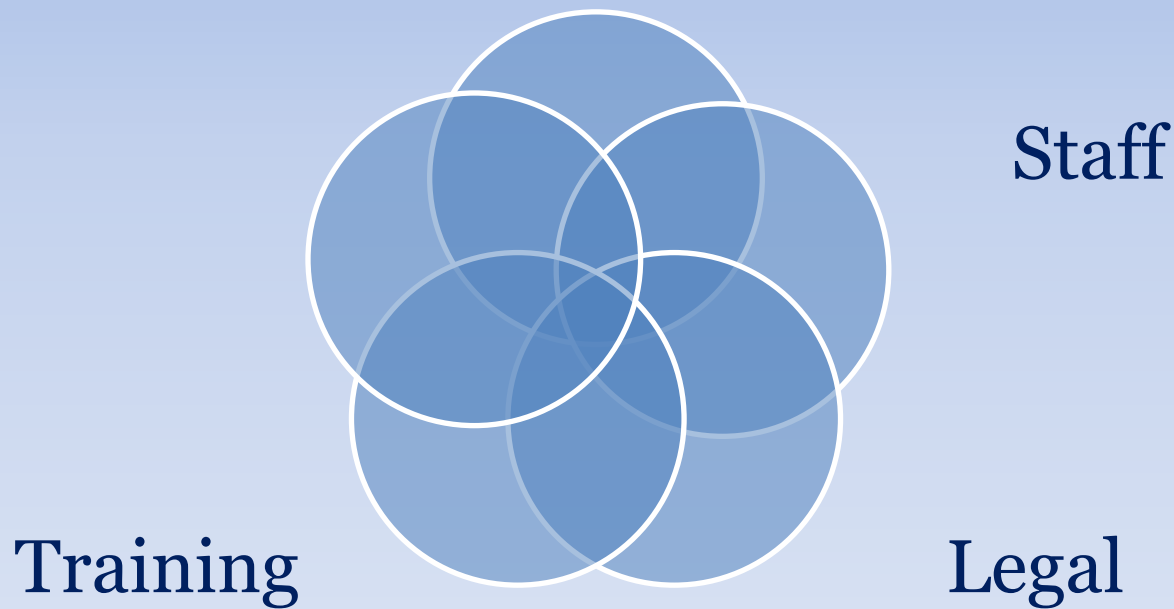
Increased Responsibilities
Emerging issues in Solid Waste Management

• SWMP Implementation
• Legislative program review findings Recommendations-report due January 1, 2011
• SW DEMO, BUD, Electronic Waste Recycling

Resources Needed to Maintain Permit Timeliness

Access to Critical Information

Staff

Legal

Training

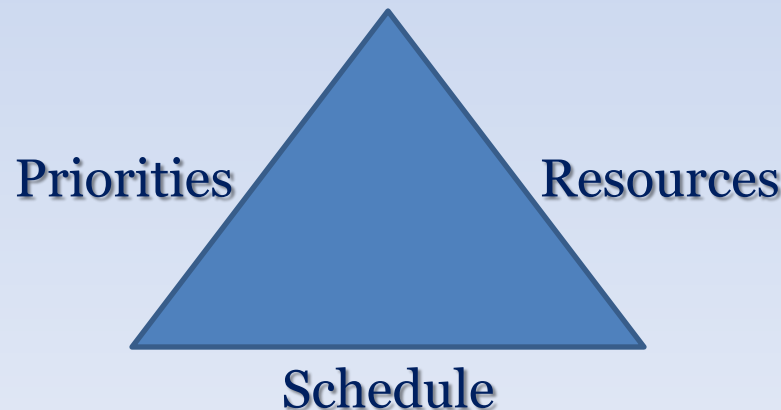# Resources Needed to Ensure Permit Timeliness

Additional Resources: Technology
- Dynamic pending permit status online
- E-submittal of applications

Staffing effects on timeframes
- Increased responsibilities mean staff will be required to do more which in turn will result in longer timelines.
- Additional staff needed to reduce timeframe by 50%

Priorities   Resources

Schedule

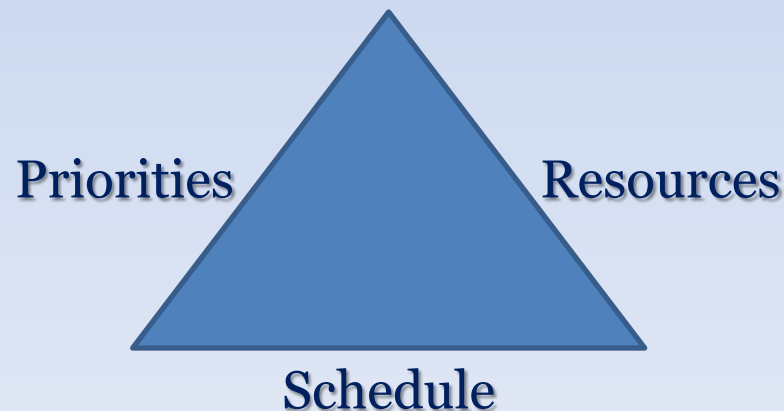# *Resources Needed to Ensure Permit Timeliness*

Programmatic changes
- Treat different types of permits differently; renewals, modifications, new facilities
- Identify resources to implement e-waste program

Process improvements
- Upload model applications to the internet.
- LEAN

Priorities   Resources

Schedule

What We'll Need To Do

- Reprioritize w/in existing and expanding obligations
  - Prioritize applications to reflect waste management hierarchy
  - Incorporate EJ
- **Consider Elimination of Non-CORE, limited or low priority tasks.**
  - Eliminate state role in biomedical waste, consolidate 454 waste programs based on resources
  - Technical assistance programs

Recommendations

- Continue stakeholder involvement in Solid Waste Management Advisory Committee.

- Lean and continuous improvement.

- Fast track renewals and modifications.

- Fast track certain permitted activities to reflect prioritization of Solid Waste Management Plan.

- Upload model applications to the internet.

- Draft and/or update of technical guidance for solid waste facility applications.

- Investigate the possibility of posting the status of pending applications on the website.
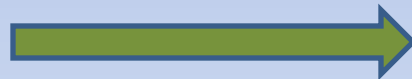
- Investigate the possibility of e-submissions.
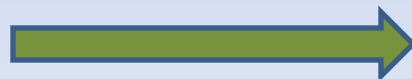
Summary

Existing Timeframes: → • Recently has typically ranged from 18 – 24 months

Changes: →
- Standardize review checklists and improve web-pages.
- Additional staff are needed to cut in half the processing time.
- Limit applicants to one insufficiency notice and two requests for information.

Proposed Timeframes: → • 240 days (not counting time DEP is waiting for applicant to submit additional materials)

Next Steps

- Share proposed recommendations today and hear feedback from stakeholders

- Finalize recommendations

- Determine what resources are needed to implement recommendations

- Provide report to Governor

Feedback

- What are reasonable expectations?
- Thoughts on our recommendations?
- Other recommendations should we consider?
- What is Solid Waste Permitting doing right?

The Customers:
Business and Citizens in CT

Recommendations

- Submit comments to
  - Robert Isner at robert.isner@ct.gov
  - Robert Isner

    Department of Environmental Protection

    79 Elm Street

    Hartford, CT 06106-5127
- Further information can be found at
  - www.ct.gov/dep/permitassessments

Proposed Recommendations
Your comments today

Process improvements:

Permit Universe

Recycling Facilities: 130 [General Permit Registrations for Recycling]

Intermediate Processing Centers [Regional Recycling Facilities]: 7

Transfer stations: 89 individually permitted; 59 registered through Municipal General Permit

Volume Reduction Plants: 40 [includes composting]

Resource Recovery Facilities: 7 [6 MSW, 1 Tire]

Landfills, active: 34 [1 MSW, 33 Special Waste or Bulky Waste]

Types of Permits

New facility applications for TS, Recycling, Processing, volume reduction

Modifications

Renewals

General Permits