



# INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

*We Protect Hoosiers and Our Environment.*

*Mitchell E. Daniels Jr.*  
Governor

*Thomas W. Easterly*  
Commissioner

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TO: State Budget Agency, Governor's Office and distinguished members of the Budget Committee, the House Ways and Means Committee, the Senate Appropriations Committee and the General Assembly

FROM: Thomas W. Easterly  
Commissioner

SUBJECT: Indiana Department of Environmental Management Budget Overview

DATE: December 3, 2012

The Indiana Department of Environmental Management (IDEM) has submitted its 2014-2015 biennium budget. The following is a brief summary of key functions, accomplishments and goals.

### **Mission Statement:**

IDEM's mission is to implement Federal and State regulations to protect human health and the environment while allowing for the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy.

### **Agency Programs:**

IDEM is structured into three core programs:

1. Office of Air Quality
2. Office of Land Quality
3. Office of Water Quality

Three support programs:

1. Office of Compliance Support
2. Office of the Chief of Staff, all administrative duties
3. Office of Legal Counsel and Criminal Investigations

*Office of Air Quality:* The mission of the Office of Air Quality is to assure all Hoosiers breathe air that meets all health-based air quality standards. The key objective of the program is to ensure that all requirements of the federal Clean Air Act and Indiana environmental statutes are met throughout the State. The Office develops and implements state air quality control plans to attain and maintain healthy air quality. The Office evaluates and issues construction and operating permits for activities that meet all regulatory requirements, inspects facilities to verify that they continue to meet regulatory requirements and monitors air quality across the state.

*Office of Land Quality:* The mission of the Office of Land Quality is to protect, restore and maintain the quality of Indiana's land. The key objectives are to assure the proper management of waste, cleanup of contaminated sites and the protection of public health and the environment from environmental emergencies. The Office ensures this protection by issuing permits and providing compliance assistance to facilities including waste processing facilities, solid and hazardous waste landfills, auto salvage yards, and confined feeding operations. The Office also leads and oversees corrective action programs to clean up contaminated land and ground water, including Superfund sites and leaking underground storage tank sites.

*Office of Water Quality:* The mission of the Office of Water Quality is to monitor, protect and improve Hoosiers' water quality to ensure its continued use as a drinking water source, habitat for wildlife, recreational resource and economic asset. The Office achieves this by: developing rules, guidance, policies and procedures; assessing surface and ground water quality; regulating and monitoring drinking water supplies and waste water facilities; protecting watersheds and wetlands and providing outreach and assistance to the regulated community and the public while supporting environmentally-responsible economic development. The key objectives of the program are to protect, restore and preserve the quality of Indiana's water by implementing and enforcing the federal Clean Water Act, the Safe Drinking Water Act and Indiana environmental statutes.

*Office of Compliance Support:* The Office of Compliance Support oversees Quality Management, Safety and Health, the four Regional offices, and the Office of Pollution Prevention and Technical Assistance. The Office of Compliance Support is committed to find better ways to support Agency program objectives and to help others voluntarily prevent pollution and understand, achieve and exceed environmental responsibilities through confidential technical assistance, education, and financial support.

*Office of the Chief of Staff:* The mission of the Office of the Chief of Staff is to provide support activities and necessary oversight to agency offices allowing the offices to accomplish their objectives. The Office of the Chief of Staff programs include; Human Resources, Finance, Information Services, Media and Communication Services.

*Office of Legal Counsel and Criminal Investigations:* The mission of the Office of Legal Counsel and Criminal Investigations is to provide in-house counsel services, rules and legislation services, criminal investigation services, creation and /or review of all contracts and grants and preparation of cases for referral to the Attorney General to support the agency's core programs.

### **Accomplishments:**

IDEM's key accomplishments include:

- Elimination of program permit backlogs – IDEM now issues permits in less than 85% of statutory allowed days.
- Dramatic reduction of enforcement action backlogs.
- All IDEM paper documents are now available electronically through the Virtual File Cabinet.

Examples of agency program accomplishments are:

#### Office of Air Quality

- U.S. EPA has designated the entire State as attainment for the 0.08 ppm ozone standard.
- U.S. EPA has designated all of the State except the Indianapolis and Louisville areas as attainment for the PM<sub>2.5</sub> standard.
- IDEM has demonstrated that mint farm air emissions do not require permitting.
- Implemented outdoor hydronic heater regulation.

#### Office of Land Quality

- Completed Remediation Closure Guidance and Remediation Program Guidance to meet current Indiana law and scientific understanding of risks.
- New Confined Feeding Operation (CFO) and Concentrated Animal Feeding Operation (CAFO) regulations to protect Indiana farmers and the environment under recent court decisions.
- Online underground storage tank operator training.

#### Office of Water Quality

- Adoption of new statewide Antidegradation Rule which establishes procedures to evaluate the level of pollutants allowable while still preserving water quality.
- 106 of Indiana's 108 Combined Sewer Overflow communities addressed, with a plan to address the remaining two and 35 programs fully implemented.
- Issued 27 of 28 power plant permits between 2010 to 2012.

#### Office of Compliance Support

- Provided leadership and assistance for the most environmentally friendly Super Bowl in history.
- Implemented e-waste program to increase recycling of unwanted electronic devices.
- Responded to 4,000 inquiries for environmental information, provided environmental assistance to 500 entities and environmental education outreach to 28,313 Hoosier students at 181 schools.

#### **Challenges:**

IDEM's key challenges include:

- Maintaining environmental progress in the face of recent budget challenges and new, stricter federal environmental requirements.

#### **Key Performance Indicators:**

The three key Governor's metrics are as follows:

- Track the total Hoosier population that breathes air that meets all health based air quality standards as compared to the total population of Indiana.
- Track the percentage of Hoosier population that receives drinking water from facilities that are in full compliance with safe drinking water standards.
- Track the total result of all program permit days in-house compared to allowable days by statute.

The key internal program performance measurements are as follows:

- Reduce the total dollars spent on Agency overhead (Agency Wide Services).
- Office of Air Quality
  - Track the percentage of days in-house greater than statutory days allowed for permit issuance.
  - Track the total percentage of compliance observations within acceptable standards.
  - Track the percentage of Hoosiers ambient air quality monitored by the program Quality Assurance/Quality Control network.
- Office of Land Quality
  - Track the percentage of days in-house greater than statutory days allowed for permit issuance.
  - Track the total percentage of compliance observations within acceptable limits.
  - Track the percentage of active Leaking Underground Storage Tank (LUST) sites closed.
  - Track the number of contaminated sites that are closed each quarter.
- Office of Water Quality
  - Track the percentage of days in-house greater than statutory days allowed for permit issuance.
  - Track the percentage of Combined Sewer Overflow communities which have approved Long Term Control Plans.
  - Track the percentage of compliance observations from regulated entities within acceptable compliance standards.
  - Track the percentage of stream miles assessed compared to the total number of stream miles.
  - Track the percentage of Environmental Protection Agency (EPA) agreed upon Total Maximum Daily Loads completed.
- Office of Legal Counsel and Criminal Investigations
  - Track the percentage of billable hours coded to legal activities (legal advice, legal opinion, litigation/case preparation, contracts, rulemaking).
  - Track the percentage of total enforcement cases closed within 365 days.
  - Track the percentage of total work time billable to a case (also track percentage of successful case outcomes on a quarter rolling average).
- Office of Compliance Support
  - Track the number of industry and businesses enrolled and participating in the Environmental Stewardship Program and Partners for Pollution Prevention voluntary recognition programs.
  - Track the number of communities participating in the Comprehensive Local Environmental Action Network (CLEAN) Community Challenge program.
  - Track the number of Confidential Technical Assistance Program site visits.

- Track the number of assistance calls provided to local communities, the solid waste and recycling industry, waste tire recyclers and wastewater programs.
- Track the Agency Total Recordable Injury Rate.

**Objectives for the New Biennium:**

The agency will continue to gain efficiencies and will additionally address the following (IDEM will not request change packages):

- Implement programs to ensure that every county meets all newly strengthened U.S. EPA air quality standards.
- Document water quality improvements and continue progress towards all waters meeting all of the standards.
- Continue issuing quality environmental permits in less time than allowed by law.
- Improve the scientific basis of U.S. EPA and IDEM regulations.
- Become the leading state in helping and cooperatively partnering with regulated entities to improve environmental quality.
- Remediation of lead contaminated soil in neighborhood yards outside of Evansville. This site is a federally listed Superfund site in which the state is obligated to share in the financial responsibility of remediating the site.
- Work to coordinate and/or consolidate the various water pollution control and supply programs currently operated by the Departments of Agriculture, Environmental Management, Health, Homeland Security, and Natural Resources.