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
Training
Legal
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%
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
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:

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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