

Appendix A

Analysis Tools Used:

Annual Management and Program Analysis Report FY 2017-2018

Annual Management and Program Analysis Report

Fiscal Year 2017-2018

Department: DEPARTMENT OF ENVIRONMENTAL QUALITY

Department Head: Name: Chuck Carr Brown, Ph.D.
Title: Secretary

Undersecretary (or Equivalent): Name: Karyn Andrews
Title: Undersecretary

I. What outstanding accomplishments did your department achieve during the previous fiscal year?

For each accomplishment, please discuss and explain:

- A. What was achieved?
- B. Why is this success significant?
- C. Who benefits and how?
- D. How was the accomplishment achieved?
- E. Does this accomplishment contribute to the success of your strategic plan? (See Section II below.)
- F. Does this accomplishment or its methodology represent a Best Management Practice that should be shared with other executive branch departments or agencies?

DEQ Response: See attached exhibit 1

II. Is your department five-year strategic plan on time and on target for accomplishment? To answer this question, you must determine whether your anticipated outcomes—goals and objectives—are being attained as expected and whether your strategies are working as expected and proceeding on schedule.

- ♦ **Please provide a brief analysis of the overall status of your strategic progress.** What is your general assessment of overall timeliness and progress toward accomplishment of results targeted in your goals and objectives? What is your general assessment of the effectiveness of your strategies? Are anticipated returns on investment are being realized?

DEQ Response: *The overall status of DEQ's strategic progress is on time and progressing towards targeted results of the department's goals and objectives.*

The following is excerpted from the Standard Operating Procedure of record for Strategic Planning at DEQ.

1.0 Purpose and Applicability of the Strategic Plan

The purpose of the Strategic Plan fulfills statutory requirements in Act 1465 of the 1997 Legislature. This act stipulates that state agencies will develop strategic plans as part of the performance based budgeting process. Within the parameters of the strategic plan, DEQ can determine appropriate allocation of resources for specific environmental issues. The Strategic Plan provides a systematic approach covering a five-year planning process that will guide the department in achieving its mission and responsibility to protect public health and the environment of the state.

Each budget unit of every department is required to develop a Strategic Plan; in this case that represents each of the four Offices comprising DEQ. In order to maintain consistency and uniformity department-wide, the Deputy Secretary oversees the coordination of this process. Therefore, strategic planning applies to all Offices within DEQ.

1.1 Summary of Procedure

As noted above, the strategic planning process provides a systematic approach for the department in pursuing its responsibilities to public health and protecting the environment. This approach includes several steps that occur throughout each year and are represented by the following steps: issues identification, priority setting, direction setting, strategic plan composition and evaluation/feedback.

1.2 Strategic Plan Development Procedure

1.2.1 Environmental Issues Identification

This first step in the Strategic Plan procedure receives input regarding environmental issues from all DEQ stakeholders, both internal and external, and strives to keep continuous lines of communication open. Input will be received on an on-going basis through various media or avenues of communication: the mail, fax, and electronic media via the Internet. The department may also gather input on environmental issues from universities, federal agencies and other state agencies.

1.2.2 Priority Setting

Priorities for the DEQ are set primarily by state and federal legislation associated with certain environmental programs such as the Clean Air Act, the Clean Water Act and the Resource Conservation and Recovery Act. Additionally, through meetings the executive staff solicits input on priorities from DEQ management, staff, and stakeholders, such as the regulated community, environmental groups and the general public.

1.2.3 Direction Setting

In this phase of strategic planning the strategic planning coordinator meets with the executive staff in a series of meetings and reviews information results from the priority setting phase to determine appropriate directions for the departmental strategic plan. Additional information considered in this process includes stakeholder input, copies of reference documents supporting the listed priorities, a copy of the budget listing all programs within DEQ, the previous year's Operational Plan, projected budget changes and a list of available environmental indicators for each media (air, water and waste). The strategic planning coordinator plans these meetings and

provides copies of all associated documents. The coordinator develops the agenda and facilitates the working meetings, assists the executive staff through the process in order to determine the direction for the plan. The process must consider all the listed information and result in a decision outlining the executive staff's priorities. The strategic planning coordinator records the established goals and directives, which become the framework objectives for the departmental strategic plan, and provides this information to the administrators for the purpose of incorporation into DEQ's operational plans. The strategic plan coordinator records and maintains the reasons for any environmental issues from the priority list, which are not addressed in the resulting strategic plan; and these are transmitted by memorandum to the executive staff.

1.2.4 Creating the Strategic Plan

The strategic planning coordinator prepares and distributes the draft document to all Administrators for their review and completion of appropriate strategies. Administrators and/or their staff must also provide performance indicators (Input, Output, Outcome, or Efficiency) for each of the objectives in the strategic plan and corresponding indicator specification worksheets and process documentation sheets for all performance indicators. The strategic planning coordinator reviews all information for content completeness and format and notes any discrepancies. The strategic planning coordinator assembles all information in the required format, prepares transmittal letters and delivers the completed Strategic Plan to the Division of Administration, Office of Planning and Budget, Legislative Fiscal Office, Legislative Auditor, the House Natural Resources Committee and the Senate Environmental Committee.

- ♦ **Where are you making significant progress?** If you are making no significant progress, state "None." However, if you are making significant progress, identify and discuss goals and objectives that are exceeding the timeline for achievement; identify and discuss strategies that are working better than expected. Be specific; discuss the following for each:

Progress has been made by focusing on:

- *outreach activities including but not limited to: the Clean Water State Revolving Fund, (CWSRF), Small Business/Small Community Assistance Program, Environmental Leadership Program, EnviroSchool activities, the Non-Point Source Program and the Aquifer Evaluation and Protection Program (Source Water Protection Program);*
- *focusing our efforts on working with the regulated community identifying permitting issues that have a potential of becoming a compliance and enforcement issue;*

1. To what do you attribute this success? For example:

- Is progress largely due to the effects of external factors? **No.** Would the same results have been generated without specific department action? **No.**
- Is progress directly related to specific department actions? (For example: Have you reallocated resources to emphasize excellence in particular areas? Have you initiated new policies or activities to address particular issues or needs? Have you utilized technology or other methodologies to achieve economies or improve service delivery?)

Yes. DEQ has taken an aggressive approach to reach out to local communities, governments, and the regulated community; and to assist them with regulatory

compliance.

- Is progress related to the efforts of multiple departments or agencies? No. If so, how do you gauge your department's contribution to the joint success?
 - Other? Please specify.
2. Is this significant progress the result of a one-time gain? Or is progress expected to continue at an accelerated pace?
Progress is expected to continue. The agency has worked extensively to support regulatory community with compliance assistance.
- ♦ **Where are you experiencing a significant lack of progress?** If you are experiencing no significant lack of progress, state "None." However, if you are experiencing a significant lack of progress, identify and discuss goals and objectives that may fall significantly short of the targeted outcome; identify and discuss strategies that are not working well. Be specific; discuss the following for each:

None

1. To what do you attribute this lack of progress? For example:
 - Is the lack of progress related to a management decision (perhaps temporary) to pursue excellence in one area at the expense of progress in another area?
 - Is the lack of progress due to budget or other constraint?
 - Is the lack of progress related to an internal or external problem or issue? If so, please describe the problem and any recommended corrective actions in Section III below.
 - Other? Please specify.
2. Is the lack of progress due to a one-time event or set of circumstances? Or will it continue without management intervention or problem resolution?

- ♦ **Has your department revised its strategic plan to build on your successes and address shortfalls?**

Yes. If so, what adjustments have been made and how will they address the situation?

No. If not, why not? Overall objectives and goals outlined in the strategic plan have been met successfully. This is not a strategic plan update year; however, indicators and standards have been revised during the annual operational planning process to improve efficiency.

How does your department ensure that your strategic plan is coordinated throughout the organizational and management levels of the department, regularly reviewed and updated, and utilized for management decision-making and resource allocation?

The Strategic Plan is coordinated by the Office of the Secretary through the entire department. This is also in concert with the budget preparation activities conducted by the Office of Management and Finance. All goals, objectives, strategies, and performance indicators are reviewed by the Deputy Secretary and her staff as well as the Undersecretary and appropriate Assistant Secretary for the Offices

of Environmental Compliance and Environmental Services and Environmental Assessment.

III. What significant department management or operational problems or issues exist? What corrective actions (if any) do you recommend?

(“Problems or issues” may include internal concerns, such as organizational structure, resource allocation, operations, procedures, rules and regulations, or deficiencies in administrative and management oversight that hinder productivity, efficiency, and effective service delivery. “Problems or issues” may be related to external factors—such as demographics, economy, fiscal condition of the state, federal or state legislation, rules, or mandates—that are largely beyond the control of the department but affect department management, operations, and/or service delivery. “Problems or issues” may or may not be related directly to strategic plan lack of progress.)

None

Complete Sections A and B (below) for each problem or issue. Use as much space as needed to fully address each question. If the problem or issue was identified and discussed in a management report or program evaluation, be sure to cross-reference the listing of such reports and evaluations at the end of this form.

A. Problem/Issue Description

1. What is the nature of the problem or issue?
2. Is the problem or issue affecting the progress of your strategic plan? (See Section II above.)
3. What organizational unit in the department is experiencing the problem or issue?
4. Who else is affected by the problem? (For example: internal or external customers and other stakeholders.)
5. How long has the problem or issue existed?
6. What are the causes of the problem or issue? How do you know?
7. What are the consequences, including impacts on performance, of failure to resolve the problem or issue?

B. Corrective Actions

1. Does the problem or issue identified above require a corrective action by your department?
 - No. If not, skip questions 2-5 below.
 - Yes. If so, complete questions 2-5 below.
2. What corrective actions do you recommend to alleviate or resolve the problem or issue?
3. Has this recommendation been made in previous management and program analysis reports? If so, for how long (how many annual reports)?
4. Are corrective actions underway?

- a. If so:
- What is the expected time frame for corrective actions to be implemented and improvements to occur?
 - How much progress has been made and how much additional progress is needed?
- b. If not:
- Why has no action been taken regarding this recommendation?
 - What are the obstacles preventing or delaying corrective actions?
 - If those obstacles are removed, how soon could you implement corrective actions and generate improvements?

5. Do corrective actions carry a cost?

- No. If not, please explain.
- Yes. If so, what investment is required to resolve the problem or issue? (For example, investment may include allocation of operating or capital resources—people, budget, physical plant and equipment, and supplies.)

Please discuss the following:

- a. What are the costs of implementing the corrective actions? Be specific regarding types and amounts of costs.
- b. How much has been expended so far?
- c. Can this investment be managed within your existing budget? If so, does this require reallocation of existing resources? If so, how will this reallocation affect other department efforts?
- d. Will additional personnel or funds be required to implement the recommended actions? If so:
- Provide specific figures, including proposed means of financing for any additional funds.
 - Have these resources been requested in your budget request for the upcoming fiscal year or in previous department budget requests?

IV. How does your department identify, analyze, and resolve management issues and evaluate program efficiency and effectiveness?

A. Check all that apply. Add comments to explain each methodology utilized.

- Internal audit
- External audits (Example: audits by the Office of the Legislative Auditor)
- Policy, research, planning, and/or quality assurance functions in-house
- Policy, research, planning, and/or quality assurance functions by contract
- Program evaluation by in-house staff
- Program evaluation by contract
- Performance Progress Reports (Louisiana Performance Accountability System)

- In-house performance accountability system or process
- Benchmarking for Best Management Practices
- Performance-based contracting (including contract monitoring)
- Peer review
- Accreditation review
- Customer/stakeholder feedback
- Other (please specify):

B. Did your office complete any management reports or program evaluations during the fiscal year covered by this report?

- Yes. Proceed to Section C below.
- No Skip Section C below.

C. List management reports and program evaluations completed or acquired by your office during the fiscal year covered by this report. For each, provide:

1. Title of Report or Program Evaluation
2. Date completed
3. Subject or purpose and reason for initiation of the analysis or evaluation
4. Methodology used for analysis or evaluation
5. Cost (allocation of in-house resources or purchase price)
6. Major Findings and Conclusions
7. Major Recommendations
8. Action taken in response to the report or evaluation
9. Availability (hard copy, electronic file, website)
10. Contact person for more information, including
 - Name:
 - Title:
 - Agency & Program:
 - Telephone:
 - E-mail:

EXHIBIT: I. ACCOMPLISHMENTS

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>PUBLIC INFORMATION</p> <p>51 Press Releases 12 Monthly Newsletters</p> <p>7625 Press Clippings and mentions state and worldwide</p> <p>32 live radio and TV interviews – self booked for public outreach and education</p> <p>106 graphic projects – outreach and education</p> <p>2257 subscribers to EnviroFlash</p>	<p>DEQ responds to questions from the media and the public in a timely and transparent way. This provides accurate, real time information to the public about events, incidents and activities of the department. The Communications Section provides assistance through outreach campaigns, materials and physical presence to other divisions and sections in public education and awareness. The EnviroFlash System gives subscribers, citizens and industry, real time air quality information.</p>	<p>The citizens of the state benefit through environmental education on matters that affect them and DEQ helps them know what steps they can individually take to improve their environment and quality of life and they also benefit from the EnviroFlash automatic notification system about current and future air quality. The regulated community benefits through early warning and education concerning their impact on the environment. The media benefits with prompt, accurate and transparent information about environmental issues and incidents. That in turn, benefits the citizens of the state.</p>	<p>They were achieved through prompt answers to press inquiries, comprehensive media and outreach campaigns, contact and work with EPA and industry, and by producing informational brochures and campaigns, press releases, interviews, e-newsletters and an annual report.</p>	<p>YES</p>	<p>The standard operating procedures of answering media calls, in person, and getting information to the media by deadline in an accurate and transparent way, could be shared with other agencies that use answering machines. The comprehensive way DEQ coordinates its outreach campaigns and operates in public, industry and stakeholder information could be a model. DEQ notification systems and data bases for environmental incidents and events would be a good approach to share.</p>
<p>PERFORMANCE ACCOUNTABILITY</p> <p>95% of Program Objectives met (23 of 24)</p> <p>95.74 % of Performance Indicators met (45 of 47)</p>	<p>DEQ provides comprehensive environmental protection in order to promote and protect health, safety and welfare while considering sound policies regarding employment and economic development.</p>	<p>The citizens and regulated community statewide.</p>	<p>Protecting and improving the environment; increasing compliance with environmental laws that meet state and federal mandates; operating efficiently and effectively, enhancing customer service and providing regulatory flexibility.</p>	<p>YES</p>	<p>This approach could be a model for other regulatory state departments/ agencies.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>SMALL BUSINESS ASSISTANCE</p> <p>1,580 Permit Assists 1,324 Compliance consultations 2,220 Outreach efforts</p> <p>Total assistance request: 5,124</p>	<p>The Small Business/Community Assistance Program helps the entities understand complicated environmental regulations; how the regulations apply to them; and how to get into and stay in compliance with the regulations.</p>	<p>Independently owned Small Businesses (< 100 employees) and communities requesting assistance. These are identified through newsletters, mail-outs and presentations for industry and civic groups.</p>	<p>Assistance with permit applications, development of pollution prevention plans, conduct site visits as part of compliance assistance.</p>	<p>YES</p>	<p>This approach could be a model for other regulatory state agencies where voluntary efforts should be encouraged to ensure compliance through voluntary actions.</p>
<p>ENVIRO SCHOOL:</p> <p>385 Attendees 6 Sessions 6 Topics 13 DEQ Instructors</p>	<p>The "School" helps municipalities, small businesses, non-profit organizations, and the public at large better understand the agency's operations and offers compliance assistance services. EnviroSchool provides training workshops on a variety of important topics throughout the state at no cost to the recipients. EnviroSchool educates communities, municipalities, small businesses, and non-profit organizations and encourages meaningful participation in the regulatory process. Instructors for EnviroSchool are DEQ employees.</p>	<p>Anyone attending the classes can increase their understanding of the regulatory environmental compliance process.</p>	<p>Classes conducted at select locations across the state.</p>	<p>YES</p>	<p>This approach could be the model for other state departments/ agencies.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>ENVIRONMENTAL LEADERSHIP PROGRAM (ELP)</p> <p>DEQ presented 11 awards in recognition of their voluntary pollution prevention efforts and community environmental outreach initiatives that went above and beyond regulatory compliance to improve the environment. ELP awards were presented to large and small businesses, municipalities, university and NGO's. New ELP members, who joined in 2017-2018, were also recognized.</p>	<p>ELP is voluntary cooperative program led by DEQ in partnership with its members to promote a cleaner and better environment for Louisiana. Membership is open to those entities committed to improving the quality of Louisiana's environment through voluntary pollution prevention, waste reduction and/or other environmental stewardship efforts. ELP members are recognized for their efforts at an annual ceremony.</p>	<p>The citizens, statewide</p>	<p>Presenting awards to participating company, federal entity, municipality, non-governmental organization, school or university committed to improving the quality of the state's environment. Winners demonstrate that they have gone above and beyond regulation to combat pollution, spearhead community outreach efforts, or present educational programs that make a positive difference in the quality of Louisiana's environment.</p>	<p>YES</p>	<p>This approach could be the model for other state departments/ agencies.</p>
<p>AQUIFER EVALUATION AND PROTECTION (Source Water Protection Program)</p> <p>Established source water protection programs for 39 community water systems in parishes</p>	<p>Proactively protects sources of drinking water from contamination through community-based education and planning</p>	<p>All citizens in the targeted parishes will continue to have clean drinking water</p>	<p>Drinking water protection committees are formed in the targeted communities and LDEQ works with these committees to address potential sources of contamination and develop programs and adopt ordinances to prevent contamination of their drinking water.</p>	<p>YES</p>	<p>This approach could be a model for other regulatory state agencies where voluntary efforts should be encouraged to ensure environmental protection through voluntary actions.</p>
<p>CLEAN WATER STATE REVOLVING LOAN FUND</p> <p>Closed 14 loans totaling \$88,066,900</p>	<p>The CWSRF Program provides financial assistance in the form of low interest loans to finance eligible wastewater projects, bringing them into compliance with the requirements of the Clean Water Act, and in order to protect public health</p>	<p>Provides financial assistance in the form of low interest loans to finance eligible wastewater projects, bringing them into compliance with the requirements of the Clean Water Act, and in order to protect public health.</p>	<p>By offering below market interest rate of 0.95% on a 20-year pay back term and aggressively marketing the additional subsidization, more municipalities were able to borrow a loan for wastewater improvements.</p>	<p>YES</p>	<p>This approach may be used by other state departments/ agencies with appropriate enabling legislation.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>NON-POINT SOURCE PROGRAM</p> <p>Managing 32 ongoing projects totaling \$1.9 million funded through Section 319 of the Clean Water Act aimed at reducing runoff pollution and monitoring resultant water quality improvements</p>	<p>Efficiently utilizes federal grant funds to implement management measures that reduce nonpoint source pollution through voluntary, non-regulatory approaches and cooperative partnerships</p>	<p>All citizens of the state benefit by having cleaner waterways for recreation, drinking, and other uses</p>	<p>Developing watershed implementation plans that identify the management measures needed to address the sources of runoff pollution in the targeted watersheds and funding projects to implement those measures</p>	<p>YES</p>	<p>This approach could be a model for other regulatory state agencies where voluntary efforts should be encouraged to ensure environmental protection through voluntary actions.</p>
<p>SPOC (Single Point of Contact)</p> <p>Phone calls received - approximately 2,250 per year</p> <p>Notifications analyzed - over 11,000 per year</p> <p>7-day written and follow-up letters processed - approximately 2,200 per year</p> <p>UST complaints and notifications processed - average 380 per year</p> <p>Spill/release notifications processed - approximately 3,516 per year</p> <p>Citizen complaints processed - over 3,807 per year</p>	<p>SPOC receives notifications from Louisiana State Police (LSP), National Response Center (NRC), LDEQ online system, internal documentation, and external sources. System is 24/7, assuring emergency response from LDEQ personnel when necessary. Notifications made to Dept. to fulfill regulatory mandates and/or permit requirements are processed into Dept. database (TEMPO) and distributed to personnel - statewide - for assignment/investigation. Citizen complaints are processed and distributed to personnel - statewide - for assignment/investigation.</p>	<p>Assures immediate response benefitting citizens, other agencies, the regulatory community, and the environment.</p>	<p>Calls are answered workdays 8-4:30 and voice mails received after-hours are transcribed the next business day. Notifications are received and reviewed electronically 24/7. System created with staff available 24/7 to dispatch personnel.</p>	<p>YES</p>	<p>Specific to DEQ but other state agencies could use this approach to further their respective departments</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>Enforcement Actions Issued:</p> <p>198 Air 74 Hazardous Waste 0 MSE 15 Radiation 199 Solid Waste 227 UST 232 <u>Water Quality</u> 945 Total Enf. Actions</p>	<p>These Enforcement Actions not only identify the non-compliance issues but also order the facilities to correct the deficiencies in a timely manner and thus make a better environment to the State of Louisiana.</p>	<p>The health of the citizens & environment of the state are protected when the Enforcement Division timely issues actions where non-compliance with the State and/or Federal Environmental Regulations and operating permits has occurred or when an incident has adversely impacted the environment. Compliance with the existing environmental regulations is the goal of the Division. This ensures level playing field for all regulated entities.</p>	<p>Through the use of highly trained and experienced Enforcement Division staff in the different media areas. Compliance also involves meeting with members of the regulated sector and our Federal partners on a regular basis</p>	<p>YES</p>	<p>Specific to DEQ but this and other enforcement tools should be available to other state agencies in order to ensure compliance with their respective laws and regulations.</p>
<p>XPs, Penalties, Settlements, and Beneficial Environmental Projects (BEPs):</p> <p>13 Penalties 218 <u>XP & NOPP</u> \$360,539.14 Total Penalties</p> <p>46 <u>Settlements/BEPs</u> \$1,198,961.77 Total Settlement Cash Value</p> <p>\$992,136.28 BEP Value State-only BEPs</p> <p>4 <u>Consent Decree</u> State-Share of Penalty \$1,264,666.67 State-BEP Value from CDs \$1,572,000.00</p>	<p>Actions that include a monetary assessment provide an effective deterrent against future non-compliance. Additionally, BEPs allows for the Respondent to provide goods and or services to the local community in exchange for a cash component for environmental non-compliance issues thereby adding to the quality of life for the surrounding area. Monetary assessments also contributed to DEQ's ability to remain independent of the state general fund</p>	<p>The health of the citizens & environment of the state are protected when the Enforcement Division timely issues actions where non-compliance with the State and/or Federal Environmental Regulations and operating permits has occurred or when an incident has adversely impacted the environment. Compliance with the existing environmental regulations is the goal of the Division. This ensures level playing field for all regulated entities.</p>	<p>Through the use of highly trained and experienced Enforcement Division staff in the different media areas with the assistance from the Legal Affairs Division of the Department. Compliance also involves meeting with members of the regulated sector and our Federal partners on a regular basis.</p>	<p>YES</p>	<p>Specific to DEQ but this and other enforcement tools should be available to other state agencies in order to ensure compliance with their respective laws and regulations.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
Sanitary Wastewater Assistance Training (SWAT): 61 Attendees 4 Sessions 4 Locations 6 Topics 3 DEQ Instructors	This free 4 hour training helps LPDES permit holders at small facilities better understand requirements and responsibilities that come with having a water discharge permit. The class provides training on a variety of topics related to the permit, including; understanding the permit language, operation & maintenance of treatment systems, inspections & enforcement procedures and the reporting requirements of the permit. Instructors for SWAT are DEQ and LRWA employees.	Anyone attending the classes can increase their understanding of their LPDES permit and the regulatory environmental compliance process.	Classes conducted at select locations across the state.	YES	This approach could be the model for other state departments/ agencies.
NetDMR Training: 172 Attendees 14 Sessions 4 Locations 2 DEQ Instructors	LDEQ offers two types of assistance with NetDMR: - Hands on Training is a free training class conducted in person in a computer lab setting to allow for hands-on experience using NetDMR practice environment. - CDX/NetDMR Registration Assistance consists of LDEQ staff working one-on one with permittees to set-up accounts in the official version of NetDMR.	Anyone attending the classes can increase their understanding of NetDMR and the online submission process of Discharge Monitoring Reports (DMRs).	Classes conducted at select locations across the state.	YES	This approach could be the model for other state departments/ agencies.
Outreach (Presentations at training seminars, professional/associational conferences or town meetings): Water 7 Events 2 Speakers 7 Locations	Allows the message of Enforcement to be presented in a "non-threatening" setting to the regulated sector and the general public. Allows people to "put a name to a face" in order to foster better communications between the agency and the citizens.	All citizens of the state and the regulated sector through a better understanding of the environmental regulations.	Through regular attendance and presentations at these events	YES	This approach could be a model for other regulatory state agencies where voluntary efforts should be encouraged to ensure environmental protection through voluntary actions.

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>AUDIT</p> <p>Assessed \$259,921 and collected \$98,462 in waste tire delinquent fees and interest</p> <p>Assessed \$81,632 and collected \$5,732 in motor fuel delinquent fees and penalties</p> <p>Internal Audit Charter revised</p>	<p>These waste tire fee audits ensure that regulated waste tire entities are complying with imposed regulations and all money due to the Waste Tire Management Fund is properly remitted.</p> <p>These motor fuel delivery fee audits ensure that the proper fees are collected and remitted to the Motor Fuel Trust Fund.</p> <p>The revised audit charter established the Audit Advisory Committee which reviews and approves the annual LDEQ risk assessment, annual internal audit plan, and individual audit reports submitted by the internal auditor.</p>	<p>Benefits DEQ and the regulated community by addressing compliance issues and collecting previously unremitted fees.</p>	<p>External compliance audits were conducted on a selection of waste tire generators and bulk motor fuel distributors throughout the state. Internal Audit activates were conducted in adherence with standards and auditing guidelines outlined by the Institute of Internal Auditors (IIA)</p>	<p>YES</p>	<p>Specific to DEQ but other state agencies could use this approach to further their respective departments</p>
<p>REMEDIATION</p> <p>177 contaminated sites have been closed through evaluation and/or remediation</p>	<p>Completing site clean ups allows contaminated properties to be protective of human health and the environment, allows for the site returned to active commerce and promotes the restoration and preservation of two of Louisiana’s most important natural resources, land and ground water.</p>	<p>The regulated community and the people of the state benefit by cleaning up sites that are protective of human health and the environment, while considering economic impact.</p>	<p>The LDEQ has developed a Risk Evaluation Corrective Action (RECAP) program to address risks to human health and the environment, through assessment, risk evaluation and/or remedial activities these sites are now safe for their intended use.</p>	<p>YES</p>	<p>LDEQ found it necessary to establish consistent guidelines across media-based programs lines for the remediation of releases to the environment. RECAP ensures that cleanup standards are developed consistently, regulated community is treated equally and human health and the environment is the primary consideration when cleanup decisions are made.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
UNDERGROUND STORAGE TANKS					
1394 of registered underground storage tanks (UST) sites (35%) have been inspected for compliance	Inspecting UST sites will minimize leaks to the environment from UST systems.	Human health and the environment are protected by minimizing exposure from leaking UST systems.	UST inspectors inspect sites with active tanks, temporarily out-of-use tanks, and abandoned tanks at least once every three years in accordance with the LDEQ Compliance Evaluation Inspection checklist to ensure tanks are in compliance with regulations.	YES	Specific to DEQ
113 NODs Issued 196 Deficiency Cleared Issued 243 Correct Deficiency Issued 69 Referral to Enforcement	Following up to inspections to get UST sites in compliance and minimize releases to the environment.	The regulated community and the people of the state benefit by reducing risk of release protecting environment and environment.	Review of all inspection completed and follow up when AOC are identified during inspections	YES	Specific to DEQ
Reviewed 99% of Investigation Work Plans Received. Review 100 % of Corrective Action Work Plans Received Evaluated and Closed 151 sites.	Reviewing Work Plans and completing site clean ups allows contaminated properties to be protective of human health and the environment, allows for the site returned to active commerce and promotes the restoration and preservation of Louisiana's most important natural resources, land and ground water.	The regulated community and the people of the state benefit by cleaning up sites that are protective of human health and the environment, while considering economic impact.	The LDEQ has developed a Risk Evaluation Corrective Action (RECAP) program to address risks to human health and the environment, through assessment, risk evaluation and/or remedial activities these sites are now safe for their intended use.	YES	LDEQ found it necessary to establish consistent guidelines across media-based programs lines for the remediation of releases to the environment. RECAP ensures that cleanup standards are developed consistently, regulated community is treated equally and human health and the environment is the primary consideration when cleanup decisions are made.

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
LEGAL 97% success in defending legal challenges to DEQ actions	Judicial support of DEQ actions provides consistency, fostering (1) more secure business planning & development for regulated entities & (2) greater confidence in public safety	Human health & environment are protected when DEQ action is sustained	Use of litigation teams and legal staff development of specialty areas (e.g., Air, Water, Waste, Permits, Enforcement, Receiverships)	YES	Other agencies could add this metric to planning and strategic indicator cycle, plan for and develop staff specialty knowledge, and use the litigation team strategy as needed
\$1,696,741.05 million collected in settlements, delinquent fees, & bankruptcies	Ensures level playing field for all regulated entities	Contributed to DEQ's ability to remain independent of the state general fund	Implemented legal collections process efficiencies and utilized Regional Attorneys for travel cost savings	YES	This approach could be used by other agencies.
AIR PLANNING Baton Rouge ozone nonattainment area was redesignated as attainment for the 2015 Ozone NAAQS	The air quality has improved to be protective of human health and the environment. The area is no longer designated as nonattainment and subject to more stringent requirements.	Residents benefit from the improved air quality. Business and Industry have less stringent requirements for expansion projects.	This was accomplished through regulation of industry, the work of the BR Advance group, local meteorologists forecasts and general public participation in ozone action day alerts.	YES	Specific to LDEQ
EPA has proposed to relax the volatility standard (RVP) of summer gasoline for the Baton Rouge nonattainment area.	The air quality has improved to be protective of human health and the environment such that this requirement is no longer necessary to maintain compliance with Ozone NAAQS.	Business and residents benefit from cheaper gas during the summer season. Refiners benefit by not having to produce a special blend of gasoline strictly for the five parish area.	Modeling has shown that the use of the gasoline meeting the higher volatility standard during the summer will not impede the 5 parish area from maintaining compliance with the ozone standard.	YES	Specific to LDEQ
AIR PERMITS DIVISION LDEQ Promulgates a Regulatory Permit for Storage Vessels	A regulatory permit is a permit that is incorporated into the regulations in the form of a rule. Regulatory permits promote consistency by standardizing requirements for similar source types to the extent practicable.	Owners/operators of facilities needing to construct new storage vessels by streamlining the air permit application process.	Rulemaking	YES	The regulatory permit concept could be modeled by other state departments that issue permits.
Air Permits Issued: <ul style="list-style-type: none"> ▪ Title V initials/renewals/mods: 267 ▪ PSD initials/mods: 39 ▪ Acid Rain permits: 3 ▪ Minor source "site-specific" 	Ensures air permits accurately reflect all applicable regulations and requirements; establish emission limits that are based on the most up-to-date process data, operating conditions, and emission factors and that do not result in violations of federal or	Permittees by allowing for the construction, modification, or continued operation of regulated facilities; the public by verifying that emission limits do not result in violations of federal or	Conducting comprehensive technical evaluations of incoming air permit applications.	YES	Specific to DEQ

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
initials/renewals/mods: 230 ▪ Minor source general permit authorizations: 250 ▪ Regulatory permits: 280 ▪ Letters: 437 ▪ Other permit actions: 300	state air quality standards; and include testing, monitoring, recordkeeping, and reporting requirements sufficient to assure compliance with its terms and conditions.	state air quality standards; all parties by allowing for continued economic development.			
Outreach Activities: ▪ Operating Permits Workgroup meetings ▪ Louisiana Solid Waste Association Environmental Conference ▪ A&WMA Louisiana Section Conference	Facilitates compliance with air quality regulations and improves quality of incoming air permit applications.	The regulated community by contributing to their knowledge of air quality regulations and air permitting procedures.	Meetings and presentations	YES	Outreach activities can be conducted by all departments.
AIR PERMITS DIVISION; AIR QUALITY ASSESSMENT DIVISION EPA designates 60 parishes in the state as "attainment/unclassifiable" with respect to the 1-hour NAAQS for SO ₂ (January 9, 2018)	According to EPA, air quality that adheres to the NAAQS is protective of public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly, as well as animals, soils, and vegetation.	Residents of Louisiana and those that work and/or recreate in the state by ensuring continued good air quality.	Implementation of federal and state regulations limiting SO ₂ emissions; dispersion modeling.	YES	Specific to DEQ
EPA designates all parishes in the state as "attainment/unclassifiable" with respect to the 2015 8-hour NAAQS for ozone (November 16, 2017 & June 4, 2018)	According to EPA, air quality that adheres to the NAAQS is protective of public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly, as well as animals, soils, and vegetation.	Residents of Louisiana and those that work and/or recreate in the state by ensuring continued good air quality.	Implementation of federal and state regulations limiting NO _x and VOC emissions; actions of the regulated community and public on ozone action days.	YES	Specific to DEQ

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>WASTE PERMITS</p> <p>Waste Permits Achieves Operational Plan Goals</p>	<p>The Waste Permits Division (WPD) Operational Plan performance standard establishes and ensures high quality technical evaluations and timely final actions for new facility permits and major modifications of existing permits.</p>	<p>Permit applicants seeking timely permit issuance and residents of Louisiana. Final decisions are reached within 300 processing days which ensures regulated activities are conducted in an environmentally sound manner.</p>	<p>Reviews are consistent technically, and completed in a timely manner. Final decisions are made within 300 processing days.</p>	<p>YES</p>	<p>By establishing and adhering to the requirements of the Operational Plan, essentially a work plan for the FY, administrators, supervisors and permit writers can monitor progress on permit applications or other work product, resulting in a timely and consistent work product.</p>
<p>USEPA Region VI RCRA End of Year Report</p> <p>The USEPA Region VI acknowledged LDEQ WPD in satisfactorily completing all grant requirements in the FY 2015-2016 RCRA End of Year (EOY) Report.</p>	<p>Continuing to meet or exceed federal grant commitments for permitting activities, LDEQ WPD has demonstrated consistency in processing solid and hazardous waste permits timely. The USEPA also laudes the LDEQ as one of the leading states in the nation regarding rule adoption and authorization.</p>	<p>All Louisiana residents benefit from the exceptional performance exhibited by the state’s environmental agency in preventing administrative backlogs and ensuring permit application evaluations are processed in a fair and consistent manner. This also benefits Permit applicants seeking timely permit issuance.</p>	<p>The WPD Operational Plan and Division Plan provide the framework for consistently meeting and/or exceeding commitments to the USEPA. With those plans as backdrop, managers and supervisors use TEMPO to track staff performance. The LDEQ also participates with the USEPA in mid-year report preparation. These mid-year reports are useful milestones by which the Department can measure progress of grant commitments during the FY.</p>	<p>YES</p>	<p>The EOY Report from the USEPA is specific to LDEQ but other agencies with federal or other grant commitments could benefit from semi-annual and annual reports as these are hard milestones by which managers can track staff progress at any time during a FY.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>Emergency Debris Management</p> <p>Disposal of vegetative and other waste generated as a result of catastrophic events in an efficient and timely manner.</p>	<p>Hurricanes, tornadoes, floods, etc., cause unusually large amounts of wastes in very short periods of time. These wastes need to be managed properly and quickly. Under the Comprehensive Debris Management Plan the LDEQ manages these large amounts of wastes by authorizing Emergency Debris Sites. These sites are inspected, approved by and monitored by the LDEQ to ensure proper handling of emergency-generated wastes. These sites provide space and time for parishes to allow for staging, separating and processing prior to disposal.</p>	<p>All citizens potentially benefit from a properly managed program which deals with emergency-generated debris. These sites allow parishes to clear roadways in particular as quickly as possible resulting in normalization of activities.</p>	<p>Emergency Debris Sites are pre-approved by the LDEQ and operated by state and local government entities. Authorizations to operate are issued by the LDEQ once it has been established that a site meets all the required criteria. Inspections during use and upon closure ensure proper management of these sites.</p>	<p>YES</p>	<p>These sites are primarily applicable to the LDEQ due to their rather specific technical nature. However, the pre-approval process allows for immediate implementation and should be considered by other agencies to streamline regulatory requirements especially in emergency situations.</p>

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
Waste Permits staff reviewed financial assurance submittals for 64 permitted hazardous waste facilities and approximately 200 permitted solid waste facilities. Financial assurance is submitted and reviewed annually for all permitted facilities.	Closure, post-closure and corrective action activities protect the citizens of the state and the environment from exposure to harmful waste and waste constituents. In the event the facility is unable to meet its environmental obligations, financial assurance provides the state the financial backing to complete the environmental clean-up obligations at the facility and conduct appropriate closure and post-closure activities.	Citizens benefit from the program. Under certain circumstances, the State must assume environmental obligations at a facility. Financial assurance ensures the permittee "prepays" for the environmental obligations so the state will not be encumbered with those costs.	The permittee submits financial assurance (e.g., letter of credit, surety bond, etc.) and a cost estimate for closure/post-closure care to the LDEQ. Cost estimates are reviewed for adequacy. Financial documents are reviewed against the cost estimates for consistency. Permits staff require the permittee to make corrections to the financial assurance as appropriate. The financial documents are kept in a secure file and tracked in TEMPO. Financial assurance for hazardous waste facilities are tracked in RCRAinfo (federal database) by providing TEMPO update to the USEPA Region VI staff. Financial assurance record reviews are also provided to the Region VI Enforcement staff. The Waste Permits Division refers non-compliant facilities to the LDEQ Enforcement Division.	Yes	Financial assurance for environmental obligations is specific to LDEQ.
Joint DEQ / EPA Hazardous Waste Consent Decree for Mosaic Fertilizer LLC Waste Permits staff assisted in oversight as Mosaic Fertilizer LLC Consent Decree began implementation projects. Waste Permit staff provided technical assistance to Legal in negotiation of PCS Nitrogen Consent Decree.	This was culmination of multi-year negotiation process with the company to resolve RCRA hazardous waste violations. The facility now has clear direction on regulatory responsibilities and should now maintain compliance with the RCRA with oversight by LDEQ. In addition, the company has provided LDEQ with financial assurance to address the environmental liability at the facility.	Will result in several plant improvement projects to reduce possibility of new releases. Additionally a new process has been implemented to delineate existing releases to the environment.	Inter-office effort on DEQ's part to participate actively in negotiations and give state-specific guidance to Federal partners.	NO	Specific to DEQ but this and other enforcement vehicles should be available to other state agencies in order to ensure compliance with their respective laws and regulations.
Surveillance Division	Inspections are conducted of regulated facilities to determine	All citizens of the state benefit by ensuring the	Facilities are selected and scheduled for inspection by	YES	Specific to DEQ but other state agencies could use

Achievement	Significance	Benefits who/how?	Accomplished how?	Contribute to Success of Strategic Plan?	BMP for other departments?
<p>Inspections Conducted:</p> <p>323 Air Emission 557 Asbestos 245 Hazardous Waste 244 Solid Waste 664 Waste Tires 698 Water Discharge 2,731 Total Inspections</p>	<p>compliance with federal and state regulations.</p>	<p>protection of public health and environmental resources through compliance inspections.</p>	<p>utilizing the procedures outlined in the LDEQ Compliance Monitoring Strategy (CMS).</p>		<p>this approach to further their respective departments.</p>
<p>Ambient Water Quality Monitoring ~ 25% of surface water subsegments monitored and sampled</p>	<p>Data from water quality monitoring is compared to subsegment specific criteria to determine compliance with State Water Quality Standards.</p>	<p>All citizens of the state benefit by ensuring the waters of the state are evaluated according to the standards specified in the Clean Water Act.</p>	<p>All ambient water subsegments in the state are sampled on a four year rotation by selecting specific water sheds each year in each region.</p>	<p>YES</p>	<p>Specific to DEQ but other state agencies could use this approach to further their respective departments.</p>
<p>Respond to Environmental Incidents and Citizen Complaints Address 85% of reported environmental incidents and citizens' complaints within ten business days of receipt of notification</p>	<p>Provide a timely response to citizen complaints of environmental problems and ensure an acceptable level of cleanup of unauthorized releases.</p>	<p>All citizens of the state benefit by ensuring that environmental incidents and citizens' complaints are addressed expediently.</p>	<p>Notifications are received and processed by LDEQ Single Point of Contact (SPOC), then forwarded to Surveillance Division personnel for investigation.</p>	<p>YES</p>	<p>Specific to DEQ but other state agencies could use this approach to further their respective departments.</p>

Appendix B

Process Documentation:

Strategic Plan Checklist

STRATEGIC PLANNING CHECKLIST



- Planning Process**
 - General description of process implementation included in plan process documentation
 - Consultant used
 - If so, identify: _____
 - Department/agency explanation of how duplication of program operations will be avoided included in plan process documentation
 - Incorporated statewide strategic initiatives
 - Incorporated organization internal workforce plans and information technology plans

- Analysis Tools Used**
 - SWOT analysis
 - Cost/benefit analysis
 - Financial audit(s)
 - Performance audit(s)
 - Program evaluation(s)
 - Benchmarking for best management practices
 - Benchmarking for best measurement practices
 - Stakeholder or customer surveys
 - Undersecretary management report (Act 160 Report) used
 - Other analysis or evaluation tools used
 - If so, identify: _____

Attach analysis projects, reports, studies, evaluations, and other analysis tools.

- Stakeholders (Customers, Compliers, Expectation Groups, Others) identified**
 - Involved in planning process
 - Discussion of stakeholders included in plan process documentation

- Authorization for goals**
 - Authorization exists
 - Authorization needed
 - Authorization included in plan process documentation

- External Operating Environment**
 - Factors identified and assessed
 - Description of how external factors may affect plan included in plan process documentation

- Formulation of Objectives**
 - Variables (target group; program & policy variables; and external variables) assessed
 - Objectives are SMART

- Building Strategies**
 - Organizational capacity analyzed
 - Needed organizational structural or procedural changes identified
 - Resource needs identified
 - Strategies developed to implement needed changes or address resource needs
 - Action plans developed; timelines confirmed; and responsibilities assigned

- Building in Accountability**
 - Balanced sets of performance indicators developed for each objective
 - Documentation Sheets completed for each performance indicator
 - Internal accountability process or system implemented to measure progress
 - Data preservation and maintenance plan developed and implemented

- Fiscal Impact of Plan**
 - Impact on operating budget
 - Impact on capital outlay budget
 - Means of finance identified for budget change
 - Return on investment determined to be favorable

Appendix C

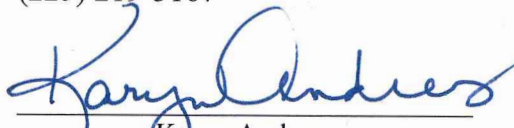
Records Retention:

Agency Records Management Policy

POLICY NUMBER: 0021-12
SUBJECT: Records Management Policy
EFFECTIVE DATE: August 2, 2016
REVISED: December 14, 2016
INQUIRIES TO: Records Management Section
Office of Management & Finance
602 N. Fifth Street
Baton Rouge, LA 70802

P.O. Box 4303
Baton Rouge, LA 70821-4303
(225) 219-3167

APPROVED:


Karyn Andrews
Undersecretary

POLICY COMPONENTS

	Page
I. Records Management General Policy Statement	3
II. Public Records Request Policy	5
III. Email Management	7
IV. Maintenance of Confidential Information	10
V. Litigation Hold	12
VI. Disposition	13
VII. Compliance	15
VIII. RM Training Policy	16
IX. Policy Renewal Statement	17

I. RECORDS MANAGEMENT GENERAL POLICY STATEMENT

A. Purpose

The purpose of this policy is to establish responsibilities for managing LDEQ's records, to ensure compliance with state and federal laws and regulations and best practices.

B. Scope and Authority

1. This policy applies to LDEQ Headquarters, Regional Offices, and all locations where LDEQ employees may create, receive, store, or manage records.
2. All LDEQ employees, officials, and organizations, including outsourced third parties, are to comply with this policy and all other policies and procedures issued by the LDEQ Records Management Section.
3. This policy addresses all records made or received by LDEQ related to official business.
4. Failure to comply with this policy may result in disciplinary action, up to and including termination, as well as possible civil and/or criminal liability.
5. All inquiries regarding policies or procedures should be addressed by the Records Management Section.

C. Policy Statements

The LDEQ Records Management Section creates, implements, and manages a Departmental Records Management Program that:

1. Fills public records requests, however made, including requests made via subpoena or other court order, and through the discovery methods provided by law;
2. Develops and implements Department-wide policies, procedures and training on the identification, classification, and handling of records;
3. Manages the storage and security of inactive records and oversees the disposition of records that have met the requisite retention period;
4. Protects security sensitive information in the control of the Department and manages the security of documents granted confidentiality by the Department Secretary or his/her designee;
5. Works with the Legal Division to implement legal or litigation holds required by law, typically to prevent the alteration or destruction of records relating to investigations and pending or anticipated litigation.

D. Roles

1. In accordance with [La. R.S. 44:412\(A\)](#), the Department's delegated Records Manager shall oversee the Records Management program in accordance with [LAC 4:XVII.101](#), *et seq.*
2. All LDEQ employees are responsible for the day-to-day maintenance and handling of records that they create, receive, and access as part of official Departmental business. LDEQ employees fulfill this responsibility by:
 - a) Forwarding all public records requests and inquiries to the Records Management Section upon receipt;
 - b) Identifying, organizing, and handling records according to Records Management policies, procedures, and retention schedule;
 - c) Maintaining electronic records, including email, according to Records Management policies, procedures and retention schedule;

- d) Submitting all original records documenting official agency business to the Electronic Document Management System, or copies when originals must be sent to outside parties;
- e) Contacting the Legal Division upon receipt of notice of any investigation and pending or anticipated litigation that involves or could involve the Department or any current or former employee in the course of his or her duties.

II. PUBLIC RECORDS REQUEST POLICY

A. Purpose

The purpose of this policy is to establish responsibilities for managing the public records requests that are submitted to the LDEQ.

B. Policy Statements

1. The LDEQ Records Custodian may appoint one or more designees to ensure a prompt response to all requests.
2. Requesting Copies of Public Records:
 - a) All requests for copies of public records, including discovery requests and subpoenas duces tecum for production of public records, shall be made using one of the following forms to be submitted to the Custodian of Records:
 - 1) [LDEQ Form ISD-0005-01](#). This form may be submitted only by mail, fax, or personal delivery. No email attachments of this form will be accepted for any public records request.
 - 2) LDEQ Online Public Records Request Form, accessible at <http://www.deq.louisiana.gov/prr>.
 - b) A certification on [LDEQ Form ISD-0005-02](#) must be submitted with the request for free or reduced rate copies. This form may be submitted by email, mail, fax, or personal delivery.
 - c) Payment shall be made in accordance with the rates established by law or regulation.
 - d) Advance payment for copies of public records is required.
 - e) To ensure the preservation of Department records, no records shall leave the premises for duplication, unless copies are required for which the Department does not have suitable copying equipment. In this case, the records may leave the premises by approval of the LDEQ Custodian of Records and shall be accompanied by an official, employee, agent, or contractor of the Department who shall remain with the records until their return. The requester shall be responsible for all costs of reproduction. The requester shall make payment or arrangements for payment with the outside source copy provider in advance of the request for the exception, and shall include a written statement of such arrangements as part of the request. The Department reserves the right to refuse the release of public records to an outside source copy provider for any reason.

C. Roles

1. Employee Responsibilities Regarding Public Records Requests:
 - a) All records related inquiries received by employees shall be forwarded immediately to Records Management staff at publicrecords@la.gov. Employees shall not reply directly to requests for records unless specifically authorized by the LDEQ Records Custodian.
 - b) When an employee is notified by Records Management staff that they may have records which are responsive to a request, the employee shall respond to Records Management within three business days. Within this timeline, the employee shall either provide all responsive records or give a firm date by which the records will be provided.

2. LDEQ Custodian of Records Responsibilities for Public Records Requests:
 - a) The LDEQ Custodian of Records shall:
 - 1) Enter each public records request into the public records database upon receipt. Requests received via the online request form are automatically entered into the database.
 - 2) Respond to all public records requests within three (3) business days of the Department's receipt of the request.
 - 3) Send any responsive records which are not already in the EDMS to the Legal Division for review before providing them in response to a records request.
 - 4) Ensure that all necessary forms have been fully completed and payment has been received in advance unless an exception has been approved by the LDEQ Records Custodian.
 - 5) Forward all payments received to the Financial Services Division daily.
 - 6) Forward all delinquent bills to the Financial Services Division for follow-up or referral to the Legal Division for collection.
 - 7) Maintain public records requests and responses in accordance with approved retention schedules.
 - 8) When the Agency receives inquiries about or requests for copies of public records that are not on [LDEQ Form ISD-0005-01](#), instruct the requester to complete [LDEQ Form ISD-0005-01](#).

III. EMAIL MANAGEMENT

A. Purpose

This Policy addresses guidelines and restrictions for the official business and incidental limited personal use of email by LDEQ employees. It is the policy of LDEQ to provide resources to its employees for the purpose of fulfilling their responsibilities and job duties. At all times, users have the responsibility to use Agency resources in a professional, ethical, and lawful manner. To further this objective, the following policy is established:

1. Definitions

For the purposes of this policy:

- a) **Email:** A document created or received via an electronic message system, including brief notes, formal or substantive narrative documents, and any attachments, such as word processing or other electronic objects, that may be transmitted with the message along with its descriptive transmission metadata. For the purpose of this policy, email also includes text messages, instant messages and PIN to PIN messages.
 - 1) **PIN to PIN messaging:** Each BlackBerry device is assigned a unique eight-digit number called a personal identification number (PIN). PIN to PIN messages are not routed through the email account.
 - 2) **Instant Messaging (IM):** An electronic messaging system that allows users to determine whether a certain party or parties are connected to the messaging system and allows them to exchange text messages and files with those parties in real time.
 - 3) **Text Message:** An electronic communication sent and received by cellular phone.
2. **Legal or Litigation Hold:** A communication issued as a result of current or anticipated litigation, audit, government investigation or other such matter that suspends the normal disposition, processing or retention of records.
3. **Electronic Document Management System (EDMS):** The Web-based search tool that allows users to search, retrieve, view and print public records online. The EDMS serves as the electronic repository of official records for the Louisiana Department of Environmental Quality (LDEQ). All employees are responsible for ensuring official records are routinely submitted to the EDMS.

B. Policy Statements

1. Email is to be used primarily for official business purposes in furtherance of the LDEQ Agency mission. Incidental limited personal use is a privilege, and not a right of employment, and must not: (1) interfere with LDEQ Agency business; (2) interfere with the user's work performance; (3) interfere with any other user's work performance; (4) have undue impact on the operation of the computer system or computer resources; or (5) violate any law, any other provision of this policy, or any other policy, guideline, or standard of LDEQ. The personal use of email privilege may be revoked at any time. Abuse of email may subject an employee to disciplinary action.
2. For prohibitions regarding email and computer usage, please see [Computer System Usage Policy](#), PPM 6006-04. Users are also prohibited from disclosing confidential, enforcement sensitive, or other legally protected information such as attorney client

- privileged information. For more information on what may be considered confidential or security sensitive according to LDEQ regulations, please see [LAC 33:1.501-511](#) and [LAC 33:1.601-609](#).
3. Employees shall not include confidential disclaimers in their signature blocks, unless executive approval has been granted. As a state Agency subject to public records laws, LDEQ employees shall expect no confidentiality or privacy applied to email except as previously described.
 4. Email messages shall be handled in the same way as paper documents. An email message is a record if it records a business activity or decision, and the activity or decision is not documented elsewhere. In this case, based on the content of the email, it shall be kept for the amount of time specified in the approved LDEQ [Environmental](#) or [Administrative](#) Retention Schedules. Email fitting this description shall be submitted to the EDMS to be maintained for the appropriate amount of time.
 5. Many LDEQ employees have been issued mobile devices or use personal mobile devices to access email or send other types of electronic messages. Regardless of format, the content of the message shall determine how long the message shall be maintained and where the message shall be stored. For guidance, consult the Environmental Retention Schedule, Administrative Retention Schedule and the [Nonrecords Guidelines](#).
 6. Employees shall avoid using text messages, instant messages, personal email accounts other than the state-issued la.gov account, and/or PIN to PIN messages to communicate a business activity or decision that is not documented elsewhere. These methods of communication are acceptable only in an emergency situation in which there is no other reasonable means of communication. Should such a situation arise, the employee shall submit the message to the EDMS as soon as possible. To submit the message to the EDMS, the employee will either need to save and print the message or forward the message to an email address. Once available in either a print or email format, submit the message to the EDMS using either the Online or Paper Delivery Method. It is incumbent upon each employee to learn how to perform this task when necessary using the applicable specific service(s) and device(s). Text messages, instant messages and PIN to PIN messages are acceptable for any communication which does not document a business activity or decision, and which therefore does not need to be submitted to the EDMS.
 7. To provide for the security of email records, users shall store email in a location on the Exchange server. LDEQ business related emails shall not be stored on local machines or other non-server based locations. LDEQ business related email that does not meet the definition of a record as defined in section D above shall be maintained on the server only as long as it retains business value to the Agency or the user. Once it is no longer of business value, it shall be deleted. Email that is not related to LDEQ business shall not be maintained on the server. Users shall periodically review and organize their sent and received folders, and empty the deleted items folder to keep their email file size to a minimum.
 8. Users shall not use the archive features in Outlook.
 9. All LDEQ business related email however transmitted or received and wherever located is the property of LDEQ and not the property of the employee. As such, any

email relevant to a public records request or subpoena for records shall be provided upon request.

10. If LDEQ issues a legal or litigation hold, all related email and other records in whatever form they exist, including drafts and copies shall be retained regardless of whether the items would normally be eligible for deletion according to the LDEQ [Nonrecords Guidelines](#) or an approved retention schedule. All employees are responsible for following specific instructions given with regard to all responsive items relating to the subject of a legal or litigation hold.
11. Departing employees shall work with their supervisor to ensure that their email and other items are handled according to this policy. This may involve creating a .pst file. Contact the LDEQ Helpline for assistance with creating .pst files.

C. References

1. ARMA. *Requirements for Managing Electronic Messages as Records*. Second Printing. ARMA International, 2009. eBook.
2. Nonrecords Guidelines:
<http://intranet/records/user/editinfo/files/NonrecordsGuidelines.pdf>
3. Administration Retention Schedule:
<http://intranet/records/user/editinfo/files/ARSfinal.pdf>
4. Environmental Retention Schedule:
<http://intranet/records/user/editinfo/files/EnvironmentalRetentionSchedule.pdf>
5. Computer System Usage Policy: <http://intranet/ppms/6006-04.pdf>
6. Confidential Information and Security Sensitive Information Regulations:
<http://www.deq.louisiana.gov/portal/LinkClick.aspx?fileticket=vU-4wQYIBGo%3d&tabid=1674>

IV. MAINTENANCE OF CONFIDENTIAL INFORMATION

A. Purpose

The purpose of this policy is to establish a department policy and procedure in compliance with the “Confidential Information Regulations” ([LAC 33:I.Chapter 5](#)), and the Confidential Information ([La. R. S. 30:2030](#)), and Water Quality Control laws ([La. R. S. 30:2074 \(D\)](#)).

B. POLICY STATEMENTS

1. According to the Louisiana Public Records Law ([La. R. S. 44:1, et seq.](#)), all information or records created or received by the Department are considered public records, unless declared confidential or deemed confidential by operation of law.
2. Department employees may access confidential information or records to perform work-related tasks with approval from their Division Administrator and Assistant Secretary. Division Administrators and Executive staff members, to include the Undersecretary, Deputy Secretary, Assistant Secretaries, and General Counsel may request access to confidential information from the Secretary or a designee. The Secretary or Secretary’s designee must authorize access to confidential information or records for any officer or employee of local, state, or federal government outside of DEQ.
3. Procedures for responding to requests for confidentiality:
The following procedures shall apply to Department staff who may receive requests for confidentiality and to records awaiting a confidentiality determination:
 - a) All requests for confidentiality, including internal requests and requests delivered via email, shall be delivered immediately to the Confidentiality Request Clerk, Office of the Secretary, Legal Division.
 - b) All LDEQ employees receiving requests for confidentiality by email shall forward the email requests immediately to the Confidentiality Request Clerk, Office of the Secretary, Legal Division.
 - c) Until the Department’s confidentiality determination is final, information or records for which a complete confidentiality request has been submitted shall be held confidential by the Confidentiality Request Clerk.
4. Procedures for maintaining confidential information or records:
 - a) Once information or records are classified as confidential, the Custodian of Records shall restrict them from viewing in the EDMS.
 - b) Some types of confidential records are maintained in a confidential group. A confidential group is a set of confidential records in EDMS which are accessible to a small group of DEQ employees who require access to the specified documents for their work. Confidential group set up and the list of group members shall be approved by the Division Administrator. Records Management shall maintain information on each group, including which employees are members and which documents are available to the group.
 - c) Confidential information or records in any format shall be maintained in a secure location.
5. Procedures for accessing confidential information or records:
The following procedures shall apply to persons requesting access to confidential information or records:

- a) Confidential information or records shall be made accessible to the following qualified individuals:
 - 1) Duly authorized officers or employees of local, state, or federal government while carrying out their responsibilities under the environmental quality act or other applicable federal law, upon the authorization of the Secretary or the Secretary's designee. These persons must request access to the information or reports in writing and must state in the request the reason that access is needed; and
 - 2) Department staff may be authorized to view confidential information or records by email request from the appropriate Administrator and Assistant Secretary. Access to such items is strictly granted on a business need to know basis, which means that the requester demonstrates a need for access to perform specific work-related tasks.
 - b) Upon verification of a written request, the Department's Custodian of Records, as the Secretary's designee, shall authorize access to confidential information or records as appropriate. The Custodian shall document the release of any confidential information or records according to Records Management procedures.
6. Procedures for declassifying confidential information or records:
- a) If no period of time was specified in the grant of confidentiality, the submitter shall notify the Custodian in writing of any information or record for which confidentiality is no longer needed by the submitter. If such notification is received, Records Management will either return them to public viewing in the EDMS or otherwise make them publicly available in accordance with approved Department policies and procedures.
 - b) Confidential information or records shall also be returned to public access if the investigation leading to the declaration of confidentiality has concluded. Program staff requesting confidentiality for records involved in an ongoing investigation is responsible for alerting the Legal Division and Records Management of the conclusion of the investigation. Once notification is received, Records Management, in consultation with the Legal Division, will take the appropriate steps to return the documents to public status.

C. Roles

1. The Secretary or Secretary's designee shall determine if confidentiality is necessary based on criteria identified in "Confidential Information Regulations" ([LAC 33:I.Ch.5](#)).
2. Each Division shall abide by this policy when responding to requests for confidentiality and requesting access to confidential documents.

V. LITIGATION HOLD

A. Purpose

The purpose of this policy is to establish necessary actions upon notification of current or reasonably anticipated litigation, investigation, or audit.

B. Definitions

For the purpose of this policy:

1. **Disposition:** Materials' final destruction or transfer to an archives based upon their determined legal, administrative, or historical value.
2. **Litigation Hold/Preservation Order:** A communication issued as a result of current or anticipated litigation, audit, government investigation or other such matter that suspends the normal disposition, processing or retention of records related to that legal process.
3. **Nonrecord Information:** Information that serves a temporary purpose, and does not qualify as a record (e.g. Convenience copies, informal emails, and document drafts).
4. **Record:** Recorded information, regardless of medium or characteristics, made or received by the Department under law or in connection with the transaction of official business that is evidence of its operations and has value requiring its retention for a specific period of time. *L.R.S. 44:402*

C. Policy Statements

1. Litigation Holds shall be issued by the Legal Department.
2. If LDEQ issues a Litigation Hold, all related records, non-records, and business information in whatever form they exist, including drafts and copies shall be retained regardless of whether the items would normally be eligible for disposition according to the [LDEQ Nonrecords Guidelines](#), [Administration Retention Schedule](#), or [Environmental Retention Schedule](#).
3. No related records or non-records shall be destroyed or made inaccessible for the duration of the Litigation Hold.

D. Roles

1. All personnel are responsible for following specific instructions given with regard to a Litigation Hold.
2. Any LDEQ personnel with knowledge of potential litigation, investigation, or audit shall immediately notify the Legal Department.
3. The Legal Department shall determine whether or not a Litigation Hold is to be ordered and communicate the issuance and termination of Litigation Holds to the affected LDEQ personnel.

E. References

1. Nonrecords Guidelines:
<http://intranet/records/user/editinfo/files/NonrecordsGuidelines.pdf>

VI. DISPOSITION

A. Purpose

The purpose of this policy is to establish the requirements for the systematic and controlled disposition of records and non-records in compliance with the approved records retention schedules, and [Nonrecords Guidelines](#).

B. Policy Statements

1. LDEQ has a legal obligation to properly dispose of records. The required retention period of records is set forth in either the [Environmental Retention Schedule](#) or [Administrative Retention Schedule](#).
2. Records shall be reviewed periodically to determine which records are eligible for disposition.
3. The Records Management Section shall request official approval for disposition of records from the State Archives.
4. The following disposal guidelines, outlined in [LAC 4:XVII.911](#) and [LAC 4:XVII.525](#), shall be followed:
 - a) Records approved for destruction which contain confidential or security sensitive information can be destroyed using the following disposal methods: shredding, incineration, maceration, or pulverization.
 - b) Records approved for destruction which do not contain confidential or security sensitive information can be destroyed using the following methods: landfill, recycling, shredding, incineration, maceration, or pulverization.
 - c) Records which have enduring value, and are considered eligible for historical preservation will be transferred to the custody of the State Archives.
5. Disposition metadata, destruction certifications, and/or other documenting information shall be retained in accordance with retention policies.
6. Non-records shall be disposed of once they have served their purpose, unless they are under the obligation of a Litigation Hold.
7. DEQ has received approval for the following disposition process, as described in the [Imaging Exception Application](#):
 - a) DEQ will scan paper records and securely retain the resulting image for the entire required retention period;
 - b) DEQ will retain the paper copies of all scanned records for two years after the scan date;
 - c) Every six months, DEQ's Records Management staff will review the inventory of scanned records, and dispose of any and all scanned records which have met their two year retention period, according to the [Expedited Process for Requests for Authority to Dispose of Records](#).

This disposition process does not apply to any records which have not been scanned, and/or which exist in paper format only.

C. Roles

1. The LDEQ Designated Records Custodian shall:
 - a) Be responsible for reviewing and updating the records retention schedules on a regular basis in accordance with [LAC 4:XVII.307](#) and [LAC 4:XVII.309](#).

- b) Facilitate the disposition of records and information in accordance with the Records Management Policy, the approved records retention schedules, LAC 4:XVII.521, and LAC 4:XVII.523.
 - c) In compliance with LAC 4:XVII.521, request permission from the State Archives for permission to dispose of records that have fulfilled the retention requirements.
2. LDEQ personnel shall be responsible for:
- a) Adhering to this policy, unless otherwise obligated by a Litigation Hold.
 - b) Contacting the Records Management Section if unsure about the records status of a document.

D. References

- 1. [LAC 4:XVII](#)
- 2. Nonrecords Guidelines
<http://intranet/records/user/editinfo/files/NonrecordsGuidelines.pdf>

VII. COMPLIANCE

A. Purpose

The purpose of this policy is to establish a compliance audit program that accurately assesses the level of compliance with state and federal laws; best practices; and policies and procedures established by the Records Management Section.

B. Policy Statements

1. All LDEQ employees, officials, and organizations shall manage their information in compliance with the state and federal laws; best practices; and policies and procedures established by the records management section.
2. Compliance shall be regularly assessed by the Records Management Section through the use of compliance objectives, which will be based on ISO-15489 standards. These objectives shall be measured through the completion of compliance audits.

C. Roles

1. The Designated Records Manager or designee shall:
 - a) Oversee the development of standard operating procedures, guidelines, and training which facilitate compliance with the RM policies.
 - b) Develop audit processes and performance metrics which can be used to measure compliance, or designate a member of the Records Management Section to do so.
 - c) Oversee any changes in the RM program that are a result of a compliance audit.
2. The Records Management Section shall regularly review RM policies and procedures; carry out compliance audits as directed by the delegated records manager; provide LDEQ employees with adequate training opportunities; and provide access to current policies and procedures for all LDEQ employees.
3. The Records Management Section with RM Coordinators shall be responsible for making sure that all employees in their divisions are aware of Records Management Policy and Procedures, and are compliant with those policies and procedures.
4. RM Coordinators should be aware of non-compliance within their divisions, and shall communicate areas of deficiency to the records management section.
5. LDEQ personnel:
 - a) shall participate cooperatively in compliance audits;
 - b) attend RM training opportunities; and
 - c) shall regularly review RM policies and procedures to maintain compliance with the most current versions.

VIII. RECORDS MANAGEMENT TRAINING POLICY

A. Purpose

The purpose of this policy is to establish the requirements for the maintenance of an effective Records Management training program.

B. Policy

It is the policy of the Records Management Section to provide LDEQ personnel with training that gives them the information needed to manage official records and non-records in compliance with state and federal laws; current best practices; and policies and procedures established by the Records Management Section.

C. Policy Statements

1. Training courses shall be designed and delivered in a manner which serves all LDEQ personnel, regardless of disability.
2. Training sessions shall be scheduled in a way that allows for the maximum attendance.
3. Training courses shall be created and revised as laws, procedures, technologies, and practices change.

D. Roles

1. The LDEQ Designated Records Custodian shall oversee the development and implementation of the training program.
2. The Records Management Section shall:
 - a) Develop training sessions that teach participants RM fundamentals; how to properly manage the information they create or receive; and any other topics as needed to address compliance or change management issues.
 - b) Develop new training sessions or revise existing training sessions, based on data collected from compliance audits, and non-compliance reports from records coordinators.
3. Records Coordinators:
 - a) shall be aware of compliance issues within their divisions, and shall communicate areas of deficiency to the records management section.
 - b) shall encourage members of their divisions to attend all training sessions to increase compliance within their division.
4. All new LDEQ employees shall receive basic Records Management training upon hire.
5. All LDEQ personnel shall participate in a Records Management training session at least once per year.

IX. POLICY RENEWAL STATEMENT

The delegated records manager, or designated member of the Records Management Section, shall periodically review this policy to ensure that it accurately reflects current best practices; state and federal laws; agency practices and procedures.