

# CHAPTER 1:

## Agency Overview

---

In July 2019, the Nebraska Department of Environmental Quality (NDEQ) and the Nebraska Energy Office merged into the Nebraska Department of Environment and Energy (NDEE). The agency was originally created with the passage of the Environmental Protection Act in 1971. At that time, the agency was called the Nebraska Department of Environmental Control, and later became NDEQ in 1992. Our vision is everyone living, working and enjoying a healthy Nebraska environment. Our stated mission is to protect and improve human health, the environment and energy resources.

This report focuses on activities occurring in state fiscal year 2020 (July 1, 2019, to June 30, 2020). During FY2020, NDEE was authorized for a staffing level of 227 full-time employees. Through a memorandum of agreement with the Nebraska Department of Health and Human Services (DHHS), 43 DHHS employees were placed with the agency to improve coordination between the Safe Drinking Water Act and Clean Water Act programs.

The NDEE has an FY2020 annual budget of approximately \$82 million. This includes money from federal grants, state taxes, and fees.

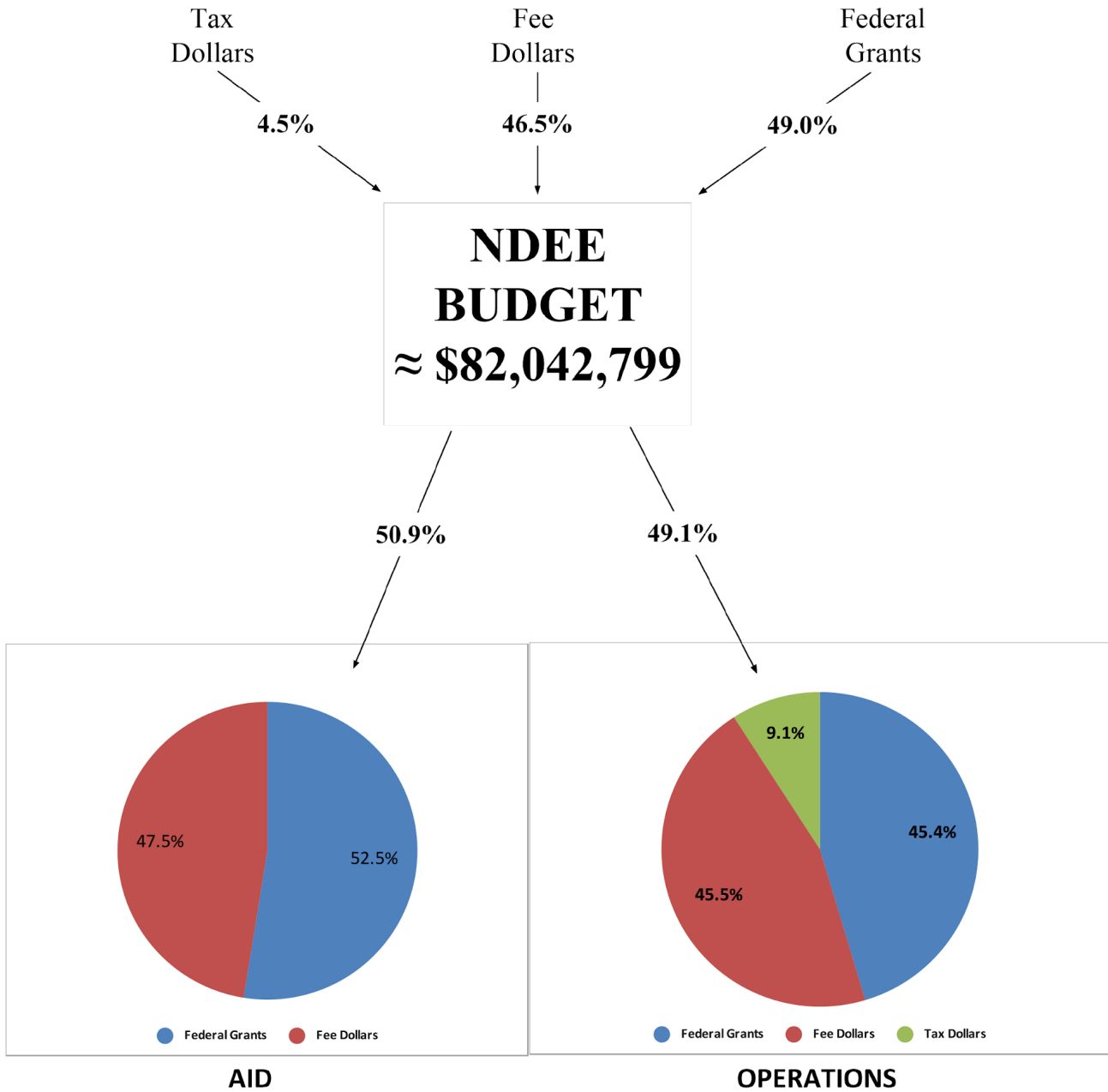
The table below shows a breakdown of NDEE funds. The columns listed as aid represent the agency's budget redistributed to other agencies, organizations, and individuals as grants and loans. The columns listed as operations represent amounts used for agency operation and contracts for such things as investigations and cleanups.

Funding Type	Operations: \$ Amount	Percent of Operations Budget	Aid: \$ Amount	Percent of Aid Budget
<b>Federal Funds</b> (Grants)	\$18.3 million	45.4%	\$21.9 million	52.5%
<b>State General Funds</b> (Tax \$)	\$3.7 million	9.1%	\$0 million	0.00%
<b>Cash Funds</b> (Fees)	\$18.3 million	45.5%	\$19.80 million	47.5%
<b>Total</b>	\$40.3 million		\$41.7 million	

The following graphic depicts NDEE's FY2020 budget by funding source and percent expended by fund type and activity (aid or operations).



**FY20 Budget**



FTE = 227

## Significant Topics in 2020

The following are some of the significant topics, challenges and accomplishments that NDEE addressed in 2020:

### Strategic planning

Agency leadership started strategic planning efforts in August 2019 to update NDEE's vision and mission statements and provide the agency a compass for the next one to five years. The idea germinated in 2015 after Director Jim Macy joined the agency as a more intentional way for NDEE to operate. This is the first time NDEE has used a formal strategic planning process.

Strategic planning affects both internal and external components of NDEE functions. Internally, it addresses areas in need of improvement and helps teammates work more efficiently. It also allows teammates and team leaders to focus on the future and process improvement in addition to day-to-day tasks. On an external level, it enables NDEE to take a more proactive approach to serving Nebraskans' needs by planning and allocating resources as needed.

The strategic planning team is comprised of 11 of the agency leadership positions and one coordinator. First, members learned how to strategically plan by working with a strategic planning consultant. The process involved conducting teambuilding and planning exercises, discussing the agency's role and values and assessing Nebraska's environment and energy resources. This allowed the team to develop vision and mission statements, core values and strategic focuses. See the next page for a complete list of these items.

Staff members participated in the process by submitting over 180 ideas for improvement, which the strategic planning team categorized into strategic or operational categories. Operational tasks are work that NDEE staff completes on a daily basis, while strategic tasks are what NDEE staff wants to do or is capable of doing. The strategic items were placed into one of seven focus areas and the team voted to prioritize the items as low, medium or high priority. Finally, the strategic items were assigned to one of eight task leaders within the agency. The team assigned 20 tasks as high priority and started working on the most important of these items.

The strategic plan document, made up of the list of tasks, is assessed and updated quarterly. The team follows a process of assessing and prioritizing new ideas alongside the current plan, with a goal for high-priority items to be addressed within a year. The team's intent is to align teammates' daily tasks and roles with the strategic plan.

At the beginning of strategic year 2021 on Oct. 1, 2020, the strategic planning team built a one-year plan based on strategic focuses and prioritized tasks. A chart showing the proposed, in progress and completed projects for 2021 strategic planning is below. In the future, the team plans to develop a five-year plan, further clarify the definition of a strategic task and consider feedback on a quarterly instead of yearly basis.

**Vision:** Everyone living, working, and enjoying a healthy Nebraska environment.

**Mission:** To protect and improve human health, the environment, and energy resources. We will accomplish this through assessing, assisting, inspecting, educating, enforcing, funding, monitoring, permitting, and restoring.



**Core Values**

- **Integrity:** Honest, accountable, consistent
- **Excellence:** Customer focused; commitment to quality
- **Teamwork:** Working together towards a common goal
- **Innovation:** Open to new ideas and continuous improvement
- **Communication:** Sharing information; respectful; active listening

**Strategic Focuses**

**Focus 1: Personnel**

Assess, develop, and implement personnel programs that support professional development, succession planning, training, and talent management.

**Focus 2: Equipment**

Identify new requirements and maintain current equipment to increase effectiveness, efficiencies, and utilization.

**Focus 3: Funding**

Identify and pursue the best funding options to ensure stability.

**Focus 4: Innovation**

Find creative and thoughtful approaches to fulfill our mission and support measurable improvements.

**Focus 5: New Requirements**

Develop and implement a consistent process to identify, assess, and prioritize new programs and requirements which supports our vision of a healthy environment.

**Focus 6: Change**

Improve individual and organizational resilience to change by developing enhanced methods of awareness, adaptiveness, and proactiveness.

**Focus 7: Communication**

Establish a comprehensive internal and external communication plan which is intentional and proactive.

## Operating in a Pandemic

Keeping teammates safe while continuing to serve the state have been priorities for NDEE throughout the COVID-19 pandemic. The World Health Organization declared Covid-19 a global health emergency on Jan. 30, 2020 and the first case was reported in Nebraska on March 6, 2020.

NDEE staff stayed flexible and receptive to ever-changing information through the pandemic. Management team members evaluated available health information and the work environment to minimize risk while keeping operations open. Social distancing, sanitizing and mask wearing measures were stressed to curtail transmission rates.

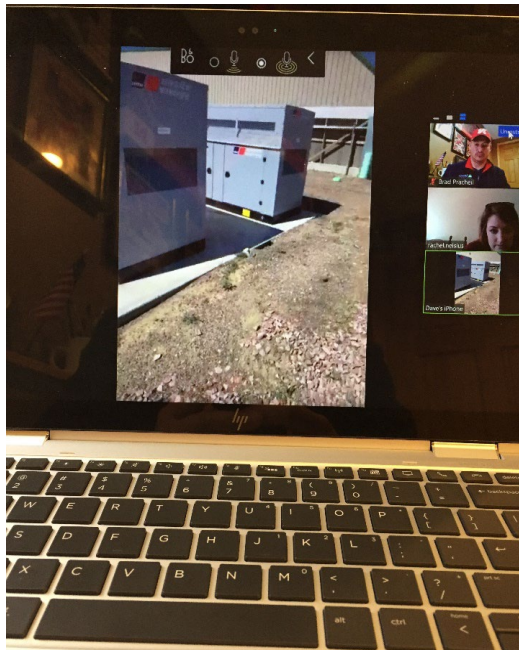
By mid-March, NDEE teammates began piloting a successful telework plan. The management team transitioned staff to a remote working environment as two groups alternated between working from home and in the office, with a third immunocompromised group working exclusively from home. From early April to mid-July most of the agency's staff of over 200 members worked from home, allowing a small contingent of teammates to provide essential support at the office in a socially distanced manner.

Since returning to the office in July, staff members continue to socially distance, use virtual meetings when possible and wear masks in shared areas. Field operations then resumed in August 2020.

In retrospect, teammates proved their resilient nature, and that teleworking during a pandemic can be successful and productive. Because of NDEE's proactive measures, there have been few COVID-19 exposures among teammates.

### *Virtual inspections*

NDEE programs had to think outside the box as the agency explored new ways to carry out its regulatory responsibilities during the pandemic. Working remotely encouraged teammates to try out virtual inspections as a new method to evaluate how permitted facilities are meeting their regulatory requirements. Programs in the Air Quality and Water Permits Divisions used this technique for a



This photo shows an Air Compliance Section virtual inspection, conducted through video conferencing.

number of their inspections. Electronic technologies like video conferencing with mobile devices virtually put inspectors inside a permitted facility.

For the Air Compliance Section, inspectors make the virtual experience as similar as possible to an in-person meeting, with the same procedures. The inspection includes a records review, permit and federal rules review, facility tour and exit meeting. For the tour, NDEE staff requests to see some or all of the facility's permitted emission points through a mobile phone or tablet.

Nebraska Department of Health and Human Services sanitarians, co-located in the Water Permits Division of NDEE, also used virtual inspections for certain child care facility sanitation inspections. Inspectors were able to conduct their reviews without unnecessarily exposing the children, facility workers or themselves to the virus. Sanitarians inspecting recreation camps used a combination of virtual and in-person inspection methods.

Although the lifting of some lockdown restrictions in August has made in-person inspections possible again, NDEE staff members are optimistic that this virtual

counterpart can enhance their productivity. It is a new tool that will be especially helpful for facilities that are generally in compliance with regulations and/or in distant locations across the state.

**Onsite certification exams**

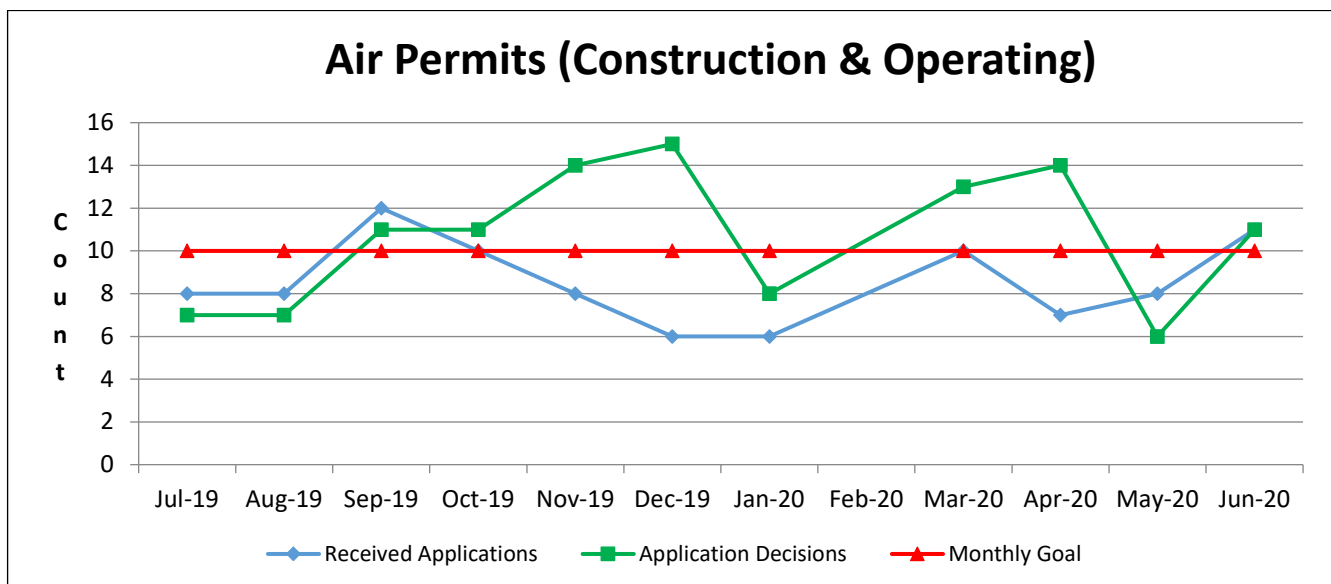
In early June 2020, the Onsite Wastewater/Operator Certification Section postponed in-person Onsite certification exams and provided web-based testing. On Aug. 28, 2020 potential wastewater operators could take the Wastewater Operator Certification Exam at PSI testing centers across the state.

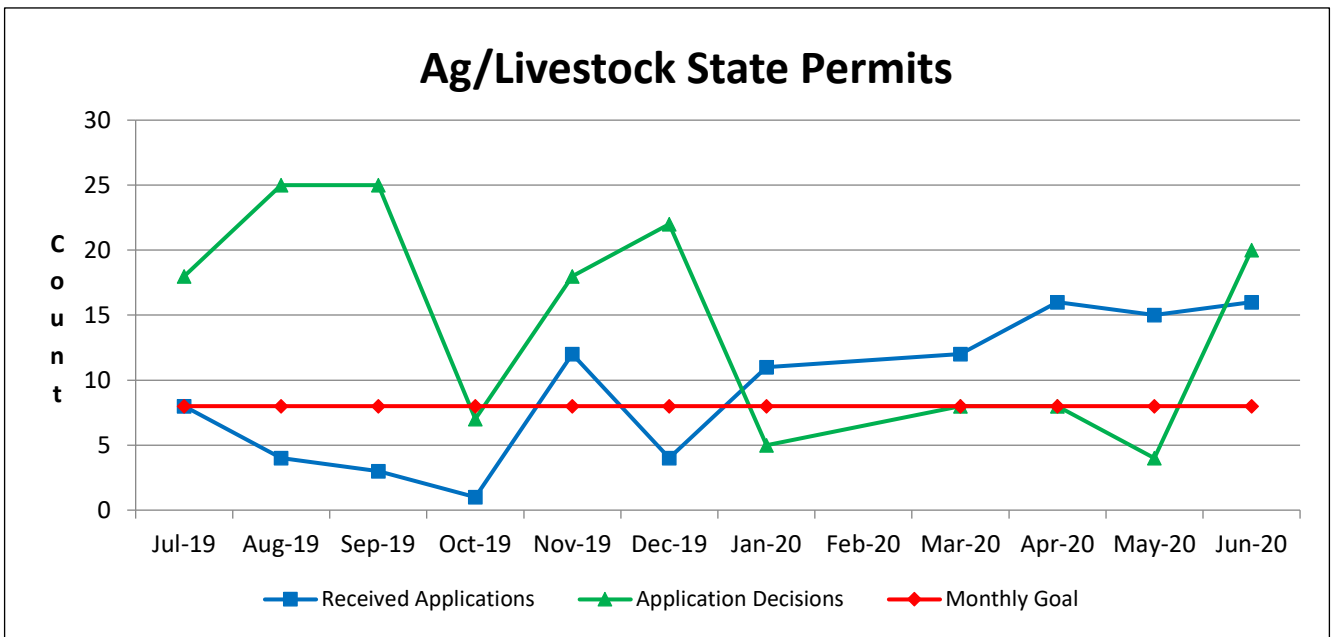
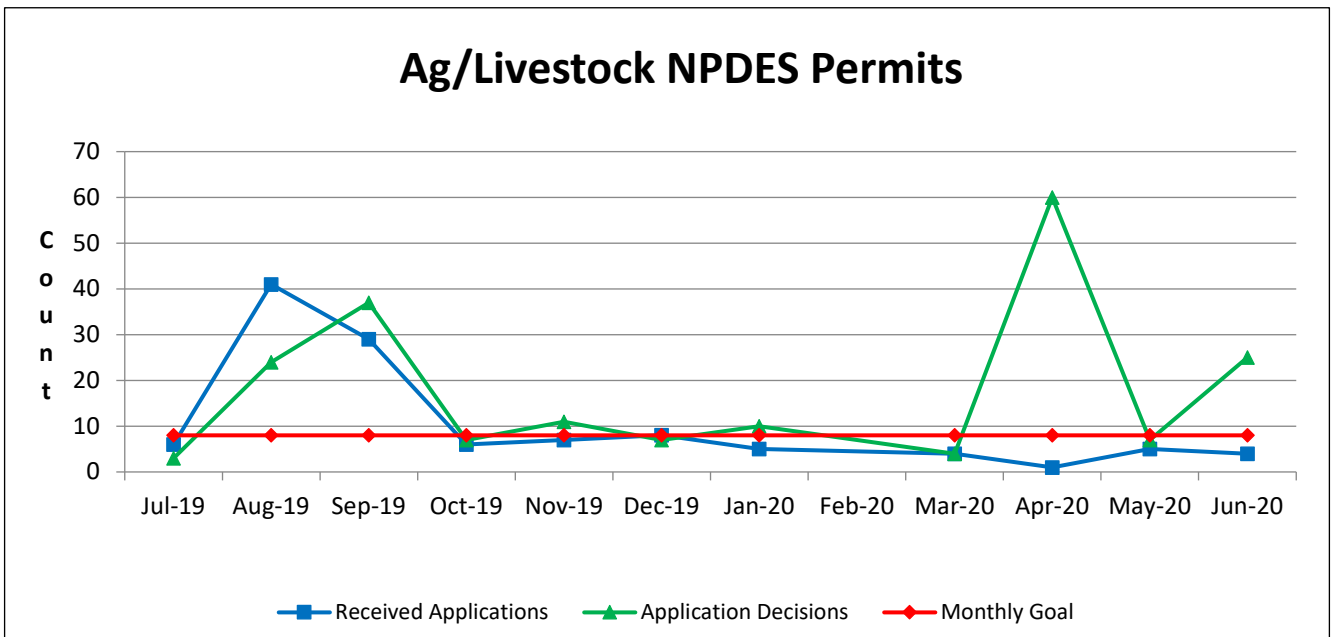
**Communications**

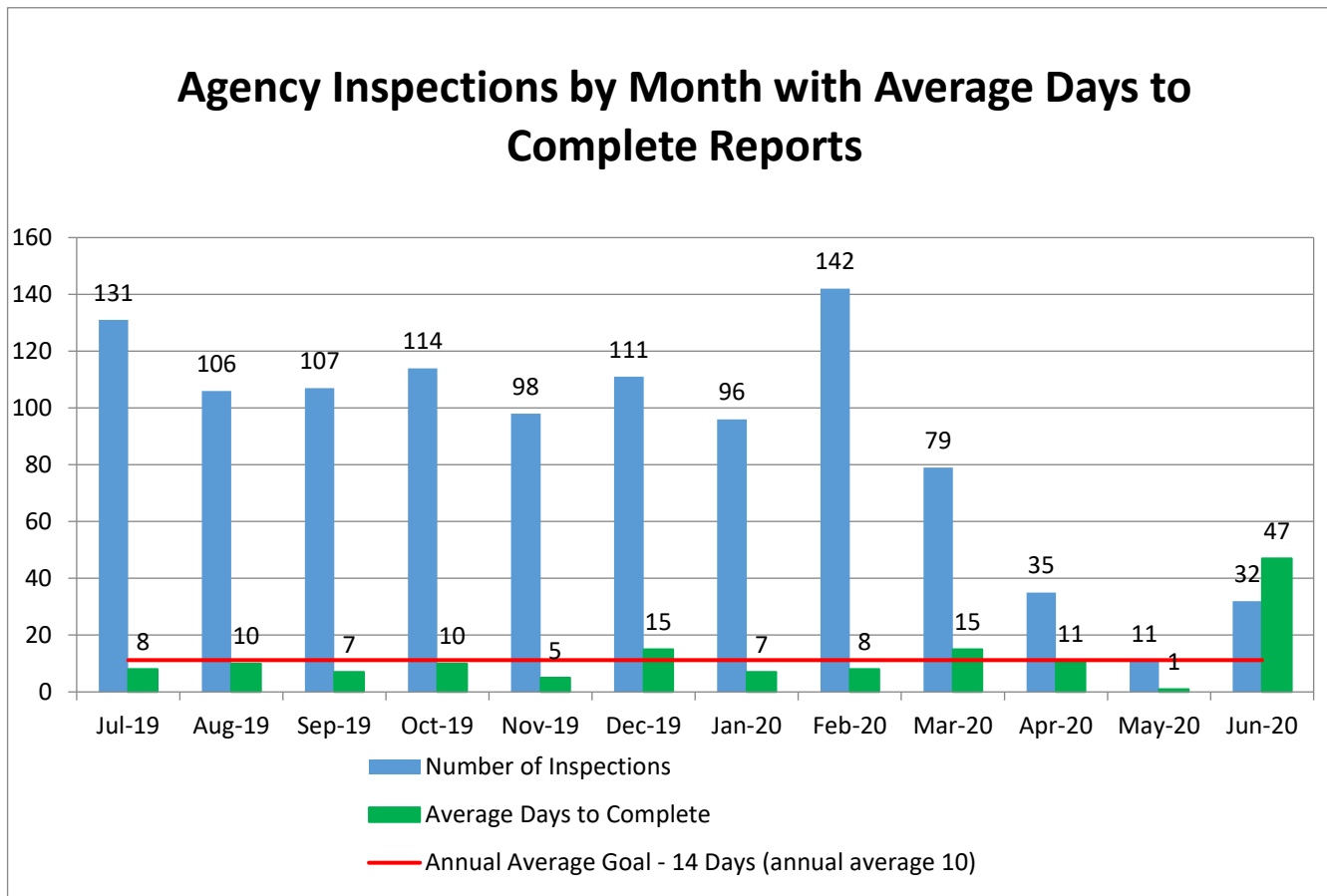
NDEE coordinated with groups such as the Joint Information Center and the State Emergency Operations Center to regularly share information. NDEE published agency updates on <http://deq.ne.gov/NDEQProg.nsf/onWeb/COVID> and social media channels. These measures ensured the public would stay informed even through rapidly changing news. The COVID-19 webpage provides a hub for NDEE-related information.

**Agency Annual Statistics**

The following charts show statistics from state fiscal year 2020 (July 1, 2019 to June 30, 2020) related to Air Construction and Operating Permits, Ag/Livestock State Permits and Agency Inspections. The charts represent a monthly snapshot of agency permitting and inspection activities. The permit charts are dependent upon applications received and seasonal fluctuations in facility operations. Inspections were lower in the spring of 2020 due to restrictions the agency placed on the compliance/inspection staff based on CDC and local health measures for the protection of our staff and facility operations. Throughout the year, the agency is generally meeting the goals for these areas. This information is updated monthly and can be found on the agency website <http://dee.ne.gov> by selecting the [Monthly Metrics](#) link.







## 2020 Legislative Summary

The Nebraska Legislature enacted two legislative bills in 2020 that had direct impact on NDEE:

**LB 858** – This enacted legislation was originally introduced to modernize the Municipal Cooperative Financing Act; it later it became a vehicle for four additional bills, two of which address NDEE Program statutes. As enacted, LB 858 includes the provisions of LB 367 which extends the sunset date for the Nebraska Litter Reduction and Recycling Act from October 30, 2020 to September 30, 2025 and removes the Legislature’s ability to transfer money out of the Nebraska Litter Reduction and Recycling Fund. The bill also includes provisions of LB 856 which extends the sunset date for the Nebraska Petroleum Release Remedial Action Cash Fund four years from June 30, 2020 to June 30, 2024.

**LB 632** – The original contents of LB 632 bill were replaced with provisions of four bills. One of the bills, LB 861, amended the Integrated Solid Waste Management Act to impose uniform state container requirements and encourage secondary use processes by such means as pyrolysis and biomass. LB 861 adds a new definition for “container” to the Act and prohibits cities, counties, or agencies from administering any ordinance or resolution that sets other standards, fees, prohibitions or requirements for the sale, use, or marketing of containers other than those found in the Act. The bill does not apply to county, municipality or agency recycling or solid waste collection programs.