

CHAPTER 2:

Administration/Legal/ Management Services

The Administrators, Legal and Management Services provide administrative, legal and day-to-day support services to the effective operations of the Department.

I. Administrators

The Administrators of NDEQ provide oversight and policy direction in all areas of NDEQ's activities. The Administrators include the Director, Deputy Directors, Legal Counsel, Associate Program Director and Division Administrators. The Director and Deputy Directors are responsible for the overall function and coordination of NDEQ activities.

NDEQ Administrators are responsible for coordination with other local, state and federal agencies. Staff serve on various committees within the state. The Administrators are also responsible for coordination and negotiations with the U.S. Environmental Protection Agency. A significant amount of the agency's funding derives from the EPA, and substantial coordination is required. In addition, the agency coordinates certain activities with the U.S. Department of Defense and the U.S. Army Corps of Engineers.

The Director coordinates agency activities with the Governor's Office and the Nebraska Legislature. The Director is responsible for ensuring that NDEQ effectively responds to state legislative activities and actions.

The Deputy Director of Administration serves as the manager of the Management Services Division and is largely responsible for day-to-day administrative activities and Agency operations. The Deputy Director is also given responsibility on a case-by-case basis for coordinating special activities which cross the divisional lines of responsibility.

The Deputy Directors of the Air and Land Division and the Water Divisions coordinate the various agency programmatic activities.

II. Legal Division

The Legal Division provides legal and other assistance to the Director, Agency, and Environmental Quality Council. Legal Division responsibilities include:

- Preparing administrative orders and other enforcement actions for the Agency;
- Representing the Agency in administrative proceedings;
- Preparing judicial referrals to the Attorney General;
- Serving as hearing officers for public and administrative contested case hearings;
- Drafting and reviewing proposed legislation, rules and regulations;
- Coordinating agency legislative activities, governmental liaison and outreach;
- Preparing legal opinions interpreting federal and state laws and regulations;
- Coordinating rule and regulation review and development;
- Advising the Director and Agency staff on duties and program responsibilities;
- Drafting and reviewing contracts, leases, and other legal documents,
- Reviewing other Agency documents, and
- Representing the Director and Agency as requested by the Director.

The Legal Division works cooperatively with the Attorney General, Secretary of State, Legislature, and Governor's Policy Research Office on a variety of interagency functions, including adoption of rules and regulations, litigation involving the Agency, and legislative activities.

III. Management Services

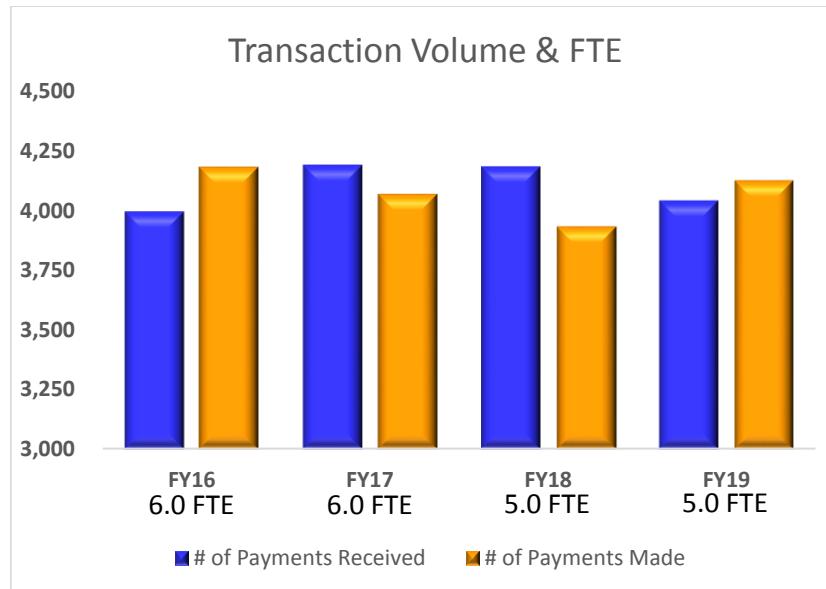
The Management Services Division provides administrative and technical support to NDEQ programs. The Deputy Director of Administration heads the division. The division's staff is divided into six areas — Fiscal Services, Human Resources, Records Management, Information Technology, Public Information, Emergency Response and Grants/Contract Coordination.

Fiscal Services

The Fiscal Services Section is responsible for agency finance and accounting functions, which includes managing NDEQ purchasing, spending, receipting, budgeting, forecasting, and auditing responsibilities. The section has five staff who offer financial advice and assistance to programs and also conduct financial reviews of grantees. The Section also provides significant staff assistance to support key programs and to serve as advisors in regards to financial planning, in addition to the collection, tracking and reporting applicable fees.

Major accomplishments during fiscal year 2019:

- Assisted in implementation of an electronic payment system working with the Electronic Content Management (ECM) platform with the ability to route, approve, and code invoices within the same ECM system and electronically store financial records. This saved the agency thousands of dollars in hard and soft savings by cutting down on paper, toner, printer, and rent as well as allowing the agency to process payments faster.
- Revamped the agency's time keeping system to place an emphasis on work activities. This emphasis will allow the agency to implement driver based budgeting in the future and focus on the cost of agency services.
- Creation of an inspection cost model for use with driver based budgeting and benchmarking.
- Enhanced the agency's expense reimbursement process to a paperless process.



Human Resources

The Human Resources Section, consisting of three staff members, administers the day-to day operations of Human Resources. The Human Resource team supports agency efforts to provide a working environment that strengthens individual and organizational performance.

Staff retention continues to be an important goal for NDEQ. Staff turnover impacts continuity in NDEQ's programs and activities, and results in additional costs for recruitment and training of replacement staff members. NDEQ strives to foster and maintain an employee-friendly workplace by offering transfer and promotional opportunities for qualified internal applicants.

NDEQ monitors diversity to encourage the receipt of applications from qualified members of protected groups by seeking to recruit members of protected groups.

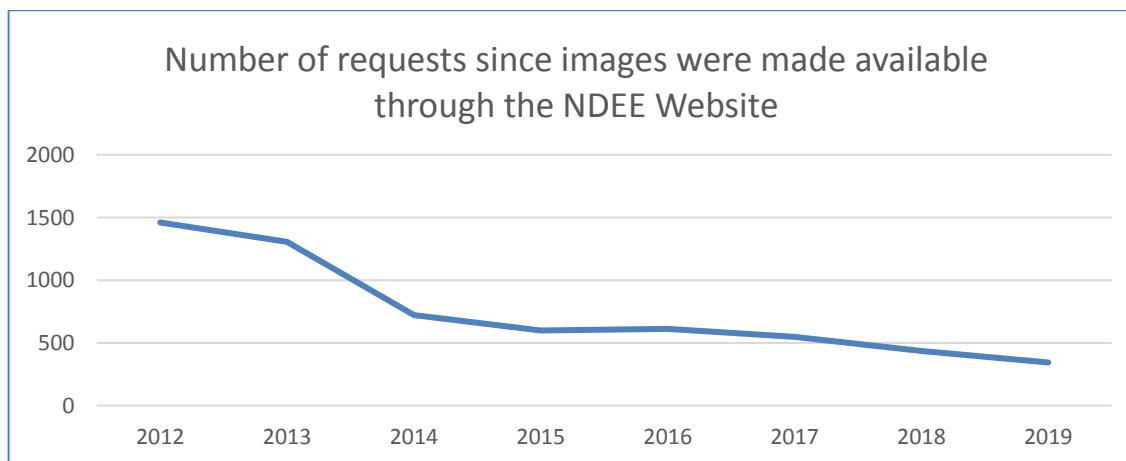
The chart below shows staffing activity for the last fiscal year:

New Hires	28
Retirements	11
Terminations	20
Transfers	3
Promotions	13

Records Management

The Records Management Section is responsible for managing the agency's paper and electronic records, centralized mail handling process, requests for public information and other support functions. In FY2019:

- Over 123,000 records were stored in the Enterprise Content Management System (ECM) utilizing OnBase software applications from Hyland Software.
- Almost 46,000 documents previously stored in paper were scanned into the imaging system and made available to the public through the agency web page.
- Staff in the Records Section responded to 733 requests for information. The number of information requests go down annually, as more information is made available online.



The Records Management Section also coordinates building and implementation of solutions in the ECM. Solutions are developed with the intention of increasing accuracy of information provided by the applicant thus reducing staff review time. In FY2019, an online application was created for applicants to complete and submit burn permit applications online. Another online application was created for installers of onsite septic systems to register systems and pay associated fees.

Information Technology

The Information Technology (IT) Section responsibilities have changed in the past year. The Nebraska Office of the Chief Information Officer (OCIO) has taken over the PC hardware and software support. OCIO will be handling the process of ordering and installing all new PCs and will surplus all old equipment.

The IT Section will continue to assist NDEE users with any problems or concerns that are not PC hardware related. We still maintain the midrange IBM Power I (AS/400) computer hardware.

Five professional staff design, develop, support and provide training for computer programs in supporting the Agency's information management needs and the administration of the Agency's computerized databases. One professional staff person is responsible for managing all of the Information Technology staff, maintaining and updating the agency technology plan and coordinating Information Technology Section activities.

The application development staff, in cooperation with the Water Quality Division/Surface Water Monitoring Section staff, have been designing and developing a comprehensive Surface water program where staff will be able to generate forms for data gathering, and input that data directly into the IIS system. They will be able to access that data and use it to generate reports and export some results directly to the public web page more quickly and with greater accuracy. The application is in full operation and the agency is realizing efficiencies in the program operation. The collected information will be shared with EPA through the Exchange Network process utilizing the Water Quality Exchange process.

Public Information Office

The Public Information Office serves as NDEQ's initial source of communication with the public and media. The services of the Public Information Office are used by all divisions of NDEQ.

A primary responsibility of this office is to handle questions from the public and media (newspaper, television, radio and web) regarding NDEQ's activities.

The Public Information Office is responsible for the writing and distribution of news releases on a wide range of environmental topics that are of importance to the public. The office is also involved in the production of a number of other publications, including this annual report, brochures, fact sheets and guidance documents.

These publications can be obtained by contacting the Public Information Office or by visiting NDEQ's website, <http://dee.ne.gov>.

An important component of the website is to promote two-way communication. As part of those efforts, the agency's main e-mail address is provided at numerous locations on our website. That e-mail address is: NDEE.moreinfo@nebraska.gov. The Public Information Office coordinates responses

to those e-mails. The site also features “Report a Problem,” with a link to the e-mail address to report an environmental issue of concern at NDEQ.problem@nebraska.gov. The site also includes phone information and procedures relating to reporting a spill or complaint.

The agency is moving toward more standardized forms, including some that can be filled online or submitted electronically.

Emergency Response Program

Through the Emergency Response Program, NDEQ staff provide technical and regulatory assistance to those responsible for spills, leaks, and accidents that pose a hazard to the environment or public health. Assistance is also provided to those at the local level who are the first on the scene at these releases; typically this is the local fire department.

The Emergency Response Program Coordinator is responsible for training, equipping and coordinating staff who, in addition to their responsibilities to other programs, provide initial documentation, assistance and response to spills. These individuals have the responsibility to maintain an emergency response system that is on call 24 hours a day.

The Emergency Response Program assists in arranging for the disposal of harmful and potentially hazardous materials. The Program represents the environmental interests of the state at the scene of a petroleum/chemical spill or other environmental emergency. All personnel are members of the Nebraska Hazardous Incident Team (NHIT) and coordinate closely with the local, state and federal agencies involved in emergency response incidents.

The NDEQ recorded 359 reports of spills in FY 2018 (Jul 2018 – Jun 2019). Two hundred fifteen (215) of the spills involved petroleum. An additional 459 complaints were recorded. This is similar to previous year’s results.

In June, the program submitted a proposal for the refurbishment of some equipment and the replacement of equipment that is outdated and no longer serviceable. Repairs and replacement will be ongoing as funding is available.

Quality Assurance

The EPA has requirements for conducting quality management activities for all environmental data collected by the NDEQ, to ensure that the Department’s decisions are supported by data of known and documented quality. In turn, the Department is responsible for reviewing the procedures a project will use to ensure that the samples participants collect and analyze, the data they store and manage, and the reports they write are of high quality. Quality Assurance Project Plans (QAPPs) are written documents that outlines these procedures. Assistance Division staff help coordinate the review of QAPPs by appropriate personnel throughout the Department.

Grants/Contract Coordination

The Grant Coordinator is responsible for:

- Completing federal grant applications.
- Ensuring compliance with grant conditions and requirements, particularly reporting requirements.
- Maintaining and coordinating all official record of correspondence with the Environmental Protection Agency (EPA), Region 7 grants office.

- Tracking of grant applications through the award process, and follow-up of reporting and conditions.
- Ensuring NDEQ programs meet reporting deadlines, consolidates reports and verifies they are sent to and received by EPA.
- Ensuring all required sub-awards are reported to the Federal Funding Accountability and Transparency Act Sub-award Reporting System.
- Corresponding with EPA Headquarters to ensure NDEQ stays in compliance with Federal grant guidance and new requirements.
- Providing assistance with Requests for Proposals, contract development.
- Working with the Fiscal Services Section to ensure communication regarding grants, contracts and programs.
- Working with Records Management Section to verify all agreements and contracts are in the Enterprise Content Management system (documents imaged).

Funding of Management Services

The Management Services Division provides essential administrative and technical support to the Department. Some activities in Management Services are program specific, but many are not. Funding for the Division is provided by two methods: 1) the majority of the staff salaries and activities are funded through an overhead charge to the Department's various programs; 2) Program-specific staff time and activities are charged to those programs and the grants associated with them.