

Kentucky Division of Environmental Program Support

Annual Report

Fiscal Year 2017

(July 2016 to June 2017)



September 2017

**Energy and Environment Cabinet
Department for Environmental Protection**

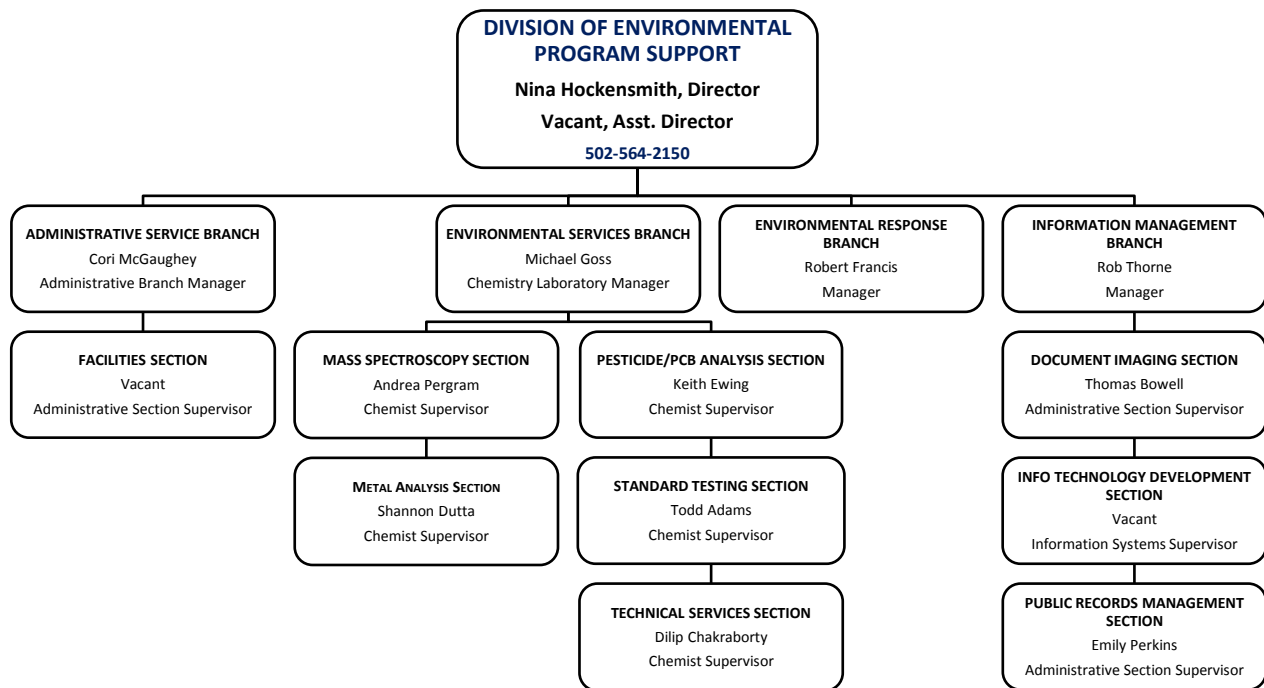
**502-564-2150 and 502-564-6120 (Lab)
dep.ky.gov/deps**



DIVISION OF ENVIRONMENTAL PROGRAM SUPPORT

Introduction

The Division of Environmental Program Support (DEPS) was organized in 2009 (Executive Order 2009-538). The department consolidated internal support functions for the department into the new division to create necessary efficiencies and redundancies. These functions included departmental administrative services, environmental laboratory services and environmental response team (ERT) coordination. In fiscal years 2015 and 2016, these functions expanded to include information/public records management, application development human resources management and departmental budgeting.



Division Structure

The Division of Environmental Program Support is composed of four branches – Administrative Support Branch (ASB), Environmental Response Branch (ESB), Information Management Branch (IMB) and Environmental Services Branch (ESB). The Environmental Services Branch is located at 100 Sower Boulevard in Frankfort in the Central Laboratory Complex. The other three branches are located at 300 Sower Boulevard in Frankfort.

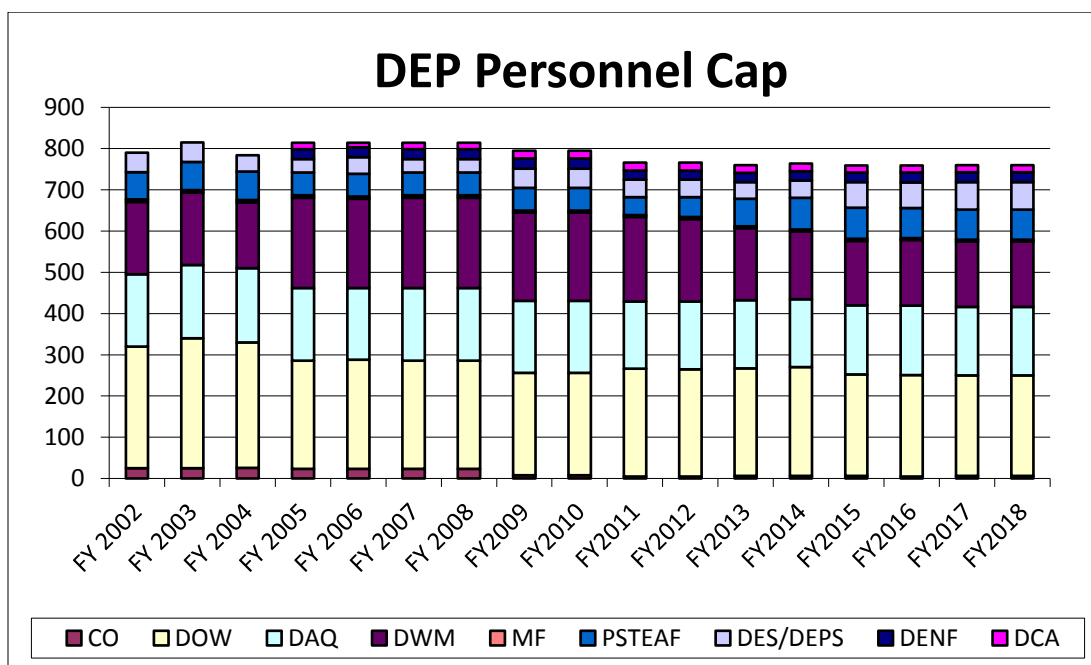
Administrative Support Branch – Activities and Accomplishments

The Administrative Support Branch is responsible for human resource management, budget execution, financial reporting, inventory coordination, facilities management, motor pool, mail processing and coordination of grant activities, statutory and regulatory reporting functions.

Human Resource Management

Filled Positions

The current number of filled positions within DEP as of the beginning of July 2017 was 712. The FY2017 budgeted personnel cap was 760 positions, although the department averaged 705 filled positions. Historically, DEP’s highest number of filled positions was in FY2008 with approximately 780 positions filled and a budgeted personnel cap of 815. Throughout the fiscal year, Human Resources (HR) staff worked extremely hard with division managers and supervisors to process actions that allowed DEP to fill critical positions. The department has faced some challenges in maintaining filled positions due to the continued turnover rates related to retirements, transfers and resignations.



Employee Awards

Due to budget constraints, ACE and ERA Awards continue to be suspended within EEC. On January 30, 2017, the Department held an Employee Awards Program to recognize outstanding employees and employee units (branch, section or program) for Calendar Year 2016.

Energy and Environment Cabinet Scholarships

The scholarship program began in 1991 and scholarships are available to college juniors, seniors and graduate students in selected academic disciplines, such as engineering, geology and chemistry. The program is coordinated by the Kentucky Water Resources Research Institute and the scholarship student must agree to work full-time for DEP within 6 months after graduation. To date, DEP has awarded scholarships to 68 students. DEP was unable to find suitable candidates in 2016, but has continued to work with KWRRRI on recruiting ideas and updates.

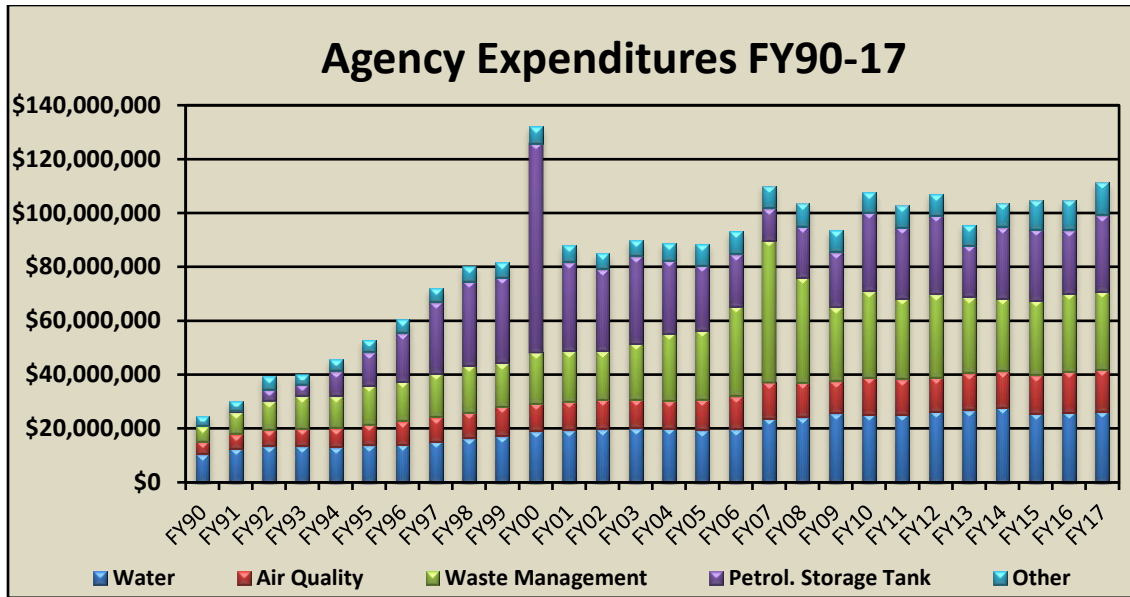
Recruitment/Career Fairs

DEPS is responsible for coordinating attendance for career fair participation. DEPS participated in recruitment activities at the engineering career fair at the University of Kentucky in the fall of 2016 and is scheduled again in 2017. The 2016 event offered representation to hundreds of students and future career fairs will provide an opportunity for the department to attract potential scholarship students, as well as future employees.

Financial Management

FY17 Budgets

During fiscal year 2017, all divisions within the Department for Environmental Protection compiled FY2017 operating budgets. The FY17 budgets were monitored throughout the fiscal year and adjustments were made to maximize the use of funds. Some examples include, reallocating rents costs by updating cost allocation data, cash was transferred to capital projects, and equipment was purchased where adequate cash and allotment were available. During FY17, DEPS briefed each division director, as well as the program planning managers within each division using director's packets. The director's packets of budget information are presented each month and used as a means to inform management of programmatic policy decisions available to them through various options and funding sources. The reports provided to each director have been adapted based on the specific needs of each division. Overall, the process is growing each month with very positive feedback from the divisions.



Below are the actual expenditures for DEP in FY17 by division or program area.

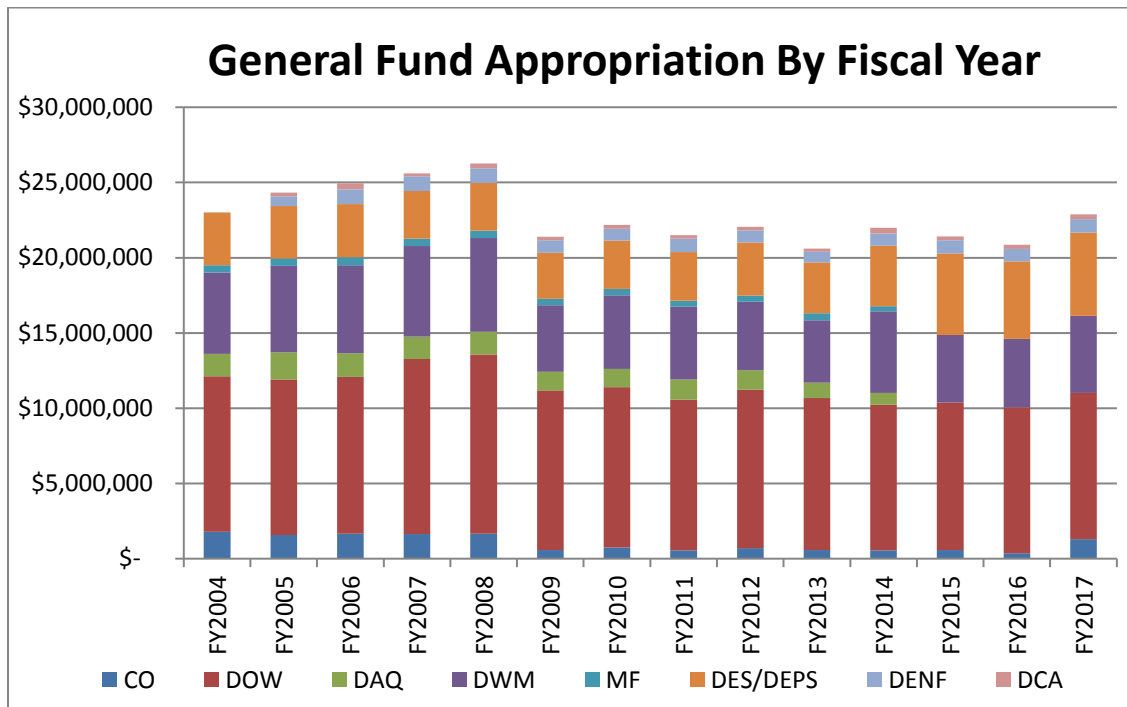
	FY17
Commissioner's Office	\$1,557,031
Water	\$26,433,497
Air Quality	\$15,524,005
Waste Management	\$29,006,700
Env Program Support/Env Services	\$6,949,455
Maxey Flats	\$327,039
PSTEAF	\$28,277,339
Enforcement	\$1,914,348
Compliance Assistance	\$1,481,062
Total Expenditures	\$111,470,475

Toward the end of FY17, budget contacts worked with their respective divisions to start the process of compiling and submitting the FY18 operating budget. These budgets remained consistent with FY17 expenditures with exception of approximately 1% health insurance increase and an 88% retirement contribution increase. Other major increases included in the FY17 operating budgets were higher rent for the new 300 Sower building and claims expenditures out of DWM/PSTEAF.

FY17 Budget and Managing Budget Reductions

General Funds:

Since January 2008, state agencies have implemented nine rounds of general fund budget cuts, resulting in budget reductions ranging from 20% to 25%. In FY17, DEP's general fund budget was \$22,877,100.



In an effort to offset a portion of the general fund reductions, DEP has been working for the past few years to increase authorization fees for a number of agency programs that historically either had no fee or had not been revised in many years (in some cases greater than 20 years). The agency has been successful in most of these efforts including increasing KPDES and solid waste permit fees.

Other budget reductions:

The enacted 2015-2016 budget included a restricted fund transfer from Petroleum Storage Environmental Assurance Fund to the general fund for \$8,900,000. Historically, the enacted budget includes transfers to the general fund from PSTEAF. The commonwealth experienced a revenue shortfall in FY17, which resulted in the need of fund transfers at the end of the fiscal year. An additional \$15,499,500 was taken from PSTEAF and \$2,000,000 was taken from KY Pride Trust Fund to cover the state's revenue shortfall.

Buildings and Facilities Management

In fiscal year 2013-2014 DEP added 4 Chevy Volt electric vehicles and their associated charging components to the departmental motor pool. In the last two years, the department has logged over 166,000 miles on electric vehicles. We continue to downsize the fleet where applicable and to monitor vehicle size and usage for efficiency. The cabinet will be installing 2 electric vehicle-charging stations at the new building on Sower Boulevard. In 2013, the department received the “*Greenest State Fleet Award*” from the Kentucky Clean Fuels Coalition (KCFC). The award recognizes the extraordinary efforts of the Department to reduce its fuel consumption and improve air quality. DEP was recognized by the Kentucky Clean Fuels Coalition for *Leadership in the “Green Fleets Initiative”* program again in 2016. The department has been recognized consistently since 2011.

In order to increase the public’s awareness of the Department’s Green Fleets Initiative, the agency increased the use of the Department’s blog, the Cabinet’s *Land, Air, and Water publication*, and on the Department’s webpage. The Department continues to work with the Finance and Administration Cabinet on statewide fleet improvement efforts, education and outreach. Both organizations will continue coordinating their efforts to increase efficiency.

The Division of Environmental Program (DEPS) used to provide daily maintenance operations at our previous Buffalo Trace location; however, since DEP has move to Sower Boulevard those duties are carried out by Finance Facilities. DEPS has still assisted with recycling efforts at the new building as well as cleaning refrigerators on all EEC floors of the new office building. The Facilities Section also coordinates and submits the Annual Fixed Assets Inventory Audit for the department.

Safety

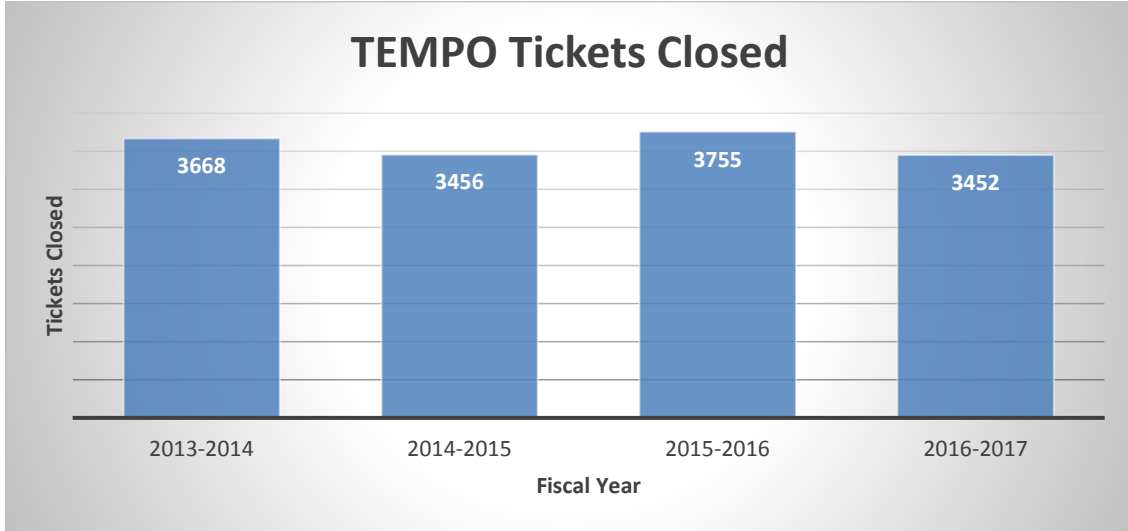
In 2016, DEPS dedicated a position to administering the Department’s CPR Program. The department has implemented an internal CPR program to help lower the cost of having an outside vendor train staff. The coordinator of this program has worked to revamp the CPR class and ensure required staff complies with OSHA CPR certification mandates. During FY17, CPR certified 286 department staff and 316 Cabinet staff. During FY17, DEPS assisted the Cabinet Secretary in implementing the Cabinet AED (Automated External Defibrillator) policy and ensuring every physical office location in the Cabinet is equipped and trained with an AED. There were 48 AED placed within the cabinet and 34 locations trained on the device.

Information Management Branch-Activities and Accomplishments

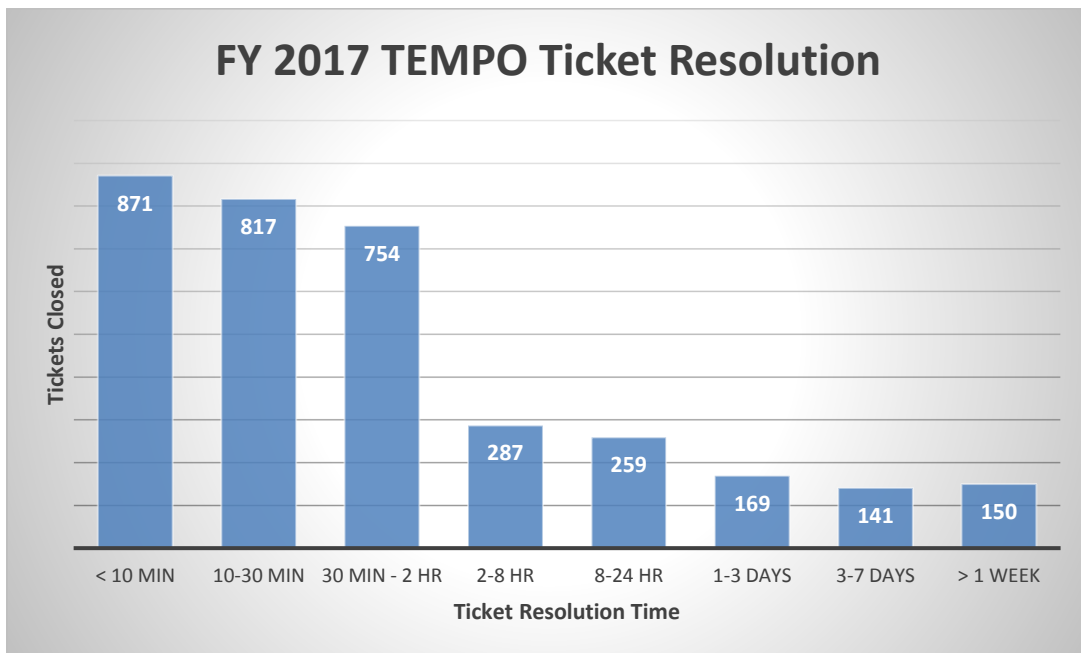
The Information Management Branch (IMB) within the Division of Environmental Program Support consolidates all information technology and dissemination services into one centralized unit. The branch is divided into three sections and houses staff responsible for (1.) application development and support, (2.) scanning and conversion of paper-to-digital files, and (3.) responding to open records requests under the Kentucky Open Records Act.

TEMPO Support

IMB staff responded to over 3,400 helpdesk calls in FY17. This is comparable to the number of TEMPO calls handled over the last several years.



Eighty-six percent (86%) of TEMPO helpdesk request tickets were closed in less than 24 hours. The median response time for a TEMPO-related helpdesk ticket is 31 minutes.



CROMERR

DEP's formal Cross-Media Electronic Reporting Regulation (CROMERR) application was enhanced and re-written to produce a foundation software for incorporation into newly identified projects: ePortal, eForms, a Document-In service and a Document-Out service (as part of a larger effort to support open records requests). The ePortal and eForms projects, in accordance with Federal EPA guidelines, are required to be CROMERR compliant. During FY17, IMB-ITDS completed integration with the Kentucky Business OneStop, which is utilized by multiple agencies across the Commonwealth.

The IT staff decided to adopt an Alabama-based CROMERR solution to help facilitate the implementation of the Kentucky CROMERR solution. By adopting this solution, we are able to reduce the level of effort required for production implementation.

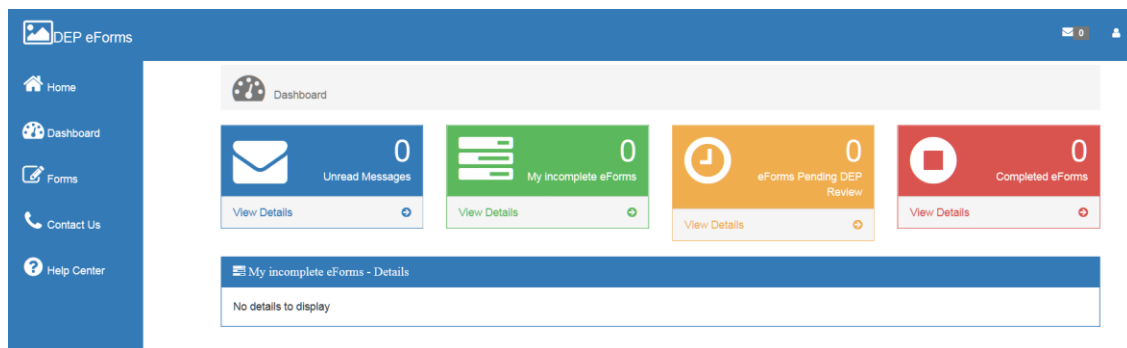
Identity Management

IMB staff worked with COT OneStop Services Branch to implement the Commonwealth of Kentucky Security Information Management System (SIMS) for DEP eForm users. This allows users to manage their eForms under a single password-protected user profile. In the future, identity management services will be expanded to other DEP services such as ePortal. This implementation improves security and readies us for full implementation of CROMERR in the near future as required by EPA.

eForms

In order to facilitate the electronic submittal of documents and information to the Department, DEP has 28 active eForms. These eForms allow for direct submission of data and documents to TEMPO with intervention from staff only necessary where requested. 14,957 submissions were processed through eForms in FY17.

Enhancements and/or changes were made to five (5) eForms. No new eForms were added in FY17. Instead, IMB-ITDS focused on integrating into Kentucky Business OneStop (for identity management) and building a new front end for eForms in order to better address the needs of the public and to prepare for CROMERR. The new front end includes a Home Page, Dashboard, Messages, Help Center with Training Videos & FAQ, Contact Us page and Form Details.



Work has begun on a comparison feature and on CROMERR integration. Both are expected to be completed in FY18.

Docketing System for OAH

IMB staff designed and is developing a new docketing system for Office of Administrative Hearings (OAH) to replace their existing obsolete system (HERON). This new application includes functionality for case creation, case management, docketing, invoice generation, payment processing and letter generation. Implementation of the main application is scheduled for the fall of 2017. Additional functionality and additional utilities are being requested that will be developed in FY2018.

DEPORR

DEP Open Records Request Application allows open records staff to query and extract documents from TEMPO, SharePoint and Infolmage without having to export each document individually. The legacy version of DEPORR is nearly 14 years old and has many issues that make it nearly unusable. IMB-ITDS staff is creating a new DEPORR application that is integrated with the TEMPO ReportsTool. It allows for better searching capabilities and it collects and organizes the extracted documents by agency interest IDs, Activity IDs and by viewing attributes.

The screenshot displays the DEPORR application interface. On the left, there is a sidebar with a search bar and a list of reports, including 'DEPORR' and 'DepOrR Export Document Requests'. The main area is titled 'Enter report layout name :'. Below this, there are sections for 'Report inputs :', 'Report Parameters', 'Operators', 'Clauses', and 'Report conditions'. The 'Report Parameters' section includes a table with columns for Name, Activity Id, and Description. The 'Operators' section shows a dropdown menu with options like '=> (Equal)', '<=> (Not Equal)', '> (Greater Than)', and '>= (Greater Than)'. The 'Clauses' section includes a table with columns for Clause, Field, and Order. The 'Report conditions' section shows the layout name 'DepOrR Export Document Requests'.

KWADE

Kentucky Water Assessment Data for Environmental Monitoring (K-WADE) is a system that is used to manage the Division of Water (DOW) monitoring data for lakes, rivers, streams, springs and wells. This data is used to assess the quality of the Commonwealth's water. The system has a web-based front-end with an Oracle database back-end. IMB-ITDS continues to provide technical support as the K-WADE system is replacing the Ecological Data Application System (EDAS). At the end of FY2017, two new K-WADE grant-funded projects were planned, and a vendor was procured to implement both of these the projects.

KATTS

Kentucky Assessment and TMDL (Total Maximum Daily Load) Tracking System (KATTS) is a new system that is being developed by IMB-ITDS in conjunction with our vendor, Gold Systems. KATTS will be used to manage all of Kentucky's water quality assessments as well as serve as the data system to store and track all the TMDL program information. KATTS will work directly with the DOW's K-WADE system, which is the repository for the raw data used for the assessments tracked in KATTS. Like K-WADE, this new system will have a web-based front-end with an Oracle Database back-end. KATTS is being designed and built using an iterative design methodology. This methodology allows the development team to create and the users to test small portions of the system every two to three weeks. The project team has found this methodology to be very helpful

in creating an effective tool for the DOW Water Quality Branch. Development began with a scope of work session with Gold Systems in November of 2016. By the end of FY2017, two of six major modules planned for KATTS were developed and had undergone initial testing. A test version of the application is currently being hosted by Gold Systems at <https://kyat.goldsystems.com/>.

GIS



In the spring of 2017, DEP's Water Maps Portal was selected as a recipient of an Esri Special Achievement in GIS award. This award is given to user sites around the world to recognize outstanding work with GIS technology. The KDOE's Water Maps Portal stood out from more than 100,000 others. The Water Maps Portal went live to the public in 2016.



This portal houses all mapping related applications for the Division of Water and has a responsive (e.g., works on desktop, laptop, tablet and smartphone screens) design.

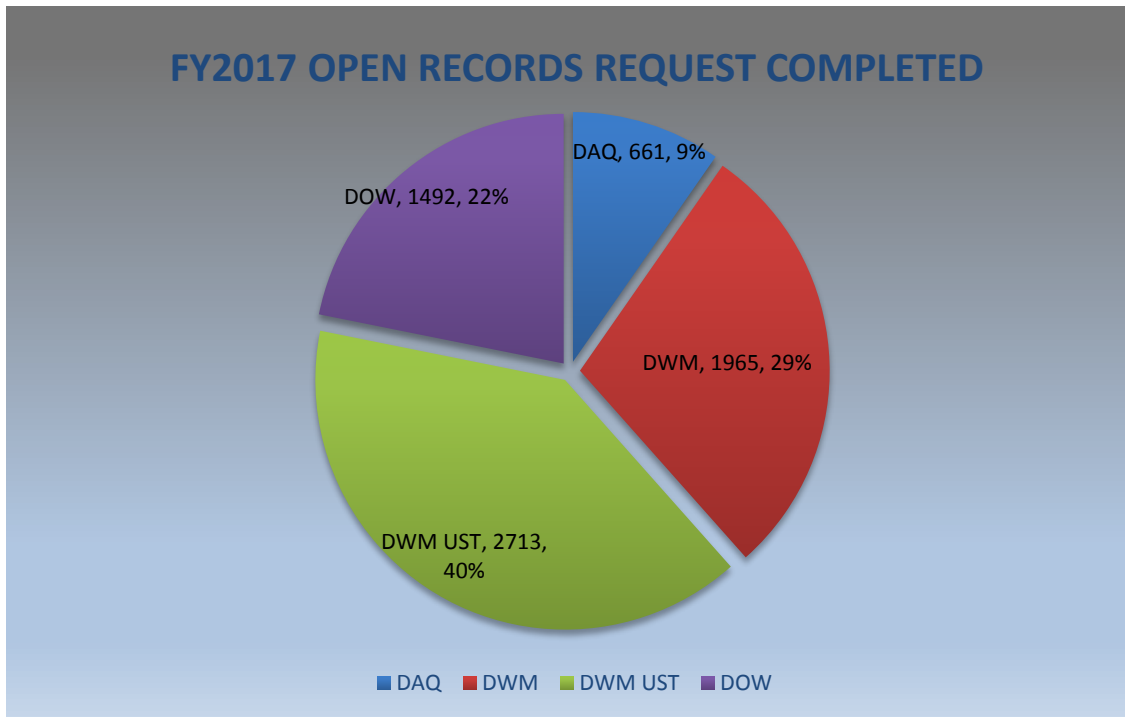
In addition, several new mapping applications were released to the public in FY17; these include the Drought Viewer, the FEMA flood map project updates viewer, the What's Your Water Story Map, the Runoff Pollution Story Map a Map and the Source Water Protection in Kentucky Story Map.

DEP continues to facilitate the EEC GIS workgroup meetings. The workgroup has held quarterly meetings and was instrumental in facilitating the 2016 EEC GIS day presentations in November.

Kentucky Open Records Act (KORA)

The Environmental Program Support Division, Information Management Branch, Public Records Management Section staff has completed six thousand eight hundred thirty one (6,831) open records requests during the fiscal year 2017. Of those requests for 2017, the Division of Waste Management has completed a total of four thousand six hundred seventy eight (4,678) open records request, or sixty nine percent (69%) of all requests. The Division of Water has completed one thousand four hundred ninety two (1,492) open records request, or twenty two percent (22%) of all requests. The Division for Air Quality has completed six hundred sixty one (661) open records request, or thirteen percent (13%) of all requests. Throughout the year, the staff size was five (5) employees devoted to Open Records. That equates to an average of one thousand three hundred sixty six (1,366) open records requests completed per employee per fiscal year. That

equates to approximately five and a half (5.5) completed open records requests per employee per working day for the fiscal year.



Digital Imaging

The DEPS IMB Document Imaging Section (DIS) scans nearly all documents that come into the department. The DIS has five full time employees to handle the high volume of incoming mail and to assist in the management of the file room. The DIS scanned 48,061 documents, which equaled 694,505 pages in fiscal year ending June 30, 2017. Every document that is scanned is quality checked two times before being released into Tempo. The scanned documents from FY17 are the equivalent of scanning a stack of paper as tall as the Lexington Financial Center (410 ft.).

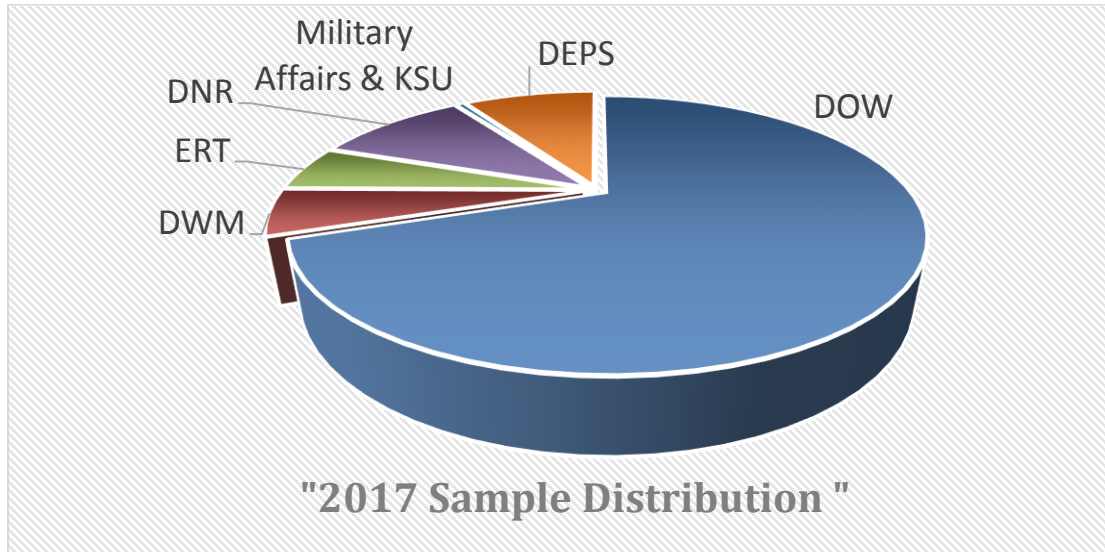


Environmental Services Branch – Activities and Accomplishments

The Environmental Services Branch (ESB) provides laboratory-testing services essential for the identification and characterization of environmental pollutants in the Commonwealth. These services are required by KRS 224.10-100(7) “Secure necessary scientific, technical, administrative, and operations services including laboratory services by contract or otherwise”; and (16) “monitor the environment to afford more effective and efficient control practices to identify changes and conditions in ecological systems and to warn of emergency conditions”. Additionally, 40 CFR 123.26 - Requirements for Compliance Evaluation Programs states that “State programs shall have inspection and surveillance procedures to determine, independent of

information supplied by regulated persons, compliance or non-compliance with applicable program requirements.”

It is the mission of the Environmental Services Branch to provide scientific data of known accuracy and precision in a timely manner to programs within the Department for Environmental Protection to enable those programs to make appropriate environmental decisions. The Branch maintains technically skilled and properly trained staff and a fully equipped environmental laboratory to accomplish its mission.



The ESB has accomplished much over the past several years and expects to continue its reputation for high achievement. The branch attained national accreditation status under the National Environmental Laboratory Accreditation Program (NELAP) in 2007. ESB lab was audited on-site by NELAP assessors in March of 2017 and has responded favorably to all findings and recommendations that this prestigious accreditation required. The ESB lab was also audited in late April 2015 by the USEPA Region 4 SESD (Drinking Water Laboratory Certification) staff. USEPA will make a return visit in April of 2018 for their tri-annual audit. The lab is currently “Certified” and in good standing with respective accrediting authorities.

Concurrent with this achievement, the Environmental Services Branch (ESB) continues to maintain a high level of analytical services to the Department. The testing activities of the branch support over 20 individual programs managed by the Division of Water (DOW) and several programs from the Division of Waste Management (DWM). The ESB Lab is also the primary laboratory for the Environmental Response Team (ERT) network. Along with DEP related programs, the ESB lab provides analytical support for select Department of Natural Resources programs as well. Through individual memorandum of agreement, the laboratory does work for both their Cumulative Hydrologic Impact Assessment (CHIA) project and the Abandoned Mine Lands (AML) program. Thus far in CY17 the lab has received 237 CHIA and 20 AML samples. ESB also does work for Military Affairs and Kentucky State University as needed.

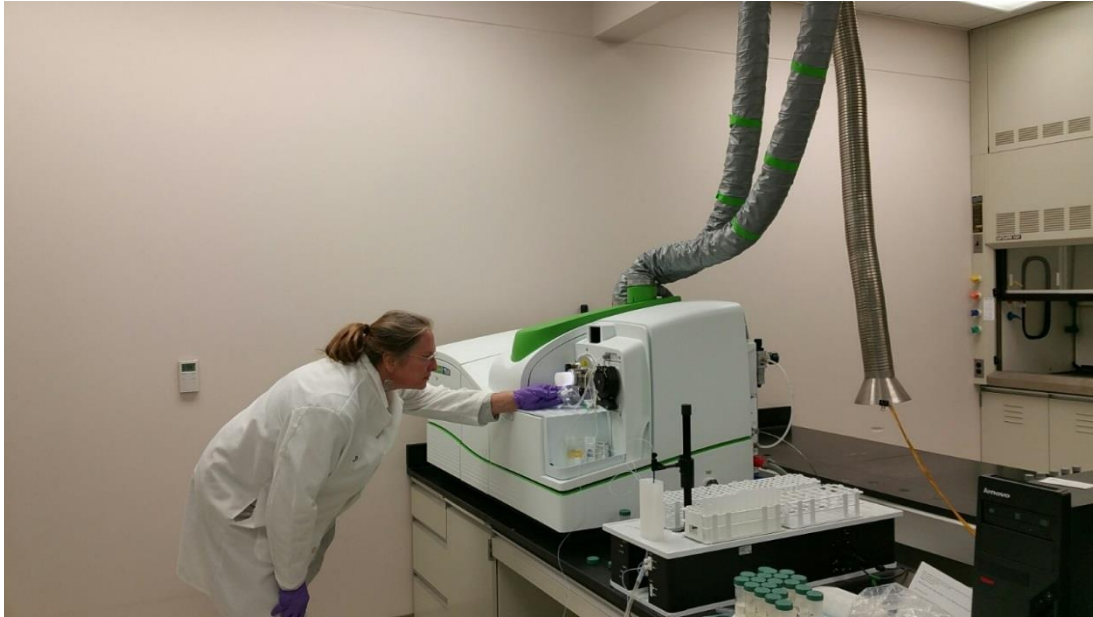


Jennifer Clark (Technical Services Section – ES4) screens new samples for pH and temperature before entering them into ESB’s LabWorks® LIMS (Laboratory Information Management System).

Dealing with environmental emergencies is common for the Environmental Services Laboratory staff. Over the past several years, professional chemistry services have been needed to identify and monitor a number of high profile events.

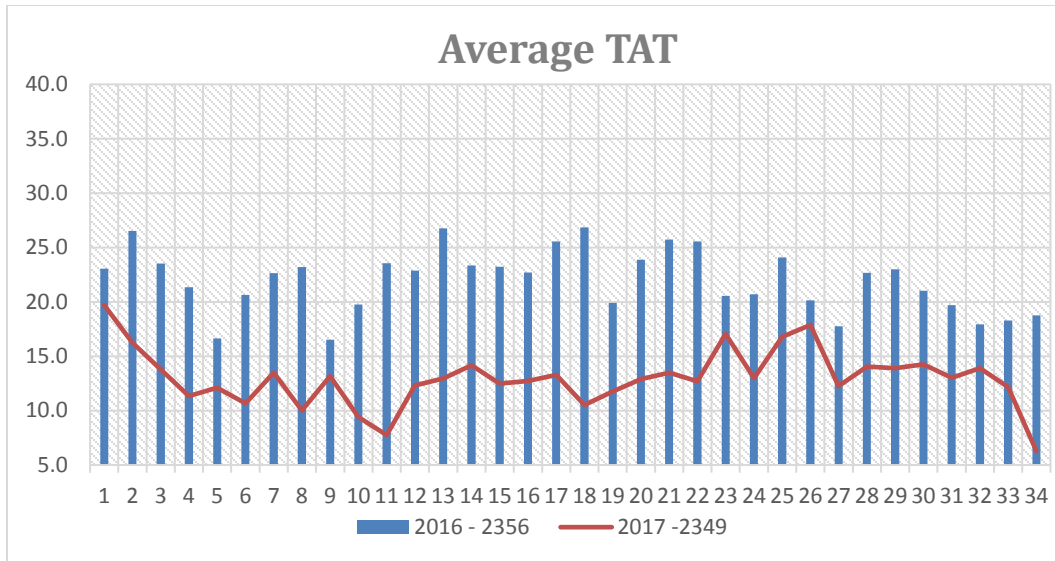
In September of 2016, ESB was asked to provide services in regards to the Long Lane/ Southern Wood property in Montgomery County. Due to the overwhelming high number of samples the soil testing during the remediation stages was handled by an outside contractor; however, ESB was one of the primary responders to this incident and did both the initial testing at this site in Mt. Sterling and a sister site in Winchester. ESB was also called upon to provide all of the air monitoring testing at the site over the course of the excavation and remediation process. Over all ESB ran over 280 samples from both sites.

Replacing equipment with newer, more efficient instruments over time has been critical to the lab’s ability to maintain productivity without the addition of staff. Since 2011, the laboratory has been able to acquire funding through various means for the purchase of much needed instrumentation. Examples include: Solid Phase Extractor (2011), Gas Chromatograph–Flame Ionization Detector (2011), Methyl Mercury Analyzer (2013), ICP-MS (2013), Buchi - Accelerated Solvent Extractor (2013), Dionex – High Pressure Liquid Chromatograph (2014), Ion Chromatograph (2014), Discrete Analyzer (2014), Gel Permeation Chromatograph (2015), Oil & Grease Extractor (2015), Nitrogen Generator (2015), GC MS/MS (2015), LC MS/MS (2015), GC/MS w/ Purge and Trap (2016), Perkin Elmer-ICPMS (2017).



Analyst JoEllen Thompson (Metals Section - Chemist) changing out the pump tubing on the newest (2017) Inductively Coupled Plasma Mass Spectrometer (ICP-MS).

ESB continues to provide testing services for the Department in accordance with the allocated budget monies. In CY2015, the total number of samples analyzed was 4545 and the average turn-around time (TAT) was 22.12 days. In CY2016, the number of samples analyzed was (4335), with average TAT of 22.09 days. As of August 31, 2017, the total number of samples received (2349) is very close to the same number as last year (2356). What is most remarkable is the TAT this year stands at 13.38 days as compared to 21.75 during the same time, in 2016. This is a substantial improvement in an area that is so important and needed by our end users. A concentrated effort has been made in this area, by the ESB staff. Increasing weekly production levels without undue risk to the quality of service. Innovative techniques, purchase of more efficient testing apparatus and a greater emphasize in productive batch sizing have all contributed to this trend.

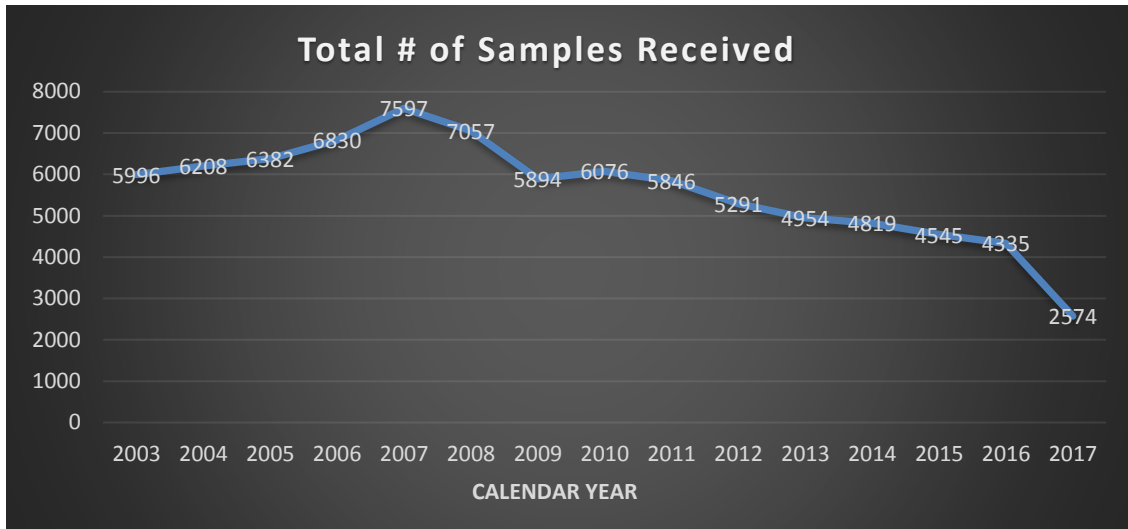


This graph shows how the average turnaround time for samples in 2017 has improved in comparison to last year's numbers.

In regards to the laboratory's quality of work, it is inherent that one includes the proficiency studies that the lab participates in annually. These proficiency tests (PTs) are a requirement in order for the lab to maintain accreditation under the USEPA Drinking Water and NELAP programs. In calendar year 2015, ESB submitted 1493 results to PT providers and received a passing grade of 96.7%. In CY16 ESB submitted 1414 results to PT Providers and received an approval rating of 94.8%. 2017 results are not complete but are on par with similar grades. This is an outstanding achievement considering the number of samples that pass through the lab.

Section	Total by Section (2016)	Unacceptable by section	%Passed by section
Mass Spectrometry	774	45	94.2
Metals	179	11	93.9
Pesticide/PCB	313	10	96.8
Sample Prep	7	0	100.0
Standard testing	141	8	94.3
Total	1414	74	94.8

PT results in 2016 broken down by individual sections or distinct areas of the lab.



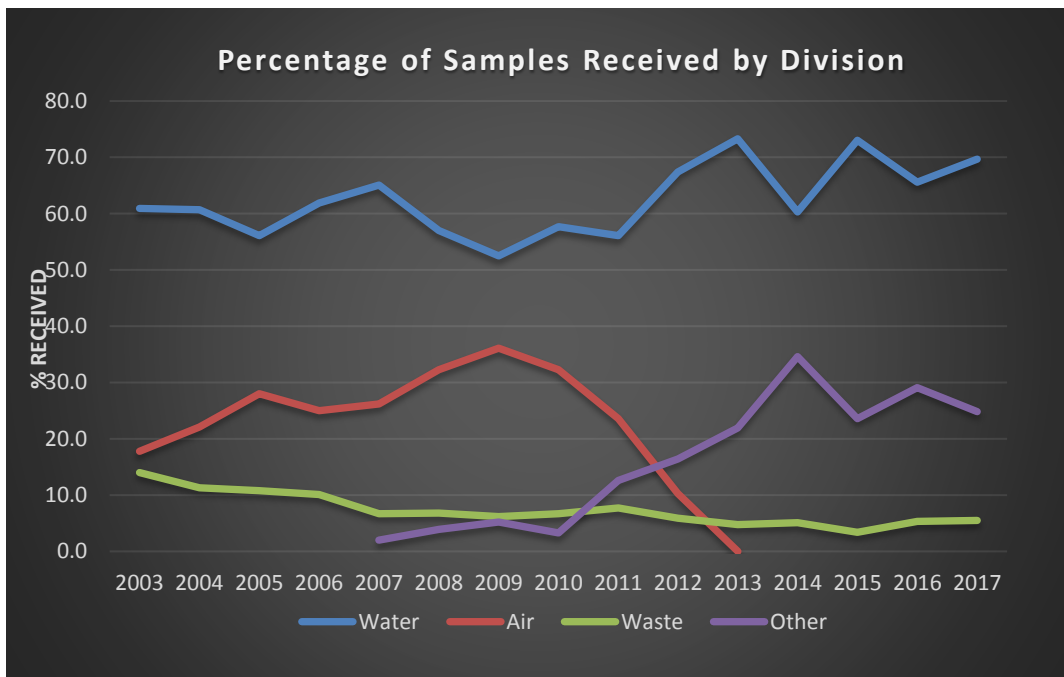
Concurrent with the major consolidation of the Department to the 300 Sower location, ESB underwent some substantial restructuring of its own in 2016. ESB laboratory space was remodeled to make room for both the Division of Water's, Water Quality Branch - Monitoring Section and the Division for Air Quality's, Technical Services Section. The laboratory also received new carpeting in 2017 in all appropriate office areas.



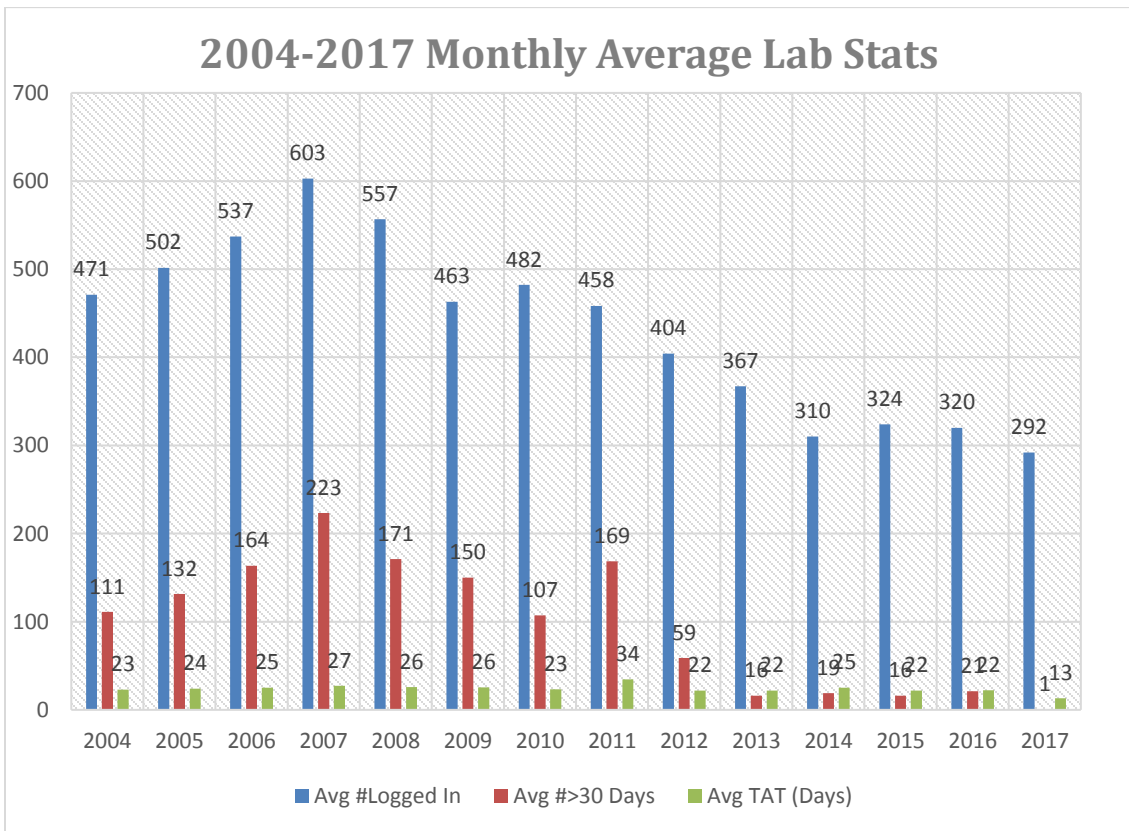
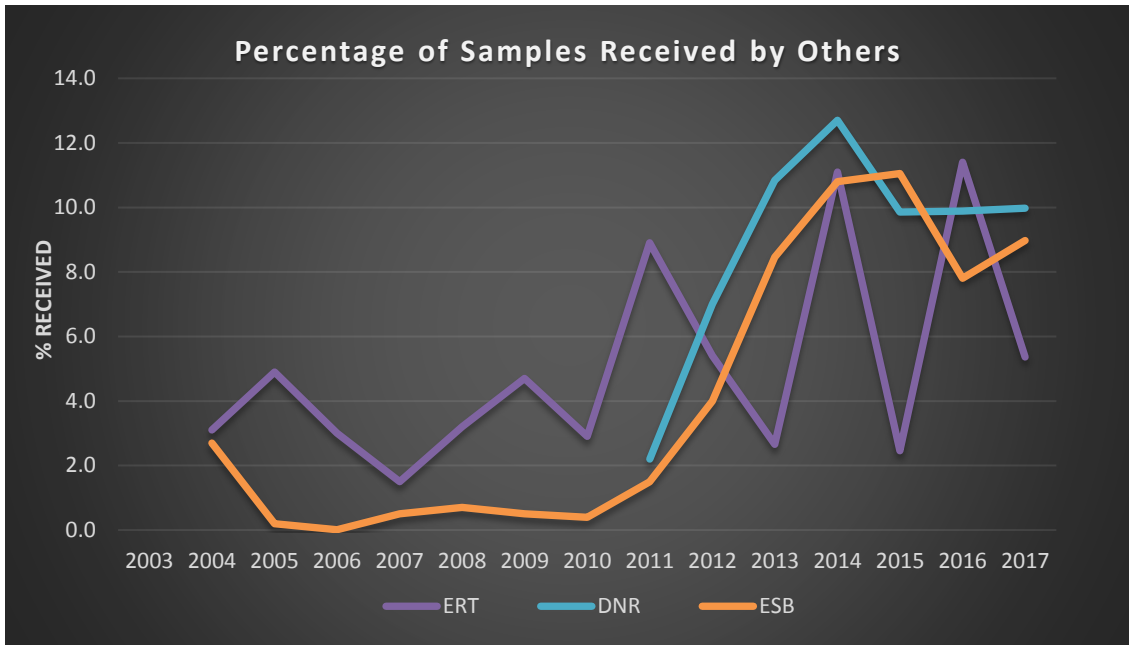
Division for Air Quality's Technical Services Section now occupies one of ESB's old but newly remodeled gas chromatography laboratory spaces.



Division of Water's Water Quality Branch - Monitoring Section now occupies a newly constructed lab space that was once office area that had been vacated.



*Other broken down in graph that follows.



Environmental Response Branch – Activities and Accomplishments

The Energy and Environment Cabinet (EEC) is mandated to protect human health and to provide for efficient, coordinated and effective action to minimize damage to the air, land, and waters of the Commonwealth from toxic or hazardous releases of pollutants and contaminants. To achieve this goal, the Department for Environmental Protection formed the Environmental Response Team (ERT) in 1980.

The language in KRS 224.1-400 mandates the Cabinet to have a 24-hour environmental response line and designates the Cabinet as the lead agency for emergency spill responses. In addition, KRS 224.46-580 mandates the Cabinet to respond effectively and timely to emergencies created by releases per 224.1-400.

ERT is a departmental function composed of staff with various environmental discipline backgrounds from DOW, DAQ, DWM and DEPS with the majority of the staff from the regional offices. The Environmental Response Branch is composed of three full time staff, 30 part-time responders (365 days per year, 24 hours a day), and 2 alternates. ERT is operationally based in the Division of Environmental Program Support in Frankfort.

ERT responsibilities include:

- Maintain a 24-hour emergency report/notification phone line for spills and releases.
- Coordinate and transfer non-emergency and post emergency incidents to appropriate DEP staff.
- Serve as On-Scene Coordinator for releases of toxic and hazardous substances, pollutants and contaminants that threaten the environment.
- Coordinate with local and state agencies, US EPA, other federal agencies and neighboring state's agencies related to environmental releases.
- Provide staffing and coordination of EEC efforts for KY Emergency Operations Center (EOC) during activation of EOC due to natural disasters such as flooding and tornadoes.
- Assist in training and planning activities of other local and state agencies.

EEC/DEP ENVIRONMENTAL RESPONSE TEAM KY EMERGENCY OPERATIONS PLAN RESPONSIBILITIES ERT SUPPORT ROLES FOR KY EOC

During an emergency event in Kentucky, the KY Emergency Operations Plan (coordinated by the KY Division of Emergency Management) is activated, which places requirements on the EEC/DEP and the Environmental Response Team to work within a framework with other state, local, and federal agencies to coordinate efforts to mitigate the emergency.

Beyond the routine response activities by ERT, the KY EOP places specific duties on the EEC to provide the following:

- Provide an on-scene coordinator.
- Provide staffing to State Emergency Operations Center.
- Provide technical assistance and initial evaluation of pollution hazards.
- Assist in early assessment and extent of hazard by dispatching staff to spill/release site when required.
- Approve and direct on-site operations plan for cleanup, treatment, or containment and mitigation of environmental damage.
- Assure proper disposal of resulting waste materials.
- Establish environmental sampling, testing and analysis programs to measure environmental effects.
- Determine environmentally safe concentrations for water quality and ensure safe public drinking water supplies effected by releases.
- Coordinate with US Environmental Protection Agency, Federal Region IV Regional Response Team, US Army Corps of Engineers, US Coast Guard and other federal agencies.

KRS 224.1-400 mandates coordination by requiring “consultation with other federal, state and local agencies, and private organizations.” It must occur at all stages and in all elements of emergency response activities. This coordination is managed by use of the Incident Command System (ICS) as set forth in the KY Emergency Operations Plan and the OSHA safety standards.

The Incident Command System is a standardized system of incident management based upon a chain of command and common terminology for all responding agencies. ICS incorporates the concept of a unified command system, which are employed at large incidents where multiple agencies have jurisdictional concerns.

ERT has daily coordination/communication activity with the KYEM’s Emergency Operations Center duty officers who receive the initial calls on the ERT 24-hour phone after normal work hours. The duty officers receive and log the calls and forward the information to the ERT coordinator on call at that time. The duty officers also perform the same services for several other state agencies including the State Fire Marshal, Department of Agriculture and Department for Health Services (Radiation Control Branch). They are also in communication with several other agencies such as Kentucky State Police, Kentucky Transportation Cabinet, Fish and Wildlife, Kentucky Vehicle Enforcement, Kentucky National Guard, and the regional and local KYEM emergency managers.

COORDINATION/COMMUNICATION

The present notification/communication structure is as follows:

- ERT receives and evaluates incidents
- ERT makes decision on response and severity of incident
- ERT notifies appropriate Branch Managers and Director of appropriate Division if situation warrants

- ERT notifies Commissioner and EEC Secretary if necessary

Some emergencies due to unknown or unresponsive responsible parties may require the Cabinet to act to control and cleanup releases. The procedure for these situations is:

- ERT determines that an emergency exists requiring immediate response to prevent/limit environmental damage due to the situation.
- ERT determines that a responsible party is either unknown or unresponsive.
- ERT notifies the Commissioner and asks for approval to authorize and acquire necessary contractors to deal with the emergency.
- Commissioner gives verbal approval to ERT to proceed under spending guidelines.
- Commissioner notifies EEC Secretary and gains upward approvals for emergency declaration.
- ERT processes documentation for contractor and emergency declaration.

There are three cost recovery procedures.

- For non-enforcement actions, expenditures are calculated and a letter is sent to the responsible party requesting payment. Failure to pay, results in formal enforcement action.
- Cost recovery associated with formal enforcement action is included in an overall settlement calculation.
- If the preceding two procedures fail to recover ERT costs, reimbursement from the Federal OPA fund is sought.

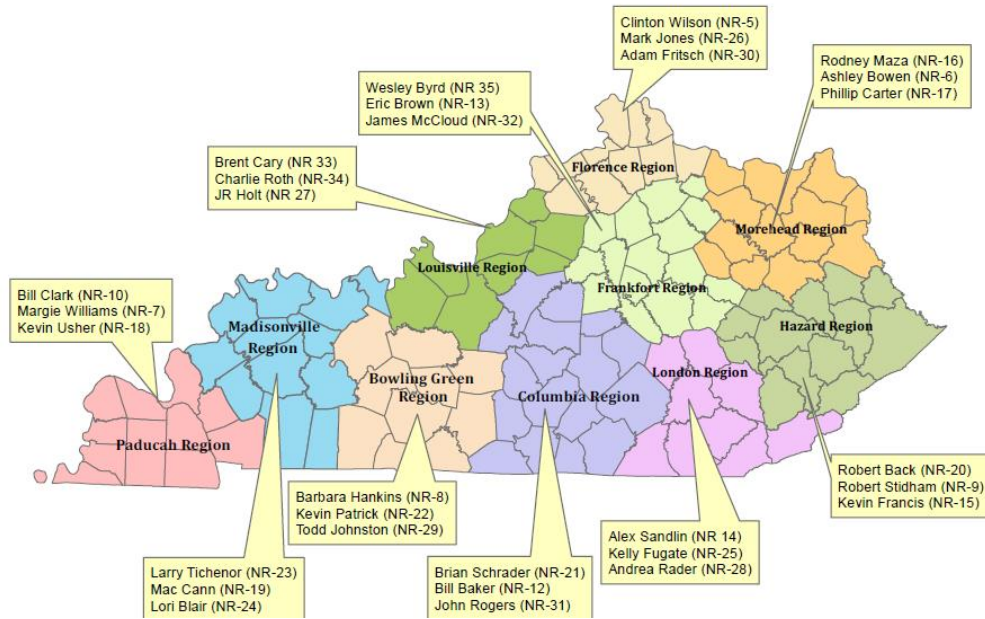
ERT Coverage Areas and Responders

The Environmental Response Team is composed of employees from the Department for Environmental Protection selected from interested applicants based on areas of expertise and work area to assure statewide coverage and specialized training and experience. ERT members assume the additional responsibilities of ERT responder in addition to their regular work duties.

ERT responders are assigned to eight geographic coverage areas with 3 responders in each region being on call in a three-week rotation (one per week) plus an alternate to fill in as needed.

Kentucky Department for Environmental Protection
 Environmental Response Team
 300 Sower Blvd
 Frankfort, KY 40601
 24 hr Spill Reporting Hotline 1-800-928-2380

Robert Francis, Manager (NR-1)
 David Leo, Response Coordinator (NR-2)
 Kevin Strohmeier, Response Coordinator (NR-3)
 Brittany Wells, Administrative Support
 Steve Jackson, Preparedness Coordinator



ERT Responders by Area

- Bowling Green Robbie McGuffey (DWM -Bowling Green)
 Todd Johnston (DWM -Bowling Green)
 Kevin Patrick (DWM -Bowling Green)
- Columbia John Rogers (DWM -Columbia)
 Bill Baker (DOW -Bowling Green)
 Brian Schrader (DWM -Columbia)
- Frankfort: Eric Brown (DWM -Frankfort)
 Wes Byrd (DOW -Frankfort)
 James McCloud (DOW -London)
- Hazard: Robert Back (DOW -Hazard)
 Robert Stidham (DWM – Hazard)
 Kevin Francis (DWM – Hazard)
- Florence: Clinton Wilson (DWM -Florence)
 Mark Jones (DOW -Florence)
 Adam Fritch (DWM -Florence)
- Louisville: JR Holt (DWM -Louisville)
 Charlie Roth (DOW -Louisville)
 Brent Cary (DWM –Louisville)
- Madisonville: Lori Blair (DAQ-Owensboro)

Larry Tichenor (DWM -Madisonville)
 Mac Cann (DAQ-Owensboro)
Morehead: Rodney Maze (DWM -Morehead)
 Philip Carter (DWM -Morehead)
 Ashley Markwell (DOW-Ashland)
 James Bevins (DOW – Morehead) - Alternate
London: Kelly Fugate (DOW -Hazard)
 Alex Sandlin (DWM –London)
 Andrea Rader (DWM -London)
Paducah: Kevin Usher (DAQ -Paducah)
 Bill Clark (DWM -Paducah)
 Margie Williams (DWM -Paducah)

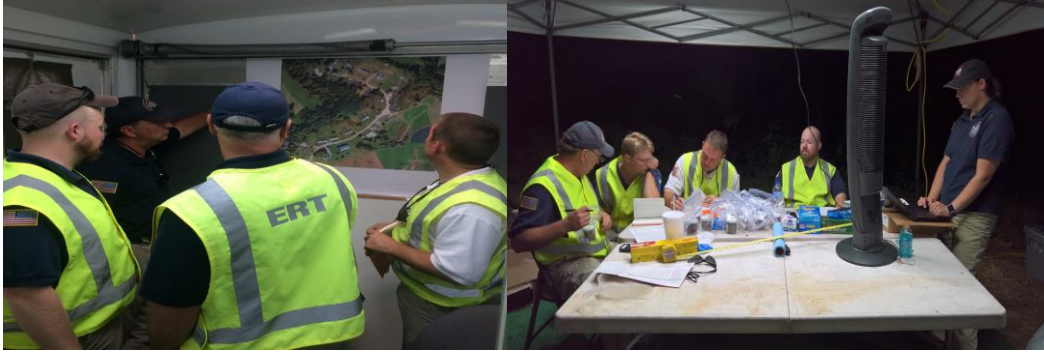


Photos: ERT Staff participating in a field exercise

ENVIRONMENTAL INCIDENT NOTIFICATIONS

All incidents and notifications received through the ERT section are evaluated and responded to according to the established DEP business rules as follows:

- **Emergency** - on site response within 2 hours of notification
- **High Priority** - DEP staff will make site visit for follow-up within 2 working days of notification
- **Routine**- DEP staff will make site visit or contact notifier within 5 working days of notification



Photos: ERT staff worked with the Superfund Branch on the Long Lane Project (Montgomery County)

Two major incidents with severe or potentially catastrophic impacts to human health or the environment occurred in the last two fiscal years. A summary of events follows.

DATE	INCIDENT	COUNTY	IMPACTS
08/24/2016	It was discovered that residents had moved on top of a contaminated arsenic site. ERT declared an emergency to move residents off the property and work with the local government on the issue, while Superfund provided oversight on the removal actions around the properties.	Montgomery	Water, Soil & Air
11/02/2016	The Commonwealth had its largest forest fire outbreak in over 10 years. The Division of Emergency Management tasked the ERT to contact air monitoring related to public health impacts. The monitoring was conducted in parts of Southeast and Eastern Kentucky.	South East Kentucky	Air