Agency Priority Goal Action Plan

Accelerate Permit-Related Decisions

Goal Leader:

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Overview

Goal Statement

- o **Accelerate permitting-related decisions.** By September 30, 2019, EPA will reduce by 50% the number of permitting-related decisions[1] that exceed six months.[2]

Challenge

- o Delays in permit issuance can be caused by factors that include incomplete information; complex technical and regulatory issues; public interest; and required consultations (endangered species, tribal/state issues).

Opportunity

- o Robust, targeted improvements in permitting processes can improve environmental outcomes, accelerate economic growth, and save time and resources overall by reducing delay, wasted effort, and avoidable disputes.

[1] Issuance or denial of a permit
[2] The goal applies to Clean Water NPDES permits and Safe Drinking Water UIC permits. It does not apply to Clean Air Act New Source Review (NSR), where the goal is one year from the receipt of a complete application, as per the Presidential Memorandum of April 12, 2018: https://www.whitehouse.gov/presidential-actions/presidential-memorandum-administrator-environmental-protection-agency/

Goal Structure & Strategies

Building on experience in EPA and examples from state environmental agencies, EPA will improve the efficiency and effectiveness of its permitting programs through the following strategies, and will explore additional opportunities to improve federal environmental permitting overall.

o **Strategy 1 - Leaning Permitting Programs** - by conducting targeted Lean business process improvement events and implementing their results.

o **Strategy 2 - Tracking and Targeting Improvements** - by gathering, analyzing and using agency-wide permitting data to track results and target efforts.

o **Strategy 3 - Improving Guidelines and Procedures** - by systematically reviewing and, as appropriate, developing new policies, approaches and procedures to eliminate unnecessary steps and improve efficiency of the permit issuance process.

Goal Structure & Strategies

EPA Lean Management System (ELMS)

- EPA has deployed a new EPA Lean Management System (ELMS) to achieve the results set forth in the Strategic Plan. As part of ELMS, EPA continues to conduct multi-day process improvement events to make significant progress in specific priority areas, which include permitting, identified in the Strategic Plan.

- Visual management is being used to ensure that improvements from the events are achieved and sustained over time. Poster boards with regularly updated performance data are serving as visual management for monitoring progress towards meeting the targets set forth in the Strategic Plan, while additional poster boards will be used to track the flow of the work that needs to be performed to achieve the targets. For those programs and regions where ELMS has already been deployed, managers and staff are having weekly stand-up huddle meetings in front of their visual management boards to discuss the performance and flow of the process.

- In addition, National Programs and Regional Offices are holding Monthly Business Review meetings to go over both the strategic measures tracked on scorecards, and the implementation plans that track progress on Strategic Plan and priority area projects identified for EPA under President Trump's Executive Order on a Comprehensive Plan for Reorganizing the Executive Branch. The Administrator will continue to hold quarterly reviews to monitor overall progress on the agency's Strategic Plan and priority area projects.

- ELMS is designed to make sure that EPA is regularly monitoring progress towards meeting the targets set forth in the Strategic Plan, and taking immediate action if expected performance is off track.

Summary of Progress – FY 2018 Q1

Building on experience in EPA and examples from state environmental agencies, EPA is on track to improve the efficiency and effectiveness of its permitting programs through the following strategies, and will explore additional opportunities to improve federal environmental permitting overall.

Strategy 1: Leaning Permitting Programs

- Worked with programs to collect and analyze data in preparation for Lean events to be held in Q2 FY 2018.

Strategy 2: Tracking and Targeting Improvements

- Since October, have been collecting monthly data on the timeliness of permits issued by EPA.

Strategy 3: Improving Guidelines and Procedures

- Targeted for initiation in FY 2019.

Summary of Progress – FY 2018 Q2

Building on experience in EPA and examples from state environmental agencies, EPA is on track to improve the efficiency and effectiveness of its permitting programs through the following strategies, and continues to explore additional opportunities to improve federal environmental permitting overall.

Strategy 1: Leaning Permitting Programs

- (Completed) Worked with programs to collect and analyze data in preparation for Lean events
- (Completed) Participated in Lean events for the UIC, NPDES, Title V, and NSR programs
- (Underway) Working with programs to help implement identified recommendations to improve processes, as appropriate

Strategy 2: Tracking and Targeting Improvements

- Will begin collecting monthly data on the timeliness of permits issued by EPA starting in May, based on permit applications submitted since October 2017

Strategy 3: Improving Guidelines and Procedures

- (Underway) Conducted initial review of a sampling of permit policies available online

Summary of Progress – FY 2018 Q3

Building on experience in EPA and examples from state environmental agencies, EPA is on track to improve the efficiency and effectiveness of its permitting programs through the following strategies and continues to explore additional opportunities to improve federal environmental permitting overall.

Strategy 1: Leaning Permitting Programs

- (Underway) Programs are implementing recommendations to improve processes identified during Lean events conducted for UIC, NPDES, Title V and NSR programs

Strategy 2: Tracking and Targeting Improvements

- (Underway) Tracking and reporting the number of pending decisions for new permits that are > 180 days old
- (Underway) Developing a comprehensive tool to serve as a repository for and track the status of pending decisions for new permit applications

Strategy 3: Improving Guidelines and Procedures

- (Completed) Developed an approach for applicants that refuse or are unable to provide information necessary for EPA to process an application. This approach could result in permit denial.
- (Completed) Reviewing current permitting policies to identify any that impact permit timeliness

Summary of Progress – FY 2018 Q4

EPA is on track toward achieving its goal of reducing by 50% the number of permitting-related decisions that exceed six months. Building on experience in EPA and examples from state environmental agencies, EPA is improving the efficiency and effectiveness of its permitting programs through the following strategies and continues to explore additional opportunities to improve federal environmental permitting overall.

Strategy 1: Leaning Permitting Programs

- (Underway) Programs continue to implement recommendations to improve processes identified during Lean events for Underground Injection Control (Class II) permits, National Pollution Elimination System permits, Clean Air Act Title V Operating permits & Clean Air Act New Source Review permits.

Strategy 2: Tracking and Targeting Improvements

- (Underway) Tracking and reporting the number of pending applications for new permits that are > 180 days old.
- (Completed) Developed a comprehensive tool to serve as a repository for and track the status of pending decisions for new permit applications.

Strategy 3: Improving Guidelines and Procedures

- (Underway) Implementing new approach that could result in permit denial for applicants that refuse or are unable to provide information necessary to process application.

Key Milestone: Strategy 1 - Lean Events

- Initial round of Lean events held in January – April 2018 (completed).
- Work with programs to implement solutions identified during Lean events to improve permit timeliness (ongoing).

Milestone Summary					
Key Milestones	**Milestone Due Date**	**Milestone status**	**Change from last month**	**Owner**	**Comments**
Conducted Lean events for UIC (Class II), NPDES, Title V and NSR permitting programs	Jan 2018; Mar-Apr 2018	Completed	None	OW, OAR, OCI	Work to implement solutions from Lean events is ongoing.
Work with OW and OAR to help implement solutions identified during Lean events to help improve permit timeliness	Dec 2018	Ongoing	None	OW	(OW - NPDES) Update the permit application form, originally developed in the 1980s, to improve the structure of the form for applicants. This effort should help to minimize errors on applications.
	Mar 2019	Ongoing	New Milestone	OW - NPDES	(OW - NPDES) Each region is developing a backlog elimination strategy to address the backlog of permit renewals (which will be our next area of focus)
	Oct 2018	Ongoing	New Milestone	OW – UIC	(OW – UIC Class II) Develop a national administrative checklist for applicants and a national technical checklist for permit writers.
	Dec 2018	Ongoing	New Milestone	OAR – NSR	(OAR – NSR) Identify and form communities of practice for permit writers across the country
	Nov 2018	Ongoing	New Milestone	OAR – Title V	(OAR – Title V) Identify and develop recorded webinars to train permit writing staff.

Key Milestone: Strategy 2 - Targeting and Tracking Improvements

- Collect system-wide data on permit status, backlog, and throughput.
- Developed new tool to track pending applications for new permits.

Milestone Summary					
Key Milestones	**Milestone Due Date**	**Milestone status**	**Change from last month**	**Owner**	**Comments**
Initial data collected for scoping purposes and to identify initial Lean / Kaizen events.	Dec 2017	Completed	No Change	OP	Data used during Lean permitting events as a baseline to evaluate overall permit processing time.
Clarification of data collection requirements and definitions for programs & regions to ensure accurate calculations for monthly permit data collection.	Jun 2018	Completed	No Change	OA	
Permit Tracker – Developed an online tool to track the status of and key information for all pending applications with EPA for new permits.	Jul 2018	Completed	Completed	OA	
Permit Tracker – work with programs and regions monthly to review and reconcile permitting data; ongoing work to answer questions and adjust the system, as necessary.	Ongoing	Ongoing	Ongoing	OA	

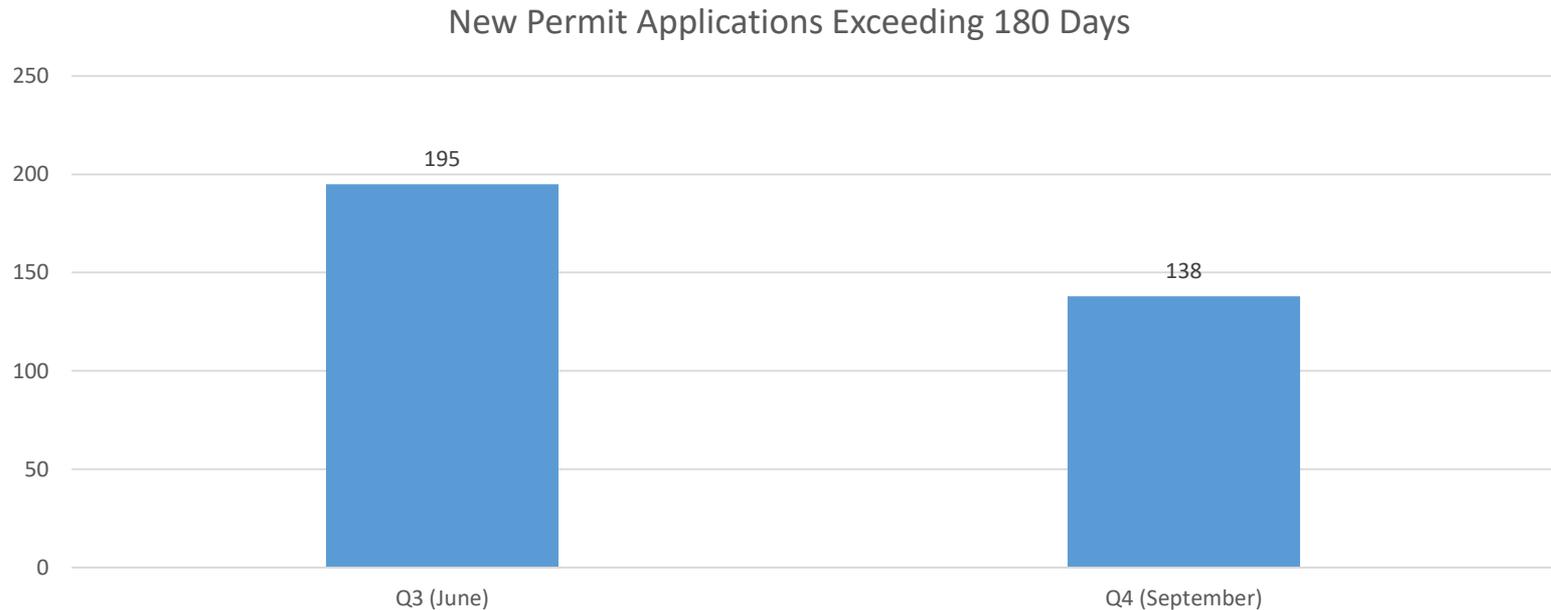# Key Milestone: Strategy 3 - Improved Internal Procedures

- Completed review of permitting policies to identify any that may be impacting timeliness.
- Implementing a new approach for applicants that refuse or are unable to provide information necessary to process applications. This could result in permit denial.

Milestone Summary					
Key Milestones	Milestone Due Date	Milestone status	Change from last month	Owner	Comments
Conducted initial effort to gather and review permitting policies available online.	Apr 2018	Completed	None	OP	
Evaluating policies identified that may be impacting timeliness and proposing possible solutions / recommendations.	Sep 2018	Completed	Completed	OP	One policy was identified (OMB review of general NPDES permits issued by regional offices).
Completed development of, and now implementing, an approach that could result in permit denial for applicants that refuse or are unable to provide information necessary to process an application.	Jul 2018	Completed	None	OA	Some work ongoing, as needed, to address specific questions regarding how to apply the templates to permit applications.

Key Indicators

The following indicator will be used to show progress toward the goal of reducing by 50% the number of permitting-related decisions for new applications that are over six months old:

- Pending applications for new permits that are over 180 days old ("backlogged").[1]

- The baseline is 195, which is the number of backlogged new permit applications as of June 30, 2018.

New Permit Applications Exceeding 180 Days

	Q3 (June)	Q4 (September)
Value	195	138

[1] This goal applies to all permit types except Clean Air Act New Source Review permits, for which the goal is one year from the receipt of a complete application, as per the Presidential Memorandum of April 12, 2018 (link provided on Goal Overview slide).

Data Accuracy and Reliability

Purpose of Measure

- To inform on EPA's commitment to provide consistency and certainty to the regulated community in executing its responsibilities

Unit of Measure

- Percentage of new permit applications exceeding 180 days without a permit-related decision.

Methodology

- This measure applies only to applications for new permits; it does not apply to renewals or modifications

- The number of applications for new permits that are over 180 days old are being tracked and reported each month

- The accuracy of the data is checked each month through the ELMS reporting (bowling chart)

Performance Measure Term Definitions

- A **permit-related decision** is measured from the date a permitting application is received by the respective regional permitting office to the date on which the permit either becomes effective or is denied

- A **pending permit-related decision** refers to a decision to approve or disapprove a permit application that has not yet been made

Contributing Programs

Organizations and Program Activities:

o U.S. EPA

- Office of the Administrator
  - Data collection, review of existing policies and development of new policies, as needed; facilitate Lean events and follow-up; collect mission measure data related to permitting

- Program Offices (Office of Water, Office of Air and Radiation, Office of Land and Emergency Management) and Regional Offices
  - Participate in Lean events and implement recommended solutions; report permitting data; and potential policy changes

- Office of Chief Financial Officer – E-Enterprise federal/state program