

US EPA ARCHIVE DOCUMENT

**Promoting Environmental Excellence through Environmental Leadership and Voluntary
Performance Improvements**

Assistance Agreement No. EI-96489208-0

Quarterly Report

July 1, 2009-December 31, 2009

Project Synopsis

This project will expand environmental performance and leadership throughout Kentucky. The project will 1) implement a Technical Assistance Program (TAP) to improve performance at targeted facilities; 2) use the TAP as a recruitment tool that will expand the membership of Kentucky's environmental leadership program, KY EXCEL, to more than 500 entities; and 3) encourage these new KY EXCEL members to perform waste reduction or energy efficiency projects at their facilities.

This six-month report is being submitted in lieu of July-September 2009 and October-December 2009 quarterly reports and is inclusive of activities conducted during this time period.

Narrative Discussion

Over the last six months, the division focused on finalizing its first compliance assistance tool for the TAP effort and incorporating information on sustainable opportunities for gasoline stations. The division also refined its outreach strategy for the coming year to ensure that sufficient contact with the sector was made to communicate compliance-related information on a routine basis that will remind the targeted audience of its regulatory responsibilities, and serve as a vehicle to point out sustainable opportunities and invite participation in KY EXCEL, the department's environmental leadership program.

The first compliance assistance tool developed by the division was an environmental stewardship calendar designed for gas station operators. The document consists of 50% regulatory information and 50% tips that would result in energy efficiency, water conservation, pollution prevention and other sustainable activities. This 50/50 balance is a target that the division will be using with all of its outreach efforts. This calendar will be mailed to all gas station facilities within the study area.

Initially, it was planned that this document would serve as an interactive compliance guidance document where the facility operators would be able to record their self-inspections, gasoline throughput, maintenance log, etc. for elements that are required by the Divisions of Air Quality, Waste Management and Water. However, as the division developed the tool and worked with the divisions to identify the most important elements for the operators to evaluate and track on a monthly basis, it became apparent that one of the programs was uncomfortable with an agency other than themselves interacting with the sector. It was argued that providing compliance information from a source other than the regulatory agency with jurisdiction over the requirements could result in confusing the operators on who to contact with questions, create

inconsistency in regulatory interpretations and have a negative impact on compliance rates, rather than a positive impact.

Although the Division of Compliance Assistance has accumulated a significant amount of empirical evidence from its extensive list of clients that this type of confusion would not be created, the opposing agency did not concur. To resolve this issue, the division decided to change the document into a calendar that generally discusses the regulatory requirements that apply at a gas station facility rather than provide interactive details and then provides points of reference for additional information. Although this substantially altered the level of detail in the tool, it did not compromise its purpose as it related to the project. The tool will still adequately serve as a compliance reminder for gas station operators, while also serving as a delivery device for sustainable ideas and an invitation for participation in KY EXCEL.

The second area of emphasis over the past six months, the refinement of the program's outreach strategy, was necessary due to three factors. This refinement has set a clear direction forward for the program and is outlined in the project time line below. The factors that influenced these decisions are discussed below.

First, because of the program resistance discussed above and in order to maintain a acceptable partnership between programs that would positively benefit the regulated audience, the division decided that it would invest less time developing new compliance assistance tools pertaining to the concerned program and instead piggyback sustainable tips and information onto that program's existing outreach activities and training. While, this does not change the eventual outcome of the project, it did require a change in the project's vision related to the documents that were being developed related to those regulations.

Second, because of changing federal requirements on gas stations, the division decided that some of its initially planned compliance assistance activities would not be as beneficial as new efforts that would focus more on these changes. For example, outreach and training related to the area source MACT required by the air program, which goes into effect at existing facilities in 2011, is an important compliance element that gas station operators can benefit from having. Honing its compliance assistance effort to meet these evolving needs will not impact the outcome of the project. In fact, allowing the project to be flexible as it better identifies pertinent compliance assistance needs will likely make the compliance portion of the project more effective and better facilitate the sustainable components of the project as the facility operators will be more interested in the topics that are of greater urgency to them.

Third, because of statewide budgetary and personnel restrictions caused by the recession, the division decided to reallocate a portion of staff time to other projects while one of its employees was absent on maternity leave. While this change will not be affecting the overall project time line, it did mean that some of the TAP tools that would have been developed earlier will instead be developed during the course of the coming year. Because it was always envisioned that the tools would be delivered on a staggered basis throughout the year so that gas station operators would be routinely reminded of their regulatory responsibilities, this will not affect the project's outcomes.

In spite of these challenges, the division has successfully prepared for a transition from project development in 2009, and is well-positioned to implement the compliance assistance and sustainability interventions as outlined in the project workplan. Future project updates will be discussing the successes and lessons learned during this phase of the project. In early 2011, the project will be analyzing the changes in facility performance, the participation of facilities in sustainable activities and the elements that served as the most significant motivators of behavioral change.

Project Tasks and Milestones

(Reflecting accomplishments for this quarter and projection of activities for next quarter)

<i>Implementation Activities</i>	<i>Start Date</i>	<i>Target Completion</i>	<i>Status/Notes</i>
Develop sustainability calendar	12/2008	12/15/2009	Completed
Develop and send February and March TAP postcard reminders	1/2010	2/2010 3/2010	The division will work with department staff to identify compliance topics that can be sent to the target audience on a postcard. A portion of the card will also discuss sustainability opportunities. These monthly postcards will serve as a vehicle to keep environmental management in the minds of the operators between more in-depth TAP activities.
Develop a Green Scorecard Tool	2/2010	4/2010	The program will create or obtain a green scorecard that can be sent to the targeted sector so they can gauge their environmental sustainability and identify opportunities that can be implemented at their facility.
Work with other department staff to integrate sustainable information resources into their existing compliance assistance and outreach efforts		Ongoing	Whenever possible, the program will incorporate sustainability tips and resources into mailings that are being sent to the targeted sector by regulatory programs.
Collaborate and solicit		Ongoing	All materials developed by the

information from stakeholders			program will be reviewed by department staff to ensure accuracy. Where appropriate, outside stakeholders will also be asked to review materials prior to their use.
<p>Future planned in-depth TAP activities are:</p> <ul style="list-style-type: none"> • Spring - Send the Green Scorecard Tool to the targeted sector. • Summer - Hold a training session for the targeted sector (50% compliance topics, 50% sustainability topics). • Fall - Send Area Source Rule (Subpart CCCCCC) materials to targeted sector. • Winter - Send KY EXCEL marketing materials to sector in a final push to draw in program participants. 			

Financial Report

The division has not had any unanticipated issues related to project funding. It has become evident that this grant will be insufficient to cover all program expenses, but the division has always anticipated that it would be necessary to use some state funds to ensure completion of the overall project. As a result, this funding condition does not pose a threat to the project.

SIG 07 July 1, 2009 through September 30, 2009

Budget Category	Approved Budget	Spent this Quarter	Cumulative to date
Personnel	\$144,000	\$8,982.81	\$95,687.10
Supplies	\$3,000	\$0	\$0
Travel & Training	\$8,000	\$126.60	\$3,867.67
Contractual	\$2,000	\$0	\$0
Total Direct Costs	\$157,000	\$9,109.41	\$99,554.77
Total Indirect	\$32,000	\$3,016.25	\$26,572.34
TOTALS	\$189,000	\$12,125.66	\$126,127.11

SIG 07 October 1, 2009 through December 31, 2009

Budget Category	Approved Budget	Spent this Quarter	Cumulative to date
Personnel	\$144,000	\$7,688.84	\$103,375.94
Supplies	\$3,000	\$0	\$0
Travel & Training	\$8,000	\$0	\$3,867.67
Contractual	\$2,000	\$0	\$0
Total Direct Costs	\$157,000	\$7,688.84	\$107,243.61
Total Indirect	\$32,000	\$2,123.94	\$28,696.28
TOTALS	\$189,000	\$9,812.78	\$135,939.89