

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.

Administrators

The Administrators of NDEE provide oversight and policy direction in all areas of NDEE'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 NDEE activities.

NDEE 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 NDEE 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 coordinate the various agency programmatic activities.

Legal Division

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

- Supporting enforcement case development and return to compliance;
- Preparing administrative orders and other enforcement actions for the Agency;
- Coordinating Agency response to variance requests;
- Representing the Agency in administrative proceedings;
- Preparing judicial referrals to the Attorney General;
- Assisting the Attorney General as requested;
- Serving as hearing officers for public and administrative contested case hearings;
- Assisting review and development of proposed legislation, rules and regulations;
- Advising the Director and Agency staff on duties and program responsibilities;

- Advising the Environmental Quality Council as requested;
- Drafting and reviewing contracts, leases, environmental covenants, and other legal documents;
- Reviewing other Agency documents as requested; and
- Representing the Director and Agency as requested by the Director.

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

Management Services

The Management Services Division provides administrative and technical support to NDEE 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.

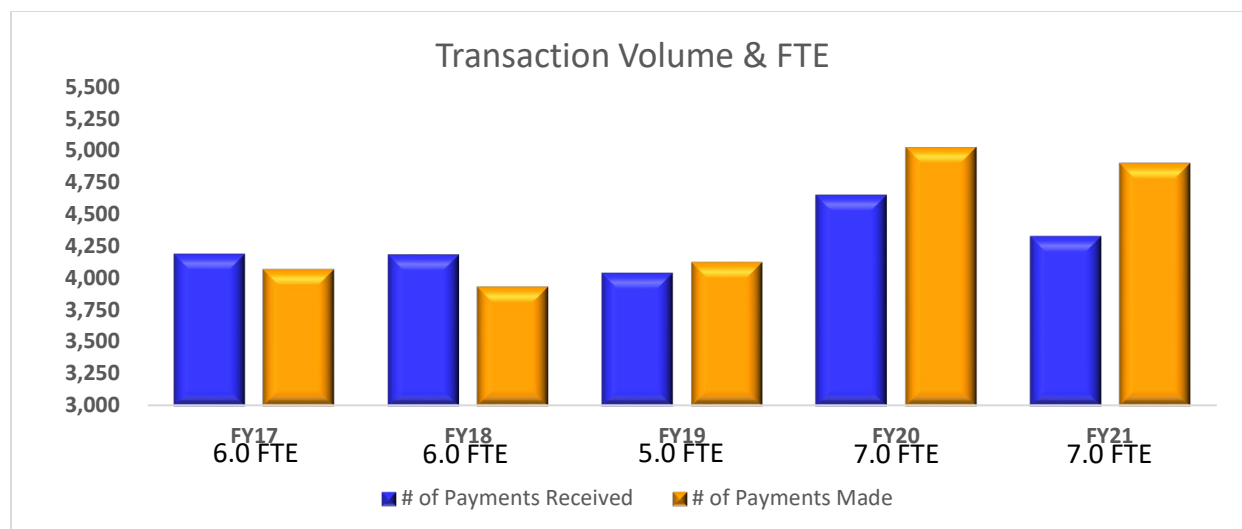
Fiscal Services

The Fiscal Services Section is responsible for agency finance and accounting functions, which includes managing NDEE purchasing, spending, receipting, budgeting, forecasting, and auditing responsibilities. The section has seven 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 regard to financial planning, in addition to the collection, tracking and reporting applicable fees. Because of the vast role the team plays within the agency, emphasis was placed on professional development and streamlining processes in the last year.

Major accomplishments during fiscal year 2021:

- Development and testing of 32 standard operating procedures (SOPs). During this time, the team worked on creating efficiencies within its core processes and identifying/training backups so processes can be executed in times of need.
- Consolidated financial reporting for the agency to include the Energy Programs. With this accomplishment, executive leaders can review the financial performance of the agency within a single set of reports.

Created a system for reporting cost savings and obligated funds to executive leaders for use with reinvestments back into the agency for strategic planning.



Human Resources

The Human Resources Section consists of three staff members, who together plan, direct, coordinate, and administer the day-to day operations of Human Resource Section. The Human Resource team supports the agency efforts to provide a working environment that strengthens individual and organizational performance.

Human Resources has a Training Coordinator which is responsible for analyzing training needs, developing curriculum and consults with the managers and supervisors of the agency to assess training needs and develop programs to match these needs. The coordinator continually evaluates procedures to monitor and analyze course effectiveness and updates the curriculum as needed.

Staff retention continues to be an important goal for NDEE. Staff turnover impacts continuity in NDEE’s programs and activities, and results in additional costs for recruitment and training of replacement staff members. NDEE strives to foster and maintain an employee-friendly workplace by offering transfer and promotional opportunities for qualified internal applicants. The Agency’s Strategic Plan addressed retention by implementing a Staff Retention Group this year, led by Human Resources. The group was comprised of employees from across agency divisions. The group met for a year and was able to identify and develop recommendations to help with retention, several of those recommendations have already been implemented.

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

The following charts comparatively show staffing activity for FYs 2020 and 2021. With historically low unemployment, the agency has been very fortunate to have the opportunity to hire 25 of the best and brightest new employees during this fiscal year timeframe. The agency continues to anticipate a large number of retirements over the next few of years, as the baby boomer generation has reached retirement age. We have been actively developing redundancy in positions (succession planning) to avoid a significant loss of agency knowledge and expertise.

July 1, 2019 through June 30, 2020	
New Hires	23
Retirements	4
Terminations	5
Transfers	4
Promotions	10

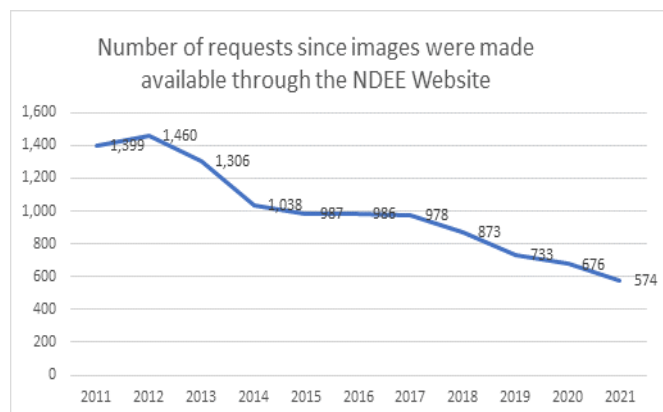
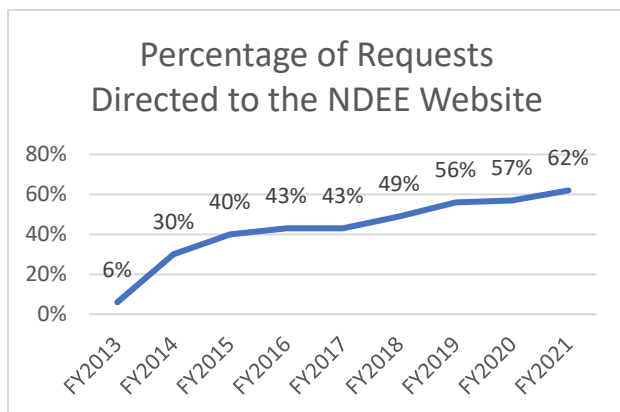
July 1, 2020 through June 30, 2021	
New Hires	25
Retirements	17
Terminations	11
Transfers	4
Promotions	24

Records Management

The Records Management Section is responsible for managing the agency’s paper and electronic records, centralized mail handling process, and requests for public information. Section employees also furnish support functions to agency programs.

In FY2021:

- Over 118,200 records were stored in the Enterprise Content Management System (ECM) utilizing OnBase software applications from Hyland Software.
- More than 30,200 incoming mail items were imaged and routed electronically to agency staff through a workflow process in the ECM.
- Staff in the Records Section responded to 574 requests for information. The number of information requests go down annually, as more information is made available online.
- Less time spent responding to public requests allowed the team to back-scan documents from more than 5000 files in preparation for moving the file room. In the future, the Records Management Team will focus on imaging Leaking Underground Storage Tank and Release Assessment documents and files, which are the most requested items for the agency.
- This year 62% of the 574 requests made were fulfilled by directing the requestor to the agency website to view documents.
- In response to public requests, the Records Team imaged over 488 legacy paper files into the ECM.





The agency fileroom was moved to the new Fallbrook location in November 2020. The Records Management Team coordinated transfer of more than 50,000 physical files to the new file room. In preparation for the move, staff transferred over 30,000 files to the State Record Storage Center and imaged paper documents for more than 5000 files, reducing the file room footprint by two-thirds.

The Records Management Section also coordinates building and implementation of solutions in the ECM.

- In the 2021 fiscal year, an inspection workflow tool was finalized and implemented for agency inspectors.

Information Technology

The Information Technology (IT) Section responsibilities are to assist NDEE users with any problems or concerns that are not PC hardware or software related, maintain the midrange IBM Power I (AS/400) computer hardware, web page support, and AS/400 application development.

The application development staff, in cooperation with the new Drinking Water programs, has developed four new computer programs for Engineering Plan Review, Safe Drinking Water, Environmental Safety, Water Well Standards and Contractors' Licensing to assist not only the new program staff with their daily jobs but also to provide new ways for the public to interact with the agency. Application development like this, can at times, take multiple years, in this case they were completed and put into production in ten months.

The IT section added a staff member from the Drinking Water merger to NDEE and will be filling a programmer position to help with continued application development.

NDEE web developers have been maintaining and making updates to the agency web page. The agency is working towards having a new web interface in 2022.

The IT Section added new project management software for the entire agency, to help manage all types of projects in a visual manner on their local computers. The software is not

only able to share information with other staff in their program, but all agency staff, when and where necessary.

The Office of the Chief Information Officer (OCIO) has assigned one OCIO support staff to the Fallbrook Blvd building for PC hardware and software support. This will help the IT staff focus and be more efficient in accomplishing other work that is not PC support.

Public Information Office

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

A primary responsibility of this office is to handle questions from the public and media (newspaper, television, radio and web) regarding NDEE'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 NDEE'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 NDEE.problem@nebraska.gov. The site 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.

NDEE also maintains social media accounts on Facebook, Twitter, LinkedIn, and YouTube to share agency updates, offer a resource for its audiences, and provide another way to reach the agency.

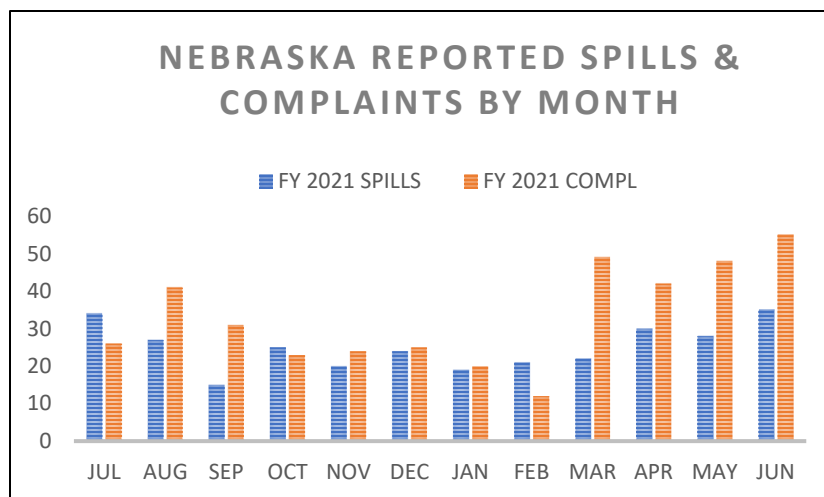
As part of the FY2021 reorganization, the PIO team now provides support for the agency's legislative activities, in addition to the small business and environment assistance program. You can review the Department's legislative summary in Chapter 1 and find discussion of the Department's assistance activities in Chapter 4.

Emergency Response Program

Through the Emergency Response Program, NDEE 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 and coordinate closely with the local, state, and federal agencies involved in emergency response incidents.



The agency relocation to a new facility offered and opportunity for the program to evaluate its resources. The replacement of aging response equipment has begun. Recruitment and training of new volunteers to the team was initiated. All resources, personnel, and equipment are now co-located for the first time in the agency's history, which should produce a much greater efficiency.

The NDEE recorded 300 reports of spills in FY 2021 (Jul 2020 – Jun 2021). Of the spills, 218 involved petroleum. An additional 386 citizen complaints were recorded by NDEE in FY2021.

Quality Assurance

The EPA has requirements for conducting quality management activities for all environmental data collected by the NDEE, 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 outline these procedures. Management 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 NDEE programs meet reporting deadlines, consolidating reports and verifying 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 NDEE 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.