



Maricopa County

Air Quality Department

PROCESS IMPROVEMENT INITIATIVE: COMPLIANCE

The Compliance Division Process Improvement meetings began on December 21, 2010 and concluded on April 4, 2012.

Stakeholder involvement included internal stakeholders, Vulcan Materials Company, Kitchell, City of Phoenix, and Meritage Homes.

Throughout the stakeholder meetings, there were 81 items identified as process improvement recommendations. The following pages include the stakeholder recommendations and staff's implementation efforts including percent completeness to date.

Recommendation	Implementation	% Complete
<p>Conducting disposition inspections on “no-permit” violations is not efficient. If a source does not have a permit, the only value of the disposition is to confirm that they applied for a permit. If the case is immediately referred to enforcement the source can verify they have applied for a permit through that process. If not, an inspection takes place every two weeks until the source obtains a permit. - 1. Require the submittal of an application within a specified time frame.</p> <p>2. Enter receipt of an application into EMS. Inspectors will then check EMS to determine if a facility has submitted an application instead of conducting a disposition inspection.</p> <p>3. If an application for a permit is not submitted within the allowed time period, the facility will face escalated enforcement.</p> <p>4. Develop/augment Standard Operational Procedure to effect this action.</p> <p>5. Consider encouraging inspectors to provide applications while at the site. Call in fee payments using credit card.</p>	<p>Most elements of the recommendation have been addressed through the development of a “No-Permit” protocol. Items 1, 2, 3 and 4 have been completed.</p> <p>Inspectors routinely email permit applications to facilities that need to complete them.</p> <p>Inspectors provide a web link for applications.</p> <p>Fee payment by credit card is now an option.</p>	<p>100%</p>
<p>Inspections are documented on several different spreadsheets, as well as EMS documentation. The result is overlapping and duplicative data entry. Multiple inspection report forms are unnecessary. - Eliminate unnecessary elements of the form and reconfigure and add elements necessary to make a universal form.</p>	<p>A new inspection form has been developed and is now in use. Multiple data entry has been significantly reduced. Vacant lot database entry remains an area for improvement.</p> <p>The Accela review has identified a task to create a link between Accela and the Assessors database to allow transfer of parcel information.</p>	<p>100%</p>
<p>Records requests are being made using a variety of formats. This can lead to confusion and the “form” of the request may not meet a legal standard making the request enforceable. - Standardize the records request form.</p>	<p>The issue was reviewed and it was determined that there is a form available for use specific to certain sources. Given the variety of situations where records requests are made, the use of a single form, applicable for all circumstances, was determined to be unnecessary.</p>	<p>100%</p>



Maricopa County

Air Quality Department

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Standard Operating Procedures – there may be too many (at this point a general comment not a specific suggestion to eliminate any particular SOP). - Many current SOPs are no longer valid and should be discarded. Initiate a workgroup tasked with the responsibility to conduct a review of existing SOPs and crafting updated SOPs as needed.	Division SOPs are being modified and a team is in place to address this task.	50%
Documenting time - submittal of daily activity reports in EMS is repetitive and time consuming. - Revisit the purpose of the “daily activity reports” to ascertain whether a different approach can be used.	The protocol for entry of daily activity reports has been changed resulting in the similar use of the Daily Activity Report by all supervisors. Data entry is now focused on essential information required for EMS.	100%
Issue deleted as replicate of C5 -	Not applicable	n/a
The department does not have the ability to immediately close a facility for non-compliance. In contrast, the County Environmental Services Department has the ability to close businesses for certain violations of public health rules. - Obtain the ability to immediately close a facility for non-compliance under certain, specified conditions. The department should have stronger abatement authority/language	Fundamental changes in the language of the authorizing statute would be necessary to fulfill this recommendation. No further action is planned at this time	100%
Inspectors are assigned inspections on the basis of area assignments. This approach may not be the best way of making assignments. (combine w/ C9 and C12) - Develop District Maps for inspectors to conduct inspections	A new inspection assignment paradigm was implemented July 1, 2012. Inspectors are assigned to geographically-based zones in which their zone team is responsible for completing all inspections.	100%
The number of sites requiring inspection can be overwhelming. - Reduce the scope of review required.	The formation of geographical zones (see C8) has resulted in program efficiencies. Additionally, new prioritization lists are being provided to inspectors to balance workloads and allow better inspection scheduling.	100%
For vacant lot inspections there are significant data entry requirements to document “no action” observations. - Develop a system that allows the data to be entered only once.	The investigation of vacant lots consumes a large amount of inspector time and is undergoing a comprehensive review. Accela is necessary to significantly implement this recommendation. The Accela review has identified a task to create a link between Accela and the Assessors database to allow transfer of parcel information.	50%
Vacant lot inspections conducted during “sweeps” result in a high level of observed compliance. - Review vacant lot program approach to improve efficiency.	Vacant lots – a GIS map has been developed of those lots that are 10 acres or more. Additionally, we can use GIS to locate smaller lots. New protocol developed and linked with HPA/high risk events	100%



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GIS capability for analysis of vacant lots is lacking. - Create a GIS capability for vacant lots allowing each to be monitored and tracked more efficiently.	GIS for vacant lots is being used. High risk lots have been mapped – additional maps will be developed when necessary.	100%
While a permit is being developed, there should be a means for compliance/ source testing to document and communicate outstanding/ongoing compliance issues to the Permitting Division. Compliance does have an opportunity to review permits but not enough time to do it because of other tasks. - Prior to permit issuance, compliance should be given an opportunity to review permit conditions as a means of ensuring enforceability. This might be limited to a subset of permits that represent those sources with high potential emissions or sources of special concern.	Coordination between Permitting and Compliance Division supervisors has been enhanced. There are periodic meetings to share information and draft permits are being distributed to Compliance supervisors with those of special interest being highlighted for attention.	100%
Issuance of a permit can result in the requirement to conduct a performance test within a specified timeframe (often within 60 days of permit issuance). However, sources may not meet this schedule and the delay may not be identified until long after the deadline has passed. - There should be a means of tracking source testing permit conditions in order to better ensure compliance. Create a database that prints out performance test completion dates.	Permitting Division is providing a weekly listing of new permits and is highlighting those with performance test requirements. This mechanism allows the addition of new permits with performance test requirements to a tracking system.	100%
The fee payment system is not geared to providing the “customer” with a convenient manner of payment. - Issue deferred to Permitting Division	Issue deferred to Permitting Division	n/a
Title V synthetic minor form (formatting) - Decrease number of forms to one or two forms.	The content of the Title V inspection documentation has been streamlined with one form containing all required information.	100%
Is a separate inspection form and inspection rights form required? - Consolidate inspection rights and inspection report form.	Recommendation determined to be unnecessary. Decision made to continue with use of a separate inspection rights form.	100%
Related to especially Title V permits. OCR (capturing text within permits (image documents SIRE). Difficult to transfer information, e.g., copying, from SIRE. Makes drafting inspection reports more difficult. - Easier on file reviews and the Permitting Division	Requires department-level decision on changing SIRE use. No change to current approach expected.	100%
Lack of Standardized Operating Procedures (SOPs). - Standardize SOPs	Developing a review of existing SOPs and creating a compilation of all SOPs in process.	50%



Maricopa County

Air Quality Department

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Standardize sample collection forms. - Make sample collection forms (rule) specific. Refers specifically to Title V sampling.	The sample request form is provided by the laboratory under contract to perform the analysis. The sample collection form is standardized.	100%
If records are received after the fact, how should they be retained? Records part of inspection report? NOV? - Issue related specifically to voluminous records submitted as part of a records request. If the documents do not represent a violation there is no reason to maintain the records.	Decision made to not retain records unless necessary to support/document a violation. Now part of the universal inspection report guidance.	100%
When inspectors visit a site they often will not be working with the same person from the facility. This leads to confusion and a lack of consistency. - Inspectors should remain in communication with the same site contact to the extent practical.	To the extent practical, inspectors are assigned projects within zones and encouraged to develop expertise with certain facilities. The degree of facility swapping among inspectors that lead to this concern has been greatly reduced.	100%
From the facility perspective, not receiving notice of an inspection creates various difficulties, e.g., a key contact may not be available for the inspection, the appearance of an inspector creates confusion and shuffling of staff that can be difficult to accommodate. - Unless an inspection is being conducted in response to a complaint, provide advance notice of the inspection.	Unannounced inspections are an integral part of the compliance assurance paradigm. Recommendation determined to be impractical given the requirement to conduct unannounced inspections.	n/a
Compliance inspections – response to records requests should be electronic submittals (when possible) and duplicate requests (e.g., providing a semiannual report which would have been required to already be submitted) should be limited. - Generally, duplicate submittal of information is discouraged	Records submitted by a source are discarded after review unless used as evidence of a violation. Records that are relevant to a violation are scanned and used as evidence. Subsequently, some records may be requested again (if previously discarded) but the occurrence is infrequent.	100%
Inspection rights are provided during all inspections except NESHAP. - Extend the provision of inspection rights to NESHAP inspections (now mandated by HB 2665) Modify inspection rights form (if necessary) to reflect concerns about split samples. Obtain evidence bag tape to ensure reliability of sample integrity. Update sampling protocol to include asbestos.	Inspection rights form is now being provided during NESHAP inspections. The inspection rights form has been modified. Evidence bag tape has been secured.	100%



Maricopa County

Air Quality Department

PROCESS IMPROVEMENT INITIATIVE: COMPLIANCE

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When access to conduct an inspection is denied there is no immediate information available that summarizes the steps the department may take to ensure future access. - Develop an informational fact sheet that can be presented to a facility in the event access is denied.	The fact sheet may provide sufficient information to allow the facility to better understand the rights to access held by the department and influence the facility to grant immediate access. Allowing immediate access would save time and make the inspection more efficient. A draft fact sheet is under review	75%
Following an inspection, the facility should have a contact number for the department, ideally the Department's Small Business Assistance liaison. - Add the Small Business Assistance Office contact number listed on an inspector's business card.	The Small Business Assistance advisor contact has been to the inspection report cover letter.	100%
It is very difficult for anyone to know who to contact within the department for assistance. There is no staff directory online and most published numbers only get you to a voice mail system. - Additional contact information needs to be added to the department's website with regard to the Compliance Division.	The department's main line is now assigned a full time receptionist. A Compliance Division directory has posted onto the department's website. Additionally, a contact list is provided in the department's 310 and 316 training.	100%
Expectations for completion of inspection reports may differ among inspector supervisors, e.g., details of how a site was in compliance with their permit conditions, no violations noted are okay for dust inspections but source inspections need more details. - Establish consistent expectations for the level of detail that should appear in an inspection report.	Greater consistency for reports developed by inspectors. Training for inspectors including expectations for legal sufficiency of NOVs.	100%
Should every instance of a no permit violation result in a notice of violation vs. a notice to comply? There are instances where a facility has attempted to identify all appropriate permits but did not identify the need for an air quality permit. - In some cases, allow an Opportunity to Correct (OTC) to be issued to unpermitted sites. Establish a set period of time for unpermitted business owners to submit an application. Upon expiration of the set period, the OTC will be converted to NOV	A no-permit enforcement approach has been developed providing greater flexibility.	100%
The department uses a shift log, an extremely time consuming, record keeping device, that does not seem to add much value. - Eliminate the Shift Log that keeps track of inspectors SCK, VAC and OT. Matching leave slips to PeopleSoft records should be sufficient. Eliminating this system would save hundreds of hours per year for Compliance Division staff. Refers to changes in employee's work schedule.	Upon review, the Shift Log has been determined to be an essential management tool allowing supervisors to know and document when field deployed staff are taking time off allowing the ability to assign work, e.g., complaints.	100%



Maricopa County

Air Quality Department

PROCESS IMPROVEMENT INITIATIVE: COMPLIANCE

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<p>The Permitting Division is not advised, nor do they have the ability to determine if a performance test has been completed/passed. Only the department's performance test engineer will have the test results. In some cases, the assigned test engineer makes no notation anywhere in EMS to share results with the Permitting Division. - A comprehensive review of permits will be conducted with the shift to the zone inspection model. All permits will be reviewed to determine whether any performance testing compliance concerns exist.</p>	<p>Inspectors are now evaluating performance testing as part of inspections.</p>	<p>100%</p>
<p>Facilities may have multiple sources, e.g., IC engines, gasoline tanks, fuel burning equipment, and solvent cleaning operations which may be addressed through permit conditions. An inspection of a sand and gravel facility covered by Rule 316 may not refer to these other sources in the inspection reports. The facility's comprehensive compliance status is, therefore, not fully understood on the basis of reviewing the inspection report. - Documentation of inspections should indicate whether the inspection is solely for compliance with Rule 316 or Rule 310. The department and the facility would have a record of the entire compliance status or whether the inspection was narrowly focused on only a portion of the rules.</p>	<p>Added to the inspection form and included in the SOP</p>	<p>100%</p>
<p>State law requires that a copy of the report generated from an inspection be shared with a facility. Photos taken during an inspection are not normally attached unless separately requested. An NOV may also be sent without photos. - The photographs associated with inspection reports and NOV's should be provided at the time the documents are provided to a facility. One possibility is to use website posting so that only the facility can access the photos.</p>	<p>Increased awareness on the part of a facility of the evidence collected during an inspection. Inspection reports need to clearly indicate the availability of photos upon request. Once a request is received, photos will be emailed to the facility. Discussed at division meeting with direction provided to staff. The SOP has been modified</p>	<p>100%</p>
<p>The descriptive content of an NOV may differ from that contained in a referral report or later versions of an NOV. - A facility should always have the most complete description of a violation. If the descriptive content of the NOV has changed, the facility should receive a copy.</p>	<p>The cover letter transmitting the NOV will be modified to clarify that a referral report is prepared and may differ from the NOV (additional content).</p>	<p>100%</p>



Maricopa County

Air Quality Department

PROCESS IMPROVEMENT INITIATIVE: COMPLIANCE

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<p>The determination whether a site will receive a Notice of Violation or a Notice to Comply appears to be left to the discretion of the inspectors. - Develop a set of guidelines that help inspectors determine whether an NOV or an NTC should be issued to provide consistency across facilities and inspectors.</p>	<p>The department has implemented an Opportunity to Correct (OTC) policy containing specific examples to provide additional clarity regarding violations that qualify for an OTC.</p>	<p>100%</p>
<p>Asbestos compliance reveals that some non-compliant actions are taken, in part, in response to a government directive. Some people remain unaware that additional regulatory obligations exist and believe the directive should have advised them of any additional requirements. - Work with other governmental entities to increase the awareness of asbestos requirements.</p>	<p>Outreach to communities has been taken to address this issue. Additional outreach is required. Asbestos process improvement has identified a number of recommendations to pursue. Outreach is occurring at periodic asbestos training events – enforcement staff attend on a monthly basis to convey the importance of remaining compliant to avoid penalties. Revisions to the department’s asbestos brochure are in process (March 2014)</p>	<p>100%</p>
<p>Title V facilities are being inspected quarterly: ¼ = one full routine inspection (site visit) ¼ = one control device inspection (site visit) ¼ = one semi-annual monitoring report ¼ = one semi-annual monitoring report - Conduct one full inspection each year as noted in the fee table. Eliminate control device inspection which is not covered under the current fees.</p>	<p>The duplicative control device inspection has been eliminated.</p>	<p>100%</p>
<p>Inspectors are now rotated from one coverage area to another about every three months. This rotation is very inefficient and inspectors are only just learning their area when they need to move on. - Eliminate the 3 month rotation of assignment areas for inspectors.</p>	<p>Inspectors are now assigned to geographically-based zones in which their team is responsible for completing all inspections. This has eliminated the former practice of map rotation – the three month rotation has been eliminated.</p>	<p>100%</p>
<p>Is there a need to collect a \$100 late fee for unpermitted sources? Collecting the fee and a penalty seems to be double punishment when the enforcement process can assess a penalty greater than \$100. - Eliminate late fee for unpermitted sources.</p>	<p>A change in the rule is required.</p>	<p>0%</p>
<p>At the end of an inspection, it may not be clear to the entity inspected what comes next. - A fact sheet or FAQ should be developed to provide information about what can be expected following an inspection. Greater awareness of what may occur as a result of an inspection and when.</p>	<p>Resolved through development of a new cover letter</p>	<p>100%</p>



Maricopa County

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<p>Conducting a disposition inspection after a “No Permit Violation” is issued (to assure a permit application has been submitted) does not always mean the site/facility is in compliance. They may submit incomplete applications, and engineering may not be able to communicate with them.</p> <p>Conducting disposition inspections is not a solution; it only demonstrates that the “No permit violation” is a “non-issue”. - After the site/facility has submitted a permit application, Compliance Division should confirm application submittal (using EMS) and update the NOV as appropriate.</p>	<p>A disposition inspection may not be necessary since the no permit violation can be clarified through EMS (checking to see if a permit application was submitted and a permit was issued). However, a disposition inspection may be necessary to determine additional compliance with requirements beyond the permit requirement alone.</p> <p>If a permit engineer requires additional information during permit review, an additional inspection can be conducted.</p>	<p>100%</p>
<p>Discovery of an unpermitted source may not lead to a complete determination of compliance with all applicable rules. - Determination of full compliance should be achieved at the time of inspection. If non-compliance is discovered follow the compliance assurance model and follow-up as needed.</p>	<p>The compliance assurance model provides guidance to evaluate compliance any time an inspection is conducted. Inspectors have been provided with direction on the need to evaluate full compliance.</p>	<p>100%</p>
<p>Response Letters received by department without a received stamp. Site/Facilities have 10 days to request Ombudsman review. The only way to determine if the letter was received within the 10 days is if the letter is stamped by the department. Dates included with the letter may not always be accurate. - All received letters should have a date received stamp.</p>	<p>All documents received are being date stamped.</p>	<p>100%</p>
<p>Employees want a forum where they can express problems they see with a process or rule - somewhere where their voice will be heard and where they can receive feedback. Although the process improvement group is a place to do this, it will not always be available. - Establish a team tasked to read issues and come up with solutions.</p>	<p>A monthly forum is provided for staff who were engaged in the process improvement review to continue to provide input to the division manager. A division suggestion/comment board has been established electronically.</p>	<p>100%</p>
<p>When issuing No Permit Violations the site is obligated to pay a \$100 late fee per Rule 280, and they are also charged a greater penalty through the enforcement process. The enforcement penalty may include a collection of fees for those years they operated without a permit. Should we collect these fees as services were not rendered, i.e., inspections were not conducted? - The \$100 late fee should suffice.</p>	<p>A No Permit policy has been developed to provide some leeway in enforcement.</p>	<p>100%</p>



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<p>Permits contain complicated requirements/conditions that may not be understood or complied with and may lead to difficulty in proving a violation if not identified early on. - Schedule compliance assistance (courtesy) style inspection prior to or just after permit issuance. This would be for all types of permits to ensure ongoing compliance through the lifetime of the permit. Early compliance is assured. Ability to prove a violation is enhanced.</p>	<p>Courtesy inspections are offered on a case by case/request basis.</p>	<p>100%</p>
<p>The “inspections required” report in EMS appears to be missing some parameters, i.e. Inspections not being counted; such as Complaint Inspections are not being considered as a “comprehensive” Inspection. There’s also an issue of next inspection dates and purposes. In many cases we are finding that those dates aren’t accurate. - Consider counting a complaint inspection as a required inspection for some permit categories. Benefit: Avoid duplicate inspections for some sources.</p>	<p>EMS source inspection lists have been modified to use last inspection date as the driver to determine when a new inspection is required. Additional modifications made to ensure inspection lists are accurate and timely.</p>	<p>100%</p>
<p>It appears that other agencies may count a complaint inspection as an inspection for purposes of meeting EPA’s once in five year inspection guidelines. - Evaluate per EPA guidance.</p>	<p>The derivation of this comment appears to be the distinction between an inspection that is driven by a complaint and one that is a full inspection. A complaint inspection may not address all provisions required in a full compliance inspection and, as a result, should not be counted as an inspection for purposes of a full compliance determination.</p>	<p>100%</p>
<p>Unclear what to do if a vapor certification test fails. How long of a wait is allowed? What if a test needs to be rescheduled? - Clarify expectations.</p>	<p>A Vapor Test is comprised of three separate tests all of which must be completed within 15 days of start. If all tests are not completed, the whole series of tests must begin anew within the 15 day period. A company must notify the department if retesting is necessary (See R352 section 302.3). A retest is a very infrequent occurrence and is noted as a second notice in permits plus. A 2nd notice may happen because parts are not available or the work is quite extensive and maybe it was cost prohibitive and the tanker was put out of service.</p>	<p>100%</p>
<p>Higher priority items requiring Compliance Division supervisor review may languish in an “in-box” for an extended period of time. Particularly associated with review of NOV’s. - Compliance Division supervisors should have two in boxes – one for normal and one for high priority reviews, e.g., NOV’s and closures.</p>	<p>Compliance Division supervisors directed to process referral reports within 45 days of NOV issuance.</p>	<p>100%</p>



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Inconsistency/uncertainty in making records requests. - Records request form needs to be standardized	<i>See C3 for resolution</i>	100%
Current complaint line procedure is inadequate. Given Compliance Division supervisor schedules, some complaints are not responded to in a timely manner - Ensure that during office hours the complaint line is manned so there is no extended lag time in response. Establish goal to respond within 24hours except on weekends.	Developed improved complaint response – responding to urgent issues in a timely fashion. Zone designations have reduced distances for inspector response. Goal is to respond to a complaint within eight business hours of receipt.	100%
Inconsistencies exist in the approach of some Compliance Division supervisors to some issues. Creating confusion and inconsistent application of the regulations. - Inspectors and supervisors need a common knowledge base. Emphasize through training and in protocols the need to ensure consistency of approach. Also, identify and encourage the development of subject matter experts.	Supervisors have been given specific program responsibility. Teams have been established to provide a core or staff with expertise in certain areas. Additionally, detailed workshops have been and will continue to be conducted providing inspectors with an in-depth review of requirements under specific rules. Related to P34	100%
When inspectors issue a “no permit” NOV, they use a separate form. - Send a draft of the NOV to the One Stop Shop (OSS) to avoid duplication of entry.	Inspectors now use the NOV form instead of creating a new form.	100%
Documentation for closing an NOV without a disposition inspection? How long to process? - From P78	All NOVs are carefully tracked and must be processed (referred to enforcement) within 45 days of issuance. This timeframe includes any disposition inspection that may be necessary.	100%
Is the universal inspector program efficient? Is expertise being diluted? Is it taking more time for Compliance Division supervisors to review NOVs as a result of their not being familiar with some program areas? - Establish timeframes, and ensure greater consistency through improved education, e.g., workshops.	Universal inspector program is moving to maturity, greater efficiency has been achieved as inspectors have developed greater experience across programs. Supervisors have also gained additional cross program experience.	100%
Supervisors are taking too long to review NOVs. - Establish a deadline by which NOVs must be reviewed.	Supervisor performance plans now have a standard that NOVs must be reviewed and sent to enforcement within 45 days of receipt.	100%
Inspectors are not allowed to change a complaint’s status. - Inspectors should be allowed to change status after being assigned a complaint.	Resolved by allowing inspectors to change status.	100%



Maricopa County

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<p>Individuals at some sites may not be fully aware of what we are inspecting and what we look at during an inspection. Should we create some kind of inspection summary to include with the permit conditions and or permit so sites know what to expect? - Develop a pre-inspection checklist which lists the various elements to achieve compliance – may not be totally comprehensive but could address 90% of common potential violations. Offer “brown bag” presentation to explain inspector expectations during an inspection including “real world” examples.</p>	<p>Ideally a small business function, there are a number of checklists and upgraded factsheets that would be very helpful to encourage compliance. A fact sheet that covers the topic of required records and content is considered to be the primary need. The 310 handbook provides some of the information suggested in this recommendation. Also, the new 316 handbook will be useful in this regard. Will require development of a new flyer to provide to facilities during an inspection and will need to be targeted to specific permit types.</p>	<p>50%</p>
<p>Registered contractors frequently plead ignorance to the federal Asbestos NESHAP which regulates the renovation or demolition of public, commercial, industrial, institutional, and residential facilities and installations. Contractors in the renovation and demolition industry cannot compete with contractors who make bids not in compliance with the Asbestos NESHAP. - Open dialogue with the State of Arizona Registrar of Contractors to put the Asbestos NESHAP on the test for obtaining a license, which would achieve a result of producing informed contractors. Develop new asbestos brochure and share with major employers.</p>	<p>Letter sent to State of Arizona Registrar of Contractors requesting support as part of registration testing. To date, there has been no substantive response from State of Arizona Registrar of Contractors. Asbestos brochure in development.</p>	<p>100%</p>
<p>How long should each type of permittee be given to submit an application after an NOV is issued? - Develop “No Permit” policy.</p>	<p>“No Permit” policy developed.</p>	<p>100%</p>
<p>Performance testing has a backlog of completed test report reviews. The activity of performance testing is inherently more of an engineering task than a compliance task. - For any report older than 2 years (negotiable), a preliminary review will be done to identify any egregious errors. The validity of issuing a violation on a test older than 2 years would be subject to a great deal of questioning to which we may not have a good answer. Require the electronic submittal of all test protocols and reports including data spreadsheets. This will allow a quicker QA/QC of test data and protocols and would relieve our storage issue.</p>	<p>The performance testing unit was transferred to the Permitting Division. The backlog of performance test reviews has been eliminated.</p>	<p>100%</p>
<p>Emergency generator inspections require a large amount of time relative to the potential emissions. - Consider a change in approach where an annual report is required with ownership information and spot checks.</p>	<p>On-site inspections are required of permitted facilities and the option of an annual report is not possible under the current framework.</p>	<p>100%</p>



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<p>The placement of performance testing in the Compliance Division, separate from the Permitting Division, creates the opportunity for miscommunication and represents an inefficient use of resources. - Performance Testing should be repositioned in the Permitting Division since permit writers and testing staff are all engineers by education.</p>	<p>The performance testing unit was transferred under the Permitting Division.</p>	<p>100%</p>
<p>The process for documenting vacant lot inspections (especially those that are compliant) is cumbersome. - Modify form or approach to a new documentation format.</p>	<p>Ultimate resolution contingent upon conversion to Accela. Resolution may be addressed in upcoming initial phase in of Accela.</p>	<p>50%</p>
<p>When any inspection is conducted, the party being inspected is interested in having documentation of any compliant conditions. - When conducting any inspection activity, prepare a checklist or form to document the observations – especially noting observations of compliance, and provide a copy to the inspected party. Allows the inspected party to know when any inspection activity occurred and the results/specific observations made. Inspection form to be modified to provide new language to acknowledge that other conditions observed during the inspection were in compliance – will likely need a checklist format.</p>	<p>The inspection report provided contains a determination of whether violations were noted. Although generic in nature the development of a checklist for each rule showing complainant conditions would be cumbersome and unnecessary. However, this approach is used in the Title V inspection program where each condition is reviewed and a compliance status is determined. The 310 handbook provides some of the information suggested in this recommendation. Also, the new 316 handbook provides similar detailed information. Will require development of a new flyer to provide to facilities during an inspection and will need to be targeted to specific permit types. Each permit type needs to have a checklist developed specific to the applicable rule.</p>	<p>75%</p>
<p>When a permit close out is requested via permitting, should an inspector be notified to conduct a final closeout walk through of a facility; verify lock out tag out and equipment break down? - A policy for permit closeouts should be developed addressing both permit and compliance-related concerns.</p>	<p>Transferred from permitting. Policies have been developed</p>	<p>100%</p>
<p>Performance testing is facing a significant workload backlog. A formal written report (data entry and report writing) are time intensive and contribute to the backlog given the staff allocation. - Conduct a cursory review of test reports. Data and calculations would undergo an abbreviated review and consistency check. A 1-page summary memo (highlighting what equipment was tested, the type of tests done and the emission results) may substitute for a full blown multi-page test report review.</p>	<p>The performance testing unit was transferred to the Permitting Division. The backlog of performance test reviews has been eliminated.</p>	<p>100%</p>



Maricopa County

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Recommendation	Implementation	% Complete
<p>Expired permits may be in an expired status for months or even years. - If a permit is expired more than 6 months, conduct a site inspection to verify the status of the facility. If no longer present, close the permit. If still operating, issue NOV and request a new app. Inspectors should conduct a review of expiration dates of permits in their area.</p>	<p>Expired Permit List: an updated report is generated every month for expired permits. These are assigned to inspectors to survey.</p>	<p>100%</p>
<p>Permit holders may be required to submit sampling data, or monitoring reports, to the department but there is not always acknowledgement by the department of receipt, acceptability, or compliance. This can leave sources open to changes in rule/report interpretations later when the data/report is reviewed at that time and it is discovered that there is something missing or in error, etc. - Establish a protocol that will acknowledge receipt of submittals to ensure source is in compliance or address source compliance in a timely manner.</p>	<p>An inspection form is provided to the permittee to acknowledge receipt of a report. These are logged into EMS. Inspectors have been provided direction on this procedure.</p>	<p>100%</p>
<p>When a “no permit” NOV is issued, it is necessary to obtain a permit number from the One Stop Shop (OSS) prior to issuing the NOV (so it (the NOV) has a home in the database system). Currently, a separate form is completed and sent to OSS to obtain a permit number. Why can’t the NOV be used since it has the required information. Completing a separate form is duplicative and inefficient. - Send the draft NOV in place of the current duplicative form.</p>	<p>Inspectors now use the NOV form instead of creating a new form.</p>	<p>100%</p>
<p>Permit holders may not be cognizant of upcoming permit expiration or other matters that may be discernible to an inspector during an inspection. - Inspectors should proactively highlight issues of concern to a permit holder when discovered.</p>	<p>Permit holders are made more aware of matters they need to address to avoid a future NOV. Direction contained in inspection report guidance to address topics the source needs to be aware of. Topic covered in workshop presented to inspectors.</p>	<p>100%</p>



Maricopa County

Air Quality Department

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<p>There is a need for a formal ombudsman policy and adherence to the policy. It seems that the ombudsman request not always takes the path that it should. A written formal request for ombudsman review is required in order for the ombudsman to review a case. It seems this formal request doesn't always happen. How many times can a source request his services, when can a site request his services (when violations are issued, or anytime there is an issue (NTC, compliant))? What should the formal request include (identify problem)? - Have a written policy of the procedure for ombudsman services. Policy should clarify the following: When must the formal request be made (or received)? How should the request be made? (there should be a form to fill out) What should the formal request include? A description of what there is a question about? A copy of the formal written request (received by the ombudsman) should be provided to the inspector and supervisor. The inspector and supervisor are made aware of possible issues during the inspection or interpretation of rule (enhance communication). Can serve as a training tool for compliance</p>	<p>Policy was developed and is being implemented</p>	<p>100%</p>
<p>The current use of enforcement is a negative tool to achieve compliance. Is there an alternative method that can be used to create a compliance incentive? - Establish an incentive program that would extend a discount on annual fees to those facilities that are found to be compliant for an entire year.</p>	<p>The department has adopted a Compliance Assurance philosophy that stresses "compliance" through the use of all available tools. Guidance has been developed regarding the specific instance of a facility not having a permit. The department's penalty policy specific to asbestos has been revised. Other specific measures have been taken to review enforcement penalties. A SEP policy has been developed to provide greater options. A policy on self-reporting has been developed. The overarching policy</p>	<p>100%</p>
<p>Some complaint response may not be of value (effective use of resources) given circumstances associated with the event, e.g., ag, no burn, rural roads. - Review current complaint protocols. Revise protocol to reflect results of evaluation. Ensure complaints are referred to agencies that are able to address the problem. Reduce situations where a complaint response has very little value, i.e., no ability of department to effect any change, no department authority to</p>	<p>Zone inspection teams are now engaged in direct assignment of complaints. This system is working well and response time is believed to be improving (yet to be documented – tied to Accela). Some complaints being resolved at division manager level when appropriate (repetitive and the department has no direct ability to influence outcome) Letters are being sent to conclude unproductive investigations where violations cannot be demonstrated.</p>	<p>100%</p>
<p>Multiple compliance inspectors visit a site which may result in inconsistency in communications and interpretations. - Identify one or two inspectors who will be designated for a certain facility. Benefit: Avoid continual confusion with differing communication and interpretations, safety.</p>	<p>A new inspection assignment paradigm was implemented July 1, 2012. Inspectors are assigned to geographically-based zones in which their team is responsible for completing all inspections.</p>	<p>100%</p>



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<p>When an error (e.g., EMS, Permits Plus, and/or paperwork) is discovered the tendency is to resolve the concern for the immediate circumstance without addressing the underlying cause. - Create an expectation that any data entry issue is brought to the attention of the appropriate manager and that a</p>	<p>Partly addressed through hiring of new management analyst (Feb 2013). Also, increased emphasis on data entry accuracy in compliance and enforcement division.</p>	<p>100%</p>
<p>Compliance Division meetings are not productive. - Ensure that Compliance Division meetings have agenda items that add value for the time</p>	<p>Compliance Division meetings now following an agenda/focused topics.</p>	<p>100%</p>
<p>Asphalt Plant compliance stack testing and a contemporaneous full inspection with multiple air quality staff imposes a significant demand on a facility to meet multiple and contemporaneous expectations. No reports on the outcome of the inspection are received. In addition to inspection staff – permit writer staff may also attend on the same day further challenging the ability of the facility to meet expectations. Plant operators cannot be distracted from operations during stack testing to obtain information. - Inspections should not be attended by multiple staff such that the facility is unable to both conduct its operations and meet multiple/simultaneous requests</p>	<p>This circumstance was largely the result of a single unique event and should not be repeated.</p>	<p>100%</p>