

Report on Boards & Commissions

Department: Energy and Environment

Secretary: Becky W. Keogh

The purpose of this report is 1) prompt an analysis of the Boards & Commissions in your Department and to identify efficiency (cost savings) and effectiveness (better results) opportunities and 2) to propose and develop to deliver efficiency and effectiveness improvements.

Boards & Commissions Project Proposal

1.1. List all boards, commissions, etc. within your department.

All boards, commissions, committees, and panels listed below meet the following criteria:

- Created by law or have reporting requirements to the legislature or to the Governor
- Controlled or maintained by an E&E entity
- Authorized to make a binding decision on behalf of the state

1. Advisory Committee on Petroleum Storage Tanks
2. Geological Survey (Commission)
3. Liquefied Petroleum Gas Board
4. Marketing Board for Recyclables and Compliance Advisory Panel
5. Nutrient Water Quality Trading Advisory Panel
6. Oil and Gas Commission
7. Pollution Control and Ecology Commission
8. Solid Waste Licensing Committee
9. Wastewater Licensing Committee

1.2. What state resources support each board, commission, etc.? What is the total cost associated with each board, commission, etc. broken down by general revenue and by all other sources?

The table below highlights the average costs (FY18–FY19) associated with meeting-related expenses. The costs reported below do not include personnel or staffing expenses. The cost below specifically includes stipends, meals, mileage, lodging, and court reporting, where applicable.

E&E Boards & Commissions <i>(listed alphabetically)</i>	Average Cost (FY18–FY19)*	Funding Source
1. Advisory Committee on Petroleum Storage Tanks	Unavailable (see 1.4)	Special Revenue
2. Geological Survey (Commission)	\$2,553.78	General Revenue
3. Liquefied Petroleum Gas Board	\$4,700.00	Special Revenue

4. Marketing Board for Recyclables and Compliance Advisory Panel	Unavailable (see 1.4)	Special Revenue
5. Nutrient Water Quality Trading Advisory Panel	Unavailable (see 1.4)	General Revenue
6. Oil and Gas Commission	\$45,000.00	Special Revenue
7. Pollution Control and Ecology Commission	\$22,099.28	Special Revenue
8. Solid Waste Licensing Committee	Unavailable (see 1.4)	Special Revenue
9. Wastewater Licensing Committee	Unavailable (see 1.4)	Special Revenue

1.3. What are the key results, outcomes, performance indicators and/or success measures for each board, commission, etc.?

E&E Boards & Commissions (listed alphabetically)	Outcomes
1. Advisory Committee on Petroleum Storage Tanks	<ul style="list-style-type: none"> • Make recommendations to DEQ regarding claims for trust fund payment. • Make recommendations to PC&EC regarding promulgation of rules concerning storage tanks.
2. Geological Survey (Commission)	<ul style="list-style-type: none"> • Make recommendations to the State Geologist regarding: investigation of the natural geological resources of the state, geological hazards, and issues relating to the safety of miners and mine operations. • Make recommendations to the State Geologist regarding the preparation of topographic maps.
3. Liquefied Petroleum Gas Board	<ul style="list-style-type: none"> • Regulates the liquefied petroleum gas (LPG) industry in the state. • Issues permits and certifications for LPG industry. • Creates and maintains rules for LPG industry.
4. Marketing Board for Recyclables and Compliance Advisory Panel	<ul style="list-style-type: none"> • Coordinates existing marketing programs for recyclables and provides overall marketing plan for Arkansas recyclables. • Provides an inventory of marketing for recyclables in Arkansas and the surrounding states. • Encourages use of recyclables in manufacturing processes. • Recruits new industries that use recyclables in their manufacturing processes. • Maintains current information on market prices and trends. • Makes recommendations to state and local officials in all

	areas of recyclables marketing.
5. Nutrient Water Quality Trading Advisory Panel	<ul style="list-style-type: none"> • Makes recommendations to DEQ and the Natural Resources Commission regarding the desirability, design, and operation of nutrient water quality trading programs. • Makes recommendations to PC&EC and the Natural Resources Commission regarding promulgation of rules involving nutrient water quality trading programs.
6. Oil and Gas Commission	<ul style="list-style-type: none"> • Regulates the oil, natural gas, and brine industries in the state. • Creates rules and regulations for these industries. • Conducts administrative hearings and issues orders.
7. Pollution Control and Ecology Commission	<ul style="list-style-type: none"> • Creates and maintains rules and regulations related to state environmental law. • Conducts administrative hearings and issues orders.
8. Solid Waste Licensing Committee	<ul style="list-style-type: none"> • Conducts inquiries and establishes findings, which are necessary to advise PC&EC and DEQ on irregularities encountered in the management of the licensing program. • Conducts inquiries and establishes findings, which are necessary to advise PC&EC and DEQ on the actions of licenses. • Makes recommendations to DEQ on administrative sanctions related to the suspension and revocation of licenses.
9. Wastewater Licensing Committee	<ul style="list-style-type: none"> • Advises and assists DEQ in conducting licensing examinations. • Advises and assists DEQ in issuing, renewing, suspending, and revoking operator licenses. • Advises and assists DEQ in instituting court proceedings to compel compliance. • Advises and assists DEQ in participating in programs sponsored by the Arkansas Water Environment Association.

1.4. After conducting a thorough analysis of boards, commissions, etc. within your department, identify key opportunities you would propose for more effective operations, improved services, and/or efficiencies.

- Opportunity 1. Assign specific cost accounting codes to DEQ committees and panels not otherwise tracked.
- Historically, specific fiscal coding mechanisms were not in place to track expenses associated for the following:
 - Advisory Committee on Petroleum Storage Tanks
 - Marketing Board for Recyclables and Compliance Advisory Panel
 - Nutrient Water Quality Trading Advisory Panel
 - Solid Waste Licensing Committee
 - Wastewater Licensing Committee
 - The assignment of an identification code will allow E&E Fiscal Services to track costs and identify additional opportunities to increase efficiencies and cost savings.

- This opportunity could be implemented relatively quickly and tracking mechanisms in place by the beginning of Fiscal Year 2021.

Opportunity 2. Evaluate the feasibility of electronic documentation for board and commission hearings and meetings.

- Currently, many documents for board and commission meetings/hearings are sent to members and commissioners by U.S. Postal Service, FedEx, etc.
- Potential cost savings could be achieved through the elimination of expenses associated with mailing hard copies.
- A feasibility study should include a review of statutory and regulatory requirements for mailing meeting documents.

Opportunity 3. Utilize a video conferencing platform for meetings/hearings.

- Travel expenses, including lodging, meals, and mileage, account for the majority of meeting-related costs for the identified boards and commissions.
- Providing the option to attend meetings remotely, through a video conferencing platform, could potentially yield cost savings.
- Video conferencing equipment currently exists in the Commission Room at E&E Headquarters, and with additional equipment, the same capability could be used at other E&E facilities.

Opportunity 4. Reduce or eliminate transcription costs of hearings and meetings by providing audio recordings of meetings, when requested.

- The use of audio recording could potentially reduce or eliminate the need and expense associated with contracting with court reporters for transcription.
- A feasibility study should include a review of statutory and regulatory requirements for transcriptions.

Opportunity 5. Explore legislative changes to create a system to notice public hearings via electronic means.

- Current law requires newspaper publication of certain hearings and meetings.
- Historically, local and regional newspapers existed throughout the state; however, there are currently limited print newspapers to fulfill the public notice requirement.
- Publication of notice is severely limited in both reporting timeframes and available publications.
- The ability to provide public notice electronically could alleviate these restrictions.
- A feasibility study should include a review of statutory and regulatory requirements for publication of notice.

Opportunity 6. Create a pool of qualified staff to serve as hearing officers for all E&E boards and commissions.

- Currently, each board or commission identifies hearing officers based on availability.
- An E&E staff pool would provide a resource of hearing officers that would facilitate a consistent evaluation of all matters.

1.5. Identify any obstacles to the implementation of these proposals.

- Technology costs
Expenses associated with video conferencing and recording equipment could limit the implementation of opportunities three and four.
- Statutory changes
To implement opportunities two and five, statutory changes may be required.

1.6. What would be key action steps for these proposals?

Opportunity 1. Assign specific cost accounting codes or identifiers to all E&E boards, commissions, committees, and panels for future tracking of expenses and potential efficiencies.

Phase I (0–3 months)

- E&E Fiscal Services assigns a tracking code (cost center or similar) for the all committees and panel.
- Train appropriate staff on the use of the new coding system.
- Implement use of the new coding system.

Phase II (4–12 months)

- Begin tracking expenses.

Phase III (13–36 months)

- Analyze expenditures and identify opportunities for increased efficiencies and cost savings.

Opportunity 2. Evaluate the feasibility of electronic documentation for board and commission hearings and meetings.

Phase I (0–3 months)

- Research statutory and regulatory requirements for mailing printed copies.

Phase II (4–12 months)

- Determine actual printing, mailing, and packaging expenses for all identified boards and commissions.
- Determine estimated cost savings for providing electronic documentation to members and parties versus mailed packages.
- Provide detailed path forward for any potential statutory or regulatory changes that would be required for implementation

Phase III (13–36 months)

- Implementation following any necessary statutory changes.

Opportunity 3. Utilize a video conferencing platform for meetings/hearings.

Phase I (0–3 months)

- E&E Information Technology Services determine potential benefits and limitations to using video conferencing platform.

Phase II (4–12 months)

- Establish a phased approach for working with boards and commissions to facilitate the implementation of video conferencing for meetings held where existing equipment is in place.
- Track cost savings associated with eliminated travel expenses.

Phase III (13–36 months)

- Finalize implementation of video conferencing for applicable boards and commissions.
- Ongoing maintenance and continuous improvement of technology.

Opportunity 4. Reduce or eliminate transcription costs of hearings and meetings by providing audio recordings of meetings, when requested.

Phase I (0–3 months)

- Determine the costs to each board or commission for court reporting and transcription services.
- Begin an evaluation of applicable statutory and regulatory transcription requirements.

Phase II (4–12 months)

- Inventory current audio recording equipment and capabilities and determine preferred method.
- Determine potential costs associated with purchasing additional equipment.
- Identify staff resources, software needs, and additional logistical considerations.

Phase III (13–36 months)

- If feasible and cost effective, eliminate, reduce, or consolidate court reporting and/or transcription services for meetings and hearings.
- Track realized cost savings.

Opportunity 5. Explore legislative changes to create a system to notice public hearings via electronic means.

Phase I (0–3 months)

- Research statutory and regulatory requirements for print notification.

Phase II (4–12 months)

- Investigate partnership opportunities with other state departments with similar public-notice requirements.
- Facilitate any proposed legislative or regulatory changes.

Phase III (13–36 months)

- Propose appropriate legislative or regulatory changes.

Opportunity 6. Create a pool of qualified staff to serve as hearing officers for all E&E boards and commissions.

Phase I (0–3 months)

- Determine the administrative law needs of each identified board, commission, committee, or panel.

Phase II (4–12 months)

- Establish a policy for the responsibilities of a pool of qualified staff to serve as hearing officers.
- Identify the pool staff and communicate changes to all impacted parties.

Phase III (13–36 months)

- Re-evaluate to determine effectiveness or identify challenges.

Additional thoughts/comments:

