

PERFORMANCE PARTNERSHIP AGREEMENT FY2012



State of Utah
Department of Environmental Quality
and
United States
Environmental Protection Agency
Region VIII

**OCTOBER 21, 2011
FINAL**

PERFORMANCE PARTNERSHIP AGREEMENT FY2012

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**STATE OF UTAH
DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF PLANNING AND PUBLIC AFFAIRS
195 NORTH 1950 WEST
SALT LAKE CITY, UTAH 84114
WWW.DEQ.UTAH.GOV**

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**PERFORMANCE PARTNERSHIP AGREEMENT BETWEEN THE
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
AND
THE U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION VIII
FOR FISCAL YEAR 2012**

By entering into this Performance Partnership Agreement (PPA) UDEQ and EPA agree to implementation of the goals and measures contained herein. The EPA commits to fund UDEQ in the amounts specified in the Performance Partnership Grant (PPG) application subject to adjustments based on appropriations and EPA grant allocations. Should final appropriations be considerably less than these amounts, both parties may renegotiate the goals and measures outlined in the agreement.

This PPA covers the period from October 1, 2011 through September 30, 2012 and represents the workplan for the FY2012 portion of UDEQ's FY2011/2012 multi-year PPG.

FOR THE STATE OF UTAH

BY:  10-17-11
Amanda Smith
Executive Director
Utah Department of Environmental Quality
Date

FOR THE ENVIRONMENTAL PROTECTION AGENCY, REGION VIII

BY:  10/21/11
James B. Martin
Regional Administrator
U.S. EPA, Region VIII
Date

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Chapter I

How We Do Business

How We Do Business

The Partnership Concept

The State of Utah, Department of Environmental Quality (UDEQ), U.S. Environmental Protection Agency (EPA) Region VIII and Utah's local health departments (LHDs) meet to discuss roles and responsibilities for delivering Utah's environmental services. Issues surrounding accountability of one level of government to another have been at the heart of many debates. The partnership concept recognizes that each partner brings unique experience, capabilities, knowledge and resources to the table and that environmental issues can be effectively addressed by maximizing these assets. UDEQ and EPA recognize the unique opportunity for three levels of government to address common goals with a common vision without one level of government assuming an oversight role. Each partner participates with joint responsibility, which necessitates a new way of thinking and a commitment to each partner's success. UDEQ, EPA and representatives of Utah's LHDs jointly developed the following vision statement, values and operating principles, which serve as the basis for doing business through this partnership.

Partnership Vision Statement

The Environmental Protection Agency, the Utah Department of Environmental Quality, and the Utah Local Health Departments work together to solve environmental problems.

Partnership Shared Values

- * We focus our activities at the local level.
- * We solve or prevent problems by using each agency's resources and authority.
- * We take risks, build trust, and listen to community needs.
- * Personal leadership, team work and follow-through will assure success.

Partnership Operating Principles

- * Recognize issues and conflicts as opportunities to build relationships.
- * Focus on results instead of on a "set" process.
- * Know and respect your audience. Keep the message SIMPLE.
- * Recognize and understand the strengths and limits, the abilities and resources of the people with whom we work.
- * EMPATHIZE. Seek to understand before you are understood.

- * LISTEN, LEARN, ASK. What would you have us do?
- * Be creative in finding cost-effective, timely, workable solutions.
- * Fix the problem, not the blame.
- * Involve others to solve problems.
- * Partners share information, support, and accountability.
- * FOLLOW UP! FOLLOW THROUGH!
- * Recognize the needs of the people and the environment of Utah.

Joint Strategic Planning

UDEQ and EPA entered into the National Environmental Performance Partnership System System (NEPPS) with the primary goal of delivering environmental services efficiently and effectively at the local, state and federal levels. The UDEQ, EPA, LHD partnership is one avenue used to reach this goal. In addition to this community-based partnership, UDEQ and EPA have committed to reinforce the NEPPS through joint strategic planning which is based on:

- National Program Guidance that highlights national priorities and strategies and informs the development of joint state and regional priorities, considering current conditions and environmental challenges and issues. EPA invites state review and input into the development of the national and regional guidance and joint state/EPA priorities.
- EPA's 2011-2015 Strategic Plan, which can be viewed at <http://www.epa.gov/planandbudget/strategicplan.html>
- Regional priorities set at the annual State Directors' Meeting. The FY2012 priorities include improving air quality, taking action on climate change, assuring the safety of chemicals, cleaning up communities, protecting waters, expanding the conversation on environmentalism and working for environmental justice, building strong state and tribal partnerships, agriculture, energy, all hazards response, and technological innovation.
- Annual performance commitments to assist program managers in negotiating and agreeing on work.

Joint EPA/UDEQ priorities are spelled out in the Goals and Objectives section.

Partnership Evolution

UDEQ and EPA have worked to evolve a partnership that recognizes the maturation of the EPA – State relationship, reduces real-time EPA oversight of authorized programs, reduces state reporting burden, and tests innovative approaches to environmental protection. EPA and UDEQ jointly advanced certain partnership elements through the community-based partnership effort of the nineties, and more recently the Regional Planning Work Group. The partnership approach focuses on bringing the three levels of government (federal, state, local) together to solve environmental issues. Current efforts include:

Ensuring Adequate Resources and Staff: EPA will strive to provide appropriate shares of resources needed to carry out agreed upon commitments. Furthermore, when regulations and requirements change, EPA will strive to provide states the resources necessary to carry out new requirements.

Priority Resource Driven Allocation (PDRA): Recognizing that adequate resources may not always be available, the states and EPA have developed the PDRA process to balance and prioritize resources and needs. This process will allow for consideration of state resource and capacity needs throughout the joint planning and priority setting process. It will also provide opportunities to discuss potential investments and disinvestments, to address cross program challenges and to leverage/shift resources so that the highest environmental gains can be achieved given the available resources.

Partnering and Work Sharing: States and EPA will partner and share workloads where state shortfalls exist. This may take the form of federal IPAs, short or long-term details, federal staff being assigned tasks needed to carry out programmatic requirements, among other opportunities.

Technical Assistance: EPA and states will also provide technical assistance and expertise on specific issues, projects or policies. When possible, requests for technical assistance shall be made as part of the PPA negotiation process.

Innovations: States and EPA will share innovative, cost-effective and efficient approaches to solve environmental problems. EPA will provide flexibility for states to try new approaches and states will provide appropriate performance accountability mechanisms when new approaches are used. When necessary the PPA will be amended to address the new approaches.