

EXECUTIVE DIGEST

WASTE MANAGEMENT DIVISION

INTRODUCTION

This report contains the results of our performance audit of the Waste Management Division, Bureau of Environmental Protection, Department of Natural Resources, for the period October 1, 1992 through September 30, 1994.

AUDIT PURPOSE

This performance audit was conducted as part of the constitutional responsibility of the Office of the Auditor General. Performance audits are conducted on a priority basis related to the potential for improving effectiveness and efficiency.

BACKGROUND

The Waste Management Division administers the Hazardous Waste, Solid Waste, and Groundwater Permits Programs. It is located within the Bureau of Environmental Protection, Department of Natural Resources. The Division's mission is to protect the public health and the environment by preventing the mismanagement of solid, liquid, and hazardous waste.

For fiscal year 1993-94, the Division had 161 employees and expended \$8.8 million.

**AUDIT OBJECTIVES,
CONCLUSIONS, AND
NOTEWORTHY
ACCOMPLISHMENTS**

Audit Objective: To assess the Hazardous Waste Program's effectiveness in regulating the management of hazardous wastes at generators; during transportation; and at treatment, storage, and disposal facilities.

Conclusion: We concluded that the Program is generally doing an effective job of regulating hazardous waste activities. However, we noted three reportable conditions relating to documentation of mandatory vehicle inspections, facility inspections, and facility closure requests (Findings 1 through 3).

Noteworthy Accomplishments: In 1994, the Division centralized the Hazardous Waste and Liquid Industrial Waste transporter licensing function. Centralization has proved to be more efficient, and it provides better and faster service to transporters. Additional improvements to the transporter licensing function are planned in 1995. Also, the Division has completed all compliance monitoring evaluation and operation and maintenance inspections and met its Environmental Protection Agency grant commitments for the last 12 years.

Audit Objective: To assess the Solid Waste Program's effectiveness in regulating nonhazardous solid waste disposal facilities to ensure the proper handling, application, and disposal of solid waste.

Conclusion: We concluded that the program is generally doing an effective job of regulating non-hazardous solid waste disposal facilities. However, we noted several reportable conditions relating to perpetual care funds, permit and license deadlines, and controls over documents (Findings 4 through 6).

Noteworthy Accomplishments: New administrative rules for the Solid Waste Management Act became effective in November 1994. These new rules improved the Program by providing clear and consistent guidance for staff and the regulated community. In addition, staff have developed a "Question and Answer Book" to help ensure consistent application of the statute and rules.

Audit Objective: To assess the Groundwater Permits Program's effectiveness in protecting the groundwater through the permitting of waste and wastewater discharges to the groundwater, the prevention of unpermitted discharges, and the application of waste to the land.

Conclusion: We concluded that the Program is not effective in protecting the groundwater through the permitting of waste and wastewater discharges to the groundwater, the prevention of unpermitted discharges, and the application of waste to the land.

We noted two material weaknesses:

- The Waste Management Division had not fully developed and implemented the basic elements of a regulatory program for its Groundwater Permits Program and, thus, did not have assurance that its efforts protected the State's groundwater (Finding 7).

The Division agreed that permitting and compliance activities in the Groundwater Program were inadequate because of budgetary shortfalls.

- The Division did not have effective or reliable management information systems to administer groundwater-related programs (Finding 8).

The Division agreed that the management information systems for the Groundwater Permits Program and the land applications and septage hauler programs need to be updated. The Division will update the systems to the extent resources become available.

Noteworthy Accomplishments: With the assistance of a multi-interest workgroup, the Division developed a report on the Groundwater Permits Program which was submitted to Department management in late 1994. This report contains a description of the problems preventing the Groundwater Permits Program from effectively carrying out its mission and provides recommendations for improving the Program. It also includes a section on the need to adequately fund the Program, make appropriate use of resources, make

suggestions for procedural changes and permit streamlining, and make potential rules changes.

Audit Objective: To assess the effectiveness of enforcement actions in bringing violators into compliance with applicable laws, regulations, and license/permit requirements.

Conclusion: We concluded that the Division effectively uses the available enforcement tools to bring violators into compliance with applicable laws, regulations, and license/permit requirements.

Noteworthy Accomplishments: The Division held an Enforcement Strategy Seminar for staff in 1994. The seminar was used to develop consensus among Division staff on future goals and needs for its programs. All identified goals will assist in improving the Division's programs and help ensure that compliance and enforcement efforts are focused on high priority areas.

**AUDIT SCOPE
AND
METHODOLOGY**

Our audit scope was to examine the program and other records of the Waste Management Division for the period October 1, 1992 through September 30, 1994. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

We reviewed pertinent documents including federal and State legislation, administrative rules, policy and procedure

manuals, and Division reports. We interviewed members of the central office and district staff. We visited five district offices and reviewed files for facilities regulated under the Hazardous Waste, Solid Waste, and Groundwater Permits Programs. We reviewed selected open and pending enforcement case files.

**AGENCY
RESPONSES
AND PRIOR AUDIT
FOLLOW-UP**

Our audit report includes 8 findings and 11 recommendations. The Waste Management Division generally agreed with our recommendations. The Division informed us that it has complied with several of our recommendations.

The Waste Management Division had complied with 12 of the 22 recommendations resulting from our prior audit of the Hazardous Waste Program. Eight recommendations were rewritten and 2 were no longer applicable.