§ 28-0107. Powers and duties of the department.

Consistent with the policy of the state as it is declared in section 28-0101 of this article, the department shall have the power to:

1. Develop, coordinate, implement and measure policies, planning and programs to promote pollution prevention, including but not limited to, technical assistance programs and the identification of alternative compliance approaches that incorporate pollution prevention;

2. Provide education, training, outreach and technical assistance, including on-site technical assistance, to the public regarding pollution prevention, including but not limited to businesses, not-for-profit organizations and state and local agencies;

3. Track, monitor and analyze efforts to achieve pollution prevention and the effects of pollution prevention on the consumption of energy and natural resources; the use of hazardous substances; and the generation of hazardous substances, pollution and waste;

4. Promote the consideration of opportunities for pollution prevention throughout the department's programs, including the provision of information on pollution prevention options, technical information and technical assistance to permit applicants, owners and operators of facilities that are subject to departmental inspections, and to persons who are subject to departmental enforcement actions;

5. Develop policies to facilitate, support and encourage the provision of pollution prevention and compliance assistance, including on-site technical assistance, by all department staff, including regulatory program staff, to businesses, not-for-profit organizations, state and local agencies or other persons who request such assistance, including the adoption of policies to address how the department will respond if violations are identified in the course of providing such assistance;

6. Coordinate pollution prevention outreach and technical assistance with inspection and enforcement efforts, including the targeting of

specific sectors for concentrated outreach prior to inspection and enforcement and the establishment of a technical assistance referral system;

7. Provide opportunities for training in pollution prevention to all appropriate department staff on an annual basis;

8. Promote and encourage the adoption of environmental management systems as a way to achieve pollution prevention and continually improve environmental, economic and management performance across a range of organizations and settings, including state and local agencies, businesses, and not-for-profit organizations;

9. Develop pollution prevention information that can be distributed by other state agencies and public authorities that are involved in the regulation of, or provision of financial assistance to businesses, municipalities and not-for-profit organizations;

10. Coordinate and cooperate with federal, state and local agencies, public and private organizations, and groups administering programs or engaged in activities related to pollution prevention, energy consumption, resource consumption, the use and generation of hazardous substances, or the generation of waste or pollution; and

11. Encourage, support and undertake research, development and technology transfer in support of pollution prevention, and coordinate and cooperate with federal, state and local agencies, businesses and business associations, public and private organizations, and groups engaged in pollution prevention research, development and technology transfer, including educational, civic and research organizations, colleges, universities, institutes or foundations.