



**STATE OF WASHINGTON
OFFICE OF FINANCIAL MANAGEMENT**

STATE HUMAN RESOURCES DIVISION | DIRECTOR'S REVIEW PROGRAM
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May 16, 2014

TO: Greg Davis, Council Representative
Washington Federation of State Employees (WFSE)

FROM: Teresa Parsons, SPHR
Director's Review Program Supervisor

SUBJECT: Crystal Rau v. Department of Ecology (ECY)
Allocation Review Request ALLO-13-051

On March 25, 2014, I conducted a Director's review telephone conference regarding the allocation of Crystal Rau's position. You and Ms. Rau were both present for the Director's review conference. Corrina McElfish, Human Resources Consultant, represented ECY. Stuart Clark, Air Quality Program Manager, also participated in the conference.

Director's Determination

This position review was based on the work performed for the six-month period prior to January 5, 2012, the date ECY's Human Resources (HR) Office received Ms. Rau's request for a position review. As the Director's designee, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Ms. Rau's assigned duties and responsibilities, I conclude her position is properly allocated to the Environmental Specialist 4 (ES 4) classification.

Background

Ms. Rau's position is assigned to the Technical Services Section of the Air Quality Program. Ms. Rau reports to the Public Outreach and Implementation Unit Manager, Tami Dahlgren, who reports to the Technical Services Section Manager. At the time of Ms. Rau's request, Phyllis Baas was the Technical Services Section Manager, who reported to Air Quality Program Manager Stuart Clark (Exhibit B-7). During ECY's review of Ms. Rau's position, Cullen Stephenson subsequently became the Technical Services Section Manager. Ms. Rau's position is located in Eastern Washington, but the rest of her section is located at Headquarters. Ms. Rau's assigned area of responsibility is the Air Operating Permit (AOP) program.

On January 5, 2012, ECY's Human Resources (HR) Office received Ms. Rau's request for a position review, asking that her Environmental Specialist 4 (ES 4) position be reallocated to the Environmental Planner 4 (EP 4). Ms. Rau, her supervisor Tami Dahlgren, and Technical Services Section Manager Phyllis Baas signed the PRR indicating it was an accurate and complete reflection of Ms. Rau's duties and responsibilities. Air Quality Program Manager Stuart Clark then added written comments to the PRR, which clarified Ms. Rau's role and level of responsibility (Exhibit B-2).

As part of the review process, Ms. McElfish had separate meetings with Ms. Rau, Ms. Dahlgren, Technical Services Section Manager Cullen Stephenson, and Mr. Clark to gain further clarification about Ms. Rau's duties and responsibilities. On June 21, 2013, Ms. McElfish determined the ES 4 classification best described Ms. Rau's overall duties and responsibilities. Ms. McElfish concluded Ms. Rau's position did not meet the intent of the EP 3 or 4 classes because she did not independently act as a project manager responsible for developing environmental resource plans, programs, policies, or regulations. Further, Ms. McElfish concluded the majority of Ms. Rau's work did not involve working with individuals outside of the agency regarding major new initiatives or modifications to existing laws, policies, or program planning needs. Instead, Ms. McElfish concluded Ms. Rau used her in-depth knowledge of the Air Operating Permit program to independently carry out assignments consistent with the definition of the ES 4 classification (Exhibits A-3 and B-1).

On July 19, 2013, State Human Resources (SHR) received Ms. Rau's request for a Director's review of ECY's allocation determination (Exhibit A-1).

Summary of Ms. Rau's Perspective

Ms. Rau asserts her position's duties and responsibilities have evolved since she started in 2008. Ms. Rau contends her position serves as a statewide expert and lead on specific projects, and that she oversees the Air Operation Permit (AOP) Program and coordinates the statewide audits for the program. Ms. Rau explained that her position works with budget planners from various program areas in advance of the next biennium to get an idea of the number of permits, activities, and modifications needed. She asserts that she then puts together a multiple page document that goes out for a 60-day comment period, which she responds to and then finalizes and provides to the Air Quality Program (AQP) budget planner.

Ms. Rau emphasizes that AOP is a federally approved program and that she developed a template to ensure Environmental Protection Agency (EPA) requirements are followed in the permit. As such, she contends her position serves as an expert when providing information to permit writers and compliance staff and asserts she regularly responds to clarification about program policies. In addition, Ms. Rau states that her position was tasked with identifying and evaluating new sources when requirements for greenhouse gases changed and affected the AOP. Ms. Rau contends her supervisor and section manager were involved in initiating her request for reallocation prior to the former section manager's retirement. In total, Ms. Rau believes the duties and overall level of responsibility assigned to her position fit the EP 4 classification.

Summary of ECY's Reasoning

ECY asserts AOP is a longstanding program with policies already in place. ECY describes Ms. Rau's position as a senior-level environmental specialist for the program and acknowledges her

knowledge and expertise regarding permitting regulations. However, ECY asserts her position has not been tasked with developing new initiatives or program changes. ECY emphasizes Ms. Rau's position coordinates the AOP program, which is a permitting function, and provides guidance to other staff and stakeholders as a statewide lead but not statewide expert. ECY indicates the AOP has a series of work categories that require cost planning before each new biennium. ECY contends Ms. Rau's position has an administrative role in ensuring fee structures are in place and program audit requirements are timely met. As such, ECY contends Ms. Rau's position collects information and puts together a workload analysis and translates that information into budget information.

ECY recognizes the permit writing process is complex but contends the nature of the work does not change much. Rather, ECY contends that AOP functions are established and prescribed in state law, including fee structures. ECY asserts Ms. Rau's position has been tasked with collecting and cataloging all regulations that AOP follows as part of the permitting process. ECY states that Ms. Rau's position coordinates with multiple clean air agencies and provides guidance on potential public health and economic impacts. At the ES 5 level, ECY contends positions are assigned duties with broader impact to public health and safety and involve innovative and precedent setting issues. ECY recognizes Ms. Rau's work is complex and very important to the Air Quality Program but contends the overall duties assigned to her position best fit the ES 4 classification.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

Duties and Responsibilities

The Position Description Form (PDF) on file at the time of Ms. Rau's request, dated December 10, 2010, describes her position as "the designated senior staff responsible for independently administering the various aspects of the statewide Air Operating Permits (AOP) Program." In summary, the PDF describes Ms. Rau's position as a lead for the following functions (Exhibit B-5):

- Coordinating with other critical air quality programs, including New Source Review (NSR), Reasonable Available Control Technology (RACT), and Registration.
- Independently managing and coordinating the AOP program.
- Developing and Implementing AOP program policies.
- Coordinating with internal and external Air Quality managers and stakeholders.
- Coordinating the fee program audit and implementing the audit results.
- Evaluating, developing, and implementing a workload-driven fee model.
- Developing rules as necessary.

In summary, the majority of work (75%) includes establishing AOP program permitting, compliance and enforcement directions in policy; coordinating implementation of AOP regulations and coordinating registration and reporting to EPA; participation in AOP rule development; and oversight of AOP program evaluation and performance of state-wide audits of Local Clean Air Agencies [LCAAs]. The position's duties also include tracking AOP sources to ensure timely billing and collection, budget estimates and fund accountability; evaluating, developing and implementing workload models to ensure AOP program sustainability; and representation of ECY for internal and external interests.

The PDF describes 20% of the work as taking lead responsibility for analyzing the fee structure for the Registration, New Source Review, and Reasonably Available Control Technology (RACT) programs, as well as recommending revisions to these fee systems.

On the Position Review Request (PRR), Ms. Rau describes her position as "a statewide expert responsible for developing, directing, implementing and evaluating the air operating permit program." She indicates that her position is the primary state contact regarding the air operating permit program and that she performs coordination with permitting authorities, including Air Quality Program regional offices, the Nuclear Waste Program, Industrial Section of Waste 2 Resources Program, the Department of Health, EFSEC [Energy Facility Site Evaluation Council] and the EPA (Exhibits A-2 and B-2).

In summary, Ms. Rau describes the majority of her position's duties and responsibilities as follows:

- 35% Establish and coordinate agency permitting, compliance and enforcement guidance in policy. Coordinate implementation of AOP regulations consistently with Local Clean Air Agencies (LCAA) statewide. Evaluate the statewide AOP program by performing LCAA audits and overseeing audits of ECY program offices. Implement new federal requirements, identify potential new major sources, coordinate review to determine program applicability, collaborate with Region Office staff for development of voluntary emission limit orders or initial air operating permit applications submittal. Work with attorney general to respond to program challenges or inquires from the public or industry representatives.
- 20% Develop/establish biennial AOP program budget, which covers staff and activities in the Air Quality Program, the Nuclear Waste Program, and the Industrial Section of Waste 2 Resources Program. Update workload analysis inputs (salaries, benefits, indirect expenses, goods/services, and travel expenses), calculate annual fees, design pre-billing statements, mail invoices and track receipt of fees. Reconcile AOP time and activities by staff/program back to workload analysis. Apportion rebates, by source, during the next billing cycle.
- 20% Initiate rulemaking, develop, update, and implement agency rules for AOP program and other critical air programs.
- 20% Independently evaluate AOP sources and identify those with the potential to emit greenhouse gases (GHGs). Evaluate the emission potential to determine which sources are affected by GHG reporting requirements, and develop and implement strategies for providing information and outreach to these sources.

Ms. Rau's supervisor, Ms. Dahlgren, and Technical Services Section Manager Phyllis Baas agreed the duties and responsibilities described on the PRR accurately reflected Ms. Rau's duties. However, as the Air Quality Program Manager, Mr. Clark disagreed with some of the statements on the PRR and provided additional clarification. During the Director's review conference, Mr. Clark emphasized the Air Operating Permit (AOP) program, regulations, and fee structures are already established. He indicated that Ms. Rau's position coordinates and evaluates the permit and provides guidance, expertise, and consultation to staff but is not responsible for developing, directing, or implementing the AOP program or initiating or developing regulations or policies. He disagrees that she independently establishes or implements program policies but agrees that she makes recommendations.

The following summarizes Mr. Clark's points of clarification and Ms. Rau's responses to his comments (Exhibit B-2 attachment, Exhibit A-4 and Exhibit D-1):

- Mr. Clark describes her position as a statewide lead but not statewide expert. Ms. Rau asserts her position has become the statewide expert and that she performs annual audits of all the local clean air agencies (LCCAs). She further states that she regularly responds to requests for decisions or clarification on program policy and direction regarding Washington's AOP program.
- Mr. Clark states that Ms. Rau's position evaluates and coordinates the statewide AOP program and provides guidance to managers but does not develop, direct, or implement it. Ms. Rau notes she has developed a template/outline for ECY permit writers to ensure consistency.
- Mr. Clark indicates that Ms. Rau's position does not initiate or develop regulations but assists with rule development and revisions. Ms. Rau asserts she has repeatedly identified rule making needs for the AOP program and assists with rule development and revisions.
- Mr. Clark states Ms. Rau recommends program policies and guidance but does not independently establish and implement them. She asserts she has developed and updated the AOP program policy, which is the standard the program is audited against. She also states that she developed a program template to address EPA program findings and ensure consistent program performance.
- Mr. Clark states Ms. Rau does not independently negotiate with the Department of Health (DOH). Ms. Rau clarifies that she has worked directly and independently with ECY's AAG and DOH to respond to challenges regarding Hanford's and WSU's AOP and that she has coordinated the development of an interagency contract between DOH and ECY.
- Mr. Clark clarifies that Ms. Rau's position does not impellent greenhouse gas requirements but assists in identifying sources subject to AOP. She clarifies that she has developed the implementation plan to identify and address major sources of greenhouse gases and has taken the lead following EPA's declaration of greenhouse gases as regulated pollutants.

- Mr. Clark indicates Ms. Rau's position coordinates but does not lead RACT, NSR, or other programs. She points out that she participated in the NSR team and led the team established to implement the fee structure.
- Mr. Clark states that Ms. Rau's position coordinates only the AOP program but not permitting, compliance and enforcement. Ms. Rau emphasizes that she coordinates all aspects of the AOP program, which includes air operating permitting practices, compliance assessment procedures and enforcement guidance. She further notes that she coordinates a consistent template and format used to write statement of basis, permitting and enforcement issues.
- Mr. Clark points out that Ms. Rau's position does not directly lead program staff. She agrees she is not a lead worker but she does serve as a team lead providing guidance, expertise and consultation.

Class Specifications

When comparing the assignment of work and level of responsibility to the available class specifications, the class series concept (if one exists) followed by definition and distinguishing characteristics are primary considerations.

The **Environmental Planner 3 (EP 3)** definition states that positions serve as "an independent project manager responsible for guiding the development of environmental resource plans, programs, policies or regulations." The EP 3 distinguishing characteristics include providing expertise and consultation to staff of various environmental programs or providing planning or policy development assistance to outside entities.

The **Environmental Planner 4 (EP 4)** definition states that positions serve as "a senior level environmental planner responsible for a specifically defined program need as designated in writing by a program manager, equivalent or above." The EP 4 distinguishing characteristics require written designation by a program manager, equivalent or above, along with the majority of involving work with individuals/groups outside of the agency regarding major new initiatives/or major modification to existing laws, policies or program planning needs.

Although there is overlap between the Environmental Planner and Environmental Specialist classes, the Environmental Planner class series generally denotes the development of plans, programs, policies, and regulations, and the Environmental Specialist classes include a focus on permitting and enforcement. Ms. Rau's position has been described as a statewide lead, which provides direction and guidance on policy matters relating to the Air Operating Permit. Within the Environmental Planner class series, her position most aligns with the EP 3 class in terms of level and scope of responsibility, similar to a project manager guiding the development of policies and regulations. Ms. Rau's position is designated as senior level; however, the EP 4 distinguishing characteristics require written designation by a program manager, as well as a majority of work with outside entities on new initiatives or major modifications to existing laws, policies, and program planning. When considering the focus of Ms. Rau's position as the Air Operating Permit Coordinator, the Environmental Specialist class series provides a better overall fit.

The **Environmental Specialist 5 (ES 5)** definition states the following:

As the agency or program expert in one or more environmental program specialty areas or agency initiatives, plans, develops, directs and/or implements actions to address the most significant and complex environmental issues impacting the state's natural and environmental resources. These issues have broad potential impact on the health and safety of the public, and, if not addressed, will result in significant environmental impacts. Issues are characterized by the requirement for innovative or precedent setting actions and reflect complicated and emerging issues, with conflicting interests among the parties and broad public impacts. Positions focus on strategic intervention, policy and regulatory development and enforcement in order to meet objectives; or serves as the agency environmental regulatory expert advising consultants and developing operational policies, guidelines, and procedures for environmental compliance; or supervises five or more professional environmental staff.

The ES 5 distinguishing characteristics include the following:

Positions at this level are independent and require only administrative direction from the supervisor. Positions are responsible to plan, design, and carry out projects in accordance with broad policy statements or legal requirements and exercise independent decision-making authority for determining work objectives and goals to be accomplished.

In the Department of Ecology, positions acting as an agency or program expert are characterized by one or more of the following assignments which comprise the majority of the position:

As the agency expert responds directly to highly complex and/or politically sensitive inquiries for technical assistance requiring expert scientific knowledge;

- Represents the agency as the recognized expert in one or more of the most significant and complex program specialty areas or agency initiatives. Serves as the agency lead in the development, implementation, and evaluation of state and federal programs to mitigate or prevent environmental contamination or damage, including enforcement of environmental laws and regulations;
- Represents the agency on national or multi-state commissions, environmental panels or professional organizations as the expert in the assigned specialty area;
- Evaluates and assesses the scientific rigor of research studies on various contaminants and their impact on the environment. Develops policy options to address problems caused by ongoing release of toxins and contaminants;
- Designs, develops and conducts environmental studies on the most significant and complex environmental issues;
- Drafts legislation to implement key components of the agency's response to environmental issues. Prepares and presents testimony to the Legislature;
- Drafts agency rules and statewide guidelines for the program area;

- Acts as a policy specialist, responsible for long-range policy development and strategy in the program area. Ensures that program operations comply with federal rules in order to avoid sanctions resulting in the curtailment of federal funds or the imposition of difficult requirements for new industries;
- Represents the program on highly complex or controversial enforcement/compliance actions involving other programs or agencies.

As the Air Quality Program Manager, Mr. Clark has indicated Ms. Rau's position serves as a statewide lead independently guiding the development of the AOP permitting program. She coordinates, evaluates, and audits the AOP and provides guidance, expertise, and consultation to Air Quality Program management and permit writers. She also provides direction and makes recommendations to management on policy issues affecting the AOP. There are aspects of her work that reach the ES 5 level because in addition to having written designation as a "senior staff environmental specialist," the position is also described as "the program's expert on the Air Operating Permit program" (Exhibit B-6). The written designation form further notes responsibilities in establishing the AOP program direction in policy, fee and rule making (Exhibit B-6). These responsibilities are also described in the PDF that was current at the time of her request for a position review (Exhibit B-5).

Both the ES 4 and ES 5 classes denote a high level of responsibility with decision making that has a significant impact on public health and environmental protection. The ES 5 class, however, describes planning, developing, directing, or implementing the most significant and complex environmental issues with broad potential impact on the health and safety of the public, which require innovative or precedent setting actions. Part of Ms. Rau's work during the time period relevant to this review involved an evaluation of AOP sources to identify the potential to emit greenhouse gases (GHGs) in response to changes in reporting requirements made by the EPA. While this work is more in line with the ES 5 level, it is not majority of her position's assigned work.

During the Director's review conference, Mr. Clark emphasized that AOP permitting is established and prescribed in state law, including fee structures. He further emphasized the administrative nature of Ms. Rau's position, which has primarily been tasked with ensuring fee structures are in place and program audit requirements are met. To accomplish these functions, she coordinates with AOP regional offices, other sections of ECY, and multiple clean air "sister" agencies. Ms. Rau also stated that using agency policies as a guideline, she developed a template that incorporated federal policies, white papers, and EPA rules and regulations to assist permit writers and ensure compliance. She also reviews permits and permit renewals and provides guidance and interpretation of rules and regulations.

While aspects of her work are encompassed in the ES 5 classification, the totality of her duties and scope of responsibility best fit the ES 4 classification.

The **Environmental Specialist 4** definition states the following:

Serves as a senior environmental section specialist in program specific environmental laws, environmental regulations, and related activities in order to protect, preserve, and enhance air, land, and water resources; or serves as a senior environmental specialist in specific environmental public health programs in order to protect public health due to

environmental factors. In either option, positions make decisions involving multiple stakeholders and that have significant public health, environmental protection, economic, and political consequences. Assigned areas of responsibility involve environmental assessments and protection actions that regularly require evaluation and coordination of interrelated environmental impacts on multiple specialty areas;

OR

Manages all the environmental regulatory and analyses functions of an agency.

Ms. Rau's position has been designated as a senior staff environmental specialist and program expert on the Air Operating Permit Program, which is a permitting function within the Technical Services Section of the Air Quality Program. Her position works with multiple internal and external clean air entities to make decisions on permitting requirements that significantly impact public health, environmental protection, and economic concerns related to air quality. Her position's duties align with responsibilities for performing environmental assessment and protection actions requiring evaluation and coordination of interrelated environmental impacts.

The ES 4 distinguishing characteristics include the following:

Positions at this level use in-depth knowledge of the program area to carry out assignments, function independently, and require only general direction from the supervisor. Assignments are carried out using policies and program objectives and the work is planned and organized based on program priorities and deadlines.

In addition, positions functioning as a senior environmental specialist are characterized by one or more of the following assignments which comprise the majority of the position:

- As a senior environmental section specialist, responds to highly complex inquiries for technical assistance requiring an advanced scientific knowledge;
- Develops, negotiates, implements, and monitors terms of agreements for environmental mitigation efforts, remedial actions, grants and loans, and other environmental actions. Gains consensus from multiple stakeholders and interest groups;
- Represents the agency as a senior environmental section specialist in enforcement actions, hearings, and legal proceedings. Provides testimony in cases involving the approval, denial, or conditioning of permits; the imposition of civil penalties; or in cases which form the basis for precedent-setting interpretations of agency jurisdiction and regulatory authority;
- Reviews, analyzes, develops and recommends policies, guidelines, and regulations governing assigned area of responsibility. Accepts stakeholder input, evaluates concerns, and recommends actions to management. Analyzes legislative bills for potential impacts on program administration. Reviews, analyzes, and evaluates previous litigation, permits, and other data in order to develop effective regulatory guidelines;

- As a senior environmental section specialist, represents the program in an assigned specialty area; provides scientific and technical consultation to other agency staff, local and federal agencies on environmental impacts of various activities. Develops partnerships with communities, businesses, and interest groups in order to identify and respond to environmental issues affecting the common interest. Develops and enhances environmental protections and oversees implementation of changes;
- Assesses adverse environmental conditions and makes decisions that impact large numbers of the public (e.g. makes voluntary and mandatory wood stove burning curtailment decisions for the program);
- Responds to high priority and complex threats to the environment and human health emergencies. Coordinates all phases of a response with the appropriate private, local, state, and federal representatives and directs environmental response contractors. Conducts operations to control, contain, and clean up threats to the environment and human health; investigates the causes of the threat and recommends and takes appropriate response actions, including enforcement;
- Assesses the impacts of pollution on natural resources, gathers legally defensible data, develops damage estimates, and solicits and recommends appropriate restoration proposals;
- Plans, develops, designs and conducts professional research studies in order to determine the scientific validity of environmental enhancement efforts and impacts on interrelated natural resources. Provides scientific and technical assistance to other professional staff in environmental planning, regulation, and mitigation efforts.

Ms. Rau uses her in-depth knowledge of the AOP to independently carry out assignments and respond to complex inquiries for technical assistance relating to AOP permitting. In addition, while examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. The ES 4 typical work examples that align with Ms. Rau's overall duties and level of responsibility include the following:

- Is assigned responsibility for more complex and difficult projects and permits;
- Represents agency and testifies at legal or public hearings or conferences;
- Serves as a historical resource or technical expert in one or more subject areas;
- Serves as project manager and coordinator on complex projects;
- Project administration and environmental technical assistance on high priority environmental issues requiring technical expertise.

Ms. Rau performs duties that appear in more than one classification. However, when considering the overall duties and level of responsibility assigned to her position, a prior Personnel Resources Board (PRB) decision involving similar classes provides guidance. In Schulz v. Washington State Parks and Recreation Commission, PRB Case No. R-ALLO-09-039 (2010), the Appellant was "designated in writing as a senior technical expert . . . responsible for high priority and complex projects and contract oversight." The Appellant also consulted with and advised agency staff and outside entities on resource management, policies and regulations. In Schulz, the Board determined the ES 4 was the appropriate classification.

Further, most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

It is clear Ms. Rau's work is highly valued by ECY and the Air Quality Program and that she has extensive knowledge about the AOP. A position's allocation is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position and how that work best aligns with the available job classes.

In total, the overall scope of duties and level of responsibility assigned to Ms. Rau's position at the time relevant to this review best fit the Environmental Specialist 4 (ES 4) classification.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to the Washington personnel resources board. Notice of such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The mailing address for the Personnel Resources Board (PRB) is P.O. Box 40911, Olympia, Washington, 98504-0911. The PRB Office is located on the 4th floor of the Insurance Building, 302 Sid Snyder Avenue SW, Olympia, Washington. The main telephone number is (360) 902-9820, and the fax number is (360) 586-4694.

If no further action is taken, the Director's determination becomes final.

c: Crystal Rau
Corrina McElfish, ECY
Lisa Skriletz, SHR

Enclosure: List of Exhibits

CRYSTAL RAU v ECY
ALLO-13-051

A. Crystal Rau Exhibits

1. Director's Review Request form received July 19, 2013 (2 pages)
2. Position Review Request (6 pages)
3. June 21, 2013 ECY allocation determination letter (9 pages)
4. Program Manager Comments on Crystal Alford's PRR – Crystal's Responses (3)
5. Email 6/23/10 Stu Clark identifies Crystal Alford AQP AOP expert (2 pg)
6. Email re: enforceability of Chapter 173-401 WAC (2 pg)
7. Email re: Grays Harbor Energy – Opacity Monitoring Conditions (2 pg)
8. Email re: Questions Concerning Title V Process (2 pg)
9. Email re: Ecology Review of Draft Title V Permit for Satsop Units 1 & 2 (1 pg)
- 9.5 Email re: I have a question from Rich Hibbard (2 pg)
10. Email re: Review of Industrial Section Permits and Statements of Basis(1 pg)
11. Email fw: Electronic Version of Weyerhaeuser Longview Proposed AOP and Support Document (27 pg)
12. Action Briefing Paper re: Approval to Initiate Rule Revisions (3 pg)
13. Draft Ecology Statement of Basis Outline (4 pg)
14. Air Operating Permit Guidance (4 pg)
15. Email re: Interagency Agreement w/ Department of Health (attached) (10 pg)
16. Action Briefing Paper re: Identification of Staff to Implement Tailoring Rule Revisions and Outreach Materials Developed (9 pg)
17. Email re: Implementing the AOP elements of EPA's Tailoring Rule (1 pg)
18. Email re: 1st AOP GHG monthly Call Info (2 pg)
19. Email re: Audit Follow-up (3 pg)
20. Email re: 11/16/11 tele, preapp policy; procedures for reviewing NSR bill (1 pg)
21. Email re: Meeting Recap NSR Fee Implementation Team (2 pg)
22. Email re: Preapp Policy for NSR Fee Implementation Team (2 pg)
23. Email re: Meeting Summary & NSR FIT materials/resources developed by team (13 pg)
24. Monthly Report excerpt results of NSR Fee Implementation Team work (1 pg)
25. Air Quality Program Registration Fee Collection Procedures (1 pg)
26. Email re: NWP review request (2 pg)
27. Email re: Letter from Mr. Green (1 pg)
28. Comparison of AOP Coordinator with Woodstove Coordinator (4 pg)
29. Woodstove Coordinator EP4 PRR (5 pg)
30. Woodstove Coordinator ECY Allocation Determination Letter (3 pg)
31. Woodstove Coordinator ES4 Position Description (5 pg)
32. Comparison of AOP Coordinator with GHG Reporting Program Specialist ES5 & Ag & Outdoor Burn Team ES5 (5 pg)
33. GHG Reporting Program Specialist ES5 Position Description (5 pg)
34. Ag & Outdoor Burn Team ES5 Position Description (7 pg)

B. ECY Exhibits

1. Position review determination letter
2. Position review request (with supervisor's comments and Program Manager statement)
3. E-mail with attachment, sent by Crystal Rau in response to Program Manager statement
4. Air Operating Permit Guidance, sent by Crystal Rau as an example of her work
5. Position Description for Ms. Rau's ES4 position #4009
6. Environmental Specialist 4 Designation form for position #4009
7. Air Quality Program Organizational Chart
8. Classification Specification for Environmental Specialist 4
9. Classification Specification for Environmental Specialist 5
10. Classification Specification for Environmental Planner 3
11. Classification Specification for Environmental Planner 4
12. Position Allocation Guidance from the DOP website
13. Air Quality Strategic Plan for 11-13
14. Excerpt from the Washington Department of Ecology Budget & Program Overview for 2011-2013

C. Class Specifications

1. 523H Environmental Specialist 4
2. 523X Environmental Specialist 5
3. 542T Environmental Planner 3
4. 542U Environmental Planner 4

D. Additional Exhibits

1. March 26, 2014 email from Crystal Rau to Teresa Parsons and Corrina McElfish explaining exhibits to support her argument in response to Mr. Clark's comments to the PRR and attached exhibit list corresponding with those points of disagreement.
2. Environmental Planner 1, 2, and 5 classes to review the class series as a whole.
3. Environmental Specialist 1, 2, and 3 classes to review the class series as a whole.