

**FY2003 Self Assessment  
On the 2002 Environmental  
Performance Partnership  
Agreement**

March 2004  
Minnesota Pollution Control Agency  
United States Environmental Protection Agency

2003 Self Assessment  
Table of Contents

Introduction.....4  
Future EnPPAs.....4  
Financial Status Report.....5

Summary of Progress made.....5  
MPCA.....5  
EPA.....8

Activity Matrices (See Excel file)  
    Air  
    Land  
    Groundwater  
    Water

## Approvals

This Self Assessment is approved on the date of the last signature received.  
For the State of Minnesota:

\_\_\_\_\_  
Sheryl Corrigan, Commissioner  
Minnesota Pollution Control Agency

\_\_\_\_\_  
Date

For the U.S. Environmental Protection Agency, Region 5:

\_\_\_\_\_  
Thomas V. Skinner, Regional Administrator  
U.S. Environmental Protection Agency, Region 5

\_\_\_\_\_  
Date

## **Introduction**

The Minnesota Pollution Control Agency (MPCA) and the U.S. Environmental Protection Agency's (EPA) Region 5 office continue to implement the National Environmental Performance Partnership System (NEPPS) with the publication of the 2003 Self Assessment. Initiated in 1995, NEPPS is a major effort to further integrate accountability, flexibility, and a focus on environmental results into the state and federal environmental protection system.

The NEPPS process consists of three main elements:

1. The Self-Assessment -- a broad assessment of a state's environmental conditions and both the state's and EPA's progress in protecting the environment; and
2. The Environmental Performance Partnership Agreement (EnPPA) -- a description of a state's and EPA's proposed environmental protection strategies for the next few years.
3. The Performance Partnership Grant (PPG) -- the federal dollars tied to the strategies.

The EnPPA serves as an environmental directions document for the Minnesota Pollution Control Agency. The EnPPA contains the mutually agreed upon goals, objectives, measures and activities that both agencies will jointly pursue in protecting Minnesota's environment. The Performance Partnership Grant combines the money from several grants into one grant. This allows for the combining of grant applications, grant reporting, and some flexibility in spending the dollars. The Self-Assessment serves as the progress report on how each agency is doing in fulfilling the goals of the EnPPA.

The 2003 Self-Assessment covers the period of October 1, 2002 to September 30, 2003. Since this is the first year of the two year EnPPA, we do not report environmental outcome measures for this Self Assessment. This is done because typically little change in environmental outcomes has occurred over a one year period.

The MPCA is reporting on only those EnPPA activities that are required by EPA to continue State delegation and grant funding. The MPCA is doing this for 2 reasons: 1) to provide EPA with a clear, accurate report that allows continued funding of MPCA programs; and 2) to provide a more succinct, more streamlined report focused on environmental outcomes of interest.

This Self-Assessment does not include other MPCA efforts that are funded using state dollars.

### **Future EnPPAs**

This will be the last Self Assessment that contains the detailed information found in the matrix. Future EnPPAs and Self Assessments will contain only the written progress reports. However, in its place will be face to face program meetings that will provide the necessary level of detail to make program decisions. The level of reporting for each program will be dependent upon the efficiency and effectiveness of each program.

## **FSR**

The Financial Status Report is submitted to EPA quarterly under separate cover.

## **MPCA Self Assessment Summary**

Because this is the first year of a two year EnPPA, many commitments may only be partially met since some deadlines for completion are in 2004. Overall, MPCA is on track to meet its EnPPA commitments, although a small number of projects need additional work. Below is a summary of the main issues in the 2003 Self Assessment.

### **Air:**

- New Source Review has helped to increase permit issuance rates.
- 34 Title V permits issued; 2 permits with Title IV conditions; Approx. 30 permits are now available on web site starting November 2003.
- Clean Air Minnesota is moving forward with good support from business.
- Data submitted to AIRS (ambient monitoring network) is on schedule. With few exceptions network up-time met the 75% criteria.
- Compliance rates:
  - 1) Compliance rate for all major facilities that are not HPVs:  $329 \text{ Majors} - 26 \text{ HPV Majors} / 329 \text{ Majors} = 92\%$ ; Goal is 95%.
  - 2) Compliance rates of major facilities in compliance after performance test:  $(41 \text{ reviewed} - 9 \text{ with violations}) / 41 = 78\%$  in compliance. Goal is 90%.
  - 3) Compliance rate of CEM equipped facilities:  $(173 \text{ reviewed} - 17 \text{ with violations}) / 173 = 90\%$  in compliance. Goal is 90%.
- The Transportation Conformity State Implementation Plan (SIP) is behind schedule.
- The Anderson XL innovative permit project and the Omnibus rule are about one year behind schedule. These activities are behind schedule because they have either become lower priorities or unexpected circumstances have occurred.

### **Water:**

- 397 regular facilities were inspected from October 1 2002 -September 30, 2003. 17 facilities that are MPCA majors (but not EPA majors) were inspected during this time. An additional 78 (EPA) majors were also inspected. Target was to inspect 86 major facilities.

- The biological monitoring and biocriteria development are now using a different strategy that utilizes a statewide approach to collecting the data. Although seen an improvement, it may take more time to get the data.
- By 9/30/03, 6 TMDLs were to have been issued. The six TMDL's have not been approved due to public challenges and federal contractor issues. Resolution of these issues is currently anticipated by the 2nd quarter of 2004.
- On the NPDES permit backlog, MPCA has used a state Blue Ribbon study, a legislative audit, and now Six Sigma to reduce the overall backlog from 46% to 25%. For minor permits the improvements will allow us to reduce the backlog to 10% by December of 2004. Some of the Six Sigma improvements include:
  - ◆ Teams of dedicated staff working on similar permits statewide. MPCA calls this a “batch” process. Six batches have been completed: (1) industrial by-product permits, (2) stabilization pond permits, (3) water treatment pond permits, (4) cooling water permits, (5) groundwater pump out permits, and (6) pretreatment permits.
  - ◆ Accelerated the effluent limits setting process by prioritizing reviews and setting deadlines.
  - ◆ Developed a permit writer’s manual, and is currently working on a second version.
  - ◆ Established a permit forum system to resolve permitting conflicts quickly.
  - ◆ Assessed permitting policies/procedures and modified them to help with turnaround of permit reissuance.
  - ◆ Made improvements to the data management system (DELTA) to increase efficiencies of permit writing.
  - ◆ Developed project and process tracking systems.
  - ◆ Developed an annual NPDES work plan with overall goals and productivity goals.
  - ◆ For major facilities, initiated a process to equalize the number of permits expiring each year.
  - ◆ Looked for opportunities to expand the use of the current general permits and develop new ones.

**Groundwater:**

- Delegation of feedlot program to counties continuing. 55 counties out of 87 (63%) delegated
- 160 new CAFOs have been identified as needing NPDES permits as per the new federal regulations.
- A total of 14,429 leak sites have entered the program as of September 30, 2003. Investigations and risk-based corrective actions have been initiated at 13,166 of these sites; Investigations were initiated at 353 leak sites between October 1, 2002 and September 30, 2003.
- Provided timely reviews of LUST site reports. We reviewed 1,486 reports between October 1, 2002 and September 30, 2003. Of these, 1,356 reports (91%) were reviewed within 120 days. Only 130 reports exceeded the 120-day review timeframe.
- A total of 222 petroleum contaminated sites enrolled in the VPIC program between October 1, 2002 and September 30, 2003. Of these, 160 sites were tank related and 62 sites were non-tank related. These sites have a combined affect on approximately 960 acres of land. During the same reporting period, VPIC provided 35 expedited report reviews and issued 46 assurance letters to volunteers.
- Originally, selected feedlots were to be monitored for compliance with the hydrogen sulfide standard. The feedlot program received a 6.5 FTE cut and was not able to institute this provision as a proactive activity. In response to specific complaints, some compliance monitoring completed. Five new sites were found to need mitigation in order to meet standards as result of the compliance monitoring.

**Land Program:**

- 215 sites entered the VIC program in federal FY 03. 1,108 acres available for reuse or redevelopment.
- MPCA continues to work on all active RCRA Corrective Action Sites and continues to keep the EPA data base RCRAInfo up to date with respect to RCRA Corrective Action.
- Enhance our relationship with EPA and Metro Counties by providing a hazardous waste liaison to the Metro Counties for the purpose of providing a holistic picture of the hazardous waste regulatory efforts underway in Minnesota. In the process of negotiating language with EPA for a model Joint Powers Agreement with Metro Counties. January completion date expected. Peer exchange begun.
- Currently overseeing 91 active RCRA sites in various stages of investigation and remediation.

## EPA Self Assessment Summary

### Water Program

#### What Worked Well

##### **1. TMDLs and State 303(d) List: Basin Approach Focuses Water Quality Programs**

MPCA developed a high quality, timely 303(d) list. Although it was challenged, MPCA sustained the challenge and submitted its list on October 17, 2002. Early coordination on the draft 2002 list, the responsiveness of MPCA on drafts, and good working relationships resulted in quick review and approval of the final list. EPA is working with the state to review the draft 2004 list which is already in house. We expect the final to be submitted on time.

MPCA has accelerated its TMDL program, and using the basin approach to organize work. EPA supported the development by MPCA of a regional fecal coliform TMDL for the Upper Mississippi Basin and subsequently approved the State TMDL submission. The state has been working on implementation activities. For the FY03 319 grant, EPA provided funding flexibility allowing higher percentage of the grant to go toward TMDL development. We believe that this year we were successful in clarification of issues, jointly understanding the program goals and working collaboratively to find ways to overcome perceived roadblocks.

MPCA has made the TMDL program its highest water priority and is working on long-term funding that would sustain this effort over several years. The Governor's water agenda aligns with and supports the State's work, giving it additional emphasis. Good progress has been made on enhancing the State's monitoring program, but we still have a long way to go. We look forward to working with MPCA on its monitoring program as a joint priority for FY04.

##### **2. NPDES Permit Program: Focus and Streamlining Yield Dramatic Permit Backlog Reductions in Minnesota**

EPA and the states in Region 5 jointly developed a set of options for streamlining the NPDES permit program in 2002, to help states reduce the backlog of expired permits as they struggled with budget shortfalls. Over the past year the MPCA has been focusing management attention and implementing several innovative streamlining tools to improve water quality permitting and reduce the backlog. Among the streamlining tools that MPCA has successfully employed are batching of similar permits; increased use of general permits; and resolution of roadblock issues, such as phosphorus limits/goals, as a generic issue rather than on a permit-by-permit basis. Employing these streamlining tools and management approaches, such as Six Sigma process improvement and productivity targets for individual staff, MPCA will this year reduce its major permit backlog from 36% to 14% and projects that its majors backlog will be 6% by the end of

2004. This year MPCA will reduce its individual minor permit backlog from 31% to 22%, and projects 18% at the end of 2004. MPCA has also done a good job ensuring compliance with NPDES permits: the SNC rate is very low, and the active exceptions list is generally at 0%, with only an occasional facility appearing.

### **Challenges and Lessons Learned**

**Federal Contractor Assistance:** In response to our offer of contract assistance for several NPDES tasks, MPCA committed a portion of its CWA section 106 program funds to the Office of Water assistance contract. Despite our joint expectations that this would offer an efficient tool to help the State, after a year the work on several of the assignments has yet to begin. We have learned that the use of this contract assistance vehicle requires staff and management commitment and diligence to ensure that the paperwork is pushed through the system in EPA headquarters as well as the regional office and that our work assignments receive high priority for processing.

**TMDLs Being Challenged:** EPA's approval of the Regional fecal coliform TMDL for the Upper Mississippi River Basin has been challenged in court. The pace of implementation may be impacted until settlement of the lawsuit. MPCA is working on developing a second phase of the Regional fecal coliform TMDL for the Basin. This too may be impacted by the lawsuit.

**Western Lake Superior Sanitary District/Duluth:** Communication issues delayed issuance of a federal administrative order in the Western Lake Superior Sanitary District/Duluth case when it became clear that MPCA management had concerns about the order. Subsequent coordination between the agencies has been positive and effective and has improved the case. The proposed Administrative Order to Duluth and WLSSD was issued on January 8, 2004. This underscores the need, in potentially sensitive enforcement matters, for program staff to brief managers early and share the results between agencies.

### **Air Program**

#### **What Worked Well**

##### **1. Ethanol Enforcement Partnership:**

In the summer of 2002, U.S. EPA Region 5, Minnesota Pollution Control Agency (MPCA), and U.S. Department of Justice (DOJ) settled Prevention of Significant Deterioration (PSD) violations at twelve ethanol production facilities in Minnesota. This achievement involved intense and complex negotiations lasting over three weeks with the entire settlement process lasting three months. The settlements reached will reduce annual pollution from these plants by hundreds of tons through the installation of the best available control technology. These settlements include penalties which were substantially reduced due to the cooperative approach taken by the companies involved.

EPA worked in a very close and effective enforcement partnership with the MPCA. The settlements and the combined Federal-State efforts that achieved them should serve as a model for bringing companies into compliance nationwide.

The whole enforcement approach to this non-compliance problem in the ethanol production industry was creative and grew from the combined initiative of EPA and the MPCA. While it is difficult to say anything is totally original, a novel decision to let the companies submit detailed control plans to them after the primary negotiating sessions were done. This allowed the companies to better devise compliance strategies within the common framework rather than attempting to do so in repeated negotiating sessions. The team of EPA and the MPCA successfully moved the negotiations along by stressing the benefits of cooperation. At the same time they listened carefully to each company's unique concerns and decided quickly how to address them in a reasonable and equitable manner.

## **2. Biowatch:**

The goals of the Bio-Watch program are to provide representative ambient air particulate samples to state department of public health laboratories for determination of the presence of biological contaminants. Approximately 15 monitors have been deployed in support of the Bio-Watch Program for Minnesota. The rapid deployment and daily collection and delivery of samples, including Sundays and holidays, to the laboratory by a fixed time for analyses are resource intensive. The Bio-Watch monitors are maintained and operated for daily sample collection and delivery to local analytical laboratories for subsequent sample analysis. MPCA determined, based on scope, time and resource constraints, that it would prefer not to directly implement the program and requested in-kind assistance from Region 5. The Region 5 has procured and is administering contract support for operations, maintenance, sample collection and delivery and provide technical oversight with coordinated support from MPCA in support of the Bio-Watch Program. EPA commends MPCA for its interim assistance in the program start-up, while the contracting effort was moving forward. MPCA sent technical staff to training; allowed the use of MPCA existing monitoring sites; deployed substitute monitoring sites for sites where weekend access was an issue; and helped train contractor personnel.

## **3. Air Toxics:**

MPCA has completed an important study of personal exposures to air toxics, which documents individuals actual exposures to air toxics as they go through the course of their day, in the home, transit, office and other micro-environments. It has also begun a state-wide air toxics assessment ("The Lakes Study") to complement the National-Scale Air Toxics Assessment (NATA), which covers more pollutants and has greater small scale detail than the NATA. The results of this will be used to focus on hot-spots of high health risks for reduction projects. It has also begun plans to do an environmental justice overlay of high risk areas of the state to begin to address inequitable distribution of health risks.

The State has also made substantial efforts in researching and reducing persistent bioaccumulative toxics. It has continued to develop and improve the air toxics emissions inventory (RAPIDS). MPCA has consistently participated in the steering committee for the Great Lakes Atmospheric Deposition (GLAD) program. In addition, MPCA has been a national leader on mercury, including research on mercury emissions, fate and transport, and development of programs to prevent mercury emissions. EPA would like to encourage MPCA to continue in this leadership role, through continued work on mercury research and reduction, and continued participation in Regional forums that share information about mercury.

EPA in turn has met with MPCA to discuss progress on the national air toxics program and the state's air toxics initiatives. EPA continues to support Minnesota in the development of its air toxics program. EPA coordinates the GLAD program and is working closely with the Great Lakes Commission and in providing technical guidance. EPA has provided funding for a variety of MPCA projects related to mercury, including the development of Minnesota's voluntary mercury reduction initiative, and a number of exemplary projects on reducing mercury in schools and getting mercury out of products. In the future, EPA would like to encourage continued work by Minnesota on mercury reduction, including efforts to reduce mercury emissions from taconite production and steel plants, and to minimize mercury risks in schools. In the coming year, EPA staff will be available to provide a training course on Air Toxics Risk Assessment for interested state audiences.

EPA is interested in continuing to (1) support and participate in the evaluation of completed and current studies in order to shape the future direction of Minnesota's toxics program; (2) discuss ways to collaborate with the State on its State-wide risk assessment and (3) discuss ways to continue reducing the use of mercury, including efforts to reduce mercury containing scrap metal contaminated with mercury containing devices.

#### **4. Experimental Air Permit and Enhanced Environmental Management System for IBM-Rochester, MN :**

Project under the Joint EPA/State Agreement to Pursue Regulatory Innovation

MPCA's Experimental Air Permit and Enhanced Environmental Management System(EMS) project was designed to test a new approach for its permit and the ability of the EMS third party audit to supplement MPCA compliance oversight. This experiment is testing new applications of EMS which will provide valuable information to the national dialog on EMS. The MPCA and EPA team worked diligently to identify the data that will need to be collected in addition to the normal EMS audit by the third party auditor. The collaboration of the two agencies resulted in a project that is being discussed by the national EMS workgroup as an example of the value of EMS. Another result of the project is both MPCA and EPA are members of the EPA-State workgroup on EMS in permits and regulations.

The project's flexible cap permit was issued November 6, 2002, after two public comment periods and approval of the necessary variance by the MPCA Citizens' Board on October 22, 2002. A combination of annual air emissions data, third-party EMS auditing enhanced with random sample verification of IBM's air emissions data-generation process, and a public web site for impacts and EMS audit findings substitutes for routine MPCA inspections. The next-scheduled third-party EMS audit will be at the end of 2003 and will be posted to the MPCA website within 30 days of receipt by MPCA. From 1997 to 2002 the Combined Hazardous Air Pollutants have decreased from 1.86 tons per year to .65 tons per year.

## **Challenges and Lessons Learned**

### **Title V Permitting:**

Completing issuance of the initial round of Title V permits is a concern in Minnesota. Although MPCA had initially committed to 100% issuance by December 2003, as part of a national consent agreement, the State has had to revise that schedule for a variety of reasons. Current projections have 95% of the initial permit universe issued by September 2004, with 100% issuance by December 2004. MPCA and EPA have implemented several streamlining procedures, such as pre-approved permit templates, sector-oriented batch processing and electronic transfer and sharing of information. We have also just finalized another series of streamlining commitments and opportunities which is being implemented. EPA recognizes the on-going effort and cooperation between our Agencies in this area, and looks forward to exploring the additional opportunities we have outlined in the joint priority proposal.

## **Hazardous Waste, UST/LUST, and TSCA programs**

### **UST & LUST Programs**

The UST program in Minnesota is doing well and the LUST program continues to exceed our cleanups completed measures. The FY03 goal was 265 cleanups completed and the State performed 375 cleanups. The MPCA forecasts similar results in FY04. In support of MPCA, Region 5 continues to provide guidance and interpretation of UST and LUST policies and regulations.

Hazardous Waste Program - To support MPCA's waste program US EPA continues to provide guidance and information on the hazardous waste program as it becomes available. As part of our work sharing effort we continue to conduct RCRA compliance inspection at Minnesota facilities and take appropriate enforcement when required. EPA also continues to support MPCA's rule adoption and RCRA authorization programs.

RCRA Permitting - MPCA has all their operating and post closure universe facilities under control. This exceeds the 2005 GPRA goal of 80% for their combined permitting universe under control. The focus now will be permit renewals. Minnesota plans to reissue permits at the rate of 5-6 per year. This will essentially reduce the permit renewal backlog to zero by 2008. This schedule should meet the 2008 GPRA goal, of reissuance by the end of 2008, of 36% of all facilities with operating units and permit expiration dates before the end of 2006.

RCRA Authorization - After several years of minimal activity that caused their program to fall behind schedule, Minnesota began a flexible new effort linking related rules into "trains" to get back on track. Rules were prioritized so the first "trains" would contain the most important rules. Three trains, one which had rules that needed corrections, have been given to the EPA for draft review, two of the trains have since been sent to the revisor and are in the proposed phase. All total there are an estimated 83 rules involved, these include most of the land ban regulations and the key optional rules sought by headquarters (combustion, post-closure, the new CAMU and HWIR media).

RCRA Compliance - EPA is working with MPCA and the Metro Counties (7 counties in the Twin Cities area) to have the Metro Counties assist in RCRA compliance by performing RCRA inspections. To accomplish this, EPA is working with MPCA to develop a Joint Powers Agreement (JPA), which when completed will be folded into the RCRA MOA.

RCRA Corrective Action - MPCA has exceeded its RCRA corrective action GPRA goals. Minnesota has completed 100% of the human exposure EI determinations(725's) and all but 2 of the groundwater EI determinations(750's). The State expects to complete the remaining groundwater determination prior to 2005.

Pollution Prevention - MPCA and EPA have a joint priority of Regulatory Integration of P2 into the media program. MPCA has focused EPA P2 grant funding on integrating P2 into the media programs. MPCA also used grant funding for the development of the internet-based "Greener Practices for Business, Site Development and Site Cleanups: A Toolkit". Minnesota is also during tons of work promoting H2E (reducing hospital waste, etc), through a P2 grant from Region 5.

### **PCBs: Compliance and Enforcement and Program Specific Activities -**

Under the environmental objectives for land (L1a) in the EnPPA with MPCA, in FY 2003 MPCA was to perform 12 TSCA Section 6 PCB inspections and collect samples when needed; implement a PCB phasedown program with utilities and industries in the Lake Superior Basin; and leverage information learned in Lake Superior PCB phasedown to promote statewide removal. MPCA exceeded the target number of inspections and conducted 15 PCB inspections. MPCA should continue to assure samples are considered and collected when needed for enforcement. MPCA also continued to work with utilities and industries in the Lake Superior Basin on their PCB phasedown program, collecting information on the amount of PCBs in electrical equipment. The status of promoting

statewide removal of PCB equipment is unknown, but information is still being learned from the Lake Superior PCB phasedown effort.

In FY 2003, EPA provided guidance and assistance on regulations and enforcement as needed and continued to encourage companies to voluntarily participate in the phase out of PCB equipment. Region 5 specifically began to review outreach material for finalization for a nation wide outreach campaign on phasing out PCB equipment, which would include facilities in Minnesota.

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
1	<b>Goal L1: Strive to eliminate the use of harmful substances in manufacturing products or delivering services.</b>					
2	Pollution-prevention assistance including but not limited to fact sheets, workshops, conference, compliance assistance projects, site visits and inspections.	Support and participate in MPCA efforts, as is appropriate.	L1b,c	Number of staff hours(FTEs). Executive summary report.	Will be reported in the next Self Assessment.	Assistance
3	Support participation in household hazardous waste collection through education materials, training and partnering with public & private entries.		L1b,c	Number of training sessions	Initial Safety Training (3 days) - 1; HHW Safety Refresher - 5; Hazard Categorization Training - 4; DOT Training for HHW - 1; DOT Annual Update - 2; Ten Steps to Hazardous Waste Compliance - 1.	Assistance
4	Site visits through LSI. Including newsletter, personal contact and a web page.	None	L1b,c	Results are available on website.	64 site visits and a site visit study completed. See web site for more information: <a href="http://www.pca.state.mn.us/programs/lsi/projects.html">http://www.pca.state.mn.us/programs/lsi/projects.html</a> .	Assistance
5	Audits, complaints, inspections, site visits and document reviews directed towards prevention.		L1b,c	Number of staff hours (FTEs) directed towards reducing the generation of hazardous waste. Number of inspections, complaints and site visits conducted by the seven Metro Counties.	Between 12-15 county lead enforcement cases brought to forum and APO's issued by Agency. Information on inspections, complaints and site visits and Staff hours not available.	Compliance Determination
6	MPCA provides written Supplemental Environmental Project (SEP) policy and guidance upon request.	Make supplemental environmental project (SEP) information available to the MPCA.	L1b,c	Number and types of enforcement tools executed including supplemental environmental projects targeted towards hazardous-waste reduction requirements. Number of and types of enforcement tools executed by the 7 Metro Counties.	MPCA issued 53 NOV's, 29 APO's, and executed 17 Stipulation Agreements.	Enforcement

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
7	Compile Hazardous Waste information from Delta on management and waste generation rates. Provide information for the Resource Conservation and Recovery Act (RCRA) Biennial Reporting System to the EPA's RCRA Information System (RCRAInfo).		L1b,c	BRS completed and entered into BRS data system.	Compile Hazardous Waste information from Delta on management and waste generation rates. Provide information for the Resource Conservation and Recovery Act (RCRA) Biennial Reporting System to the EPA's RCRA Information System (RCRAInfo). Metric: BRS completed and entered into BRS data system.	Monitoring and Evaluation
8	Perform PCB Inspections, collect samples and have samples analyzed by approved laboratory when needed and implement PCB phasedown program with utilities and industries in the Lake Superior Basin.	Provide guidance and assistance on policies, regulations and enforcement. Review reports and follow up with case development when applicable. Encourage companies to voluntarily participate in the phase out of PCB equipment.	L1a	Number of PCB inspections. Number of Samples taken/analyzed.	15 inspections per the FY03 commitments. Zero samples.	Monitoring and Evaluation
9	Develop a program to reduce the generation of wastes containing RCRA Persistent and Bioaccumulative Toxic (PBT) chemicals, other than PCBs. MPCA will support EPA's Waste Minimization Partnership Program as a means of reducing the generation of wastes containing RCRA waste minimization priority chemicals.	Provide guidance and assistance on reducing PBT generation. Use facility list in conjunction with MPCA to solicit participation in the partnership program.	L1a	Amount of hazardous waste generated containing RCRA PBT chemicals. MPCA will identify facilities to pollution prevention assistance providers.	Currently this output is not being measured separately.	Assistance, Policies and Rules
10	Leverage information learned in Lake Superior PCB phase down to promote statewide PCB removal.	Promote removal of PCBs	L1a	Amount of PCBs removed. Number of fact sheets distributed statewide.	None. Project delays will result in removals over FFY04.	Policies and Rules

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
11	Provide hazardous waste management assistance including but not limited to fact sheets, workshops, conferences, compliance assistance projects and site visits.	Support and participate in MPCA efforts, as appropriate.	L1a,b,c	Number of staff hours (FTEs) spent providing assistance.	Currently this item is not being measured separately.	Assistance
12	MPCA will work with EPA to complete compliance evaluation inspections of RCRA large quantity generators, audits, complaints, site visits and document reviews directed towards proper hazardous waste management.	EPA will work with the MPCA to complete compliance evaluation inspections (CEIs) of RCRA large-quantity generators in accordance with the OECA Memorandum of Agreement (MOA) in EPA national and/or Regional priority sectors such as waste derived fertilizers, foundries, coating and electroplating operations, and installations subject to Subpart CC requirements; requests from MPCA; and installations subject to open Federal enforcement, judicial and/or administrative decrees/orders. EPA will refer citizen complaints it receives to the MPCA for follow-up action. Region5 will complete CEIs at 2 RCRA generators on tribal lands.	L1a,b,c	Number of staff hours (FTEs) directed towards reducing the generation of hazardous waste. Number of audits, inspections, site visits and document reviews conducted.	46 LQG Inspections conducted Statewide.	Compliance Determination

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
13	MPCA will work with EPA to complete statutorily-required inspections.	Conduct compliance evaluation inspections (CEIs) at installations handling hazardous waste based on the criteria for EPA's selection which includes a statutory mandate: installations owned and/or operated by State or local governments identified in SWDA Section 3007(d), Federal facilities identified in SWDA Section 3007(c).	L1a,b,c		12 TSDF Inspections completed.	Compliance Determination
14	Appropriate enforcement response tools directed towards improper hazardous waste management with violators addressed according to the EPA's Hazardous Waste Civil Enforcement Response Policy (not VSQGs).	1) EPA will issue enforcement responses to RCRA violations detected by EPA, or referred to EPA by MPCA in accordance with EPA's Hazardous Waste Civil Enforcement Response Policy, EPA's RCRA Civil Penalty Policy, and relevant enforcement strategies and inform MPCA of enforcement response actions initiated by EPA. 2) Conduct compliance and enforcement file reviews. 3) Discuss with MPCA topics such as: a) new or revised Federal RCRA rules, b) new or revised hazardous waste strategic plans, c) EPA's Hazardous Waste Civil Enforcement Response Policy, d) EPA's Civil Penalty Policy, e) EPA's computer programs to determine financial status of RCRA regulated entities, f) EPA's sector, waste, or rule specific enforcement strategies, and g) RCRA INFO and other data management tools.	L1a,b,c	Number and types of enforcement tools used.	MPCA issued 53 NOV's, 29 APOs, and executed 17 Stipulation Agreements.	Enforcement

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
15	Conduct hazardous waste compliance inspections on 4 SW incinerators in MN. Inspections will focus on ensuring HW is not accepted at SW incinerators and if accidentally accepted, that HW is properly sorted out of SW streams prior to incineration. Management of identified HW will be reviewed for compliance w/ state and federal rules. MPCA will also look at samples of ash from SW incinerators to ensure that the ash is managed properly.	Provide guidance as appropriate.	L1a,b,c	Number of staff hours (FTEs) directed towards determining status of businesses burning hazardous waste, number of BIF derminations made, number of compliance determinations made.	As agreed the MPCA staff conducted inspections at 4 SW incinerators. RCRA violations were cited at two of the facilities, but neither was designated as a SNC. Corrective actions were completed and all four are currently in compliance.	Compliance Determination
16	Adopt mandatory federal RCRA rules needed to maintain program authorization.	Provide guidance and model legislation as appropriate.	L1a,b,c	Rules adopted.	Rules drafted; editing with pre-publication comments and developing SONAR.	Policies and Rules
17	Adopt optional, less stringent federal rules to improve rules as appropriate.	Provide guidance and model legislation as appropriate.	L1a,b,c	Rules adopted.	Rules drafted; editing with pre-publication comments and developing SONAR.	Policies and Rules
18	Develop process to prioritize rule adoption.	Provide guidance and model legislation as appropriate.	L1a,b,c	Rules adopted.	Process developed and applied.	Policies and Rules
19	Apply for authorization of RCRA program amendments.	Provide guidance as appropriate.	L1a,b,c	EPA deems application complete.	Will apply for authorization after adopting rules.	Policies and Rules
20	Enhance our relationship with EPA and Metro Counties by providing a hazardous waste liaison to the Metro Counties for the purpose of providing a holistic picture of the hazardous waste regulatory efforts underway in Minnesota.	Fund .75 FTE through a one time Survey, Studies, Investigation, and Special Purposes grant.	L1	Final assessment report.	In the process of negotiating language with EPA for a model Joint Powers Agreement with Metro Counties. January completion date expected. Peer exchange begun.	Program Specific Approaches
21	<b>Goal L2: Minimize or reduce the release of contaminants to or from the land.</b>					

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
22	MPCA will evaluate compliance at HW handlers through audits, complaint investigations, inspections, site visits and document reviews directed towards proper hazardous waste management (including remediating hazardous waste releases).	Support and participate in MPCA efforts, as appropriate. Conduct inspections, site visits and documents reviews towards hazardous waste released.	L2a-d	Number of MPCA compliance evaluation inspections, audits, complaint investigations, site visits & document reviews (including hazardous waste release prevention).	228 CEIs conducted, 55 complaint investigations.	Compliance Determination
23	Appropriate enforcement response tools directed towards remediation (including supplemental environmental projects).	Assist MPCA in program for supplemental environmental projects.	L2a-d	Number and types of enforcement actions used (including supplemental environmental projects).	MPCA issued 53 NOVs, 29 APOs, and executed 17 Stipulation Agreements.	Enforcement
24	Maintain identified release sites lists.	Provide release site information to MPCA as appropriate.	L2a-d	Number of hazardous waste release sites identified and remediated.	7 new RCRA release sites were identified and 9 RCRA release sites were closed during the reporting period.	Monitoring and Evaluation
25	Issue and reissue TSD permits and closure plan approvals, compliance agreements and corrective action agreements at release sites.	EPA will issue those portions of RCRA permits for which the State has not been authorized. EPA will work with the MPCA to complete financial record reviews, permit modifications and other permitting-related activities.	L2a-d	Number of permits, agreements issued and reissued. Number of financial record reviews, permit modifications, and other permit-related activities completed. Percent of existing hazardous waste management facilities with approved controls in places (EPA CPM).	4 permits reissued and 1 corrective action agreement executed. Two financial reviews completed. 3 permit modifications issued. Two facility closures and two partial closures approved. 100 percent of facilities have approved controls in place.	Permitting
26	Administer hazardous-waste generator cleanup loan program.		L2a-d	Number of loans approved.	One. Crosstown Auto, Inc.	Program Specific Approaches
27	Provide remediation oversight.	Assist with remediation oversight as requested by MPCA.	L2a-d	Number of sites where oversight was provided. # of hazardous waste release sites identified & remediated.	Currently overseeing 91 active RCRA sites in various stages of investigation and remediation.	Remediation
28	<b>Goal L3: Restore contaminated land to productive use.</b>					
29	Provide education on use of Voluntary Investigation and Cleanup (VIC) program guidance documents.		L3b;GW1d	Number of cleanup/reuse decisions made with public participation.	25 Clean up/reuse decisions made with public participation via meetings	Assistance

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
30	Develop, revise or maintain and provide VIC program guidance documents (education and outreach materials).		L3b;GW1d	Number of documents provided.	505 Written documents distributed, Also prepared 3 new guidance documents, Regional Ground Water, Institutional Control and DRO guidance, plufs working on 3 additional ones. Also Documents are now downloadable from the website	Assistance
31	Participate in general outreach activities including partnering with local government, community groups and other potential VIC program users.		L3b;GW1d	Conduct about 15 outreach activities each year.	4 quarterly brownfield meetings, 2 workshops attended, 9 presentations made.	Assistance
32	To investigate additional large petroleum storage tank facilities per year, to facilitate corrective action and to ensure proper closure of petroleum tank release sites.		L3a;GW1d	Number of large petroleum storage tanks investigated. Number of petroleum tank release sites with corrective action plans. Number of petroleum tank release sites properly closed.	Of 117 candidate sites, 90 sites closed, 20 sites in remediation, 10 sites are in investigation, and 7 are unassessed.	Compliance Determination
33	Continue to work cooperatively with EPA under the RCRA Corrective Action at RCRA Interim Status facilities Memorandum of Understanding with EPA.		L3b	Continue working under MOU.	MPCA continues to work on all active RCRA Corrective Action Sites and continues to keep the EPA data base RCRAInfo up to date with respect to RCRA Corrective Action.	Compliance Determination
34	MPCA will use RCRA Corrective Action supplemental funds to complete Environmental Indicators(EI) forms for remaining GPRA sites and Non-GPRA High Priority sites, and as necessary, sampling to achieve positive EI at GPRA sites.	Award funding in 2003.	L3	Complete EI forms for remaining GPRA sites by 9/30/04.	All RCRA GPRA sites with possitive EIs have had EI forms completed.	Compliance Determination
35	Develop and update Superfund policies and administrative reform, legislative initiatives, to new initiatives and customer-desired outcomes.		L3c;GW1d	Policies developed or updated.	Draft of DRO/FRO Policy. Final institutional control and GW investigation policy. Maintenance fo SF database.	Policies and Rules

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
36	Site Assessment: Traditional Program.		L3c; GW1d	Number of IA's and CERCLIS screenings. MPCA will complete 3 PA/Sis ans 75 pre-CERLIS screenings.	3 PA/SI completions. 50 pre-CERCLIS screenings completed of which 2 sites were listed on CERCLIS.	Remediation
37	Identify Responsible Parties.		L3c; GW1d	Conduct initial responsible party search on all identified sites.	RP searches conducted at 10 sites.	Remediation
38	Provide useable information data to property stakeholders.		L3c;GW1d	Number of requests for information.	Approximately two information requests per month have been addressed.	Assistance
39	Market the availability of this service to stakeholders throughout the state.		L3c;GW1d	Number of requests for information.	Are in the process of placing RCRA remediation site listings on MES and "What's In My Neighborhood" databases.	Assistance
40	Develop and maintain risk based guidance documents.		L3c;GW1d	Guidance documents maintained.	Continue to maintain and update Risk Based Guidance documents on the MPCA Web site.	Assistance
41	Provide assistance in evaluating risk to human health and ecology from remediation sites.		L3c;GW1d	Number of projects where assistance provided.	Eco Risk screening document completed.	Assistance
42	Site Assessment: Brownfields.		L3c;GW1d	MPCA will complete assessment of the Bassett Creek Site. MPCA will complete 3 Phase I/II Assessments. Close out TBA activities.	Bassett Creek brownfield project completed. 9 phase I / II brownfield assessments completed.	Remediation
43		Award cooperative agreement funds for brownfield assessments and to capitalize revolving loan funds to clean up brownfield properties.	L3c;GW1d	Amount of cooperative agreement funds awarded.	\$1,008,746 awarded to MPCA for Sec.128(a) brownfield response program. \$1,329,000 awarded to 4 local tribal gov's. For brownfield assessments. \$2,400,000 awarded to state/local gov's. For revolving loan funds. \$800,000 awarded to 2 local gov's. For cleanup.	Remediation
44		Respond to all requests to assist with transfer of federal properties for reuse or redevelopment.	L3c;GW1d	Number of properties to enter VIC program. Number of acres available for reuse or redevelopment.	215 sites entered the VIC program in federal FY 03. 1,108 acres available for reuse or redevelopment	Remediation

Row #	MPCA Activity	EPA Activity	Environmental Objective	Output Measure	Progress made on Activity and Output Measure	Function
45		Provide follow-up on TBA's conducted.	L3c;GW1d	Amount of funds leveraged for redevelopment and for cleanup. Number of jobs generated.	Site Assessment - Brownfields (TBA activities) - \$195,268.	Remediation