

Environmental Performance Partnership Agreement

Minnesota Pollution Control Agency
U.S. Environmental Protection Agency Region 5

October 1, 2006 – September 30, 2008
FFY 2007 - 2008



**Minnesota Pollution
Control Agency**

February 2007

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Authorizing Signatures

This PPA is approved on the date of the last signature received.

For the State of Minnesota:

Brad Moore, Commissioner
Minnesota Pollution Control Agency

Date

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

Mary Gade Regional Administrator
U.S. Environmental Protection Agency, Region 5

Date

Purpose and scope of the PPA

The Minnesota Pollution Control Agency (MPCA) and the United States Environmental Protection Agency (U.S. EPA) Region 5 are entering their seventh Environmental Performance Partnership Agreement (PPA) with the approval of this document. This agreement describes the environmental outcomes that both Agencies are striving to achieve and joint program priorities that the State and U.S. EPA think need additional management attention. Roles and responsibilities for carrying out the priorities and key strategies are described in detailed supporting information that can be found on MPCA's website <http://www.pca.state.mn.us>, or by contacting the persons listed at the end of each priority write-up. The agreement runs from October 1, 2006, to September 30, 2008.

This agreement is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of the U.S. EPA and Environmental Council of States (ECOS). The objective of the NEPPS initiative is to strengthen protection of public health and the environment by directing limited resources toward a state's most pressing environmental issues. Performance Partnership Agreements (PPAs) formed under NEPPS are designed to provide states and EPA with flexibility in how they achieve environmental results and enhance accountability in achieving environmental progress. The Performance Partnership Grant (PPG) is the federal grant used to fund many of the PPA activities.

This agreement does not replace or supersede statutes, regulations, delegation agreements, or other agreements entered into previously between MPCA and EPA.

Relationship of the PPA to other Documents

The PPA is an extension of MPCA's Strategic Plan and U.S. EPA's Regional Plan. It summarizes the work activities of EPA and MPCA. Outcome objectives, sub-objectives, milestones, environmental indicators; critical outcome and program measures that are key issues or necessary to continue program delegation will be covered or referenced in the PPA. Although the PPA is considered a subset of MPCA's Strategic Plan it is not identical to MPCA's Strategic Plan. It was necessary for the PPA to change some dates and modify the information provided by MPCA's Strategic Plan to accurately reflect MPCA's commitments. However, the PPA remains focused on the activities that are accomplished under the grants furnished by U.S. EPA.

Grants covered under the PPA

The FFY2007-2008 federal performance partnership grant to MPCA includes the following program grants. This agreement and supporting documentation serve as the program commitment (e.g. workplan):

1. Water Pollution Control (CWA Sec. 106) - Surface and Ground Water
2. Air Pollution Control (CAA Sec. 105)

3. Hazardous Waste Management (RCRA -Solid Waste Disposal Act Sec. 3011(a))
4. Underground Storage Tanks (Solid Waste Disposal Act Sec. 1007 (f)(2))
5. Toxics (PCBs) Compliance & Monitoring (TSCA Sec. 28)

Elements of the PPA

The PPA is a concise, strategic document focused on common goals, well-defined outcomes, and strategies with program tools and resources targeted at the most important environmental problems. It includes both MPCA and U.S. EPA work. In addition to Joint Priorities, the PPA includes a limited set of critical performance measures and commitments for the base environmental programs covered in the Performance Partnership Grant (PPG) work plan.

- ◆ The PPA is a summary of the work done under U.S. EPA grants as well as some work done under non U.S. EPA grants. Supporting documentation is available in separate documents and references. Much of this information can be found on the MPCA web site referenced in the opening paragraph.
- ◆ The PPA provides strategic direction to the workforce and influences program work plans by promoting environmental innovations that result in more efficient approaches.
- ◆ The PPA is viewed as a “living document” that is flexible and can be changed to reflect MPCA and EPA needs.
- ◆ The PPA clearly links outputs to outcomes where possible as well as aligning with both U.S. EPA and MPCA workplans.
- ◆ The PPA directs planning at the MPCA and U.S. EPA Division and Program levels, by establishing joint priorities, desired outcomes, and a holistic approach to environmental protection. It will also promote environmental innovations that result in more efficient approaches. To the extent applicable, base programs will use the joint priorities as they develop program work plans to influence the targeting of work.
- ◆ If a program has been performing in a successful manner, and is expected to continue performing in that manner, the detail needed for the PPG would be described in the State’s program or Division work plans, not the PPA. *Program performance will be identified as either “adequate” or “needs improvement”.* “Adequate” program areas are meeting their stated commitments and performing to the mutual satisfaction of both agencies. “Needs improvement” means a program area is, or is at risk of, inadequately functioning, and the deficiency represents a significant vulnerability to the integrity of the environmental protection program in the State. Adequate programs would receive significantly less review and oversight than programs needing improvement. The level of detail will need to meet the minimum reporting requirements for EPA Headquarters and Congress. It will be Region 5’s responsibility to identify and inform MPCA of the minimum level of detail needed. The evaluation to determine “adequate” and “needs improvement” programs will occur during the joint assessment process held at the end of each year.

- ◆ The PPA and supporting documentation establishes a framework for mutual accountability by clearly defining joint priorities, desired outcomes, and clear roles for EPA and MPCA.
- ◆ The PPA includes a summary of the environmental conditions in Minnesota to be used as a baseline for measuring future success.
- ◆ The PPA establishes joint assessment for the priority work. By “joint assessment” we mean the following:

An annual discussion between the U.S. EPA and MPCA leadership including program Division Directors to highlight and celebrate successful program achievements; to identify areas that need improvement and/or additional resources; to make adjustments in program direction or approaches; and to reflect on lessons learned for the coming year.

Mutual Accountability

The approach to mutual accountability affects the way that U.S. EPA and MPCA interact and is a change from U.S. EPA’s traditional approach to oversight. U.S. EPA and MPCA will agree on the appropriate level of U.S. EPA oversight of State program implementation. One primary consideration will be those program areas that are deemed to “need improvement.” However, U.S. EPA will continue to review and act on new regulations in program areas that impact State authorization or where federal statute or regulation requires U.S. EPA review and approval of State actions (e.g., water quality standards).

Enforcement and Compliance Assurance

Compliance and enforcement activities to be accomplished during the term of this PPA are included in the detailed State program plans; however, a summary of the federal and MPCA roles in compliance and enforcement is helpful.

The following tenets serve as the foundation for the U.S. EPA-MPCA relationships with respect to Enforcement and Compliance Assistance activities:

- Explore the most effective application of the full spectrum of compliance tools - from compliance assistance through compliance assurance, administrative/civil enforcement to criminal prosecution - to encourage/maintain the compliance of sources of all sizes.
- Use joint up-front planning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate surprises and institutionalize communication.
- Manage for environmental results which support the respective agencies’ environmental goals and objectives.
- MPCA will ensure that compliance and enforcement information is complete, accurate and timely, consistent with EPA policies and the ICR.

There is a continuing role for U.S. EPA in environmental protection in the State of Minnesota. U.S. EPA carries out its responsibilities in the enforcement arena in a variety of ways. The Agency acts as an environmental steward, ensuring that national standards

for the protection of human health and environment are implemented, monitored and enforced consistently in all States. U.S. EPA can assist MPCA in conducting inspections and conduct joint enforcement actions with the State. U.S. EPA can also conduct enforcement actions as discussed below and provide compliance and technical assistance to the State and its regulated entities. Under this PPA, U.S. EPA and MPCA retain their authorities and responsibilities to conduct enforcement and compliance assistance, and such enforcement will be accomplished in the spirit of cooperation and trust. Specific federal enforcement and compliance assistance responsibilities include but are not limited to the following:

- Work on National Priorities (e.g. multi-media inspections, companies with significant company-wide non-compliance in several states, and OECA Priorities) and Regional Priorities
- Ensuring a level playing field and National consistency across State boundaries
- Addressing interstate and international pollution (watersheds, air sheds, or other geographic units)
- Addressing criminal violations
- Conducting enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgments and orders.
- Conducting State Reviews in accordance with the OECA's National State Review Framework.

U.S. EPA will perform a review of the MPCA's RCRA, NPCES and CAA compliance and enforcement program in 2007 under the State Review Framework. U.S. EPA will perform an on-site file review of the MPCA's RCRA enforcement files in 2008. U.S. EPA will take enforcement actions in Minnesota as necessary and appropriate to ensure implementation of federal programs and as a deterrent to non-compliance, in accordance with the communication and coordination activities outlined above. There may be emergency situations or criminal matters that require U.S. EPA to take immediate action (e.g., seeking a temporary restraining order). In those circumstances, U.S. EPA will consult with the State as quickly as possible following initiation of the action.

Unexpected Requests

When U.S. EPA forwards requests from headquarters, it will be accompanied by a short explanation of what is expected from the states, and the deadline for response. MPCA will respond to requests in a timely manner. Both agencies will provide ample lead time for review, collection and feedback on data and information. In some cases, this may require the two agencies to determine if there are PPG/PPA activities that need to be altered to provide available funding and staff for the new request.

Quality Assurance and Quality Management Plans

The MPCA has a quality system in place as described in the Quality Management Plan found on the web at www.pca.state.mn.us/programs/qa_p.html. The system consists of various levels of management oversight on projects and programs, staff training on quality assurance principles, and the use of the quality assurance coordinators at the agency for document review and technical assistance. Additional parts of the program

policies can be found on the QA website noted above. The policies direct staff and individuals working with the MPCA on minimal requirements for field and laboratory quality assurance, documents required on sites, and links to other agencies and federal programs where additional information may be found. The MPCA quality system was audited (July 2004) by U.S. EPA Region V verifying that the system is in place, is functioning properly, and is documented in the Quality Management Plan. A revised MPCA QMP will be submitted in March 2007 for review and comments by U.S. EPA Region 5. Any additional revisions based on U.S. EPA's comments will be completed prior to approval of the QMP with a goal of the third quarter FY 07.

Reporting

The MPCA will continue to report to U.S. EPA the necessary information required by Congress and U.S. EPA Headquarters to continue state delegated programs. The MPCA will reference its web site and other existing reports as supporting documentation of the PPA and PPG. Both U.S. EPA and MPCA will report through the Joint Assessment process.

Public involvement

In addition to the public participation opportunities required by regulation, the MPCA will continue to use citizen and stakeholder surveys and input to influence environmental decision and direction. The MPCA has a long history of public involvement in decision making and developing environmental programs. In past years, the MPCA has considered input from the public through the use of statewide surveys. Survey results gave us information on the public's environmental priorities so that they may be incorporated into the selection of our environmental goals.

The MPCA will work closely with U.S. EPA Region 5 to identify stakeholders for Minnesota's environment, develop general public support for state and federal environmental programs, raise awareness about important environmental issues, and share information about these issues.

In April of 2003, the Community Involvement Project (CIP) emerged from the consensus among MPCA air-quality permitting staff and management that public participation in agency decisions needed evaluation and improvement. The purpose of the project is to apply community involvement processes that have been successful in other venues to the air-quality permitting process. MPCA now has the following objectives for any community involvement:

- ◆ Keep the public well informed of ongoing and planned activities.
- ◆ Encourage and enable the public to get involved.
- ◆ Listen carefully to what the public is saying.
- ◆ Identify and deal responsibly with public concerns.
- ◆ Change planned actions where public comments or concerns have merit.
- ◆ Explain to citizens how we considered their comments, what we plan to do, and why we reached the decision we did.

We also learned and continue to use the following related to the permit process:

- ◆ The MPCA does not have the resources to devote community involvement staffing to every permit; we must screen each situation to determine if resources are warranted.
- ◆ The MPCA can't continue to rely solely on public information officers to provide community involvement services, nor can the agency rely on permit engineers to provide community involvement services on controversial projects in addition to their technical work.
- ◆ The permittees must do their parts in involving interested communities. It became clear through the group's conversation that the MPCA should not be solely responsible for community involvement. The MPCA's role is to create a permit using a process that involves the community. The companies are responsible for conducting community involvement activities with their neighbors, special interests groups, local governments and others regarding their operations.
- ◆ Community means any individual or group that has an interest in the outcome of the permit. It can be an internal staff member or group, the company itself, neighborhood groups, local government units, the legislature, environmental groups and so on.

For more information about MPCA's Public involvement efforts, go to:
<http://www.pca.state.mn.us>. Search under public participation.

Environmental Conditions in Minnesota

To put the elements of the 2007 EnPPA in context, it is useful to take a brief look at the past three decades of progress and the current state of our waters, our air and our land. A summary of Minnesota's current environmental conditions follows:

Water

Minnesota waters today are decidedly cleaner than they were in the 60s and 70s. Industrial and municipal discharges have been addressed. Most combined storm and sanitary sewers have been separated, significantly reducing overflows into the Mississippi. Fish, wildlife and boaters have returned to waters once heavily polluted by human and industrial waste.

Despite decades of progress in cleaning up water pollution, hundreds of Minnesota's lakes, rivers and streams are still not healthy enough for people to safely use and enjoy. These impaired waters do not meet water quality standards and pose risks to people and aquatic life. They contain too much sediment, bacteria, mercury, phosphorus and/or other contaminants. Biotic integrity also is impaired by physical alterations and invasive species.

MPCA staff identified 396 additional impairments in the 2006 assessment process for sections 303d and 305b of the Clean Water Act. There are now 284 rivers and streams impaired for one or more pollutants, and 1013 lakes impaired for one or more pollutants, resulting in a total of 2,250 individual impairments in Minnesota waters to date. Due to the vast abundance of waters in the state and limited staff and funding to assess them, only a small portion, approximately 10 percent of the state's river miles and 16 percent of its lakes, has been formally assessed for impairments.

Once all Minnesota waters have been assessed, more than 10,000 impairments will likely have been found, located in every watershed in the state, given the 40 percent impairment rate noted so far for waters assessed here and nationally. Correcting these water quality problems is made more challenging by the diffuse nature of the impairment sources, such as polluted stormwater, agricultural runoff, and atmospheric deposition of contaminants. Furthermore, distant water quality problems, such as hypoxia in the Gulf of Mexico, may be caused in part by nonpoint source pollutants coming from Minnesota and other Midwestern states. These numbers represent huge environmental, economic and quality of life concerns, and underscore the need for stable, effective funding of impaired waters assessment and cleanup by state, local and private partners.

Land

During the 1980s and 90s, Minnesota took decisive and effective steps to clean up industrial and municipal waste dumps and leak sites that contaminated land and ground water. A series of laws and programs were enacted in Minnesota and nationally to appropriate funds, compel cleanup of the most serious sites, and to create incentives and funding sources to encourage voluntary cleanups.

The state Superfund, enacted in 1983, has led to cleanup of 159 out of 236 listed industrial waste sites, and 21 of 45 Minnesota sites on the federal Superfund list. The MPCA's award-winning Voluntary Investigation and Cleanup (VIC) program has overseen 2,829 contaminated properties since its inception in 1988. A total of 3,298 liability assurances or other determination through the VIC program have been issued upon completion of investigation and, if necessary, remedial activities. This has contributed to those properties becoming candidates for sale, refinancing, or redevelopment. More than 13,869 acres of land have been returned to productive use. About 200-250 new projects are screened and processed each year in this program, which streamlines the investigation and encourages responsible parties to quickly address problem sites without the fear of protracted litigation that slowed earlier cleanup efforts.

For petroleum leaks, the story is similar. The Petrofund and Petroleum Remediation Program, created in 1987, has investigated and closed more than 14,000 of the 16,500 petroleum leak sites on its roster. About 300 new sites are expected to enter this program each year for the foreseeable future. The Petroleum Brownfields Program, a voluntary program similar to VIC has helped streamline assessment and cleanup actions at more than 2,000 sites, leading to the restoration of more than 1,000 acres in each of the past four years. The voluntary approaches result in liability assurance letters from the MPCA, as well as development plan approvals aiding redevelopment.

The Closed Landfill Program (CLP) was created by the legislature in 1994 as an alternative to Superfund. The CLP is currently responsible for cleanup and long-term monitoring and maintenance at 109 closed state-permitted municipal landfills. Cleanup actions have included relocating wastes, enhancing site covers to current standards, and installing ground water pump/treat and active gas collection systems. The CLP now operates 18 active gas collection systems which destroyed nearly 31 million pounds of methane in 2005. A landfill gas to energy pilot is currently underway to generate electricity at one of the 18 active gas collection systems. The CLP utilizes state contractors for undertaking much of the landfill monitoring and maintenance work.

The peak of discovery and cleanup activities at disposal and leak sites has passed. The successful programs look ahead to maintaining progress and vigilance at lesser activity levels as sites continue to be cleaned up, and pollution prevention pays dividends with less waste generation and fewer leaks. Meanwhile, new threats to land such as meth lab waste and potential terrorism will require the agencies to be prepared. Despite strong recycling rates, the per capita solid waste generation continues to inch up, putting more waste in land disposal facilities.

Ground Water

Many threats to Minnesota's abundant ground water have been reduced by strong cleanup programs and preventive waste management practices, including waste reduction and recycling. Much remains unknown about the overall condition of ground water, the source of drinking water for more than 70 percent of Minnesotans and a major asset to agriculture and industry. Tight budgets in recent years led to reductions in ambient ground water monitoring. Meanwhile, continued residential growth along the St. Cloud-Twin Cities-Rochester corridor has begun to strain supplies of clean, available ground water in certain areas. Increasing withdrawals for irrigation and ethanol production may cause localized shortages in the future. The MPCA has re-established an ambient well network using new and existing wells. The MPCA coordinates monitoring and data sharing through an agreement with the Minnesota Departments of Agriculture and Health. The agencies track trends in ambient ground water quality for nitrates, VOCs, chlorides, pesticides, and other parameters, focusing on vulnerable aquifers, recharge zones and areas where land use is changing.

Air

Minnesota's air quality, compared to most other states, is enviable. Even with the Twin Cities, the 14th largest urban area in the country, the state fully attains all the current national ambient air quality standards. Some of this is due to favorable geography and weather patterns, but much credit must be given to pollution control efforts by government and industry.

However, significant challenges loom. Both ozone and fine particles (PM_{2.5}) are at 80 percent of the standard. Fine particles from mobile and combustion sources add to regional haze and are of concern as research shows serious heart and lung effects on poor

air quality days. Certain toxic air pollutants, such as formaldehyde, are near or above health benchmarks. Daily concentrations of ozone or fine particles were high enough to result in air quality alerts for sensitive groups on five days in 2005, and three alert days were designated as unhealthy for all persons in the Twin Cities area. Moderate air quality days (191) also exceeded good air quality days (166) in 2005.

Attainment of national standards is important for both human health and economic health, as non-attainment designation means development restrictions. Increasing vehicle miles driven and regional air masses drifting into Minnesota from other states may squeeze the air quality closer to violating the standard, and compel more air quality alerts. A broad-based coalition of stakeholders from government, environmental groups and industry, Clean Air Minnesota, is working on voluntary measures to reduce pollutants and prevent non-attainment. Federal clean fuel requirements and other government and industry measures will help, but the outcome is uncertain.

In addition, emissions of carbon dioxide continue to increase in Minnesota, primarily from the burning of fossil fuels. The increased levels of carbon dioxide and other global warming gases are linked to climate change. In Minnesota, observed changes include higher temperatures, shorter winter lake ice cover, higher summer dew points, northward species migration, and more frequent heavy rainfalls and floods.

Outlook

Minnesota, in partnership with U.S. EPA and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges, as noted above. Cross-boundary problems such as persistent toxins, climate change, and hypoxia in the Gulf of Mexico as well as multi media issues like mercury, will require good science, increased partnerships, and innovation to assure a healthy environment for current and future generations.

NPDES Permitting

Accurate and enforceable NPDES permits are an essential part of our environmental protection efforts. Both agencies recognize that there are general areas within the NPDES program that will receive our attention within the course of this EnPPA. These include the issuance of priority permits, maintenance of permit backlog goals, and accomplishments identified in the Performance for Environmental Results action items.

U.S. EPA Region 5 and Minnesota Pollution Control Agency will explore opportunities to expand the use of water quality trading, watershed permitting, and implementation of nutrient controls in NPDES permits. In the next two years we will focus on these as well as other items outlined or included in more detail in the MPCA FY 07-08 Performance Partnership Grant Work Plan, and the MPCA Water Quality Point Source Management Plan, including commitments and measurable outcomes.

Joint Priorities for FFY07 – 08

Joint priorities represent a subset of environmental program responsibilities that MPCA and U.S. EPA jointly agree represent investment priorities for the PPA period for one or more reasons, for example:

- ◆ the program is an important, newly developing program that requires the attention of the Commissioner and Regional Administrator and senior managers to adequately grow;
- ◆ the program area is, or is at risk of, inadequately functioning, and the deficiency represents a significant vulnerability to the integrity of the environmental protection program in the State;
- ◆ the program represents a long-term strategic investment opportunity in the State;
- ◆ the program offers the opportunity to demonstrate innovations to promote environmental improvement or enable efficiency enhancements.

In the PPA, and supporting documentation, the agencies will describe the basis for the priority and the expected outcome of the effort; the roles each agency will undertake and level of effort; and significant milestones.

The results of our work on each joint priority will be reported during the joint assessment, including, to the extent applicable the impact of any disinvestments made to support the joint priority work.

The priority write-ups in the PPA are only of summary of the actual priorities. Complete write-ups and detailed information about the priorities is available by contacting the staff persons listed at the end of each priority summary.

MPCA and EPA have agreed to the following four priority areas:

1. Air Toxics Program Development
2. Impaired Waters
3. Water Quality Monitoring
4. Midwest Clean Diesel Initiative

Air Toxics Program Development

October 1, 2007

Objective MPCA and U.S. EPA Region 5 staff propose to collaborate, develop and implement a program to address sources of air pollutant emissions. This joint priority proposal is directed at improving U.S. EPA and MPCA's ability to protect the national and state environment.

The U.S. EPA Region 5 staff and MPCA has formed a Joint Fibers Workgroup to identify, prioritize and resolve health and environmental issues associated with the possible presence of fibers in taconite ore and tailings from the Mesabi Iron Range. The initial goal is to provide both agencies with the same base data regarding fibers by reviewing the existing data and identify any remaining health and environmental issues related to fibers for possible future research.

MPCA Contact: Ann Foss

U.S. EPA Region 5 Contact: Phil King, U.S. EPA lead and Michele Palmer

MPCA staff are coordinating with staff from other state agencies on an ongoing project to assess health risk associated with fibers. State agencies involved with this effort include the Minnesota Departments of Health, Natural Resources, and Employment and Economic Development and the Iron Range Resources and Rehabilitation Board.

MPCA staff are coordinating with staff from other state agencies on an ongoing project to assess health risk associated with fibers. State agencies involved with this effort include the Minnesota Departments of Health, Natural Resources, and Employment and Economic Development and the Iron Range Resources and Rehabilitation Board. Initial contact has been made with the EPA Technical Review Workgroup for Asbestos.

State actions include

- Develop request for proposals for quality assurance / quality control of available EPA data and fiber toxicity modeling. This contract will result in a report that assesses the quality and usefulness of the data and available analysis for continuing modeling and health risk assessment. Estimated date for this report is first quarter of calendar year 2007.
- Based upon results from report, the state will select one of three options: determine whether to gather additional data and do further analysis; complete health risk assessment on existing data; or whether additional alternatives need to be developed.
- If the decision is either to complete the health assessment or gather additional data and do further analysis, the state would develop a request for proposal and seek funding from a variety of sources including industry and EPA. This is anticipated to occur between the second and fourth quarters of calendar year 2007.

U.S. EPA support:

- U.S. EPA will work with MPCA to study and better understand the health risks of fibers associated with taconite mining. EPA can provide assistance in the peer review of any studies, as requested.
- Provide additional assistance as needed.

Area 2: U.S. EPA Region 5 and MPCA staff will continue to collaborate on the statewide cumulative risk assessment screening tool and in developing a systematic state-wide air toxics program.

MPCA Contact: Todd Biewen
U.S. EPA Region 5 Contact: Michele Palmer

This continues the joint priority of the previous EnPPA where U.S. EPA staff provided peer review of the Minnesota Risk Screening (MNRiskS) tool. This software tool estimates combined health risks from air emissions of multiple contaminants from multiple sources and through multiple exposure pathways.

When finalized we intend to use it as a foundation in developing our statewide air toxic program. MPCA plans to use the tool several ways, including risk-based prioritizations, evaluating the impacts of regulatory programs, providing contextual data for other risk analyses, and in refining the air toxics monitoring program. Specific examples of risk prioritization include evaluating and comparing impacts from source types or industrial sectors, identifying areas where specific chemicals are of concern, and comparing differences in impacts, and thus possible actions, in different areas of Minnesota. We could use it to evaluate alternative future scenarios, for example, to determine the relative impact of proposed changes in a region or to evaluate the impact of implementing proposed control technologies across a sector.

State actions include:

- Complete contract for changes to MnRiskS. We are addressing several of comments received from peer review phase of our joint priority through a contract with the developer. The tasks include improvements to the usability of the tool, expanding the documentation, specifically the Users Guide and Technical Report including the Uncertainty Section, updating data inputs (2002 emissions) and adding available background air concentrations. The final products resulting from this effort will be included with the project file. This contract runs through our state fiscal year.
- With completion and update of the next version of software, MPCA staff will continue familiarization of the features and use of the software. MPCA staff will also summarize results. This is anticipated to continue through second quarter of calendar year 2007.
- MPCA will identify specific objectives that a systematic statewide air toxics program would address and include. This would include stakeholder input and additional technical analysis.
- Work with U.S. EPA to identify industries emitting air toxics in high risk areas of Minnesota and encourage them to implement voluntary risk reduction efforts.
- Continue to follow the future impacts of the Minnesota Low-VOC Wash Printers Project initiated by Clean Air Minnesota and encourage adoption of the less polluting technology throughout the State.

U.S. EPA Region 5 actions:

- Provide information on how other states in the nation address air toxics from all types of sources.
- Provide assistance as needed.

- Facilitate discussions with U.S. EPA Headquarters, other offices and regions on identified issues.
- Provide assistance in interpreting MnRiskS results and in scoping statewide air toxics program options.

Impaired Waters October 1, 2006 – September 30, 2008

Statement of Environmental Problem/Issue

Based on the Minnesota's 2006 303(d) lists there are 2,250 impairments on 284 rivers and 1,013 lakes. Minnesota is committed to using the impaired waters approach to restore water bodies to meeting their designated uses, while at the same time maintaining those waters that are meeting designated uses.

The MPCA will continue to work on its impaired waters approach with stakeholders through the Clean Water Council (see program development section below), while working with Region 5 to meet the commitments set out in 303(d) of the Clean Water Act. This revision of the joint priority addresses these mutual efforts.

This joint priority is broken into four components: Program Development, 303(d) listing, Total Maximum Daily Load Studies (TMDLs), and Implementation.

MPCA Strategy: Restore the chemical, physical and biological integrity of Minnesota lakes streams and wetlands that do not support designated uses.

U.S. EPA Strategy: Improve water quality conditions in impaired watersheds and restore impaired waterbodies to achieve designated uses.

Program Development

After three consecutive years, Minnesota's 2006 Legislature adopted the Clean Water Legacy Act. This legislation was signed into law on June 2, 2006. The new law will:

- Accelerate assessment of Minnesota's waters
- Provide resources to develop TMDLs
- Target additional financial resources to existing state and local programs designed to improve water quality
- Leverage additional federal, local and private resources where possible.

The 2006 CWLA provided one-time funding of \$24.95 million for identified clean-water funding priorities and created a citizen/state advisory group called the Clean Water Council. The MPCA will convene the Council in early 2007. The Council will provide advice on how to administer and implement the Clean Water Legacy Act, including making recommendations to the Governor on the appropriation of funds, and to the MPCA on the prioritization of TMDLs and other program/policy development issues.

2007 calendar year activities:

- By December 31, 2007, report on implementation of impaired waters program plan.
- Launch Clean Water Council and administer all activities (Risberg, Pavek, Sleeper)
- U.S. EPA will continue to assist MPCA on policy development as needed.

Program development tasks completed since last PPA:

- By July 1, 2007, obtain Legislative approval of an impaired waters program.
 - Provide staffing to the Clean Water Legacy Act stakeholder group.
 - Provide staff assistance to legislative activity on the Clean Water Legacy Act.
- Program plan completed by December 31, 2006. (Sleeper, Skuta,)
- Schedule for program plan components completed by December 31, 2006. (Sleeper, Skuta)
- Assignments for completion of program plan components with 2007 deadlines made by December 31, 2006. (Raudys)
- Continue ongoing work on following program plan components also listed under the TMDL component
 - Pilot of stakeholder processes through Lake Pepin TMDL (Finley)
 - Modules 5-8 of training curriculum for TMDL Project sponsors fully developed and tested by December 31, 2006 (Kolze, Skuta)
- Implement policies based on current court orders (MPCA WQ policy forum, Pierard)

303(d) List:

The Minnesota Pollution Control Agency continues to submit an integrated list to U.S. EPA as required and in a timely manner. At the same time, the MPCA and U.S. EPA are having discussion about potential changes to how waters are listed in Minnesota.

2007 calendar year activities:

- Submit Minnesota's 2008 by April 2008 deadline and EPA approval within 30 days (Hora, Markus, Socha).
- Explore pros and cons for listing impairments by watersheds (Hora, Sleeper, Socha, Pierard)

Listing tasks completed since last PPA:

- Work with stakeholders to develop a plan for listing wetlands, the approach for TMDLs on wetlands and implementation options by October 1, 2006 (Skuta, Helwig, Socha)

Total Maximum Daily Loads (TMDLs):

Based on the 2006 303d list, Minnesota currently lists 2,250 impairments in need of TMDLs and remediation. Here is a summary of TMDL progress (as of January 2007) to address those listings:

- TMDLs approved – 5 projects for 49 impairments (listings)

- TMDLs off public notice (conventional impairments) – 8 projects for 41 impairments
- Mercury TMDL submitted to EPA for approval – 513 impairments
- TMDLs underway – 60 projects, about 300 impairments

In addition, to date, Minnesota has delisted 7 impairments due to fixes.

Although we have made considerable progress, Minnesota still has a backlog due to lack of resources to complete TMDLs in a timely manner. The MPCA tracks this backlog quarterly and annually, based both on project starts and completions. This backlog is used to support the request for additional funds needed through the Clean Water Legacy Act. In addition, MPCA and U.S. EPA agree on annual commitments for completing TMDLs, which EPA tracks.

2007 calendar year activities

- By September 1, of each year, MPCA and U.S. EPA will concur on the TMDL commitments for the next federal fiscal year. Those commitments for FFY 2007 total 20 TMDLs (list is attached and considered part of this document). (Risberg, Maraldo)
- MPCA will begin development of a TMDL protocol for impaired biota.
- EPA will provide Federal TMDL contractor assistance, as available, and work with MPCA to ensure that the contractors coordinate with MPCA and local sponsors. (Maraldo, Sleeper)
- Mercury TMDL: U.S. EPA will continue to provide technical support to MPCA and coordinate with MPCA and with U.S. EPA headquarters on development and review of this TMDL toward a final goal of approval of the Mercury TMDL.
- U.S. EPA and MPCA will continue to coordinate on interstate/interregional TMDLs.

TMDL tasks completed since last PPA:

- 2006 TMDL commitments met.
- First round of Protocols for “types” of TMDLs completed by July 1, 2006 (Skuta)

Implementation

MPCA has begun work on implementation of TMDLs with very limited resources in this area. The majority of the Clean Water Legacy Act funds go towards implementation through existing programs administered by other state agencies. In addition the MPCA uses at least 51% of its CWA section 319 funds for TMDL studies and implementation.

2007 calendar year activities

- Within one year of U.S. EPA approval of each TMDLS study, implementation plans will be completed, with MPCA approval within 30 days of submittal.
- Continue integration of programs impacted by TMDL studies.
 - Stormwater and TMDLs (Risberg, Trojan, Maraldo)
 - Ongoing conversations between point source and TMDL managers (at least quarterly) (Turri, Sleeper)

- Input annually to the accountability database those impaired water bodies that will be or have returned to meeting designated uses without completing a TMDL (Skuta, Davenport)

For more information on the Impaired Waters Joint Priority, contact: At MPCA, Faye Sleeper at 651-297-3365 or faye.sleeper@pca.state.mn.us ; at U.S. EPA Region 5, Kevin Pierard at 312-886-4448.

WQ Monitoring

Statement of Environmental Problem/Issue

Effective and comprehensive water quality monitoring is an essential part of our environmental protection and restoration efforts. U.S. EPA and the States need monitoring information to carry-out and assess the effectiveness of water quality protection programs and to assess, on a larger scale, the condition of water quality within a State or the Region. Recently, several entities, including GAO and OMB, have issued reports which point out the inadequacy of U.S. EPA and State monitoring programs for collecting sufficient data to implement Clean Water Act programs.

Most of the information used by the States and relied upon by U.S. EPA to manage water quality is collected and/or assessed by States. U.S. EPA Region 5's role largely is assessing the adequacy of State monitoring programs, synthesizing the State-generated data into a comprehensive assessment of the Region as a whole, evaluating the success of water quality management efforts, and developing and providing technical assistance, resources, tools and guidance for states to carry-out their own programs. U.S. EPA Region 5 and Minnesota Pollution Control Agency have an opportunity to work together to improve our monitoring programs to more effectively measure changing environmental conditions at various temporal and spatial scales, detect new and emerging water quality problems, and provide data to measure shared environmental goals including those in U.S. EPA's Strategic Plan and those identified in MPCA's Monitoring Strategy.

Data Available to Support Investigation of Problem Causes, Stressors, etc.

This joint priority proposal is about improving U.S. EPA and MPCA's monitoring and assessment efforts so that each agency will have sufficient data available on stressors, sources of water quality impairments, and the condition of water resources to support Clean Water Act program needs and measure our progress in protecting and restoring water quality.

Initial List of Program Participants Who Might Have an Interest, Role or Stake

U.S. EPA Region 5 Water Division, MPCA, other State/Federal agencies including the

Minnesota Department of Health, Minnesota communities and the public.

Benefits of Joint “Ownership” of Problem/Issue

Identifying monitoring as a joint priority for the next several years will provide greater focus and attention to collecting data necessary for both agencies to understand better the quality of the State’s rivers, streams, lakes, wetlands and groundwater and to target future work. Identification of data management and integration needs will help U.S. EPA and MPCA in effective targeting of resources, programs and efforts on the most significant environmental problems and on achieving measurable environmental outcomes.

A. The following are potential joint activities that may be considered for inclusion in the 2006-2008 EnPPA as a way to implement this joint priority:

1. Continue implementation of the Minnesota Water Monitoring Strategy, including continued discussions with the Minnesota Department of Health on issues related to groundwater monitoring and assessment of drinking water designated uses. Continue to identify and prioritize gaps that need to be filled. Identify adjustments that can be made given existing resources and constraints. Identify and target additional resources that would be needed to fill the remaining gaps (funding to be provided as available). Include specific activities in the MPCA/U.S. EPA PPA. (U.S. EPA Strategic Plan WQ-7).

MPCA Action - Identify actions to be undertaken in the next biennium to continue implementation of strategy, including activities for the 106 Monitoring Initiative Funds that address gaps/weaknesses identified in the MPCA Monitoring Strategy Report progress to U.S. EPA.

MPCA Contact: Louise Hotka

U.S. EPA Action - Provide technical and other support to assist Minnesota to implement their monitoring strategy and fill gaps in the program.

U.S. EPA Contact: Sarah Lehmann

U.S. EPA Action - Provide assistance as requested by the State in the review of strategy implementation, and in identifying activities for inclusion in the EnPPA.

U.S. EPA Contact: Sarah Lehmann

2. Identify additional training, guidance, and tools that are needed to improve monitoring programs within the State and U.S. EPA. Ensure that these needs are met through appropriate technical assistance.

MPCA Action – Identify needs . On going.

MPCA Contact: Doug Hall/Dan Helwig

U.S. EPA Action - Ensure new guidance and other training is made available to State as it becomes available.

U.S. EPA Contact: Sarah Lehmann

U.S. EPA Action - Work with MPCA and other groups to make available training, guidance, and other tools identified by the State or through other workgroups (e.g., the Bioassessment Consistency Workgroup.)

U.S. EPA Contact: Edward Hammer

3. Attend and participate in the 2007/2008 Surface Water Monitoring and Standards Meeting.

MPCA Action – Participate in meeting with appropriate staff

MPCA Contact: Doug Hall

U.S. EPA Action - Provide logistical support in setting up the meeting.

U.S. EPA Contact: Sarah Lehmann

U.S. EPA Action - EPA considers the annual Surface Water Monitoring and Standards (SWiMS) meeting to be a critical link between the State and Federal surface water programs in Region 5. Accordingly, U.S. EPA will make every effort to ensure that the appropriate regional staff from affected programs attend and participate in the meeting and its planning. Similarly, to ensure the success of this important forum for exchanging ideas and advancing the program, U.S. EPA expects States will send appropriate representatives to SWiMS with experience in a broad spectrum of applicable programs (e.g., water monitoring, water quality standards, reporting/assessment, fish contaminant monitoring, etc.).

U.S. EPA Contact: Sarah Lehmann

4. Determine if any changes are needed to monitoring program to measure attainment or progress toward our shared environmental goals for water including those in U.S. EPA's Strategic Plan and those identified in MPCA's Monitoring Strategy.

MPCA Action - Revisit this discussion, to reflect the current MPCA Strategic Plan and the related Monitoring Goals and Objectives, as attached below under item B.

MPCA Contact: Marvin Hora and Louise Hotka

U.S. EPA Action - Include as a discussion item during the development of monitoring strategy and over time.

U.S. EPA Contact: Sarah Lehmann

5. Actively shape and participate in the Great Rivers Environmental Monitoring and Assessment Program (GRE) project to establish cost-effective, efficient, and unbiased techniques to assess the environmental condition of the Upper Mississippi River.

MPCA Action - Work with Region 5 and ORD on the development and

implementation of the GREwork.
MPCA Contact : Dan Helwig

U.S. EPA Action - Help to coordinate effort and provide funding through programs such as REMAP and ORD EMAP.
U.S. EPA Contact: Mari Nord and Edward Hammer

6. Actively participate in the national surveys (lake field work in 2007, large rivers field work in 2008) to assess the condition of our nation's waters.

MPCA Action - Work with U.S. EPA on the planning and implementing the national lakes survey and the large rivers survey.
MPCA Contact : Steve Heiskary, Dan Helwig

U.S. EPA Action - Help to coordinate effort and provide support as needed.
U.S. EPA Contact: Sarah Lehmann

7. Strengthen the State's bio monitoring program by finalizing and implementing a scientifically sound macro invertebrate index.

MPCA Action - Finalize and implement index
MPCA Contact : Dan Helwig

U.S. EPA Action - Provide funding for technical assistance to the Midwest Biodiversity Institute and coordinate efforts with the states to promote and assist with the development of bioassessment and biocriteria programs.
U.S. EPA Contact: Edward Hammer

U.S. EPA Action - Provide technical assistance and program support for the development of the biocriteria program.
U.S. EPA Contact: Edward Hammer

8. Continue development of biocriteria and participation on the regional Bioassessment Consistency Workgroup.

MPCA Action - Continue development and participation
MPCA Contact : Dan Helwig

U.S. EPA Action - Hold at least annual meetings of the regional Bioassessment Consistency Workgroup.
U.S. EPA Contact: Edward Hammer

9. Continue to investigate emerging toxics in Minnesota. States rely on U.S. EPA for technical assistance on sampling methods, toxicity, and fate and transport information on emerging contaminants.

MPCA Action: Investigate the occurrence of merging toxics in sensitive Minnesota waters or in waters nearby a specific source.

MPCA Contact: Paul Hoff

U.S. EPA Action: Provide technical assistance and funding (if available) to sample and assess the data.

U.S. EPA Contact: Al Alwan

10. Support the development and implementation of the Minnesota Wetland Monitoring Strategy. Minnesota has drafted a strategy that includes 1) Random plot sampling; 2) Update of the National Wetland Inventory, and 3) An electronic GIS tracking inventory.

MPCA Action: Implement the sampling strategy and look for collaborative funding for the NWI update and tracking system with MDNR and BWSR.

MPCA Contact: Dan Helwig

U.S. EPA Action: Continue to provide technical assistance and competitive funding opportunities.

U.S. EPA Contact: Sue Elston

B. The following are the Goals from the current MPCA Strategic Plan and objectives related to water quality monitoring.

Goal W.3. Assess the chemical, physical and biological integrity of lakes, streams and wetlands to identify if designated uses are being met, and to provide information on the condition of waters.

Assistance Requested from U.S. EPA:

- Continued opportunities for coordination among volunteer monitoring programs in different states
- Continued opportunities for discussion of monitoring strategies among states
- Continued assistance with random sampling techniques and site selection
- Technical assistance developing the Statewide IBI in 2005
- Region wide criteria to pick appropriate “reference” in highly modified eco-systems.
- Define smaller eco-regions for Minnesota.

Objectives:

W3a) By January 1, 2015, gather water quality data and increase assessment of streams and rivers to 33 percent, in comparison to the 2003 level of 5 percent (includes tracking progress of studies and grants related to emerging contaminants).

Assistance requested from U.S. EPA:

- Promotion of sharing of information among states concerning what they (states) have done for monitoring related to emerging issues
- Promotion of discussion among states about how better to incorporate magnitude and duration of exceedances, as well as frequency, in use-support assessments
- Guidance for combining results of flow event monitoring and results of grab sampling in use-support assessments
- Guidance on design of monitoring--number and placement of sites, frequency of sampling, etc.--to meet specific data quality objectives (DQOs)
- Promotion of development of methods (how to sample and assess) appropriate for large rivers, in particular the Lower Mississippi.
- Assistance on how to assess small ditches and determine thresholds.

W3b) By January 1, 2015, gather water quality data and assess 100 percent of the lakes larger than 500 acres.

Assistance Requested from U.S. EPA:

- Assistance in developing fish or zooplankton lake IBIs

W3c) By January 1, 2015, gather data and increase monitoring so that 25 percent of the state's depressional wetlands are assessed.

Assistance Requested from U.S. EPA:

- Continued random site selection support
- Support to determine large scale assessment techniques using remote sensing
- Support for IBI development on wetlands other than depressional ones

W3d) By January 1, 2009, assess Minnesota's contribution to identified regional, national and international water pollution problems.

W3e) Ensure data is readily available to the public within one year of season it is collected.

W3f) Complete Impaired waters list according to U.S. EPA requirements.

Goal W.4. Maintain and enhance the chemical, physical and biological integrity of Minnesota lakes, streams and wetlands so that water quality standards and designated uses are met and degradation is prevented.

Conduct monitoring, as needed, to support the following objectives:

- W4a) Ensure that discharges from all permitted point sources are in significant compliance with state and federal limits 95 percent of the time for major facilities and 90 percent of the time for minor facilities. **
- W4b) By July 1, 2009, all of the 240 Municipal Separate Storm water Systems (MS4s) are actively managing storm water programs.
- W4c) By January 1, 2008, 95% of the storm water permits for construction sites less than 50 acres will be issued within seven days.
- W4d) Ensure that feedlots with NPDES permits meet state and federal requirements 90 percent of the time. **
- W4e) By January 1, 2011, 90 percent of the feedlot facilities enrolled in the open lot program meet water quality effluent standards. *
- W4f) By January 1, 2007 conduct a performance evaluation of the water quality program basin management framework and make adjustments.
- W4g) By October 1, 2006, and every 3 years thereafter, review Minnesota's water quality standards to incorporate changes to the standards to reflect current science and information. *
- W4h) By January 1, 2014, strengthen local programs to reduce the percentage of septic tanks characterized as failing or imminent threats to public health and safety from 39% to less than 5%.
- W4i) Annually complete 95% of the non-TMDL watershed activities specified in the federal work plan.
- W4j) Annually complete 95% of the watershed projects specified in the federal work plan.

Goal W.5. Restore the chemical, physical and biological integrity of Minnesota lakes, streams and wetlands that do not support designated uses.

Conduct monitoring, as needed, to support the following objectives:

- W5a) Complete TMDL studies within 13 years of initial listing.
- W5b) Within one year of U.S. EPA approval of each TMDL study, implementation plans will be approved and initiated.
- W5c) By January 1, 2007, implement the impaired waters program plan and report annually.

Midwest Clean Diesel Initiative

Objective: Both agencies seek a well coordinated, non-duplicative effort to reduce diesel emissions, with clear and measurable outcomes.

Statement of Environmental Problem/Issue: Reduce diesel emissions through a reduction in idling and retrofitting legacy diesel equipment that will not meet the new U.S. EPA standards taking effect in 2007.

Actions to be accomplished or Progress Update:

1. MPCA will provide 20 loans to qualified small businesses by October 2007 for one or more of the following technology packages:
 - a. Idle reduction devices
 - b. Single-wide tires
 - c. Trailer aerodynamics
 - d. Emission control devices
2. Accomplish 500 diesel retrofits of school or public fleet buses by January 2007. At that point, new targets would be set.
3. Establish financial support through federal grant awards, or state legislative initiative to provide needed funding for the next 4 years.

Joint Priority Responsibilities

1. Partnership in U.S. EPA's SMARTWAY program, through use of MPCA's Small Business Loan program.
2. Participation and financial support for Project Green Fleet. Project Green Fleet is an innovative voluntary approach to accomplishing retrofits and commitment to diesel idling reduction through a private-public partnership. MPCA is currently committed to fundraising, providing educational materials for schools and project management support (currently about .5 FTE) for Project Green Fleet.
3. Offer opportunity for Supplemental Environmental Projects. MPCA will offer diesel retrofits, installation of Auxillary Power Units and other diesel reduction activities as a SEP, at every applicable enforcement opportunity.
4. Participation in CenSARA's Blue Sky Highway initiative. MPCA will seek other federal funding for reduction in idling and retrofits. U.S. EPA Region 5 will support MPCA's proposals with U.S. EPA Region 6 & 7.
5. Develop Minnesota's Healthy Schools Program including working with schools to reduce diesel bus emissions through anti-idling practices, retrofits and switching to bio-diesel fuel. As part of a 2004 EPA Region 5 Pollution Prevention Demonstration Grant, MPCA (old Office of Environmental Assistance) has developed a Health Schools Program, which demonstrates how to implement sustainable practices in three different school settings. This grant ends in September 2006.
6. Offer technical or logistical support as able for U.S. EPA Region 5's efforts on ports, agriculture and railroads. (e.g. space for meetings, speakers, etc.)
7. Sharing results of other efforts. U.S. EPA Region 5 will share technical information from other diesel reduction efforts.

8. Offer financial support. U.S. EPA Region 5 will seek to allow attainment states to participate in funding opportunities for diesel reduction projects.

MPCA Program Goals

MPCA strategic plan objective A.1.b. *By Dec. 31, 2010 reduce overall emissions in Minnesota of fine particulates and/or pollutants that contribute to fine particle formation by 30 percent from 2000 levels.*

Additional information:

For more information on the Midwest Clean Diesel Initiative Joint Priority contact:

At MPCA: Cathy Moeger, 651 296-7369, cathy.moeger@pca.state.mn.us

At U.S. EPA Region 5: John Mooney, 312-886-6043, mooney.john@epa.gov, or Julie Magee,

312-886-6063, magee.julie@epa.gov

PPG Work Plan

MINNESOTA POLLUTION CONTROL AGENCY'S FFY 07-08 PERFORMANCE PARTNERSHIP GRANT WORK PLAN

Vision Minnesotans Take Responsibility to Protect Our Environment

Goal Minnesotans buy green products and services.

Objective By January 1, 2008, decrease energy consumption by at least 30% from 2002 base in new green building projects assisted by the agency.

Activity

Air: Energy:

Collect data, get out information and perform Information Data Management Environmental Education by January 1, 2008.

Goal Minnesota businesses produce green products and provide green services by reducing or eliminating the use of environmentally harmful substances.

Objective By January 1, 2008, the Toxic Release Inventory chemical generation, and the number of facilities in targeted sectors required to report, are reduced by 10% from 2002.

Activity **Air: Point Source Technical Assistance**
See grant template OMB PART measures for cancer and non-cancer causing toxic pollutants.

Goal Minnesotans act on their environmental knowledge to support healthy ecosystems.

Objective By January 1, 2011, Minnesotans' scores on an environmental literacy survey demonstrate an average increase of at least 5% above 2002 scores.

Activity **Agency-wide Management, Leadership and Administrative Support Technical Assistance:**
Provide consulting assistance on special projects, as needed.
Provide regulatory and non-regulatory assistance to businesses locating or expanding in the state as needed. Achieve an average number of businesses assisted through phone and on-site assistance of 900/yr.

Objective Increase citizen monitoring of lakes and streams by 5% annually.

Activity **Surface Water:**
Actively encourage citizens to volunteer for monitoring. See grant template that relates to PART P-106-6. See our web site for more detail <http://www.pca.state.mn.us/water/volunteer-monitoring.html>

Vision Clean and Clear Air

Goal Minnesota's outdoor air quality will meet or improve upon all environmental and human health-related federal and state ambient air quality standards.

Objective Reduce risks to humans and the environment by continually meeting all ambient air quality standards.

Activity **Air: Point Source Data Management**

Activity **Air: Enforcement and Compliance**
MPCA will ensure that compliance and enforcement information is complete, accurate and timely, consistent with U.S. EPA policies and the ICR.

Activity **Air: Point Source Permitting**
Issue State Operating Permits within 150 days of receiving a complete application.
Enter data into the RACT/BACT/LAER clearinghouse upon issuance of a major NSR permit in a timely manner.
Issue major source permits within established timeframes. (Performance Measure - Number of permits issued vs. number of permit applications received and number of days on average between date of complete application and date of permit issuance.)
Continue progress in decreasing FESOP and T5 renewal backlog. (Performance Measure - MPCA to continue to provide U.S. EPA with monthly progress reports towards completion of work effort on FESOPs and renewals).

Activity **Air: Point Source Program Development** - Activities link to OMB PART Measures see PPG grant application.
Complete Omnibus III (multirule) by March 31, 2007.
Coordinate EPA air SIP submittals and U.S. EPA SIP relationships, annually.
Implement air aspects of Hg TMDL within one year after U.S. EPA approval of the TMDL (~October 1, 2007).
Implement BART provisions of regional haze regulations, by December 17, 2007
Implement U.S. EPA Clean Air Interstate Rule, by March 31, 2007 (U.S. EPA OAQPS N23).
Implement U.S. EPA Clean Air Mercury Rule, by October 1, 2008.
Revise incinerator rules based on U.S. EPA rule revisions. by October 1, 2008.
MPCA will notify U.S. EPA when a violation of the NAAQS has been monitored. MPCA will address any violation of the NAAQS
MPCA is committed to updating maintenance plan SIPs on a mutually agreeable Schedule.
MPCA is committed to submitting a SIP meeting the requirements of U.S. EPA's transportation conformity rule.

Activity **Air: Ambient Monitoring**
Collect data on mercury levels in Minnesota fish, by October 1 each year.
Coordinate operation and maintenance of acid deposition monitoring network sites to meet data capture requirements, annually by October 1.
Operate and maintain air toxics monitoring network to meet data capture requirements, annually by October 1.
Operate and maintain criteria pollutant monitoring network sites to meet data capture requirements, annually by October 1.
Operate and maintain hydrogen sulfide monitoring network to meet data capture requirements, annually by October 1.
Perform ambient air quality instrument calibrations to accordance with State and Federal protocols, annually.
Perform chemical analyses of ambient air quality samples, annually.
Operate the ambient air monitoring networks in accordance with finalized monitoring regulations.
Set-up and operate NCORE monitoring site in Minneapolis.
Participate in the Regional Monitoring Strategy (U.S. EPA OAQPS M10).
Submit monitoring data to AQS as per the requirements in the CFR (U.S. EPA OAQPS M11).
Perform all QA/QC activities in accordance with the finalized monitoring regulations (U.S. EPA OAQPS M09).

Activity **Air: Ambient Data Management**
Analyze data for compliance with state and federal standards, ongoing basis.
Make data available to stakeholders and MPCA staff for reports and tracking of progress, ongoing basis.
Manage Ambient Air Data in the LIMS, ongoing basis
Review, analyze and interpret air toxics monitoring data from statewide study; Twin Cities area toxics network; and special monitoring projects, by October 1, 2007
Joint MPCA/EPA Effort – Review, analyze and interpret air toxics monitoring data.
U.S. EPA will work with MPCA to develop a 2005 air toxics inventory.

Objective **By January 1, 2011, reduce overall emissions in Minnesota of sulfur dioxide and nitrogen oxides, pollutants that contribute to fine particle formation by 30 percent from 2000 levels, and by July 1 2006 develop a strategy to appropriately address the other constituents of fine particles.**

Activity **Air: NonPoint Source Program Development**
Coordinate continuing development of the Living Green Expo and other efforts to influence consumer choices, on an annual basis.
Develop and implement State E20 mandate, By October 1, 2008
Implement diesel retrofit projects in partnership with Clean Air Minnesota to reduce emissions from MN transit fleets, see Midwest Diesel Initiative Joint Priority (U.S. EPA OTAQ 01).

Activity **Air: Ambient Technical Assistance**
Mercury-Free Zone program maintenance, information development and promotion, by October 1, 2007 and report results annually.
Provide communication products and services to support Air Quality Index, mercury free zone, and air quality monitoring programs, on going basis.
Provide Environmental Justice resources, communication, and outreach for the agency, on going basis.

Objective **By January 1, 2011, reduce overall emissions in Minnesota of pollutants that contribute to ozone formation (volatile organic compounds and nitrogen oxides) by 30% from 2000 levels.**

Activity Link to OMB PART measure on grant template.
Report information required by the Consolidated Emission Reporting Rule 40 CFR Part 51.5
Air: Ambient Technical Assistance
Air: Point Source Environmental Review
Air: Point Source Program Management and Leadership

Objective **Protect attainment of ambient air quality standards by continually meeting a target of 95% of major sources in significant compliance.**

Activity **Air: Point Source Compliance and Enforcement**
Inspect 100% of major facilities by 10/1/08 per the CMS strategy
Conduct compliance and enforcement special projects and report progress at the end of each federal fiscal year (by 12/31).
Inspect 40% of the synthetic minor facilities with actual emissions 80% of the Part 70 major threshold by 10/1/08 (approx. 20% per year).
Take timely and appropriate enforcement action on High Priority Violations in accordance with the High Priority Violation guidance.

Air: Point Source Data Management
Analyze Continuous Emission Monitoring Data, ongoing basis.
Air: Point Source Permitting
Program activities and reporting requirements established annually with Region 5.

Goal Minnesota's outdoor air quality will meet environmental and human health benchmarks for toxic and other air pollutants.

Objective **By January 1, 2011, reduce measured ambient concentrations of air toxics to levels below health benchmarks.**

Activity **Air: Ambient Program Development**
Apply, evaluate and interpret regional scale computer dispersion models with regard to sources (point, mobile and area) of pollutants that are transported over long distances and undergo chemical transformation in the air, ongoing basis.
Assist in Minnesota's efforts in evaluating, modeling and developing recommendations to address ozone issues related to regional modeling and transport. Report progress annually each October 1.
Collaborate with external partners to research and understand the relationships between air pollutants, exposure and impacts to health. Incorporate results from grants and research into strategy and reports for communication, ongoing basis.
Coordinate regional scale modeling and data analysis with MPCA staff, CenRAP, other RPOs and States and U.S. EPA so that impacts of modeling and emissions plans are incorporated into Minnesota's SIP, ongoing basis.
Develop and implement a work schedule to update the Olmsted County SIPs for PM10 and SO2, By October 1, 2007
Develop Minnesota's the Regional Haze State Implementation Plan by October 1, 2007

Objective **Reduce risks to humans and the environment by continually meeting a target of 95% of major sources in significant compliance with all Federal and State air toxics control**

technology standards.

Provide Non Point Source Technical Assistance, Point Source Compliance and Enforcement, Point Source Data Management, and Point Source permitting on an annual basis to meet the objective.

Goal Minnesota takes responsibility for reducing its share of air pollutants generated in the state that have regional, national and global impacts.

Objective By January 1, 2006 reduce mercury emissions from all Minnesota sources by 70% from 1990 levels in order to reduce air deposition to surface waters. (New objective by 3/1/07, will reflect Hg TMDL goal of 93% reduction in MN and tracking emission reduction closely).

Activity See link to MPCA web site <http://www.pca.state.mn.us/air/mercury-mn.html>
Air: Non Point Source Communications/Information
Air: Non Point Source Program Development
Air: Point Source Communications/Information
Air: Point Source Technical Assistance
Air: Point Source Permitting
Program activities and reporting requirements established annually with U.S. EPA Region 5.

Objective By January 1, 2011, reduce the concentrations of mercury in fish by at least 10% from 2000 levels. (New objective by 3/1/07, will reflect Hg TMDL goal of 93% reduction in MN and tracking emission reduction closely).

Activity **Air: Ambient Communications/Information**
Re-sample 30 lakes for fish mercury trends by June 30, 2007.
Air: Non Point Source Communications/Information
Collect data on mechanisms and pathways that enhance the conversion of various forms of mercury into methyl mercury which accumulates in fish.
An investigation to address stormwater wetland contributions to methyl mercury loading downstream will be completed and a final report completed by January 1, 2007.
Air: Non Point Source Program Development
Air: Point Source Program Development
Program activities and reporting requirements established annually with Region 5

Objective By January 1, 2011, help reduce the greenhouse gas intensity (net emissions per dollar GDP) of the U.S. economy by 18 percent.

Activity **Air: Energy/Climate Change Data Management**
Update and improve greenhouse gas inventory, by October 1, 2008

Activity **Air: Energy/Climate Change Program Development**
Foster greenhouse gas emission reductions from feedlots, landfills, and other nonpoint sources. Develop implementation plan by October 1, 2007 and results annually thereafter.

Objective By January 1, 2015, reduce visibility impairment in Voyageurs National Park and the Boundary Waters Canoe Area Wilderness by 20%.

Activity **Air: Ambient Data Management**
Determine appropriate actions that will support the Regional Haze State Implementation Plan.
Air: Point Source Permitting
Program activities and reporting requirements established annually with Region 5.

Vision Land Supports Desired Uses

State Authorization

In order to ensure State authorization from U.S. EPA the following two commitments are stated here:

The MPCA will continue working to adopt priority RCRA program amendments.
The MPCA will continue working to maintain program delegation under RCRA.

Goal Conserve resources and prevent land pollution that reduces options for desired land use.

Objective By January 1, 2007, growth in municipal solid waste generation does not exceed the population growth rate.

Activity **Measures for these activities will be established by October 1, 2007.**

Land: Waste as Resource Data Management

Land: Waste as Resource Environmental Education

Land: Waste as Resource Program Development

Goal Minimize or reduce the release of contaminants to or from the land.

Objective By January 1, 2008, 75% of above and underground storage tanks will be in significant operational compliance.

Activity **Link to Grant template ACS Code ST6**

Land: Above and Underground Tanks Regulation Compliance and Enforcement
Compliance Determination (number of UST facility inspections).

EPA Region 5 will work cooperatively with the MPCA on the provisions of the Underground Storage Tank Provisions of the Energy Policy Act of 2005 such as the two year inspection and three year inspection cycles. In FY 2007, Region 5 provided MPCA with an additional \$50,000 to help address the two year inspection requirement which must be met by August 8, 2007. It is the Region's current understanding that MPCA expects to meet this deadline without additional assistance but request that MPCA advise the Region if this situation changes. Additional underground storage tank provisions of the Energy Policy Act may be found at the website maintained by EPA's Office of Underground Storage Tanks at: http://www.epa.gov/oust/fedlaws/epact_05.htm MPCA is encouraged to visit this website where, as of December 15, 2006, final guidance for delivery prohibition and secondary containment are posted and draft guidance for several other provisions are available.

Land: Above and Underground Tanks Regulation Data Management

Collect data following approved Quality Management Plans, QAPPs, SOPs.

Land: Above and Underground Tanks Regulation Permitting

Land: Above and Underground Tanks Regulation Program Development

Land: Above and Underground Tanks Regulation Program Management and Leadership

Land: Above and Underground Tanks Regulation Technical Assistance

Objective By January 1, 2008, maintain a level of 90% of hazardous waste generators and facilities in significant compliance;

Activity **Land: Hazardous Waste Approvals**

Continue to conduct PCB inspections during the year and implement the PCB phasedown program. RCRA investigation and cleanups.

Land: Hazardous Waste Compliance and Enforcement

Compliance and Enforcement Special Projects (includes process improvement).
With U.S. EPA, inspect all operating Treatment, Storage, and Disposal Facilities once every 2 years.
Inspect all Large Quantity Generators once every 5 years.
All violations discovered by MPCA will be addresses in accordance with the MPCA Enforcement Response Plan.

Technical Assistance (formal training/assistance/factsheets).

Land: Hazardous Waste Data Management

Collect data following approved Quality Management Plans, QAPPs, SOPs.
Ensure compliance monitoring and enforcement data are entered in the national database system (RCRAInfo) in a timely and accurate manner.

Land: Hazardous Waste Licensing and Certification

By October 1, 2007, less then 10% of the Hazardous Waste Applications in non-compliance/non-response, are sent for referral to enforcement.

Land: Hazardous Waste Permitting

Hazardous Waste Facilities Reissue Expired TSD Permits, Innovative Permitting Approaches, TSD Facility Closure.

By October 1, 2007, the permit backlog will be less then 10%.

Land: Hazardous Waste Program Development

Coordinate policy with Metropolitan Counties.
Research, develop & test, and implement efforts to increase pollution prevention practices, innovate regulatory programs, and increase environmental performance by companies and others.

Land: Hazardous Waste Technical Assistance

Conduct Hazardous Waste Compliance training sessions for hospitals.
Conduct mercury assessments in schools and monitor mercury spills with Clancy, the Mercury Wonder Dog.
Provide communication products and services to support hazardous waste program.
Respond to customer inquiries and provide inquiry data and feedback to MPCA Programs.
Respond to customer inquiries and provide inquiry data and feedback to MPCA Programs. Achieve an average number of Customer Assistance calls of 9,000/yr.

Vision Clean and Sustainable Surface water and Ground water Systems

Goal Assess the status or condition of Minnesota’s ground water systems.

Objective By January 1, 2007 and every 5 years thereafter, report on the condition of Minnesota’s ground water and progress in implementing ground water condition monitoring.

Activity Ground Water: Ambient Data Management
Ground Water: Ambient Monitoring

Goal Prevent or reduce degradation and depletion of ground water.

Objective By March 31, 2008, work with partners to identify and implement Best Management Practices that prevent ground water degradation and depletion and report on the effectiveness of their implementation.

Activity Ground water: Ambient Technical Assistance
Update data for RCRAInfo on and annual basis (see OSWER grant template ACS Code CA1).
Activity Ground water: Ambient Program Management and Leadership
Design an ambient groundwater monitoring system, including monitoring goals, network coverage and data management system, implement system and report on ground water condition by October 1,

2008.

Update data for RCRAInfo on and annual basis (see OSWER grant template ACS Code CA1).

Goal Assess the chemical, physical and biological integrity of lakes, streams and wetlands to identify if designated uses are being met, and to provide information on the condition of waters.

Objective By January 1, 2015, gather water quality data and increase assessment of streams and rivers to 33 percent, in comparison to the 2003 level of 5 percent. (2.3% increase per year)

Activity **Surface Water: Ambient Monitoring**

Annually monitor the Condition of Minnesota streams by use of the Citizen Stream Monitoring Program.
Annually collect and assess Data to determine the condition of rivers and streams.
Conduct planned Milestone (routine) monitoring, 80 sites monitored, each site monitored 2 years out of 5.
Conduct water chemistry and flow monitoring on major tributaries in selected basins by October 1, 2008.
See the Water Quality Monitoring Joint Priority in the EnPPA for specific information on Monitoring including biological assessment program development (addresses U.S. EPA Strategic Plan PAMs #WQ-3 and 7).
Develop and provide to U.S. EPA Region 5 copies of annual field sampling plans.

Activity **Surface Water: Ambient Data Management**

Conduct 305b/303d assessments; enter results into U.S. EPA Assessment Database on an biannual basis. (U.S. EPA PAM #WQ 9).
Determine how to best incorporate transparency tube data into 305b/303d assessments, by October 1, 2007. (U.S. EPA Strategic Plan PAM #WQ-8).
By October 1, 2007, make data available on Environmental Data Access System.
Obtain data from local projects and others and prepare for STORET entry on an annual basis.

Objective By January 1, 2015, gather water quality data and assess 100% of the lakes larger than 500acres. (Increase Citizen Lake Monitoring by 5% per year)

Activity **Surface Water: Ambient Monitoring**

Annually monitor the Condition of Minnesota lakes by use of the Citizen Lake Monitoring Program (CLMP). (Annually report number of lakes monitored).
See the Water Quality Monitoring Joint Priority in the PPA for specific information on Monitoring (addresses U.S. EPA Strategic Plan PAM #WQ-7).
Develop and provide to EPA Region 5 copies of annual field sampling plans.

Objective By January 1, 2015, gather data and increase monitoring so that 25% of the state's depressional wetlands are assessed.

Activity **Surface Water: Ambient Monitoring**

Collect samples and assess data from 100 wetlands per year from random one-square mile plots.
See the Water Quality Monitoring Joint Priority for specific information on Monitoring (addresses U.S. EPA Strategic Plan PAM #WT-4).

Objective By January 1, 2009, assess Minnesota's contribution to identified regional, national and international water pollution problems.

Collect ambient data and begin to develop program determine Minnesota's role by October 1, 2008.

Objective Ensure data is readily available to the public within one year of season it is collected.

Submit data quarterly to U.S. EPA's National STORET Warehouse.
Continue to work with U.S. EPA to prepare for transition from current STORET framework to the new Water Quality Data Exchange (WQX process) so that MPCA is prepared to maintain/support data management software by end of 2008.
Attend the National STORET meeting in 2007 (To be scheduled by U.S. EPA).

Objective Complete impaired waters list according to EPA requirements.

Prepare and submit an integrated report (IR) to U.S. EPA by April 1, 2008. (U.S. EPA Strategic Plan PAM #WQ-10).
Provide electronic assessment information for the 2008 Integrated Report (categories 1-5) to Region 5 using the Assessment Database (updated Version 2) by April 1, 2008 and provide Region 5 with geo-referencing information for all assessed waters by April 1, 2008. (U.S. EPA Strategic Plan PAM

#WQ-11).

Update the Assessment Database (and geolocational files) and resubmit to Region 5 within 45 days of U.S. EPA decision letter if U.S. EPA review of MPCA's 303 (d) list requires any changes to the April 1 submission.

Review web-published data once U.S. EPA has the National Assessment Database on-line.

Surface Water: Ambient Program Management and Leadership.

Complete the Upper Mississippi River probabilistic monitoring report by June 30, 2007.

Goal Maintain and enhance the chemical, physical and biological integrity of Minnesota lakes, streams and wetlands so that water quality standards and designated uses are met and degradation is prevented.

Objective Ensure all domestic and industrial point source discharges are permitted in a timely manner and are maintained in significant compliance with permit requirements.

- Activity Surface Water: Wastewater Point Source Data Management**
Using state and federal data systems, manage and assess the data submitted by NPDES permittees, on an annual basis.
- Activity Surface Water: Wastewater Point Source Technical Assistance**
Conduct wastewater treatment operator training seminars/conferences on an annual basis.
Complete a minimum of six wastewater treatment facility outreach on-site technical assistance projects per year.
- Activity Surface Water: Wastewater Point Source Permitting**
Develop TMDL-implementation documents by October 1, 2008 (i.e., permits, BMPs).
Maintain the backlog below 10% by December 31 of each year.
Reissue priority permits by September 30 of each year.
All delegated POTW program will have control mechanisms in place for their significant industrial users.
- Activity Surface Water: Wastewater Point Source Compliance and Enforcement**
Inspect 50 Major Facilities in FFY07. (US EPA PAM #CWA01s).
Maintain or improve the NPDES significant non-compliance rate at less than or equal to 13% for Major Facilities.
Maintain the size of the Active Exceptions List below 2%.
Annually perform Pretreatment audits or inspections at 100% of the delegated pretreatment programs. (US EPA PAM CWA 05).
Conduct alternate compliance and enforcement special projects and report progress at the end of each federal fiscal year (by 12/31).
Complete the annual noncompliance report for minors by July 15, each year.
In 2007, MPCA will review a compliance monitoring strategy consistent with the Compliance Monitoring Strategy guidance to be issued by U.S. EPA, and will consider implementation of that strategy or a similar version on a pilot basis in FFY 2008.
- Activity Surface Water: Wastewater Point Source Budget, Fiscal Contract and Grant Management**
Design and pilot surface water needs assessment metrics and programs by October 1, 2007.
- Activity Surface Water: Stormwater Compliance and Enforcement**
Complete/update ERP, develop other enforcement tools by October 1, 2008.
Conduct Compliance and Enforcement Special Projects (includes process improvement), Report progress at the end of each federal fiscal year (by 12/31).
Conduct inspections and compliance and enforcement process for construction storm water Percent by end of year or 2008.
Conduct inspections and compliance and enforcement process for industrial storm water Percent by end of year or 2008.
Conduct inspections and compliance and enforcement process for municipal storm water Percent by end of year or 2008.
Provide Technical Assistance, training/assistance/factsheets) Ongoing basis.
Develop Industrial Stormwater program strategy (i.e. non exposure, benchmark monitoring, training/communication, permit strategies). Report progress at end of each federal fiscal year (by 12/31).

Objective By July 1, 2009, all of the 240 Municipal Separate Storm water Systems (MS4s) are actively managing stormwater programs.

- Activity Surface Water: Stormwater Technical Assistance**
See link to stormwater program

<http://www.pca.state.mn.us/water/stormwater/index.html>

Activity Surface Water: Stormwater Program Development

See link to stormwater program

<http://www.pca.state.mn.us/water/stormwater/index.html>

Develop and issue revised general permit for industrial stormwater. Percent by end of year or 2008. See grant template WQ-19.

Objective By January 1, 2008, 95% of the stormwater permits for construction sites less than 50 acres will be issued within seven days.

Activity Surface Water: Stormwater Compliance and Enforcement

Administrative Penalty Orders closed within 165 days of violation identified.

Surface Water: Stormwater Data Management

Comprehensive Stormwater database functional by October 1, 2008.

Surface Water: Stormwater Permitting

Conduct permit application, annual report, and technical reviews for municipal stormwater.

The MS4 Individual Permits for Minneapolis and St. Paul will be developed and public noticed by September 30, 2007.

Surface Water: Stormwater Program Development

Develop Industrial Stormwater General Permit by October 1, 2008.

Objective Ensure that feedlots with NPDES permits meet state and federal requirements 90 percent of the time.

Activity Surface Water: Feedlots Data Management

See link to feedlot program <http://www.pca.state.mn.us/hot/feedlots.html>

Develop and maintain feedlots functionality in WQ Delta and with internet functions On an ongoing basis.

Activity Surface Water: Feedlots Technical Assistance

Modeling assistance (includes FLEval and OFFSET).

Activity Surface Water: Feedlots Permitting

Inspect facilities as applications are completed.

Review Manure Management Plans to ensure BMPs are incorporated with the land application techniques used On going basis.

Review MMP for sensitive areas and BMPs used to control runoff. By October 1, 2007.

Activity Surface Water: Feedlots Compliance and Enforcement

Coordinate inspections at non-CAFO sites based on priority scheme incorporating complaints, size, proximity to surface water and other sensitive features.

Establish ongoing inspection program by October 1, 2007.

Inspect all NPDES facilities based on program schedule (Individual permits 1x/year, general permits 2x/5 years).

Prioritize inspections on impaired watersheds.

Objective By January 1, 2011, 90% of the feedlot facilities enrolled in the open lot program meet water quality effluent standards.

Activity Surface Water: Feedlots Process Improvement

Implement process improvements for NPDES inspections and compliance reporting by October 1, 2007

Surface Water: Feedlots Program Development

Establish methods for communicating program activities and decisions within the program and across the Division. By October 1, 2007.

Monitor performance of delegated county feedlot program , as needed.

Research, develop & test, and implement efforts to increase pollution prevention practices, innovate regulatory programs, and increase environmental performance by businesses and others, ongoing.

Objective By January 1, 2007 conduct a performance evaluation of the water quality program basin management framework and make adjustments.

Activity Surface Water: Non-point Source/Watershed Data Management

Review performance on QA/QC efforts for Data Management by October 1, 2008.

Data input into STORET within a month of project completion. Ongoing basis.
Surface Water: Non-point Source/Watershed Monitoring
Surface Water: Non-point Source/Watershed Program Development

Objective By October 1, 2006, and every 3 years thereafter, review Minnesota's water quality standards to incorporate changes to the standards to reflect current science and information.

As part of the 2007 - 2010 triennial review of water quality standards, MPCA will:

Adopt nutrient criteria for rivers and streams, consistent with the schedule agreed upon by MPCA and USEPA. (The current schedule calls for MPCA to begin development of nutrient criteria for rivers and streams in 2007. Adoption of rivers and streams criteria during the 2007 - 2010 triennial review will depend on the progress made in criteria development) (U.S. EPA Strategic PAM #WQ-2b).

Adopt revisions to Minnesota's system of designated uses to reflect data generated and analyses conducted by MPCA to support development of a system of tiered aquatic life uses. (Adoption of revisions to Minnesota's existing system of designated uses will depend on the progress MPCA makes in conducting the monitoring and technical analyses needed to support TALU development).

Review and propose revisions to variance rules to ensure that variances granted by MPCA and submitted to U.S. EPA are complete and consistent with Federal regulations at 40 CFR 131 and 132. by January 1, 2008 (The need for revised rules will depend on the results of the rule review).

MPCA will assist Region 5 EPA in meeting U.S. EPA Strategic PAM #WQ-5a for conducting a triennial review.

Develop a state-wide Index of Biological Integrity and a state-wide river classification system in preparation of developing tiered aquatic life standards January 1, 2008.

Adopt U.S. EPA's recommended water quality criteria for bacteria at Lake Superior recreation waters, as promulgated on November 16, 2004, in the *Final Rule for Water Quality Standards for Coastal and Great Lakes Recreation Waters*, by July 2008.

Adopt bacteriological criteria as protective as EPA's criteria at its inland waters to better protect human health, by July 2008.

Objective By January 1, 2014, strengthen local programs to reduce the percentage of septic tanks characterized as failing or imminent threats to public health and safety from 39% to less than 5%.

Activity see link <http://www.pca.state.mn.us/programs/ists/index.html>

Surface Water: Wastewater-Individual Compliance and Enforcement

Increase and enhance compliance and enforcement activities in the ISTS program by October 1, 2007

Proactively and reactively investigate and resolve issues with work done by licensed professionals and counties/LUG's, implement ISTS program plan.

Surface Water: Wastewater-Individual Data Management

Surface Water: Wastewater-Individual Permitting

Surface Water: Wastewater-Individual Technical Assistance

Develop and strengthen partnerships w LUG's in the implementation of the ISTS Program.

Provide technical assistance on proposed new ISTS technologies.

Support and assist LUG's in their efforts to implement the ISTS rules and new program efforts.

Goal Restore the chemical, physical and biological integrity of Minnesota lakes streams and wetlands that do not support designated uses.

Objective Complete TMDL studies within 13 years of initial listing.

See the FFY 2007 Biennial Goals for the Completion of TMDL Studies done through programmatic commitments with U.S. EPA. (U.S. EPA PAM #WQ-12).

Activity **Surface Water: Nonpoint Source/Watershed Data Management**

See TMDL link <http://www.pca.state.mn.us/water/tmdl/index.html> See grant template WQ13b.

Activity **Surface Water: Nonpoint Source/Watershed Technical Assistance**

See TMDL link <http://www.pca.state.mn.us/water/tmdl/index.html> See grant template WQ13b.

Activity **Surface Water: Nonpoint Source/Watershed TMDL Studies**

See TMDL link <http://www.pca.state.mn.us/water/tmdl/index.html> See grant template WQ13b.

Activity **Surface Water: Nonpoint Source/Watershed TMDL Implementation**
See TMDL link <http://www.pca.state.mn.us/water/tmdl/index.html> See grant template WQ13b.

Objective **Within one year of EPA approval of each TMDL study, implementation plans will be approved and initiated.**

Activity **See Grant template WQ-13b**
Submit all TMDLs to EPA for approval , ongoing process.
Surface Water: Feedlots TMDL Implementation as necessary, ongoing process.
Surface Water: Non-point Source/Watershed TMDL Implementation, ongoing process.
Surface Water: Stormwater TMDL Implementation, ongoing process.
Surface Water: Wastewater Point Source TMDL Implementation, ongoing process.

Objective **By January 1, 2007, implement the impaired waters program plan and report annually.**

Activity **See link for MN River <http://www.pca.state.mn.us/programs/ists/index.html>**
Surface Water: Non-point Source/Watershed Communications/Information
Surface Water: Non-point Source/Watershed Data Management
Surface Water: Non-point Source/Watershed Program Development

Vision Excellence in Operations

Goal Manage Agency operations as a system for efficiency and effectiveness.

Objective **Build a system to link the Agency’s Strategic plan, budget and work plans to evaluate progress toward achieving environmental goals.**

By January 31, 2007, conduct and complete a project definition for a technology solution that could link and automate strategic plan, budget and work plan data. By March 31, 2007, determine the priority for building that solution and schedule it.
By June 2007, Design and implement a process to track and evaluate Strategic Plan Objectives.

Objective **Implement a system of managing the Agency’s resources consistent with agency priorities and all applicable law.**

Finish designing a new data management framework for the agency by March 31, 2007, that will specify data management roles, values, operating guidance, governance, and accountability. Assign implementation of all parts of the new system by May 31, 2007. Begin implementation by June 30, 2007.

Maintain computer system up-time at target levels, currently set at 99.5% up-time during work hours.

Respond to requests for technology assistance from agency staff at target levels, currently set at 80% of all urgent requests met in 1 hour, 80% of all “high” importance requests met in 4 hours, 80% of all “normal” importance requests met in 8 hours, and 80% of all “low” importance requests met in 3 business days. Level of importance is determined by the customer, not the technology staff.

Implement a better prioritization process for application development by March 31, 2007. This process will have better transparency and better ownership by agency management.

Identify methods for improving customer and citizen access to agency data, information and transactions by May 31, 2007. Use the better prioritization process to schedule better definition of those solutions by July 31, 2007 that depend in whole or in part on technology.

To the extent that a revised PCS Policy Statement (renamed the ICIS NPDES Policy Statement) is developed during the length of this PPA, MPCA will evaluate the statement and develop and submit to Region 5, a proposed plan for responding to the revised Policy Statement expectations.

Goal Achieve excellence through application of world class tools and best practices.

Objective Routinely review and adjust strategic goals and priorities.

Activity Agency-wide Management, Leadership and Administrative Support Data Management
Design and implement a process to track and evaluate strategic Plan Objectives.

Objective Establish and implement continuous improvement processes within the Agency.

The MPCA maintains a focus and is on the path of implementing a continuous improvement system. The focus is both at an agency-wide and divisional level of identifying and evaluating our core, leadership, and support processes. This has resulted in 21 agency-wide projects and ~50 divisional standardization projects at the present time. These projects are in various stages of completion and implementation of the improvement. Nearly 17 of the agency-wide projects have reach the control stage and the process improvements are being monitored routinely. The MPCA has a deployment plan that addresses the approach and specifics of the implementation of the continuous improvement program.

Measurement:

- 1) percentage of agency personnel trained in the use of the continuous improvement techniques and tools (six sigma)
- 2) percentage of agency-wide teams on schedule to meet their project goals and objectives

Objective Develop and implement a communications strategy that advances the Agency goals.

Agency-wide Management, Leadership and Administrative Support Communications/Information.
Agency-wide Management, Leadership and Administrative Support Program Management and Leadership.

FFY 2007 Biennial Goals for the Completion of TMDL Studies 09/01/06

Project Name	Number of Impairments	Reach	Assessment Unit ID	DNR Lake #	Pollutant or stressor
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TMDL Study Projects to be submitted by PCA to EPA in FFY 2007 (10/1/2006-9/30/07)

Carver-Bevens-Silver Creek - Fecal Coliform	4	Bevens Creek, Silver Creek to Minnesota River	07020012-514		Fecal Coliform
		Bevens Creek, Headwaters (Washington Lake to Silver Creek)	07020012-515		
		Carver Creek, Headwaters to Minnesota River	07020012-516		
		Silver Creek, CD 32 to Bevens Creek	07020012-523		
Chippewa River - Fecal Coliform	10	Chippewa River; Watson Sag Diversion to Minnesota River	07020005-501		Fecal Coliform
		Chippewa River, Headwaters to Little Chippewa River	07020005-503		
		Chippewa River, Unnamed Creek to E Branch Chippewa River	07020005-505		
		Chippewa River, Headwaters to Chippewa River	07020005-509		
		Chippewa River East Branch, Mud Creek to Chippewa River	07020005-514		
		Shakopee Creek, Shakopee Lake to Chippewa River	07020005-559		
		Unnamed Ditch (Judicial Ditch 29), Headwaters to CD 29	07020005-566		
		Headwaters to Unnamed Ditch	07020005-567		

		Unnamed Ditch to Unnamed Ditch	07020005-570			
		Chippewa River, Cottonwood Creek to Dry Weather Creek - to be listed in 2008	07020005-508			
Lake Independence	1			27-0176-00	Excess Nutrients	
Shingle Creek, Upper Mississippi River Basin - Chloride	1	Shingle Creek; Headwaters to Mississippi River	07010206-506		Chloride	
Sunrise River (North Branch)	1	Headwaters to Sunrise River	07030005-501		Fecal Coliform	
Lower Ottertail River - Turbidity	1	Otter Tail River; Breckenridge Lk to Bois de Sioux R	09020103-502		Turbidity	
Cannon River - Turbidity	2	Cannon River, HUC boundary in Rice Lake Bottoms to Vermillion Slough/Mississippi River	07040001-511		Turbidity	
		Cannon River, Pine Creek to Belle Creek	07040002-502			
TOTAL for FFY 07	20					
<u>Potential TMDLs to be Submitted in FFY 07</u>	-	-				
Blue Earth River - Fecal Coliform	17	Blue Earth River, W Br Blue Earth R to Coon Cr	07020009-504		Fecal Coliform	
		Blue Earth River, Le Sueur R to Minnesota River	07020009-501			
		Cedar Creek, T104 R33W S6 west line to Cedar Lake	07020009-560			
		Cedar Creek, Cedar Lake to Elm Creek	07020009-521			
		Center Creek, George Lake to Lily Creek	07020009-526			
		Center Creek, Lily Creek to Blue Earth River	07020009-503			
		Dutch Creek, Headwaters to Hall Lake	07020009-527			

		Elm Creek, S Fork Elm Creek to Cedar Creek	07020009- 522			
		Elm Creek, Cedar Creek to Blue Earth River	07020009- 502			
		Judicial Ditch 3, Headwaters to Elm Cr	07020009- 505			
		Lily Creek, Headwaters to Center Creek	07020009- 525			
		Little Beauford Ditch, Headwaters to Cobb River	07020011- 503			
		Watonwan River, Headwaters to N Fk Watonwan R	07020010- 514			
		Watonwan River, N Fk Watonwan River to Butterfield Creek	07020010- 512			
		Watonwan River, Butterfield Creek to S Fork Watonwan River	07020010- 511			
		Watonwan River, Perch Creek to Blue Earth River	07020010- 501			
		Watonwan River (South Fork), Willow Creek to Watonwan River	07020010- 517			

Grant templates are included in a separate document, but are considered part of this PPA.