Pollution Prevention Grant FFY2001 NP 97555701
Minnesota Pollution Control Agency
Final Report for July 1, 2001, through June 30, 2003
September 2003

Introduction

The projects included in the Minnesota Pollution Control Agency's (MPCA) P2 Grant Work Plan are listed below with a brief statement of status:

- Phosphorus Strategy and Total Maximum Daily Loads:
  - Created and implemented a compliance assistance tool.
- Toxic Reduction in the Lake Superior Basin:
  - Discontinued the project based on further scoping.
- Enforcement Forums and Supplemental Environmental Projects:
  - Implementation delayed by legal hurdles.
- P2/Sustainability Performance Measures and Tracking -- Improved Links with Service Delivery:
  - Conducted a P2 Regulatory Integration Internal Stakeholder Survey.
  - Executed a Request for Proposal.
  - Completed initial phases of P2 Tools Initiative. Identified media program P2 pilot projects.
- Innovations Strategy:
  - Ongoing efforts involve Environmental Management Systems and National Performance Track.
- Case Studies and Database (P2Rx Center)
  - Redirected contractual efforts, instead, to pursuing media program P2 pilot projects in response to the P2 Survey results.
- Advocacy and Ongoing Assistance:
  - Developed P2/Sustainability Tracks for the MPCA Waste Conference
  - Updated the web page, "Greener Practices for Business, Site Development and Site Cleanups: A Toolkit"
  - Provided assistance with regard to Growth and Development issues.
  - Initiated an interagency forum for addressing Persistent, Bioaccumulative and Toxic Pollutants (PBTs) --- the Coordinated Toxics Reduction Network
  - Provided or promoted a P2 framework for Minnesota Rule revision & policy development activity.
  - Sought fertile arenas for P2 regulatory integration through compliance assistance functions.
  - Provided and attended various staff training and conferences
  - Participated in P2 information dissemination and recognition of P2 accomplishments.
  - Coordinated or participated in routine national and regional networking opportunities.

A primary goal of the P2 Grant Work Plan was to provide P2 enhancements to existing media program projects and initiatives. Because MPCA's annual pollution prevention planning process is not integrated into the MPCA biennial media program annual planning, this P2 Grant Work Plan must adapt to changing circumstances in the media programs during P2 Grant implementation. As such, the Work Plan was created with the assumption that not all the proposed projects would go forth. Having gathered initial support from media programs to include the projects in the P2 Grant application, P2 staff pursued more detailed project work plans and implementation once the grant was awarded. Successful implementation of each project depended on further project scoping with media program staff, further commitment of

Please refer to the report for details regarding the following assessment:

- Meaningful prevention integration is occurring at the MPCA to one degree or another, depending on the work area;
- Many MPCA employees view preventive practices and approaches as a viable tool for reaching compliance and for achieving enhanced environmental outcomes;
- Even though a majority of the respondents were at least somewhat able to track prevention activity, MPCA P2 activity and environmental or economic outcomes is relatively unavailable to service delivery staff, legislative staff and information officers, limiting its usefulness;
- No one P2 integration resource stands above another as more beneficial to P2 integration activities, but some do appear to have special standing for specific work areas;
- A clearer message in support of P2 integration is possible from management.

Work areas showing the greatest readiness for P2 integration are Water Quality nonpoint source and P2-experienced staff in Water Quality point source. Hazardous Waste and Solid Waste are areas where success may also be likely.

Based on the recommendations made in the P2 Survey Report, a decision was made to hire a consultant to help engage the MPCA leadership in a systematic evaluation of P2 regulatory integration. Funding for the consultant includes $20,000 from this P2 Grant and approximately $40,000 from the subsequent P2 Grant, NP 975905-01. The project, which was originally called "A Road Map to the Future: Integration Preventive Approaches into Environmental Programs," has been renamed the "P2 Tools Initiative."

The MPCA P2 staff prepared a Request for Proposal for a contractor to help the MPCA leadership and staff in the media programs to identify, design and implement P2 pilot projects.

An interagency selection committee convened to review five proposals and selected Kerr, Greiner, Anderson & April (KGAA). A Professional/Technical Contract with KGAA was prepared and signed in March 2003 and the work plan implementation began immediately thereafter. A Commissioner's Briefing on the contract was prepared at the request of the new MPCA commissioner, Sheryl Corrigan, before signing the contract. The project kicked off with a teleconference at the end of March between MPCA and KGAA staff. The purpose and content of the contract work plan were clarified for additional staff, and the supervisor and the division assistant director that will be involved in planning and assisting with contract implementation and administration.

April through June 2003, P2 staff and the consultant, Kerr Greiner Associates, scheduled and held forums and interviews with MPCA staff and leadership; conducted research; documented meeting and interview/forum discussion; and prepared materials for presentations made to MPCA's senior management. A Project Team made up of the Division Directors, the Deputy Commissioner and other senior management members was convened in May 2003 to provide project direction and selection criteria for the P2 pilot projects.

A preliminary list of over 38 P2 project ideas was developed by the Coordinating Team (MPCA P2 staff) and consultants based on the information gathered during the June interviews and forums. Because the information was not as well-developed as originally expected during the interviews and forums, P2 staff conducted substantial follow-up interviews and put in considerable thought to creating the P2 projects. As part of the subsequent P2 Grant, the project ideas will be analyzed and developed into project proposals based on the Project Team selection criteria.

Innovations Strategy

Deliverable: None

Environmental Management Systems and National Performance Track projects updates through June 30, 2002, will be provided in the P2 Grant final report.

Environmental Management Systems (EMS) Pilot Project
EMS aims to stimulate equivalent-or-beyond environmental performance. The pilot relies on establishing company and stakeholder participation in pilots or policy development and EPA support for bold experimentation on the part of MPCA. Information concerning EMS work at MPCA is included in the Website, http://www.pca.state.mn.us/hot/envinnovations.html#ems. MPCA staff continues to participate in a quarterly EMS user's group roundtable of businesses and consultants.

IBM EMS and Option E: MPCA and US EPA staff pursued an air-only permit variation of Minnesota's existing state minor "registration" permits with IBM in Rochester, Minnesota:

- Amendment, inspection and record keeping relief;
- Presence of EMS and outside audits enforceable; and
- Model for wider implementation incenting P2 and EMS.

More information is available at http://www.pca.state.mn.us/hot/ibm-emspermit.html

National Performance Track
MPCA P2 staff acts as the contact for the national program, providing compliance screening and now, a more active role in promoting the program. Information is posted at the MPCA Innovations web page http://www.pca.state.mn.us/hot/envinnovations.html with links to EPA's Performance Track site.

Case Studies and Database (P2Rx Centers)

Deliverable: None

Please refer to information in the section entitled "A Road Map to the Future: Integration Preventive Approaches into Environmental Programs," explaining a decision to direct resources originally planned for case study development to a P2 regulatory integration project instead.

P2 Advocacy and Ongoing Assistance

MPCA P2 staff advocated for inclusion of preventive approaches in MPCA policy development and other initiatives in the following areas.

MPCA Waste Conference

Deliverable: 2002 Conference Program

With staff from the Minnesota Office of Environmental Assistance, MPCA P2 staff developed 5 conference sessions featuring preventive or sustainable approaches for typical business operations, cleanup sites, confined animal feeding operations, facilities piloting environmental management systems and third-party auditing, storm water management, remediation site reuse and other sites under regulatory jurisdiction. MPCA P2 staff coordinated the implementation of 4 of the conference sessions and participated in the conference as a moderator, speaker and exhibitor.

Greener Practices for Business, Site Development and Site Cleanups: A Toolkit

Deliverable: http://www.pca.state.mn.us/programs/p2-s/toolkit/index.html

The MCPA P2 staff revised its Internet-based Toolkit for Greener Practices at Businesses, Cleanup and Development Sites to include a photo gallery of success stories and to target a more diverse audience than its initial brownfield focus. Customer comments had emphasized the relevance of the toolkit to a wider audience. The Web site was also reorganized and streamlined to help users get ideas for prevention at their specific site, develop a short list of site appropriate prevention ideas, and to decide which, if any, to pursue.

Growth and Development

P2 staff provided regulatory assistance to a Minneapolis neighborhood group regarding resources for developing a brownfield into a green space that features innovative stormwater management practices and design elements that raise the awareness of impacts from industrial releases. Technical assistance regarding brownfield cleanup was also provided. P2 staff participated in discussions with the MPCA Growth and Development Strategy Team regarding the proposed bond initiative, Brownfields to Green Space, and funding available through the Dump Assessment program for potential green space development. P2 Staff participated in the Minnesota Design Team's visit to Big Lake, Minnesota, and developed a resource binder called "Natural Heritage Stewardship."

Persistent, Bioaccumulative and Toxic (PBT) Substances

Deliverable: Coordinated Toxics Reduction Network Intranet site

The MPCA P2 staff initiated the grassroots Coordinated Toxics Reduction Network in an effort to gain meaningful cross-media reduction in toxic substances emphasizing preventative approaches. The collaborative brought together staff involved with PBTs from a wide range of programs in the Minnesota Office of Environmental Assistance and the Pollution Control Agency. P2 staff created and maintained a communications infrastructure, including an MPCA Intranet site, two electronic distribution lists and periodic meetings.

Although the Network provided a good forum for sharing information and building collaborative efforts among members, the ultimate goal, to develop a Coordinated Toxics Reduction Strategy that emphasized preventive approaches as part of holistic, cross-media activities, proved beyond a grassroots reach. A full-blown coordinated strategy would have involved communication, substance prioritization, monitoring, databases, reduction tracking, regulations and recommendations.

Given available staff resources and work plans, the coordination efforts eventually focused on substance prioritization and communication between members of the Network. Updates from media program staff on projects targeting PBTs were gathered and shared. P2 staff created a matrix cross-referencing pollutants of interest across PCA program and interagency boundaries. The Intranet site was decommissioned in 2003.

Minnesota Rules and Policy

Deliverable: Solid Waste Rule P2 Framework

Solid Waste Rules: A conceptual framework was developed by the MPCA P2 staff to help MPCA Rules Coordinators and their Advisory Committees to integrate P2 into the Waste Utilization Rule and the Construction and Demolition Wastes Rule. Unrelated technical issues, industry pressures and administrative deadlines challenged our efforts to integrate P2 into these rule revisions. P2 staff participated as a member of both Advisory Groups.

Storm water NPDES Phase 2 Rules: P2 staff maintained contact with lead staff assigned to developing these rules and provided limited feedback on early drafts of the construction General Permit. P2 Staff helped man displays during public meeting in spring 2003.

Other Issues: At the request of MPCA leadership, P2 staff developed and proposed a framework to address emerging issues. The framework emphasized P2, including the precautionary principle, but ultimately was not pursued or implemented.

At the request of MPCA leadership, P2 staff helped compile information on MPCA fee structure, but was unable to introduce the notion of restructuring the fee system to provide incentives for prevention.

Enforcement and Compliance Assistance

Minnesota Office of Environmental Assistance, MnTAP and MPCA staff initiated an effort compile the names of industrial businesses that might be eligible for more flexible air permits with implementation of P2. MPCA finalized the list and MnTAP contacted companies to check on P2 opportunities. No substantial P2 integration took place as a result of this initiative. Additionally, P2 staff discussed incorporating P2 into future RCRA TSDF permits with RCRA Permits staff and EPA Region.

Staff Training and Conferences

P2 staff conducted a very successful staff field trip to a nearby green building site, the Philips Eco-Enterprise Center. On-site stormwater management practices, energy conservation, environmentally friendly construction methods and materials were featured. P2 staff also organized, moderated and presented at a session on P2 at remediation sites during the Minnesota Sustainable Communities Network annual conference in April 2002 devoted to sustainable cleanup remedies, business practices and site reuse for contaminated sites. P2 staff presented a poster session on this material at the Brownfields2001

conference in Chicago. P2 staff organized a number of sessions for the P2/S track and planning a presentation for the 2002 Minnesota Waste Conference (see above). P2 staff helped Illinois EPA plan a workshop for its remediation staff regarding P2 at remediation sites and was consulted for similar outreach planned by Washington Department of Ecology staff.

P2 Information Dissemination and Recognition of P2 Accomplishments

P2 staff was involved in the development of P2 information during the development of a biennial report to the Agency executive team on the status of pollutant sources and corresponding programs. (Environmental Information Report).

Several MPCA staff received the MPCA Waste Buster award for their innovative P2 integration work based as a result of nominations made by P2 staff.

Networking

When available, the MPCA P2 staff participated in monthly teleconferences of work groups or steering committees of the National Pollution Prevention Roundtable and the Great Lakes Regional Pollution Prevention Roundtable. The P2 staff routinely met with MnTAP and OEA staff to share information, plan collaborations and future directions.

Grant Budget

The MPCA has submitted the Financial Status Report to the US EPA.

ATTACHMENTS

A. **Phosphorus Management Plan Development Resources packet**
B. **P2 Regulatory Integration Internal Stakeholder Survey Report (P2 Survey)**
C. **"Road Map for the Future" Request for Proposal**
D. **Commissioner's Briefing on P2 Tools Initiative**
E. **P2 Tools Initiative Fact Sheet (Draft)**
F. **P2 Pilot Project Ideas**
G. **2002 Minnesota Waste Conference Program**
H. **Greener Practices for Business, Site Development and Site Cleanups: A Toolkit http://www.pca.state.mn.us/programs/p2-s/toolkit/index.html**
I. **Coordinated Toxics Reduction Network Intranet site**
J. **Solid Waste Rule P2 Framework**

ATTACHMENT A
First page from
Phosphorus Management Plan Development Resources packet
http://mntap.umn.edu/pmp/index.htm

(portfolio folder version enclosed)