

# Environmental Performance Partnership Agreement

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

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October 1, 2004 – September 30, 2006  
FFY 2005 - 2006



September 2004

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## Authorizing Signatures

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

For the State of Minnesota:

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Sheryl Corrigan, Commissioner  
Minnesota Pollution Control Agency

\_\_\_\_\_  
Date

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

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Bharat Mathur, Acting Regional Administrator  
U.S. Environmental Protection Agency, Region 5

\_\_\_\_\_  
Date

## **Purpose and scope of the EnPPA**

The Minnesota Pollution Control Agency (MPCA) and the United States Environmental Protection Agency (EPA) Region 5 are entering their sixth Environmental Performance Partnership Agreement (EnPPA) 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 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, 2004, to September 30, 2006.

This agreement is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of the 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 EnPPA activities.

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

## **Relationship of the EnPPA to other Documents**

The EnPPA is an extension of MPCA's Strategic Plan and 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 in the EnPPA. Although the EnPPA is considered a subset of MPCA's Strategic Plan it is not identical to those parts of MPCA's Strategic Plan. It was necessary for the EnPPA to change some dates and modify the information provided by MPCA's Strategic Plan to accurately reflect MPCA's commitments. However, the EnPPA remains focused on the activities that are accomplished under the grants furnished by EPA.

## **Grants covered under the EnPPA**

The FFY2005-2006 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 Compliance & Monitoring (TSCA Sec. 28)

## **Elements of the EnPPA**

The EnPPA 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 EPA work. In addition to Joint Priorities, the EnPPA includes a limited set of critical performance measures and commitments for the base environmental programs.

- ◆ The EnPPA is a summary of the work done under EPA grants as well as some work done under non 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 EnPPA provides strategic direction to the workforce and influences program work plans by promoting environmental innovations that result in more efficient approaches.
- ◆ The EnPPA is viewed as a “living document” that is flexible and can be changed to reflect MPCA and EPA needs.
- ◆ The EnPPA clearly links outputs to outcomes where possible as well as aligning with both EPA and MPCA workplans.
- ◆ The EnPPA directs planning at the MPCA and 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 EnPPA. *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 EnPPA and supporting documentation establishes a framework for mutual accountability by clearly defining joint priorities, desired outcomes, and clear roles for EPA and MPCA.
- ◆ The EnPPA includes a summary of the environmental conditions in Minnesota to be used as a baseline for measuring future success.
- ◆ The EnPPA establishes joint assessment for the priority work. By “joint assessment” we mean the following:

*An annual face to face discussion between the 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. A written summary of the joint assessment will be prepared and retained in both the MPCA and EPA files.*

### **Mutual Accountability**

The approach to mutual accountability affects the way that EPA and MPCA interact and is a change from EPA's traditional approach to oversight. EPA and MPCA will agree in the joint assessment meeting on the appropriate level of EPA oversight of State program implementation.

One primary consideration will be those program areas that are deemed to "need improvement."

However, EPA will continue to review and act on new regulations in program areas that impact State authorization or where federal statute or regulation requires 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 EnPPA 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.

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 EnPPA, 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.

EPA will perform an on site audit of MPCA's enforcement program in 2006. 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 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/EnPPA 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](http://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 are the include the policies 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 has been recently audited (July 2004) by EPA Region V verifying the system in place and how well the MPCA quality system is described in the Quality Management Plan.

### **Reporting**

The MPCA will continue to report to EPA the necessary information required by Congress and US EPA Headquarters to continue state delegated programs. The MPCA will reference its web site and other existing reports as supporting documentation of the EnPPA and PPG. Both 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 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.

On July 14, 2004, a Biennial Budget and Legislative Stakeholder Input Meeting took place with 27 stakeholders. The purpose of this meeting was to ask stakeholders to indicate their level of agreement toward the MPCA and the Office of Environmental Assistance's (OEA) direction concerning our strategic management of resources. Information will be put in a paper and be shared with Senior Managers at the August 3, 2004 Budget Meeting and considered when meeting the outcomes of this EnPPA.

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 2005 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 is impaired by physical alterations and invasive species.

MPCA staff identified an additional 264 impairments in the 2004 assessment process for sections 303d and 305b of the Clean Water Act. This brings the total to 1,894 impairments on 1,123 water bodies assessed. Due to the vast abundance of waters in the state and limited staff and funding to assess them, only 8 percent of the state's river miles and 14 percent of its lakes have been fully 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 nonpoint 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 147 out of 231 listed industrial waste sites, and 21 of 24 Minnesota sites on the federal Superfund list. The MPCA's award-winning Voluntary Investigation and Cleanup (VIC) program has overseen 2,137 contaminated properties since its inception in 1988. A total of 1,476 sites have received some type of liability assurance or other determination through the VIC program upon completion of investigation and, if necessary, remedial activities. This has contributed to those properties becoming candidates for sale, refinancing, or redevelopment. More than 11,000 acres of land have been returned to productive use. About 200-300 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 12,000 of the 14,200 petroleum leak sites on its roster. About 300 new sites are expected to enter this program each year for the foreseeable future. A voluntary program similar to VIC has helped streamline assessment and cleanup actions at 1800 sites, leading to the recycling of 1,000 acres in each of the past four years. The voluntary approaches often result in liability assurance letters from the MPCA, aiding redevelopment.

Minnesota was the first state to create a Closed Landfill Program that provides for long-term closure, monitoring and care at 108 of 112 permitted municipal landfills now closed.

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 the suburban Twin Cities and the St. Cloud-Rochester corridor has begun to strain supplies of clean, available ground water in certain areas, and increasing withdrawals for irrigation and ethanol production may cause localized shortages in the future.

The MPCA is re-establishing a limited-scale ambient well network primarily using existing wells, and has recently signed an agreement with the Minnesota departments of Agriculture and Health to coordinate monitoring and data sharing. The agencies will track trends in ambient ground water quality for nitrates, VOCs, chlorides, pesticides, and other parameters, focusing on vulnerable aquifers and recharge zones. Sufficient funds will need to be designated for this work.

### **Air**

Minnesota's air quality, compared to most other states, is enviable. Even with the Twin Cities, the 14<sup>th</sup> 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. Ozone levels have been creeping upward toward 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 13 days in 2003.

Attainment of national standards is important for both human health and economic health, as nonattainment designation means development restrictions. Increasing vehicle miles driven and regional air masses drifting into Minnesota from other states will squeeze the air quality closer to violating the standard, and will 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 nonattainment. Federal clean fuel requirements and other government and industry measures will help, but the outcome is uncertain.

### **Outlook**

Minnesota, in partnership with 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.

### **Joint Priorities for FFY05 – 07**

Joint priorities represent a subset of environmental program responsibilities that MPCA and EPA jointly agree represent investment priorities for the EnPPA 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 EnPPA, 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 EnPPA 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 five priority areas:

1. Air Toxics Program Development
2. Air Quality Construction and Operating Permit Programs (NSR/Title V permitting)
3. Water Quality Monitoring
4. NPDES Streamlining
5. TMDL Development

## **Air Toxics Program Development**

### **Environmental Problem/Issue**

Reduction of air toxics has focused on six so-called "criteria" pollutants (carbon monoxide, lead, sulfur dioxide, particulate matter, ozone and nitrogen oxides). Many thousands of other substances are also released into the air each year that are not evaluated due to lack of monitoring information, emission data, or health benchmarks.

To facilitate a systematic, more objective way of understanding and addressing impacts from emissions of air toxics we need a tool that integrates all types of source (point, mobile and area) information, reported emissions from those sources, chemical information (i.e., how a chemical moves through the environment, it's toxicity) as well as physical and meteorological information specific to Minnesota. We also need to be able to assess potential impacts on a geographical scale smaller than county level, to look at the impact from all emissions and chemicals at a particular point in space, and to include impacts from exposure through ingestion as well as inhaling chemicals.

This type of tool can be used to conduct risk-based prioritizations such as evaluating and comparing impacts from source types or industrial sectors; identifying areas where specific chemicals are of concern; or compare differences in impacts, and thus possible actions, in different areas of Minnesota. It can also be used to provide for cost-effective determinations of the impact of proposed changes. For instance, we could use it to evaluate the impact of implementing control technologies across a sector or to determine the impact at a neighborhood level of a proposed new plant in relation to present impacts. It will also be used to complement our air toxic monitoring program.

Air toxics program development as a joint priority for the next several years will provide greater focus and attention to collecting and analyzing information necessary for both agencies to better understand the risks from air toxics and design more efficient and effective control programs. The air toxic modeling tool is undergoing a scientific peer review scheduled for completion in May 2005.

As air toxic areas are identified, the MPCA will identify innovative opportunities to minimize the environmental impact of the priority air toxic streams.

(For more information on the Air Toxics Program Development Joint Priority contact: At MPCA, Shelley Burman at 651-297-1779 or [shelley.burman@pca.state.mn.us](mailto:shelley.burman@pca.state.mn.us). At EPA Region 5, Carl Nash at 312-886-6030, [nash.carlton@epa.gov](mailto:nash.carlton@epa.gov) or Michele Palmer, at 312-886-0387, [palmer.michele@epa.gov](mailto:palmer.michele@epa.gov)..

## **Air Quality Construction and Operating Permit Programs (NSR/Title V permitting)**

### **Environmental Problem/Issue**

The applicability of most of the air regulations is based on the amount and type of pollutants emitted at the emission unit and/or facility-wide level. For Title V permits, five year re-issuance terms are required, but there are a number of provisions that mandate re-opening before the 5-year statutory term. One purpose of a Title V permit is to include in one document all of the requirements concerning air emissions that apply to a facility that is subject to the program. In many cases this is the only environmental management tool a facility has to track compliance with air emission limitations and as such is preventive in nature.

Long waiting periods before construction can begin and permit backlog are identified as material weaknesses of the construction and operating permit programs for air emission facilities. Several factors contribute to the delays of the permitting process. These factors include:

1. The air quality regulations that apply to a facility, are multiple and complex and often rely on the results of case by case technical and regulatory determinations. Also, emissions data necessary to do the required analysis is sometimes of poor quality, not readily available or too expensive or difficult to generate.
  
2. The air emission facility permit process requires public participation and should

enable improvement in community relations. However, sometimes public comment addresses local issues not covered under the authority of the proposed permits or addresses “big picture” issues which cannot be effectively addressed on a permit by permit basis.

3. New developments in the form of new regulations and other regulatory requirements demand investment of resources usually from the permitting workforce and, as such, limit progress towards reduction in the permits backlog. Examples of such developments include planning and implementation of Section 112(j) of the CAA and the NSR reform regulations.

The MPCA permits program staff and EPA program staff worked to identify and implement innovation opportunities for increased efficiency and effectiveness while looking for pollution prevention/reduction opportunities.. MPCA has been active in the rule making process in an attempt to streamline the permit process and has invested resources in implementing the recently promulgated and proposed Federal NSR Reform rules. Both agencies will continue to explore areas of further improvement, particularly with other groups who support or influence the permit process.

Streamlining of the administrative process and technical and regulatory permit review of individual permits is critical to effective use of state resources. The best insight into optimization strategies comes at the state level. However, solutions must comply with state and federal regulations making EPA involvement crucial.

Improvement on the information available to do the technical analysis, such as new and revised emission factors tools, must be generated by EPA in partnership with trade associations and state organizations. Generation of regulatory guidance and other compliance evaluation tools must be generated by EPA on a timely manner and in partnership with delegated entities.

For more information on the Air Quality Construction and Operating Permit Programs Joint Priority, contact: At MPCA, Jim Warner at 651-296-7333 or [james.warner@pca.state.mn.us](mailto:james.warner@pca.state.mn.us). At EPA Region 5, Cheryl Newton at 312-353-2212, [newton.cheryl@epa.gov](mailto:newton.cheryl@epa.gov), or Jennifer Darrow at 312-886-6315, [darrow.jennifer@epa.gov](mailto:darrow.jennifer@epa.gov).

## **Water Quality Monitoring**

### **Environmental Problem/Issue**

Effective and comprehensive water quality monitoring is an essential part of our environmental protection and restoration efforts. EPA and the MPCA 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 Minnesota and the Region. Most of the information used by the MPCA and relied upon by EPA to manage water quality is collected and/or assessed by the MPCA. EPA's role is largely one of synthesizing the generated data into a comprehensive assessment of all the Region 5 states, evaluating the success of water quality management efforts, and developing and providing technical assistance, resources, tools and guidance for MPCA and Region 5 states to strengthen and carry-out their own programs. EPA and MPCA are working together to improve monitoring programs by more effectively measuring the changing environmental conditions at various temporal and spatial scales, detecting new and emerging water quality problems, and providing data to measure the shared environmental goals that were signed by EPA and the Region 5 States in December 2001.

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 better understand the quality of Minnesota's rivers, streams, lakes, wetlands and groundwater and to target future work. Identification of data management and integration needs will help EPA and MPCA in effective targeting of resources, programs and efforts on the most significant environmental problems and on achieving measurable environmental outcomes. The following outcomes will result from this joint priority:

1. Implementation of the Minnesota Water Monitoring Strategy.
2. Provision of technical assistance, including additional training, guidance, and tools that are needed to improve monitoring programs within the State and US EPA.
3. Participation in the State/US EPA 2005/2006 Surface Water Monitoring and Standards Meeting.
4. The Great Rivers Environmental Monitoring and Assessment Program (GRE) project reflects regional input to establish cost-effective, efficient, and unbiased techniques to assess the environmental condition of the Upper Mississippi River.
5. Adoption of a scientifically sound macro invertebrate index strengthens the State's bio monitoring program.

For more information on the Water Quality Joint Priority, contact: At MPCA, Gaylen Reetz at 651-296-8856 or [gaylen.reetz@pca.state.mn.us](mailto:gaylen.reetz@pca.state.mn.us). At EPA Region 5, Sarah Lehmann 312-353-4328.

## NPDES Streamlining

### Environmental Problem/Issue

Several factors contribute to delays of the permitting process and the permit backlog is identified as a material weakness of the NPDES Permit Program. The number of hearing requests and contested permits has been increasing for many years and present a barrier to EPA and MPCA work on the permit backlog.

The permit process requires public participation, and is increasingly used as a tool to manipulate unrelated or remotely related local issues. Hearings and contested permits can be time consuming, costly, and further increase the backlog.

The EPA - State Permit Streamlining Workgroup has examined the NPDES permitting process to identify opportunities for increased efficiency and streamlining through innovative approaches while at the same time looking for pollution prevention and best practice opportunities. The Workgroup has proposed and are exploring ways to issue more permits with the same resources.

Significant modification of the permit process can only be accomplished in a joint effort. Solutions originate in MPCA programs where the bulk of the work and experience lies. Process modifications which necessitate regulatory/statute changes require EPA's participation, and the public and environmental communities must be informed.

The following outcomes will result from this joint priority:

1. Low risk permits will be identified and issued/reissued using an expedited process.
2. If assessment demonstrates practicality, MPCA will use DELTA to issue/reissue NPDES permits.
3. General permit use will be expanded to the extent practical.
4. Batching will be considered and if appropriate used for the medium risk group of sector based clients.
5. MPCA will evaluate and if appropriate modify its effluent limit setting process to centralize responsibilities in one unit and to better reflect the type of permit and risk that it poses.
6. Basin permits to address the waste load allocation found within the TMDL. The first will be a general basin permit to all dischargers within the Minnesota River Basin.

For more information on the NPDES Streamlining Joint Priority, contact: At MPCA, Mike Tibbetts at 651- 297-8381 or [mike.tibbetts@pca.state.mn.us](mailto:mike.tibbetts@pca.state.mn.us). At EPA Region 5, Rebecca Harvey at 312-886-6954 or Sreedevi Yedavalli at 312-353-7314.

## TMDL Development

### Environmental Problem/Issue

Based on the 1998 State 303(d) lists there are about 7,100 impairments in EPA Region 5. All Region 5 states, including Minnesota, provided 15 year schedules for completing TMDLs to address these impairments. This means addressing 473 impairments per year through 2013. Based on this schedule Region 5 states should have completed TMDLs for about 2,500 impairments to date. Currently, we have approved TMDLs addressing 441 impairments. In Minnesota, based on the 1998 list, there were 171 impairments, this increased to 1778 impairments based on the 2002 list with 1174 of these impairments associated with mercury impairments. Based on Minnesota's 1998 15-year schedule, and 2002 15-year schedule, we should have completed TMDLs for about 165 impairments to date. Currently we have TMDLs completed for 20 impairments. Although the numbers don't tell the whole story, they clearly impact our credibility and our resources. Establishment of TMDLs assist in the development of permit limits and guide the direction of non-point source controls to reduce pollutant loadings and attain standards.

Identifying TMDLs as a joint priority will assure high quality, implementable TMDLs in a timely manner. Completion of TMDLs will help EPA and MPCA in effective targeting of resources, programs and efforts on the most significant environmental problem areas and toward achievement of standards. As TMDLs are developed and implemented, flexible and innovative approaches will be encouraged.

The following outcomes will result from this joint priority:

1. By 2005, 300 impairments listed on the 2002 303(d) lists for non-atmospheric deposition pollutants will be removed from the list through approved TMDLs, delistings, implementation of a watershed program focused on restoration of impaired waters, or other regulatory activities.
2. By 2005, US EPA and MPCA will work in partnership to develop and propose regional TMDLs or a state-wide TMDL for mercury and promote mercury source controls
3. Federal TMDL development, with special attention given to completion of TMDLs where Minnesota is unable to secure necessary resources
4. By 2005, five additional local groups will develop and implement TMDLs
5. Impaired waters with implementation actions (e.g., conservation projects, watershed plans, etc.) that are likely to achieve WQS are tracked as a part of the EPA/State Accountability Project.
6. EPA and MPCA will identify and promote opportunities to incorporate provisions into TMDL implementation plans for nutrient impaired waters that enable trading (*supports EPA PAM #55*).

For more information on the TMDL Development Joint Priority, contact: At MPCA, Faye Sleeper at 651-297-3365 or [faye.sleeper@pca.state.mn.us](mailto:faye.sleeper@pca.state.mn.us) ; at EPA Region 5, Kevin Pierard at 312-886-4448.

## **Summary of Program Activities**

Although terminology varies between the MPCA and EPA strategic plans, much of the content is comparable. The following identifies the critical outcomes in each plan, aligns them to the extent possible, and generally defines strategic approaches appropriate to the MPCA and EPA to achieve those outcomes.

## **Water Programs Overview**

**MPCA Vision**: Clean, Fishable, Swimmable Surface Waters.

**EPA Goal** : Safe and Clean Water - Ensure drinking water is safe. Restore and maintain oceans, watersheds, and their aquatic ecosystems to protect human health, support economic and recreational activities, and provide healthy habitat for fish, plants, and wildlife.

**Region 5 US EPA/State shared goals**: 1) All waters in Region 5 will support healthy aquatic biological communities. 2) All waters in Region 5 will support fish populations with safe levels of contaminants. 3) Designated swimming waters in Region 5 will be swimmable. 4) The quantity and quality of critical aquatic habitat in Region 5, including wetlands, will be maintained or improved.

## **Water Program Commitments**

***MPCA goal: Assess condition of waters and inform citizens.***

**Environmental indicators** (from EPA/State shared goals): 1) Percent of river and stream miles, lake acres, Great Lakes acres and shoreline miles, and wetland acres that have been assessed for aquatic life use criteria and biocriteria targets (if not part of the WQ standard) as well as other parameters used by states in making assessments (e.g. nutrient information). 2) Percent of river and stream miles, lake acres, and Great Lakes shoreline miles designated for swimming that have been assessed.

**Outcome Objective** (from MPCA Strategic Plan): Assess 33% of flowages, all lakes over 500 acres, and 25% of wetlands by 2014; determine our contribution to regional problems by 2008; trend data available within one year of collection.

**Key Measures:** 1) By September 30, 2004, all Region 5 state monitoring programs will be assessed as adequate or on an EPA/State negotiated schedule for meeting those elements (*Shared goals*). 2) By 2006, all States will establish a scientifically valid baseline of the status of aquatic life use attainment for all wadeable streams using appropriate bioassessment techniques or be on a negotiated schedule to establish such a baseline (*Shared goals*). 3) By the end of FY 2005, MPCA will have adopted and begun to implement a comprehensive monitoring strategy [including a state approach to putting data into STORET] consistent with the March 2003 “10 elements guidance” (*EPA PAM#44*). 4) In 2004 and thereafter, MPCA will provide integrated assessments of the condition of Minnesota’s waters consistent with sections 305(b) and 303(d) of the CWA and EPA’s integrated assessment guidance (*EPA PAM#45*). 5) By 2005, MPCA and local agencies will put into place water quality monitoring and public notification programs that comply with the EPA National Beaches Guidance at 35 Great Lakes beaches (*EPA PAM #35*).

**Strategies, tools and activities:** *See Joint Priority for Water Quality Monitoring.*

***MPCA goal: Protect and enhance physical, chemical and biological integrity to meet designated uses.***

**Environmental Indicators** (*Shared goals*): 1) Percent of assessed river and stream miles, lake acres, Great Lakes acres and shoreline miles, and wetland acres meeting aquatic life use criteria and biocriteria targets (if not part of the WQ standard) as well as other parameters used by states in making assessments (e.g. nutrient information). 2) Concentration of selected contaminants in the tissue of targeted fish species. 3) Percent of assessed river and stream miles, lake acres, and Great Lakes shoreline miles designated for swimming that are meeting that use. 4) Number of wetland acres created and restored, number of wetland acres enhanced, number of wetland acres protected, maintained, and preserved.

**Outcome Objective** (*from MPCA Strategic Plan*): All point sources regulated; majors meet standards 95%, regulars 90% by 2005.

**Key Measures** 1a) Maintain the SNC rate for majors below 10%. 2) Maintain the size of the Active Exceptions List below 2% (*Shared goals*). 3) Maintain or improve NPDES permit compliance for greater than 90% of major dischargers (*Shared goals*). 4) By 2005, 100% of all CSO permits will be consistent with the national CSO policy (*Shared goals*). 5) By 2005, 3 CSO communities have schedules in place to implement approved long term control plans (*EPA PAM # 36*). 4) By 2005 90% of all permits and 95% of high priority permits are current (*EPA PAM # 59*). 5) Annually inspect 70% of major permittees, and 20% of traditional minor permittees (*OECA CWA 01*); 6) Annually perform Pretreatment Audits at 20 percent of the delegated programs with priority given to those which have not been audited in the past 5 years, and perform a PCI or audit at 50% of the delegated programs (*OECA CWA 05*).

**Strategies, tools and activities:** *See Joint Priority for NPDES Permit Streamlining.*

**Outcome Objective** (*from MPCA Strategic Plan*): 1.2 million tons sediment prevented

by 2006 from stormwater.

**Key Measures** 1) By 2005, general permit issued requiring stormwater management programs for phase II municipalities (*EPA PAM # 61*).

**Strategies, tools and activities:** The MPCA will ensure that all stormwater general permits are issued and up-to-date and that all phase I and II communities are covered by permit by 2005 and EPA will provide stormwater pollution prevention plan technical assistance to municipalities and construction sites. . Region 5 EPA will work with the States to develop a joint storm water enforcement strategy by March 2005.

**Outcome Objective** (*from MPCA Strategic Plan*): 1) NPDES feedlots 90% compliance by 2005.

**Key Measures** 1) By 2005 MPCA will update regulations and/or statute as necessary to reflect new CAFO requirements and issue a statewide general permit, or otherwise substantially implement the new permit program, consistent with the new requirements (*EPA PAM # 60*). 2) During 2005, MPCA will inspect 20% of its large (greater than 1000 federal animal units) CAFOs. (*OECA PBS-CAFO02*).

**Strategies, tools and activities:** Region 5 will develop guidance for land application of manure on frozen ground by 2004 and MPCA will update CAFO NPDES permits by 2005 and adapt the guidance to establish permit requirements for CAFOs by 2006.

**Outcome Objective** (*from MPCA Strategic Plan*): MPCA will commence a triennial review of adequacy of water quality standards in 2005.

**Key Measures** 1) By September 30, 2005, MPCA will have adopted criteria, as protective as EPA's Ambient Water Quality Criteria for Bacteria 1986, at coastal waters (*Shared goals and EPA PAM # 33*). 2) By 2006, in accordance with the schedule agreed upon with EPA and the State, MPCA will have adopted into its WQS, and EPA will have approved, nutrient criteria for fresh water lakes and reservoirs. 3) By 2009, in accordance with the schedule agreed upon with EPA and the State, MPCA will have adopted into its WQS, and EPA will have approved, nutrient criteria for fresh water rivers and streams. (*Shared goals and EPA PAM # 40*), 4) By 2006, all States will establish a scientifically valid baseline of the status of aquatic life use attainment for all wadeable streams using appropriate bioassessment techniques or be on a negotiated schedule to establish such a baseline (*Shared goals*). 5) By 2008, MPCA will have adopted into its water quality programs for streams and small rivers, numeric biological criteria designed to support determination of attainment of WQS use designations (*EPA PAM # 41*). 6) In 2005 and 2006 EPA will approve or disapprove 100% of MPCA WQS submissions within 90 days (*EPA PAM # 43*).

**Strategies, tools and activities:** 1) EPA will provide technical assistance as requested and timely reviews of all State submissions. 2) MPCA will adopt *E. coli* and *enterococci* standards for Great Lakes recreation waters by 2005. 3) EPA will provide technical assistance, convene the regional technical assistance group and provide travel assistance to states to participate, and exercise flexibility to accommodate conditions unique to Minnesota so that MPCA will propose draft standards by 2006 and make reasonable progress toward 2008 adoption of nutrient standards for lakes and reservoirs, and rivers and streams. 4) EPA will provide technical assistance and MPCA will evaluate

opportunities and options so that a plan to develop and adopt biological criteria for Wadeable streams is in place by 2005. As a part of triennial water quality standards review, MPCA will evaluate the level of human health protection provided by water quality standards to surface waters used as public drinking water sources; EPA and MPCA will consider whether any changes are necessary and the schedule to make them (*supports EPA PAM #24*). Note: This requires Minnesota Department of Health input. MPCA's role is not clear.

**Outcome Objective** (*from MPCA Strategic Plan*): 1) System for measuring progress on basin goals by 2005. 2) Phosphorus loading understood by 2004.

**Key Measures**: 1) A basin system will be in place by January 1, 2005

**Strategies, tools and activities**: 1) High level look at all water programs and how they will be managed using the basin framework. 2) Complete an assessment of basin planning and developed a proposal on how a basin framework can be used to better manage the water programs, and form the basis for the agency's water program workplans. 3) Water summit held in late May to identify strategies for all water programs, and how they can be managed as a whole. More follow up work to integrate this with the basin framework.

***MPCA Goal: Restore physical, chemical and biological integrity to support intended use.***

**Environmental Indicators** (*Shared goals*): 1) Percent of assessed river and stream miles, lake acres, Great Lakes acres and shoreline miles, and wetland acres meeting aquatic life use criteria and biocriteria targets (if not part of the WQ standard) as well as other parameters used by states in making assessments (e.g. nutrient information). 2) Concentration of selected contaminants in the tissue of targeted fish species. 3) Percent of assessed river and stream miles, lake acres, and Great Lakes shoreline miles designated for swimming that are meeting that use. 4) Number of wetland acres created and restored, number of wetland acres enhanced, number of wetland acres protected, maintained, and preserved.

**Outcome Objective** (*from MPCA Strategic Plan*): 1) Meet impaired waters listing schedules; 2) Meet TMDL schedules.

**Key Measures** Complete TMDLs as necessary to achieve a 13 year schedule; i.e., according to annual commitments developed with EPA (*EPA PAM # 52*).

**Strategies, tools and activities**: See *Joint Priority for TMDL Streamlining*.

**Outcome Objective** (*from MPCA Strategic Plan*): 1) Initiate TMDL implementation within one year of approval. 2) Legislative approval for impaired waters by 2005.

**Key Measures** 1) Improve Water Quality on a Watershed Basis: By 2008, use both pollution prevention and restoration approaches, so that, in 600 of the Nation's watersheds, water quality standards are met in at least 80 percent of the assessed water

segments and in 200 watersheds, all assessed water segments maintain their quality and at least 20 percent of assessed water segments show improvement above conditions as of 2002. (National subobjective 2.2.1). 2) By June 30, 2005 at least 1 watershed based plans supported under state NPS (s. 319) programs since the beginning of FY 2002 have been substantially implemented (PAM#49, part 1), covering at least 2 [stream] miles (PAM#49, part 2).

**Strategies, tools and activities:** 1) The EPA and MPCA will cooperatively participate in State Technical Committee meetings to help inform agriculture program funding decisions, target resources toward remediation efforts at impaired watersheds, and identify opportunities to leverage resources to fill project gaps. 2) MPCA will require all 319 projects to report on environmental results. 3) EPA and MPCA will cooperatively implement the “TMDL Accountability Pilot.”

**Outcome Objective** (from MPCA Strategic Plan): 1) By 2005 there is a 70% Hg reduction from 1990 levels and 10% reduction in Hg in fish by 2010 from 2000 levels.

**Key Measures :** By FY 2005 1% of the water miles/acres identified by States or Tribes as having fish consumption advisories in 2002 will be cleaned up to allow for increased consumption of safe fish. [National Goal 2, Strategic Target H] Note: This is a Minnesota Department of Health responsibility.

**Strategies, tools and activities:** 1) The EPA and MPCA will work in partnership to develop and propose regional TMDLs or a state-wide TMDL for mercury by 2005 and promote mercury source controls. 2) EPA will develop mercury PMP guidance for POTWs by 12/2004, and MPCA will incorporate PMP requirements into POTW permits as necessary on reissuance.

## **Air Programs Overview**

**MPCA Vision:** Clean and Clear Air.

**EPA Goal:** Protect and improve the air so it is healthy to breathe and risks to human health and the environment are reduced. Reduce greenhouse gas intensity by enhancing partnerships with businesses and other sectors.

## **Air Program Commitments**

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

**Outcome Objective** (from MPCA Strategic Plan) Reduce risks to humans and the environment by continually meeting all federal and state ambient air quality standards.

**Key Measures:** 1) Track and insure that reviews and work products are completed within established deadlines. 2) Track progress and Environmental Assessment Worksheets completed.

**Strategies, tools and activities:** 1) Plan for and implement federal and state laws, regulations and policies that link air quality, land use and transportation planning together to maintain air quality within state and federal standards. 2) Conduct mandatory consultation and compliance determination with other agencies and provide necessary assistance to achieve and maintain air quality standards in areas affected by federal transportation funding. 3) Ensure that necessary State Implementation Plan portions relating to transportation planning and air quality documents are submitted to the Environmental Protection Agency. 4) Provide Environmental Review for Air Permit activities in REM & MAR Divisions. 5) Provide business system and operational support for air in the REM Division including regional offices. 6) Implement the enforcement and compliance assurance policies/guidance required by USEPA Headquarters, including those necessary to continue state delegated programs.

**Outcome Objective** (*from MPCA Strategic Plan*) 1) By December 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.

**Key Measures:** 1) Establish baseline awareness measured by the University of Minnesota's annual state survey of citizens and set goals for 2004 and beyond. 2) Measure number of partnerships and emissions reductions per year.

**Strategies, tools and activities:** 1) Set an example to measurably reduce vehicle pollution through the purchase of cleaner vehicles/fuels and supporting commuting and other travel choices. 2) Increase public awareness about mobile sources of pollution and steps citizens can take to improve air quality. 3) Reduce ozone and fine particulate emissions in partnership with organizations such as Clean Air Minnesota and the Twin Cities Coalition through cooperative and voluntary efforts. 4) Pursue public and private funding opportunities to implement measurable reductions from mobile sources in Minnesota such as retrofitting school bus diesel fleets with EPA funds.

**Outcome Objective:** Issue all initial Title V permits by December 31, 2004.

**Key Measures:**

1) Track and ensure that reviews and work products are completed within established deadlines.

2) Track progress and permit issuance.

**Strategies, tools and activities:**

1) Implement the Joint Streamlining Matrix to expedite Title V permit issuance.

2) Utilize MPCA permitting strategy.

3) EPA will provide technical assistance as requested.

4) EPA will review all major construction permits and a subset of operating permits.

Formal comments will be submitted to Minnesota only where there is a significant issue.

5) As a part of the national program to review all states' permit programs on a tri-annual basis, EPA will review Minnesota's permit programs in 2006

**Outcome Objective:** Issue remaining individual Federally Enforceable State Operating

Permits by September 30, 2005.

**Key Measures:**

1) Identify and quantify sources eligible for the new flex-cap or Environmental Monitoring System rules. 2) Track progress and permit issuance.

**Outcome Objective:** Reduce backlog of Title V renewals by 30% by June 30, 2006.

**Key Measures:** 1) Quantify current backlog of Title V renewal permits by December 31, 2004. 2) Track progress and permit issuance.

**Strategies, tools and activities:** 1) Identify sources which qualify and are willing to apply for a streamlined FESOP. 2) Prioritize individual Title V permit renewals by expiration date.

**Outcome Objective:** Issue permits for new NSR major sources, NSR major modifications and synthetic minor modifications, as required by EPA, with applicable requirements and compliance demonstration methods. Place BACT and LAER determinations in the RACT BACT LAER Clearinghouse.

**Key Measures:**

1) track number of major modification permits issued.  
2) track number of new PSD major permits issued.  
3) track number of permits containing conditions restricting emissions below major source or major modification levels.

***MPCA goal: Minnesota's outdoor air quality will meet environmental and human health benchmarks for toxic and other air pollutants.***

**Outcome Objectives** (from MPCA Strategic Plan) 1) By December 31, 2010, reduce measured ambient concentrations of air toxics to levels below health benchmarks. 2) Reduce risks to humans and the environment by continually meeting all federal and state air toxics control technology standards.

**Key Measures:** 1) Percent of contractors inspected. 2) Number of inspections completed. 3) amount of asbestos and other hazardous substances prevented from improper disposal.

**Strategies, tools and activities:** 1) Determine Compliance. 2) Inspect 75% of all demolition and asbestos contractors doing regulated work in 2005. 3) Conduct 75 statewide asbestos/demolition inspections/year.

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

**Outcome Objective** (from MPCA Strategic Plan) By December 31, 2005, reduce mercury emissions from all Minnesota sources by 70 percent from 1990 levels in order to reduce air deposition to surface waters.

**Key Measures:** Number of schools inspected; number of demonstrations; pounds of mercury taken out of schools.

**Strategies, tools and activities:** 1) Conduct mercury project inspections in schools. 2) The mercury sniffing dog, Clancy, and his handler will inspect 40 schools and give 20 demonstrations per year.. Also see Land Program Commitments under MPCA goal: Minimize or reduce the release of contaminants to or from the land.

**Outcome Objective** By December 31, 2010, help reduce the greenhouse gas intensity (net emissions per dollar GDP) of the U.S. economy by 18 percent.

**Outcome Objective** By December 31, 2014, reduce visibility impairment in Voyageurs National Park and the Boundary Waters Canoe Objective Area Wilderness by 20 percent.

## **Land Programs Overview**

**MPCA Vision** Land supports desired uses.

**EPA Goal** Preserve and restore the land by using innovative waste management practices and cleaning up contaminated properties to reduce risks posed by releases of harmful substances.

## **Land Program Commitments**

Note: State Authorization and RCRA Enforcement are program areas where EPA will continue to conduct file reviews and on-site midyear reviews.

***MPCA Goal: Reduce or eliminate the use of environmentally harmful substances in manufacturing products or delivering services.***

**Outcome Objective** By September 30, 2006, develop a plan and process for identifying stewardship opportunities for products or services that use or create materials which cause environmental damage during production, use or disposal.

**Key Measures:** 1) Implementation plans describing activities will be developed for selected stewardship opportunities.

**Strategies, tools and activities:** 1) Identified projects are implemented according to plans that will contain actions schedules and measures. 2) Perform compliance assistance visits designed to increase RCRA understanding. 3) Implement hazardous waste disposal coupon program.

**Outcome Objective** By December 31, 2004, develop and implement a plan for identifying pollution prevention opportunities from industries currently needing air, water or waste permits to reduce discharges below permit thresholds.

**Key Measures:** 1) Projects successfully implemented and measureable change from projects identified.

**Strategies, tools and activities:** 1) Design regulatory programs that incorporate pollution prevention. 2) Design and implement pollution prevention work as part of the P2 Tools Project and as part of the EPA P2 Grant, including the One Stop program and the Small Business Assistance Program.

**Outcome Objective** By December 31, 2004, develop and implement a plan for identifying pollution prevention opportunities for businesses, industries or governmental units who are not required by rule or statute to obtain a permit to address pollution emissions or discharges.

**Key Measures: 1)** By December 31, 2004, develop measures.

**Strategies, tools and activities:** 1) By December 31, 2004, develop necessary strategies, tools and objectives.

***MPCA goal: Minimize or reduce the release of contaminants to or from the land.***

**Outcome Objective** By September 30, 2006, educate faculty and students in Minnesota schools about mercury and its dangers.

**Key Measures:** 1) Number of schools pledged mercury free. 2) Amount of mercury eliminated from schools. 3) Number of students and faculty educated about mercury and its dangers.

**Strategies, tools and activities:** 1) Secure Mercury-Free Zone program participation from 300 schools. 2) Educate 10,000 students and faculty about the dangers of mercury. 3) Maintenance and education efforts in Lake Superior Basin.

**Outcome Objective** By June 30, 2008, complete spill prevention and response plans covering 150 miles of major river and shoreline in areas identified in sensitivity atlases.

**Key Measures:** 1) Number of miles of river and shoreline with completed response strategies.

**Strategies, tools and activities:** 1) convene working groups of industry, resource managers, and emergency responders 2) preplan potential spill response locations and strategies using maps and air photos 3) conduct field reconnaissance of candidate sites to verify site conditions and usefulness 4) map and describe the strategies 5) distribute the response strategies to industries, resource managers, and responders in the area.

**Outcome Objective:** By December 31, 2007, 80% of above and underground storage tanks will be in significant operational compliance.

**Key Measures:** 1) Number of facility inspections. 2) Number of active ASTs and USTs. 3) Number of installation inspections. 4) Percent of UST storage tanks in significant operational compliance. 5) Number of enforcement actions. 4) Number of big AST facilities inspected. 5) Number and percent of tank removals and installs entered w/I 15 days of receipt. 6) Number and percent of formal requests responded to w/I agency responsiveness policy.

**Strategies, tools and activities:** 1) Complete 45 solid waste inspections per year per FTE. 2) Address 100% of non-compliance through regulatory process within 6 weeks of the date that the noncompliance is identified. 3) Resolve 90 % of enforcement cases within 6 months of discovery. 4) Prevent, prepare, and respond to emergencies; and investigate/remedy contamination at large petroleum and chemical storage facilities. 5) Determine Compliance (split). 6) Conduct 650 facility inspections per year (split). 7) Conduct 20 installation inspections per year (split). 8) # of installation inspections. 9) Inspect 20 big AST facilities by June 30, 2005. 10) 90% of tank installs/removals entered into TALES data base w/I 15 days of receipt; ongoing maintenance of TALES data base; and, respond to formal requests as per Agency policy (split). 11) Certify and Recertify an average of 50 Tank Contractors/Supervisors per year or as demand requires. 12) 500 UST inspections per year.

**Outcome Objective** By September 30, 2005, 95 percent of hazardous waste LQGs, 85 percent of SQGs and 95 percent of TSDs will be in significant compliance with applicable state and federal rules and regulations.

**Key Measures:** 1) Number of TSD facilities with current permits. 2) Percent of generators in significant compliance. 3) Number of PCB inspections conducted (or equivalent activities). 4) Two TSD corrective action site completions by September 30, 2005. 5) Three generator corrective action site completions by September 30, 2005. 6) Number of LQGs, SQGs and TSDs inspected. 7) All required data is correct and entered in accordance with state and federal commitments.

**Strategies, tools and activities:** 1) Hazardous Waste Facilities - Reissue Expired TSD Permits, Innovative Permitting Approaches, TSD Facility Closure. (a draft schedule is available from MPCA staff). 2) Adopt priority federal hazardous waste rules needed for authorization by 12/31/04 and submit draft authorization application to US EPA by 8/31/2005. 3) Coordinate policy with Metropolitan Counties. 4) At the Customer Assistance Center, manage customer inquiries regarding interpretation of rules, as well as administrative issues relating to hazardous waste management. 5) Conduct 80 RCRA inspections/year at Small Quantity Generators sites. 6) Conduct 100 compliance assistance inspections/year at Very Small Quantity Generators sites or an equivalent number of CEI inspections if compliance assistance is not used. 7) Conduct 20 TSCA PCB compliance inspections as negotiated with EPA by September 30, 2005. 8) Send and process HW licenses to all generators. 9) Inspect HW TSD's to evaluate compliance. 10) Inspect 50 % of TSD's each year. 11) Each year inspect 10% of LQG's by MPCA and another 10% by EPA. 12) Using state and federal data systems, manage the data collected on Hazardous Waste Generators.

***MPCA Goal: Restore contaminated land to productive use.***

**Outcome Objective** By June 30, 2007 clean-up actions consistent with applicable state and federal guidance will be completed at 92 percent of the tank release sites reported through June 30, 2003.

**Strategies, tools, and activities:** 1) Review reports and close sites in a timely manner. 2) Review 95% of reports within 120 days of receipt in FY04 & FY05. 3) Close 600 sites in FY04 and 600 sites in FY05. 4) Close 350 “old” sites in FY04 and 300 “old” sites in FY05. 5) Assist voluntary applicants doing investigations and cleanups at petroleum contaminated sites. 6) Enroll 200 VPIC applicants per year in FY04 & FY05. 7) Review 95% of VPIC reports within 30 days of receipt in FY04 & 90% in FY05.

**Outcome Objective:** By December 31, 2005, 80 percent of No Association Determination Assurances will be issued by the VIC program within 80 billable hours.

**Key Measures:** 1) Number of issued assurances within 80 billable hours.

**Strategies, tools and activities:** 1) Provide technical support for VIC site as identified by MAR Remediation staff as needing human health risk assessment support. 2) Issue liability assurances in a timely manner.

**Outcome Objective** By June 30 2006, complete cleanup actions consistent with applicable state and federal guidance for all state Superfund sites listed on June, 2003.

**Key Measures:** 1) Complete the delisting of 19 PLP sites by June 30, 2006 and 7 NPL site by October, 2004. 2) Issue 20 Rods/MDDs per year through by June 30, 2006. 3) If needed, initiate MERLA enforcement action at 4 Superfund sites per year through June 30, 2006. 4) Assess 50 sites per year and list 2 sites on the State Superfund List (PLP) per year through June 30, 2006. 5) QAPPs in place and followed.

**Strategies, tools and activities:** 1) Provide site related technical support to the remediation program. 2) Delist Superfund sites from the PLP and the NPL. 3) Select remedial actions (split). 4) Take MERLA enforcement actions. 5) Collect data following approved Quality Management Plan, AQPPs, SOPs (split).

**Outcome Objective** By June 30, 2008, complete cleanup actions consistent with applicable state and federal guidance for all RCRA GPRA sites and human exposure to toxins and toxic releases to groundwater are under control at 95% and 80%, respectively, of RCRA baseline sites.

**Key Measures:** 1) Number of RCRA GPRA facilities which have human exposure under control. 2) Number of RCRA GPRA facilities which have groundwater controls for toxic releases in place. 3) Number of RCRA GPRA facilities which have a final remedy selected. 4) Number of RCRA GPRA facilities which will achieve site wide construction completion.

**Strategies, tools and activities:** 1) By 2005 human exposure will be controlled at 95% of RCRA baseline facilities and migration of contaminated groundwater under control at 70% of baseline facilities. 2) By 2008 assess 100% of RCRA baseline facilities, select final remedies at 30%, and complete construction of remedies at 20% of facilities, have human exposures controlled at 95% of the baseline facilities and migration of contaminated groundwater under control at 80% of the baseline facilities.

***MPCA Goal: Assess the status or condition of Minnesota's ground water systems.***

**Outcome Objective** By August 1, 2004, design an ambient ground water monitoring system, including monitoring goals, network coverage and data management system in cooperation with partners.

**Key Measures:** TBD.

**Strategies, tools and activities:** 1) Assess suitability of existing wells for use in a long-term ambient monitoring network: 100-150 shallow aquifer wells and 100-150 deeper aquifer wells. 2) Seek Resources. 3) Develop a long-term GW monitoring plan. 4) Develop and maintain EDA functionality for GW (Phase 3).

**Outcome Objective** By December 31, 2004, implement the ambient ground water monitoring system.

**Key Measures:** 1) Sample 1/2 network wells by 11/1/04. 2) Analyze data per plan.

**Strategies, tools and activities:** 1) Begin implementation of GW network early by sampling ~1/2 wells during 2004 field season. 2) Plan for 2005 sampling season and data analysis/reporting in 2005. 3) Conduct Evaluations/Analyze Data.

***MPCA Goal : Prevent or reduce degradation and depletion of ground water.***

**Outcome Objective** By December 31, 2006 develop area wide best management practices, in cooperation with partners, that prevent ground water degradation and depletion.

**Key Measures:** TBD.

**Strategies, tools and activities:** 1) Increase and enhance compliance and enforcement activities in the ISTS program. 2) Develop and provide updated training, testing, and registration and licensing, CEU requirements on an ongoing basis to ensure that ISTS professionals are meeting ISTS program and rule requirements and know what they need to know. Review and update every 3 years. 3) Continue to manage licensing and registration for ISTS professionals. Utilize bonds when appropriate. Revoke license/registration as needed. Manage CEU's.