

**Minnesota PPG Max Workplan (with Three Essential Elements)
OAR (Office of Air and Radiation) [Sec. 105] FFY 2009 – 2012
FFY10 Report with FFY11 Workplan revisions**

Code	Common Template Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
Goal: 1 CLEAN AIR AND GLOBAL CLIMATE CHANGE (Essential Element #1)				
Objective 1.1: Clean Air and Healthy Outdoor Air: Through 2011, working with partners, protect human health and the environment by attaining and maintaining health-based air quality standards and reducing the risk from toxic air pollutants.				
Sub-objective 1.1.1: By 2015, working with partners, improve air quality for ozone and PM2.5.				
Categorical Grant: State and Local Assistance (CAA Section 105)				
OAQP S N001	Percentage reduction in population-weighted ambient concentration of ozone in all monitored counties from 2003 baseline.	Frank Kohlasch & Rick Strassman/ Edward Delisio-EPA	<ol style="list-style-type: none"> 1. Operate and maintain ambient ozone monitoring network in compliance with 40 CFR Part 58. 2. Recipient attaches copy of template to its Section 105 Work Plan. 3. Review, validate and submit all required data to the Air Quality System (AQS) within 90 days of the end of each calendar quarter. 4. Ensure precision and accuracy data are submitted to the AQS as stipulated in 40 CFR Part 58.35. 5. Submit hourly ozone concentrations data to the USEPA AIRNow program. 6. Certify ozone data via letter as accurate to best of knowledge by May 1 of the following year. 7. Attends meetings and participates on conference calls as time and funding permit. 	<p>As part of its regular performance review, MPCA calculates 1) The percent reduction in overall emissions in Minnesota of pollutants that contribute to ozone formation (volatile organic compounds and nitrogen oxides) (Strategic Performance Review or SPR); and 2) Percent of Valid Air Data Captured by Ambient Monitoring Network (Operational Performance Review or OPR)</p> <p>FFY 2009 Report:</p> <p>1)The MPCA submitted the certification letter for Minnesota’s 2008 air quality data in September 2008. The delay in submitting the certification letter was due to a retirement at the MPCA for the AQS Coordinator and additional data review to meet current quality assurance requirements. The MPCA has updated the certification process for Minnesota data and had submitted a timely certification letter for 2009 air quality data. The certification letter and attachments for Minnesota’s 2008 data are included in separate pdf files named below:</p> <p>“ <i>MN AQ Data Certification Letter – Mike Sandusky Sep 29 2009 – Journal 1794.pdf</i></p>

				<p> <u>MN AQ Data Certification Attachment – Sep 29 2009 – amp255.pdf</u> <u>MN AQ Data Certification Attachment – Sep 29 2009 – amp450.pdf</u> <u>MN AQ Data Certification Attachment – Sep 29 2009 – amp450nc speciation.pdf</u> </p> <p>2) Percent valid data capture from the ambient ozone monitoring network for April 1 through Sept. 30, 2009 was 94%.</p> <p>FFY 2010 Report: The MPCA submitted the certification letter for Minnesota’s 2009 air quality data in March 2010. The certification letter and attachments for Minnesota’s 2009 data are included in separate pdf files named below:</p> <p> <u>MN AQ Data Certification Letter – dated March 26, 2010 (signed by Mike Sandusky)</u> <u>MN AQ Data Certification Attachment – March 26, 2010 – amp255-09.pdf</u> <u>MN AQ Data Certification Attachment – March 26, 2010 – amp450-criteria-09.pdf</u> <u>MN AQ Data Certification Attachment – March 26, 2010 – amp450nc- speciation-09.pdf</u> </p> <p>Percent valid data capture from the ambient ozone monitoring network for April 1 through Sept. 30, 2010 was 98%.</p> <p>EPA Comment: MPCA has met these commitments.</p>
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<p>OAQP S N002</p>	<p>Percentage reduction in population-weighted ambient concentration of fine particulate matter (PM2.5) in all monitored counties from 2003 baseline.</p>	<p>Frank Kohlasch & Rick Strassman/Edward Delisio-EPA</p>	<ol style="list-style-type: none"> 1. Operate and maintain ambient PM2.5 monitoring network in compliance with 40 CFR Part 58. 2. Recipient attaches copy of template to its Section 105 Work Plan. 3. Review, validate and submit all required data to the Air Quality System (AQS) within 90 days of the end of each calendar quarter. 4. As long as PM2.5 monitoring stays under 103, commit annually to participate in the national PEP program. In the event PM2.5 monitoring activities transition to funding under 105, Region 5 and the MPCA will renegotiate and amend the PPG to address changes. 5. Ensure precision and accuracy data are submitted to the AQS as stipulated in 40 CFR Part 58.35. 6. Submit hourly PM2.5 concentrations data to the USEPA AIRNow program. 7. Certify ozone data via letter as accurate to best of knowledge by May 1 of the following year. 8. Attends meetings and participates on conference calls as time and funding permit. 	<p>As part of its regular performance review, MPCA calculates 1) The percent reduction in overall emissions in Minnesota of sulfur dioxide and nitrogen oxides (pollutants that contribute to fine particle formation) (SPR); and 2) Percent of Valid Air Data Captured by Ambient Monitoring Network (OPR).</p> <p><u>FFY 2009 Report:</u></p> <p>1) The MPCA submitted the certification letter for Minnesota's 2008 air quality data in September 2008. The delay in submitting the certification letter was due to a retirement at the MPCA for the AQS Coordinator and additional data review to meet current quality assurance requirements. The MPCA has updated the certification process for Minnesota data and had submitted a timely certification letter for 2009 air quality data. The certification letter and attachments for Minnesota's 2008 data are included in separate pdf files named below:</p> <ul style="list-style-type: none"> " <u><i>MN AQ Data Certification Letter – Mike Sandusky Sep 29 2009 – Journal_1794.pdf</i></u> " <u><i>MN AQ Data Certification Attachment – Sep 29 2009 – amp255.pdf</i></u> " <u><i>MN AQ Data Certification Attachment – Sep 29 2009 – amp450.pdf</i></u> " <u><i>MN AQ Data Certification Attachment – Sep 29 2009 – amp450nc speciation.pdf</i></u> <p>2) Percent valid data capture from the ambient PM2.5 FRM monitoring network for FFY09 was 92 %.</p> <p><u>FFY 2010 Report:</u></p> <p>The MPCA submitted the certification letter for Minnesota's 2009 air quality data in March 2010. The certification letter and attachments for Minnesota's 2009 data are included in separate pdf files named below:</p>
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				<p>.. MN AQ Data Certification Letter – dated March 26, 2010 (signed by Mike Sandusky)</p> <p>.. MN AQ Data Certification Attachment – March 26, 2010 – amp255-09.pdf</p> <p>.. MN AQ Data Certification Attachment – March 26, 2010 – amp450-criteria-09.pdf</p> <p>.. MN AQ Data Certification Attachment – March 26, 2010 – amp450nc- speciation-09.pdf</p> <p>Percent valid data capture from the ambient PM2.5 FRM monitoring network for FFY10 was 95%. Percent valid data capture ranged from 90 to 99% across the 10-site PM2.5 FRM network.</p> <p>EPA Comment: MPCA has met these commitments.</p>
OAQPS N003	Cumulative percentage reduction in number of days with Air Quality Index (AQI) values over 100 since 2003, weighted by population and AQI value.	Frank Kohlasch & Rick Strassman/Edward Delisio-EPA	<ol style="list-style-type: none"> 1. Operate and maintain ambient air quality monitoring network in compliance with 40 CFR Part 58. 2. Recipient attaches copy of template to its Section 105 Work Plan. 3. Review, validate and submit all required data to the Air Quality System (AQS) within 90 days of the end of each calendar quarter. 4. Ensure precision and accuracy data are submitted to the AQS as stipulated in 40 CFR Part 58.35. 5. Submit hourly ozone and PM2.5 concentration data to the USEPA AIRNow program. 6. Certify all criteria pollutant data via letter as accurate to best of knowledge by May 1 of the following year. 7. Attends meetings and participates on conference calls as time and funding permit. 	<p>MPCA prepares an annual summary of AQI data showing the number of days the AQI exceeds 100 for ozone and PM2.5 for all locations in the AQI network.</p> <p>FFY 2009 Report: Air Quality Index statistics for 2008 were compiled and published on the MPCA web site at - http://www.pca.state.mn.us/index.php?option=com_k2&Itemid=91&id=995&lang=en&layout=item&view=item</p> <p>FFY 2010 Report: Air Quality Index statistics for 2009 were compiled and published on the MPCA web site at - http://www.pca.state.mn.us/index.php?option=com_k2&Itemid=91&id=995&lang=en&layout=item&view=item</p> <p>EPA Comment: MPCA has met these commitments.</p>

<p>OAQP S N004</p>	<p>Cumulative percentage reduction in the average number of days during the ozone season that the ozone standard is exceeded in baseline non-attainment areas, weighted by population.</p>	<p>Frank Kohlasch & Rick Strassman/Edward Delisio-EPA</p>	<ol style="list-style-type: none"> 1. Operate and maintain ambient ozone monitoring network in compliance with 40 CFR Part 58. 2. Recipient attaches copy of template to its Section 105 Work Plan. 3. Review, validate and submit all required data to the Air Quality System (AQS) within 90 days of the end of each calendar quarter. 4. Ensure precision and accuracy data are submitted to the AQS as stipulated in 40 CFR Part 58.35. 5. Submit hourly ozone concentrations data to the USEPA AIRNow program. 6. Certify ozone data via letter as accurate to best of knowledge by May 1 of the following year. 7. Attends meetings and participates on conference calls as time and funding permit. 	<p>Trends in ozone levels for Twin Cities 1996 - 2006</p> <p>FFY 2009 Report: Ozone trend data for 1994-2007 was compiled and published in the 2009 Report to the Legislature - Air Quality In Minnesota: Emerging Trends. The report can be found at – http://www.pca.state.mn.us/publications/reports/lr-airqualityreport-2009.html</p> <p>FFY 2010 Report: Ozone trend data for 1994-2010 will be compiled and reported in the 2011 Report to the Legislature to be published in January 2011.</p> <p>EPA Comment: MPCA has met these commitments.</p>
<p>OAQP S M11</p>	<p>Percentage of affected entities who submit data to AQS in accordance with Part 58.</p>	<p>Frank Kohlasch & Luke Charpentier /Rick Strassman/Edward Delisio-EPA</p>	<ol style="list-style-type: none"> 1. Operate and maintain ambient air quality monitoring network in compliance with 40 CFR Part 58. 2. Recipient attaches copy of template to its Section 105 Work Plan. 3. Review, validate and submit all required data to the Air Quality System (AQS) within 90 days of the end of each calendar quarter. 4. Ensure precision and accuracy data are submitted to the AQS as stipulated in 40 CFR Part 58.35. 5. Submit hourly ozone and PM2.5 concentration data to the USEPA AIRNow program. 6. Certify all criteria pollutant data via letter as accurate to best of knowledge by May 1 of the following year. 7. Attends meetings and participates on conference calls as time and funding permit. 	<p>MPCA Performance Measures: Percent of Valid Air Data Captured by Ambient Monitoring Network (OPR)</p> <p>FFY 2009 Report: Percent valid data capture from the ambient criteria pollutant monitoring network for FFY09 was 95%. Data capture for each pollutant was - CO - 96% SO2 - 96% O3 - 94% NO2 - 96% Pb - 96% PM10 -94% PM2.5 - 92%</p> <p>EPA's Comments Regarding Monitoring Activities:</p> <p>Monitoring milestones and commitments are being met with the following exception to note:</p> <p>PM2.5 semi-annual flow rate audits - two are required, but sometimes sites had reported more than two and the report indicated that the criteria were not met. The regulations state that semi-annual flow rates audits is performed every six months. If two of the reported audits are not between 5 and 7 months of each other, the report</p>

				<p>indicates the criteria is not being met. It won't prevent certification, and it is not a major QA issue, but we want to let you know that EPA is evaluating the AQS data in this report with this strict criterion.</p> <p><u>MPCA's Response:</u> Many of the PM2.5 monitors are co-located with the Ozone monitors. As a cost saving measure, (travel expenses), and due to an impending surgery the auditor was scheduled for on his shoulder, the two audits (Ozone and PM2.5) were performed at the same time. Since Ozone monitoring is not performed year-round, and several of the locations are outstate, this limits the time period window for audits at these locations. To comply with the strict criteria in the future, extra site visits will be made to perform the audits within the time frame required by the CFR. In addition, in 2009, the PM2.5 monitoring network was being upgraded from single event samplers to sequential samplers. In some cases, the auditors' site visits coincided with this upgrade effort, and no upgraded sampler had yet been installed. In two cases, sampling of PM2.5 was discontinued, and final audits were conducted at that point, without regard to the 6 month criteria thereby showing only one audit causing a flag of those two closed monitors.</p> <p>MPCA discussed the issue with Mr. Ed Delisio and concluded the MPCA was correct in the approach taken in 2009 and these data points are not a serious issue. MPCA will avoid having further data flagged due to audits although cost savings will be discussed in further meetings.</p> <p><u>FFY 2010 Report:</u> Percent valid data capture for each pollutant from the ambient criteria pollutant monitoring network for FFY10 was –</p> <p>CO - 92% SO2 - 98% O3 - 98% NO2 - 92%</p>
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				<p>Pb - 95% PM10 -93% PM2.5 - 95%</p> <p>CO – valid data capture ranged from 72 to 99% across the 5-site CO network. Data capture requirements were not met for the Jan/Feb/Mar 2010 quarter at the St. Paul (27-123-0500) site. Data capture for this quarter was 8%. The inlet probe line was cut by carpenters remodeling the building. The cut line was discovered during an EPA TTP audit. A new line was installed and the TTP audit successfully completed. Dates for the remodeling work were confirmed by the building owner and MPCA on-site records. Data was invalidated to cover the period of time in question.</p> <p>SO2 - valid data capture ranged from 97 to 98% across the 7-site SO2 network.</p> <p>O3 - valid data capture ranged from 97 to 99% across the 15-site O3 network.</p> <p>NO2 - valid data capture ranged from 80 to 99% across the 4-site NO2 network. Data capture requirements were not met for the Jan/Feb/Mar 2010 quarter at the Flint Hills Resources industrial (27-037-0423) site. Data capture for this quarter was 47% due to instrument failure and lack of a reliable spare. The instrument was repaired and two new NO2 analyzers procured to prevent future data loss.</p> <p>Pb - valid data capture ranged from 91 to 98% across the 3-site Pb network.</p> <p>PM10 - valid data capture ranged from 91 to 97% across the 4-site PM10 network.</p> <p>PM2.5 - valid data capture ranged from 91 to 99% across the 10-site PM2.5 network. Data capture requirements were not met for the July/Aug/Sept. 2010 quarter at the Apple Valley (27-037-0470) site. Data capture was 68% during this quarter as a result of persistent instrument software failures. The problem was corrected in September 2010.</p>
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				EPA Comment: MPCA has met these commitments
	# of Commitments: 5			
Goal: 1 CLEAN AIR AND GLOBAL CLIMATE CHANGE (Essential Element #1)				
Objective 1.1: Clean Air and Healthy Outdoor Air: Through 2011, working with partners, protect human health and the environment by attaining and maintaining health-based air-quality standards and reducing the risk from toxic air pollutants. Sub-objective: 1.1.2: By 2011, working with partners, reduce air toxics emissions and implement area-specific approaches to reduce the risk to public health and the environment from toxic pollutants.				
OAQPS T001	Cumulative reduction in tons of toxicity-weighted (for cancer risk) emissions of air toxics compared to 1993 baseline.	Frank Kohlasch & Shelley Burman/ Jackie Nwia - EPA	<ol style="list-style-type: none"> 1. MPCA will complete validation of MnRiskS tool by March, 2009. 2. MPCA will collaborate with City of Minneapolis staff and neighborhood groups to identify strategies for reducing air toxics in Minneapolis neighborhoods -- for this effort in Minneapolis, MPCA will identify strategies and quantify reductions by pollutant after strategies are implemented. 3. MPCA will complete 2008 and 2011 National Emissions Inventory (NEI). 4. MPCA participates in quarterly Region V air toxics conference calls and attends annual meeting. <p>FFY 2010 Revisions: Discussed at July 09 annual meeting. -Updated joint priority tasks (MPCA & EPA); see corresponding joint priorities document.</p>	<p>MPCA will be communicating on this effort with EPA Region 5 as this is a Joint Priority in the EnPPA. MPCA will be able to provide information on air toxics risk hot spots, pollutants that contribute to risk, and strategies to reduce emissions, in the timeframes delineated in the MPCA strategic plan.</p> <p>FFY 2009 Report:</p> <ol style="list-style-type: none"> 1. MPCA completed first phase of validation & comparison tests of initial results (2002 emissions & ISC). Began processing 2005 emissions (point, non point, mobile) for planned update to MnRiskS database using AERMOD. Used initial results to inform progress on MPCA strategic objectives. 2. Facilitated formation of the CAIP and provided information on strategies to reduce impacts from emissions in their neighborhood. <p>FFY 2010 Report:</p> <ol style="list-style-type: none"> 1. See Joint Priorities report and GLAD Grant measure 3. MPCA has contracted with Lakes, Environmental, Inc. for a 2005 AERMOD version of MNRisks. 2. Phase 1 has been completed. MPCA staff will participate in future communications as requested. 3. MPCA staff are processing 2008 emission inventory data. See row OAQPS T07. 4. MPCA staff participate in quarterly Reg. V conference calls. Provided presentations via web for the 2010 Fall annual meeting. <p>EPA Comment: MPCA is meeting these commitments in 2010.</p>

<p>OAQPS T002</p>	<p>Cumulative reduction in tons of toxicity-weighted (for non-cancer risk) emissions of air toxics compared to 1993 baseline.</p>	<p>Frank Kohlasch & Shelley Burman/ Jackie Nwia - EPA</p>	<p>1. MPCA will complete validation of MnRiskS tool by March, 2009. 2. MPCA will collaborate with City of Minneapolis staff and neighborhood groups to identify strategies for reducing air toxics in Minneapolis neighborhoods -- for this effort in Minneapolis, MPCA will identify strategies and quantify reductions by pollutant after strategies are implemented. 3. MPCA will complete 2008 and 2011 National Emissions Inventory (NEI). 4. MPCA participates in quarterly Region V air toxics conference calls and attends annual meeting.</p>	<p>MPCA will be communicating on this effort with EPA Region V as this is a Joint Priority in the EnPPA. MPCA will be able to provide information on air toxics risk hot spots, pollutants that contribute to risk, and strategies to reduce emissions, in the timeframes delineated in the MPCA strategic plan.</p> <p>FFY 2009 Report: see above</p> <p>FFY 2010 Report: See row OAQPS T001 above</p> <p>EPA Comment: MPCA is meeting these commitments in 2010.</p>
<p>OAQPS T07</p>	<p>Number of S/L/T agencies collecting data for the 2008 HAP emissions inventory.</p>	<p>Frank Kohlasch/ Mary Jean Fenske/ Jackie Nwia - EPA</p>	<p>MPCA prepares a HAP emission inventory every three years and submits to EPA as part of NEI. MPCA contributes to the Great Lakes Atmospheric Deposition Program through its emission inventory work and also through the GLAD Program Management Team (PMT).</p> <p>Jan 2008 - June 30, 2009: Pre-submission activity to collect emission and activity information for NEI emission calculation, including facility inventory data. July 1, 2009 - June 1, 2010: Submit NEI Emissions Data for point, nonpoint and mobiles sources in Minnesota to USEPA June 2, 2010 - Dec 30, 2010: Post submission activity including revisions to emission estimates, adoption of non-state specific emissions, preparing NEI drafts and receiving stakeholder review and comment. Dec 31, 2010 and beyond: Post-publication period, including the General Purpose Release published on public website and transmission of final inventory to Great Lakes Commission and preparation of emission data for import to MnRiskS.</p>	<p>MPCA Performance Measures: Data Management Milestones for preparation and submittal of triennial NEI data (OPR); Percent of Criteria Pollutant EI Entered into DELTA (OPR)</p> <p>FFY 2009 Report: <u>Point Sources:</u></p> <ul style="list-style-type: none"> • Collected emission data from 256 large facilities, 262 Option D facilities, and 4 Option C facilities that accounted for 81%, 82%, and 27% of expected reporting sources, respectively. <p><u>Nonpoint Sources:</u></p> <ul style="list-style-type: none"> • Collected activity data from 50% dry cleaners • Conducted a survey for residential wood combustion and completed emission estimation <p><u>Mobile Sources:</u></p> <ul style="list-style-type: none"> • Collected activity data from railroad companies, • Obtained vehicle registration number and worked on decoding • Obtained registration data for pleasure craft and recreational equipment <p>FFY 2010 Report: MPCA requested and received an extension until Nov. 1, 2010 to submit NEI Emissions data for nonpoint and mobile sources due to the need to devote considerable emission inventory staff resources to the conversion to an electronic reporting system and assistance provided to GLC</p>

				<p>contractors towards completion of the RAPIDS3 database. Submittal of the complete 2008 CAP and partial HAP emission data for point sources was delayed from June 1 until July 2010 due to:</p> <ol style="list-style-type: none"> 1)The delay in availability of the RAPIDS2 to EIS conversion tool from GLC's contractors. 2)EPA's new EIS system was not always been accessible and EI staff encountered a number of issues with its functionality with respect to MN data. <p>As of Nov. 1, 2010 the MPCA has submitted data to USEPA for over 1600 point sources, mobile sources, and all nonpoint sources that have site or state-specific information, except for fuel combustion. MPCA will submit data for nonpoint fuel combustion and the remaining 25 point sources when EIS submission window opens.</p> <p>The MPCA is waiting for the release of USEPA's the 2008 NEI to publish the 2008 MN HAP EI (first version).</p> <p>EPA Comment: MPCA is meeting this commitment in 2010.</p>
OAQPS M20	Percentage of affected entities that operate NATTS in accordance with National Guidance and QAPPs.		N/A	
	# of Commitments: 4			
Code	State Negotiated Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
	Permits			MPCA Performance Measures: Percent of Major Air Permits Current (OPR); Air Emissions Recovered/Prevented Due to Enforcement (OPR)
OAQPS P001 1)	Percentage of major NSR permits issued within one year of receiving a completed permit application.	Don Smith/ Steve Pak/ Jennifer Darrow - EPA	Issue 75% of major air permits within one year of complete application.	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p>FFY 2009 Report: Issued 67% (2 of 3) of major air permits within one year of initial application (issued 3 major NSR</p>

				<p>permits); data on complete application date not available</p> <p><u>EPA Comment:</u> MPCA has committed to issue 75% of major air permits within one year of complete application. MPCA issued 67% of major air permits within one year of initial application. Although this measure does not appear to have been met, EPA recognizes that it was likely due to the fact that MPCA is not tracking when the permit application is considered complete. EPA recommends that MPCA begin tracking initial application receipt, as well as the date the application is considered complete.</p> <p><u>FFY 2010 Report:</u> Issued 100% (4 of 4) major NSR permits within one year of final complete application</p> <p><u>EPA comment:</u> MPCA has met this commitment in FY 2010</p>
<p>OAQPS P08a 2)</p>	<p>Percentage of Title V (Part 70) significant modifications issued within 18 months of receiving a complete permit application</p>	<p>Don Smith/ Steve Pak/ Jennifer Darrow - EPA</p>	<p>Issue 75% of Title V significant modifications within 18 months of complete application.</p>	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p><u>FFY 2009 Report:</u> Issued 76% (28 of 37) of Title V significant modifications within 18 months of initial application; data on complete application date not available</p> <p><u>EPA Comment:</u> MPCA has committed to issue 75% of T5 significant modifications within 18 months of complete application. In 2009, MPCA issued 76% of T5 significant modifications within 18 months of application. EPA encourages MPCA to continue to meet this measure.</p> <p><u>FFY 2010 Report:</u> Issued 96% (46 of 48) major amendments (significant modifications) issued within 18 months of final complete application. Major amendments include major NSR permits since MN has a combined permitting program.</p>

				<p>EPA comment: MPCA has met this commitment in FY 2010</p>
<p>OAQPS P08b 3)</p>	<p>Percentage of Title V (Part 70) initial permits issued within 18 months of receiving a complete permit application</p>	<p>Don Smith/ Steve Pak/ Jennifer Darrow - EPA</p>	<p>Issue 60% of Title V initial permits within 18 months of complete application.</p>	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p>FFY 2009 Report: Issued 0% of Title V initial permits within 18 months of complete application. There were 13 initial Title V permit applications in June 2008 and there are 8 initial Title V permit applications as of June 2009. Five initial TV permit applicants either withdrew their application or changed their application for a different type of permit</p> <p>EPA Comment: MPCA has committed to issue 60% of T5 initial permits within 18 months of complete application. In 2009, MPCA issued 0% of initial T5 permits within 18 months of complete application. EPA encourages MPCA to work to improve the speed by which it takes to issue their T5 permits.</p> <p>MPCA response: As indicated in a previous item, MPCA is still working on a completeness tracking system which will improve our numbers here.</p> <p>FFY 2010 Report: Issued 50% of Title V initial permits within 18 months of complete application. Issued 91% of new initial permit applications received as of 7/01/10 within 18 months of receipt. There were 8 initial Title V permit applications in June 2009 (7 were already older than 18 months as of 6/09 and one new TV application). There were 9 initial Title V permit applications as of June 30 2010 (5 older than 18 months as of 6/09 and 4 new TV applications). Ten initial TV permit applications were processed: either withdrew their application or changed their application for a different type of permit or were issued TV permits. As of 6/30/09 87.5% of initial TV applications were older than 18 mos. As of 6/30/10, 56% of initial TV applications are older than 18 months. (cschutt)</p>

				<p><u>EPA comment:</u> MPCA has committed to issue 60% of T5 initial permits within 18 months of complete application. In FY 2010, MPCA issued 50% of T5 initial permits within 18 months of application. Although a marked improvement of FY 2009 issuance rates, EPA encourages MPCA to continue to work to fully meet this commitment.</p>
OAQPS P11 4)	Report TOPs data to EPA by scheduled deadlines (July 31 and January 31 of each year)	Don Smith/ Steve Pak/ Jennifer Darrow - EPA	Report TOPs data to EPA by due date 100% of the time.	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p><u>FFY 2009 Report:</u> Reported TOPs data to EPA by due date 100% of the time</p> <p><u>EPA Comment:</u> MPCA has committed to report TOPs data to EPA by due date 100% of the time. MPCA met this measure 100% of the time. EPA encourages MPCA to continue to meet this measure.</p> <p><u>FFY 2010 Report:</u> Reported TOPs data to EPA by due date 100% of the time (cschutt)</p> <p><u>EPA comment:</u> MPCA has met this commitment in FY 2010</p>
OAQPS P17 5)	Percentage of timely data on NSR permits issued for new major sources and major modifications, submitted to the RBLC national database within 120 days of permit issuance. Data submission must include "the application accepted date" and the "permit issuance date"	Don Smith/ Steve Pak/ Jennifer Darrow - EPA	Report data to RBLC within 120 days of permit issuance 75% of the time.	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p><u>FFY 2009 Report:</u> Report data to RBLC within 120 days of permit issuance 67% (2 of 3) of the time</p> <p><u>EPA Comment:</u> MPCA has committed to report data to the RBLC within 120 days of permit issuance 75% of the time. MPCA has reported meeting this measure 67% of the time. EPA encourages MPCA to work to meet this measure, as timely information in the RBLC is necessary to permit sources with the lowest emissions rates and newest control</p>

				<p>technology. This measure is achievable since the data is already available to MPCA and does not need to be generated, especially considering the small number of PSD permits it typically processes each year. EPA strongly encourages MPCA to work to meet this measure in the future.</p> <p><u>MPCA response:</u> MPCA had only three actions last year; one of them was not entered on time due to staff moving to a supervisory position & not being able to get it done on time.</p> <p><u>FFY 2010 Report:</u> Reported data to RBLC within 120 days of permit issuance 25% (1 of 4) of the time.</p> <p><u>EPA comment:</u> Percentage of timely data on NSR permits issued for new major sources and major modifications, submitted to the RBLC national database within 120 days of permit issuance. Data submission must include "the application accepted date" and the "permit issuance date".</p>
6)	Continue to make progress in reducing the backlog of Title V (Part 70) initial, significant modification and renewal permits	Don Smith/ Steve Pak/ Jennifer Darrow - EPA	Reduce backlog of Title V (Part 70) initial, significant modification and renewal permits by 10% each year.	<p>MPCA Performance Measures: Percent of Major Air Permits Current (OPR)</p> <p><u>FFY 2009 Report:</u> Reduce backlog of Title V (Part 70) initial permit by 20%, significant modification permits by 10% and renewal permits by 9.8% (issued or processed 37 applications for reissuance of a Title V permit)</p> <p><u>EPA Comment:</u> MPCA has committed to reduce their backlog of initial T5, significant modifications and T5 renewal permits by 10% each year. MPCA has essentially met this measure. EPA encourages MPCA to continue the efforts to reduce their permit backlog.</p>

				<p><u>FFY 2010 Report:</u> The backlog increased by 27% instead of decreasing by 10%. This is the result of a combination of factors: a peak in the number of applications for reissuance received in FY10, realignment of permitting priorities due to new and increased complexity of regulations, protracted resolution of ongoing compliance issues, citizen's concerns and the general state of the economy (cschutt)</p> <p><u>EPA comment:</u> EPA understands the budget difficulties states are facing but strongly encourages MPCA to make reducing their T5 backlog a priority. An increase of 27% is significant and likely will continue to increase if efforts to reduce backlog are not made immediately.</p>
	Regulation			MPCA Performance Measures: SIPs and Rulemaking Benchmarks
1)	Fulfill requirements of the Clean Air Act	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	<p>Submit Regional Haze SIP (first quarter 2009).</p> <p><u>FFY 2010 Revisions:</u> Submit Regional Haze SIP by end of 2009.</p>	<p><u>FFY 2009 Report:</u> Regional Haze SIP submitted December 30, 2009.</p> <p><u>FFY 2010 Report:</u> Haze SIP was submitted in FFY 2010.</p> <p><u>EPA Comment:</u> MPCA has met the commitment to submit a Haze SIP in FY 2010.</p>
2)	Fulfill requirements of the Clean Air Act	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	<p>Submission of area designation and boundary recommendations for Lead NAAQS will be submitted by October 2009 deadline.</p> <p><u>FFY 2010 Revisions:</u> Submission of area designation and boundary recommendations for Lead NAAQS by October 2009 deadline.</p> <p><u>FFY 2011 Revisions:</u> Submission of SIP for lead nonattainment area by June 2012 deadline (FFY 2012).</p>	<p><u>FFY 2009 Report:</u> Done</p> <p><u>FFY 2010 Report:</u> Complete in October 2009, FFY 2009.</p> <p><u>FFY2011 Report:</u> EPA designations made in November 2010.</p> <p><u>EPA Comment:</u> MPCA has met these commitments.</p>

			<p><u>EPA Comment:</u> This commitment is in line with the goal of this measure.</p>	
3)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino – EPA	<p>Submit Transportation Conformity SIP (by third quarter 2009).</p> <p><u>FFY 2010 Revisions:</u> Submit Transportation Conformity SIP in third quarter 2010.</p> <p><u>FFY 2011 Revisions:</u> Continue to work to submit Transportation Conformity SIP.</p> <p><u>EPA Comment:</u> This commitment is in line with the goal of this measure.</p>	<p><u>FFY 2009 Report:</u> Transportation conformity SIP needs signature by several parties.</p> <p><u>FFY 2010 Report:</u> Conformity SIP continues to be delayed due to concerns about an appropriate vehicle (MOU, JPA) for enforceability and associated requirements. A Transportation Conformity Handbook is in place and being utilized.</p>
4)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	<p>Rochester SO2 maintenance plan SIP will be submitted (by end of 2009).</p> <p><u>FFY 2010 Revisions:</u> Continue work towards Rochester SO2 maintenance plan SIP submittal.</p>	<p><u>FFY 2009 Report:</u> Need for modeling has lengthened this time frame. Some improvements being made on a facility-by-facility basis.</p> <p><u>FFY 2010 Report:</u> Due to change in the standards, Rochester SO2 issues will be made through the infrastructure SIP requirements for the new SO2 standard. Some improvements continue to be made on a facility specific basis.</p> <p><u>EPA Comment:</u> Rochester SO2 maintenance plan SIP is past due.</p>
5)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	<p><u>FFY 2011 Revisions: (New)</u> Ensure attainment of the SO2 NAAQS by meeting all deadlines for the SO2 standard promulgated in 2010. Deadline in FFY 2011 is to provide designation recommendation. Infrastructure SIP is due in FFY2013.</p> <p><u>EPA Comment:</u> Looks good.</p>	
6)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/	<p>Submit designation recommendation for 2008 8-hour ozone standard by March 2009 deadline.</p> <p><u>FFY 2010 Revisions:</u></p>	<p><u>FFY 2009 Report:</u> Guidance only recently received. We have an initial draft of the PM2.5 infrastructure SIP. We anticipate submittal in January 2010.</p>

		Kathleen Dagostino - EPA	Submit Section 110 infrastructure SIP for PM2.5, Lead, and Ozone (after EPA guidance).	<p><u>FFY 2010 Report:</u> EPA Region 5 has continued to advise states not to submit infrastructure SIPs at this time.</p> <p><u>EPA Comment:</u> MPCA is on track with this commitment.</p>
7)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	<p>Submit necessary maintenance plan updates using a process to be developed in collaboration with EPA Region 5.</p> <p><u>FFY 2010 Revisions:</u> Make progress in completing necessary maintenance plan updates using a process to be developed in collaboration with EPA Region 5.</p>	<p><u>FFY 2009 Report:</u> One maintenance plan submitted in conjunction with facility-specific SIP submittal. Waiting for EPA comments/approval of that maintenance plan.</p> <p><u>FFY 2010 Report:</u> EPA has indicated that the previously submitted maintenance plan is approvable.</p> <p><u>EPA Comment:</u> MPCA has met this commitment in FY 2010.</p>
8)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	Submit SIP updates to EPA for approval when needed (e.g., when SIP approved rules or site specific SIPs are revised).	<p><u>FFY 2009 Report:</u></p> <p><u>FFY 2010 Report:</u> Ongoing work. In FFY2010, submitted 4 such SIP revisions.</p> <p><u>EPA Comment:</u> MPCA is meeting this commitment.</p>
9)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino - EPA	Notify EPA of any violation of the NAAQS and address any such violation.	<p><u>FFY 2009 Report:</u> The only violation has been of the new lead standard. Remedial actions are in place. A designation recommendation was submitted on schedule. A SIP is in development.</p> <p><u>FFY 2010 Report:</u> Exceedances of the 24-hour PM2.5 NAAQS have been identified in St. Paul based on monitoring data. MPCA will continue to monitor and submit certified data in FFY2011.</p> <p><u>EPA Comment:</u> MPCA is meeting this commitment.</p>

10)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino -EPA	<u>FFY 2010 Revisions:</u> 1) Submit area designations and boundary recommendations for revised NAAQS by deadlines (expected include NO2, new SO2). 2) Submit lead SIP by deadline.	(New measure for FFY 2010) NO2 and SO2 standards not yet finalized. Lead designation recommendation has been submitted and a SIP is in development. <u>FFY 2010 Report:</u> None of these deadlines occurred in FFY2010. <u>EPA Comment:</u> EPA encourages MPCA to strive to meet outlined deadlines.
11)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino -EPA	<u>FFY 2010 Revisions:</u> Submit Twin Cities CO maintenance plan, after developing limited maintenance plan framework in conjunction with EPA.	(New measure for FFY 2010) We have secured funding for technical work needed. Work should be completed by end of 1st quarter 2010 and a maintenance plan should be submitted by July 1. <u>FFY 2010 Report:</u> Complete. SIP submitted and approved. <u>EPA Comment:</u> MPCA has met this commitment.
12)	Ensure compliance with NAAQS	Frank Kohlasch & John Seltz/ Kathleen Dagostino -EPA	<u>FFY 2010 Revisions:</u> Revise significant harm levels as needed (PM2.5, ozone, lead).	(New measure for FFY 2010) We are waiting for EPA recommendations <u>FFY 2010 Report:</u> Continuing to wait for EPA recommendations and rulemaking resources. <u>EPA Comment:</u> MPCA should identify pollutants for which they require EPA's recommendations and rulemaking. EPA expects to announce the new ozone standard by July 31, 2011. <u>MPCA Response:</u> We will revise our rules as expeditiously as practical after EPA revises 40 CFR Part 51.150

Greenhouse Gases/Climate Change			
1)	Greenhouse Gases/Climate Change	Frank Kohlasch & John Seltz/ Melissa Hulting-EPA	<p>1) Continue work with The Climate Registry to support greenhouse gas reporting and verification through TCR. 2) Develop and refine a Minnesota greenhouse gas emission inventory to support Strategic Plan tracking. 3) Develop data collection and reporting mechanisms for non-emission inventory greenhouse gas information required by state or federal law. 4) Participate as necessary in implementation of approved strategies from the Minnesota Climate Change Advisory Group.</p> <p>FFY2011 added:</p> <ul style="list-style-type: none"> Develop rules and guidance needed to implement federal GHG permitting rules; Assist in implementation of federal GHG reporting rules. <p>FFY 2009 Report: This needs to be changed for FFY 10. In FFY 09, we completed data collection for HGWP and auto manufacturers and legislative reports required by state law. The reports covering HGWP control options and GHG emission trends are posted on our website. Given EPA proposed GHG registration rule and tailoring rule and a major redesign of the state emission reporting system, we have shifted gear to facilitating implementation of the federal rules and redesigning the state emission inventory system to accommodate GHG. The MPCA is pursuing policy initiatives in the areas of adaptation and sequestration. The MMPCA also participated in the Midwest Accord GHG strategy development effort.</p> <p>FFY 2010 Report: Item 4) is complete. Item 1) is obsolete – we are working with EPA/TCR workgroup on the design of EPA reporting system. EPA: Okay to delete #1 and #4. If MPCA is working on the EPA reporting system with TCR, does this mean MPCA is not developing a separate MN inventory (#3)? Or is MPCA still pursuing a state GHG inventory? I assume MPCA wants to add the two activities below to their commitments? That is fine with me—they are both appropriate things to add. In addition:</p> <ul style="list-style-type: none"> Develop rules and guidance needed to implement federal GHG permitting rules; Assist in implementation of federal GHG reporting rules. <p>MPCA did not supply a FY2010 report on status of items #2 and #3.</p> <p>MPCA Response: Report on 2) and 3): As required by legislation, MPCA develops a GHG trend report every two years (posted on our website). This emission report attempts to quantify as completely as possible, all emission sectors. At the same time,</p>

				we will develop by 7/1/2011, as part of our electronic inventory project, CEDR, an electronic GHG inventory for at least some GHG sectors and will incorporate EPA GHG point source EI data.
Regional Haze				
1)	Regional Haze	Frank Kohlasch & John Seltz/ Matthew Rau-EPA	<p>Submit and implement Regional Haze SIP in manner consistent with the future application CAIR or other relevant federal rules applicable to Minnesota.</p> <p><u>FFY 2010 Revisions:</u> Submit and implement Regional Haze SIP in manner consistent with the relevant federal rules applicable to Minnesota.</p>	<p>FFY 2009 Report: Regional Haze SIP submitted December 30, 2009.</p> <p><u>FFY 2010 Report: (revised per EPA suggestion below).</u> Haze SIP was submitted in FFY 2010.</p> <p>EPA Comment: MPCA has met the commitment to submit a Haze SIP in FY 2010.</p> <p>MPCA could revise that section to repeat Regulation item #1 instead of have it state see Regulation #1. Certainly this would be repetitive, but the reader would not have to refer several pages back to learn the status of Minnesota's regional haze plan. This revision is optional and up to your discretion.</p>
New GLAD Grant (Starting FFY 2010) (Great Lakes Air Deposition)				
1)	Mercury Reduction/TMDL (this item was moved from its own Mercury heading to join with GLAD since mercury work activities fit well under the new heading)	Frank Kohlasch & John Seltz/ Alexis Cain-EPA	<p>1) Develop the implementation plan for realization of mercury emission reductions by timelines established by the Mercury TMDL Advisory Group.</p> <p>2) Promulgate mercury emission inventory rule to support implementation of the Mercury TMDL.</p> <p><u>FFY 2010 Revisions:</u> 1) Implement strategies to realize mercury emission reductions by timelines established in Mercury TMDL 2) Promulgate mercury emission inventory rule to support implementation of the Mercury TMDL. 3) Continue participation in Great Lakes Regional Collaboration to develop and implement regional mercury reduction strategies (New Item suggested by C. Nash).</p> <p><u>FFY 2011 Revisions:</u> Delete 3) above (from FFY10) --- completed.</p>	<p>FFY 2009 Report: TMDL implementation plan finalized and published on MPCA website. Hg inventory rulemaking initiated. Anticipate having a draft of the rule by end of 2009 and completion of rulemaking by end of 2010.</p> <p><u>FFY 2010 Report:</u> Progress on implementation of TMDL strategies includes:</p> <ul style="list-style-type: none"> · Development of detailed work plan to address emissions from product-related sources. · Negotiating reductions from expanding mining sources. · Drafting of inventory rule expanded to include require reduction plans from existing facilities to meet TMDL Goal.

			<ol style="list-style-type: none"> 1) Implement strategies to realize mercury emission reductions by timelines established in Mercury TMDL. 2) Promulgate mercury emission inventory rule to support implementation of the Mercury TMDL, expanded to include reduction plan submittal from existing sources. 3) Prepare State of Knowledge Report summarizing information on mercury releases and environmental response indicators. 4) Participate, as state resources allow, in implementation workgroups for Great Lakes Regional Collaboration regional mercury reduction strategies (added, per EPA's suggestion below). <p>EPA Comment: Instead of removing #3 from FY10, EPA suggests revising it to say "participate in implementation workgroups for Great Lakes Regional Collaboration regional mercury reduction strategies" (the Strategies have been completed, and now there are implementation workgroups).</p>	<p>Staff participated in the development of Great Lakes Regional Collaboration Air Emission reduction strategy.</p> <p>EPA Comment: MPCA is meeting these commitments.</p>
2)	Quantification of technically challenging Mercury emission sources	Lotthammer & Paul Hoff & Ed Swain	<ol style="list-style-type: none"> 1) Obtain cooperation of at least 2 metal shredders and 2 fluorescent lamp recyclers for matching of activity levels and field data. 2) For each facility, obtain at least 5 short episodes of activity level & downwind field data of Hg concentrations, wind speed, & turbulence. 3) If time permits within FY2010, begin development of emission factors: Format data and begin "backwards" dispersion modeling to calculate emissions. 	<p>FFY 2010 Report: There were 3 fluorescent lamp recyclers in Mn when this was proposed; one ceased recycling in August 2010. Downwind field data was successfully obtained on two recyclers. Shredders have been more problematic, but data are expected to be collected late fall 2010. Because crematoria stack emissions have been problematic to collect, downwind data was successfully collected from two MN facilities. Backwards dispersion modeling will be performed early in FFY2011.</p> <p>EPA Comment: MPCA is meeting this commitment.</p>
3)	MnRiskS Enhancement Project	Frank Kohlasch & Shelley Burman/ Jackie Nwia - EPA	<p>Enhance the MnRiskS tool and run MnRiskS using 2005 emissions to:</p> <ol style="list-style-type: none"> 1) Allow easier identification of sub-categories of persistent, bioaccumulative toxics (PBTs), primarily dioxins and furans, and other implicated pollutant emission sources (currently area and mobile sources at broad categories). 2) Validate results against monitoring data and against other detailed risk assessment, including information for sub-categories of PBTs. 3) Use results for the identification of pollutants, pathways, 	<p>FFY 2010 Report: MPCA staff are working with Lakes Environmental to produce an updated MNRiskS tool.</p> <ul style="list-style-type: none"> · use the 2005 EI · AERMOD · updated toxicity information · improved risk receptor coverage · improved spatial resolution of on road emissions · enhancements in grouping subcategories of sources, pollutants

			geographic areas, sources, and source categories of concern to inform MPCA's strategic plan.	<ul style="list-style-type: none"> · other usability enhancements. Contract let: May 2010 To be complete: June 2011 Work is on track. <p>EPA Comment: MPCA is meeting this commitment.</p>
	#of Commitments: 23			
EPA Region 5 – MPCA Collaboration Climate Change Voluntary Initiatives (New item - Starting FFY 2011)				
	MPCA and EPA Region 5 agree to collaborate in planning, development and implementation of voluntary measures in Community-Based/Local Government Sustainability, Transportation Electrification and Green Buildings.	Kevin McDonald /Melissa Hulting/ Erin Newman- EPA	<p>Proposed MPCA Investment:</p> <ol style="list-style-type: none"> 1) Administer statewide Minnesota GreenStep Cities Program. 2) Plan, organize, market and recruit MN local governments to participate in any state-specific assistance offered through US EPA's ENERGY STAR and WaterSense programs. Calculate and monitor the greenhouse gas savings from solid waste management best practices. 3) Administer statewide transportation electrification plug-in infrastructure and electric vehicle (EV) deployment. 4) Administer Minnesota's residential and commercial green building program -- an integrated approach to reducing GHG emissions, conserving energy, water and other resources, reducing waste and exposure to toxic chemicals, protecting water quality, and preventing pollution. <p>Suggested US EPA Support:</p> <ol style="list-style-type: none"> 1) US EPA staff work on identifying tools (calculators) cities can use to quantify the benefits of GHG implementation actions, particularly GreenStep Cities. Provide WasteWise support to any community that joins EPA's WasteWise program. Provide climate change mitigation and adaption literature for communities and share informational, as available. 2) Assist with local level ENERGY STAR and WaterSense campaigns in MN. 3) Regional coordination of information sharing on EV deployment issues, supporting policy options, and updates on progress with other EPA Regions. Serve as a liaison with DOE to provide Region 5 updates to the national goal of having "one million plug-in hybrid cars [EVs] on the road by 2015" and for updates on potential grant funds. 4) Promote EPA's "Sustainable Design and Green Building Toolkit for Local Governments" to encourage municipalities to evaluate their codes for sustainable development. Using 	FFY2011 Report:

			<p>R5's "Removing Market Barriers to Green Development", work with MPCA to develop a project to implement one strategy to promote green building/sustainable development practices. Work with EPA on consolidating green building materials information from various materials ratings programs/processes.</p> <p><u>EPA Comment:</u> These are all activities EPA agrees to undertake with MPCA.</p>	
	#of Commitments: 8			

**Minnesota PPG Max Workplan (with Three Essential Elements)
OW (Office of Water) [Sec 106] FFY 2009 – 2012
FFY10 Report with FFY11 Workplan revisions**

Code	Common Template Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
Goal: 2 CLEAN AND SAFE WATER (Essential Element #1)				
Objective 2.2: Protect Water Quality: Protect the quality of rivers, lakes, and streams on a watershed basis and protect coastal and ocean waters.				
Sub-objective 2.2.1: Improve Water Quality on a Watershed Basis: By 2012, use pollution prevention and restoration approaches to protect the quality of rivers, lakes, and streams.				
Categorical Grant: Pollution control (Section 106)				
SP-10	Number of waterbodies identified in 2002 as not attaining water quality standards where standards are now fully attained. (cumulative)	Doug Wetzstein	<p><u>FFY 2009:</u> 8 Waterbodies</p> <p><u>FFY 2010:</u> 10 Waterbodies:</p> <ol style="list-style-type: none"> 1) Red River of the North (Fargo/Moorhead Dam A to Sheyenne River (ND)) 2) Redwood River (west line to Threemile Cr) 3) Cedar Creek (west line to Cedar Lk) 4) Pomme de Terre River: Muddy Cr to Minnesota R (Marsh Lk) 5) Swan River (Headwaters to Mississippi R) 6) Chippewa River (Watson Sag to Minnesota R) 7) Clearwater River (Ruffy Bk to Lost R) 8) Clearwater River (Trout stream portion) 9) Lost River (Anderson Lake to Hill R) 10) Tanners Lake 	<p><u>FFY 2009 Report:</u> No change.</p> <p><u>FFY 2010 Report: adding 2 more</u></p> <ol style="list-style-type: none"> 1) Clearwater R. (Red R. of the North Basin), Ruffy Br. to Lost R., E. Coli impairment 2) Lost R. (Red R. of the North Basin), Anderson L. to Hill R., E. Coli impairment
WQ-01a	Number of States and Territories that have adopted EPA approved nutrient criteria into their water quality standards. (cumulative)	Shannon Lotthammer /Mark Tomasek	Lake nutrient standards were adopted as part of the 2008 triennial review.	<p>River nutrient standards are in progress and scheduled to be adopted in 2011.</p> <p><u>FFY 2010 Report:</u> Still on track to develop river nutrient (eutrophication) water quality standards. One round of EPA Region 5 and RTAG review and comment on technical support document was completed; revised TSD submitted to EPA for review again in September 2010. Timeline has shifted to 2012 adoption due to several factors (see WQ-03a below).</p>

WQ-01b	Number of States and Territories that are on schedule with a mutually agreed-upon plan to adopt nutrient criteria into their water quality standards. (annual)	Shannon Lotthammer /Mark Tomasek	River nutrient standards are in progress and scheduled to be adopted in 2011. If changes are needed to nutrient criteria development plan in FY09, MPCA will submit them to EPA early enough so the changes can be mutually agreed upon by September 30, 2009.	<p><u>FFY 2009 Report:</u> On schedule.</p> <p><u>FFY 2010 Report:</u> Still on track to develop river nutrient (eutrophication) water quality standards. One round of EPA Region 5 and RTAG review and comment on technical support document was completed: revised TSD submitted to EPA for review again in September 2010. Timeline has shifted to 2012 adoption due to several factors (see WQ-03a below).</p> <p><u>EPA comment:</u> In Sept 2010, MN submitted changes in its Nutrient Criteria Plan to EPA revising the adoption date for river nutrient criteria to 2012.</p>
WQ-03a	Number, and national percent, of States and Territories that within the preceding three year period, submitted new or revised water quality criteria acceptable to EPA that reflect new scientific information from EPA or other resources not considered in the previous standards.	Shannon Lotthammer /Mark Tomasek	<p>EPA approved Minnesota's last triennial review on May 23, 2008, which included many new criteria: fish tissue-based mercury criteria, nutrient criteria for shallow lakes and reservoirs, criteria for the pesticides acetachlor and metolachlor, and E. coli bacteria criteria.</p> <ul style="list-style-type: none"> -- For FY09, MPCA will finalize the scope of the 2008-2011 triennial review and have draft rules developed by Sept 30, 2009. -- Once draft rules are available, MPCA and EPA Region 5 will meet with the U.S. FWS to informally discuss Endangered Species Act issues. -- MPCA will have draft antidegradation (non-degradation) rules and SONAR by the second quarter of FY09, and proposed rules and completed SONAR by Sept 30, 2009. -- MPCA and Region 5 will coordinate on any site-specific WQS revisions that may need to be developed. -- For any new or revised criteria, MPCA will provide EPA updated criteria templates for the Great Lakes Initiative Clearinghouse within 60 days of adoption. 	<p>New EPA criteria are being considered for 2011. Initial notice for the 2008-2011 triennial review was published in the State Register in July 2008. A series of public meetings were held to take comment on the scope of the rulemaking, and public comments were obtained during the comment period. MPCA and Region 5 discussed the scope of the triennial review on November 4, 2008. Region 5 continues to work with the MPCA on antidegradation rulemaking issues as needed. Region 5 expects to provide a more complete review and comment once draft rules and SONAR documentation are available.</p> <p><u>FFY 2009 Report:</u> The MPCA is completing drafts of technical support documents (TSD) for criteria (e.g. river eutrophication, turbidity, nonlyphenol, various human health) to be included in the 2008 – 2011 triennial review. A draft technical report has been reviewed with final comments submitted to the University of Minnesota in support of Class 3 and 4 revisions. EPA contracted nitrate lab toxicity studies are completed and a final report is anticipated in the next months. Completion of these necessary items has delayed SONAR and draft rule. A revised schedule will be discussed with EPA Water Quality Standards staff when TSD and other documents are final.</p>

				<p>Antidegradation stakeholder meetings are completed. A draft comparative analysis detailing current and proposed antidegradation implementation approaches is being routed for internal evaluation. Initiating SONAR and rule writing is anticipated in late Spring 2010 with hearings and rule adoption in 2011. MPCA has been coordinating with EPA standards and TMDL staff on a number of site specific standards and will be continuing this effort achieving final EPA approval of site specific standards.</p> <p><u>FFY 2010 Report:</u></p> <ul style="list-style-type: none"> · Work on the TSDs for the triennial standards review have continued (including addressing EPA comments), with public release & comment anticipated early in FFY 2011. MPCA research scientists also presented draft approaches to the river eutrophication standards in a few venues. A delay in receiving a final report on the nitrate toxicity testing and inclusion of additional opportunities for public comment has delayed the completion of the triennial from 2011 to late 2012. EPA Region 5 concurred with the schedule change in August 2010. <p><u>EPA comment:</u> The final report containing nitrate toxicity testing results was provided to MPCA in November 2010. EPA provided comments on several draft TSD documents in the first quarter of FFY 2011 and continues to review others.</p> <ul style="list-style-type: none"> · Work has also continued on the antidegradation rulemaking. MPCA staff provided responses to questions raised in the written comments received from stakeholder meeting attendees, conducted an internal review of options for antidegradation implementation, and developed a comparative analysis detailing current and proposed implementation approaches, which was posted on the MPCA web site for stakeholder review.
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WQ-05	Number of States and Territories that have adopted and are implementing their monitoring strategies in keeping with established schedules.	Glenn Skuta	<p>Continue to implement the 2004 Minnesota Monitoring Strategy:</p> <ul style="list-style-type: none"> *Intensively monitor 6-8 watersheds each year. This includes biological, physical and chemical monitoring of streams; flow and chemistry monitoring at the outlets of each watershed; monitoring 80-100 lakes each year (focusing on lakes >500 acres); and supporting citizen and local monitoring. This level of effort depends on continued state funding at the same level as the SFY2008-2009 biennium; if that funding is not continued, the planned accomplishments will need to be adjusted. *Continue to actively participate in the national probabilistic monitoring efforts (lakes, streams, wetlands, coastal waters), and conduct state-level probabilistic monitoring either as an add-on to the national studies or through a parallel state monitoring effort (example: state wetland WQ monitoring). *Conduct sampling at 65 wetland probability sites. *Continue to monitor ambient ground water quality in accordance with the state's integrated ground water quality monitoring system. In this inter-agency approach, the MPCA monitors about 100 wells per year, focusing on non-agricultural chemicals in urban areas. *Actively participate in and attend the Surface Water Monitoring and Standards Meeting and bio-assessment meetings. *Transfer water quality data to EPA's STORET Warehouse during 2009. Continue working with the consortium of states and EPA to develop a replacement system to the EPA STORET water quality data management system for state use. *Communicate statewide stream classification system developed in 2008, and develop IBIs based on the new classification system. *Develop a biocondition gradient for Minnesota basins and ecoregions for use in IBI in setting thresholds for impairment. *Communicate with external stakeholders about the purpose and expectations of TALU. *Continue to sample to support TALU classification system, and complete data analysis needed for TALU development. 	<p>The state is implementing a 10-year cycle for watershed monitoring. Planned accomplishments over the 10-year cycle are to intensively monitor all of the state's major (8-digit hydrologic unit code) watersheds, all of the lakes 500 acres or larger, and at least 25 percent of the lakes between 100 and 500 acres. Lake monitoring will be targeted through the use of citizen and remote-sensing data.</p> <p><u>FFY 2009 Report:</u> On schedule.</p> <p><u>FFY 2010 Report:</u></p> <ul style="list-style-type: none"> · Intensive watershed monitoring (IWM) is on schedule. IWM has taken place in 24 of the state's 81 watersheds. · Participated in the national probabilistic monitoring effort for streams in 2008-2009-2010 and for coastal waters in 2010; participating in design and fieldwork at 21 sites and 2 revisits for wetlands in 2011 and lakes to be sampled in 2012. · Monitoring ambient ground water quality at 110 wells currently, with additional wells being installed or being given access to in 2011. · Transferred data to STORET warehouse. Initiated use of EQuIS system as STORET replacement. · IBIs in development.
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WQ-08b	Number, and national percent, of approved TMDLs, that are established by States and approved by EPA [State TMDLs] on a schedule consistent with national policy. Note: A TMDL is a technical plan for reducing pollutants in order to attain water quality standards. The terms 'approved' and 'established' refer to the completion and approval of the TMDL itself.	Doug Wetzstein	60 TMDLs each for FY09 and FY10. For FY11& 12 the commitment will be based on an updated pace calculation that takes into account changes in MPCA's 2010 303(d) List and the number of actual TMDLs approved in FY09 &10.	<p>FFY 2009 Report: EPA approved 11 TMDL projects addressing 61 listings in FFY09. EPA has indicated that the goal for FFY10 is 70.</p> <p>FFY 2010 Report: EPA approved 15 TMDL projects addressing 132 impairments in FFY10. EPA has indicated that the goal for FFY11 is 50.</p>
WQ-12a	Percent of facilities covered by NPDES permits that are considered current. [Note: Measure will still set target and commitment and report results in both % and #.]	Marni Karnowski	The MPCA will ensure that 100 % of general NPDES permits are considered current and 90% of facilities covered under general permits have current notices of coverage. The MPCA will also ensure that 90 % of NPDES individual permits will be considered current. Currently, the MPCA has 1168 NPDES permitted facilities, 725 facilities covered under individual permits and 443 facilities covered under general permits.	<p>FFY 2009 Report: The agency ensured that in FFY 2009 90% or more of its NPDES permits were current. As of today, 10/22/09, the percent of permits that are current is 93.4% (1609 out of 1723 total permits). This total includes both individual and general permits.</p> <p>FFY 2010 Report: As of the end of FFY 2010, 80.9% (332/1740) of permits were considered current. A large part of the backlog (approximately 187 permits) was the result of the delayed re-issuance of general permit MNG58, which was issued on 9/30/10. As the Notices of Coverage are issued for this general permit, the permit backlog should decrease to around 10%.</p>
WQ-13a	Number, and national percent, of facilities covered under either an individual or general MS-4 permit.	Don Jakes /Dale Thompson	<p>*During FY 2009 we will issue general permit coverage to all 235 Small MS4s and reissue the individual permits to the two Phase I large MS4s.</p> <p>*Reissue general permit in 2011.</p> <p>FFY 2011 Revisions: The number of MS4 audits for this year must be reduced from 24 to 12 due to work load associated with reissuing the Phase 2 permit and extension of coverage. MPCA has been unable to fill staff vacancies assigned to this task.</p>	As of October 2008 we have public noticed 89% of the 235 small MS4s and issued permit coverage to 79%. Non-degradation loading assessments and degradation assessments are planned to be completed during FY09. Finally, Outstanding Resource Value Waters assessments for 25 MS4s will either be completed in FY09 or will have schedules to complete them established.

			<p><u>EPA Comments:</u> Final issuance of Minneapolis and St. Paul Municipal Sanitary and Storm Sewer Systems (MS4) Phase I NPDES/SDS Permits for both cities were issued and went into effect January 21, 2011.</p> <p><u>MPCA Response:</u> The Minneapolis and St. Paul permits were solely for municipal stormwater, not for Sanitary sewer overflows. Also, the Small MS4 general permit is now projected for reissuance in January 2012 rather than in 2011.</p>	<p><u>FFY 2009 Report:</u> Permit coverage was issued in FY09 to all remaining of the 235 small MS4s. The Select 30 (of the 235) MS4s have specific non-degradation study requirements. Review of the non-degradation submittals was completed in FY09; public notices of the Select 30's non-degradation determinations are planned for FY10.</p> <p>The two Phase I large MS4 individual permits were delayed for reissuance until late 1st Qtr. FY10 or early 2nd Qtr. FY10, due to the need for additional time to work through differences with the regulated cities on requirements regarding non-degradation and monitoring.</p> <p><u>EPA comment:</u> MPCA asked EPA to review the pre-public notice draft Phase I MS4 permits for Minneapolis and St. Paul in 15 days. The State asked EPA to limit our comments to issues or concerns that would cause us to object to the permits. EPA completed its review within the time requested by the State. EPA did not find any provisions in either permit that would cause the region to object to the permits.</p> <p><u>FFY 2010 Report:</u> Completed 22 Phase 2 MS4 audits. First draft of the Phase 2 MS4 permit completed and targeted for public notice in late 2010. The Phase I Minneapolis and St. Paul permits were public noticed; extensive comments and a contested case hearing requests were received for each. Response to comments document was drafted; reissuance late 2010 or early 2011. MPCA participated in EPAs MS4 Audit of MNDOT.</p>
WQ-13b	Number, and national percent, of facilities covered under either an individual or general industrial storm water permit.	Don Jakes /Ken Moon	During FY 2009, public notice the Industrial Stormwater multi-sector general permit. By 12-31-09, issue permit. Then extend coverage to approx. 1,760 known plus unknown number of additional ISW facilities, along with administration of (currently 2,327 of these) no-exposure certifications and on-going reissuance of individual permits.	Two years into stakeholder work on general permit reissuance--likely to be controversial, contested case hearing and court appeals possible. More than 1,000 no exposure certifications received. Number of facilities to be covered under general permit likely much larger than current 1,760.

				<p><u>FFY 2009 Report:</u> Three years into stakeholder work on general permit reissuance.</p> <p>Public notice and 60 day comment period on draft permit ended September 4, 2009. Response to numerous comments and several contested case hearing requests currently underway; preparing for MPCA Citizens' Board in January 2010.</p> <p><u>EPA comment:</u> MPCA asked EPA to review the pre-public notice draft General Permit for Storm Water Discharges Associated with Industrial Activities in 15 days. The State asked EPA to limit our comments to issues or concerns that would cause us to object to the permits. EPA completed its review within the time requested by the State. EPA did not find any provisions that would cause the region to object to the permit. Since November 2009, Region 5 staff has assisted MPCA with issues including applicability determinations, sector-specific requirements and a Q&A document MPCA is developing for industrial storm water dischargers.</p> <p><u>FFY 2010 Report:</u> General ISW Permit issued on April 5, 2010. Permitted ISW: 1233 No exposure ISW: 1400</p>
WQ-13c	Number of facilities covered under either an individual or general construction storm water site permit.	Don Jakes /Brian Livingston	Cover all CSW projects under CSW general permit, or virtually all. Reissue general permit by Aug. 1, 2013.	<p>Number of projects permitted varies daily, approx. 3,000 active sites in current market. General permit issued 8-1-08, and preparations for reissuance will not start until end of this 4-year work plan.</p> <p><u>FFY 2009 Report:</u> For the period 10/1/08 – 9/30/09, 1,685 CSW permit applications and 427 subdivision registrations were submitted. The total number of all active permits and registrations varies daily. As of 10/20/09, 1,494 of these FFY 2009 permits and 381 registrations remain active.</p>

				<p>CSW permit application data is available on the Construction Stormwater Program web site at: http://www.pca.state.mn.us/water/stormwater/stormwater-c.html. Click on Construction Stormwater Permit Search under Permit and Program Forms.</p> <p>Preparations for CSW general permit reissuance will not start until end of this 4-year work plan. Many other areas of the Stormwater Program have a greater demand in FY10. Staff previously working on the CSW general permit and guidance development in the past will dedicate more time to other areas such as industrial, municipal, non-degradation rule development, etc.</p> <p><u>EPA comment:</u> EPA will work with all states, including Minnesota to ensure that the Final Effluent Limitations Guidelines and New Source Performance Standards for the Construction and Development Point Source Category are incorporated into its general permit when it is reissued in 2013.</p> <p><u>FFY 2010 Report:</u> For the period 10/1/09 – 9/30/10, 1533 CSW permit applications and 498 subdivision registrations were submitted. The total number of all active permits and registrations varies daily. As of 11/15/10, 1370 of these FFY 2010 permits and 412 registrations remain active.</p>
WQ-13d	Number of facilities covered under either an individual or general CAFO permit.	Randy Hukriede/ Beth Lockwood	<p>1. 95% of all facilities covered by a current permit 2. Revise & reissue the feedlot general permit</p> <p><u>FFY 2011 Revisions:</u> <u>Commitment #1.</u> Maintain 95% of all facilities covered by a current permit. <u>Commitment #2.</u> Reissue feedlot general permit coverage to eligible CAFOs.</p>	<p><u>FFY 2009 Report:</u> 1. As of September 30, 2009, 94% of CAFOs have a current NPDES permit.</p> <p>2. The feedlot general permit was approved for issuance by the MPCA Board on October 27, 2009. The permit application packet is scheduled to be mailed to all feedlot owners that are eligible for coverage under the general permit in January 2010.</p> <p><u>FFY 2010 Report:</u> 1. As of September 30, 2010, 97% of CAFOs have a current NPDES permit.</p>

				<p>2. The permit application packet for the 2011-2016 feedlot general permit was made available to eligible feedlot owners in May 2010. As of September 30, 2010,</p> <ul style="list-style-type: none"> - 972 permit applications were received, and - 468 permit coverages were reissued or on public notice with intent to reissue.
WQ-14a	Number, and national percent, of Significant Industrial Users (SIUs) in POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment requirements.	Paul Scheirer	Report Significant Industrial Users (SIUs) in delegated pretreatment POTWs with current unexpired control mechanisms: # with, # without, and % with.	<p>The number in 2008 was 358 out of 358 SIUs.</p> <p>FFY 2009 Report: same as 2008 358 - with 0 - without 100% - with</p> <p>FFY 2010 Report: 363 - with 2 - without 99.5% - with</p>
WQ-15a	Percent of major dischargers in Significant Noncompliance (SNC) at any time during the fiscal year.	Paul Scheirer & Ken Moon	13% annually from FFY2009-2012	<p>FFY 2009 Report: During Fiscal Year 2009, only 3.0% of Minnesota Majors were in SNC at any time during the 12 month period.</p> <p>FFY 2010 Report: The SNC rate for Majors 4.1%.</p>
WQ-19a	Number, and national percent, of high priority state NPDES permits that are issued as scheduled.	Marni Karnowski	The MPCA will issue at least 95% of its high priority NPDES permits as scheduled. The MPCA maintains a 3-year priority permit schedule, which often fluctuates due to factors such as changes to water quality standards or effluent limit guidelines, potential to impact impaired waters, changes to national priorities, etc.	<p>FFY 2009 Report: The agency issued 100% (13 permits) of its Priority Permits in FFY 2009.</p> <p>EPA comment: EPA agrees that Minnesota issued 13 priority permits in FFY 2009. EPA Headquarters reports that the State issued nine priority permits. The discrepancy between 13 and nine is due to date on which EPA Headquarters pulled data from PCS.</p> <p>FFY 2010 Report: The agency issued 100% (19 permits) of its Priority Permits in FFY 2010.</p>

WQ-20	Number of facilities that have traded at least once plus all facilities covered by an overlay permit that incorporates trading provisions with an enforceable cap.	Gene Soderbeck	19 facilities have traded at least once. There are also 42 facilities currently covered under the Minnesota River Basin General Phosphorus Permit with enforceable caps. These numbers are our baseline and will increase in each year to reflect Pre-TMDL trades for new dischargers upstream of impaired waters or within and the Minnesota River Basin. MPCA will maintain this same work level in subsequent years, FY2010, FY2011 & FY2012.	<p>FFY 2009 Report: 19 facilities have traded at least once. 42 facilities covered by the Minnesota River Basin General Phosphorus Permit cap.</p> <p>FFY 2010 Report: 25 facilities have traded at least once 45 facilities are now covered by the Minnesota River Basin General Phosphorus Permit cap, one of which is the Lower Sioux Tribe.</p>
SS-1	Number and national percent, using a constant denominator, of Combined Sewer Overflow (CSO) permits with a schedule incorporated into an appropriate enforceable mechanism, including a permit or enforcement order, with specific dates and milestones, including a completion date consistent with Agency guidance, which requires: 1) Implementation of a Long Term Control Plan (LTCP) which will result in compliance with the technology and water quality-based requirements of the Clean Water Act; or 2) implementation of any other acceptable CSO control measures consistent with the 1994 CSO Control Policy; or 3) completion of separation after the baseline date. (cumulative)	Bill Priebe	<p>None.</p> <p>FFY2011 Revisions (by EPA): The State issued an NPDES/SDS permit for Minneapolis for their CSO issues until the remaining work is complete. Final issuance of Minneapolis NPDES/SDS Permits was issued and went into effect January 21, 2011.</p>	<p>FFY 2009 Report: The St. Paul and Minneapolis CSO Permits have expired. St. Paul is 100% separated so that permit will be terminated. Minneapolis is 99% separated and has some remaining work to do. The appropriate enforceable mechanism is being determined to ensure Minneapolis completes the remaining work by the end of 2012.</p> <p>FFY 2010 Report: The St. Paul and Minneapolis CSO Permits have expired. Work continues on terminating the St. Paul permit since it is 100% separated. Minneapolis is 99% separated and has some remaining work to do. The appropriate enforceable mechanism is being determined to ensure Minneapolis completes the remaining work by the end of 2012.</p>
	# of Commitments: 16			

Code	State Negotiated Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
WQ-7 1)	Number of States and Territories that provide electronic information using the Assessment Database version 2 or later (or compatible system) and geo-reference the information to facilitate the integrated reporting of assessment data.	Shannon Lotthammer	Complete necessary efforts in FY09 to submit Integrated Report assessment information using the Assessment Database along with geo-referencing information in 2010 and 2012. If changes are made to the 303(d) list after ADB submission, the state will revise the ADB and geo-referencing files as needed and resubmit to EPA. During 2009 (and 2011), begin preparations for reporting and begin entering assessment information into ADB. During 2009, MPCA will continue efforts with MDOH and Reg. 5 to develop and implement an assessment methodology and make drinking water use assessment determinations for waterbodies with Public Water Supply intakes. MPCA will also work to ensure that Integrated Report (303(d) and 305(b)) determinations are accurately and consistently reflected in the ADB.	<p>FFY 2009 Report: On schedule.</p> <p>FFY 2010 Report: On schedule -- MPCA submitted the draft 2010 303(d) list, ADB files and Integrated Report during third quarter FFY10. This included drinking water use assessments based on the state's Class 1 nitrate standard.</p>
WQ-14b 2)	Number of Categorical Industrial Users (CIUs) in non-delegated pretreatment POTWs with MPCA permits: # with, # without, and % with.	Paul Scheirer	Report known Categorical Industrial Users (CIUs) in non-delegated pretreatment POTWs with MPCA permits: # with, # without, and % with.	<p>FFY 2009 Report: 52 - with 1 - without 98% - with</p> <p>FFY 2010 Report: 54 – with 0 – without 100% - with</p>
3)	Number of type of compliance monitoring actions performed at point sources, indirect dischargers, and biosolid generators or users	Paul Scheirer & Ken Moon	<p>Meet targets in state-specific Compliance Monitoring Strategy as negotiated on an annual basis.</p> <p><u>Fiscal Year 2010</u> Minnesota Compliance Monitoring Strategy (CMS) dated 12/2009 was approved by Region 5 on 2/17/2010. This approval provided specific flexibility in the following areas: Industrial Minors, Significant Industrial Users, Biosolids and Industrial Storm Water.</p> <p>EPA Comments (for FFY10): Minnesota Compliance Monitoring Strategy (CMS) dated 12/2010 was approved by Region 5 on 2/23/2011. This approval provided specific flexibility in the following areas: Industrial Minors, Significant Industrial Users, Biosolids, and CIU/SIU in non-approved programs, MS4 Phase 2, and Industrial Storm Water.</p>	<p>FFY 2009 Report: The accomplishments of the water compliance programs are detailed in the attached NPDES Compliance Monitoring Strategy (CMS), FFY09 End of Year report on lines 22-26 of the spreadsheet. These accomplishments are based off of the FY09 CMS commitments Minnesota made in cooperation with EPA Region 5.</p> <p>“ File name: <u>FFY09 CMS Report EndOfYear – Minnesota.xlsx</u></p> <p>FFY 2010 Report: The accomplishments of the water compliance programs are detailed in the attached NPDES Compliance Monitoring Strategy (CMS), FFY10 End of Year report on line 24 of the spreadsheet.</p>

				<p>These accomplishments are based off of the FY10 CMS commitments Minnesota made in cooperation with EPA Region 5.</p> <p>“ <u>File name: FY10 CMS End-of-Year Report – MPCA</u>”</p> <p><u>EPA Comments:</u> MN met or exceeded their commitments in all categories except for the following 3: bio-solid (majors), ISW inspections, and CIUs. EPA recognizes that this shortfall is due to the reductions in staffing and inability to rehire due to loss of resources.</p>
	# of Commitments:	3		

**Minnesota PPG Max Workplan (with Three Essential Elements)
OW (Office of Water) [Sec 319] FFY 2009 – 2012
FFY10 Report with FFY11 Workplan revisions**

Code	Common Template Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
Goal: 2 CLEAN AND SAFE WATER (Essential Element #1)				
Objective 2.2: Protect Water Quality: Protect the quality of rivers, lakes, and streams on a watershed basis and protect coastal and ocean waters.				
Sub-objective 2.2.1: Improve Water Quality on a Watershed Basis: By 2012, use pollution prevention and restoration approaches to protect the quality of rivers, lakes, and streams.				
Categorical Grant: Non-point Source (Section 319)				
SP-10	Number of waterbodies identified by States (in 1998/2000 or subsequent years) as being primarily nonpoint source (NPS) - impaired that are partially or fully restored. (cumulative)	Doug Wetzstein & Juline Holleran	<p>FFY 2009: 4 Waterbodies</p> <p>FFY 2010: 6 Waterbodies:Chippewa River (Watson Sag to Minnesota River) – Ammonia Clearwater River (Ruffy Bk to Lost River) – E.Coli Clearwater River (Trout stream portion) – Fecal Coliform Lost River (Anderson Lk to Hill River) – E. Coli Powderhorn Lake – Nutrients (Category 4b) Tanners Lake – Nutrients</p>	<p>FFY 2009 Report: No change.</p> <p>FFY 2010 Report: adding 2 more</p> <p>1. Clearwater R. (Red R. of the North Basin), from Ruffy Br. to Lost R., E. Coli impairment 2. Lost R. (Red R. of the North Basin), Anderson L. to Hill R., E. Coli impairment</p>
# of Commitments: 1				

**Minnesota PPG Max Workplan (with Three Essential Elements)
OSWER (Office of Solid Waste and Emergency Response) [HW Fin. Assistance] FFY 2009 – 2012
FFY10 Report with FFY11 Workplan revisions**

Code	Common Template Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
Goal: 3 LAND PRESERVATION AND RESTORATION (Essential Element #1)				
<p>Objective 3.1: Preserve Land: By 2011, reduce adverse effects to land by reducing waste generation, increasing recycling, and ensuring proper management of waste and petroleum products at facilities in ways that prevent releases.</p> <p>Sub-objective 3.1.2: Manage Hazardous Wastes and Petroleum Products Properly: By 2011, reduce releases to the environment by managing hazardous wastes and petroleum products properly.</p>				
Categorical Grant: Hazardous Waste Financial Assistance				
HW3	HW0 - Number of hazardous waste facilities with new or updated controls.	Ainars Silis/Willie Harris/Mary Setnicar EPA	<p>Reissue FY09 workplan: NewPage, SPX/Sartell, Burlington Northern, Gopher Resource, Ashland Inc., terminate IBM permit.</p> <p>Reissue FY10 workplan: Xcel, Safety-Kleen Eagan, Safety-Kleen Blaine, 3M</p> <p>Reissue FY11 workplan: 3M, Xcel, Safety-Kleen Eagan, Safety-Kleen Blaine, Alliant Proving Ground, UofM-FTCEM, Minnesota Air National Guard-closing, Minnesota Power-Closing, Mayo</p> <p>Reissue FY12 workplan: Gerdau Ameristeel, Safety-Kleen Cloquet, BAE, Univar</p>	<p>Permits include financial assurance & closure cost estimates.</p> <p>Next 5-year cycle of permits may include P2 possibilities.</p> <p>FFY 2009 Report: New Page permit reissued 10/15/08.SPX moved to 2010 and public noticed 10/09/09. Burlington Northern, working with Superfund to address remediation approach. Gopher Resource permit reissued 4/23/09. Ashland permit reissued 5/12/09. IBM permit termination moved to 2010 to be completed in October 2009.</p> <p>FFY 2010 Report: Ashland financial assurance minor mod issued 4/2/10. SPX Corp/City of Sartell reissued 6/24/10. Minco Products permit terminated 7/15/10.</p>
	#of Commitments:1			

Goal: 3 LAND PRESERVATION AND RESTORATION (Essential Element #1)

Objective 3.2: Restore Land: By 2011, control the risks to human health and the environment by mitigating the impact of accidental or intentional releases and by cleaning up and restoring contaminated sites or properties.
Sub-objective 3.2.2: Clean up and Revitalize Contaminated Land: By 2011, control the risks to human health and the environment at contaminated properties or sites through cleanup, stabilization, or other actions and make land available for reuse.

CA1	Number of RCRA facilities with human exposures under control.	Crague Biglow/ Hak Cho - EPA	<p>In 2009, MPCA will commit to 5 RCRA facilities with human exposures under control (CA 725). MPCA and Region 5 will renegotiate the commitment for this measure in 2010 and 2011.</p> <p><u>FFY 2010 Revisions:</u> In 2010, MPCA will commit to achieving human exposures under control (CA 725) at 92% of 2020 sites. MPCA and Region 5 will re-negotiate the commitment for this measure in 2011.</p> <p><u>FFY 2011 Commitments:</u> Achieve Human exposures controlled (CA725) at 93% of Minnesota's facilities on the 2020 GPRA baseline list.</p>	<p>RCRA Corrective Action 2020 GPRA sites.</p> <p>FFY 2009 Report: Human exposures are controlled (CA725) at 91% of Minnesota's facilities on the 2020 GPRA baseline list. The MPCA has sufficiently met the 2009 PPG CA725 goals in context of the 2020 GPRA goals.</p> <p>FFY 2010 Report: Human exposures are controlled (CA725) at 92% of Minnesota's facilities on the 2020 GPRA baseline list. The MPCA has sufficiently met the 2010 PPG CA725 goals in context of the 2020 GPRA goals.</p>
CA5	Number of RCRA facilities with final remedies constructed.	Crague Biglow/ Hak Cho - EPA	<p>In 2009, MPCA will commit to 5 RCRA facilities with final remedies constructed (CA 550). MPCA and Region 5 will renegotiate the commitment for this measure in 2010 and 2011.</p> <p><u>FFY 2010 Revisions:</u> In 2010, MPCA will commit to achieving final constructed (CA 550) at 83% of 2020 sites. MPCA and Region 5 will re-negotiate the commitment for this measure in 2011.</p> <p><u>FFY 2011 Commitments:</u> Achieve Remedies constructed (CA550) at 85% of Minnesota's facilities on the 2020 GPRA baseline.</p>	<p>RCRA Corrective Action 2020 GPRA sites.</p> <p>FFY 2009 Report: Remedies have been constructed (CA550) at 83% of Minnesota's facilities on the 2020 GPRA baseline. The MPCA has sufficiently met the 2009 PPG CA550 goals in context of the 2020 GPRA goals.</p> <p>FFY 2010 Report: Remedies have been constructed (CA550) at 83% of Minnesota's facilities on the 2020 GPRA baseline. The MPCA has sufficiently met the 2010 PPG CA550 goals in context of the 2020 GPRA goals.</p>
	#of Commitments: 2			

Code	State Negotiated Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
1)	Hazardous Waste Compliance and Enforcement See note below*	Jeff Connell & John Elling/ Ken Zolnierczyk - EPA	<p>With USEPA inspect all operating TSDs every 2 years; With USEPA and JPA Counties, inspect LQGs every 5 years unless operating under a flexibility plan; address violations in accordance with the MPCA Enforcement Response Plan, collect data and ensure data is entered into appropriate national database systems in a timely manner; Research, develop, test and implement efforts to increase pollution prevention practices, innovate regulatory programs and increase environmental performance.</p> <p><u>FFY 2011 Commitments:</u></p> <ul style="list-style-type: none"> - During FY11 and FY12, MPCA will conduct CEIs at all TSD facilities in the operating universe. During each fiscal year (FY11 and FY12), MPCA will conduct CEIs at 50% of the TSD operating universe that are in the current RCRAInfo operating universe as of October 1 of that respective year. During each fiscal year (FY11 and FY12), EPA Region 5 will conduct a CEI at 2 facilities that are in the current RCRAInfo TSD operating universe and CEI at 3 State and Local TSD facilities. For FY11, MPCA has identified 16 TSD facilities in the operating universe. During FY11, MPCA has agreed to conduct CEIs at 10 TSD facilities currently in the operating universe. - During FY12, MPCA will conduct CEIs at 20% of the LQG universe that exist as of October 1, 2011. For FY11, MPCA has determined that the current universe of RCRA LQGs in Minnesota is 242, based on current data in the Delta database. Therefore, 20% of that universe is 49. For FY11, MPCA (combined with Hennepin County) has agreed to conduct CEIs at 43 of these LQGs and EPA Region 5 has agreed to conduct a CEI at 6 of these LQGs in order to meet the 20% goal. MPCA will re-evaluate the RCRA generator universes on October 1, 2011 to determine the work effort for FY12. - During the time period including FY11 and FY12, MPCA will conduct additional inspections as required, at generators other than LQGs (e.g. small quantity generators [SQGs], conditionally-exempt small quantity generators [CESQGs], generators with no status and non-notifiers). 	<p><u>FFY 2009 Report:</u> The MPCA conducted 12 TSD CEI's and met the Federal Commitment for this fiscal year. The MPCA is still operating under a flexibility plan. Under that plan the MPCA completed the following; 14 LQG CEI's, 16 LQG CEI Hospital Initiative inspections, 18 LQG CEI's Hennepin County JPA, 1 Adjusted LQG CEI now reporting as a SQG. The Significant compliance rate for FFY2009 is 94%.</p> <p><u>FFY 2010 Report:</u> The MPCA conducted 6 TSD CEI's and met the Federal Commitment for this fiscal year. The MPCA is operated under a flexibility plan in FFY2010. Under that plan the MPCA completed the following; 10 LQG CEI's, 17 LQG CEI Health Care Initiative inspections, 19 LQG CEI Hennepin County JPA. The Significant compliance rate for FFY2010 is 86%. The MPCA exceeded the goal of 44 LQG CEI's and completed 46 totals.</p> <p><u>EPA Comments:</u> MPCA correctly reported the planned hazardous waste compliance monitoring accomplishments/commitments for FFY2011 and 2012. Please provide missing status of FFY10 hazardous waste enforcement accomplishments.</p> <p><u>MPCA Response:</u> Due to staff turn over there was a delay in the FFY10 "Flexibility plan" submittal. The report was submitted on 5/3/2011.</p>

			<ul style="list-style-type: none"> MPCA will also conduct "other" inspections as required including sampling inspections, citizen complaint investigations, follow-up inspections, case development inspections, non-financial record reviews, etc. <p>All violations discovered by MPCA will be addressed in accordance with EPA's <i>Hazardous Waste Civil Enforcement Response Policy</i> (dated December 2003; effective February 15, 2004).</p> <p>MPCA will translate Compliance, Monitoring and Enforcement (CM&E) data into the RCRAInfo database on, at minimum, a monthly basis and more often as required. In addition, MPCA will differentiate inspections conducted by Hennepin County inspectors from those conducted by MPCA inspectors in the RCRAInfo database.</p>	
CA2 2)	Number of RCRA facilities with release to groundwater under control (CA750).	Crague Biglow/ Hak Cho - EPA	<p>In 2009, MPCA will commit to 5 RCRA facilities with migration of contaminated ground water under control (CA 750). MPCA and Region 5 will renegotiate the commitment for this measure in 2010 and 2011.</p> <p><u>FFY 2010 Revisions:</u> In 2010, MPCA will commit to achieving migration of contaminated groundwater under control (CA 750) at 90% of 2020 sites. MPCA and Region 5 will re-negotiate the commitment for this measure in 2011.</p> <p><u>FFY 2011 Commitments:</u> Achieve Migration of Groundwater Contamination controlled (CA750) at 91% of Minnesota's facilities on the 2020 GPRA baseline list.</p>	<p>RCRA Corrective Action 2020 GPRA sites.</p> <p>FFY 2009 Report: Migration of Groundwater Contamination is controlled (CA750) at 90% of Minnesota's facilities on the 2020 GPRA baseline list. The MPCA has sufficiently met the 2009 PPG CA750 goals in context of the 2020 GPRA goals.</p> <p>FFY 2010 Report: Migration of Groundwater Contamination is controlled (CA750) at 90% of Minnesota's facilities on the 2020 GPRA baseline list. The MPCA has sufficiently met the 2010 PPG CA750 goals in context of the 2020 GPRA goals.</p>
3)	RCRA Authorization	Dave Richfield	<p>Minnesota will adopt the rules proposed on July 14, 2008. Minnesota will submit a draft application for ARA 10.</p> <p><u>FFY 2011 Commitments:</u> Minnesota will prioritize federal RCRA and HSWA rules in its annual rulemaking queue.</p>	<p>FFY 2009 Report: Minnesota adopted the rules proposed on July 14, 2008, on June 15, 2009 (effective June 22, 2009). Minnesota submitted a draft Authorization Revision Application (ARA 10) on September 30, 2009.</p> <p>FFY 2010 Report: On 5/28/10 MPCA submitted final Authorization Revision Application (ARA 10) to EPA. In addition, MPCA reviewed Federal Rule article for ARA 10.</p>

4)	RCRA Info	Leslie Goldsmith	<p>MPCA will ensure the timely entry of all RCRAInfo data fields for which it is the State implementer of record (IOR). Data entry is required within one month of the completion of any recordable RCRA program activity, <i>subject to the availability of RCRAInfo and timely notice of changes to its structure and requirements</i>. MPCA will also submit biennial report files in accordance with future timeframes established by EPA's Office of Solid Waste.</p> <p><u>FFY 2011 Commitments:</u> Minnesota will develop and deploy an improved platform for automatically translating HW data to RCRAInfo.</p>	<p><u>FFY 2009 Report:</u> Minnesota sustained its translation to RCRAInfo during FFY2009. There were intermittent challenges and outages as additional error checks were implemented in RCRAInfo. As additional edit checks were activated, Minnesota responded to the errors and provided the appropriate data.</p> <p>In September 2009, the MPCA began preparation for the Biennial Report due in Early calendar year 2010.</p> <p><u>FFY 2010 Report:</u> During FFY2010 the MPCA chartered and launched a project to develop, standardize and implement new procedures and systems to provide required data to the EPA. This project is intended to improve our ability to have new and changed data automatically submitted to EPA.</p> <p>This automated flow will utilize a more standardized, XML-based data flows via the Exchange Network will allow us to rapidly adapt to future changes in the federal data schemas, and to do it with far less effort than our current process which requires frequent and complex manual changes. Ultimately, is desirable to use this approach to eliminate the need for manually transferring data at all; the EPA will automatically receive required data.</p>
#of Commitments: 4				

*1. MPCA's Hospital Initiative, a flexibility plan that was in place in 2008, is expected to continue into, and end, in 2009. MPCA will request in writing the extension of the initiative into, and end in 2009, as the region must forward this extension to EPA Headquarters. MPCA will issue a final report to the region which will be forwarded to EPA Headquarters, at the conclusion of the initiative in accordance with the flexibility plan.

2. MPCA intends to maintain its JPA with Hennepin County throughout the EnPPA time period. MPCA intends to enter into JPAs with additional metro counties during the EnPPA time period.

**Minnesota PPG Max Workplan (with Three Essential Elements)
OSWER (Office of Solid Waste and Emergency Response) [Toxic Subs. Compliance] FFY 2009 – 2012
FFY10 Report with FFY11 Workplan revisions**

Code	Common Template Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
Goal: 5 COMPLIANCE AND ENVIRONMENTAL STEWARDSHIP (Essential Element #1)				
Objective: 5.1: Achieve Environmental Protection through improved compliance: By 2011, maximize compliance to protect human health and the environment through enforcement and other compliance assurance activities by achieving a 5% increase in the pounds of pollutants reduced, treated, or eliminated by regulated entities, including those in Indian country.				
Sub objective: 5.1.3: Monitoring and Enforcement: By 2011, identify, correct, and deter noncompliance and reduce environmental risks, with an emphasis on achieving results in all areas including those with potential environmental justice concerns, through monitoring and enforcement of regulated entities' compliance, including those in Indian country, by achieving: a 5% increase in the number of facilities taking complying actions during EPA inspections and evaluations after deficiencies have been identified; a 5 percentage point increase in the percent of enforcement actions requiring that pollutants be reduced, treated, or eliminated; and a 5 percentage point increase in the percent of enforcement actions requiring improvement of environmental management practices.				

Categorical Grant: Toxic Substances compliance - Lead, PCBs & Asbestos

LEAD-G01	Number of 402/406 inspections by state.		N/A to MPCA	
LEAD-G02	Number of enforcement actions taken by state.		N/A to MPCA	
TSC-G01	Total number of PCB inspections conducted by state. (PCB TDFs need to be inspected once every 3 years)	Jeff Connell & John Elling/Ken Zolnierczyk-EPA	<p>20 PCB inspections per year for each of the EnPPA year at current funding level. *Of these 20 PCB inspections, there are two Approved PCB Commercial Storage facilities in Minnesota, which need to be inspected every three years - therefore, we will do one of these facilities in two out of every three years.</p> <p><u>FFY 2011 Commitments:</u> 20 PCB inspections per year for each of the EnPPA year at current funding level. *Of these 20 PCB inspections, there are two Approved PCB Commercial Storage facilities in Minnesota, which need to be inspected every three years - therefore, we will do one of these facilities in two out of every three years.</p>	<p><u>FFY 2009 Report:</u> MPCA completed 20 PCB inspections and met the federal commitment.</p> <p><u>FFY 2010 Report:</u> MPCA completed 10 PCB inspections and did not meet the federal commitment. This was due to one of the MPCA PCB inspectors having trouble renewing the required EPA PCB Credentials.</p>

			<u>EPA Comments:</u> This commitment is appropriate to add. The target timeframes in the workplan are in accordance with EPA policies.	<u>EPA Comments:</u> MPCA ought to strive to get back on track with this commitment. Note: The data that is required to be reported by the State are the Minimum Data Requirements which includes MPCA compliance and enforcement activities.
TSC-G02.a	Number of asbestos inspections conducted by state with EPA credentials.		N/A to MPCA	
TSC-G02.b	Number of asbestos inspections conducted by state under own authority (waiver states).		N/A to MPCA	
TSC-G03.a	The number of PCB inspections conducted with EPA credentials that resulted in federal enforcement action (including civil penalties and Notices of non-compliance)		N/A to MPCA	
TSC-G03.b	The number of asbestos inspections conducted with EPA credentials that resulted in federal enforcement action (including civil penalties and Notices of non-compliance)		N/A to MPCA	
	# of Commitments: 7			

Note: The land unit issues compliance agreements to HW generators who collect and recycle fluorescent bulbs. The agreements regulate the crushing of fluorescent bulbs, the retorting of The mercury-containing phosphate powder, and create performance standards which the remaining components of the bulbs must meet before shipping to the designated recipients.

Code	State Negotiated Measures (Essential Element #2)	MPCA Contact	Planned Accomplishments/Commitments (Essential Element #3)	Comments/Status or Progress Report
CAA 01.s 1)	Number of Full Compliance Evaluations (FCEs) to be conducted at T5 major sources per year.	Bob Beresford/ Katie Koelfgen/ Jeff Connell & Rochelle Marceillars - EPA	Between FFY 2009 and 2010, MPCA will conduct FCEs for 100% of their T5 universe per the Compliance Monitoring Strategy. Between FFY 2011 and 2012, MPCA will conduct FCEs for 100% of their T5 universe per the Compliance Monitoring Strategy.	<p>FFY 2009 Report: 100% completed for FFY 2009 – Koelfgen</p> <p>FFY 2010 Report: 100% completed for FFY 2010 – Koelfgen</p> <p>EPA Comments: MPCA has met this commitment in FY 2010.</p>
CAA 02.s 2)	Number of Full Compliance Evaluations (FCEs) to be conducted at 80%SM sources per year.	Bob Beresford/ Katie Koelfgen/ Jeff Connell & Rochelle Marceillars - EPA	Between FFY 2009 and 2010, MPCA will conduct FCEs for the remaining 80% Synthetic Minor Sources so that MPCA will achieve a 100% completion rate per the Compliance Monitoring Strategy for the 5 year period FFY 2006 - 2010. Between FFY 2011 and 2012, MPCA will conduct FCEs for the 80% Synthetic Minor Sources so that MPCA will achieve a 100% completion rate per the Compliance Monitoring Strategy for the 5 year period FFY 2011 - 2015.	<p>FFY 2009 Report: 100% completed for FFY 2009 – Koelfgen</p> <p>FFY 2010 Report: 100% completed for FFY 2010 – Koelfgen</p> <p>EPA Comments: MPCA has met this commitment in FY 2010.</p>
CAA 16 3)	Ensure that delegated agency has a written agreement to provide complete, accurate and timely data consistent with the Compliance Monitoring Strategy (CMS), High Priority Violation (HPV) Policy, and the Air Facility System (AFS) Information Collection Request (ICR).	Bob Beresford/ Katie Koelfgen/ Jeff Connell & Rochelle Marceillars - EPA	The execution of this workplan satisfies this measure.	<p>FFY 2009 Report: The CMS was followed for FFY 2009 – Koelfgen</p> <p>FFY 2010 Report: The CMS was followed for FFY 2010 – Koelfgen</p> <p>EPA comment: Note: MPCA is required to report High Priority Violations (HPVs) to EPA within 60 days of occurrence. This requires data associated with the HPV cases and monthly updates. According to Minnesota Statute Ch. 13.39, which cover civil investigation data and MPCA Civil Investigative Data Policy (internal document) which is a document as to how MPCA will apply the statute to their work, that information is not public until the case is closed. EPA is aware of the statute and Region 5's OECA has taken the lead concerning this issue.</p>

CAA 17 4)	MPCA shall enter all Minimum Data Requirements (MDRs) into AFS consistent with Agency policies and the AFS ICR.	Bob Beresford/ Katie Koelfgen/ Jeff Connell & Rochelle Marceillars - EPA	Data is to be entered into AFS within 60 days of occurrence.	<p><u>FFY 2009 Report:</u> MDRs entered into AFS in a timely manner - Koelfgen</p> <p><u>FFY 2010 Report:</u> MDRs entered into AFS in a timely manner – Koelfgen</p> <p><u>EPA Comments:</u> MPCA has met this commitment in 2010. Note: The data that is required to be reported by the State are the Minimum Data Requirements, which includes MPCA compliance and enforcement activities.</p>
	#of Commitments: 4			