

Environmental Performance Partnership Agreement

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

October 1, 2021 – September 30, 2026
FFY 2022 - 2026



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Authorizing Signatures

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

For the State of Minnesota:



Peter Tester, Temporary Commissioner
Minnesota Pollution Control Agency

September 22, 2021

Date

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

CHERYL NEWTON

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Cheryl Newton, Acting Regional Administrator
U.S. Environmental Protection Agency, Region 5

Date

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Purpose and Scope of the PPA

The Minnesota Pollution Control Agency (MPCA) and the United States Environmental Protection Agency (EPA) Region 5 are entering their eleventh Environmental Performance Partnership Agreement (PPA) with the approval of this document. This agreement describes the environmental outcomes that both Agencies are striving to achieve and joint program priorities that the State and EPA think need additional management attention. Roles and responsibilities for carrying out the priorities and key strategies are described in detailed supporting information that can be found on MPCA's website <http://www.pca.state.mn.us>, or by contacting the persons listed at the end of each priority write-up. The agreement runs from October 1, 2021 to September 30, 2026.

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

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

PPA / PPG Separation

The PPA is an extension of MPCA's Strategic Plan and EPA's Regional Plan. For this grant cycle, the MPCA joint effort with EPA's Maximizing Performance Partnership Initiative and separates out its Performance Partnership Agreement (PPA) from the Performance Partnership Grant (PPG). This allows focus on shared priorities and other high level regional discussion items separate from the detailed work plan measures and activities under the PPG.

Elements of the PPA

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

- The PPA is a summary of the work done under EPA grants as well as some work done under non EPA grants. Supporting documentation is available in separate documents and references. Much of this information can be found on the MPCA web site referenced in the opening paragraph.
- The PPA provides strategic direction to the workforce and influences program work plans by promoting environmental innovations that result in more efficient approaches.
- The PPA is viewed as a “living document” that is flexible and can be changed to reflect MPCA and EPA needs.
- The PPA directs planning at the MPCA and EPA Division and Program levels, by establishing joint priorities, desired outcomes, and a holistic approach to environmental protection. It will also promote environmental innovations that result in more efficient approaches. To the extent applicable, base programs will use the joint priorities as they develop program work plans to influence the targeting of work.
- If a program has been performing in a successful manner, and is expected to continue performing in that manner. *Program performance will be identified as either “adequate” or “needs improvement.” “Adequate” program areas are meeting their stated commitments and performing to the mutual satisfaction of both agencies. “Needs improvement” means a program area is, or is at risk of, inadequately functioning, and the deficiency represents a significant vulnerability to the integrity of the environmental protection program in the State. Adequate programs would receive significantly less review and oversight than programs needing improvement.* The level of detail will need to meet the minimum reporting requirements for EPA Headquarters and Congress. It will be Region 5’s responsibility to identify and inform MPCA of the minimum level of detail needed. The evaluation to determine “adequate” and “needs improvement” programs will occur during the joint assessment process held at the end of each year.
- The PPA and supporting documentation establishes a framework for mutual accountability by clearly defining joint priorities, desired outcomes, and clear roles for EPA and MPCA.
- The PPA includes a summary of the environmental conditions in Minnesota to be used as a baseline for measuring future success.
- The PPA establishes joint assessment for the priority work. By “joint assessment” we mean the following:

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

Unexpected Requests

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

Reporting

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

Joint Planning and Timeline

MPCA and EPA agree that it is important to clearly articulate how all the components of the PPA are evaluated. In order to evaluate this agreement, both agencies will participate in a joint planning and evaluation process. The process timeline is as follows:

Actions	Deadlines
2022-2026 PPA begins	Oct. 1, 2021
2022 Self-Assessment Report (PPG)	Dec. 31, 2022 (COVID extension Jan 31 st)
2022 Joint Evaluation & 2022 PPA & PPG Work plan revisions	Jan/Feb 2022
EPA Evaluation of State's 2022 Self-Assessment Report (PPG)	Mar. 2022
2023 Self-Assessment Report	Dec. 31, 2023
2023 Joint Evaluation & 2023 PPA & PPG Work plan revisions	Jan/Feb 2023
EPA Evaluation of State's 2023 Self-Assessment Report (PPG)	Mar. 2023
2024 Self-Assessment Report	Dec. 31, 2024
2024 Joint Evaluation & 2024 PPA & PPG Work plan revisions	Jan/Feb 2024
EPA Evaluation of State's 2024 Self-Assessment Report	Mar. 2024
2025 Self-Assessment Report	Dec. 31, 2025
2025 Joint Evaluation & 2025 PPA & PPG Work plan revisions	Jan/Feb 2025
EPA Evaluation of State's 2025 Self-Assessment Report	Mar. 2025
2026 Self-Assessment Report	Dec. 31, 2026
2026 Joint Evaluation & 2026 PPA & PPG Work plan revisions	Jan/Feb 2026
EPA Evaluation of State's 2026 Self-Assessment Report	Mar. 2026
MPCA/EPA Program-to-Program Meeting (2027-2031 PPA)	Apr. - Jun. 2026

MPCA/EPA Senior Leader Kick-off Meeting	May-Jun 2026
Work plan Negotiation (2027-2031 PPG) next cycle dates	May-July 1, 2026
Work plan Finalized (2027-2031 PPG)	August 1 2026
2027-2031 PPA Begins	Sept. 1, 2026
2022-2026 PPA Final Self-Assessment Report	Dec. 31, 2026
EPA Evaluation of State's Final Self-Assessment Report	Mar. 2027

The joint assessment process for this agreement will:

- Provide general discussion, measurements of outcomes, and analyze the environmental and programmatic results of each element;
- Identify emerging issues, environmental trends, and strategies for improvement;
- Provide flexibility in both form and substance, as warranted by program performance;
- Seek to eliminate duplicative or unnecessary efforts and reporting;
- Respond with appropriate solutions, including redirecting goals and resources; and
- Encourage MPCA to find innovative program implementation alternatives, as long as the desired result is able to be measured and achieved.

The success of each outcome of this agreement relies on clear, constructive communication and the commitment of MPCA and EPA to work together to implement MPCA's **Plan-Do-Check-Adapt** model, to solve problems and improve the programs. If any differences exist on specific issues or problems, MPCA and EPA should move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process in order to gain resolution.

Mutual Accountability

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

Dispute Resolution Process

MPCA and EPA will use the following agreed-upon dispute resolution process to handle the conflicts that may arise as this agreement is executed. The resolution process will be treated as an opportunity to improve our joint efforts and not as an indication of failure. For the purpose of this agreement, the following definitions will apply:

Dispute: Any disagreement over an issue that prevents a matter from going forward.

Resolution Process: A process whereby the parties move from disagreement to agreement over an issue.

Dispute Resolution Guiding Principles:

- Recognize disagreement as a normal part of the state/federal relationship;
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve;
- Approach the conflict as an opportunity to improve joint efforts;
- Aim for resolution at the staff level, while keeping management informed;
- The MPCA and EPA will agree if, when and how to include others in the resolution process (because our conflicts sometimes intersect with external parties such as tribal governments, etc.);
- Disclose underlying assumptions, frames of reference, and other driving forces;
- Clearly differentiate positions and check understanding of content and process with all appropriate or affected parties;

- Document discussions to minimize future misunderstandings;
- Pay attention to timeframes and/or deadlines and escalate quickly when necessary.

For matters involving this agreement, the following procedures will be utilized:

- Principle: Disputes should be resolved at the front line or staff level, when feasible.
- Timeframe: Disputes should be resolved as quickly as possible but within two weeks of the issue arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each agency.
- Escalation: When there is no resolution of the issue and the two weeks have passed, there should be comparable escalation in each agency, a conference call between the parties should be held as soon as possible. Disputes that need to be raised to a higher level should again be raised in comparable fashion in each agency, until resolution is obtained.

Enforcement and Compliance Assurance

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

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

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

There is a continuing role for EPA in environmental protection in the State of Minnesota. EPA carries out its responsibilities in the enforcement arena in a variety of ways. EPA acts as an environmental steward, ensuring that national standards for the protection of human health and environment are implemented, monitored and enforced consistently in all States. EPA can assist MPCA in conducting inspections and can conduct joint enforcement actions with the State and its local government partners. EPA can also conduct enforcement actions as discussed below and provide compliance and technical assistance to the State and its regulated entities. Under this PPA, EPA and MPCA retain their authorities and responsibilities to conduct enforcement and compliance

assistance, and such enforcement will be accomplished in the spirit of cooperation and trust. Specific compliance and enforcement data needs will be discussed and shared per each agency's applicable policies and regulations within the applicable data practices and public information limits. Specific federal enforcement and compliance assistance responsibilities include but are not limited to the following:

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

EPA performed a review of the MPCA's RCRA, NPDES and CAA compliance and enforcement program in 2007 under the State Review Framework, and performed the second and third round of the state review framework in 2010 and 2015. EPA also performed an on-site file review of MPCA's RCRA enforcement files in 2008 through 2012. All file reviews, as well as the review under the State Review Framework; include a subset of files from any metro county which has entered into a Joint Powers Agreement (JPA) with MPCA. Currently only Hennepin County has entered into a Joint Powers Agreement with the MPCA.

MPCA has requested and received inspection flexibility from the RCRA, TSCA (PCB) and the Air Quality program. Under the RCRA program, the MPCA executed a JPA with Hennepin County in 2008, and both parties intend to maintain this agreement through the PPA time frame (FFY2022-2026). MPCA continues to attempt to initiate JPAs with additional metro counties. The MPCA executed its Hospital Initiative flexibility plan in 2008, and continued this initiative to its conclusion in 2009. EPA and MPCA will continue efforts to be flexible when coordinating priorities and maximizing individual agency resources.

EPA will take enforcement actions in Minnesota as necessary and appropriate to ensure implementation of federal programs and as a deterrent to non-compliance, in accordance with the communication and coordination activities outlined above. There may be emergency situations or criminal matters that require EPA to take immediate action (e.g., seeking a temporary restraining order). In those circumstances, EPA will consult with the State as quickly as possible following initiation of the action.

NPDES Permitting

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

EPA Region 5 and MPCA will explore opportunities to continue to expand the use of water quality trading, watershed permitting, and implementation of nutrient controls in NPDES permits. EPA Region 5 and MPCA will continue the quarterly meetings to assure permitting issues like implementing the backlog reduction strategy, the impaired waters list for wild rice, and water quality standards; are discussed and issues/concerns are resolved in a timely manner.

Quality Assurance and Quality Management Plans

The MPCA's quality system is described in the Quality Management Plan (QMP) found on the internet at: <https://www.pca.state.mn.us/data/mpca-quality-system>. The system consists of various levels of management oversight on projects and programs, staff training on quality assurance principles, and use of the quality assurance staff at the agency for document review and technical assistance. Additional policies and program-wide quality assurance project plans can be found on the QA website noted above. The website contains guidance and policies that inform data submitters of minimum data quality objective, direct companies and individuals working with the MPCA on required quality assurance documentation, and provides links to other agencies and federal programs for additional information.

The MPCA QMP, approved by Region 5 on March 12, 2018, is a five-year plan which documents how MPCA will comply with those provisions. The revised working draft five year QMP should be submitted for Region 5's review and comment at least 6 months (i.e. by September 12, 2022) prior to the current QMP's expiration (March 11, 2023). This should allow adequate time for reconciliation of any comments prior to final approvals by MPCA and Region 5.

MPCA and Region 5 have agreed that MPCA will continue to approve project-level Quality Assurance Project Plans (QAPPs) under this performance partnership agreement except for Superfund pre-remedial and remedial programs and the Superfund removal program. MPCA will submit program-level QAPPs to Region 5's Land and Chemical Division for the Leaking Underground Storage Tank (LUST) and Resource Conservation and Recovery Act (RCRA) Subtitle C inspection programs. U.S. EPA competitive assistance agreements may require the submission of project-level quality documentation for U.S. EPA review and approval as specified in the assistance agreement terms and conditions.

Region 5 is required to assess the implementation of the approved quality systems as well as extramural agreements which U.S. EPA provides financial assistance. MPCA will submit an annual letter (by January 31 of each year) to Region 5 which:

- identifies any minor revisions needed and/or incorporated into the QMP during the preceding year;
- confirms that the QMP approved by Region 5 is still in effect; and
- includes complete signed electronic (i.e. pdf) copies of all QAPPs, by environmental program, which were self-approved by MPCA during the preceding year under this performance partnership agreement. In lieu of this annual submittal, and in an effort to systematize this process, MPCA could also use EPA's QA Track system to submit the QAPPs.

Public Involvement

In addition to the public participation opportunities required by regulation, such as during rulemaking, environmental review, and permit consideration, the MPCA will continue to use citizen engagement, stakeholder surveys, focus groups, interviews and other methods of gathering input to influence environmental decisions and direction. The MPCA has a long history of public involvement in decision making and developing environmental programs, using various tools and methods, and evolving with modern electronic communication and social media. This gives us information on the public's environmental priorities so that they may be incorporated into the selection of our environmental goals.

The MPCA will continue to work closely with EPA Region 5 to identify stakeholders for Minnesota's environment, develop general public support for state and federal environmental programs, raise awareness about important environmental issues including climate, environmental justice, and Per- and polyfluoroalkyl substances (PFAS), and share information about these issues.

The MPCA wants all Minnesotans to live in conditions that support a healthy and fulfilling life. One important part of this is living in an environment with clean air, clean water and unpolluted land. Working to achieve this is at the heart of the Minnesota Pollution Control Agency's mission to protect and improve our environment and human health.

The MPCA is committed to making sure that pollution does not have a disproportionate impact on any group of people — the principle of environmental justice. This means that all people — regardless of their race, color, national origin or income — benefit from equal levels of environmental protection and have opportunities to participate in decisions that may affect their environment or health.

On-going Public Involvement Projects

The MPCA's strategic plan includes the following goal:

Goal M3) Minnesotans better understand the connections between individual decisions and environmental effects

To that end, the following objective was adopted as part of the strategic plan:

Objective M3a: Engage in outreach activities to increase environmental understanding and support Minnesotans' efforts to increase environmentally responsible actions

This objective has four main areas that are measured: 1) the number of visitors and actions taken at the Eco-Experience; 2) proactive\non-regulatory communication messages; 3) the number of visitors and learning at the We Are Water traveling exhibit; and 4) the number of community members engaged\educated and environmental outcomes through our MN GreenCorps Program. This section does include some other notable outreach activities as well.

1. **The Eco Experience**, the MPCA's Eco Experience is a major public outreach effort that takes place at the Minnesota State Fair each year. This exhibit experience reaches an estimated 260,000 visitors annually. The exhibit is designed to inspire people to lead more sustainable lives while improving quality of life and the environment. This exhibit also receives extensive media coverage during the 12-day event. Visitor surveys conducted between 2013-2017 show that over 96% of visitors learned something by going through the exhibit; 83% of visitors report that their visit to the Eco Experience helped them make environmental choices over the past year; and 89% of visitors report that their visit to the Eco Experience will help them make environmental choices in the future.
2. **Proactive\Non-Regulatory Communication Messages** – In recent years, the Agency has made an effort to communicate more about its non-regulatory work, thus providing a better-rounded picture of what we and our partners do, and how people can help protect and improve the environment. Examples include holding virtual and in-person meetings with a variety of stakeholders on climate issues, electric vehicles, and PFAS. The agency is utilizing social media tools to promote these issues and others.
3. **We Are Water MN traveling exhibit and community engagement** - We Are Water MN is a traveling exhibition and community engagement initiative led by the Minnesota Humanities Center in partnership with the Minnesota Pollution Control Agency, the Minnesota Department of Health, the Minnesota Department of Natural Resources, the Minnesota Department of Agriculture, and the Minnesota Historical Society. The program uses an exhibit, events, and community partnerships to strengthen Minnesotans' relationships with and responsibilities to water. Visitors to the exhibit report learning from a

perspective different from their own (31%) and are motivated to take action on clean water (79%). Host sites build cross-sector and interdisciplinary networks. Both the depth and number of relationships increase over the course of the project. Since 2016, We Are Water MN has visited 19 communities; involved 379 community organizations; and reached 44,000 visitors. Funding is in place to engage with 10 additional sites in 2022-2023.

4. **Minnesota GreenCorps** – Launched in 2009, Minnesota GreenCorps is a statewide program, administered by the MPCA to help preserve and protect Minnesota’s environment while training a new generation of environmental professionals. This program places AmeriCorps members with local governments, educational institutions, and non-profit organizations around Minnesota, where they serve for 11 months on environmental projects that help build community resilience. MN GreenCorps continues to meet and exceed goals related to education and outreach. Each program year community members are directly engaged and/or educated as a result of the program and member efforts. Members educate community members to encourage positive environmental behavior change; members track information on number of community members that commit to changing their behavior and/or community members that do change their behavior to benefit the environment.

The MPCA holds virtual and in-person public meetings related to climate, permits, environmental review, cleanup efforts, and watershed efforts. The agency also conducts traditional media relations with television, print, radio, and online news media outlets to deliver key agency messages about the environment. Media relations take place throughout the year with active story pitches and distribution of news releases by agency communications staff.

The MPCA has focused on improving the external web site for its more than 600,000 annual visitors. The MPCA sees the web site as a critical communication pathway with a wealth of environmental information and a number of online tools to enhance communication efforts. These online tools include an agency Facebook page, Twitter feed, Instagram, LinkedIn, MPCA YouTube (video) page, and messaging services via Cision and GovDelivery. These tools allow individuals to receive information on a wide variety of topics and to experience the important MPCA messages in multiple ways.

The agency developed an interactive watershed map of the state that provides information on specific watersheds at <http://www.pca.state.mn.us/jsrie74>. In addition, the MPCA created the interactive web page, “Healthier Watersheds: Tracking the actions taken” at <https://www.pca.state.mn.us/water/healthier-watersheds>. This site provides accountability reporting on the status of Watershed Restoration and Protection Strategies (WRAPS) and TMDLs, wastewater reductions, implementation of best management practices, and spending on clean water projects. Healthier Watersheds is updated each July, based on the previous year’s data.

The MPCA has an interactive map and text-based search tool with environmental information about individual sites or facilities titled “What’s in My Neighborhood?” <https://webapp.pca.state.mn.us/wimn/search>. This tool includes specific information about businesses or activities regulated by the MPCA according to location or address.

Public Participation in Watershed Planning

As stated in the last PPA, public participation is seen as an integral part of the Total Maximum Daily Load (TMDL) and Watershed Restoration and Protection Strategies (WRAPS) process.

The goal of the Watershed Program is to ensure that all Minnesota waters meet water quality standards. For each water body not meeting standards, a TMDL must be developed. A TMDL, which is required under the Federal CWA, is also considered by Minnesota as part of the restoration component of the WRAPS process, and examines all sources of pollution causing a water body to be impaired and suggests specific ways to reduce pollution sources. While point source reductions can typically be accomplished using regulatory mechanisms (permit requirements, etc.) geared toward industrial or publicly-owned wastewater treatment plans, nonpoint sources (runoff from cities and farmland, and other land uses) must still be addressed through voluntary actions by individual citizens and stakeholders.

In addition, the MPCA puts a strong emphasis on the “P” in WRAPS—Protection. Protecting unimpaired waters is as (if not more) important because it is often cheaper to keep a water from being impaired than to correct it once it becomes impaired. So the WRAPS process takes a holistic approach and provides information for both impaired and unimpaired waters for local partners to share with the public and implement.

For many years, government efforts to address water pollution through regulation have focused on the use of technological tools for reducing pollutant loads. The use of technology and natural resource management expertise has, in fact, resulted in impressive achievements in reducing municipal and industrial pollution. However, nonpoint sources of pollution now pose the greatest remaining challenge to ensure that waters meet water quality standards. Because nonpoint sources must be addressed through the voluntary citizen actions, applying best practices to those problems will require establishing trust and building relationships with the public. The water goals also need to be achievable and measurable.

Nonpoint source pollution problems require new strategies that encourage and support creative partnerships, effective networks, increased citizenship, government transparency, and local leadership. While recognizing individual interests, this work will seek to instill and draw upon a common sense of purpose and obligation to protect important water resources. This acknowledges that citizens are key collaborators in

achieving water quality goals. A significant goal in civic engagement is to build civic capacity at the local level for problem-solving around the issue of water quality and to do it in a way that achieves sustainable results.

To build this capacity, MPCA staff will continue to support local government partners and nonprofit organizations as they engage, dialogue and partner with stakeholders and citizens in the 80 major watersheds across Minnesota. To achieve the goal of developing local civic capacity for solving water problems, communities will need to create intentional and strategic plans around the concept and philosophy of civic engagement.

More specifically, the MPCA supports local partners in their development of these strategies as part of every local watershed plan. For example, MPCA is an active state agency partner participating in the development of local comprehensive watershed management plans. Through this “One Watershed, One Plan” program, MPCA supports local government efforts to communicate the science of water quality to the public, and provides data to inform goals and priorities for implementation actions in each plan.

In addition, over the past five years, MPCA’s WRAPS process has incorporated public participation activities at the level of effort local staff are able to commit to, given available resources and staff time. The MPCA will continue to convene local government networks for peer-to-peer learning, provide resources and support for local water planning and consult with local partners leading projects to strengthen citizen engagement in watershed restoration and protection activities.

Environmental Justice

EPA and MPCA share a commitment to integrate the core environmental justice principles of fair treatment and meaningful involvement into our work. The MPCA’s Environmental Justice Framework outlines a vision and set of strategies for embedding environmental justice into MPCA’s programs, policies and approaches. This includes air, water and land programs and involves permitting, compliance and enforcement, monitoring and assessment, prevention and assistance, and remediation.

We will work together on the following priorities to advance environmental justice:

- build capacity to identify and address disproportionate and cumulative impacts (“EJ analysis”);
- identify and work to address barriers to program-specific investments (funding, guidance);
- review the role of permittees in addressing impacts and engaging communities, and advance best practices;
- identify and work to address high-priority investment needs in EJ areas of concern across Minnesota, both urban and rural;
- conduct joint planning and coordination to assure compliance in EJ areas of concern (including exercising flexibility in compliance monitoring strategies as

- appropriate);
- for environmental justice priorities of tribal nations in Minnesota, work with tribal governments toward solutions that meet our trust responsibilities and our commitment to environmental justice; and
- collaborate in sector- and pollutant-focused projects and initiatives to advance environmental justice.

This work will be integrated into the joint planning and collaboration of MPCA and Region 5 programs; with cross-program joint planning and collaboration managed through the EJ programs.

E-Enterprise Action Plan

E-Enterprise for the Environment (E-Enterprise) is a transformative approach to reshape how government agencies deliver environmental protection. The states, U.S. Environmental Protection Agency (EPA) and tribes are collaboratively modernizing business processes across agencies and programs. The core purpose of E-Enterprise is to improve environmental protection by streamlining, reforming, and better integrating our programs. Higher performing programs will operate more efficiently and effectively to deliver positive environmental results.

EPA's commitment to advancing E-Enterprise with State, Local and Tribal partners is evidenced by the recognition in the FY 2016 Partnerships Action Plan of the need to embed E-Enterprise principles in work processes and aligned projects of EPA and state/tribal partners.

Three Elements of E-Enterprise

In order for EPA, States and Tribes to ensure that their work plans, management processes, projects and/or program activities align with E-Enterprise goals, a clear understanding of what E-Enterprise encompasses is required. E-Enterprise is not just databases or information technology solutions; rather, it operates as a joint governance partnership to: 1) improve environmental protection through better program performance by streamlining and modernizing business processes enabled by advanced information and monitoring technologies, and 2) enhance services to stakeholders and partners while reducing transaction costs and burdens for the regulated community and governmental agencies.

The following discussion provides more information on the key principles of E-Enterprise and gives some examples of the types of activities that reflect those key principles that could be included in a state grant work plan and highlighted as aligned with E-Enterprise.

1. Operate E-Enterprise as a Joint Governance Partnership

Joint governance encompasses a broad principle of early engagement and collaboration among EPA, state, and tribal partners: working collaboratively to streamline, modernize and integrate our shared business processes and management approaches. Joint governance is essential to drive integrated process and management improvement. Without it, process improvements and technology changes undertaken by individual agencies may further entrench fragmentation between EPA, states and tribes.

2. Improve environmental protection through better program performance

E-Enterprise will improve the performance of current programs by developing new practices to implement them. This is the ultimate marker by which success of E-Enterprise will be assessed: “Does it improve environmental protection?”

3. Enhance services to stakeholders and partners

E-Enterprise will reduce transaction costs and burdens for the regulated community and governmental agencies by modernizing programs and developing innovative management approaches. This will include using shared services, converting from paper to more advanced electronic forms, streamlining program requirements, and applying advanced monitoring to streamline information collection. Enhanced services to the public focus on improving transparency.

Environmental Conditions in Minnesota

To put the elements of the 2022-2026 PPA in context, it is useful to take a brief look at the past four decades of progress and the current state of our waters, our air and our land. A summary of Minnesota’s current environmental conditions follows:

Groundwater

Groundwater is a vital, valuable component of Minnesota’s abundant and interconnected hydrologic system that also includes lakes, streams and wetlands. It is important to protect and monitor both groundwater quality and quantity, as groundwater provides nearly 75 percent of Minnesotans with their drinking water and nearly 90 percent of the water used for agricultural irrigation. It also recharges surface waters, supporting their habitat and aquatic life.

Groundwater monitoring in Minnesota is an interagency effort, based on directives in state and federal law. The MPCA and the Minnesota Department of Agriculture (MDA) monitor ambient groundwater quality, focusing on vulnerable aquifers and recharge zones. The Minnesota Department of Health (MDH) monitors contaminants in public drinking water supplies and provides health-based standards and guidance for human

consumption. The Department of Natural Resources (DNR) monitors the quantity of water in the State's aquifers, and regulates withdrawals.

Groundwater withdrawal demands in Minnesota continue to grow along with the state's population and economic activity, with consequences that concern both groundwater and surface water users. Recent investigations of groundwater pumping in both rural and urban watersheds have found that large amounts of groundwater, which normally recharges creeks and lakes, have been diverted. Fish numbers and diversity have been severely affected by reduced groundwater inflow into Little Rock Creek due to increased irrigation. In the northeast Twin Cities metro area, increased groundwater pumping for residential and irrigation use has contributed to lower water levels in White Bear and other lakes. The DNR regulates water withdrawals to assure long-term sustainability of the aquifers and the surface waters they support.

Most of Minnesota's groundwater generally has good quality and complies with drinking water standards. However, human-caused impacts to this resource are apparent in several regions.

- Nitrates continues to be one of the most common contaminants in the state's groundwater. It is a persistent problem, especially in land settings where there are both human-induced sources of nitrates and geology that permits this chemical to migrate into the groundwater. Most nitrates enter the groundwater from fertilizers, animal manure, and failing subsurface sewage treatment systems. Nitrate concentrations are frequently elevated or exceed standards in the shallow aquifers in rural and agricultural areas, especially in central and southeastern Minnesota. Private and public drinking water wells are affected, with several communities having to blend or treat water, or even replace municipal wells, at substantial expense.
- Chloride from road-deicing salts is a growing threat to groundwater quality in urban areas, with shallow groundwater showing the highest concentrations and most exceedances of the federal secondary drinking water standard. Chloride-laden groundwater also contributes to surface water impairments as it recharges urban streams.
- Pesticides are frequently detected in agricultural areas, in shallow, more vulnerable groundwater; however, none exceeded any human-health based drinking water standards. In 2020, forty-five pesticides or pesticide degradates were detected; the most frequently found were degradates of metolachlor, acetochlor, alachlor, and atrazine. In addition, neonicotinoid insecticides have been detected, and while generally well below applicable human health benchmarks, these pesticide types are a growing concern.
- PFAS, previously an emerging contaminant, is often found in groundwater – both within areas of known contamination and in other areas. In 2019 groundwater sampling, PFBS was detected in 42.4% of the groundwater wells. Three PFAS (PFOA, PFOS, and PFHxS) were detected in the ambient groundwater - generally at shallow

urban monitoring wells - at concentrations above human health guidance set by the MDH for drinking water.

- Emerging contaminants are frequently detected at low concentrations in shallow groundwater. These include chemicals from pharmaceuticals, personal care products, and detergents that can be endocrine-active. The MDH establishes health-based guidance for these substances as toxicological information becomes available.

The MPCA monitors and assesses ambient groundwater through a network of approximately 270 monitoring wells designed to provide an “early warning” about changes in groundwater quality. This helps MPCA understand groundwater quality and analyze trends in that quality, and to evaluate progress protecting groundwater from contamination by non-agricultural chemicals.

Information on Minnesota’s ambient groundwater condition (through 2017) can be found at: <https://www.pca.state.mn.us/sites/default/files/wq-am1-10.pdf>. A January 2016 MPCA report to the Minnesota Legislature, “Groundwater Protection Recommendations”, covers these issues in greater detail, at this link: <https://www.pca.state.mn.us/sites/default/files/lrwq-gw-1sy16.pdf>. Additional information on groundwater near remediation sites is included in the Land section of this summary.

Surface Waters

Minnesota waters are decidedly cleaner today than they were 40 or 50 years ago, thanks to ongoing efforts to address industrial and municipal discharges, separate combined storm and sanitary sewers, and improve Minnesota’s wastewater treatment facilities. Fish, wildlife and boaters have returned to waters once heavily polluted by human and industrial waste, yet there is still a long way to go to restore Minnesota’s water resources to full health.

Passage of Minnesota’s Clean Water Legacy Act in 2006 and the Clean Water, Land and Legacy Amendment in 2008 has provided the MPCA with public support and on-going resources to continue implementing the watershed approach through 2034. The watershed approach is the key strategy and organizing principle that guides the agency’s surface water monitoring activities and many other aspects of the agency’s water programs. Using the watershed approach, the MPCA and its partner agencies and organizations coordinate and conduct surface water monitoring to provide information about the status of the state’s water resources and to identify potential or actual threats to the quality of surface water, choose options for protecting and restoring waters that are impaired, and evaluate the effectiveness of implemented management activities. For primarily nonpoint source impacted waterbodies, work to restore and maintain waters shall be realized through implementation of Minnesota’s Nonpoint Source Program Management Plan, following the goals, objectives, and measures of EPAs 319

national program guidelines and its priorities. The goal of the MPCA and its partners is to provide information to assess – and ultimately to restore or protect – the integrity of Minnesota’s waters.

A key element of the watershed approach is the goal to assess the condition of Minnesota’s waters (all 80 watersheds) via a 10-year cycle that starts over again after the first 10-year cycle is complete. During the second 10-year cycle, the same progression of activities occurs - intensive monitoring to assess current condition and detect any changes, followed by updating of protection and restoration strategies, and then additional implementation efforts. Minnesota’s 2020 impaired waters list submittal represented a milestone moment as the MPCA has now monitored and assessed all 80 watersheds in the state. Half of the state’s streams support aquatic life uses and 70% of the lakes meet recreation uses.

Lake and stream monitoring also has identified the source of contamination in many Minnesota watersheds to be attributable to non-point sources, including agricultural fertilizers and pesticides, urban runoff, manure applications, septic systems, and road salt, as well as industrial and municipal wastewater. Some of the most common impacts to surface water come from sediment, phosphorus (agricultural, industrial and residential), bacteria, nitrate, mercury and pesticides. An emerging concern to surface water quality is the potential effect of endocrine disrupting compounds on aquatic life and reproduction. Water quality varies greatly by region, with waters in northern forested areas of the state generally showing higher quality than the southern and western regions where agriculture and urbanization are more prevalent.

Wetland quality in Minnesota has been less well understood than lake and stream quality. MPCA works with DNR to conduct statewide monitoring programs to assess wetland condition. The MPCA recently completed a second round of the Depressional Wetland Condition Assessment. The 2017 survey found that 25% of plant and 40% of macroinvertebrate depressional wetland communities are in poor condition; with an additional 13% of sites missing plants entirely. The Minnesota Wetland Condition Assessment (MWCA), which focuses on vegetation on most wetlands types most recently occurred in 2016. The results show that the majority (60%) of wetlands in the state are in good health. However, wetland quality varies widely across the state with high quality in the northern forested region and poor quality in the central, southern, and western regions of the state.

Impaired waters identified through monitoring are studied further to identify corrective actions needed to restore water to quality that meets standards set to protect public health, recreation, and aquatic life. Local governments and others partnering with state and federal agencies (i.e. cities, watershed management organizations counties, soil and water conservation districts landowners, citizens and other stakeholders) are leading efforts to upgrade wastewater treatment plants and septic systems; reduce polluted runoff from city streets, agricultural fields and feedlots; and undertake other on-the-

ground actions called best management practices or BMPs to help clean up the state's waters. However, it can take decades to clean up impaired water. Although full restoration of Minnesota's waters will take time, the Clean Water Fund investments will help accelerate the pace of these activities.

More information on Minnesota's approach to surface water monitoring can be found in the Minnesota Water Monitoring Strategy document:

<https://www.pca.state.mn.us/sites/default/files/p-gen1-10.pdf>

More information on actions taken in Minnesota watersheds to meet water-quality goals and milestones can be found at the "Healthier Watersheds: Tracking the actions taken" webpage <https://www.pca.state.mn.us/water/healthier-watersheds>

More water quality information can be found at the "How's The Water?" webpage:

<https://www.pca.state.mn.us/water/hows-water>

Air

By many measures, Minnesota has good and improving air quality. Even in the Twin Cities Metropolitan area, which includes over three million people, the state has historically attained national ambient air quality standards. This is due in part to favorable geography and weather patterns, but also to pollution prevention and control efforts by government and industry.

However, Minnesota still has air quality challenges and current levels of air pollution still contribute to health impacts. In addition, as knowledge of health impacts grows, air standards continue to be tightened. While Minnesota currently meets new standards for ozone and fine particles, air concentrations are much closer to the new standards resulting in the need for careful tracking and efforts to ensure continued attainment.

Air quality is not the same in all parts of Minnesota and doesn't affect all Minnesotans equally. People in some areas either experience pollution levels that, while within federal standards, are nonetheless high enough to worsen serious health conditions or are exposed to pollutants that don't have federal standards such as air toxics. In addition, health inequities mean some populations are more susceptible to the harmful effects of air pollution. People of color, indigenous people, and lower-income individuals often do not have adequate access to the conditions that support healthy living, including quality schooling, healthcare, and clean surroundings. When equitable access to these is limited, poor air quality often contributes to, and worsens, health disparities.

In addition to criteria pollutants and air toxics, emissions of carbon dioxide in Minnesota, primarily from the burning of fossil fuels, continue to contribute to rising atmospheric concentrations. The increased levels of carbon dioxide and other global warming gases result in climate change. Due in part to these changes, Minnesota has

seen major impacts from large-scale wild fires. In 2021, Minnesota experienced unprecedented air quality events as a result of fires along the Canadian border and in Minnesota. The events resulting in very unhealthy air across the state for extended periods of time.

The combined effect of lower standards, regional air masses drifting into Minnesota from other states, more large-scale wild fire events, and increasing temperatures may trigger future air quality violations of the standards, compel more air quality alerts and result in increased health impacts. MPCA will continue to partner with EPA to address these changing conditions to ensure progress on making equitable reductions in air pollution and become more resilient in the face of short-term air quality impacts.

Point Source Emissions Decreasing. For decades, the MPCA has worked with large stationary facilities using traditional methods of permitting, compliance, and enforcement to greatly reduce pollution from these sources. Federal regulatory programs such as New Source Performance Standards, National Emissions Standards for Hazardous Air Pollutants and rules addressing transport of emissions have been highly successful and will continue to drive emissions from these sources downward.

Focus On Reducing Nonpoint Source Emissions - Small, diffuse sources of pollution such as small businesses, vehicles, lawn equipment, and recreational fires pose a growing challenge for the MPCA because the state has little regulatory authority to control them.

As part of the MPCA's long standing focus on these smaller sources, in 2003 the MPCA formed a public-private partnership to further reduce air pollution to protect public health and meet federal air quality standards. The MPCA has continued this partnership, called Clean Air Minnesota (CAM). CAM was founded through the joint effort of the Minnesota Pollution Control Agency, the Minnesota Center for Environmental Advocacy, and the Minnesota Chamber of Commerce to address these shared goals. This partnership gathers stakeholder input, prioritizes strategies, connects projects with funding, communicates about initiatives, and tracks emissions reductions. Clean Air Minnesota also serves as the stakeholder group for the MPCA's 2012 enrollment in EPA's Advance Program which has served as an umbrella for all of the voluntary initiatives that the MPCA and its partners have undertaken to reduce fine particle and ozone emissions.

MPCA has also focused on reductions in traditional air pollutants from transportation. A strategy has been to encourage electrification of Minnesota's vehicles. While our recent Clean Cars Minnesota rule-making focuses on reduction of greenhouse gases, tailpipe pollution from vehicles is one of the primary sources of exposure to harmful air pollutants in many communities around Minnesota. The clean car standards will help reduce air pollution in communities near busy roadways. Reducing emissions would have a positive impact on those who are disproportionately exposed to tailpipe pollution, particularly communities of color and lower-income communities in Minnesota. MPCA is also using funds from the national VW settlement to take older, more polluting diesel vehicles off the roads and replace them with newer, cleaner

models, including some electric models, as well as installing EV charging stations across Minnesota.

Land

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

The state Superfund, enacted in 1983, handles contaminated sites that are large and complicated and that may take several years to fully address. The MPCA's Remediation Division has completed or overseen the full investigation and final cleanup or control of 174 out of 270 State listed superfund sites, and 25 of 52 Minnesota sites on the federal Superfund list. The remainder of the listed sites are in the cleanup process. Most sites need ongoing monitoring and maintenance for many years or decades.

There is also a clear need to prepare the Superfund Program to adequately address growing risks to public health from a number of emerging issues, at both active and closed sites, such as vapor intrusion. The following emerging contaminants and priority issues, which include the lowering of human health standards for several chemicals, will result in a significant increase in MPCA Superfund activities over the next several years:

- Groundwater/Drinking Water Protection
- Trichloroethylene (TCE)
 - 1,1,2,2-Tetrachloroethylene (PERC)
- Vapor Intrusion
- Per- and polyfluoroalkyl substances (PFAS)
- 1, 4 Dioxane
- Lead

These priority issues will necessitate:

- Additional assessments and work at currently active sites;
- More complex investigations and cleanups at a larger number of future sites than had been anticipated, and;
- An ongoing re-assessment of closed sites to ensure that they do not pose a continued threat to public health and the environment. For example, the Superfund program is currently reassessing approximately 2000 closed sites for vapor intrusion and/or drinking water risks resulting from historical chlorinated solvent releases.

Since 1990, the MPCA's Resource Conservation and Recovery Act (RCRA) remediation program has completed the investigation and remediation of 359 hazardous waste release sites. The sites consist of hazardous waste generators, permitted RCRA facilities, and former facilities that operated under interim status.

The Petrofund and Petroleum Remediation Program (PRP) were created in 1987 to clean up contamination from leaking petroleum tanks. The program has investigated and closed more than 19,600 of the 20,180 petroleum leak sites as of the start of 2021. About 300 new sites are expected to enter this program each year for the foreseeable future. As of mid-2021, PRP is completing the review of 750 sites closed prior to vapor intrusion guidance in 2005. These sites were identified as those having the highest potential for vapor intrusion but only 27 of the 750 sites needed additional investigation and two needed corrective action. In 2019 PRP began the Gasoline Additive Project (GAP), which is evaluating the risk to drinking water well at or near almost 5,000 old, closed petroleum leak sites that may have had a leaded gas release. Leaded gas contained additives such as ethylene dibromide (EDB) and 1,2-Dichloroethane (1,2-DCA) that are persistent in the groundwater at these older sites.

The MPCA's Brownfield Program consists of the Voluntary Investigation and Cleanup Program (VIC) and the Petroleum Brownfield Program (PBP). This voluntary program can issue liability assurance letters to eligible applicants as well as response action plan approvals aiding in the redevelopment of contaminated brownfield sites. On average the MPCA Brownfields Program works with approximately 370 sites per year and has cleaned up and returned to productive use over 80,000 acres of contaminated land since its inception in the late 1980s.

The 1994 Landfill Cleanup Act created Minnesota's Closed Landfill Program (CLP). The CLP gives the MPCA responsibility for managing up to 114 closed, state-permitted, mixed municipal solid waste landfills to mitigate risks to the human health and the environment. The CLP manages these closed landfills by monitoring environmental impacts, implementing cleanup actions to help reduce health and environmental risks, CLP maintains each of the landfill properties including landfill covers, operates remedial systems and manages land on the property that CLP is responsible for. The CLP currently operates engineered systems at 28 closed landfills. These systems include landfill gas collection or leachate collection or groundwater remediation systems. The CLP manages over 8,500 acres of closed landfill property about 75 percent of this acreage is buffer property and does not contain solid waste. An emerging body of work for CLP is interest in future potential for property reuse. Areas of primary reuse interest include solar development and pollinator habitat. Federal Superfund Five Year Reviews are conducted on 7 of the 114 closed landfills. One remains on the National Priorities List.

More information on environmental conditions in Minnesota is available on the MPCA website: www.pca.state.mn.us

Outlook

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

Joint Priorities for FFY 2022 – 2026

Joint priorities represent a subset of environmental program responsibilities that MPCA and EPA jointly agree to carry out. They represent investment priorities for the PPA period for one or more reasons below:

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

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

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

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

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

1. E-Enterprise
2. Climate Change
3. Environmental Justice
4. Air Permitting

E-Enterprise Joint Priority
October 1, 2021 – September 30, 2026
(FFY 2022-2026)

Objective:

The Environmental Protection Agency, Region 5 and the Minnesota Pollution Control Agency will work to collaboratively streamline and apply advanced technology across agencies and programs to make business processes more efficient and effective.

Statement of Environmental Problem/Issue:

The MPCA will continue to implement, improve and troubleshoot its process for automatic data transfer solutions.

Actions to be Accomplished or Progress Update:

- Improve environmental protection through better program performance by streamlining and modernizing business processes and promoting the use of advanced information and monitoring technologies; and
- Enhance services to stakeholders and partners while reducing transaction costs and burdens for the regulated community and governmental agencies.

Proposed EPA Commitments:

TBD.

Contact Information:

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EPA, Region 5: Allen Melcer E: Melcer.allen@epa.gov P: 312-886-1498

Climate Change Joint Priority
October 1, 2021 – September 30, 2026
(FFY 2022-2026)

Objective:

Identify policies and strategies that take actions to reduce greenhouse gas emissions and adapt to new climate by developing creative and sustainable solutions.

Statement of Environmental Problem/Issue:

Climate change is an existential threat that impacts all Minnesotans and our ability to thrive. Communities, farms and industry face more frequent extreme weather events that threaten the infrastructure that we rely on to connect all parts of our state, cause undue economic stress, and place our communities and environment at-risk. The PCA and EPA agree to work collaboratively together in the work areas where we can better mitigate the effects of climate change.

Actions to be Accomplished or Progress Update:

- Monitoring changes to the Minnesota climate.
- Support and funding as available for new emissions standards to reduce GHG emissions from transportation.
- Support and funding as available for constructing a state-wide network for electric vehicles.

Proposed EPA Commitments:

Assist with funding, resources, and training where applicable.

Contact Information:

MPCA: Frank Kohlasch E: frank.kohlasch@state.mn.us P: 651-757-2500

EPA, Region 5, Air: Erin Newman E: newman.erin@epa.gov P: 312-886-4587

Water: Kate Balasa E: balasa.kate@epa.gov P: 312-886-6027

Environmental Justice Joint Priority
October 1, 2021 – September 30, 2026
(FFY 2022-2026)

Objective:

The EPA and MPCA share the belief that fair treatment and meaningful involvement are core environmental justice principles that should be integrated into environmental programs and reflected in our work.

Statement of Environmental Problem/Issue:

There is a continued and ongoing need to address the cumulative impacts that affect those that live in environmental justice areas within the State of Minnesota.

Actions to be Accomplished or Progress Update:

- Build capacity to identify and address disproportionate and cumulative impacts (“EJ analysis”).
- Identify and work to address barriers to program-specific investments (funding, guidance).
- Review the role of permittees in addressing impacts and engaging communities, and advance best practices.
- Identify high-priority investment needs in environmental justice areas of concern across Minnesota.
- Address these needs in program planning.
- Make the business case for additional investment when resources are currently unavailable.

Proposed EPA Commitments:

Assist with funding, resources, and training where applicable.

Contact Information:

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EPA Region 5: Alan Walts: E: walts.alan@epa.gov; P: 312-353-8894

Air Permitting Joint Priority
October 1, 2021 – September 30, 2026
(FFY 2022-2026)

Objective:

Reduce the MPCA's renewal backlog with an emphasis on backlogged Title V renewals in Environmental Justice (EJ) areas

Statement of Environmental Problem/Issue:

The MPCA implements the requirements of Title V of the Clean Air Act through its combined construction and operating permits program, which was approved by EPA on December 4, 2001 (66 FR 62967). Through regular program interactions, our annual planning process, and periodic program reviews, EPA and MPCA discuss program progress and implementation issues. MPCA and EPA agree that there is a large backlog of Title V renewal applications. EPA and MPCA seek to work jointly to increase issuance of Title V operating permit renewals, thereby reducing MPCA's renewal backlog. EPA and MPCA agree that the Title V Program provides significant environmental benefit and as such the MPCA agrees to continue to look for ways to increase resources assigned to Title V permitting. As stated above, EPA and MPCA also agree that environmental justice is a priority for both EPA and MPCA and that fair treatment and meaningful involvement are core environmental justice principles that should be integrated into environmental programs including air permits.

Actions to be Accomplished or Progress Update:

- Each year, reduce the overall Title V backlog by issuing 12 backlogged Title V renewals in Environmental Justice (EJ) areas.
- Evaluate progress and reassess issuance target annually.
- By December 31 of each year, discuss with EPA which permits will be targeted for issuance in the following calendar year, based on evaluation of EJ concerns environmental impact, age of application, EPA assistance, and other factors.
- Take necessary steps to prevent further increases in backlogged Title V renewals.
- Explore options to further reduce the overall Title V renewal backlog in the state.
- Update EPA monthly during scheduled conference calls, in addition to continued quarterly and TOPS reports.

Additional Information:

Contact Information:

MPCA: Steve Pak P: 651-757-2663; E: steven.pak@stat.mn.us.

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