



# **Minnesota's Water Quality Standards and the NEW Triennial Review Process**

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Water Quality Standards Unit**



**Minnesota Pollution Control Agency**

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**September 4, 2013**

# Minnesota's Water Quality Standards and the NEW Triennial Review Process

September 4, 2013  
9:00 to 10:00 am

Email questions to:

[minnrule7050.pca@state.mn.us](mailto:minnrule7050.pca@state.mn.us)



# **Minnesota's Water Quality Standards and the NEW Triennial Review Process**

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# Water Quality Standards are used to:



- § Protect beneficial uses
- § Assess the quality of the state's water resources
- § Identify waters that are impaired
- § Set limits for discharge permits and cleanup activities

# Who and What is Protected?

- ⌚ Waters assigned beneficial uses
- ⌚ Minnesota Statutes (Section 115.44, Subd. 3):
  - ☒ "...best usage in the interest of the public..."
- ⌚ Clean Water Act (Section 303(c)(2)(A)):
  - ☒ "...use and value for public water supplies, propagation of fish and wildlife, recreational purposes, and agriculture, industrial, and other purposes, and also...use and value for navigation."

# Beneficial Uses

- ⌚ Seven classes in MN Rules:
  1. Domestic consumption
  2. Aquatic life and recreation
  3. Industrial use and cooling
  4. Agricultural and wildlife use
  5. Aesthetics and navigation
  6. Other uses
  7. Limited resource value



# Surface Waters have Multiple Beneficial Use Classifications

**Class 1** – Drinking water (ground and surface waters)

**Class 2** – Aquatic life and recreation (can include drinking water and 7052 includes fish-eating wildlife)

**Class 3** – Industrial use and cooling

**Class 4A** – Agricultural use, irrigation

**Class 4B** – Agricultural use, livestock, and wildlife watering

**Class 5** – Aesthetics and navigation

**Class 6** – Other uses

**Class 7** – Limited resource value waters

# What Conditions are Protective?

- ❖ Standards identify the conditions needed to support the beneficial use



- § Can be numeric or narrative (descriptive)
- § Generally statewide or region-specific

# How Is Good Water Quality Protected?

- ⌚ Antidegradation is a key protection tool
- ⌚ Three areas of policy/rule provisions:
  1. Maintain existing beneficial uses
  2. Protect high quality waters
  3. Maintain exceptional waters (ORVWs)

# One more time: What Are WQ Standards?

- ⌚ Foundational part of the Clean Water Act
- ⌚ CWA objective:
  - ⌚ “Restore and maintain the chemical, physical and biological integrity of the nation’s waters”
  - ⌚ “Fishable and swimmable” interim goal
- ⌚ Address three key questions:
  1. What and who are we protecting?
  2. What conditions are protective?
  3. How do we maintain high water quality?

# The Triennial Review is...

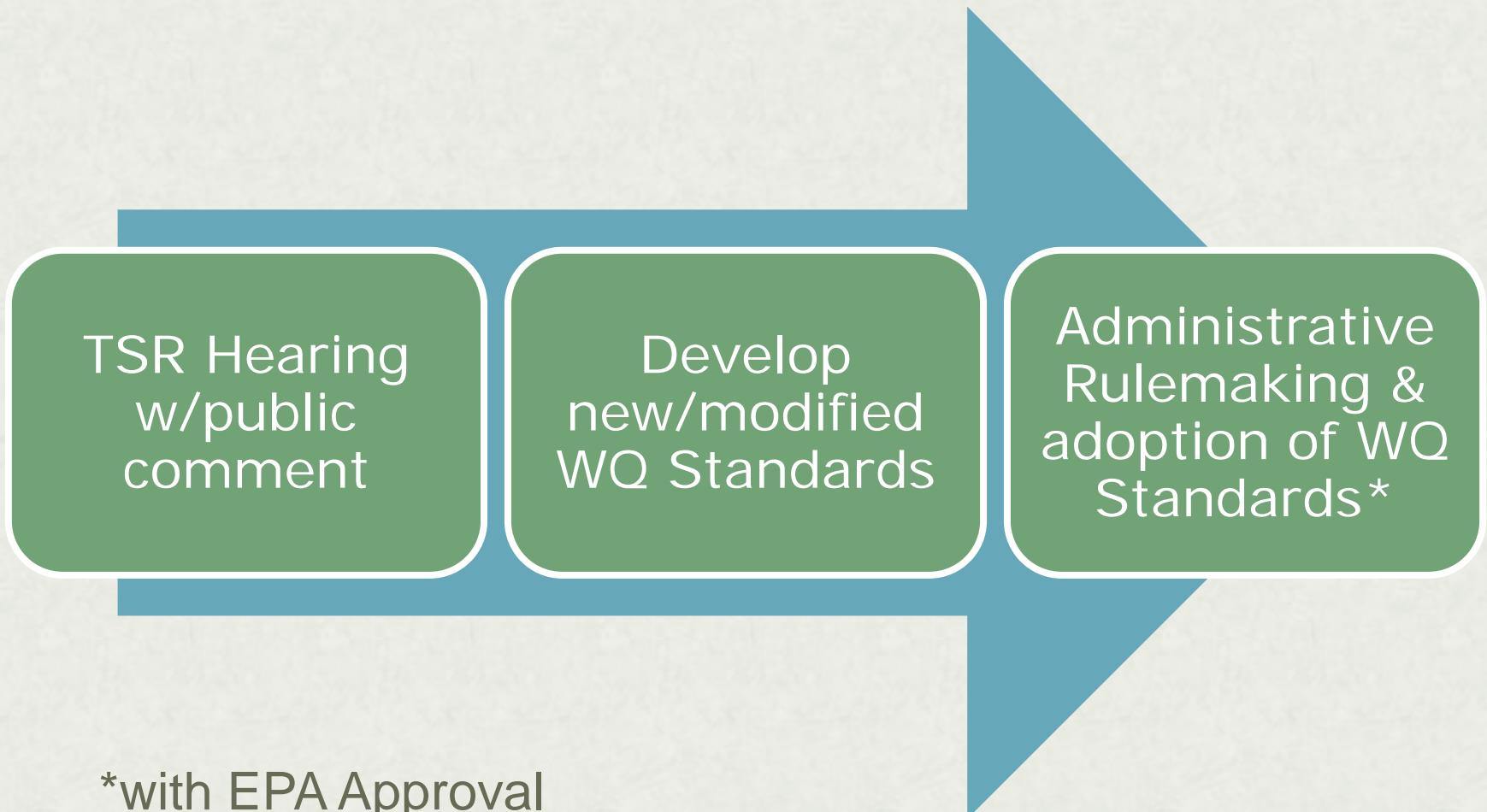
A requirement under Section 303 of the federal Clean Water Act:

“..at least once each three year period...hold public hearings for the purpose of reviewing applicable water quality standards and, as appropriate, modifying and adopting the standards”

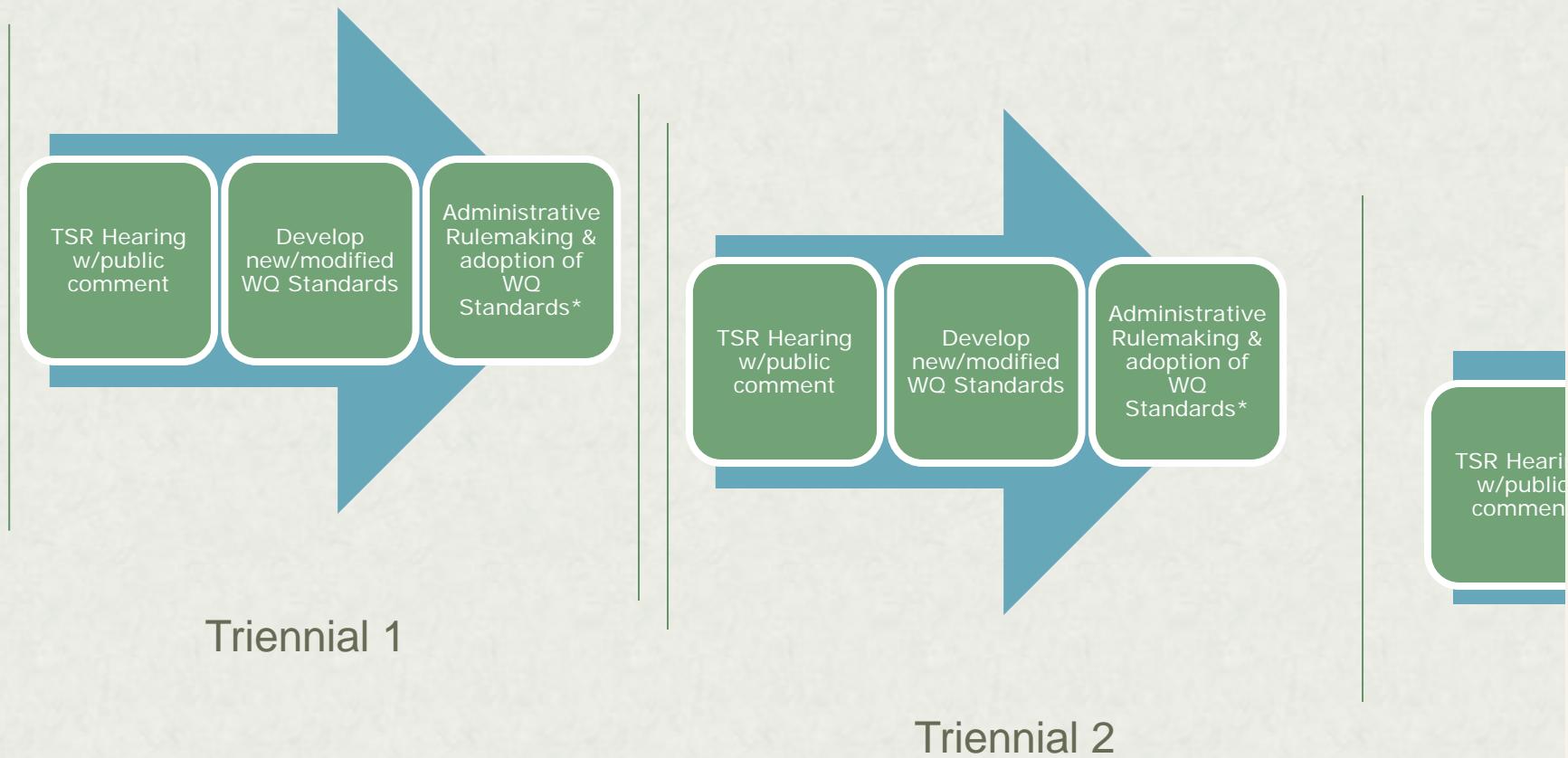
[CWA Section 303(c)(1)]

*The “Triennial Standards Review or TSR”*

# MPCA's TSR Process to date:



# An every three year, linear process



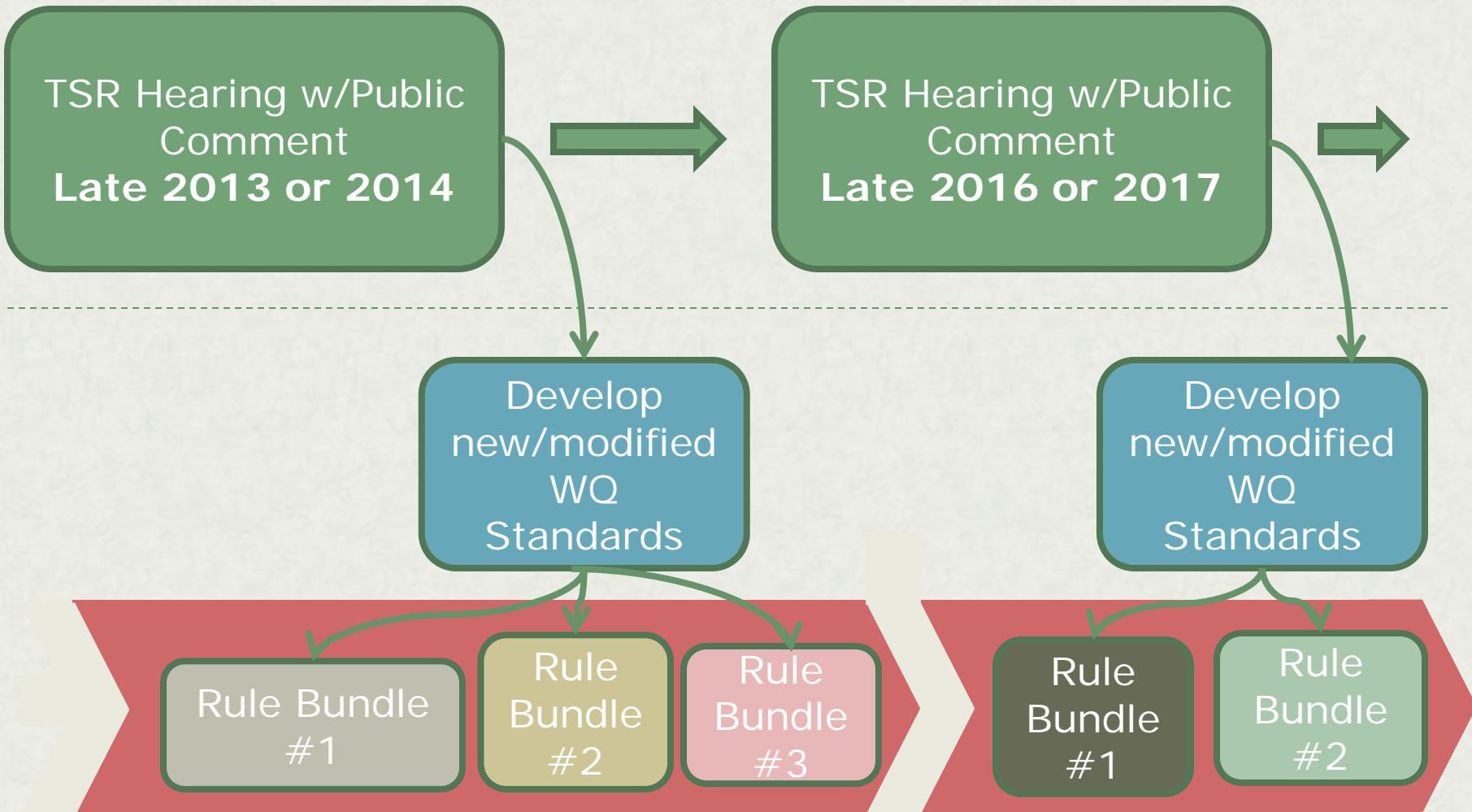
# ..except that it hasn't been

- ⌚ Example: 2008 TSR Projects

- ⌚ **New Water Quality Standards for River Eutrophication and Total Suspended Solids**
- ⌚ Complex technical development
- ⌚ Changing or updated science
- ⌚ Heightened interest and challenges to the standards development process
- ⌚ Complex rulemaking process



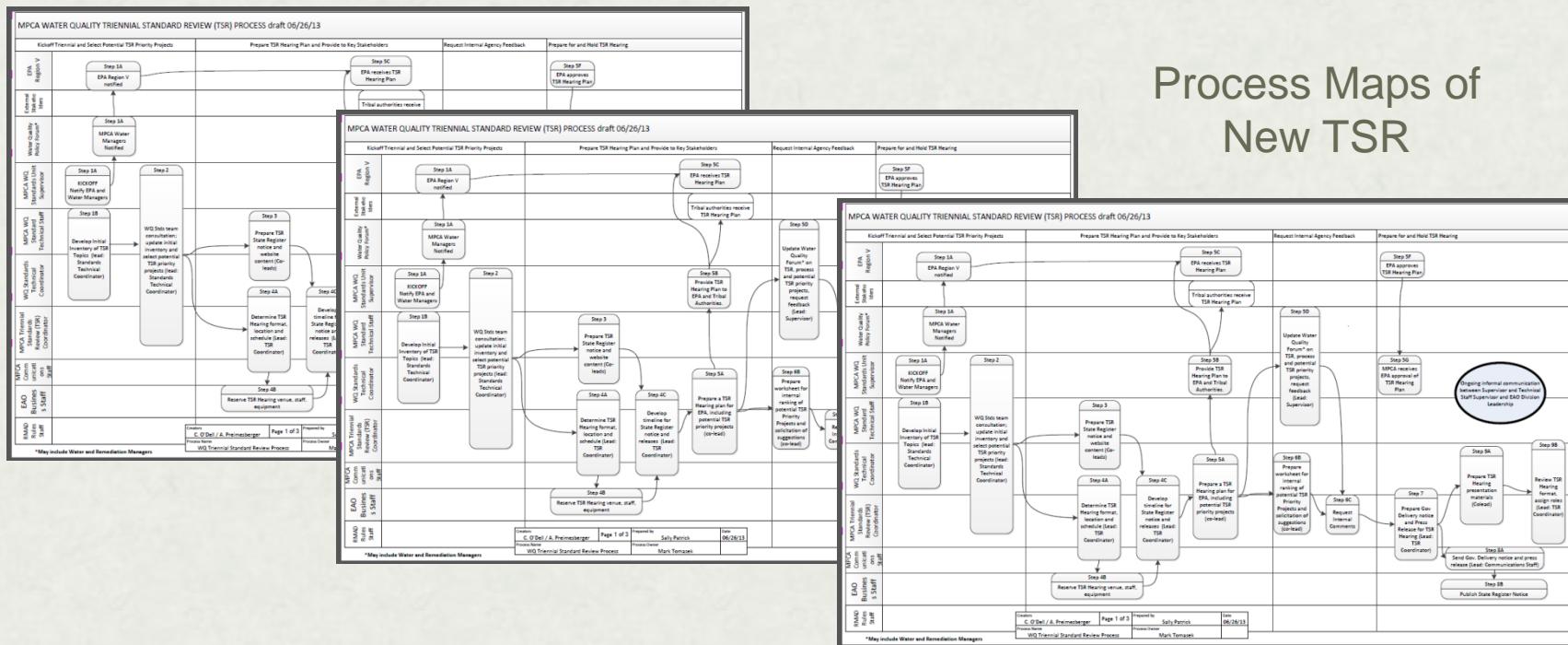
# MPCA's New TSR Process





Welcome to a new way of doing business for state government.

# Process Maps of New TSR



What water  
quality  
standards  
revisions,  
amendments  
or new  
pollutant  
standards is  
the MPCA  
working on?



# Initial TSR Inventory

- ⌚ Provide the public with information on:
  - ☒ WQS priority projects: **in process**
  - ☒ WQS priority projects: **committed to**
  - ☒ **Potential WQS priority projects/topics**
- ⌚ Inventory will facilitate commenting on potential TSR focus areas while gathering broader public input per Clean Water Act requirements

# Internal MPCA Solicitation of WQS Needs

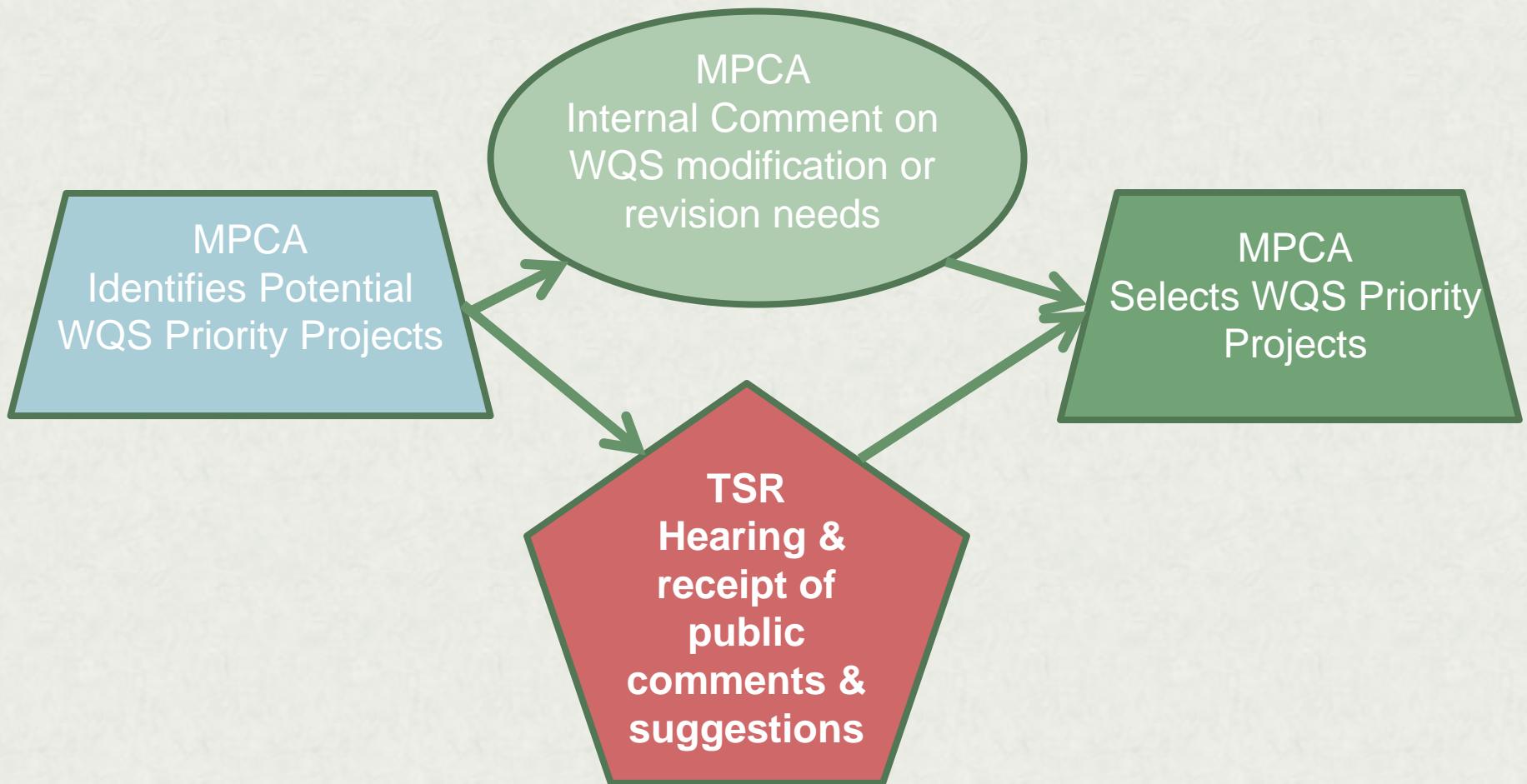


Requests, Suggestions,  
Feedback on Potential WQS  
priority projects/topics

## MPCA Programs Applying WQ Standards:

- Effluent limits
- NPDES permits (WWTP, Stormwater)
- Impaired waters and TMDLs
- Subsurface Sewage Treatment Systems
- Land disposal permits

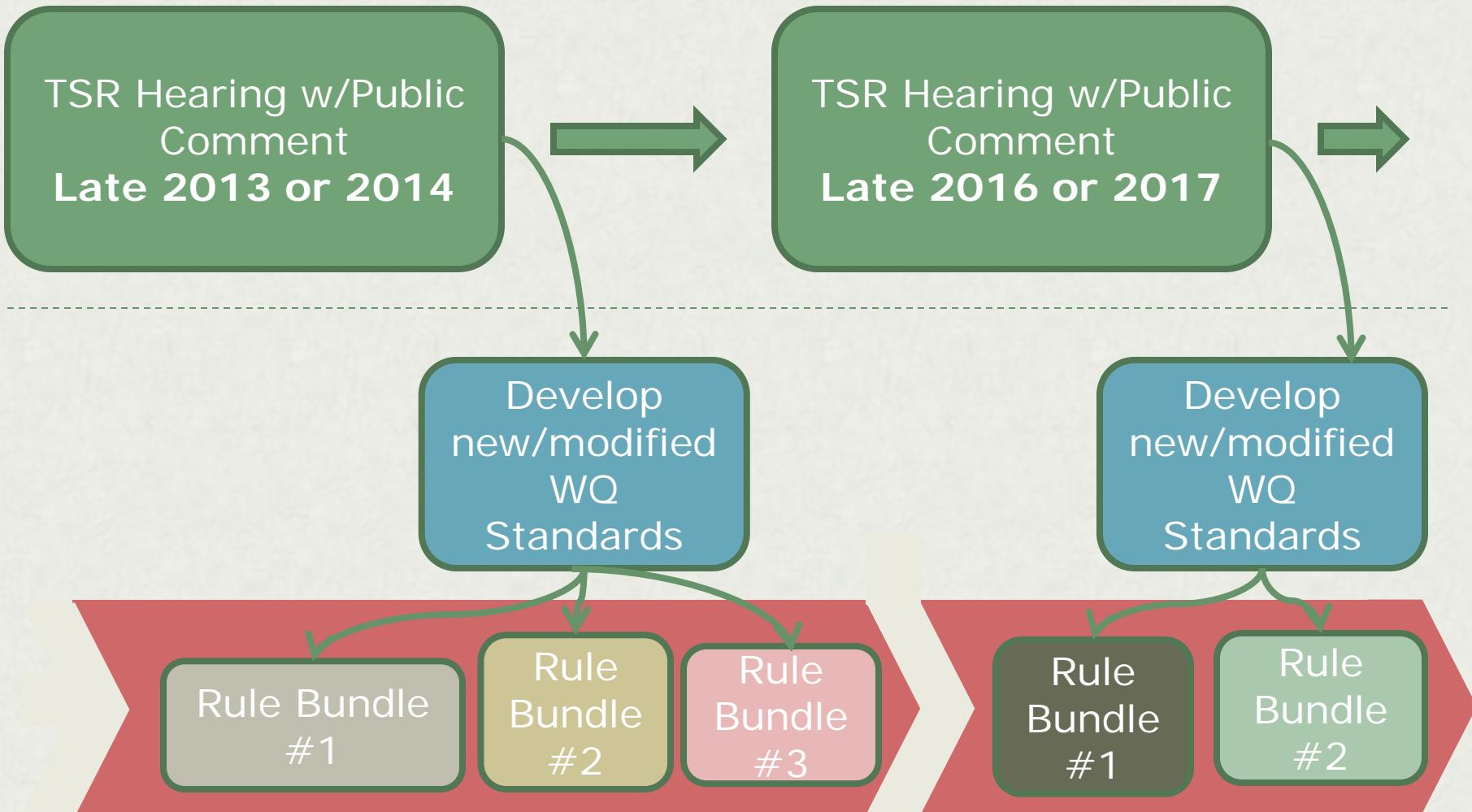
# PRIMARY STEPS IN MPCA'S NEW TRIENNIAL STANDARDS REVIEW PROCESS



# Considerations for Prioritizing TSR Topics

- ⌚ **Program needs:** permitting, remediation, and regional TMDL/stressor ID
- ⌚ **EPA national criteria and State pollutant- specific information**, including:
  - ☒ MN Dept. of Health standard and guidance for human health
  - ☒ MPCA and EPA fish-tissue monitoring/new fish tissue WQS
  - ☒ MN Dept. of Ag pesticide monitoring/benchmarks
- ⌚ **Use Classification requests**
- ⌚ **Public feedback** on pollutants of concern and newer scientific/policy information to improve WQS

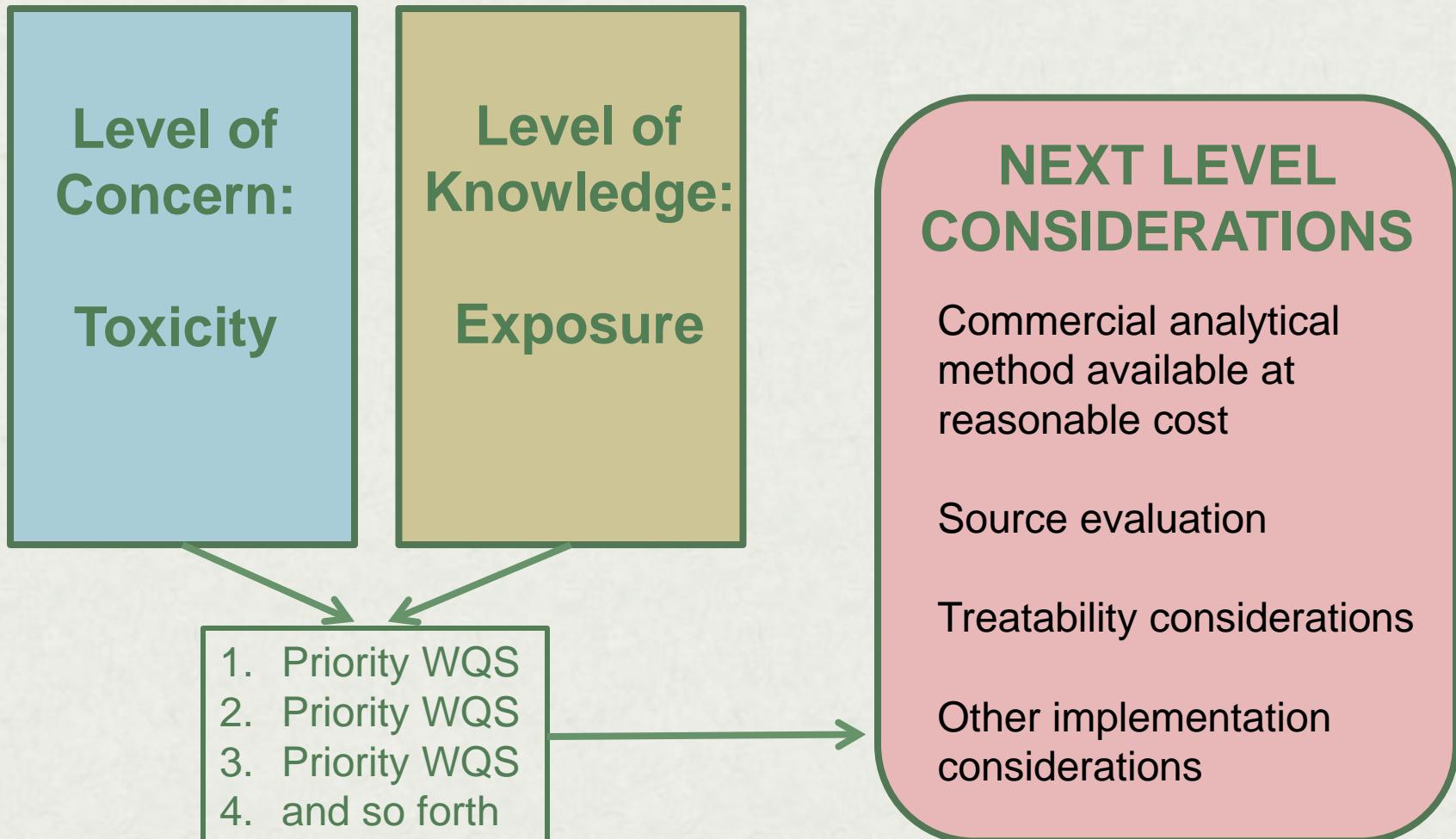
# MPCA's New TSR Process



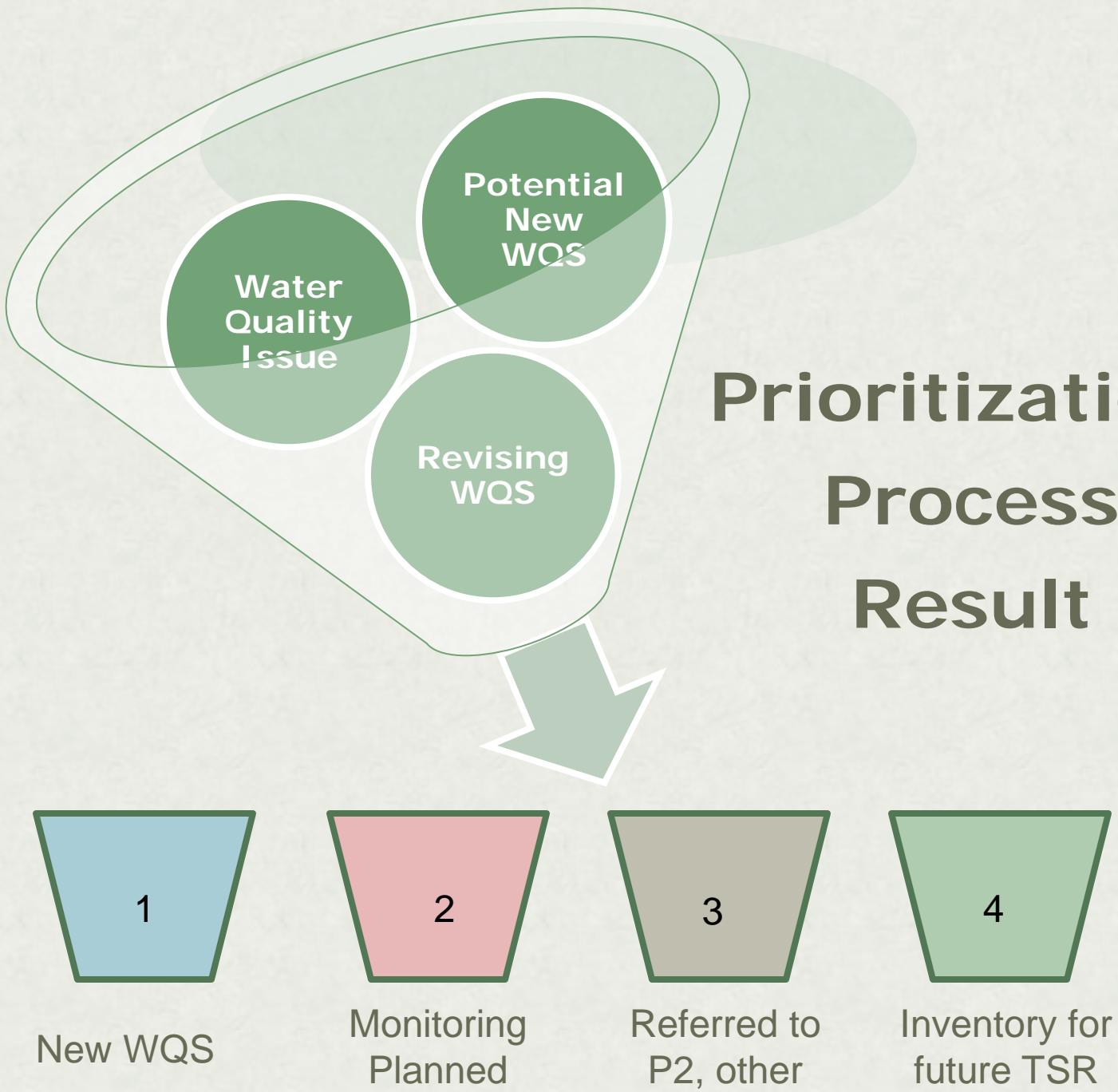
# Final 2013/2014 TSR Priorities and Inventory of WQS topics

- § WQS priority projects: **in process**
- § WQS priority projects: **committed to**
- § **WQS priority projects: priorities selected as part of the 2013/2014 triennial standards review**
- § WQ standards/guidance that should be revised/developed but are not priorities for the upcoming cycle
- § WQ standards/guidance where barriers to development currently exist

# Prioritizing development of new and revised water quality standards



# Prioritization Process Result



# Timeline for the upcoming TSR



# Email Webinar Questions to:

[minnrule7050.pca@state.mn.us](mailto:minnrule7050.pca@state.mn.us)

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# Sign up for GovDelivery:

[www.pca.state.mn.us](http://www.pca.state.mn.us)

The image shows two screenshots. The top screenshot is the Minnesota Pollution Control Agency (MPCA) website homepage. It features a large photo of a dog jumping into water, a banner with the text 'If in doubt, stay out!!', and a 'Public notices' section. The bottom screenshot is a search results page from GovDelivery for the MPCA. It lists categories like 'Public notices and rulemaking', 'Rulemaking - active projects', 'Air', and 'Water', with the 'Water' category circled in red.

**Minnesota Pollution Control Agency**

e-Services

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**Public notices**

General info 1-800-657-3864  
• Staff Directory  
• Who to Call  
• Regional Offices

Environmental emergencies (24 hrs) 800-422-0798

Connect

Current air quality

If in doubt, stay out!!

High summer temps can make some algae in Minnesota lakes and str dogs and kids out of suspicious green water.

New law aims to increase accountability for

The new law aims to ensure that state agencies can have the most benefit, and that the state makes progress toward clean water goals.

Say "I do" to a green wedding

Weddings are a beautiful tradition. But they can

**https://public.govdelivery.com/ - Minnesota Pollution Control Agency - Windows Internet Explorer**

- Public notices and rulemaking**
- Rulemaking - active projects**
- [New Rules](#)
- Rules Addressing Pollutants from Silica Sand Projects
- Air**
  - Mercury Emission Inventory Reporting and Reduction Requirements
  - Omnibus Air
  - [Rules Addressing Pollutants from Silica Sand Projects](#)
- Water**
  - [Antidegradation Rule](#)
  - [Wastewater and Stormwater Treatment Assistance Rule](#)
  - [Water Quality Standards](#)
  - [Water Quality Trading Rule](#)

