

Inventory of water quality standards projects, 2018 – 2020, with status as of June 2018

New or revised water quality standards and amendments in rulemaking:

Group 1: Current and active WQS projects

Subgroup 1A	Topic	Status
In Rulemaking	Revision of existing Class 3 (Industrial Consumption) and Class 4 (Agriculture and Wildlife) designations and associated water quality standards (WQS). <i>(Note: this does not include updates to the sulfate standard for protection of wild rice.)</i>	Finalization of the technical approach for revising use class designations and the associated WQS is continuing, with release of the proposed rule, SONAR, and formal public comment period anticipated in 2018. Lead scientists: Gerald Blaha and Laura Lyle
Subgroup 1B	Topic	Status
Pre-rulemaking Development	Revision of the approach for Class 1 (domestic consumption) use designations and associated WQS for groundwater and surface water.	These revisions address the inconsistencies and gaps in Minn. R. chs. 7050 (waters of the state) and 7060 (underground waters). The Minnesota Pollution Control Agency (MPCA), the Minnesota Department of Health (MDH), and other agencies with relevant authority are reviewing the specific items to be revised. More information about likely rule changes will be shared with the public in 2018. Lead scientist: Doug Hansen
Pre-rulemaking Development	Revision of recreational WQS for human health protection from surface water pathogens (<i>E. coli</i>) based on the U. S. Environmental Protection Agency (EPA's) 304(a) Recreational Water Quality Criteria from 2012.	The technical review is nearly complete and finalization of this revision is continuing. MPCA anticipates draft rule documents will be available in 2018. Lead scientist: Laura Solem
Pre-rulemaking Development	Revisions to Use Classes 2A (cold waters) and 2B (cool and warm waters) .	This revision is focused on updating and aligning existing Class 2A/2B designations with the improved tools now used by MPCA to assess the condition of Minnesota's waters. The technical review for this project is complete and supporting documentation is in development. Lead scientist: Will Bouchard

Descriptions for each group and subgroup are on page 4.

New or revised water quality standards and amendments that are priorities to develop 2018 to 2020:

Group 2: In technical development

SubGroup 2A	Topic	Status
Technical Review	(No WQS projects are currently in this subgroup.)	
SubGroup 2B	Topic	Status
Technical Information Outstanding	Additions of numeric WQS for protection of aquatic life for nitrate .	The EPA is continuing to develop new toxicity information for nitrate, some of which is expected to be available in 2018. MPCA does not anticipate making progress on this project over the next year. Lead scientist: To be determined
To be developed with nitrate	Revisions of numeric WQS for protection of aquatic life based on EPA 304(a) Ambient Water Quality Criteria for ammonia .	MPCA plans to revise the WQS for ammonia concurrently with nitrate to address implementation considerations relevant to both pollutants. Lead scientist: To be determined
Technical Information Outstanding	Revisions of numeric WQS for protection of aquatic life for chloride .	The EPA is continuing to develop new toxicity information for chloride and related pollutants, which is expected to be available in 2018. The MPCA does not anticipate making progress on this project over the next year. Lead scientist: Laura Lyle
Technical Information Outstanding	Additions of numeric WQS for protection of aquatic life for sulfate .	EPA is continuing to develop new toxicity information for sulfate and related pollutants, including new studies that are just beginning. The MPCA does not anticipate making progress on this project over the next year. Lead scientist: Phil Monson

Group 3: Tracking and evaluation

Group 3	Topic	Status
Tracking and Evaluation	Addition of numeric WQS for perfluoro-octane sulfonate (PFOS) in fish tissue , employing updated human-health based WQS methods (these methods were adopted into Minn. R. chs. 7050 and 7052 on March 16, 2015).	MPCA plans to develop a WQS for PFOS in fish tissue to address an expected increase in the number of water bodies in which fish have been impacted by PFOS. Lead scientists: Angela Preimesberger and Laura Solem

Opportunities for public comment:

Group 4: Other WQS projects

Group 4	Topic	Status
Intermittent activity	Updates to the list of outstanding resource value waters in Minn. R. 7050.00335.	Review of outstanding resource value waters is conducted on an as needed basis. Lead scientist: Gerald Blaha
Intermittent activity	Review of limited resource value waters (Class 7).	Review of Class 7 waters is conducted on an as-needed basis. A conceptual model for integrating review of listed Class 7 waters into the MPCA's watershed approach is in very early development. Lead scientist: Will Bouchard

Descriptions for each group and subgroup are on page 4.

Explanation of group designations:

New or revised water quality standards and amendments in rulemaking are **Group 1 projects that are in active development**. These WQS projects are in rulemaking (Group 1A) or are expected to enter rulemaking before the next triennial review (within two to three years) (Group 1B).

Group 1A projects have had a request for public comment published and there is a projected timeline for adoption into state law. The MPCA is focused on responding to any changes needed due to peer review (where applicable), finalizing the technical support document (TSD), and developing the Statement of Need and Reasonableness (SONAR) and final rule language. The need for peer review will impact how long it takes to complete a WQS.

Group 1B projects are in the process of preparing supporting documentation (the TSD), and there is a basic concept of what will be included in rule language. Draft TSDs for new or revised numeric WQS go through an initial public comment period and an independent peer review process. When the TSD is sufficiently complete (i.e. complete enough to allow it to go through peer review), Group 1B projects move into Group 1A, about two to three years.

New or revised water quality standards and amendments that are priorities to develop 2018 to 2020 include **Group 2 and 3 projects**. These WQS projects were selected as priorities for development in the 2017 Triennial Standards Review and have not yet advanced into rulemaking; their progress since 2018 is provided here.

Group 2 projects are in technical development. Information needs and technical approaches for developing WQS vary widely, making it difficult to estimate the time needed to advance these projects.

Group 2A projects are those for which all necessary supporting studies and other information from outside the MPCA is available. The information is sufficient to conduct a basic evaluation of how the standard will address environmental or programmatic concerns, and to assess the resources needed to promulgate and implement the standard. An important consideration in whether and when a WQS project moves into Group 1 is whether MPCA programs can accommodate the added work to develop policy and implement the new WQS, and still maintain regular permitting and related work. Group 2A projects are likely to move into Group 1B within one to two years.

Group 2B projects are in initial technical development. This can involve many different tasks, such as: compiling and reviewing scientific literature about a pollutant; collecting and reviewing Minnesota-specific data; designing and undertaking one or more studies; and reviewing an EPA criteria document. Projects in Group 2B lack some needed information, such as a scientific study, that prevents completion of technical development. Months to years may pass before the information needed to complete basic technical development is available. Once it is, Group 2B projects move into Group 2A.

Group 3 projects are being tracked. Group 3 projects are those that MPCA has not started developing, either because of missing technical information, a lack of capacity, or both. Group 3 projects may remain in Group 3 with no significant progress made throughout the three-year triennial period.

Group 4 projects do not have a priority status with regard to development but are important WQS work.

Opportunities for public comment:

Opportunities for public input on water quality standards occur with the adoption of standards into Minnesota rule. In addition, all of Minnesota's water quality standards are open for public review and comment every three years as part of the Clean Water Act required, Triennial Standards Review. The next Triennial Standards Review will begin in 2020.

Specific information about opportunities to comment on standards proposed for adoption (Group 1A) is available here:

<http://www.pca.state.mn.us/index.php/view-document.html?gid=16321>).

Note: The easiest way to stay current with water quality standards development and adoption is to sign up for GovDelivery notices on the MPCA's Water Quality Standards webpage: <http://www.pca.state.mn.us/qzqh1081>.

This report fulfills the requirement of Laws of Minnesota 2015, chapter 4, section 100, paragraph (b).