

2005-2007

# EnPPA



Environmental Performance Partnership Agreement

Indiana Department of Environmental Management  
and  
U.S. Environmental Protection Agency Region 5

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between  
Indiana Department of Environmental Management  
and  
U.S. Environmental Protection Agency Region 5

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July 1, 2005 – June 30, 2007

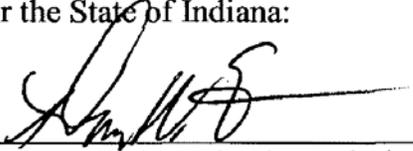
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## Authorizing Signatures

The Indiana Department of Environmental Management and USEPA, Region 5 2005-2007 Environmental Performance Partnership Agreement is approved on the date of the last signature received.

For the State of Indiana:



Thomas W. Easterly, Commissioner  
Indiana Department of Environmental Management

JUNE 23, 2005  
Date

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



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

6-29-05  
Date

ARC

## **Purpose of the EnPPA**

The Indiana Department of Environmental Management (IDEM) and the United States Environmental Protection Agency (USEPA) Region 5 are entering into their fifth Environmental Performance Partnership Agreement (EnPPA). The biennial agreement identifies program specific priorities and mutual areas of interests between the two agencies. The purpose of this agreement is:

1. To determine a specific list of program elements for primary focus.
2. To develop a general plan of action for each element listed.
3. To describe the roles and responsibilities of each agency in addressing each element.
4. To set the term of this agreement from July 1, 2005, to June 30, 2007.

The EnPPA is a product of the National Environmental Performance Partnership System (NEPPS), a joint initiative of the USEPA and Environmental Council of States (ECOS). The EnPPA, formed under NEPPS, is designed to provide states and USEPA with flexibility in achieving environmental results and to enhance accountability in achieving environmental progress. The Performance Partnership Grant (PPG) is the federal grant used to fund many of the EnPPA activities.

## **Scope of the EnPPA**

The EnPPA, including the general work plans, primarily focuses on activities that are funded by PPG dollars. The scope of the EnPPA by no means fully encompasses the entire work load of each agency, but is intended to compliment IDEM's strategies and USEPA's regional work plan. It is designed to be a concise strategic document to be used to focus limited resources on committed specific outcomes. In addition to the general work plans described within the EnPPA, IDEM has more detailed work plans to be used internally to address and complete the elements committed to within this agreement.

## **Grants Covered Under the EnPPA**

IDEM has and intends to utilize the Performance Partnership Grant (PPG) in order to gain more flexibility in the use of the federal funding and to reduce the administrative burden of having numerous specific categorical grants tied to work plans. Also, the PPG allows for the continuance of key resource investments that have already been determined to be priority activities. The federal and the state funding in the proposed PPG are \$24.14 million and \$19.57 million. The proposed general categories are as follows:

1. Underground Storage Tank
2. Air 105
3. Water 106 (404 and 414)
4. PWSS
5. RCRA (Hazardous Waste Permitting and Great Lakes Initiative)
6. Clean Sweeps
7. Enviro schools (EMS)
8. PCB
9. Corrective Action

## **Development and Elements of the EnPPA**

The development process:

- **Initial List:** An initial list of EnPPA priorities began with IDEM team members discussing and listing the past, present and future goals of each program area.
- **Draft Priority List:** The draft priority list was developed from the initial list, focusing on those priorities that were funded primarily by EPA grants.
- **Draft EnPPA:** The draft EnPPA was developed from the priority list and presented to USEPA Region 5 during a kick-off meeting held in Indianapolis on 4/5/2005.
- **Program Work Group Discussion:** Program groups from both agencies met jointly to discuss work plans, goals and EnPPA priorities, (The joint land group meeting was on 5/5/05, the air group meeting was on 5/12/05 and the water group meeting, via teleconference, was on 5/20/05.)
- **Final EnPPA:** The final EnPPA was a result of shared discussions and mutual agreement between the agencies.

The elements:

- The elements of the EnPPA provide a framework for accountabilities by clearly defining IDEM and USEPA actions, roles and specific program area contacts.
- The elements of the EnPPA are listed as program specific with included work plans for each element.
- The elements of the EnPPA require a joint assessment. The joint assessment will be an annual face-to-face discussion between IDEM and USEPA at the end of year one. The joint assessment will highlight successful program achievements; identify areas that need improvement and/or additional resources; provide a mechanism for discussions and adjustments in specific program directions or approaches.
- The reporting elements of the EnPPA will be defined by USEPA. USEPA Region 5 will inform IDEM of the level of detail needed for each program element.
- The EnPPA is viewed as a “living document” that is flexible and can be modified, upon agreement, to reflect changes in IDEM and USEPA needs.

## **Roles of IDEM and USEPA**

This agreement defines the roles that both IDEM and USEPA Region 5 will undertake to meet the program commitments.

IDEM and USEPA recognize the primary role of IDEM in administering federal environmental programs delegated to the state under federal law and in carrying out state programs prescribed under state law. USEPA Region 5’s role in assisting IDEM includes: addressing multi-state or national issues directly; implementing programs not delegated to IDEM; and working on targeted sectors, watersheds or airsheds in conjunction with IDEM. Several activities are common to both IDEM and USEPA Region 5, such as permitting, compliance, enforcement, monitoring, and outreach.

## **Compliance and Enforcement Assurance**

Compliance and enforcement activities accomplished during the term of this EnPPA are included in the detailed State program plans (at the section level.) The following tenets

serve as the foundation for IDEM-USEPA relationships with respect to Compliance and Enforcement activities:

- Utilize the most effective application of compliance tools to encourage regulated facilities to maintain and, where possible, exceed compliance with environmental laws (e.g., compliance assistance, compliance assurance, administrative/civil enforcement and criminal prosecution.)
- Utilize joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate “surprises” and institutionalize communication.
- Manage for internal and/or external environmental results.

In addition to providing guidance to IDEM, USEPA has a continuing role in environmental protection in the State of Indiana. USEPA carries out its responsibilities in a variety of ways, including:

- Acting 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.
- Assisting in conducting inspections and enforcement actions.
- Providing compliance and technical assistance to the State and its regulated entities.
- Providing science based information to the State and its regulated entities.

Under this EnPPA agreement, IDEM and USEPA retain their authorities and responsibilities to conduct enforcement and compliance assistance. Enforcement will be accomplished in the spirit of cooperation and trust. Specific federal enforcement and compliance assistance responsibilities include, but are not limited to, the following:

- Working on National Priorities and Regional Priorities (e.g., multi-media inspections, sectors or companies with significant company-wide non-compliance in several states, and OECA Priorities.)
- Ensuring a level playing field and National consistency across State boundaries.
- Addressing interstate and international pollution (e.g., watersheds and ambient air.)
- Addressing criminal violations.
- Conducting enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgements and orders.
- Conducting state reviews in accordance with the OECA’s National State Review Framework.

USEPA will take enforcement actions in Indiana, 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 USEPA to take immediate action (e.g., seeking a temporary restraining order.) In those circumstances, USEPA will consult with IDEM in a timely manner, following the initiation of the action.

### **Quality Management Plans**

The Quality Management Plan (QMP) describes the quality system used by IDEM in terms of the organization's structure, the functional responsibilities of management and staff, the lines of authority, and the required interfaces for planning, implementing, and

assessing all activities conducted. The QMP describes the specific quality assurance and quality control practices employed by both IDEM staff and its contractors for data generation, handling, and monitoring. It also addresses the practices used to promote quality and consistency within the various processes performed by IDEM in carrying out its mission as an environmental regulatory agency.

IDEM has had a Quality Management Plan in place since 1999. A scheduled revision of the QMP was sent to USEPA in early December 2004, which will be effective until June 30, 2006.

Although IDEM only recently submitted a revised Quality Management Plan to USEPA, the new IDEM senior leadership has initiated a further revision of the QMP. To date, the IDEM QMP has combined quality issues from each of several program areas into a single QMP document. The revision, which began in April 2005, will continue to use the basic ten elements and ten chapters format, but each program branch will be discussed within its own ten chapters. All issues that are truly agency wide will be addressed in an overarching, agency wide QMP that will be comprised of numerous smaller, more manageable program branch specific QMPs. This revision will contain broad, agency wide requirements to which branches must adhere when preparing branch specific QMPs. A further effort will be made to standardize agency methodologies for conducting quality systems assessments and for addressing quality systems improvement.

This revision effort is consistent with USEPA guidance on Quality Management Plans, which clearly states that states' Quality Management Plans may be revised when there is any reorganization of the agency, or the agency's quality system. When completed, this revision of the IDEM QMP will produce a quality systems document that is both more manageable and more accessible to the program branches, the public, and USEPA.

### **Reporting**

IDEM will continue to report to USEPA the necessary information as required and agreed upon, including required timelines. It is recognized that reporting requirements beyond those specifically mentioned in this agreement do exist. Those requirements often relate to populating national databases or to tracking performance against priority activities identified in the internal IDEM work plans. These requirements may be embodied in a variety of existing agreements and are not reiterated in this agreement. IDEM will reference its web site and other existing reports as supporting documentation for the EnPPA and the PPG. Both IDEM and USEPA will report through the Joint Assessment Process.

### **Joint Priorities and Mutual Interests**

Joint priorities represent a subset of environmental program responsibilities that IDEM and USEPA agree represent investment priorities for the EnPPA period for various reasons, for example:

- The program is an important, newly developing initiative that requires the attention of both IDEM and USEPA to adequately develop.
- The program area is at risk of inadequately functioning, and the deficiency

represents a significant vulnerability to the integrity of the environmental protection program.

- The program represents a long-term strategic investment opportunity.
- The program offers the opportunity to demonstrate innovations to promote environmental improvements or enable efficiency enhancements.

IDEM and USEPA met and identified the following Joint Priorities which will be discussed during the joint assessment process:

Joint Priorities

- |       |  |
|-------|--|
| Air   | - Midwest Diesel Initiative to reduce diesel emissions in the Midwest corridor, including truck stop electrification, school bus and garbage truck retrofits and a IDE hosted DieselWise website.  |
| Water | - Issuance of expired permits.<br>- Addressing Combined Sewer Overflows (CSOs), Long Term Control Plans (LTCs), and Sanitary Sewer Overflows (SSOs).   |
| Waste | - NW Indiana – Focus on Indiana Harbor supplemental risk assessment and dredging activities and the Grand Calumet watershed remediation/restoration NRD projects.<br>- Resource Conservation Challenge, including industrial byproduct beneficial use/reuse, compost utilization and safe recycling and management of end-of-life equipment. |

IDEM and USEPA met to discuss areas of Mutual Interest. Areas of Mutual Interest are areas that can be worked on independently and are not necessarily addressed within the EnPPA.

Mutual Interests

- |       |  |
|-------|--|
| Air   | - Reduction of risk from air toxics in communities<br>- Global settlement cases  |
| Water | - Work on impaired waters [e.g., Total Maximum Daily Loads (TMDLs) and St. Joseph River]   |
| Waste | - Schools initiative<br>- Landfills, Subtitle D Research Development and Demonstration (RD & D) rule   |
| OSEC  | - Environmental indicators<br>- Innovation projects<br>- Great Cities (Urban Initiative) communication<br>- State and Tribal Science Network (research projects) |

**Joint Planning and Evaluation Process**

IDEM and USEPA Region 5 both agree that it is important to clearly articulate how all the components of the performance partnership are interrelated. In order to evaluate this

agreement and complete the previous one, both agencies will participate in a joint planning and evaluation process. The process timelines is as follows:

| <u>Actions</u>   | <u>Deadlines</u> |
|--|------------------|
| 2005-2007 EnPPA Begins                                     | July 1, 2005     |
| Final Environmental Conditions Report (2003-2005 EnPPA)    | Sept. 30, 2005   |
| USEPA Evaluation of State's Final Report (2003-2005 EnPPA) | December 2005    |
| Joint Assessment Process                                   | June 2006        |
| Joint Assessment Process Conditions Report                 | Sept. 30, 2006   |
| USEPA Region 5's Evaluation of Report                      | December 2006    |
| Senior Management Planning Meeting (2007-2009 EnPPA)       | April 2007       |
| IDEM/USEPA Program-to-Program Meetings (2007-2009 EnPPA)   | April/May 2007   |
| Workplan Negotiation (2007-2009 EnPPA)                     | April 2007       |
| Workplan Finalized (2007-2009 EnPPA)                       | May 2007         |
| Draft EnPPA Finalized (2007-2009 EnPPA)                    | June 2007        |
| 2007-2009 EnPPA Begins                                     | July 1, 2007     |
| 2005-2007 Final Environmental Conditions Report            | Sept. 30, 2007   |

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, which may include redirecting goals and resources; obtaining federal assistance; or decreasing/increasing federal oversight and involvement in the management of delegated programs.
- Encourage IDEM 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 IDEM and USEPA Region 5 to work together to implement IDEM's Quality Improvement Process, which utilizes the **Plan-Do-Check-Improve** model to solve problems and improve the programs. If any differences exist on specific issues or problems, IDEM and USEPA Region 5 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 from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. IDEM and USEPA will jointly assess each program element and determine the appropriate course change, as needed. USEPA will review and act on new regulations in program areas that impact Indiana's authorization or where federal statute or regulation requires USEPA review and approval of State actions (e.g., water quality standards.)

## **Dispute Resolution Process**

IDEM and US EPA Region 5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise as we execute this agreement. We will treat the resolution process 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.

### **Informal Dispute Resolution Guiding Principles**

- Recognize conflict 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.
- 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 time frames and/or deadlines and escalate quickly when necessary.

### **Formal Conflict Resolution**

There are several formalized programmatic conflict resolution procedures that may be invoked if the informal route has failed to resolve all issues. Examples include:

- 40 CFR 31.70 (outlines the formal grant dispute procedures.)
- National Pollutant Discharge Elimination System conflict resolution procedure.
- Superfund program dispute resolution contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program.

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

1. Principle: Disputes should be resolved at the front line or staff level, when feasible.
2. Time frame: Disputes should be resolved as quickly as possible but within two weeks of their 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.
3. Escalation: When there is no resolution and the two weeks have passed, there should be comparable escalation in each agency, accompanied by a statement of the issue and a one-page issue paper. 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.

## **Environmental Conditions in Indiana**

To put the elements of this agreement into context, it is useful to review the progress achieved in each program area and the current status of our waters, air and land in Indiana. A summary of Indiana's environmental conditions are as follows and are used as the basic elements listed in each area work plan:

## Water

Indiana waters today are decidedly cleaner than they were decades ago. Regulatory programs for industrial and municipal discharges have been implemented. Furthermore, Indiana's 1996 surface water monitoring strategy has assessed all lakes and streams in the state for their intended use. The intended outcome is to improve upon the fact that 63% of Indiana's 35,673 miles of streams fully support aquatic life use and 46% support full body contact recreational use. Almost all of Indiana's 59 miles of Lake Michigan shoreline, outside the Indiana harbor, fully supports aquatic life use.

IDEM continues to identify general causes and sources of water impairments within the state. The specific outputs listed within the water work plan section of this agreement are intended to focus and address the anticipated outcomes. For example, pathogens affecting recreational use, and mercury and polychlorinated biphenyl (PCB) affecting fish consumption impact more than 2000 miles of streams in Indiana. The 2004 List of Impaired Waters identifies waterbodies not meeting Indiana's water quality standards. IDEM teams are continuing to develop total maximum daily load calculations (TMDLs), as required by Section 303(d) of the Clean Water Act, to identify sources contributing to the impairment of Indiana's surface water. With a re-tooled approach in developing TMDLs in 2004, IDEM had a total of 40 approved TMDLs.

Furthermore, IDEM recognizes the need to timely issue NPDES permits and maintain adequate compliance and enforcement of those permits to reduce point source water impairments. Additionally, IDEM understands the importance of having long term control plans in place to reduce the incidence of combined sewer overflows (CSO), which also contribute to the impairment of Indiana's waters.

IDEM's Office of Water Quality (OWQ) is committed to meet its obligations outlined within this agreement. Also, OWQ is working to identify additional resources necessary to meet those commitments, including trade-offs that may result in discussions during the annual joint assessment review process. Furthermore, the anticipated outcomes include providing the regulated communities with a comprehensive understanding of rules, regulations and expectations, as a result of compliance assistance efforts, thus improving their ability to comply with applicable requirements.

## Ground Water

Ground water is an important resource for Indiana's citizens, agriculture and industry. The majority of the state's population utilizes ground water for drinking water. Of the population served by publicly owned water supplies, 50% depends on ground water for sustaining their basic quality of life.

To protect Indiana's public ground water drinking supplies, IDEM is assessing Indiana's drinking water sources. The assessment will provide an inventory of potential contaminants and a determination of water system susceptibility to contamination. Additionally, IDEM utilizes regulatory, compliance and enforcement tools to ensure the safety of Indiana's public drinking water supplies.

## Air

Indiana's air quality has improved significantly in the last 15 years. Regulatory programs aimed at emission reductions for vehicles and industry has reduced smog and dust levels throughout the state. Voluntary programs such as ozone education and awareness, diesel retrofits and anti-idling policies, have played an important role in improving Indiana's air quality. Air quality in Indiana now meets health standards set by the USEPA for sulfur dioxide, nitrogen dioxide, carbon monoxide, lead and coarse particles of dust and soot (PM<sub>10</sub>), as measured by air quality monitors located across the state.

However, there are still areas and pollutants of concern to address. USEPA has adopted more protective health standards for ozone, based on an 8-hour measurement, and standards for fine particles (PM-2.5). As of May 5, 2005, Indiana had 24 counties or portions of counties that were designated nonattainment for the 8-hour ozone standard and 17 counties or portions of counties that were designated nonattainment for the annual PM-2.5 standard.

Yet, ozone and PM-2.5 levels continue to decline across the state. All but 2 counties are designated attainment for the 1-hour ozone standard. As of the end of 2004, 5 counties designated nonattainment for the 8-hour ozone standard met the standard and became eligible to be redesignated to attainment. Also, 2 of the original 19 counties proposed by USEPA to be nonattainment for PM-2.5 had met the standard and were reclassified to attainment.

Levels of air toxic chemicals, for which there are no health standards, are also of concern in Indiana. IDEM has been operating an air toxics monitoring network to measure and track hazardous air pollutants since 1999. IDEM has adopted into state law the national emission standards for hazardous air pollutants, which provide industry-specific control technology requirements, so that the state can enforce them. IDEM has worked to provide compliance assistance to industries subject to the standards. IDEM has developed risk assessment capabilities to investigate air toxics risks at the community level. IDEM also has facilitated voluntary programs to reduce the risks of diesel emissions, such as the School Transportation Association of Indiana's anti-idling policy, school bus and municipal fleet diesel retrofits, and a demonstration project in truck stop electrification in Northwest Indiana.

In summary, IDEM's Office of Air Quality (OAQ) near-term challenges include working with USEPA to achieve the following anticipated outcomes as a result of completing the priorities listed in the Office of Air Quality section of this agreement:

- ensure that regulated communities are aware of their air pollution control obligations by conducting compliance assistance, compliance evaluations, and enforcement activities
- ensure that regulated communities are properly permitted by issuing all initial Title V operating permits and by making timely decisions on Title V permit renewals, PSD, Major NSR, and significant permit modifications
- ensure lower air emissions from regulated communities by: IDEM's submittal and USEPA approval of all State Implementation Plans; and the development of state rules to implement federal requirements, resulting in all non-attainment counties coming into

compliance

- develop expertise to monitor, measure, track, assess and identify air toxics to determine the levels and location of such toxics in the community resulting in the lowering of pollutant exposure to the population

### Land

Considerable progress has been made in improving the quality of land in the state of Indiana. Regulations, compliance and enforcement programs aimed at addressing entities that treat, store, generate or dispose of contaminants have had significant impact on improving the quality of land in Indiana.

In addition to other programs within the state agency, IDEM has and will continue to focus on corrective actions at hazardous waste facilities and leaking underground storage tanks. Considerable resources have been focused to obtain and address the environmental indicators established through the Government Performance and Results Act (GPRA). IDEM's Hazardous Waste Corrective Action Staff is currently located in two different branches. A proposal is being circulated for approval to consolidate into a single branch and supplement the group with staff additions to focus on the 2008 GPRA goals. In addition to the proposed changes, IDEM staff coordinates with our internal Office of Pollution Prevention and Technical Assistance to develop compliance assistance programs for hazardous waste generators.

IDEM's Office of Land Quality (OLQ) has focused on developing and redefining programs to address the proper management of waste material stored, generated and remediated in Indiana. In addition, as new regulations are adopted to further refine protection and as responses to new technologies is required, the OLQ staff is committed to continuous improvement through adaptation and development of rules and policies, including the reorganization of roles within the department. Furthermore, through OLQ's compliance assistance efforts, the expected outcomes include providing the regulated communities with a comprehensive understanding of rules, regulations and expectations, thus improving their ability to comply with applicable requirements.

### Outlook

Indiana, in partnership with USEPA and other stakeholders, can be proud of its environmental record, but must be ready for continuing challenges. This agreement, addressing near-term focus points and program specific elements and corresponding work plans, is designed to outline those commitments. The outcomes are intended to improve environmental conditions in the state of Indiana and provide a mechanism to track the improvement.

# Office of Water Quality

| <b>Impaired Waters List &amp; Water Quality Report</b>   |  | <b>Priority linking number</b>                      |
|--|--|---|
| <i>Contact(s): a) Jody Arthur, Martha Clark Mettler b) Dennis Clark, Lee Bridges, Art Garceau</i>  | <i>EPA Contact(s): a) Kevin Pierard, David Stoltenberg, b) Linda Holst, Ed Hammer, Sarah Lehmann</i> | <i>Due date: a) 4/1/06 b) 12/31/05 and 12/31/06</i> |
| <i>EPA Role: a) Timely review and comment on materials submitted. Provide guidance on report/list development. Provide continued support and guidance on the use of the Assessment Database. b) Provide assistance in analyzing and reporting probabilistic information; provide assistance in combining probability monitoring with other monitoring designs.</i> |  |   |

a) Use the Assessment Database (ADB) to submit the 303(d) list of impaired waters and the 305(b) report on water quality by established deadlines for all relevant information. Provide additional Integrated Report information (e.g., assessment methodology) in other appropriate formats (see IR Guidance).

Status:

b) Monitor waters, utilizing the probabilistic monitoring strategy to provide sufficient data to adequately assess the status of Indiana's surface water quality, follow the schedule identified in the IDEM Monitoring Strategy.

Status:

| <b>TMDLs</b>   |  | <b>Priority linking number</b>   |
|--|--|--|
| <i>Contact(s): a) Martha Clark Mettler b) Dennis Clark, Lee Bridges, Art Garceau</i>   | <i>EPA Contact(s): a) Kevin Pierard b) Linda Holst, Sarah Lehmann, Ed Hammer</i> | <i>Due date: a) 9/1/2006 and 9/1/2007 b) 12/31/2005 and 12/31/2006</i> |
| <i>EPA Role: a) Timely review and comment, and contractor assistance, b) Provide guidance/other information on identifying causes/sources of impairment.</i> |  |  |

a) Develop TMDLs on waterbody segments – 34 submitted for EPA approval by 2006, and the number for 2007 to be determined.

Status:

b) Second Year Source Identification Studies – Monitor waters to provide information on sources and causes of impairments for use in the development of total maximum daily loads (TMDLs) and/or watershed plans. Follow the plans outlined in the IDEM Monitoring Strategy.

Status:

c) Work with EPA to help accomplish the goals of the Accountability Pilot Project. Identify a total of five accountability projects by FY 06, which are targeted to eliminate one or more impairments within a reasonable time period.

Status:

d) IDEM will target NPS incremental funding to watersheds with impaired waters on the 303(d) list to support Accountability Projects, TMDL implementation, and restoration in agriculture and urban areas through watershed planning and implementation.

Status:

**Wetland and Stream Impacts****Priority linking number***Contact(s): Martha Clark Mettler**EPA Contact(s): Kevin Pierard**Due date: Ongoing*

- a) Review applications and issue appropriate permits for wetland and stream impacts.

Status:

**OWQ Permits****Priority linking number***Contact(s): a) Catherine Hess b) Steve Roush c) Cyndi Wagner**EPA Contact(s): a and b) Peter Swenson c) Brian Bell**Due date: See below**EPA Role: a, b) Review agreed-upon permits c) Provide technical assistance. Work together on agreed-upon CSO communities.*

- a) Municipal NPDES Permits – Issue 95 percent of all identified priority backlogged NPDES permits, issue new permits within statutory timeframes.

- Issue 16 Major Municipal NPDES Permits by 9/30/05 – FY 05 date.

Status:

- Maintain the backlog of municipal permits at 10 percent or less.

Status:

- Issue New Municipal NPDES Permits within Statutory timeframes.

Status:

- Reissue all identified major Municipal permits which have expired for more than 10 years by the end of FY 2006 (Sept. 30, 2006).

Status:

- b) Industrial NPDES Permits – Issue 95 percent of all identified priority backlogged NPDES permits, issue new permits within statutory timeframes.

- Issue 10 Major Industrial NPDES Permits by 9/30/05 – FY 05 date.

Status:

- Maintain the backlog of industrial permits at 10 percent or less.

Status:

- Issue New Industrial NPDES Permits within Statutory timeframes.

Status:

- Reissue all identified major Industrial permits which have expired for more than 10 years by the end of FY 2006 (Sept. 30, 2006).

Status:

- c) Storm Water – Ensure general storm water permits for industries, construction sites and municipalities are issued and renewed in a timely manner.

Status:

### Combined Sewer Overflow LTCPs

### Priority linking number

Contact(s): Cyndi Wagner

EPA Contact(s): Peter Swenson/ Pat Kuefler

Due date: See Below

*EPA Role: EPA will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement, as practicable, on approvable long-term control plans and implementation schedules. These include the communities of Evansville, Jeffersonville, Indianapolis, Ft. Wayne, Gary, Hammond, Mishawaka, South Bend and Elkhart, and oversight of Anderson (under the existing federal consent decree). EPA will provide technical assistance on State cases upon request and as resources allow.*

a) Review and Approve Combined Sewer Overflow (CSO) Long Term Control Plans (LTCPs).

- By the end of Sept. 30, 2007, and consistent with the timeframes established in the IDEM/EPA CSO agreement, 65% of all permitted CSOs have an approved LTCP with an enforceable schedule or a formal enforcement action has been initiated to achieve that result.

Status:

- By the end of Sept. 30, 2008, and consistent with the timeframes established in the IDEM/EPA CSO agreement, 75% of all permitted CSOs have approved Long-Term Control Plans (LTCP) through permitting/enforcement.

Status:

### PCS Modernization

### Priority linking number

Contact(s): Charles Dunn

EPA Contact(s): James Coleman

Due date: 01/01/06 or when available from EPA

*EPA Role: Communicate regularly via conference call and other meetings to coordinate.*

Complete PCS modernization.

a) Migration of data from PCS to ICIS-NPDES by 1/1/06 (or once available from EPA).

Status:

b) Train staff on ICIS-NPDES by 1/1/06 (or once training is available from EPA).

Status:

### State PCS Replacement System (SPuRS)

### Priority linking number

Contact(s): Charles Dunn and IDEM IT

EPA Contact(s):

Due date: Ongoing

Work with IDEM's Office of External Affairs to convert to the state PCS replacement system (SPuRS).

a) Prepare and Submit Requisition for Michigan System.

Status:

- b) Work through state procurement process to secure contractor to convert Michigan NMS to SPuRS.

Status:

- c) Implement new system.

Status:

Table with 3 columns: NPDES, EPA Contact(s), and Priority linking number. Includes contact names like Debbie Dubenetzky and James Coleman, and due dates like Annual Basis and Ongoing.

Maintain an adequate enforcement and compliance assistance program to help ensure that NPDES violations are prevented and if violations occur, they are adequately addressed.

- a) Pretreatment Compliance Program

Status:

- Audit 20% of approved pretreatment programs annually.

Status:

- b) Inspections

- Inspect 70% of major NPDES facilities.

Status:

- Inspect 30% of minor NPDES facilities.

Status:

- Respond to 100% of complaints.

Status:

- c) Operator Assistance (OATS)

- Provide On-site Operator Assistance to communities through EPA 104(g) grant. Monitor pollutant discharge reductions as a result of this assistance.

Status:

- d) QA/QC

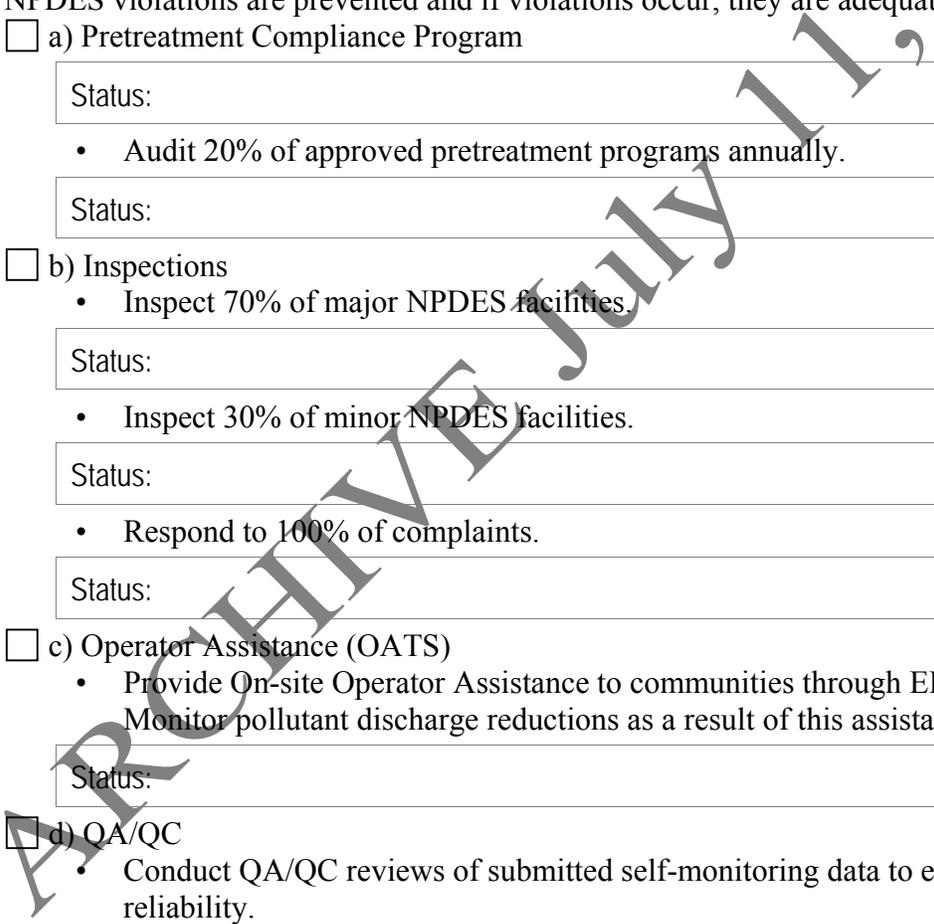
- Conduct QA/QC reviews of submitted self-monitoring data to evaluate reliability.

Status:

- Continue to assist EPA in implementation of Federal DMR QA program.

Status:

- e) Operation and Maintenance (O&M) Awards



- Nominate eligible Indiana wastewater treatment facilities to EPA for consideration of a regional or national EPA O&M award.

Status:

f) SNC

- Coordinate SNC workgroups and participate in SNC-major conference calls with EPA.
- Maintain the SNC rate for majors below 10%, and the size of the active exceptions list below 2%, both as measured on a quarterly basis
- Monitor facilities on the Watch List and Take Action as Appropriate

Status:

| Safe Drinking Water Act (SDWA)   |   | Priority linking number   |
|--|---|---|
| Contact(s): a) Pat Carroll and Stacy Jones;<br>b-e) Pat Carroll and Al Lao; f) Pat Carroll and Liz Melvin  | EPA Contact(s): Charlene Denys, Margie Chacon | Due date: a-d) Ongoing e) annually f) Ongoing and End of SFY 2006 |
| EPA Role: a) Review and approve rules. b) Maintain and update the SDWIS database including the state version, SDWIS-state. c) Maintain and update the SDWIS database including the state version, SDWIS-state d) provide compliance assistance, e) take necessary enforcement action to help reduce the level of non-compliance among small water systems, and f) Provide support for continued development and improvement of the electronic sanitary survey form |   |   |

- a) New federal safe drinking water rules will be re-codified to State rules and the “primacy package” will be submitted to EPA within four years (including two year extension period) after publication of the final rules.

Status:

- b) All required federal reporting requirements are submitted within the required reporting period, and will be done through the Annual Resource Deployment Plan (ARDP) where items overlap.

Status:

c) Maintaining SDWIS Database

- Maintain Public Water Supply Supervision Program by maintaining a data base management system (SDWIS) that accurately tracks the inventory (including routine updates of system information), violations and enforcement, sampling information, and compliance determination for all safe drinking water contaminants.

Status:

d) Monitoring and Reporting Violations.

- All PWS's with violations will first receive a violation letter. For Community and Nontransient Noncommunity Systems, the certified operator will also receive a violation letter. Systems that do not correct the violation after receiving the violation letter will be referred to the Office of Enforcement for appropriate actions consistent with agency policies and procedures. In cases where the system has a certified operator, the operator will also be referred for enforcement. In FY2007, IDEM will target additional resources to provide

assistance to water systems in meeting monitoring and reporting requirements.

Status:

e) MCL Violations

- PWSs that report information will be in compliance with 95% of pre-1994 rule and 80% of post-1994 rule requirements annually.

Status:

f) Sanitary Surveys at Public Water Supply Systems.

- Complete sanitary surveys at one third of community and one fifth of noncommunity systems each year.

Status:

- Complete transition to electronic sanitary survey by the end of SFY 2006.

Status:

**Source Water Protection**

Priority linking number

Contact(s): Pat Carroll and Jim Sullivan

EPA Contact(s): Charlene Denys, Margie Chacon

Due date: a) Annually b) SFY 2006/SFY 2007

a) Complete wellhead protection plan (WHPP) reviews of submitted community water systems.

- Complete the review of 60 WHPPs in SFY 2006.

Status:

- Complete the review of 65 WHPPs in SFY 2007.

Status:

b) Complete and distribute Source Water Assessments (SWAs).

- Complete/distribute 60 community ground water SWAs in SFY 2006.

Status:

- Complete/distribute 65 community ground water SWAs in SFY 2007.

Status:

- Complete/distribute all transient and non-transient ground water SWAs in SFY 2006.

Status:

- Complete/distribute all surface water system SWAs in SFY 2007.

Status:

**Surface Water Quality Monitoring Strategy**

Priority linking number

Contact(s): Dennis Clark, Art Garceau, Lee Bridges, Syed Ghiasuddin

EPA Contact(s): Linda Holst, Sarah Lehmann & Ed Hammer

Due date: 3/1/06

*EPA Role: a) Provide assistance in revising monitoring strategy. Review and provide comments on draft and final products, b) Work with IDEM to implement the strategy and identify resources to address identified gaps, c) Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested. Work with IDEM to identify portions of the strategy that could not be implemented and reasons why (feedback into A), d) Provide meeting support and travel support as available. Act as lead for developing agendas and provide assistance in identifying appropriate speakers for SWiMS sessions*

a) The current Surface Water Monitoring Strategy will be revised (2006-2010 Surface Water Monitoring Strategy) to comply with the 10 elements of the National Monitoring Strategy Guidance by March 1, 2006.

Status:

b) Implement revised strategy beginning in the 2006 monitoring season and until then, continue to implement the existing strategy.

Status:

c) Implement existing strategy until March 1, 2006, according to the identified schedule.

Status:

d) Actively participate in Bioassessment Consistency Workgroup and SWiMS meetings/activities.

Status:

**Water Quality Standards**

**Priority linking number**

Contact(s): a) Martha Clark Mettler;  
b) Dennis Clark

EPA Contact(s): Linda Holst, David Pfeifer  
and Candice Bauer

Due date: Ongoing

*EPA role: Participate in the antidegradation workgroup, and any nutrient workgroups or meetings, as requested by IDEM. Review draft IDEM work products and provide timely comments. To the extent that resources are available, assist IDEM with travel support for Regional meetings (RTAG, WQS).*

a) Work with external stakeholders to develop revised antidegradation rule language and begin the formal adoption process by 12-31-2006.

Status:

b) Implement nutrient criteria development plan, participate in Regional activities (RTAG meetings and conference calls), keep the plan up-to-date and provide EPA with revisions, and provide status updates on the deadlines, milestones and products in the plan.

Status:

**Office of Air Quality**

**Permits Branch**

**Title V Operating Permits (TVOPs)**

**Priority linking number**

IDEM Contact(s): Paul Dubenetzky

EPA Contact(s): Pamela Blakley

Due date: 6/30/06

Issue All TVOPs received prior to January 1, 2005.

- a) Track progress on new schedule thru June 30, 2006.

Status:

**PSD and Major NA NSR permitting**

**Priority linking number**

IDEM Contact(s): Paul Dubenetzky

EPA Contact(s): Pamela Blakley

Due date: Ongoing

EPA Role: Work closely with OAQ staff to ensure that any issues are raised and satisfactorily address as early in the process as possible.

Work with EPA on each PSD or major NA NSR permit.

- a) Final permits meet state and federal expectations.

Status:

**Title V Significant Permit Modifications**

**Priority linking number**

IDEM Contact(s): Paul Dubenetzky

EPA Contact(s): Pamela Blakley

Due date: Ongoing

EPA Role: Review identified permit modifications during public notice period

Expedite EPA review of Title V Significant Permit modifications when necessary to meet the business needs of permittees.

- a) Issue final operating permit modification with a minimum of additional EPA review time.

Status:

**State Implementation Plan (SIP) Revision**

**Priority linking number**

IDEM Contact(s): Paul Dubenetzky

EPA Contact(s): Pamela Blakley

Due date: To be established

EPA Role: Work with IDEM, EPA HQ, and OAQPS to approve the SIP revision

- a) Approve Indiana's version of the December 31, 2001 New Source Review Reform Rules into the SIP.

Status:

**Renew Title V Operating Permits**

**Priority linking number**

IDEM Contact(s): Paul Dubenetzky

EPA Contact(s): Pamela Blakley

Due date: 6/30/07

EPA Role: Work with IDEM on first-time inclusion of Compliance Assurance Monitoring and NESHAP language.

- a) Work on pending TVOP renewals so that by June 30, any timely submitted TVOP renewal applications are issued prior to expiration of initial TVOP and late applications are issued within 9 months of receipt.

Status:

Air Compliance Branch

**Compliance Monitoring Strategy (CMS) for Title V and FESOP**

Priority linking number

Contact(s): Phil Perry, Dave McIver

EPA Contact(s): Brent Marable

Due date: 06/30/06

EPA Role: Review CMS and work closely with IDEM/OAQ staff to insure any issues are raised and satisfactorily addressed.

Develop and implement the Compliance Monitoring Strategy (CMS) for Title V and FESOP source inspections and compliance evaluations.

- a) Develop the Compliance Monitoring Strategy (CMS) with U.S. EPA Region V by 9/30/05.

Status:

- b) Implement the Compliance Monitoring Strategy (CMS) for inspections and compliance evaluations.
  - Conduct full compliance evaluations of all Part 70 sources once every 2 years, except gas compressor stations and gas turbines as noted in the CMS.
  - Conduct full compliance evaluations of all FESOP sources once every 5 years except, as noted in the CMS.
  - Inspect all Part 70 gas compressor station and gas turbine sources once every 5 years except as noted in the CMS.
  - Track and review Title V and FESOP annual compliance certifications.

Status:

- c) Develop and implement compliance database system (ACES) that links many of the current Compliance Branch databases as well as other OAQ and agency databases following all agency data integration criteria and is compatible with U.S. EPA compliance data reporting requirements by 10/31/05.

Status:

- d) Upload compliance and enforcement information from Targeting at current level of responsibility to AFS within the 60 day standard required for reporting by the ICR through 6/30/06. Ensure the information provided is complete, accurate and timely consistent with EPA policies and the ICR.

Status:

- e) Upload compliance and enforcement information from ACES to AFS to meet EPA Minimum Data Requirements within the 60 day standard required for reporting by the ICR beginning 6/30/06. Ensure the information provided is complete, accurate and timely consistent with EPA policies and the ICR.

Status:

- f) Respond to complaints including those referred from EPA. Inspections are conducted where necessary.

Status:

- g) Prepare enforcement cases according to IDEM guidance and High Priority Violation criteria. Participate in enforcement conferences and follow up on the requirements of Agreed Orders.

Status:

- h) The Office of Enforcement will review findings from OAQ and prepare enforcement cases according to the High Priority Violation Policy and the Civil Penalty Policy for noncompliance with statutes, rules, or permits.

Status:

**Compliance Monitoring Strategy (CMS) for Asbestos**

Priority linking number

Contact(s): Phil Perry

EPA Contact(s): Brent Marable

Due date 06/30/06

EPA Role: Review IDEM asbestos periodic and end-of-year reports, and work closely with OAQ staff to insure any issues are raised and satisfactorily addressed.

- a) Develop an annual CMS for inspections and compliance evaluation of asbestos notifications and licensed asbestos contractors. The CMS will target and prioritize asbestos inspections, utilize resources effectively, and make necessary policy adjustments as needed. Priorities include complaints, new contractors, contractors previously issued warning and violation letters/NOV's, and schools by 9/30/05.

Status:

- b) Implement an annual CMS for inspections of licensed asbestos contractors.

Status:

- c) Respond to asbestos complaints.

Status:

- d) Provide reports to U.S. EPA of the asbestos activities.

Status:

- e) Inspect 95% of the active asbestos stationary sources at least once per year.

Status:

**Compliance Monitoring Strategy (CMS) for Lead-Based Paint**

Priority linking number

Contact(s): Phil Perry

EPA Contact(s): John Connell

Due date: 06/30/06

EPA Role: Review IDEM TSCA Lead Cooperative Agreement/Grant, reports, and work closely with IDEM/OAQ staff to insure any issues are raised and satisfactorily addressed.

- a) Develop an annual CMS for inspections and compliance evaluation of lead-based paint notifications, contractors, and risk assessors. The CMS will target and prioritize lead-based inspections, utilize resources effectively, and make necessary policy adjustments as needed. Priorities include complaints, new contractors, and contractors previously issued warning and violation letters/NOV's by 9/30/05.

Status:

- b) Respond to lead-based paint complaints.

Status:

- c) Manage the work under approved Lead-based Paint grants.

Status:

### Air Monitoring Branch

#### **Conduct Ambient Air Quality Monitoring Throughout Indiana** **Priority linking number**

IDEM Contact(s): Richard Zeiler & Steve Lengerich

EPA Contact(s): Loretta Lehrman

Due date: Ongoing

EPA Role: Regulatory advise, funding, and review

- a) Conduct continuous ambient air quality monitoring of criteria pollutants.

Status:

- b) Conduct intermittent ambient air quality monitoring of criteria pollutants.

Status:

- c) Coordinate monitoring and QA activities with local agencies.

Status:

- d) Improve Certification Lab Operation.

Status:

- e) Perform testing of continuous methodologies.

Status:

- f) Conduct filter-based speciated PM<sub>2.5</sub> monitoring (7 sites).

Status:

- g) Conduct Pilot for precursor gases monitoring for PM 2.5

Status:

- h) Conduct Aethalometer monitoring.

Status:

- i) Operate, evaluate, and improve monitoring procedures and data reporting of the PAMS monitoring in northwest Indiana.

Status:

#### **Monitor for Air Toxics**

**Priority linking number**

IDEM Contact(s): Steve Lengerich & Balvant Patel & Brian Wolff

EPA Contact(s): Loretta Lehrman & Jeanette Marrero

Due date: Ongoing

EPA Role: Risk assessment and data analysis advice, special grant funding, and review

#### Conduct effective non-criteria pollutant monitoring

- a) Maintain Indiana Air Toxic Monitoring Program.

Status:

- b) Monitor for air toxics at School #21.

Status:

- c) Conduct toxics monitoring at Whiting High School.

Status:

- d) Conduct air toxics monitoring and consider community assessment efforts in southwest Indianapolis, dependant on EPA funding and Indianapolis OES and neighborhood stakeholders.

Status:

- e) Conduct BioWatch monitoring in Indianapolis at 8 locations.

Status:

**Make Air Monitoring Information Publicly Available**

**Priority linking number**

IDEM Contact(s): Steve Lengerich

EPA Contact(s): Loretta Lehrman & Pat Schrafenagel

Due date: Ongoing

EPA Role: Advise, funding, and review

Assess and modify Indiana's air monitoring program and make monitoring information available to the public.

- a) Perform a QA network evaluation.

Status:

- b) Work with LADCO and Region 5 to implement a Regional Monitoring Strategy. Implement monitoring revisions identified for action through June 2006 (completion date 6/30/06).

Status:

- c) Continue the annual statewide network review/revision work group process to assess and modify the ambient air monitoring network in Indiana as necessary.

Status:

- d) Conduct data analysis to determine improvement, degradation, etc. of air quality.

Status:

- e) Improve air quality data handling operations in order to provide more complete and accurate data (LEADS®).

Status:

- f) Perform annual industry and local agency evaluations (systems audit).

Status:

- g) Review and update Quality Assurance Manual.

Status:

- h) Submit all data into AIRS data base.

Status:

- i) Prepare and submit the Annual SLAMS Report (completion date: 6/30/06).

Status:

- j) Produce daily and hourly ozone and PM2.5 data and maps to be posted on the internet as per USEPA Ozone and PM2.5 Mapping Projects.

Status:

- k) Maintain AQI reporting in designated cities.

Status:

### Air Programs Branch

#### 8-hour ozone State Implementation Plans (SIPs)

Priority linking number

IDEM Contact(s): Kathy Watson, Scott Deloney

EPA Contact(s): John Mooney

Due date: June 15, 2007

EPA Role: Timely guidance, review and approval

- a) Perform technical, planning, outreach and rules work to develop ozone SIPs for:
- Lake/Porter counties (Greater Chicago Nonattainment area)
  - LaPorte county
  - Allen county
  - Central Indiana counties (Greater Indianapolis Nonattainment area)
  - Clark/Floyd counties (Greater Louisville Nonattainment area)
  - St. Joseph/Elkhart counties
  - Dearborn county (Greater Cincinnati Nonattainment area)

Status:

#### PM 2.5 State Implementation Plans (SIPs)

Priority linking number

IDEM Contact(s): Kathy Watson, Scott Deloney

EPA Contact(s): John Mooney

Due date: April 5, 2007

EPA Role: Timely guidance, review and approval

- a) Perform technical, planning, outreach and rules work to develop PM 2.5 SIPs for:
- Lake/Porter counties (Greater Chicago Nonattainment area)
  - Central Indiana counties (Greater Indianapolis Nonattainment area)
  - Clark/Floyd/Jefferson counties (Greater Louisville Nonattainment area)
  - Southwest Indiana counties (Greater Evansville Nonattainment area)
  - Dearborn county (Greater Cincinnati Nonattainment area)

Status:

**Ozone and PM 2.5 Re-designation Petition and Maintenance Plans**

Priority linking number

IDEM Contact(s): Kathy Watson, Scott Deloney

EPA Contact(s): John Mooney

Due date: Ongoing

EPA: Timely guidance, review and approval

Perform technical, planning, and outreach work to develop petitions for public review and submission to EPA with six 6 months of eligibility

a) Tracking of Ozone and PM 2.5 Attainment Progress and Processing of Redesignation SIPs

- Closely track monitoring data throughout the year to gauge attainment progress and trends.
- Prepare and process redesignation plans in a timely fashion for areas that have attained the standard.

Status:

**SO2 Re-designation Petition and Maintenance Plans for Lake County**

Priority linking number

IDEM Contact(s): Kathy Watson, Chris Pedersen

EPA Contact(s): John Mooney

Due date: See below

EPA Role: Timely guidance, review and approval

Work with EPA to ensure approvability of SO2 SIP by Sept. 30, 2005

a) SO2 Lake County Redesignation - Ongoing

Supply technical support to Rules section in development of the redesignation request.

Status:

b) Redesignation Petitions - Final SIP submittal August 2005

Prepare and submit to USEPA redesignation petition for Lake County SO2.

Status:

**Inspection and Maintenance Contract**

Priority linking number

IDEM Contact(s): Kathy Watson, Scott Deloney

EPA Contact(s): John Mooney

Due date: 12-31-05

EPA Role: Timely guidance

Follow state procurement procedures to achieve final contract by Dec. 31, 2005.

a) Inspection/Maintenance Post 2006

Status:

b) Contract in place for Clark, Floyd, Lake and Porter Counties

Status:

**Rulemaking - Adopt and approve all SIPs and federal rules into state rules** Priority linking number

IDEM Contact(s): Pat Troth

EPA Contact(s): John Mooney and Pamela Blakely

Due date: As follows

EPA role: Timely guidance, review and approval

Follow state environmental rulemaking procedures to adopt federal rules by required deadlines and aid EPA in approving proposed SIPs.

- a) Article 2. Permit Review Rules - June 2006

Status:

- b) Article 3. Monitoring Requirements – July 2006

Status:

- c) Article 10. NOx Phase II - Dec. 2005, and Clean Air Interstate Rule - Sept. 2006

Status:

- d) Article 19. Mobile Source Rules  
Transportation Conformity Update - December 2005

Status:

- e) Article 20. Hazardous Air Pollutants (40 CFR Part 63)  
Clean Air Mercury Rule – Effective 12/2006 – Due by: Sept. 2006

Status:

- f) Steel pickling – Effective 9/2006 – Due by: May 2006

Status:

- g) Group 6 NESHAPs - Due by: April 2006  
First Notice submitted to LSA on 9/10/04

Status:

- h) Indus/Comm/Inst Boilers & Process Units (DDDDD) - Due by: May 2006

Status:

- i) Plywood & Composite Wood Products (DDDD) – Due by: TBA

Status:

**Obtain USEPA Approval of Outstanding Rule and SIP Submittals**

Priority linking number

IDEM Contact(s): Pat Troth

EPA Contact(s): John Mooney and Pamela Blakely

Due date: 1 year after IDEM complete submittal to EPA

EPA role: Timely guidance, review and approval

Work with USEPA to gain approval of the following pending rule or plan submittals and future rules:

- a) Process weight rate (past due)

Status:

- b) Lake County SO2 rule (Sept. 2005)

Status:

- c) NSR Reform plan submittal (past due)

Status:

- d) Crane #2 (past due)

Status:

- e) CFR 2002 Reference Update (Jan. 2006)

Status:

- f) CFR 2004 Reference Update (not submitted)

Status:

- g) Compliance Assurance Monitoring (not submitted)

Status:

- h) Credible Evidence (March 2006)

Status:

- i) Article 6.5/6.8 Recodification (not submitted)

Status:

- j) Article 6.5/6.8 Update (not submitted)

Status:

- k) Reilly (March 2006)

Status:

- l) Dearborn County SO2 (March 2006)

Status:

- m) NOx SIP Call, Phase II (due to EPA: April 2005; Expected completion: December 2005)

Status:

- n) Transportation Conformity Amendments (not submitted)

Status:

o) Evansville, Terre Haute, Muncie, Greene and Jackson county Redesignation Petitions and Maintenance Plans (not submitted)

Status:

p) PM 2.5 standards and definitions (March 2006)

Status:

**Obtain delegation of authority from EPA for NESHAPs adopted into state rules**

Priority linking number

IDEM Contact(s): Pat Troth

EPA Contact(s): Pamela Blakely

Due date: 1 year after IDEM complete submittal

EPA role: provide timely comment and identify approvability issues at an early stage in the process; review and act on submittals.

Prepare delegation requests for the following:

a) Group 5 NESHAPs (March 2006)

Status:

b) Group 6 NESHAPs (not submitted)

Status:

c) Group 7 NESHAPs (not submitted)

Status:

d) Group 8 NESHAPs (not submitted)

Status:

e) Reciprocating Internal Combustion Engines (not submitted)

Status:

f) Plywood & Composite Wood Products (not submitted)

Status:

g) Reinforced Composites MACT (not submitted)

Status:

h) Boat MACT (not submitted)

Status:

i) Secondary Lead Smelters (past due)

Status:

j) Boiler MACT (not submitted)

Status:

**Diesel Projects – Reduce Diesel Emissions**

Priority linking number

IDEM Contact(s): Scott Deloney, Shawn Seals

EPA Contact(s): John Mooney

Due date: As follows

EPA role: Timely guidance

- a) Implement truck stop electrification project in Gary. (Complete by August 2005)

Status:

- b) Pursue and implement truck stop electrification project in Marion County (Grant by June 2005, Complete by May 2006)

Status:

- c) Pursue and implement airport-based fuel/retrofit project in Marion County. (Grant by July 2005, Implement by May 2006)

Status:

- d) Implement IndyGo fuel/retrofit project. (Initiate by July 2005, Complete by October 2005)

Status:

- e) Implement retrofit projects in Evansville, Washington Township, Portage, East Chicago, Gary, and Hammond. (Initiate by July 2005, Complete by October 2005)

Status:

- f) Pursue additional funding opportunities as available.

Status:

- g) Actively participate in U.S. EPA's Midwest Diesel Corridor Initiative, as requested.

Status:

- h) Assist EPA and the City of Indianapolis on implementing a clean diesel initiative conference in Indianapolis (Dec 2005)

Status:

**National Emissions Inventory**

Priority linking number

IDEM Contact(s): Ken Ritter, Jay Koch

EPA Contact(s): Mary Pat Tyson

Due date: June 2007

EPA role: Timely guidance

- a) Prepare and submit draft 2005 emissions inventory data for point, area, and mobile sources to US EPA.

Status:

**Air Toxics****Priority linking number**

IDEM Contact(s): Kathy Watson, Brian Wolff EPA Contact(s):

Due date: See below

EPA role: Technical support and funding, if available.

- a) Conduct risk screening. in consultation with Indianapolis OES and neighborhood stakeholder groups, in Southwest Indianapolis to determine need for community risk assessment and reduction efforts (Jan. 2006).

Status:

- b) Complete School 21 risk assessment and project report (Sept. 2005).

Status:

- c) Interpret ToxWatch data and issue report for 1999-2004 (Nov. 2005).

Status:

**Office of Land Quality****RCRA Corrective Action****Priority linking number**

IDEM Contact(s): Harry Atkinson, Vic Windle

EPA Contact(s): Hak Cho

Due date: 6/30/06 and 6/30/07

EPA Role: Contractor support for sampling and risk review at selected sites.

Meet the requirements of the Resource Conservation and Recovery Act (RCRA) Government Performance and Results Act (GPRA).

- a) IDEM will work with EPA to finalize the assignment for leads for obtaining the 2008 GPRA Environmental Indicators and establish reasonable deadlines for specific facilities. IDEM will issue permits and orders that will help achieve EPA's 2008 GPRA goals.

Status:

- b) HW Permit staff will make every effort to complete EI 725 for Arvin Automotive, BRC (Dana Corp.), Ft. Wayne Specialty Steel (Slater Steel), GMC (Guide) and ML-KS Bearing by 9/30/05. HW Permit staff will complete EI 750 for ALCOA Warrick and U.S. Army Indiana Ammo Plant and make every effort to complete EI 750 for a third facility by 9/30/05.

Status:

- c) Within 30 days after the effective date of this Agreement, IDEM will propose which of the 18 additional facilities for the 2008 GPRA Baseline will be led by IDEM. IDEM will also propose annual goals for 2006, 2007 and 2008 for CA725, CA750, CA400 and CA550. Upon receipt of IDEM's proposal, USEPA will negotiate the details and final commitments with IDEM.

Status:

d) IDEM will issue permits and orders in an effort to achieve EPA's 2008 GPRA corrective action goals for completing CA 400 for 30% of the baseline facilities, and completing CA 550 for 20% of the baseline facilities.

Status:

**Hazardous Waste Permitting and Post-Closure**

Priority linking number

IDEM Contact(s): Vic Windle

EPA Contact(s): Harriet Croke

Due date: 6/30/06 and 6/30/07

Complete hazardous waste facility permitting actions in accordance with EPA GPRA goals. Priority, however, will be given to permit application submittals that are subject to Indiana's permit accountability statute.

a) Issue permit renewals to 35% of the baseline facilities by 9/30/06.

Status:

b) Bring 95% of the baseline facilities "under control" (permit or order) by 9/30/08.

Status:

**Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Generators**

Priority linking number

IDEM Contact(s): John Crawford, Rosemary Cantwell, Charles Grady

EPA Contact(s): Lorna Jereza

Due date: 6/30/06 and 6/30/07

*EPA Role: Conduct inspections at three state and local installations and at three federal installations. EPA Region 5 will independently inspect the boiler and industrial furnace units at five TSDs, six large quantity generators (LQGs) within US EPA's national priority sectors which handle certain commercial and/or industrial wastes in ways that illegally evade RCRA requirements for permits, and two operating TSDs. In addition, R5 will jointly inspect with IDEM three TSDs or LQGs for compliance with Subpart CC requirements.*

Annually, IDEM will inspect generators identified in the RCRAInfo database.

a) At least 20% of the large quantity generator universe that exists as of June 1 of that respective year will be inspected to determine the percentage in compliance.

Status:

b) At least 10% of the small quantity generator universe that exists as of June 1 of that respective year, as identified in the EPA RCRAInfo database.

Status:

c) Participate in the agency-wide Compliance/Enforcement Team to communicate activities, evaluate information and formulate agency-wide strategies and resource allocation.

Status:

**Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Treatment, Storage, and Disposal facilities (TSDs)**

Priority linking number

IDEM Contact(s): John Crawford,  
Rosemary Cantwell, Charles Grady

EPA Contact(s): Lorna Jereza

Due date: 6/30/06 and 6/30/07

*EPA Role: Conduct inspections at three state and local installations and at three federal installations. EPA Region 5 will independently inspect the boiler and industrial furnace units at five TSDs, six large quantity generators (LQGs) within US EPA's national priority sectors which handle certain commercial and/or industrial wastes in ways that illegally evade RCRA requirements for permits, and two operating TSDs. In addition, R5 will jointly inspect with IDEM three TSDs or LQGs for compliance with Subpart CC requirements.*

a) Each fiscal year, IDEM will inspect all Treatment, Storage, and Disposal facilities (TSDs) with a current operating permit for active permitted units, unless a review of compliance history indicates an inspection every other year is appropriate.

Status:

b) Participate in the agency-wide Compliance/Enforcement Team to communicate activities, evaluate information and formulate agency-wide strategies and resource allocation.

Status:

### **Resource Conservation and Recovery Act (RCRA) Hazardous Waste Enforcement** Priority linking number

IDEM Contact(s): Nancy Johnston

EPA Contact(s): Lorna M. Jereza

Due date: 6/30/06 and 6/30/07

*EPA Role: Issue enforcement responses to RCRA violations detected by US EPA, or referred to US EPA by IDEM, in accordance with US EPA's 2003 Hazardous Waste Civil Enforcement Response Policy, US EPA's RCRA Civil Penalty Policy and relevant US EPA enforcement strategies.*

a) Issue enforcement responses to RCRA violations detected and referred to the Office of Enforcement by the Industrial Waste Compliance Group in accordance with IDEM's enforcement response strategy and U.S. EPA's 2003 Hazardous Waste Civil Enforcement Response Policy.

Status:

### **Underground Storage Tank (UST) Inspections** Priority linking number

IDEM Contact(s): Skip Powers

EPA Contact(s): Andy Tschampa

Due date: 4/30/06-07 and  
6/30/06-07

*IDEM has linked the cooperative agreement to the structure of EPA's Strategic Plan and GPRA goals, including outlining certain outcomes and outputs that must be appropriately addressed. For this underground storage tank agreement, the outcome is improving UST compliance through an active inspection, enforcement, and compliance assistance program. Another outcome of the UST program is the number of newly confirmed releases. U.S. EPA has a national goal of less than 10,000 newly confirmed releases per year.*

Work to ensure all new and unregistered tanks are properly registered.

a) The state's goal is to increase compliance by at least one percent (1%) each year as measured by Significant Operating Compliance (SOC). For FY '05, the percent increase of UST facilities in SOC with both released detection and release prevention (spill, overflow, and corrosion protection) is 69%, an increase of 1% over the state's FY '04 level.

Status:

b) In FY '04, the state had 166 new releases; our objective is to continue reducing that

number.

Status:

c) Conduct 800 Underground Storage Tank (UST) inspections of federally regulated facilities each fiscal year for a total of 1,600 to determine the percentage in compliance. Facilities with UST violations will receive appropriate enforcement responses consistent with State enforcement policies.

Status:

d) Complete and submit to U.S. EPA Region 5 the Underground Storage Tank (UST) Semi-annual Performance Measures Report (STARS). The report will be submitted in October and April each fiscal year. The State UST database will be maintained and kept up-to-date with new tank notifications, closures, and change-in-service notifications.

Status:

| <b>PCB Inspections</b>   |                                      | <b>Priority linking number</b>       |
|--|--------------------------------------|--------------------------------------|
| <i>IDEM Contact(s): Charles Grady</i>  | <i>EPA Contact(s): Kendall Moore</i> | <i>Due date: 6/30/06 and 6/30/07</i> |
| <i>EPA Role: Review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response.</i> |                                      |                                      |

a) Conduct 38 PCB inspections for FY 2006 and 2007, respectively and help provide cleanup oversight and technical assistance as agreed upon.

Status:

b) Submit inspection reports and FIFRA TSCA tracking forms to US EPA within 30 days of finalizing the inspection.

Status:

Status:

c) Participate in EPA's current tablet computer and electronic computer inspection pilot program.

Status:

| <b>Great Lakes Initiative (GLI)</b>   |                                     | <b>Priority linking number</b> |
|---------------------------------------|-------------------------------------|--------------------------------|
| <i>IDEM Contact(s): Greg Overtoom</i> | <i>EPA Contact(s): Joel Morbito</i> | <i>Due date: Ongoing</i>       |

Provide technical and mapping support for IDEM Remedial Action Plan activities in the Area of Concern (AOC) through the following activities.

a) Develop contracts for GLI-funded projects.

Status:

b) Develop requisitions for GLI-funded purchases.

Status:

- c) Prepare and present to EPA an annual report on Great Lakes Initiative activities for each fiscal year.

Status:

**RCRAInfo**

**Priority linking number**

IDEM Contact(s): Jenny Dooley and Greg Overtoom

EPA Contact(s): Jane Ratcliffe

Due date: Monthly

Resource Conservation and Recovery Act (RCRA) information will be input into the RCRAInfo database on a monthly basis.

- a) IDEM will develop Handler, Permitting, and Corrective Action data flows from IRATS to RCRAInfo via IDEM's National Environmental Information Exchange Network (NEIEN) node. The project is dependent upon IDEM's award of a FY2005 Exchange Network Challenge Grant Program Network Implementation Grant.

Status:

- b) IDEM will develop field-based forms for collecting RCRA compliance inspection information and synchronizing that information to IRATS.

Status:

- c) IDEM will modify the Agency's Indiana RCRA Activity Tracking System (IRATS) to interact with the Indiana Facility Registry System (I-FRS) by June 30, 2007 provided that adequate funding is available.

Status:

- d) IDEM will modernize the Agency's Indiana RCRA Activity Tracking System (IRATS) by June 30, 2007 provided that adequate funding is available.

Status:

**Rule Development**

**Priority linking number**

IDEM Contact(s): Mike Dalton

EPA Contact(s): Rich Traub

Due date: FY 2005 - 2007

EPA Role: Many rule updates are promulgated by EPA and IDEM mutually agreed upon time frames.

Regarding the Research, Development, and Demonstration rule (RDD), EPA will provide assistance where applicable.

Develop equivalent legislation, regulations and program revision applications for RCRA and Hazardous and Solid Waste amendments (HSWA) / non-HSWA provisions for which the state is prepared to seek authorization and submit current and future authorization packages within a mutually agreed upon time frame.

- a) IDEM will promulgate and pursue authorization for all RCRA subtitle C annually and subtitle I rules as needed.

Status:

| <b>CAFO Inspections</b>   |  | <b>Priority linking number</b>       |
|---|--|--------------------------------------|
| <i>IDEM Contact(s): Angie Lee</i>   | <i>EPA Contact(s): Steve Jann, Arnie Leder</i> | <i>Due date: 6/30/06 and 6/30/07</i> |
| <i>EPA Role: Provide training on conducting CAFO inspections to IDEM staff, as requested.</i> |  |                                      |

Conduct inspections at 20% of all large Concentrated Animal Feeding Operations (CAFOs) each fiscal year.

Status:

## Office of Pollution Prevention & Technical Assistance

| <b>Enviroschools Program</b>                            |                                      | <b>Priority linking number</b> |
|---|--------------------------------------|--------------------------------|
| <i>Contact(s): Pat Daniel</i>                           | <i>EPA Contact(s): MaryAnn Suero</i> | <i>Due date: See below</i>     |
| <i>EPA Role: Participate in the planning workgroup.</i> |                                      |                                |

a) Continue partnership with EPA, ISDH, IDOE, ISBA, and IUPUI to develop, test and implement the Environmental Management System (EMS) for schools (“Enviroschools”) to help ensure a healthy school environment for children.

- Program developed - by June 30, 2005
- Pilot testing/training of schools – by January 30, 2006.
- Program fine-tuned/revise based upon pilot testing – by March 30, 2006.
- Additional marketing/promoting of tool – finished by May 30, 2006.
- Final report submitted to EPA – by June 30, 2006.

Status:

b) Ninety percent of Indiana schools will be contacted, made aware of and have access to Enviroschools, which will consist of a dynamic web-based assistance and informational tool, training and guidance materials to promote a healthy school environment.

Status:

| <b>Clean Sweep Program</b>              |                                   | <b>Priority linking number</b> |
|---|-----------------------------------|--------------------------------|
| <i>Contact(s): Pat Daniel</i>           | <i>EPA Contact(s): Janet Haff</i> | <i>Due date: See below</i>     |
| <i>EPA Role: Provide grant funding.</i> |                                   |                                |

a) Conduct a third round of laboratory chemical clean-outs (“Clean Sweep”) at selected schools across Indiana. Thirty of the 400+ schools participating in the Mercury Recycling Pledge Program will be selected to have the Clean Sweep service provided at no cost to the school. In addition, all schools participating in the Mercury Recycling Pledge Program will be encouraged to apply for the Clean Sweep Program’s services.

- Organize and coordinate schedule with contractor and respective schools – by June 30, 2005
- Conduct school clean-outs – by May 30, 2006
- Prepare and submit final report to EPA – by June 30, 2006

Status:

- b) Increased number of students and teachers in Indiana schools that: 1) will no longer be exposed to unused, unwanted and expired hazardous chemicals; 2) educated on the health and environmental threat and proper chemical management; and 3) decreased potential of accidental releases of hazardous chemicals by removing expired and unwanted chemicals from participating school science laboratories.

Status:

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