



- Air**
- Land**
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- Communities**

Performance Partnership Agreement

2021 — 2023



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

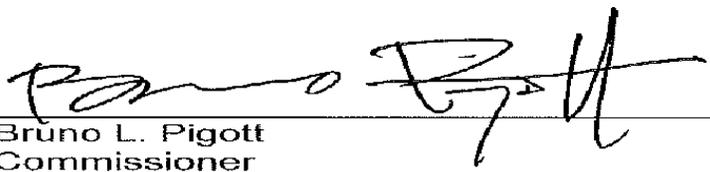


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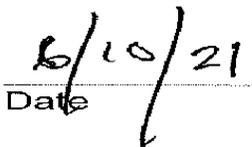
Authorizing Signatures

The Indiana Department of Environmental Management and the U.S. Environmental Protection Agency, Region 5 2021-2023 (13th) Environmental Performance Partnership Agreement is approved on the date of the last signature received.

For the State of Indiana:



Bruno L. Pigott
Commissioner
Indiana Department of Environmental Management



Date

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

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

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

Date

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**Performance Partnership Agreement
between
Indiana Department of Environmental Management
and
U.S. Environmental Protection Agency, Region 5
July 1, 2021 – June 30, 2023**

Purpose of the PPA

The Indiana Department of Environmental Management (IDEM) and the U.S. Environmental Protection Agency, Region 5 (EPA R5) have entered into their 13th Performance Partnership Agreement (PPA). This biennial agreement identifies agency priorities and joint priorities, and objectives between the two agencies. The purpose of this agreement includes the following items:

1. Identifying joint priorities and specific program goals,
2. Outlining key strategies for each priority and goal,
3. Describing each agency's roles and responsibilities,
4. Setting the term of this agreement from July 1, 2021, to June 30, 2023.

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

Scope of the PPA

The PPA primarily focuses on activities that are funded by PPG dollars. The scope of the PPA does not encompass the entire workload of each agency, but is designed to be a concise, strategic document used to focus limited resources on specific outcomes. In addition to the activities described within the PPA, IDEM has more detailed work plans to address and complete the elements committed to within this agreement.

Grants Covered Under the PPA

IDEM utilizes the PPA to serve as the work plan for activities to be funded through the PPG. IDEM chooses to include non-PPG federal and state grant activities in the PPA as this structure has successfully provided IDEM more flexibility in the use of federal financial resources to address environmental issues using a multifaceted approach, and has reduced the administrative burden of having numerous specific categorical grants tied to work plans. The PPG allows for the continuance of key resource investments that have already been determined to be priority activities. All personnel costs for the 2021-

2023 PPG will be provided in detail by individual program function in the budget narrative portion of the 2021-2023 PPG grant application.

The following PPG federal grant fund activities are included in the PPA:

1. Air Section 105
2. Public Water Supervision
3. Surface Water Section 106
4. Ground Water Section 106
5. Resource Conservation Recovery Act
6. Toxic Substances Control Act - Polychlorinated Biphenyls

The following non-PPG activities, funded by non-PPG federal grants, are included in the PPA:

1. Solid Waste Disposal Act of 1976
2. Counter Terrorism Safe Drinking Water Act
3. Diesel Emissions Reduction Act

The following activities funded by state monies are included in the PPA:

1. Title V Operating Permits
2. Dedicated Asbestos Trust Fund
3. Water Quality Permits
4. Compliance Monitoring Strategy Funds
5. Permitting and Enforcement Grant
6. Outreach Operator Training
7. Total Maximum Daily Loads Fees

Fiscal Responsibility

With the receipt of federal funds comes the responsibility to successfully track the achievements of the program and demonstrate results. To achieve the goals of transparent grants management, IDEM has incorporated standard operating procedures (SOPs), a grants management policy, and a grants data tracking system to direct the application, receipt, use and closeout of all grants the agency receives. This approach provides for easy information sharing and interaction between the awarding agencies and IDEM.

Development and Elements of the PPA

The development process includes the following:

- a) **Draft Objectives and Activities:** An initial list of PPA activities is drafted by IDEM staff discussing and listing the past, present and future goals of each program area.
- b) **Draft Joint Priority List:** The draft joint priority list is developed from the initial draft of objectives and activities, focusing on those priorities that are funded primarily by EPA R5 grants.

- c) **Draft PPA:** The draft joint priorities are confirmed by IDEM senior staff and compiled into a draft PPA that is then shared with EPA R5 and the rest of the agency.
- d) **Kickoff Meeting:** The draft PPA is presented to EPA R5 during a kickoff meeting, with special time dedicated to the discussion of joint priorities.
- e) **Program Work Group Discussion:** Program work groups from both agencies will meet jointly to discuss work plans, goals and PPA priorities.
- f) **Final PPA:** The final PPA is a result of shared discussions and mutual agreement between the agencies.

The elements include the following:

1. **Accountability:** The PPA provides a framework for accountability by clearly identifying IDEM and EPA R5 actions, roles and program area contacts.
2. **Midterm Assessment:** The PPA requires a joint assessment of the activity work plans. The midterm joint assessment is comprised of two activities between IDEM and EPA R5: The midterm assessment meeting and the Midterm Assessment (MA) Report. The meeting and report occur at the end of the first year of a PPA cycle and highlight successful program achievements, identify areas that need improvement and/or additional resources, and provide a mechanism for discussions and adjustments in specific program directions or approaches.
3. **Final Assessment Report:** The reporting elements of the PPA will be incorporated into a formal closure report, referred to in this agreement as the Final Assessment (FA) Report.
4. **Flexibility:** The PPA is viewed as a “living document” that is flexible and can be modified, upon agreement, to reflect changes in IDEM and EPA R5 needs.

Roles of IDEM and EPA R5

This agreement defines the roles that both IDEM and EPA R5 will undertake to meet the program commitments. IDEM and EPA R5 recognize the primary role of IDEM is administering federal environmental programs delegated to the state under federal law and carrying out state programs prescribed under state law. EPA R5’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 air sheds in conjunction with IDEM. Several activities are common to both IDEM and EPA R5, such as permitting, compliance, enforcement, monitoring and outreach.

Enforcement and Compliance Assurance

Program specific compliance and enforcement activities accomplished during the term of this PPA are included in the detailed branch level priorities and the state program specific plans. The following tenets serve as the foundation for IDEM and EPA R5 relationships with respect to compliance and enforcement activities:

- Utilization of 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).

- Utilization of joint preplanning to coordinate priorities, maximize agency resources, avoid duplication of efforts, eliminate unexpected circumstances, and institutionalize communication.
- Management for internal and/or external environmental results.

In addition to providing guidance to IDEM, EPA R5 has a continuing role in environmental protection in Indiana. EPA R5 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 the 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 agreement, IDEM and EPA R5 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.
- 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, judgments, and orders.
- Conducting state reviews in accordance with the National State Review Framework, ensuring that follow-up actions that resulted from this review are carried out in a timely and effective manner.

Environmental Justice

IDEM updated the Nondiscrimination policy on September 13, 2018. The agency adopted the concept of Environmental Stakeholder Inclusion (ESI), for the fair treatment and meaningful involvement of all people regardless of race, color, gender, national origin, geographic location, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.

Quality Management Plans

IDEM's Quality Management Plan (QMP) documents IDEM's current quality system for environmental data operations. IDEM's QMP, dated March 16, 2018, was approved by EPA R5 effective May 1, 2018, and will be valid for up to five years, through May 1,

2023. A revised and updated QMP must be submitted for EPA R5 review and approval if significant changes to IDEM's structure, operations, or quality system occur.

Under the current approved QMP, IDEM will continue to self-approve all Quality Assurance Project Plans (QAPPs) and any other quality system documentation required by non-competitive assistance agreements and delegated programs. All QAPPs and associated quality system documentation required under competitive assistance agreements, by EPA R5 programs, and/or by federal statute to be approved by EPA R5 will be submitted as required for review and approval.

To allow EPA R5 to assess implementation of IDEM's approved QMP as well as quality activities related to assistance agreements, IDEM will submit the following information to the EPA R5 Quality Manager:

1. Electronic copies of all signed, self-approved QAPPs on a quarterly basis. IDEM, at their option, may upload QAPPs on an on-going basis to the EPA R5/Great Lakes National Program Office (GLNPO) QA Track database. EPA R5 will provide written feedback to IDEM on self-approved QAPPs submitted.
2. An annual report submitted by January 31 of each year, as required by the QMP, accompanied by a letter that confirms that the quality system documented in the approved QMP is still in effect, identifies any minor revisions incorporated in the QMP during the preceding year as well as any that are anticipated, and lists all QAPPs that were self-approved during the preceding year.
3. IDEM and EPA R5 will continue their on-going periodic (currently quarterly) QA conference calls to share information intended to assist with implementation of IDEM's quality program. IDEM also participates in monthly Great Lakes Restoration Initiative (GLRI) QA conference calls chaired by the Great Lakes National Program Office (GLNPO) QA Manager.

Reporting

IDEM will continue to report to EPA R5 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 website and other existing reports as supporting documentation for the PPA and the PPG. Both IDEM and EPA R5 will report through the MA and FA Reports.

Reporting through the MA Report and the FA Report is completed using the following status tools and a justification of that status for each performance measure:

1. **Complete.** The performance measure elements are complete.
2. **In progress.** The performance measure is progressing towards a specific goal, objective, or deadline.

3. **Ongoing.** The performance measure is progressing and will be a continuing measure in the next PPA cycle.
4. **Incomplete.** The performance measure has not been adequately addressed.
5. **Project withdrawn.** The performance measure has been withdrawn due to stated reasons or fiscal constraints.

Along with contacts for both IDEM and EPA R5, at least one goal and objective from the FY 2018-2022 U.S. EPA's Strategic Plan is assigned to each activity to demonstrate IDEM's efforts to contribute to U.S. EPA's overall goals.

Additionally, the funding sources for each activity are indicated by one of the following:

1. **PPG.** Funds come from the PPG, including the state and federal match portions.
2. **State.** Funds come from the State of Indiana and no federal funds are received to support this measure.
3. **Federal.** Funds come from a federal grant other than the PPG, and, when possible, the specific grant is listed.

If IDEM is presented with a funding shortfall for any performance measure funded by federal dollars agreed upon or negotiated in the PPA, both parties reserve the right to renegotiate and discuss removal of performance measures from the PPA.

Joint Priorities

Joint priorities represent a subset of environmental program responsibilities that IDEM and EPA R5 agree represent investment priorities.

Examples of joint priorities are as follows:

1. The program area is an important, newly developed initiative that requires the attention of both IDEM and EPA R5 to adequately develop and implement.
2. The program area is at risk of functioning inadequately, creating a significant vulnerability to the integrity of environmental protection.
3. The program area represents a long-term strategic investment opportunity.
4. The program area offers the opportunity to demonstrate innovations to promote environmental improvements or enable efficiency enhancements.

IDEM and EPA R5 have identified the following Joint Priorities:

Air Quality Joint Priorities

There are no joint priorities for the Air Program.

Land Quality Joint Priorities

a. **Northwest Indiana & RCRA Corrective Action:**

EPA R5 and IDEM will focus their efforts at Resource Conservation and Recovery Act (RCRA) Corrective Action sites. EPA R5 will coordinate with IDEM to maximize efforts on investigating and selecting remedies for Indiana corrective action sites prior to FY30. EPA R5 and IDEM will continue to closely coordinate and work together on high profile and challenging remediation sites, including but not limited

to: Federated Metals, Amland, Amphenol, and Arconic. They will also coordinate regulatory compliance oversight of the approvals issued to the US Army Corp. of Engineers to dispose of Toxic Substance Control Act (TSCA) contaminated sediment into the Indiana Harbor Confined Disposal Facility (IHCDF).

b. **Coal Combustion Residuals:**

EPA R5 and IDEM will work collaboratively and support each other's efforts to ensure appropriate management and disposal of coal combustion residuals (CCR.)

c. **Permitting:**

IDEM will continue to determine the applicability of extending post-closure care for facilities that are reaching the end of their initial 30-year post-closure care period, and IDEM and EPA R5 will collaborate on such determinations, as appropriate.

Water Quality Joint Priorities

There are no joint priorities for the Water Program.

E-Enterprise Joint Priorities

EPA R5 and IDEM will work to collaboratively streamline and apply advanced technology across agencies and programs to make business processes more efficient and effective. E-Enterprise will be implemented by operating in a joint governance partnership to: 1) improve environmental protection through better program performance by streamlining and modernizing business processes and promoting the use of advanced information and monitoring technologies; and 2) enhance services to stakeholders and partners while reducing transaction costs and burdens for the regulated community and governmental agencies.

Joint Planning and Evaluation of Performance

40 CFR 35.115 requires Indiana and U.S. EPA to develop a process for jointly evaluating the work plan components and activities agreed to under this PPA. The evaluation process will include the following items:

1. A discussion of accomplishments as measured against work plan commitments;
2. A discussion of the cumulative effectiveness of the work performed under all work plan components;
3. A discussion of existing and potential problem areas; and
4. Suggestions for improvement, including, where feasible, schedules for making improvements

The R5 Joint Evaluation process includes three main components:

1. Review of the joint Annual Assessment Reports (called the Midterm Assessment (MA) Report and Final Assessment (FA) Report in the IDEM-EPA R5 PPA.)

2. Program evaluation activities including program meetings, conference calls, on-site visits, or advanced post-award monitoring activities defined under U.S. [EPA Order 5700.6A2](#), "Policy on Compliance, Review and Monitoring"
3. Midterm Assessment Meeting (optional)

Indiana and EPA R5 agree that evaluations will occur via the submission of the joint Annual Assessment Reports and in accordance with each program's post-award management process (e.g. meetings, conference calls, on-site reviews, etc.)

Joint Annual Assessment Reports will be submitted 90 calendar days after the annual reporting period for this PPA and will meet the requirements of 2 CFR 200.328 and 40 CFR 35.115. Final financial and performance reports will also be submitted 90 calendar days after the end of the PPA period per the closeout requirements of 2 CFR 200.343. Indiana will notify the EPA R5 if there are delays in meeting these deadlines.

Additionally, program meetings, conference calls, and other post-award management activities may be used to satisfy the Joint Evaluation requirements only if both of the following are true:

1. The activity covers the evaluation process requirements of 40 CFR 35.115; and
2. There is documentation summarizing the evaluation activity. Program documentation may include email/letter correspondence, meeting minutes, or a program report.

Indiana and EPA R5 agree that all evaluation reports will be included in both agencies' files in accordance with 35.115(d). The evaluation process schedule is as follows:

Actions/Deadlines

2021-2023 PPA begins	July 1, 2021
FA Report (2019-2021 PPA)	September 2021
EPA R5 sends comments on FA Report (2019-2021 PPA)	December 2021
IDEM/EPA R5 Midterm Senior Management Planning Meeting (if needed) 2021-2023 PPA)	February 2022
Joint Midterm Assessment Meeting (if needed) (2021-2023 PPA)	April/May 2022
Midterm Assessment (MA) Report (2021-2023 PPA)	September 2022
EPA R5 sends comments on MA Report (2021-2023 PPA)	December 2022
2019-2021 PPA ends	June 30, 2021
FA Report (2019-2021 (PPA)	September 2021
EPA R5 sends comments on FA Report	December 2021
IDEM Senior Management Planning Meeting (2021-2023 PPA)	February 2021
IDEM and EPA R5 Kickoff Meeting (2021-2023 PPA)	March/April 2021
Draft PPA negotiated and finalized (2021-2023 PPA)	April/May 2021
2021-2023 PPA begins	July 1, 2021

The success of each outcome of this agreement relies on clear, constructive communication and the commitment of IDEM and EPA R5 to work together to implement IDEM's Plan-Do-Check-Act model to solve problems and improve the programs. If any differences exist on specific issues or problems, IDEM and EPA R5

should move quickly to resolve them at the staff level or elevate the issue through the dispute resolution process.

PPA and PPA Reporting

The Authorizing Signatures page for the final PPA will be the EPA R5 Regional Administrator and the IDEM Commissioner. The EPA R5 Deputy Regional Administrator and the IDEM Commissioner will sign a similar Authorizing Signatures page to note the finalization of the Midterm Assessment and Final Assessment Reports. Hard copies of the documents shall be addressed to the EPA R5 Regional Administrator and mailed to the EPA R5 project officer.

Mutual Accountability

The approach from direct oversight to mutual accountability and joint assessment is a shift from the traditional approach. IDEM and EPA R5 will jointly assess each program element and determine the appropriate course change as needed. EPA R5 will review and act on new regulations in program areas that impact Indiana's authorization or where federal statute, or regulation requires EPA R5 review and approval of state actions (e.g., water quality standards).

Dispute Resolution Process

IDEM and EPA R5 will use the following agreed-upon dispute resolution process to handle the conflicts that may arise during the execution of this agreement. The resolution process will be treated as an opportunity to improve 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 need to 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 (NPDES) 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 and within two weeks of the issue arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next staff level of each agency.
3. **Escalation:** When there is no resolution of the issue 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

While objective environmental quality measurements show that Hoosiers and the environment are safer today than at any time since data has been collected, a number of environmental challenges still need to be addressed. IDEM's history shows that IDEM can continue to build on its improvements in order to protect Hoosier health and our environment. Below are steps IDEM has taken to provide a cleaner, healthier Indiana for all Hoosiers.

Air

Indiana's air quality has improved significantly during the last 30 years. Regulatory programs aimed at emission reductions for vehicles and industry have 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. In 2009, for the first time since air quality standards were developed in the 1970s, all Hoosiers were breathing air that met current health-based standards. A 2017 report, *State's View of the Air*, shows an improved trend in air quality continuing in the Hoosier state. Indiana is close to meeting all standards throughout the state.

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 these federal standards, reducing Hoosiers' exposure to harmful air toxics. IDEM will continue to work to reduce pollutant levels so every Hoosier has healthy air to breathe.

Land

Considerable progress has been made by IDEM's Office of Land Quality (OLQ). Regulations, compliance and enforcement programs aimed at addressing entities that treat, store, generate or dispose of contaminants have had significant impact on the quality of land in Indiana.

In addition to other programs, IDEM has, and will continue to, focus on corrective actions at hazardous waste facilities and leaking underground storage tank sites. Considerable resources have been focused on obtaining and addressing the environmental indicators established through the Government Performance and Results Act. In addition to corrective actions, IDEM is working to more accurately identify owners and operators of underground storage tanks and provide assistance to assure compliance with tank regulations.

A major priority for IDEM has been work on the Grand Calumet River and Indiana Harbor Shipping Canal. IDEM provides technical assistance and permit review for the U.S. Army Corp of Engineers (USACE) Federal navigational dredging project in the Indiana Harbor Shipping Canal. Dredging commenced in September 2012 and will continue for the next thirty (30) years. IDEM will continue to assist the USACE with all applicable permitting and technical issues throughout the project. IDEM will also continue to fulfill its role as beneficiary to settlement trust funds from the 1990 bankruptcy of the former East Chicago, Indiana (ECI) Facility in East Chicago. These funds are administered by the East Chicago Waterway Management District for the cleanup of the ECI properties and long-term monitoring and maintenance of the on-site CDF. IDEM reviews and approves the use of the funds.

Along with educating and providing technical assistance to businesses and communities, IDEM's work to issue permits, conduct inspections, respond to accidental spills and oversee cleanups continues to foster marked improvement in the state's land quality each year.

Water

IDEM continues to monitor and assess water quality and to identify general causes and sources of surface water impairments within the state. Many of the specific outputs listed within the water work plan section of this agreement are intended to focus on and address water impairments. IDEM will continue to develop total maximum daily load (TMDL) calculations for priority classes of waters as identified for U.S. EPA's TMDL vision and as required by Section 303(d) of the federal Clean Water Act, to identify sources contributing to the impairment of Indiana's surface water. Additionally, IDEM issues 401 Water Quality Certifications to ensure Indiana's water quality standards are met.

IDEM is a national leader in issuing National Pollutant Discharge Elimination System (NPDES) permits and maintains exemplary compliance and enforcement of those permits, including storm water discharges covered by general permits, to reduce water impairments resulting from point sources. Additionally, IDEM has made significant progress on tracking long term control plan (LTCP) implementation to reduce the incidence of combined sewer overflows (CSOs), which also contribute to the impairment of Indiana's waters.

Reduction of impairments is critical for the protection of Indiana's public water supply systems (PWSSs). IDEM has assessed most of Indiana's PWSSs to inventory potential contaminants and determine water system susceptibility to contamination. IDEM works with PWSSs to help them understand the assessment information and develop and implement plans to protect drinking water sources and maintain compliance to ensure safe water is delivered to the public.

IDEM's Office of Water Quality (OWQ) is committed to meeting its obligations outlined within this agreement. OWQ is working to identify additional resources necessary to meet those commitments, including trade-offs that may result in discussions during the execution of this agreement.

Outlook

Indiana, in partnership with EPA R5 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.

Work Plans for Joint Priorities and Program Goals and Objectives

Office of Air Quality (OAQ)

While EPA R5 has established goals for each objective, the tasks covered do not always encompass all phases of the goal. For example, many objectives are listed under the goal, “Taking action on climate change and improving air quality.” In many cases the actual tasks do not cover any activities related to climate change.

Title V Operating Permits (TVOPs)		A-1
IDEM Contact(s): Jenny Acker	EPA R5 Contact(s): Genevieve Damico	Due Date: Ongoing
EPA R5 Role: Provide program assistance.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	State fees for Title V; and EPA R5 with state match for PSD/NA NSR programs.	

Issue all TVOPs and PSD/NA NSR permits in a timely manner consistent with federal and state requirements:

- a) Track progress of all TVOP applications received by IDEM.
- b) Timely issuance of all TVOPs – IDEM will ensure progress is made on all pending initial TVOP applications.
- c) Timely issuance of all TVOP renewals – IDEM will ensure progress is made on all pending TVOP renewal applications so that these renewals are issued prior to the expiration of their current TVOP, or so that late applications are issued within nine months of receipt of the application.
- d) IDEM will provide semi-annual updates to the Title V Operating Permit System (TOPS) database by January 31 and July 31 of each year.
- e) Provide quarterly updates to the Reasonably Available Control Technology/Best Available Control Technology/Lowest Achievable Emission Rate (RACT/BACT/LAER) Clearinghouse (RBLC) for each PSD/NA NSR permit issued.
- f) IDEM will identify issues and EPA R5 will provide program assistance for TVOPs, PSD/NA NSR permits, and synthetic minor permits as necessary.

Conduct Ambient Air Quality Monitoring Throughout Indiana		A-2
IDEM Contact(s): Steve Lengerich	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
EPA R5 Role: Regulatory advice, funding and review.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

- a) Operate and maintain an ambient air monitoring network to determine compliance with the National Ambient Air Quality Standards (NAAQS) and conduct Photochemical Assessment Monitoring Stations (PAMS) monitoring according to 40 CFR 58, approved monitoring plans, and the quality management plan/quality assurance project plans (QMP/QAPPS).
- b) Perform laboratory analysis of collected lead and PM samples.
- c) Submit annual network plan required by 40 CFR 58.10 by July 1 of the prior year unless another schedule has been approved by EPA R5.
- d) Maintain certification lab operation by the continued use of the most current lab standards, and continued use of state-of-the-art techniques to produce the most accurate certifications possible.
- e) Investigate new equivalent analytical methods of testing through new equipment.
- f) Provide for (or participate in) adequate, independent quality assurance audits for the monitoring activities supported by this grant, including Pb Performance Evaluation Program (Pb-PEP) and National Performance Audit Program (NPAP).
- g) Operate, evaluate, and improve monitoring procedures and data reporting of the Photochemical Analytical Monitoring Strategy (PAMS) monitoring in Indianapolis, Indiana.
- h) Perform a quality assurance (QA) network evaluation.
- i) Conduct data analysis to determine improvement and degradation of air quality.
- K) Perform annual industry evaluations (systems audit). Provide information to EPA R5.
- l) Annually review and update the AMB QAPPs.
- m) Submit ambient concentration and quality assurance data to Air Quality System (AQS), according to schedule in 40 CFR 58.
- n) Certify all parameters required under 40 CFR part 58.15 according to the schedule in that part.
- o) Submit 5-year network assessments required by 40 CFR part 58.10(d).
- p) Submit certification to EPA R5 each year that:
 - Confirms IDEM's QMP is still in effect.
 - Identifies needed revisions to the QMP.
- q) Commit funds to adequately support the monitoring program.
- r) Coordinate and oversee work performed by contractors or other organizations.
- s) EPA R5 will provide regulatory advice, funding and review.
- t) Conduct required (monthly or quarterly) QC/QA flow checks/verifications and semi-annual flow audits of Pb, PM10. Submit all QC/QA flow checks, verifications, and semi-annual flow audit results to the Air Quality Systems (AQS).
- u) Participate in U.S. EPA's Technical System Audits, develop a corrective action plan to address findings, and address audit findings by completing corrective actions.

- v) Participate in EPA R5 Round Robin performance evaluations and National Round Robin for NATTS PT for VOCs.
- w) Participate in the Protocol Gas Verification on a three- year rotation.
- x) Attend and participate in U.S. EPA's national and/or regional conferences and training pertinent to air quality monitoring, quality assurance, and data reporting (e.g., the National Ambient Air Monitoring Conference). Attend other meetings/conference calls, as necessary.

Air Toxics Monitoring, Risk Analysis and Reduction		A-3
IDEM Contact(s): Steve Lengerich, Scott Deloney	EPA R5 Contact(s): Michael Compher, Rae Trine	Due Date: Ongoing
EPA R5 Role: Risk assessment and data analysis advice, special grant funding and review. Collaborate with IDEM as appropriate to evaluate and mitigate localized air toxics.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

IDEM will perform the following activities, assuming that the agency maintains the financial wherewithal to do so:

- a) Conduct effective non-criteria pollutant monitoring. Maintain Indiana Air Toxic Monitoring Program. Conduct data analysis and assessment of air toxics monitoring data.
- b) Implement delegated or approved air toxic standards, as appropriate, for major sources and area sources.
- c) Implement delegated residual risk standards.
- d) Assess and address local air toxic issues, including the combined impact of multiple sources of air toxics, and support efforts to reduce emissions encouraging voluntary reductions of air toxics.
- e) Prepare and submit HAP data to the National Emissions Inventory (NEI) in accordance with U.S. EPA Air Emissions Reporting Requirements (AERR). Quality assure and revise NEI data; respond to U.S. EPA comments.
- f) EPA R5 will provide risk assessment and data analysis advice, inform IDEM of special grant funding and review, and collaborate with IDEM, as appropriate, to evaluate and mitigate localized air toxics.

Make Air Monitoring Information Publicly Available**A-4**

IDEM Contact(s): Steve Lengerich	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		

Goal 2:	Cooperative Federalism.
Objective 2.2:	Increase Transparency and Public Participation.
Funding:	PPG

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

- a) Provide current data from all active continuous monitoring sites to the public via the agency website.
- b) Provide past data from active continuous and intermittent monitoring sites and past data from recently discontinued sites.
- c) Maintain air quality index (AQI) reporting in designated cities.
- d) Submit hourly pollutant and meteorological data to AIRNow.
- f) EPA R5 will provide timely advice and reviews.

Data Management and Display System (DMDS)**A-5**

IDEM Contact(s): Brian Sandstrom	EPA R5 Contact(s): Michael Compher	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		

Goal 1:	Core mission.
Objective 1.1:	Improve air quality.
Funding:	PPG

Collect real time air quality information using DMDS.

- a) Obtain new DMDS to replace LEADS.
- b) Maintain logging and automatic calibration equipment at all continuous monitoring sites.
- c) Deploy DMDS at all newly established continuous monitoring site locations.
- d) EPA R5 will provide timely advice and reviews.

Implementation of 2008 Ozone National Ambient Air Quality Standards (NAAQS)**A-6**

IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): USEPA R5 Attainment Planning and Maintenance Section (APMS) Chief (Mike Leslie, Acting)	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		

Goal 1:	Core mission.
Objective 1.1:	Improve air quality.
Funding:	PPG

Successfully implement the 2008 and 2015 Ozone National Ambient Air Quality Standards (NAAQS).

- a) Monitor attainment status for areas designated nonattainment.
- b) Develop and submit State Implementation Plans (SIPs), if necessary.
- c) EPA R5 will provide timely advice and reviews.

SO₂ National Ambient Air Quality Standards (NAAQS)		A-7
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): APMS Section Chief (Mike Leslie, Acting)	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

- a) Implement the data requirements rule. Oversee ongoing monitoring.
- b) Conduct annual emissions evaluations to determine if updated characterization is needed.
- c) Prepare and submit attainment SIPs as necessary.
- d) Monitor attainment status for areas designated nonattainment.
- e) EPA R5 will provide timely advice and reviews.

Redesignation Petitions and Maintenance Plans		A-8
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): APMS Section Chief (Mike Leslie, Acting) and Pam Blakley	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

- a) Prepare and submit redesignation petitions and maintenance plans within six months of monitoring data being quality assured for each new area that attains an NAAQS.
- b) Develop and submit attainment SIPs as necessary.
- c) EPA R5 will provide timely advice and reviews.

Regional Haze		A-9
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): Pam Blakley)	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

- a) Coordinate through the Lake Michigan Air Directors Consortium to prepare and submit comprehensive SIP revisions to the Regional Haze SIP by mid-2021.
- b) EPA R5 will provide timely advice and reviews.

Transportation Conformity		A-10
IDEM Contact(s): Shawn Seals	EPA R5 Contact(s): Pamela Blakley, Francisco Acevedo, Anthony Maietta	Due Date: Ongoing
EPA R5 Role: Timely advice and reviews.		
Goal 1:	Core mission.	
Objective 1.1:	Improve air quality.	
Funding:	PPG	

- a) Work with local Metropolitan Planning Organizations, EPA R5, and state and federal transportation agencies on future conformity determinations, as needed.
- b) Work with transportation agencies as appropriate to update mobile SIP budgets in response to changing needs such as updates to the mobile model MOVES or other changes.

Office of Air Quality (OAQ) - Enforcement

Compliance Monitoring Strategy (CMS) for Asbestos		AE-1
IDEM Contact(s): Phil Perry & Dan Stamatkin	EPA R5 Contact(s): Nathan Frank and Mark Messersmith	Due Date: September 30, 2023
EPA R5 Role: Provide program assistance as requested.		
Goal 3:	Rule of law and process.	
Objective 3.1:	Compliance with the law.	
Funding:	Dedicated – Asbestos Trust	

- a) Implement a compliance and enforcement program for asbestos inspections and compliance evaluation of asbestos notifications, licensed asbestos contractors, and stationary asbestos sources.
- b) Submit an annual report to EPA R5 on asbestos demolition/renovation notifications submitted by the owner/operator, compliance evaluations conducted, and enforcement actions initiated by IDEM. The report will be submitted by October 31, 2021, for FY21 and by October 31, 2022, for FY22. The report will be submitted alphabetically by owner/operator and will include the number of asbestos demolition/renovation notifications received, warning letters, Notice of Violations (NOVs), Referrals, Agreed Orders, State Court Orders/Decrees, and penalties assessed.

Compliance Monitoring Strategy (CMS) for Title V and Federally Enforceable State Operating Permit (FESOP)**AE-2**

IDEM Contact(s): Phil Perry

EPA R5 Contact(s): Nathan Frank and Mark Messersmith

Due Date: September 30, 2023

EPA R5 Role: Review Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) Policy and work closely with OAQ staff to ensure any issues are satisfactorily addressed.

Goal 3: Rule of law and process.

Objective 3.1: Compliance with the law.

Funding: Dedicated Title V Fund

Develop and implement the Clean Air Act Stationary Source Compliance Monitoring Strategy (CMS) Plan for Title V and Federally Enforceable State Operating Permitted (FESOP) source inspections and compliance evaluations consistent with the Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016.

- a) Submit CMS Plan for review and negotiation with EPA R5 by August 31, 2021 for FY22, and August 31, 2022 for FY23. Implementation of the final CMS Plan for FY22 will begin on October 1, 2021 and on October 1, 2022 for FY23. The CMS Plan will meet The Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016 policy. The CMS source category and frequency flags will be completed by IDEM for the Title V major and synthetic minor with the potential to emit at or above 80 percent major source threshold (SM80) source universe in the Integrated Compliance Information System – Air (ICIS–Air) by November 30, 2021, for FY22 and November 30, 2022, for FY23.
- b) EPA R5 shall submit a written response to IDEM concerning the CMS plan by December 31, 2021, for FY22 and December 31, 2022, for FY23.
- c) Implement the CMS plan for full compliance evaluations:
 - Conduct full compliance evaluations (FCE) of Part 70 sources once every two years, except mega-sites, gas compressor stations and gas turbines facilities.
 - Mega-sites will be identified in the CMS plan and an FCE of those sites will be conducted once every three years.
 - Gas compressor stations, gas turbine facilities, and contractors that are associated with the five mega-sites that have separate source identification numbers will be identified in the CMS plan as Alternate Frequency sources. The contractors that are associated with the five mega-sites that have separate source identification numbers will receive an FCE a minimum of once every three years and Title V major gas compressor station and gas/oil turbine generating station sources will receive an FCE a minimum of once every five years.
 - Conduct full compliance evaluations of all FESOP sources once every five years, except as noted in the CMS.
 - In those years where full compliance evaluations are not conducted, partial compliance evaluations will be completed, including review of annual compliance certifications, review of quarterly deviation reports, review of emergency reports and review of the various emissions reports.

- d) Submit compliance and enforcement information within the standards required for reporting per The Clean Air Act Stationary Source Compliance Monitoring Strategy, October 2016 (CMS), The Clean Air Act National Stack Testing Guidance, April 27, 2009, Timely and Appropriate Enforcement Response to High Priority Violations – Revised 2014 (HPV policy), The Guidance on Federal Reportable Violations for Clean Air Act Stationary Sources – September 2014 (FRV policy), and the current Information Collection Request (ICR) for ICIS–Air. Ensure data is complete, accurate, timely, and that data is consistent with U.S. EPA policies and guidance. This reporting effort also includes the verification of data used by the State Review Framework (SRF) which is made available to the public.
- e) Respond to complaints, including those referred from EPA R5. Inspections are conducted where necessary.
- f) EPA R5 will provide compliance and enforcement support and guidance and make training available to IDEM staff, as needed.
- g) Prepare enforcement cases according to IDEM's Compliance and Enforcement Response Non-Rule Policy (CERP) and guidance, and U.S. EPA's Timely and Appropriate Enforcement Response to High Priority Violations (HPV policy) – Revised 2014. IDEM will review findings and prepare enforcement cases according to the HPV Policy, IDEM CERP and guidance, and the IDEM Civil Penalty Nonrule Policy for noncompliance with statutes, rules or permits.
- h) Participate in enforcement/settlement negotiation conferences and follow-up on the requirements of IDEM's Agreed and/or Commissioner's Order.
- i) EPA R5 and IDEM will conduct bi-monthly conference calls to discuss planning, program progress, compliance and enforcement issues, HPVs, data issues, reporting, efforts to resolve violations and input on design and development of future ICIS–Air versions. EPA R5 and IDEM will have initial case-specific consultations to discuss case development and resolution timeframes for state lead HPV cases not addressed within 180 days from the Day Zero.

Office of Land Quality (OLQ)

Resource Conservation Recovery Act (RCRA) Corrective Action (CA)		L-1
IDEM Contact(s): Don Stilz	EPA R5 Contact(s): Mike Beedle, Greg Rudloff, Jose Cisneros	Due Date: September 30, 2021 & September 30, 2023
EPA R5 Role: Contractor support for sampling and risk review at selected sites.		
Goal 1:	Core mission.	
Objective 1.3:	Revitalize land and prevent contamination.	
Funding:	PPG	

IDEM supports EPA R5's Integrated Cleanup Initiative to improve the accountability, transparency, and effectiveness of all of our cleanup programs. IDEM will coordinate the activities of its RCRA CA, Leaking Underground Storage Tanks, Brownfields, Toxic Substances Control Act, and Superfund programs to reduce risks to human health and the environment, by assessing and cleaning up contaminated sites to appropriate land use-based levels, and put them back into productive use.

In support of our coordinated efforts, IDEM will meet the requirements of the Resource Conservation and Recovery Act (RCRA) Government Performance and Results Act (GPRA).

- a) For the 2030 Universe facilities, of which 88 are assigned for state lead, IDEM will achieve the following GPRA corrective action goals:
- By September 30, 2021: 76 facilities will reach CA725, 73 facilities will reach CA750, and 65 facilities will reach CA550 and 43 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2021.
 - By September 30, 2022: 78 facilities will reach CA725, 75 facilities will reach CA750, 67 facilities will reach CA550 and 45 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2022.

Hazardous Waste Permitting and Post-Closure		L-2
IDEM Contact(s): Don Stilz	EPA R5 Contact(s): Jae Lee	Due Date: September 30, 2021 & September 30, 2023
EPA R5 Role: Provide program assistance.		
Goal 1:	Core mission.	
Objective 1.3:	Revitalize land and prevent contamination.	
Funding:	PPG	

Permit priority will be given to application submittals that are subject to Indiana's permit accountability statute. EPA R5 is in the process of developing permit and renewal baselines. The FFY 21-22 baselines will be completed by the end of September 2022.

- a) For a renewal application that is received 180 days before the permit

expiration date, IDEM will issue the permit renewal within 180 days of the permit expiration date; otherwise, IDEM will issue permit renewals within 365 days from the date of receipt of the renewal application.

- b) Upon request, EPA R5 will provide timely boiler and industrial furnaces (BIF) and risk assessment assistance to complete hazardous waste facility permitting actions in accordance with U.S. EPA Government Performance and Results Act (GPRA) goals.

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Generators			L-3
IDEM Contact(s): Susan Lowry	EPA R5 Contact(s): Robert Smith, Mike Cunningham	Due Date: July 1, 2021-June 30, 2023	
EPA R5 Role: Conduct inspections of at least six large quantity generators (LQGs). Inspect other facilities handling hazardous waste as necessary. Criteria for U.S. EPA's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under Regional and National priority sectors and/or initiatives.			
Goal 3:	Rule of Law and Process.		
Objective 3.1:	Compliance with the law.		
Funding:	PPG		

- a) Each state fiscal year, IDEM will, by June 30 of that respective year, conduct Compliance Evaluation Inspections (CEIs) at a minimum of 20 percent of the large quantity generator (LQG) universe that exists in the RCRAInfo database. The universe will be determined using data that exists in the RCRAInfo database as of June 1 of that respective year. Under IDEM's Flexibility Plan for 2021, the traditional LQG universe is 539, with an inspection commitment of 108.
- b) EPA R5 will conduct inspections of at least six large quantity generators (LQGs). EPA R5 will inspect other facilities handling hazardous waste as necessary. Criteria for EPA R5's selection of installations may include: (a) requests from IDEM, (b) installations subject to open federal enforcement judicial and/or administrative decrees/orders, (c) installations that have not been inspected in the past, and (d) installations under regional and national priority sectors and/or initiatives.

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Inspections of Treatment, Storage and Disposal Facilities (TSDs)			L-4
IDEM Contact(s): Susan Lowry & Don Stiliz	EPA R5 Contact(s): Robert Smith, Mike Cunningham	Due Date: July 1, 2021-June 30, 2023	
EPA R5 Role: EPA R5 will independently inspect at least two additional operating TSDs for all permit requirements for each year. EPA R5 will perform annual inspections at all operating TSDs owned or operated by state and local governments.			
Goal 3:	Rule of Law and Process.		
Objective 3.1:	Compliance with the law.		
Funding:	PPG		

- a) Each fiscal year, IDEM will inspect 50 percent of all Treatment, Storage

and Disposal facilities (TSDs) with a current operating permit for active permitted units. IDEM will conduct a CEI at all 17 of the operating TSDFs at least once every two years.

- b) IDEM will conduct a Financial Record Review at 100 percent of the facilities that require such review.
- c) IDEM will inspect, at least once every three (3) years, TSD facilities that are no longer in the operating universe, but still have compliance requirements. These inspections are required in the September 2015 Compliance Monitoring Strategy from the Office of Enforcement and Compliance Assurance.
- d) EPA R5 will independently inspect at least two operating TSDs for all permit requirements for each year. EPA R5 will perform annual inspections at all operating TSDs owned or operated by federal, state, and local governments.

Resource Conservation Recovery Act (RCRA) RCRAInfo		L-5
IDEM Contact(s): Greg Overtom	EPA R5 Contact(s): Thomas Crosetto	Due Date: Monthly
EPA R5 Role: Provide program assistance.		
Goal 1:	Core mission.	
Objective 1.4:	Ensure safety of chemicals in the marketplace.	
Funding:	PPG	

- a) Resource Conservation and Recovery Act (RCRA) information will be input into the RCRAInfo database on a weekly basis via RCRAInfo data flows.
- b) IDEM will collect biennial reports for the 2021 cycle and load data into RCRAInfo.
- c) EPA R5 will provide program assistance for all data cleanup within RCRAInfo as needed. This includes all the modules within the national database.

Rule Development		L-6
IDEM Contact(s): Chris Pedersen	EPA R5 Contact(s): Susan Mooney	Due Date: June 30, 2023
EPA R5 Role: Many rule updates are developed by EPA R5 and IDEM in mutually agreed upon time frames. Regarding the Research, Development and Demonstration (RDD) rule, EPA R5 will provide assistance, where applicable.		
Goal 3:	Rule of law and process.	
Objective 3.2:	Create consistency and certainty.	
Funding:	PPG	

Develop equivalent 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. Submit current and future authorization packages within a mutually agreed upon time frame.

- a) IDEM will develop rules and pursue authorization for all RCRA Subtitle C annually and Subtitle I rule(s), as needed.
- b) EPA R5 will aid, where applicable regarding the Research, Development and Demonstration (RDD) rule.

Office of Land Quality (OLQ) - Enforcement

Resource Conservation and Recovery Act (RCRA) Hazardous Waste Enforcement			LE-1
IDEM Contact(s): Jennifer Reno	EPA R5 Contact(s): Robert Smith, Mike Cunningham	Due Date: July 1, 2021-June 30, 2023	
EPA R5 Role: Issue enforcement responses to RCRA violations detected by EPA R5, or referred to EPA R5 by IDEM, in accordance with U.S. EPA's 2003 Hazardous Waste Civil Enforcement Response Policy, U.S. EPA's RCRA Civil Penalty Policy and relevant U.S. EPA enforcement strategies.			
Goal 3:	Rule of Law and Process.		
Objective 3:1:	Compliance with the law.		
Funding:	PPG		

- a) Issue enforcement responses to RCRA violations in accordance with IDEM's enforcement response strategy and U.S. EPA HQ's 2003 Hazardous Waste Civil Enforcement Response Policy.
- b) EPA R5 will issue enforcement responses to RCRA violations detected by U.S. EPA R5 or referred to EPA R5 by IDEM, in accordance with enforcement strategies.

Concentrated Animal Feeding Operations (CAFO) NPDES Permits & Enforcement			LE-2
IDEM Contact(s): Charles Grady & Mitchell Halcomb	EPA R5 Contact(s): Ryan Bahr & Matt Gluckman	Due Date: July 1, 2021 & June 30, 2023	
EPA R5 Role (Water Division): Provide training on conducting CAFO inspections to IDEM staff, as requested. EPA R5 will be leading on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.			
Goal 1:	Core mission.		
Objective 1.3:	Revitalize land and prevent contamination.		
Funding:	PPG		

- a) Conduct compliance inspections at 20 percent of all CAFOs each fiscal year. There are currently 1,771 animal feeding operations permitted in Indiana. These include 866 concentrated animal feeding operations (CAFOs) and 905 smaller operations called confined feeding operations (CFOs). In addition to routinely inspecting 20 percent of the permitted CAFOs, inspections are also conducted in the categories listed below to determine whether facilities discharge or should be designated a CAFO.
 - State regulated large and medium CAFOs with an NPDES permit.
 - State regulated large CAFOs without an NPDES permit.
 - State regulated medium AFOs without an NPDES permit.
 - Small AFOs without an NPDES permit.

- b) Issue NPDES permits to 100 percent of the CAFO Individual NPDES permit holders by September 30, 2021, whose expiration dates are on or before September 30, 2021.
- c) Issue enforcement responses to NPDES violations in accordance with IDEM's enforcement response strategy and U.S. EPA's EMS.
- d) EPA R5 will provide training on conducting CAFO inspections to IDEM staff, as requested. EPA R5 will be the lead on enforcement where there is non-compliance with existing federal orders or where non-compliance is documented through a federal lead inspection.

Polychlorinated Biphenyl (PCB) Inspections		LE-3
IDEM Contact(s): George Ritchotte	EPA R5 Contact(s): Ken Zolnierczyk, Mike Cunningham	Due Date: July 1, 2021-June 30, 2023
EPA R5 Role: Review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response. Provide technical assistance and guidance on federal PCB regulations. Conduct mid-year and year end reviews. Provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors. Provide enforcement training to allow IDEM to prepare penalty calculations.		
Goal 1:	Core mission.	
Objective 1.4:	Ensure safety of chemicals in the marketplace.	
Funding:	PPG	

- a) Conduct 28 Toxic Substance Control Act (TSCA) PCB inspections for FY21 and 28 PCB inspections for FY23.
- b) Work with EPA R5 on oversight of PCB cleanups and provide technical assistance to the regulated community. Provide a yearly summary report detailing the status of oversight activities for each fiscal year.
- c) Work with the EPA R5 Pesticides and Toxics Compliance Section (PTCS) in the annual targeting of facilities for TSCA PCB inspections, including critical points within natural gas pipeline transmission and distribution systems.
- d) IDEM will provide a quarterly inspection summary.
- e) EPA will expedite renewal of credentials for IDEM inspectors to allow completion of PCB inspections.
- f) EPA R5 will review IDEM's PCB inspection reports and, if necessary, issue the appropriate enforcement response, provide technical assistance and guidance on federal PCB regulations, conduct mid-year and year end reviews, provide continuing refresher training to experienced inspectors and basic field investigation training to new inspectors, and provide enforcement training to allow IDEM to prepare penalty calculations.

Office of Water Quality (OWQ)

Safe Drinking Water Act (SDWA)		W-1
IDEM Contact(s): Stacy Jones, Lucio Ternieden, Anthony Tobias, Matt Prater, Matt Prater and Sam Blazey	EPA R5 Contact(s): Rita Bair and Cynthia Meyer; Elizabeth Murphy;	Due Date: a, b, d, e, f, g) Ongoing; c) Annually
Each State with primacy for implementing the National Primary Drinking Water Regulations is expected to fully implement all aspects of its safe drinking water statutes and rules on which primacy is awarded. The Region's oversight responsibility is most clearly stated in 40 CFR §142.17 and goes beyond what is funded by the grant. State oversight includes the following areas: (1) Rules and primacy, (2) Sanitary surveys, (3) Laboratory certification, (4) Enforcement and compliance assistance, (5) Data management and reporting, (6) Operator certification, (7) Capacity development, (8) Source water protection, and (9) Measures/indicators.		
Goal 1: Core mission. Objective 1.2: Provide for clean and safe water. Funding: PPG		

- a) EPA R5 and IDEM will work together to:
 - Address the national HB violation measure and reducing the number of systems in non-compliance.
 - Ensure IDEM adequately addresses the workload in its Safe Drinking Water Act Program so that it effectively implements the program including timely reporting of monitoring results and issuing violations according to federally required timeframes.
 - Develop and implement a File Review plan to correct program deficiencies found during the most recent File Review including implementation of the newest rule, Revised Total Coliform Rule.
 - Address issues for remaining primacy packages: LCR-STR, GWR, Stage 2 DBPR, LT2ESWTR
 - Region 5 will follow the established expectations in the Office of Enforcement and Compliance Assurance (OECA) Partnership Memo, to work with IDEM on issuing timely formal enforcement actions for systems in priority status for RTCR violations. This could include EPA or IDEM issued violations and actions for systems which have been unable to complete level 1 and level 2 assessments.
 - Conduct trainings and offer technical assistance to operators of water systems who conduct level 1 assessments and address vacancies to improve RTCR level 2 completeness.

- b) Maintain primacy for the Public Water Supply Supervision Program by fully implementing all aspects of the program as outlined in the bi-annual work plan (work plan) and strategic targets (Attachment 1). Measure, assess, and communicate progress, as tracked and reported under the Mid-Term and Final PPA Reports.

Office of Water Quality (OWQ) Permits		W-2
IDEM Contact(s): a) Jerry Dittmer & Leigh Voss b) Jerry Dittmer & Nikki Gardner c) Jerry Dittmer e) Martha Clark Mettler	EPA R5 Contact(s): a) Steve Jann b) Steve Jann	Due Date: See below
EPA R5 Role: Provide timely review, technical assistance and comment and identify issues at an early stage in the process.		
Goal 1: Core mission. Objective 1.2: Provide for clean and safe water. Funding: State		

- a) Municipal National Pollutant Discharge Elimination System (NPDES) Permits – Issue 95 percent of all identified priority NPDES permits, issue new permits within statutory time frames.
- Issue municipal priority permits within requested time frames.
 - Maintain the backlog of municipal permits at 10 percent or less.
 - Issue new municipal NPDES permits within statutory time frames.
 - EPA R5 will review NPDES discharge permits greater than five million gallons per day (MGD) in the Lake Michigan basin and NPDES discharge permits greater than one million gallons per day (MGD) that directly discharge to Lake Michigan.
 - Provide numbers for the following two pretreatment measures, twice a year (first week of April and October):
 - Number of Significant Industrial Users (SIUs) that are discharging to POTWs with Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.
 - Number of Categorical Industrial Users (CIUs) that are discharging to POTWs without Pretreatment Programs that have control mechanisms in place that implement applicable pretreatment standards and requirements.
- b) Industrial NPDES permits – Issue 95 percent of all identified priority NPDES permits and issue new permits within statutory time frames.
- Issue industrial priority permits within requested time frames.
 - Maintain the backlog of industrial permits at 10 percent or less.
 - Issue new industrial NPDES permits within statutory time frames.
- c) EPA R5 will review permits previously identified for review, all general permits and individual permits for the major dischargers are listed below. EPA R5 will provide a non-objection letter once any objectionable issues EPA R5 raised have been resolved. IDEM and EPA R5 will evaluate the list annually to identify additional permits for EPA R5 to review based on national and regional priorities and/or permits to remove from the list.
- d) EPA R5 will provide timely review, technical assistance, comments, and identify issues at an early stage in the process.
- e) IDEM shall continue work on converting general permits-by-rule to administratively issued general permits, completing the remaining permit-by-rule conversions, as expeditiously as possible.
- IDEM will coordinate the issuance of the general permits with the General Permit rulemaking to ensure all current permittees retain coverage.

- EPA R5 will continue to work expeditiously to review the draft general permit language and once EPA R5 agrees, EPA R5 will issue a non-objection letter so IDEM can proceed with the public notice of the draft permit and subsequently the issuance of the final permit consistent with the MOA. EPA R5 has reviewed and provided such non-objection letters for six draft general permits.
- IDEM will continue to submit updated schedules that include dates by which IDEM will issue the revised general permits and the dates by which IDEM will make available the associated Notice of Intentions (NOIs).
- IDEM, OWQ will work with U.S. EPA and IDEM's Office of Legal Counsel (OLC) to address issues raised in U.S. EPA's October 11, 2016 letter (from Tinka Hyde to Martha Clark Mettler).

Impaired Waters List and Water Quality Report		W-3
IDEM Contact(s): a) Marylou Renshaw & Jody Arthur	EPA R5 Contact(s): <u>Donna Keclik</u> & Vilma Rivera-Carrero	Due Date: a) April 1, 2022
EPA R5 Role: 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.		
Goal 1:	Core mission.	
Objective 1.2:	Provide for clean and safe water.	
Funding:	PPG	

- IDEM will submit the Integrated Report (IR), including the 303(d) List of Impaired Waters by established deadlines and provide additional IR information (e.g., assessment methodology, GIS files) in other appropriate formats, as required by the IR Guidance . IDEM will submit its IR and supporting information through ATTAINS.
- EPA R5 will provide timely review and comments on materials submitted, guidance on report/list development, and support and guidance on the use of ATTAINS.
- With a goal of finding an agreed upon process for evaluating metals impairments for the 2022 303(d) list, IDEM and EPA R5 will continue discussions to establish a common understanding of information related to water quality assessments of metals, including a review of IDEM's water quality criteria language, IDEM's consolidated listing and assessment methodology, IDEM's surface water quality monitoring strategy, existing, current metals data, U.S. EPA's listing rules and guidance, and other relevant information.

Surface Water Quality Monitoring Strategy

W-4

IDEM Contact(s): a), b), c), and e) Marylou Renshaw, Cyndi Wagner, Stacey Sobat d) Kristen Arnold, f) Jody Arthur
EPA R5 Contact(s): Dave Pfeifer, Tim Elkins, Mari Nord, & Ed Hammer
Due Date: a) December 31, 2021; b), c), d), e), and f) Annually

EPA R5 Role: Provide assistance in revising monitoring strategy. Review and provide comments on draft and final products. Work with IDEM to implement the strategy and identify resources to address identified gaps. Work with IDEM to identify resources to address issues identified in the strategy and provide technical assistance/guidance as requested. Provide meeting support and travel support as available. Encourage CWA/SDWA Program integration.

Goal 1: Core mission.
Objective 1.2: Provide for clean and safe water.
Funding: PPG

- a) Revise the 2017-2021 Water Quality Monitoring Strategy for the cycle of 2022-2026.
- b) Implement the applicable Water Quality Monitoring Strategy in the 2020 through 2023 monitoring seasons. IDEM will use the PPA update reporting procedures to provide information on progress, with the elements and level of details agreed upon by IDEM and EPA R5.
 - Monitor waters, utilizing the probabilistic monitoring design to provide sufficient data to adequately assess the status of Indiana's surface water quality following the schedule identified in the IDEM Monitoring Strategy. During the current sampling season (summer through fall 2021), IDEM will sample a minimum of 38 sites in the Patoka River basin. Next sampling season (summer through fall 2022), IDEM will sample a minimum of 38 sites in the East Fork White River basin and in the summer through fall of 2023, IDEM will sample a minimum of 38 sites in the Great Miami River tributaries.
 - Monitor waters employing a targeted design based on the data quality objectives and to support the following: WQS development, NPDES permitting and compliance, public health advisories, to address emerging water quality issues, to determine water quality trends and to evaluate the performance of programs. Fixed stations' monitoring at 165 statewide sites will be sampled monthly; fish tissue monitoring in 2021 will be in the West Fork White River and Patoka basins, in 2022 will be in the East Fork White River and Whitewater basins, and in 2023, in the Upper Wabash basin; Bluegreen algae monitoring will occur from May through August at 19 state-owned or managed swimming beaches to assist in public health advisories. Additionally, cyanotoxin monitoring will occur at a state-owned dog park lake from April through October to assist in protecting dog health.
- c) Participate in regional monitoring newsletter, webinars and activities, as resources allow.
- d) IDEM will continue to implement a regular schedule to upload water quality data to U.S. EPA HQ's Water Quality Portal system through an updated Assessment Information Management System (AIMS) database.
- e) IDEM will provide separate, timely reports, as required by the grant agreements, on all activities funded by the monitoring initiative funds (specific activities are identified

in separate amended grant work plans, including implementation of the national surveys and monitoring strategy activities).

f) Develop an implementation plan for its methodology for assessing drinking water use. Encourage data sharing and protection of sources of drinking water.

f) EPA R5 will:

- Provide comments on monitoring strategy.
- Review and provide comments on draft and final products.
- Work with IDEM to implement the strategy and identify resources to address identified gaps.
- 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 specific areas where CWA and SDWA resources can be used jointly to prevent and mitigate contamination of drinking water sources.

Total Maximum Daily Loads (TMDLs)		W-5
IDEM Contact(s): a) & c) Marylou Renshaw & Angela Brown b) Marylou Renshaw & Cyndi Wagner	EPA R5 Contact(s): a) Dave Pfeifer, b) David Werbach & Donna Keclik	Due Date: a) September 30, 2021 & 2022 b) December 31, 2021 & 2022
EPA R5 Role: Timely review and comment, and contractor assistance, and provide guidance/other information on identifying causes/sources of impairment.		
Goal 1:	Core mission.	
Objective 1.2:	Provide for clean and safe water.	
Funding:	State	

- a) TMDLs will be developed in accordance with the measures established by EPA R5 and U.S. EPA Headquarters' 303(d) Vision process for prioritizing and implementing the TMDL Program, and IDEM's established Vision priorities. IDEM will submit at least one TMDL project each year. The number of segments/TMDLs will depend upon the watershed. For FFY21, IDEM will submit the Maria Creek Watershed TMDL, for FFY22 IDEM will submit either the Lake Manitou TMDL or the Vernon Fork of the Muscatatuck River Watershed TMDL, FFY23 is TBD.
- b) Targeted (Watershed Characterization) Monitoring Studies - Monitor waters to provide information on sources and causes of impairments for use in the development of TMDLs and/or watershed plans. IDEM commits to at least one watershed characterization study a year. For 2021, Vernon Fork of the White River Watershed study will finish in October and the Black Creek Watershed study will begin in November. Watershed studies for 2022 and 2023 are TBD.
- c) EPA R5 will provide timely review, comments, contractor assistance and will provide guidance or other information on identifying causes/sources of impairment.

Wetland and Stream Impacts and Storm Water Permits		W-6
IDEM Contact(s): Brian Wolff & Randy Braun	EPA R5 Contact(s): a) Dave Pfeifer & Dana Rzezniak b) Krista McKimt	Due Date: Ongoing
EPA R5 Role: Provide program assistance.		
Goal 1:	Core mission.	
Objective 1.2:	Provide for clean and safe water.	
Funding:	Federal/State (Wetlands Mapping Impacts Grant)	

- a) Review applications and issue appropriate permits for wetland and stream impacts.
- b) Storm water permits – Review applications and issue appropriate permits for construction, municipal and industrial discharges of storm water.
- c) EPA R5 will provide program assistance.

Water Quality Standards**W-7**

IDEM Contact(s): a), b), c), d) & e) Martha Clark Mettler & Eileen Hack

EPA R5 Contact(s): David Pfeifer, Tim Elkins b), c) Micah Bennett and e) Aaron Johnson, Kay Edly d) Aaron Johnson, Alexandra Flevarakis f) Aaron Johnson

Due Date: Ongoing

EPA R5 Role: Participate in rulemaking 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, such as the Regional Technical Assistance Group (RTAG) and Water Quality Standards (WQS) meetings.

Goal 1: Core mission.

Objective 1.2: Provide for clean and safe water.

Funding: Federal Water Quality Grants

IDEM will work to complete timely water quality standards (WQS) revisions .

- a) IDEM will work with external stakeholders to update metals criteria to reflect current science. IDEM's goal is to have the revised metals criteria language by December 30, 2021.
- b) IDEM will revise the nutrient criteria development plan to accurately reflect achievable milestones, including, but not limited to, reevaluating data and assessing options to overcome implementation challenges , participate in regional activities (Regional Technical Assistance Group (RTAG)) meetings and conference calls), and provide EPA R5 with revisions to the nutrient criteria development plan by August 1 of each fiscal year and interim work products for EPA R5 input .
- c) IDEM will work with U.S. EPA headquarters (and R5) to provide data to test their model for deriving inland lake nutrient criteria.
- d) IDEM will evaluate updating human health methods and human health criteria outside of the Great Lakes Basin.
- e) IDEM will evaluate adopting of U.S. EPA's published 304(a) aquatic life criteria recommendations for aluminum, ammonia, cadmium, copper biotic ligand model, carbaryl, diazinon, nonylphenol, and tributyltin.
- f) IDEM will review and initiate the process to update, if resources allow, its multiple discharger variance for mercury.
- g) EPA R5 will:
 - Participate in rulemaking workgroups or meetings, as requested by IDEM.
 - Review draft IDEM work products and provide timely comments.
 - Assist IDEM with travel support for regional meetings (RTAG, WQS) as resources are available.

Office of Water Quality (OWQ) - Enforcement

Compliance Monitoring Strategy (CMS) for Wet Weather Programs, Combined Sewer Overflow (CSO) Long Term Control Plans (LTCP), Sanitary Sewer Overflow (SSO) and Storm Water	WE-1
IDEM Contact(s): a) & b) Paul Higginbotham & Jerry Dittmer c) Jason House and Samantha Groce, d), e), f) & g) Brian Wolff & Randy Braun	EPA R5 Contact(s): Ryan Bahr & James Coleman
Due Date: See below	
EPA R5 Role: EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable long-term control plans and implementation schedules. EPA R5 will provide timely review and comment on technical non-rule policy and other documents submitted by IDEM.	
Goal 3:	Rule of law and process.
Objective 3.1:	Compliance with the law.
Funding:	State

- a) IDEM will participate in the review and approval of the long-term control plans (LTCPs) and Consent Decree issues in CSO cases under federal lead, including Gary and Hammond. Currently, almost all CSO communities under Consent Decrees with previously approved LTCPs have now submitted LTCP amendments, creating a substantial additional workload. IDEM will continue working with EPA R5 in the review of these LTCP amendments and related Consent Decree issues (U.S. EPA PAM [SS-1]).
- b) IDEM will continue LTCP compliance implementation by :
 - Monitoring milestone dates in the LTCP through site visits and review of documentation.
 - Monitoring compliance with limits (as applicable) through review of submitted monitoring reports.
 - Reviewing periodically the approved LTCPs.
 - Setting meetings (as needed) with communities and their consultants on the status of the implementation of the LTCPs.
 - Status of the implementation of the LTCPs.

Indiana has 72 major and 37 minor CSO communities. Of those 109 CSO Communities, 51 have fully implemented their LTCP. The CMS inspection frequency is to inspect all facilities every five years. In Indiana, that corresponds to approximately 15 major and seven minor inspections, or 22 total each year. However, this is an unrealistic number of annual CEI level inspections/CSO Audits due to the number of dedicated CSO Project Managers (3). In Indiana, 107 of the 109 communities have approved Long Term Control Plans in place. Based on the fact that the majority of CSO communities are now implementing approved LTCPs, IDEM is transitioning its CSO Wet Weather Program and existing staff (Three Full-time Equivalent, FTEs) from LTCP development to LTCP implementation and

compliance monitoring/tracking. Due to the limited staff resources, IDEM has developed a thorough computer tracking system through the use of the TEMPO Database. This compliance tracking system allows IDEM to get “the biggest bang for the buck” by allowing the majority of compliance tracking to occur and be reported on from the desks of the CSO Project Managers. This allows for the most efficient and effective use of staff time and retains their ability to contact multiple CSO communities on daily basis on potential compliance issues that would not occur if the majority of their time was spent in the field driving between CSO communities, which can be a considerable distance apart. This compliance tracking approach is further enhanced by in the field inspections (CSO Audits) by the CSO Project Managers, as well CSO DMR and MRO reviews (also done in the office) as part of our compliance monitoring strategy. The compliance tracking systems capabilities are now fully developed and in operation to track and report on all CSO LTCP implementation milestones as well as to maintain other valuable information related to each community. At a minimum, reports are run from this system on a monthly basis to determine if any CSO community is behind on any milestone task. These compliance tracking reports are utilized by the CSO Project Managers to prioritize their work in addressing items of non-compliance that are found. This work could be in the form of: informal phone calls to communities; formal written correspondence with response requested; community identified for a CSO Audit; and/or referral for enforcement. It should also be noted that in addition to the work performed by CSO Project Managers, all the CSO communities are covered by routine inspections from dedicated Inspection Section staff that go to all NPDES permitted facilities on a more frequent basis as required by the CMS. The Inspection Section staff coordinates with CSO Project Managers on a routine basis. While the majority of the CSO Project Manager’s time is now spent on compliance monitoring/tracking, they still have to devote time and attention to participating in the remaining Federal CD LTCP negotiations to assure that agreed upon LTCPs are developed and approved (Gary and Hammond). Given IDEM’s monthly in-office compliance monitoring/tracking approach combined with in the field CSO Audits and routine inspections performed by the Inspection Section, the intent of 22 inspections at CSO communities per year is met and exceeded by IDEM. IDEM can commit to performing eight CEI level inspections/CSO Audits per each ear of this PPA. IDEM will include the program code CWACSO when entering CSO inspections conducted pursuant to this CMS into ICIS-NPDES.

- c) The CMS policy calls for a minimum inspection frequency of five percent of the Sanitary Sewer Systems (SSS) universe each year. IDEM has 577 permitted SSS which includes POTWs and semi-public facilities. Separately owned satellite collection systems are not included in this inventory. This results in a CMS target of 29 systems per year. SSOs are evaluated as part of NPDES compliance inspections. Based on the commitments for NPDES compliance inspections (see W-7), IDEM already commits to inspect 289 systems with SSS each year and completes basic evaluations of the performance of these systems. Capacity and collection system inspections are the prescribed method for conducting basic evaluations of SSSs. In general, a complete evaluation thoroughly examines the

following components of a sanitary sewer collection system: Early warning and sewer ban possibilities; 90 percent capacity rule; collection system maintenance, lift stations; manholes and their structures; chemicals that are used in the collection system; sewer use ordinance; sanitary sewer overflows and bypasses; satellite systems; flow meter structure; and calibration records for flow meters. In addition, flow charts and monthly reports are reviewed to determine if capacity concerns are only during rain or all the time. Focused SSO-specific inspections will be scheduled as needed, based on information about overflow occurrences. IDEM will include the program code CWASSO when entering SSO inspections conducted pursuant to this CMS into ICIS-NPDES.

- d) IDEM will administer storm water programs by performing compliance inspections in the following areas: construction/land disturbance and industrial and municipal separate storm sewer systems (MS4s).

Construction/Land Disturbance: IDEM evaluates compliance of construction and land disturbance sites using multiple tools. This is a complex mixture of IDEM site inspections and use of MS4 programs to regulate projects. IDEM inspects permitted construction sites and reviews storm water pollution prevention plans. IDEM starts by giving the highest importance to those projects for which the agency has received complaints, projects outside MS4s that are greater than five acres, and those project sites owned and/or operated by a MS4. Past experience has shown that small sites (one to two acres) do not require an extensive menu of storm water quality measures to remain in compliance or pose a significant threat to water quality as the larger project sites. IDEM also takes into consideration inspecting smaller sites if they are in an area where multiple smaller projects are within close proximity to one another. The construction site run-off program regulates land disturbing activities of one acre or more. The program is administered state-wide; however, the MS4 entities have an active role in regulating projects within their legal jurisdictions. Therefore, an MS4 is the primary entity assessing compliance of projects that occur within their jurisdiction. As part of the administration of the MS4 program, including reviewing annual reports and evaluating implementation of the MCMs over the last few years, IDEM has assessed the overall MS4 program and has identified the MS4s that have strong effective programs and those that may need improvement in administering one or more the MCMs. This internal knowledge of the MS4 program and the compliance status of individual MS4s will allow staff to prioritize which MS4s will be scheduled to further assess the program. IDEM has taken the approach that the MS4 is responsible for local projects. For example, the more confident IDEM is that the MS4 is meeting the MCM for construction site run-off, the less oversight IDEM will impose for sites within that MS4.

Storm water staff is responsible for reviewing storm water pollution prevention plans, conducting MS4 audits for the construction site run-off and post-construction minimum control measures, and inspecting industrial storm water sites. The CMS target is to inspect 10 percent of the universe each year. Based on IDEM's estimated universe of 8,200, the commitment would be 820 inspections annually. With only six staff that also have other responsibilities IDEM can conduct 300

inspections per year. However, since over 60 percent of sites fall within the boundaries of MS4 programs, the actual number of sites inspected by qualified inspectors is much higher than 300. IDEM cannot commit to a specific number of inspections performed by MS4s but between IDEM and MS4 inspections, the overall goal of the CMS program would be met.

In addition to investigating complaints, project sites are prioritized based on those that impact a footprint of five acres or more and that discharge to waters of state or otherwise may have significant impact to water quality. Wetlands Project Managers have also been cross trained and will assess erosion and sediment control compliance when visiting a site to evaluate violations of 401 water Quality Certifications and the Indiana Isolated wetland law.

Storm water staff conducts a limited number of plan reviews and education as part of program goals. Education is a key component of the program to establish expectations for compliance within the regulated community. The plan reviews are selected based on the complexity of the project. For those projects that go through a formal review process, it is evident that deficiencies are identified that upon correction in the plans will avoid compliance issues in the field once the plan is implemented. In addition, the presence of a plan review component establishes an expectation in the regulated community that plans are randomly evaluated and that all requirements of the construction site run-off general permit must be met to avoid possible delays if a plan is found to be deficient.

Municipal Separate Storm Sewer System (MS4s): The primary methods of assessing compliance are program audits, facility inspections, and compliance meetings. A compliance meeting is a follow-up to an inspection and/or an audit that is conducted to assess progress towards compliance. This element is not counted towards CMS coverage, but an integral part to follow-up with MS4s to bring the entity into compliance. The focused inspections (audit) are conducted in the field and are for the purpose to assess implementation of the storm water quality management plan (SWQMP) and individual minimum control measures (MCMs). Indiana typically will conduct focused inspections (audit) on specific MCMs across the state within a given timeframe for all MS4s. This approach has allowed for more efficient use of staff time and provides a method for the agency to evaluate specific MS4 program components for all MS4 entities within a shorter timeframe. In subsequent years, other MCMs will become the focus for compliance assessment. The focused inspections (audits) are planned and scheduled in advance and compliance meetings and/or inspections may be a follow-up to an audit or an unannounced visit to further assess program compliance.

Indiana has 186 MS4's: 1 Phase I and 185 Phase II. The CMS minimum goal is to determine compliance of every MS4 every five years by way of an on-site audit, an MS4 inspection, or an off-site desk audit. Each MS4 should receive a complete on-site audit/inspection that encompasses all six minimum control measures at least once every seven years.

As part of the administration of the MS4 program, including reviewing annual reports and evaluating implementation of the MCMs over the last few years, IDEM has

assessed the overall MS4 program and has identified the MS4s that have strong effective programs and those that may need improvement in administering one or more the MCMs. This internal knowledge of the MS4 program and the compliance status of individual MS4s will allow staff to prioritize which MS4s will be scheduled to further assess the program. This prioritization will take place based on specific MCMs.

In addition, the entire storm water program participates in educational opportunities to present information to the MS4s. This is achieved through an annual MS4 meeting at which IDEM along with MS4s develop an agenda that is specific to issues and/or program deficiencies that have been identified during the previous year. Compliance issues with a common theme are placed on the agenda as are accomplishments and innovative approaches that a MS4 or group of MS4s has taken to improve their overall program implementation. This is another approach to emphasize expectations and share information to improve the overall performance of MS4s on a statewide basis. In addition to education, IDEM reviews annual reports to assess compliance and aid in identifying the status of a MS4 in administering their program.

Based on this prioritization process, IDEM plans to conduct focused inspections (audit) on specific MCMs across the state. Eighty percent of all MS4s will receive a comprehensive audit of all MCMs; the remainder will receive an audit of the specific MCMs for which IDEM has determined to be deficient or operating at a level below expectations identified in the general permit.

To meet the seven-year goal, IDEM plans to conduct inspections (audits) for the Construction and Post-construction MCMs annually. These inspections (audits) will be performed by staff storm water specialists. These MCMs include a field-based assessment (site inspection and plan review) of how the MS4 administers their regulatory responsibility under the local ordinance. The other MCMs (education, public involvement, illicit discharge and good housekeeping) will be scheduled and completed on a seven-year cycle. The MCMs that are selected in a given year will be prioritized by a specific MCM and as necessary may include additional MCMs for which a specific MS4 has not demonstrated compliance. On an annual basis a minimum of 160 MCMs will be inspected (audited). This number, projected over a seven year timeframe equates to a complete audit of every MS4. Regardless of which MCM is targeted, staff is aware that the MS4 program is a complex and comprehensive approach to achieve water quality objectives within highly urbanized area and as necessary will make a determination to further investigate any and all program deficiencies that are discovered as part of focused inspection (audit). While this approach achieves water quality objectives that U.S. EPA is seeking, the documentation process does not match up with the standard CMS. However, IDEM feels that over the course of seven years that this strategy accomplishes the same if not more over site of the program than what is stated in the CMS guidance.

Industrial Storm Water: The industrial storm water program is administered on a state-wide basis. Indianapolis, the only Phase I MS4 entity, is required to specifically address industrial storm water issues associated with industry. The Phase II entities do not have this requirement. However, the Phase II MS4s are often aware of storm

water discharges from industrial sites that are either reported through citizen hotlines or discovered as part of the illicit discharge detection and elimination (IDDE) minimum control measure. Based on these criteria, the MS4 will refer these incidents to the IDEM Storm Water Program to further investigate. In addition, the MS4 may also levy fines based on the local IDDE ordinance. The Office of Land Quality also inspects facilities such as salvage yards and landfills. Many of these facilities also have industrial storm water permits. The Office of Land Quality has trained staff that is familiar with the storm water regulations and will cite a facility for a storm water violation and/or report the incident to the Storm Water Program to further assess compliance. The number of referrals annually averages 20 to 30 and will either prompt a follow-up inspection, issuance of a compliance letter, or a violation letter based on the severity of the issue identified in the OLQ inspection report. A similar process is in place for inspections conducted by the Office of Water Quality Wastewater inspectors, although their inspections are not focused on storm water issues, it is not uncommon for the Storm Water Program to receive referrals, including photos and observations of the wastewater inspector which allows storm water staff to follow-up with compliance and often collaborate between the two programs to pursue compliance.

IDEM does provide training and outreach to operators and organizations that are directly associated with industrial facilities subject to the storm water general permit rule. In addition, the storm water program has coordinated closely with the Compliance Technical Assistance Program (CTAP) of IDEM that meets with industry one on one and also conducts outreach.

Inspections completed by storm water staff will include operating facilities, as well as facilities that have claimed an exemption, and/or facilities that have been the subject of complaints. In addition to complaints, facilities are prioritized for inspections based on referrals from: MS4 entities that may have identified an illicit discharge; the IDEM Office of Land Quality and Office of Water Quality wastewater inspectors based on a facility that was identified to have significant facility management issues related to storm water run-off; facilities that discharge to waters of state or otherwise may have significant impact to water quality (also included are facilities in portions of the state where discharges may be associated with infiltration or discharges to karst), and facilities that have submitted monitoring reports with elevated sampling parameters.

The CMS includes a goal of inspecting 10 percent of the universe each year. IDEM has 1450 active permits and 550 No-Exposure exclusions. The CMS annual goal is based on the number of active permits only and translates into 145 total inspections. When accounting for the facilities that are operating under no exposure status, the total number is 2000 and translates to 200 inspections. These inspections are conducted by the same field staff that performs inspections on active construction sites and performs focused inspections (audits) of several of the minimum control measures under the MS4 permitting program. In addition, not all MS4 owned and operated facilities are required to obtain permit coverage under the industrial storm water permitting program. The MS4 owned facilities, when targeted for an inspection, will be considered as part of the industrial CMS commitment as many of the same elements are reviewed during the compliance inspection. IDEM will be diverting stormwater specialist resources to the

agency priority of revising and updating the Industrial Stormwater General Permit. IDEM plans major changes to the General Permit to reflect the changes made at the National level. Not only will stormwater specialist resources be dedicated to revising the permit, but there will also be significant education and outreach effort associated with the changes to the industrial permit as well as outreach on the construction and MS4 permits. Again, stormwater specialists will be doing aggressive outreach during this time which would reduce the amount of time available to do inspections. However, IDEM proposes to increase our inspections from 90 inspection/year to 102 inspections/year. This represents a 20% increase in inspections and covers 7% of the industrial stormwater universe covered under the general permit.

- e) Evaluate storm water violations and take timely action in accordance with the state’s NPDES enforcement management system.
- f) Track storm water compliance and compliance assurance actions in accordance with established data requirements and reporting time frames.
- g) EPA R5 will be the lead on certain environmentally significant CSO communities, working in partnership with IDEM to reach agreement on approvable LTCPs and implementation schedules. EPA R5 will provide timely review and comment on technical non-rule policy and other documents submitted by IDEM.

Compliance Monitoring Strategy (CMS) for Core National Pollution Discharge Elimination System (NPDES) Programs		WE-2
IDEM Contact(s): a) Jason House & Samantha Groce b) Jason House & Gary Starks c) – f) Jason House, Gary Starks, & Jeff Ewick	EPA R5 Contact(s): James Coleman, Ryan Bahr & Nefertiti DiCosmo	Due Date: a, b, c, d, g) Annual Basis; e, f) Ongoing.
EPA R5 Role: Provide program assistance.		
Goal 3:	Rule of law and process.	
Objective 3.1:	Compliance with the law.	
Funding:	State	

U.S. EPA HQ’s current national CMS became effective at the beginning of Federal Fiscal year 2015. Indiana’s continuing state-specific CMS, for purposes of this PPA agreement, runs from October 1, 2021, through September 30, 2023. The goal is to maintain an adequate enforcement and compliance assistance program to help ensure that NPDES violations are prevented and, when violations occur, they are adequately addressed.

Considering IDEM’s compliance monitoring strategy, IDEM will work with EPA R5 to evaluate Indiana appropriate processes to make progress on EPA’s NPDES national compliance initiative, with goals of preventing systems getting into significant non-compliance and substantially reducing the significant non-compliance rate, by the end of the PPA cycle.

- a) NPDES Compliance Inspections from October 1, 2021, through September 30, 2023:
- Majors – Of 189 total, the goal is that 100 percent of the universe will receive a CEI or CSI inspection every two years, in accordance with the national CMS.
 - Minors – Of 701 total municipal and industrial “IN0” facilities: Traditional minor NPDES facilities, for purposes of the PPA, include individual non-major municipal and industrial facilities with permit numbers beginning with “IN0.” The goal is that 100 percent of the universe will receive some type of inspection every two years and 100 percent of the universe will receive a CEI or CSI inspection every four years.
 - Minors – Of 192 total industrial pretreatment “INP” facilities: The goal is 100 percent of the universe will receive a CEI inspection every two years.
 - Minors – Of 40 state and federal “IN0” facilities: Conduct CEIs at 100 percent of the universe every two years.
 - Major and minor mixed ownership or semi-public facilities: Of 251 total, The goal is 100 percent of the universe will receive a CEI or CSI inspection every two years.
 - General permits “ING” facilities: Of 262 total: The goal is 100 percent of the universe will receive an inspection every four years. This excludes facilities with general permit coverage such as MS4s, industrial storm water sites, construction storm water sites, and those covered under the vessel general permit.
 - Respond to 100 percent of complaints.
- b) Conduct nine industrial pretreatment audits annually (20 percent of approved local pretreatment programs) assuring that all SIUs for those programs have control mechanisms.
- c) Conduct QA/QC reviews of submitted self-monitoring data to evaluate reliability.
- d) Significant non-compliance (SNC):
- Goals are to maintain the SNC rate for NPDES Individual Permits at or below 10 percent, as measured on a quarterly basis. ~~SNC rate shall be below 14.7 percent on an annual basis.~~
- e) Evaluate all violations and take timely action (informal and formal), in accordance with the state’s NPDES enforcement management system.
- f) Enter wastewater compliance monitoring and compliance assurance actions into Integrated Compliance Information System – National Pollutant Discharge Elimination System (ICIS–NPDES), in accordance with established data protocols.
- g) EPA R5 will provide program assistance.

IDEM will work with EPA R5 to address SRF findings and implement acceptable recommendations identified in 2017 final report. IDEM and EPA R5 will work jointly on the next scheduled SRF review.

IDEM and EPA R5 will coordinate compliance and enforcement activities to avoid duplication. EPA R5 conducts inspections to implement national compliance initiatives and other regional priorities. EPA R5 will coordinate with IDEM on regional activities consistent with national guidance.

**Indiana Department of Environmental Management (IDEM)
Public Water System Supervision (PWSS) Program Areas and Workplan Activities**

State Fiscal Years 2022 (FY22) and 2023 (FY23)

July 1, 2021 through June 30, 2023

EPA Strategic Plan: This is a continuing program grant for the PWSS Program and is consistent with EPA's Goal 1 (A Cleaner, Healthier Environment), Objective 1.2 (Provide for Clean and Safe Water, which calls for protecting public health by providing safe drinking water. Many of the grant workplan activities contribute to the goal of assuring that people served by public water systems (PWSs) receive drinking water that meets all applicable standards through effective treatment and source water protection. Continuing program implementation includes adopting rules at least as stringent as federal regulations, providing assistance to PWSs to assure compliance with regulatory requirements, conducting sanitary surveys, ensuring that monitoring and follow-up is conducted, and enforcing regulations as described below.

States which meet the primacy requirements under 40 C.F.R. Part 142, are the primary regulators of their drinking water systems. EPA provides oversight of the implementation of state programs. Region 5 works with each primacy state to develop an annual workplan¹ that promotes collaborative inter-agency program planning and implementation as well as a clear understanding of both state and EPA commitments. The Region will also continue oversight of the primacy program through the interactive State Oversight Supplements (previously known as the "one-pagers") that are maintained collaboratively between the State and Region 5 on EPA's SharePoint site.

In addition, Region 5 periodically evaluates the implementation and enforcement of public drinking water standards at a programmatic level in all primacy states. Such a program review includes collection, analysis and interpretation of data, with recommendations by EPA to improve the state drinking water program's effectiveness.

Contacts:

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- Cynthia Meyer, Indiana State Program Manager, EPA Region 5, meyer.cynthia@epa.gov, 312-886-5868

Federal Funding Used:

IDEM currently implements the PWSS program by using the PWSS grant. The PWSS grant and state match during FY22-FY23 is being used to support 50 FTE. The 50 FTEs are distributed across four sections of the Drinking Water Branch: Compliance, Inspections, Groundwater, and Operator Certification, Capacity Development and Permits. This continuing program grant is consistent with EPA's Strategic

¹ In addition to the annual workplan, the state needs to submit the required grant application materials, including the appropriate application forms, a full budget including match funding, a budget narrative, and the appropriate certifications, as described in statutes (i.e., CFR Part 35) and EPA guidance, as found at <https://www.epa.gov/grants/epa-grants-policy-resources>.

Plan Goal 2: Clean and Safe Water, which calls for protecting public health by providing safe drinking water. Many of the grant workplan activities contribute to the goal of assuring that people served by public water systems receive drinking water that meets all applicable standards through effective treatment and source water protection. Continuing program implementation includes adopting rules at least as stringent as federal regulations; providing assistance to public water systems on regulatory requirements; conducting sanitary surveys; ensuring that monitoring and follow-up is conducted; and by enforcing regulations.

1. Status of Rule Adoption and Implementation

- IDEM has primacy or interim primacy for implementing all National Primary Drinking Water Regulations (NPDWRs) and implements the safe drinking water statutes and rules on which primacy is based.
- U.S. EPA and IDEM expect a priority area of focus will continue to be the public health concerns related to Lead and Copper Rule (LCR) implementation. As such, Indiana will continue to provide information regarding lead action level exceedances annually to EPA Region 5.
- Specific state compliance targets are included in the Measures and Indicators table, attached.
- Indiana does not need to participate in Unregulated Contaminant Monitoring Rule Fourth Round (UCMR4) activity as part of its Primacy responsibilities and as described in the EPA/IDEM UCMR Partnership Agreement.
- The State will update the status of FY22 state activities conducted under the Program Review Corrective Action Plan at least semi-annually.
- In FY 2021-FY2022, the State will continue to implement and enforce all state and federal drinking water regulations by utilizing the PWSS funds. The PWSS funds are dedicated to support staff that complete the following compliance related activities: tracking all compliance data in SDWIS, conducting trainings for systems, providing compliance assistance, issuing violations and deciding when to send system to state or federal enforcement.

2. Sanitary Surveys

- Indiana will maintain technical expertise needed to perform sanitary surveys and ensure that sanitary surveys meet the content and frequency requirements specified by rule.
- During, Indiana plans to complete 800 sanitary surveys during the FY 2021 grant year and 942 sanitary surveys during the FY 2022 grant year.
- Indiana will also evaluate all 8 elements and report status quarterly to SDWIS-FED.
- EPA Region 5 will track state targets to conduct sanitary surveys for all system types within the federally required intervals (see FY22 and FY23 Measures and Indicators, attached).
- In FY22 and FY23, the State will use the PWSS funding to support all field staff to complete the required sanitary survey activities as described in this section. The PWSS funding will also be used to send field staff to conferences and trainings to maintain technical expertise.

3. Enforcement

- Indiana will maintain an adequate enforcement and compliance assistance program.
- Indiana will continue to address systems not in compliance with state rules in compliance with EPA's Enforcement Response Policy and the National Compliance Initiative commitments, report enforcement actions quarterly to U.S. EPA, via SDWIS-FED and respond to EPA requests for compliance and enforcement updates on priority systems (significant non-compliers) on a quarterly basis. (See also the FY22 and FY23 Regional Enforcement measures and state commitment in the attached Measures and Indicators table.)
- Indiana will coordinate with U.S. EPA during the joint work planning activities, to prioritize PWS for inspections.

- Indiana will submit an annual compliance report to EPA annually by July 1st.
- In FY 2021 and FY 2022, the State will use the PWSS funding to support staff that make compliance and enforcement decisions. These activities include tracking compliance data in SDWIS, sending courtesy reminder messages to systems, issuing violations, and deciding when to refer systems for formal enforcement. Staff are responsible for creating state enforcement referrals and tracking the status of enforcement cases by working with the state enforcement section.

4. Capacity Development, Small System Support, and DWSRF Program Integration

- Indiana will continue assisting existing PWSs in acquiring and maintaining technical, managerial and financial (TMF) capacity. Further, the State will require new PWSs to demonstrate that they have the TMF capacity to operate in compliance with federal and state regulations.
- Indiana will continue to submit the annual State Capacity Development Program report including providing a list of new PWSs within the last three years and indicating if they had an Enforcement Targeting Tool (ETT) score of 11 or greater. IDEM will submit the annual report which is due by December 31st of each year. (Also submit Governor's report every 3 years – next one by October 1, 2023.) EPA can withhold up to 20% of the State's DWSRF capitalization grant if it determines that a state is not adequately implementing a capacity development program.
- Participate in quarterly Operator Certification/Capacity Development calls with Region 5 staff and other Region 5 States.
- Participate in the development/planning and attend the Region 5 Operator Certification/ Capacity Development workshop to be held at Region 5 in Chicago in FY 2021 and FY 2022.
- In FY22 and FY23, the State will continue working with training providers and professional associations to develop and present trainings about asset management. IDEM will promote system development and implementation of asset management during trainings. Further, IDEM will promote training for water audit loss training and IDEM will train small systems to remain in compliance with rules and regulation.
- As required under Section 2012 of the 2018 AWIA, IDEM is expected to revise its Capacity Development (Cap Dev) strategy to include a description of how asset management (AM) will be promoted with the drinking water systems in the state. IDEM should address the five-core-question framework on AM as explained in the EPA HQ's memo date December 2, 2019. In addition to the AM requirements, the need to further revise the strategy to ensure methods for prioritization of systems in need and measurement of improvements are aligned with the current drinking water program. IDEM should submit the revised Cap Dev strategy to the Region for approval by December 31, 2021.
- In FY 2021 and FY 2022, the State will use the PWSS funding to support staff that conduct Capacity Development activities. These activities include compliance assistance, conducting trainings, reviewing Water System Management Plans, Cybersecurity assistance, training assistance for operators and developing training materials for systems. The PWSS funding will also be dedicated for staff in assisting systems with technical, financial, managerial matters and asset management. The details of these activities will be in the annual Capacity Development Report.

5. Operator Certification and DWSRF Program Integration

- Indiana will continue to maintain regulations for the operation and maintenance of PWSs by working with properly certified individuals.
- Indiana will continue to report to EPA, on an annual basis, how the state is implementing an Operator Certification program that complies with EPA's Operator Certification Guidelines, including the nine baseline standards.

- IDEM will participate in quarterly Operator Certification/Capacity Development calls with Region 5 staff and other Region 5 States.
- In FY 2021 and FY 2022, Indiana will use the PWSS grant to support staff that are responsible for implementing and maintaining the operator certification program. These responsibilities include the following: reviewing applications to become a certified operator, reviewing applications for continuing education credit hours, tracking renewal status of certified operators, issuing certifications, training Facility Specific Operators, entering data, performing administrative functions, responding to questions and complaints, and administering one written certification exam in person. The PWSS grant also supports our contract with the local community college to administer operator exams and supports our contract with the Professional Licensing Agency to maintain our operator certification data.

6. Data Management and Reliability

- Indiana will maintain adequate data management systems that track reporting requirements for all rules. This includes updates for new rules and new versions of FedRep.
- Indiana will report in a timely manner to EPA actions and sample data quarterly and inventory data at least annually, in accordance with 40 CFR 142.15.
- Indiana will correct errors identified on the FedRep ODS error reports or identified by the Region in a timely manner. In explanation, errors are corrected either in the same quarter they're identified (by the Region or in the SDWIS/Fed ODS error reports), or in the next quarter.
- Indiana will continue to work with EPA to move toward SDWIS Prime and update the data management system. Indiana will continue to participate in the SDWIS Prime monthly calls and is willing to be a pilot state for SDWIS Prime.
- IDEM has applied and received grant money to improve the Drinking Water Watch website. The grant funding is from the 2018 National Environmental Information Exchange Network (NEIEN) Grant Program. This project depends on the SDWIS Prime final technical design being released.
- In FY22 and FY 22, Indiana will use PWSS grant funding to support IDEM staff that are responsible for managing and maintaining the SDWIS/State database. The PWSS grant funding will also support the data administrators that are responsible for training labs to utilize the Compliance Monitoring Data Portal (CMDP). Staff will continue to maintain the CMDP and help labs troubleshoot any issues.

7. Source Water Protection

- Indiana will continue to report annually progress toward source water protection measures and targets for FY22 and FY23. See the attached Measures and Indicators for FY22 and FY23 targets including an anticipated number of assessments that will be completed).
- In FY22 and FY23 Indiana will continue to guide PWSs on completing or updating source water assessments. IDEM will update source water assessments as resources allow.
- IDEM will work with other partners to protect source water. IDEM will collaborate with the Natural Resources Conservation Services (NRCS) on implementing the 2018 Farm Bill, which emphasizes protection of drinking water sources. During FY22 and FY23, IDEM will continue to collaborate with the Indiana Department of Health (IDOH) and Local County Health Departments on tackling arsenic and other water quality issues affecting groundwater, drinking water, and source water.
- IDEM will continue to work with the Indiana Finance Authority (IFA) to provide assistance to CWS which utilize surface water as their source of drinking water. IDEM will continue to assist CWS with document development, outreach, and updates of Surface Water Threat Minimization and Response Plans (SWTMRPs) for which as indicated by Indiana Code 13-18-16-7.5 and requires updates every 5 years.

8. Laboratory Certification

- Indiana will continue to provide an adequate laboratory certification program for all regulated contaminants, at a minimum, to certify commercial laboratories at least once every three years; ensuring capacity to analyze at the Principal State Laboratory or commercial laboratories all NPDWR parameters that are required to be sampled in the State; and maintain certification for the Principal State Laboratory.
- IDEM is under a Memorandum of Agreement with the IDOH to implement the Laboratory Certification Program and to serve as the Principal State Laboratory. IDOH will certify all laboratories performing analyses for compliance with the SDWA. IDOH is performing procedures established in accordance with the Manual for the Certification of Laboratories for Analyzing Drinking Water. IDOH will continue to submit the annual questionnaires to the Region as requested.
- In FY 2021 and FY 2022, Indiana will continue to dedicate PWSS funding for IDEM staff that assist IDOH labs on maintaining the list of certified drinking water labs. IDEM staff maintain the certified lab data in SDWIS/State.

9. Security/America’s Water Infrastructure Act (AWIA²)

- Under Primacy, States are required to ensure that community water supplies maintain an adequate plan for the provision of safe drinking water under emergency circumstances.
- In FY22-FY23, Indiana will continue to educate systems on utilizing an emergency response template made available to all systems for emergency response and provision of water during emergencies.
- IDEM will continue to participate in scheduled conference calls with EPA and other state security coordinators.
- IDEM continues to work with local, county, state, and federal security contacts to bolster asset deployment during emergencies. As a new FY20 priority under AWIA, Indiana will do the following:
 - o Assist WSD and EPA Regions in verifying the population served and provide accurate contact information for CWSs subject to AWIA in the State.
 - o Participate in “train-the-trainer” sessions administered by WSD. (Training plan is available for ASDWA/state review.)
 - o Assist in providing technical assistance to those CWSs required to comply with the law.
 - o Assist in communicating the new requirements, availability of tools and training materials, and certification processes.

10. Other Topics

Harmful Algal Blooms: In FY22-FY23, IDEM will continue to coordinate with the Indiana State Department of Health and the Indiana Department of Natural Resources to provide information about blue-green algae in Indiana waterways. This is part of ongoing efforts to reduce nutrient and HAB impacts to source water protection areas, implement EPA’s cyanotoxin health advisories, and assist systems with treatment evaluations.

Sustainable Water Infrastructure: The Indiana State Revolving Fund (SRF) Loan Program has a sustainability incentive for communities to include “green” project components in their SRF projects. IDEM continues to promote incorporation of sustainable infrastructure.

² Section 2013 of AWIA requires the community water systems (CWSs) serving more than 3,300 people to conduct a risk assessment (RA) addressing malevolent acts and natural hazards. In addition, the law requires these water systems to prepare or revise an emergency response plan (ERP) that incorporates the findings from this assessment. State review of ERP may be required under state law. AWIA does not require review of the RA or ERP. However, AWIA allows states to review the ERP as part of a state on-site visit, but not the RA.

PFAS: IDEM is receiving PWSS grant funding under the Emerging Contaminants grant. This is a supplemental or stand-alone grant and therefore is not part of IDEM's PPG grant. IDEM will be using this grant for PFAS sampling.

Table of FY22-23 National/Regional/State Measures

Description	Name and update schedule	Target
National Measures		
EPA and the State will work collaboratively to implement the national HQ Office of Water measure and national compliance initiative (NCI) to reduce by 25%, by the end of FY 2022, <u>the number of CWSs that are out of compliance with health-based standards</u> . Total number of community water systems out of compliance with health-based standards (count).	USEPA, quarterly <i>24 systems</i>	State FY22-23 Target: Address 12 systems each year
Number of community water systems still in noncompliance with health-based standards (continuous violations) since September 30, 2017. (Tracks progress against 2017 baseline)	USEPA, quarterly <i>2 systems</i>	State FY22 -23 Target: Goal to address 1 system each year
Regional Measures		
% of <u>CWS systems</u> meeting all health-based standards		CY21-22: ≥95%
% of <u>population</u> served by CWS_meeting all health-based standards		CY21-22: ≥95%
% of CWS and NCWS with san. survey w/in the past 3 or 5 years as required	R5 - Updated by Region 5 in April and October	State FY22 targets: % CWS = 82% % NCWS = 82% State FY23 targets: % CWS = 84% % NCWS = 84%
Percent of CWS where risk to public health is minimized through source water protection	R5 SWP Program measure	State FY22-23 target: % CWS Systems = 79%
Percent of population served by CWS where risk to public health is minimized through source water protection	R5 SWP Program measure	State FY22 target: % population served by CWS Systems = 78% State FY23 target: % population served by CWS Systems = 79%
Regional Enforcement Measures		
The number of priority systems (on ETT list) that will be addressed with a formal enforcement action or Return to Compliance (RTC).	July ETT list (starting point for the FY): 23	State commitment FY22 - FY23: 6
For Priority systems (ETT list), correct violations not properly linked to Enforcement actions (data clean-up effort).	July ETT list (starting point for the FY): 12	State commitment FY22- FY23: 3
Shared Goals Measures		
1. % of <u>NTNCWSs</u> meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	CY21-22: ≥95%
2. % of <u>TNCWSs</u> meeting all health-based standards	Shared Goals: Updated annually in April by Region 5	CY21-22: ≥95%

3. % of <u>population</u> served by CWSs with <u>significant /major monitoring violations</u>	Shared Goals: Updated annually in April by Region 5	CY21-22: <5%
4. % of <u>CWS systems</u> with <u>significant /major monitoring violations</u> (includes LCR Type 66 violations)	Shared Goals: Updated annually in April by Region 5	CY21-22: <10%
5. % of <u>NTNCWSs</u> with significant/major monitoring violations for <u>acute</u> health risks	Shared Goals: Updated annually in April by Region 5	CY21-22: <5%
6. % of <u>NTNCWSs</u> with significant/major monitoring violations for <u>chronic</u> health risks	Shared Goals: Updated annually in April by Region 5	CY21-22: <10%
7. % of <u>TNCWSs</u> with significant/major monitoring violations	Shared Goals: Updated annually in April by Region 5	CY21-22: <10%

Office of Program Support (OPS)

Provide Compliance Assistance to Regulated Entities		P-1
IDEM Contact(s): Jennifer Collins	EPA R5 Contact(s): Mark Messersmith and Biain Dickens	Due Date: Ongoing
EPA R5 Role: Provide support and guidance.		
Goal 3:	Rule of law and process.	
Objective 3.2:	Create consistency and certainty.	
Funding:	State	

- a) Work with businesses, municipalities, and trade associations to educate regulated entities on their compliance requirements. Provide guidance and technical assistance for compliance with air, waste and water regulations. Develop guidance, perform site visits, and answer calls about state and federal regulations.
- b) EPA R5 will provide support and guidance.

Pollution Prevention Training and Outreach		P-2
IDEM Contact(s): Jennifer Collins	EPA R5 Contact(s): Julie MaGee	Due Date: Ongoing
EPA R5 Role: Provide advice and guidance.		
Goal 1 :	Core mission.	
Objective 1.4:	Ensure safety of chemicals in the marketplace.	
Funding:	State	

- a) Provide pollution prevention training to small businesses and manufacturers in Indiana to assist them in reducing their use of toxic chemicals and in reducing hazardous or solid waste, water discharges, or air emissions. Work to develop internal business capabilities in identifying pollution prevention projects. Develop success stories from businesses in Indiana who are implementing pollution prevention and share those stories with other businesses with similar processes.
- b) EPA R5 will provide advice and guidance.

Measurement of State Recycling Rate		P-3
IDEM Contact(s): Pat Daniel	EPA R5 Contact(s): Susan Mooney	Due Date: Ongoing
EPA R5 Role: Provide technical assistance and lend support accomplish this goal.		
Goal 3:	Rule of law and process.	
Objective 3.2:	Create consistency and certainty.	
Funding:	State	

- a) Continue to work with the waste hauler industry and recyclers to accurately report data regarding statewide recycling. The move from waste diversion estimates to actual recycling numbers will provide a more accurate percentage of statewide recycling and progress towards the goal of attaining a 50 percent statewide recycling rate. Continue to implement the best reporting methods to ensure accurate recycling numbers are obtained and reduce double counting.
- b) EPA R5 will provide advice and guidance.

Environmental Stakeholder Inclusion (ESI)		P-4
IDEM Contact(s): Robert Lugar	EPA R5 Contact(s): Alan Walts	Due Date: Ongoing
EPA R5 Role: Provide advice and guidance.		
Goal 2:	Cooperative federalism.	
Objective 2.2:	Increase transparency and public participation.	
Funding:	State	

- a) Review grant and cooperative agreement opportunities to better focus IDEM's nondiscrimination outreach initiatives to local communities on targeted issues.
- b) The agency has implemented an Environmental Stakeholder Inclusion (ESI) process, which includes enhanced customer service to stakeholders. A study is underway to explore the use of translation services to improve communications with stakeholders.

Office of the Chief of Staff (CoS)

E-Enterprise		E-1
IDEM Contact(s): Brian Rockensuess & Jeremy Chenevert	EPA R5 Contact(s): Allen Melcer	Due Date: Ongoing
EPA R5 Role: Provide advice and guidance.		
Goal 3:	Rule of law and process.	
Objective 3.5:	Improve efficiency and effectiveness.	
Funding:	State	

- a) Improve environmental protection through better program performance that includes establishment of a formal agency wide process improvement program focusing on customer service and operational efficiency.
- b) Enhance services to stakeholders and agency partners through establishing an IDEM portal and by leveraging the government cloud and related services.
- c) Operate IDEM and EPA R5 partnership as a transformative model for joint governance.
- d) IDEM will annually report a list of ongoing or planned activities that fall within the scope of elements a) through c).