

2019 to 2021

PPA

Performance Partnership Agreement



Indiana Department of Environmental Management

U.S. Environmental Protection Agency, Region 5

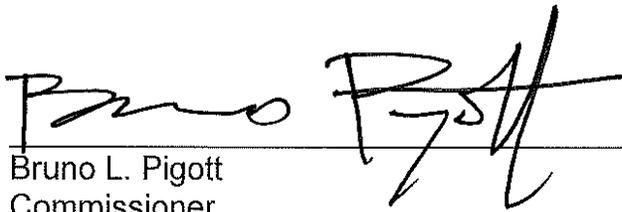
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Authorizing Signatures

The Indiana Department of Environmental Management and the U.S. Environmental Protection Agency, Region 5 2019-2021 Performance Partnership Agreement is approved on the date of the last signature received.

For the State of Indiana:

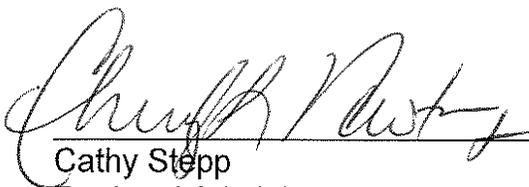


Bruno L. Pigott
Commissioner
Indiana Department of Environmental Management



Date

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



Cathy Stepp
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, 2019 – June 30, 2021**

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 12th 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, 2019, to June 30, 2021.

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 2019-2021 PPG will be provided in detail by individual program function in the budget narrative portion of the 2019-2021 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

EPA R5 and IDEM will focus their efforts at Resource Conservation and Recovery Act (RCRA) Corrective Action sites that could re-contaminate remediated sections of the Grand Calumet River. They will 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).

The Office of Resource Conservation and Recovery has prioritized the completion of corrective action cleanups by the end of FY20. EPA R5 will coordinate with IDEM to maximize efforts on investigating and selecting remedies for Indiana corrective action sites prior to FY21. 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.

EPA R5 and IDEM will work collaboratively on Indiana's efforts to develop a coal combustion residual (CCR) permitting program and become a "participating state" as defined under Section 4005 of the Resource Conservation and Recovery Act, as amended by the Water Infrastructure Improvements for the Nation's (WIIN) Act.

- EPA R5 will review and comment on draft state regulations to ensure consistency with 40 CFR Part 257 Subpart D requirements and will provide direction as to required components for a permit program application package.
- IDEM will submit a draft permit program application package including a draft of their rule incorporating CCR regulations into the rule, for EPA R5 review and comment, prior to finalizing the rulemaking.

EPA R5 and IDEM will collaborate to determine the appropriateness of extending post-closure care for facilities that are reaching the end of their initial 30-year post-closure care period.

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 accomplish the following: 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

2019-2021 PPA begins
FA Report (2017-2019 PPA)

July 1, 2019
September 2019

EPA R5 sends comments on FA Report (2017-2019 PPA)	December 2019
IDEM/EPA R5 Midterm Senior Management Planning Meeting (if needed) 2019-2021 PPA)	February 2020
Joint Midterm Assessment Meeting (if needed) (2019-2021 PPA)	April/May 2020
Midterm Assessment (MA) Report (2019-2021 PPA)	September 2020
EPA R5 sends comments on MA Report (2019-2021 PPA)	December 2020
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 monitors for National Ambient Air Quality Standards (NAAQS) pollutants and Photochemical Assessment Monitoring Stations (PAMS) according to 40 CFR 58, approved monitoring plans, and the quality management plan/quality assurance project plans (QMP/QAPPS).
- b) 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.
- c) 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.
- d) Investigate new equivalent analytical methods of testing through new equipment.
- e) 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).
- f) Operate, evaluate and improve monitoring procedures and data reporting of the Photochemical Analytical Monitoring Strategy (PAMS) monitoring in Indianapolis, Indiana.
- g) Continue to use the Interagency Monitoring of Protected Visual Environments (IMPROVE)-style carbon samplers at PM_{2.5} speciation trends and supplemental sites.
- h) Continue to operate the source and population-oriented monitors for the revised Lead (Pb) standard.
- i) Perform a quality assurance (QA) network evaluation.
- j) 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 OAQ-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.
 - Identifies all QAPPS encompassed by the agencies 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, PM2.5, PM 2.5 speciation monitors. Submit all QC/QA flow checks, verifications, and semi-annual flow audit results to the Air Quality System (AQS).
- u) Participate in EPA's Technical System Audits, develop a corrective action plan to address findings, and address audit findings by completing corrective actions.
- v) Participate in independent audit programs (Lead PEP, NPAP) according to schedule defined for each program.
- w) Participate in Region V Round Robin audits for PM2.5, Pb, and VOC, National Round Robin for PM2.5, and NATTS PT for VOCs.
- x) Participate in the Protocol Gas Verification Program on a three-year rotation.
- y) Attend and participate in 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	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 EPA Air Emissions Reporting Requirements (AERR). Quality assure and revise NEI data; respond to 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) Produce daily and hourly ozone and PM_{2.5} data and maps to be posted on the Internet, as per U.S. EPA HQ Ozone and PM_{2.5} Mapping Projects.
- d) Maintain air quality index (AQI) reporting in designated cities.
- e) Submit hourly ozone, SO₂, CO, Nox, PM₁₀, PM_{2.5} and meteorological data to AIRNow.
- f.) EPA R5 will provide timely advice and reviews.

Leading Environmental Analysis and Display System (LEADS ®)		A-5
IDEM Contact(s): James Parks	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 LEADS ®.

- a) Maintain logging and automatic calibration equipment at all continuous monitoring sites.
- b) Deploy LEADS® at all newly established continuous monitoring site locations.
- c) 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): Doug Aburano	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): Doug Aburano	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) Provide designation recommendation and technical support for sources that opted into monitoring under the Data Requirements Rule by May 2020.
- f) EPA R5 will provide timely advice and reviews.

Redesignation Petitions and Maintenance Plans		A-8
IDEM Contact(s): Scott Deloney	EPA R5 Contact(s): Doug Aburano 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): Doug Aburano	Due Date: January 2018
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 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.

Compliance Monitoring Strategy (CMS) for Asbestos		A-11
IDEM Contact(s): Phil Perry & Dan Stamatkin	EPA R5 Contact(s): Nathan Frank and Rochelle Marceillars	Due Date: September 30, 2021
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, 2020, for FY20 and by October 31, 2021, for FY21. 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)		A-12
IDEM Contact(s): Phil Perry	EPA R5 Contact(s): Nathan Frank and Rochelle Marceillars	Due Date: September 30, 2021
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, 2019 for FY20, and August 31, 2020 for FY21. Implementation of the final CMS Plan for FY20 will begin on October 1, 2019 and on October 1, 2020 for FY21. 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, 2019, for FY20 and November 30, 2020, for FY21.
- b) EPA R5 shall submit a written response to IDEM concerning the CMS plan by December 31, 2019, for FY20 and December 31, 2020, for FY21.
- 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 Stiliz & Becky Joniskan	EPA R5 Contact(s): Mike Beedle, Tony Martic & Tammy Moore	Due Date: September 30, 2019 & September 30, 2020	
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 2020 Universe facilities, of which 80 are assigned for state lead, IDEM will achieve the following GPRA corrective action goals:
 - By September 30, 2019: 72 facilities will reach CA725, 69 facilities will reach CA750, and 61 facilities will reach CA550 and 31 facilities will reach CA900/999. IDEM will strive to enter all event codes into RCRAInfo by September 1, 2019.
 - By September 30, 2020: IDEM will strive to have 95 percent of its lead sites with CA725, CA750 and CA550 criteria met.

Hazardous Waste Permitting and Post-Closure			L-2
IDEM Contact(s): Don Stiliz & Becky Joniskan	EPA R5 Contact(s): Jae Lee	Due Date: September 30, 2019 & September 30, 2020	
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 19-20 baselines will be completed by the end of September 2019.

- 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	Due Date: July 1, 2019-June 30, 2021
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	Compliance with the law.	
3.1:		
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 2019, the traditional LQG universe is 539, and non-traditional is 294. Therefore, 20 percent of the traditional universe is 109, and 5% of the non-traditional universe is 15.
- 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	Due Date: July 1, 2019-June 30, 2021
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	Compliance with the law.	
3.1:		
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 TSDs 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) 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 and Recovery Act (RCRA) Hazardous Waste Enforcement		L-5
IDEM Contact(s): Bruce Kizer	EPA R5 Contact(s): Robert Smith	Due Date: July 1, 2019-June 30, 2021
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	Compliance with the law.	
3:1:		
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		L-6
IDEM Contact(s): Charles Grady & Joseph Williams	EPA R5 Contact(s): Ryan Bahr & Julianne Socha	Due Date: July 1, 2019 & June 30, 2021
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	Revitalize land and prevent contamination.	
1.3:		
Funding:	PPG	

- a) Conduct compliance inspections at 20 percent of all CAFOs each fiscal year. There are currently 1,830 animal feeding operations permitted in Indiana. These include 841 concentrated animal feeding operations (CAFOs) and 989-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, 2019, whose expiration dates are on or before September 30,

2019.

- 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		L-7
IDEM Contact(s): Zaidoon Al-Saleem	EPA R5 Contact(s): Kendall Moore	Due Date: July 1, 2020-June 30, 2021
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	Ensure safety of chemicals in the marketplace.	
1.4:		
Funding:	PPG	

- a) Conduct 28 Toxic Substance Control Act (TSCA) PCB inspections for FY20 and 28 PCB inspections for FY21.
- 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 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.

Resource Conservation Recovery Act (RCRA) RCRAInfo		L-8
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	Ensure safety of chemicals in the marketplace.	
1.4:		
Funding:	PPG	

Resource Conservation and Recovery Act (RCRA) information will be input into the RCRAInfo database on a weekly basis via RCRAInfo data flows

- a) IDEM will collect biennial reports for the 2018 cycle and load data into RCRAInfo.

- b) IDEM will investigate options for mobile inspections and, if feasible, implement a mobile inspection solution that will update RCRAInfo via IDEM's CME RCRAInfo data flow.
- 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-9
IDEM Contact(s): Chris Pedersen	EPA R5 Contact(s): Susan Mooney	Due Date: June 30, 2021
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	Create consistency and certainty.	
3.2:		
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 provide assistance, where applicable regarding the Research, Development and Demonstration (RDD) rule.

Office of Water Quality (OWQ)

Safe Drinking Water Act (SDWA)	W-1
IDEM Contact(s): a) Stacy Jones, b) Lucio Ternieden, c) Sara Pierson, d, e, f) Matt Prater g) Mitt Denney EPA R5 Contact(s): Rita Bair and Michele Palmer Due Date: a, b, c, d, f, g) Ongoing; e) Annually EPA R5 Role: a) Review and approve rules, b) Provide support for continued development and improvement of the Safe Drinking Water Information System (SDWIS)/Prime database and the Compliance Monitoring Data Portal, c) Provide compliance assistance, d) Take necessary enforcement action to help reduce the level of non-compliance among small water systems, and e) Encourage CWA/SDWA Program Integration.	
Goal 1: Core mission. Objective 1.2: Provide for clean and safe water. Funding: PPG	

- a) Adopt and implement new federal safe drinking water rules, including re-codifying state rules as outlined in the Annual Work plan as needed.
- b) Conduct sanitary surveys at public water supply systems (PWSs) – ensure that sanitary surveys at PWSs are consistent with SDWA and as outlined in the Annual Work plan.
- c) Maintain the Public Water Supply Supervision Program by maintaining a database management system SDWIS/State that accurately tracks and reports the inventory (including routine updates of system information), violations and enforcement, sampling information and compliance determination for all safe drinking water contaminants.
- d) Maintain an adequate enforcement and compliance assistance program – All public water systems (PWSs) with violations will first receive a letter of noncompliance. For systems that do not correct the violation after receiving the letter of noncompliance, IDEM will initiate formal enforcement actions, as appropriate, consistent with agency policies and procedures.
- e) Issue Maximum Contaminant Level and Treatment Technique Violations and ensure that 92 percent of the population served by community water systems (CWSs) receive drinking water that meets all applicable health-based drinking water standards through approaches which include effective treatment and source water protection (SDW-211).
- f) Measure, assess, and communicate progress, as tracked under the Strategic Targets SDW-211, SP1.N11, SP2, SP4a, and SP4b, as well as Program Activity Measures SDW-01a, 04, 05, and SDWA02.
- g) Encourage CWA/SDWA Program Integration – Assist the Clean Water Act Program in development of a methodology for assessing drinking water use. Where possible, encourage data sharing and protection of surface water sources of drinking.
- h) EPA R5 will perform the following:
 - Review and approve rules.
 - Provide compliance assistance.
 - Take necessary enforcement action to help reduce the level of non-compliance among small water supply systems.

- Provide support for continued development and improvement of SDWIS/Prime and CMDP.

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.

There are only three “Real Time Review” permits identified for 2019 - all for sanitary systems:

IN0025585 City of Marion
IN0021270 City of Rushville
IN0030651 South Haven Sewer Works, Inc.

U.S. EPA is conducting a permit quality review (PQR) of the NPDES program in 2019, during which previously issued permits will be examined for compliance and provide state oversight. Due to this detailed program review, only three permits are identified for real time review in 2019.

- 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 by June 30, 2021.
 - 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 Intent (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): Mathew Gluckman & Vilma Rivera-Carrero	Due Date: a) April 1, 2020
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	

- a) Continue the migration of the Assessment Database (ADB) data to ATTAINS in 2019. IDEM will submit the Integrated Report (IR), including 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 (U.S. EPA WQ-7). *(Provided U.S. EPA can assist with the migration of data to ATTAINS and its quality assurance, the 303(d) List of Impaired Waters will be submitted through ATTAINS by established deadlines in 2020.)*
- b) EPA R5 will provide timely review and comments on materials submitted, guidance on report/list development, and support and guidance on the use of the ADB.
- c) With a goal of finding an agreed upon process for evaluating metals impairments for the 2020 303(d) list, IDEM and EPA 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, EPA's listing rules and guidance, and other relevant information.

Surface Water Quality Monitoring Strategy		W-4
IDEM Contact(s): a), b) & d) Marylou Renshaw, Cyndi Wagner, Stacey Sobat c) Kristen Arnold, (e) Jody Arthur	EPA R5 Contact(s): David Pfeifer, Mari Nord, & Ed Hammer	Due Date: 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) Implement the 2017 – 2021 Water Monitoring Strategy in the 2017 through 2019 monitoring seasons (U.S. EPA PAM WQ-6a). 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. Assuming grant funds are awarded, participate in National Aquatic Resource Surveys: National Rivers and Streams Assessment in 2019, National Coastal Conditions in 2020, and National Wetland Condition Assessment in 2021. During the current sampling season (summer through fall 2019), IDEM will sample a minimum of 38 sites in Tributaries to the Ohio River basin. Next sampling season (summer through fall 2020), IDEM will sample a minimum of 38 sites in the West Fork White River basin and in the summer through fall of 2021, IDEM will sample a minimum of 38 sites in the Potaka 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.
- b) Participate in regional monitoring newsletter, webinars and activities, as resources allow.
 - c) IDEM will continue to implement a regular schedule to upload water quality data to U.S. EPA HQ's national Storage and Retrieval (STORET) system through an updated Assessment Information Management System (AIMS) database.
 - d) 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).
 - e) Develop an implementation plan for its methodology for assessing drinking water use. Where possible, 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) Matt Gluckman b) David Werbach	Due Date: a) September 30, 2019 & 2020 b) December 31, 2019 & 2021
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 watershed TMDL project each year. The number of segments/TMDLs will depend upon the watershed. For FFY19, IDEM will submit the Lower East Fork White River Watershed TMDL, for FFY20 IDEM will submit the Laughery Creek TMDL, and for 2021, the TMDL is to be determined. Additional TMDL work beyond this will depend on available resources and staff.
- 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.
- 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) Dana Rzezniak b) Brian Bell	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 b),c) and e) d)	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 (U.S. EPA PAM WQ-3a).

- 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, 2019.
- 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 (U.S. EPA PAMs WQ-1a, WQ-1d, 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 (U.S. EPA PAM WQ-1a and WQ-1d).
 - 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, selenium, 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.

Compliance Monitoring Strategy (CMS) for Wet Weather Programs, Combined Sewer Overflow (CSO) Long Term Control Plans (LTCP), Sanitary Sewer Overflow (SSO) and Storm Water

W-8

IDEM Contact(s): a) & b) Paul Higginbotham & Jerry Dittmer c) Mark Stanifer, d), e), f) & g) Brian Wolff & Randy Braun EPA R5 Contact(s): Steve Jann & Patrick Kuefler 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 (U.S. EPA PAM [SS-1]):
 - 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 Equivalents, 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 year 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 (7) 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. Therefore, IDEM commits to 100 inspections per year between October 1 and September 30.

- 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 (U.S. EPA PAM [SS-1]).

Compliance Monitoring Strategy (CMS) for Core National Pollution Discharge Elimination System (NPDES) Programs**W-9**

IDEM Contact(s): a) Mark Stanifer & Bridget Murphy, b) Mark Stanifer c) – f) Mark Stanifer & Gary Starks	EPA R5 Contact(s): James Coleman, Ryan Bahr & Patrick Kuefler	Due Date: a, b, c, d, g) Annual Basis; e, f) Ongoing.
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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, 2019, through September 30, 2021. 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 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, 2019, through September 30, 2021:

- Majors: – Of 189 total, conduct compliance evaluation inspections (CEI) or compliance sampling inspections (CSI) at 50 percent of major NPDES facilities annually. 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." Conduct inspections at 50 percent of "traditional" minor NPDES facilities annually. Half of those inspections are to be CEIs or CSIs. 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: Conduct CEIs at 50% of the universe annually, and 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, conduct CEIs or CSIs at 50 percent of mixed ownership NPDES facilities annually. 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, conduct CEIs, CSIs, or reconnaissance inspections at 25 percent of the universe each year. 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-compliers (SNC):
- Goals are to maintain the SNC rate for majors 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 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.

Office of Program Support (OPS)

Provide Compliance Assistance to Regulated Entities		P-1
IDEM Contact(s): Jennifer Collins	EPA R5 Contact(s): Ashadee King-Hackney and Andy Anderson	Due Date: See below
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: See below
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 recycling rate. Continue to implement the best reporting methods to ensure accurate recycling numbers are obtained, and also 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: See below

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) On January 3, 2019, IDEM initiated a project to utilize Regulatory Management (RM) to track calls related to ESI concerns. The project is scheduled to be completed by August 15, 2019.
- c) IDEM has developed an ESI business plan, which was finalized on January 4, 2019. The plan establishes ESI officers and program area workgroup members. The plan will be in place in May 2019.

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: September 30, 2019 & 2021.
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.
 - b) Enhance services to stakeholders and agency partners.
 - c) Operate IDEM and EPA R5 partnership as a transformative model for joint governance.
- IDEM will annually report a list of ongoing or planned activities that fall within the scope of element.