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Illinois
Environmental
Protection Agency

Environmental Quality Systems
P.O. Box 19276
Springfield, IL 62794-9276

December, 2001

IEPA/ENV/01-017

FY 2002
Performance
Partnership Agreement

The title is centered within a large oval frame. Below the title, the oval is divided into two equal halves by a horizontal line. Each half contains a logo: the Illinois Environmental Protection Agency logo on the left and the United States Environmental Protection Agency logo on the right.

December 2001

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**FY 2002 PERFORMANCE
PARTNERSHIP AGREEMENT
BETWEEN
ILLINOIS EPA AND REGION 5, USEPA**

We are pleased to execute our seventh Performance Partnership Agreement and thereby to continue the journey envisioned in the new National Environmental Performance Partnership System (see Figure 1). This agreement sets forth our mutual agenda for continued environmental progress and our expectations for the state/federal relationship. We have assembled in one comprehensive document the joint priorities, goals, strategies and measures for most of the environmental programs that are operated in Illinois. Illinois will also operate under a performance partnership grant that provides federal funding for the programs described in this agreement.

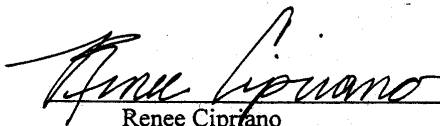
The execution of this agreement demonstrates our continuing commitment to environmental improvement that is cost-effective and responsive to public concerns. We believe that this agreement measures up to the call for finding better ways of doing our regulatory business. It also builds upon the lessons learned from previous partnership agreements.

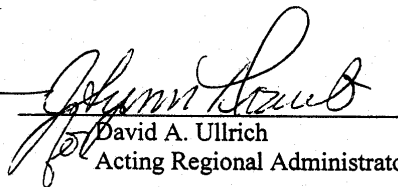
The seven sections which follow form the body of this agreement and will serve as our joint performance plan for the specified programs.

Entered into on this 28th day of December, 2001.

For the Illinois EPA:

For Region 5, USEPA:


Renee Cipriano
Director


David A. Ullrich
Acting Regional Administrator

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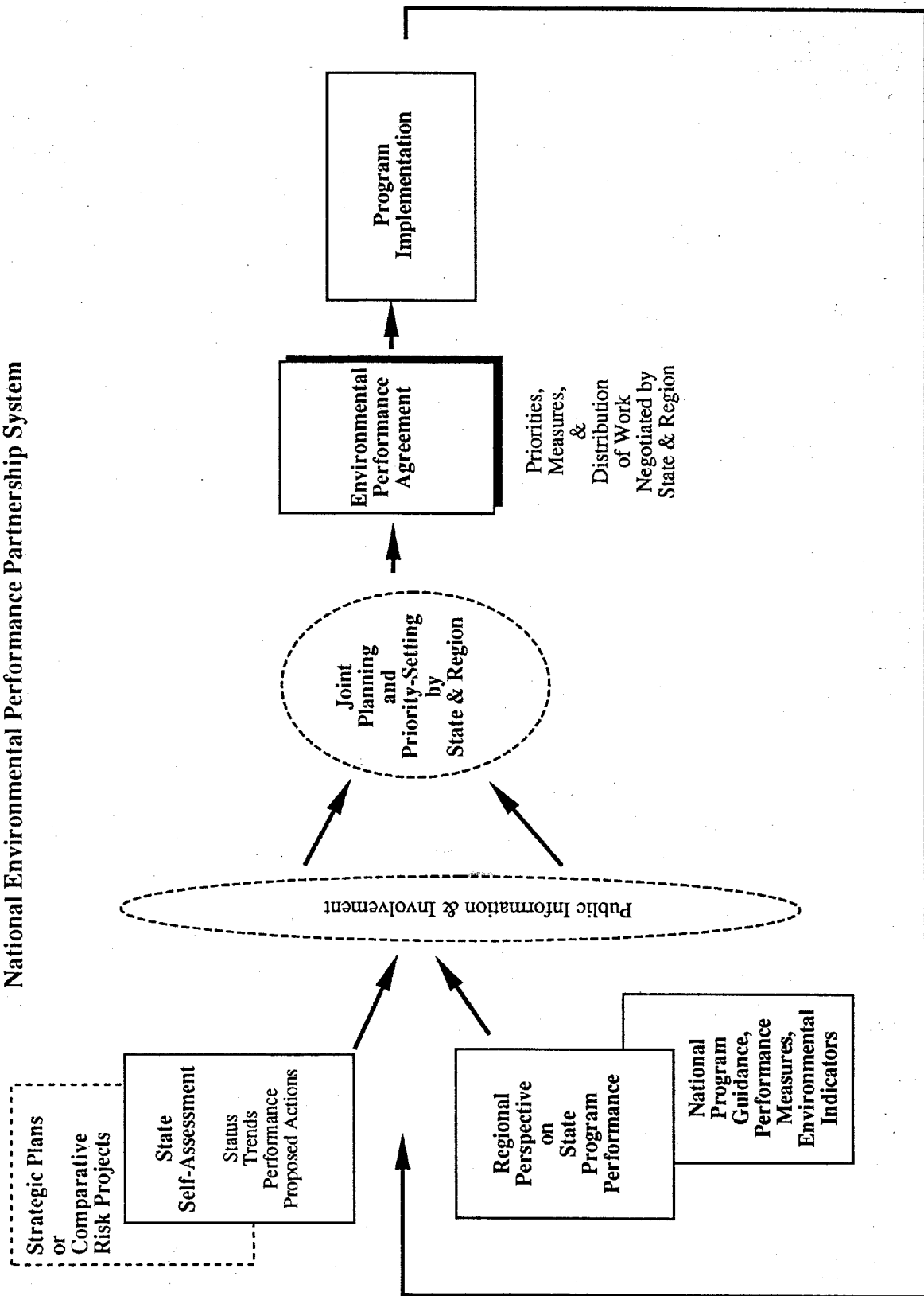
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Figure 1

National Environmental Performance Partnership System



I. GENERAL PURPOSE AND CONTEXT

The purpose of this FY2002 Performance Partnership Agreement ("the agreement") is to set forth the mutual understandings reached regarding the state/federal relationship, the desirable environmental outcomes, the performance expectations for the participating programs, and the oversight arrangements between the parties. The parties to this agreement are the Illinois Environmental Protection Agency (IEPA) and Region 5 of the United States Environmental Protection Agency (USEPA).

A. State/Federal Environmental Partnership

This agreement is designed to be consistent with the "environmental partnership" as described in the National Environmental Performance Partnership System (NEPPS). The parties concur with the principles that are enumerated in the NEPPS and are proceeding in accordance with the framework shown therein.

B. Strategic Planning Context

Senior leadership from the IEPA and Region 5 held a planning session on October 18, 2001. The discussion focused, in particular, on joint priorities and planning.

As part of a Governor's initiative, IEPA, along with other agencies in Illinois, developed a new Strategic Plan. This plan addresses the following seven strategic issues that IEPA identified during the planning process: clean air; clean water; safe water; safe waste management; land restoration; innovative protection; and toxic chemical safety. The plan was accepted by the Governor's Office of Strategic Planning early in 2001. IEPA's plan is available for consultation with Region 5 during this PPA cycle.

C. Mission Statements and Roles

1. IEPA - Agency Vision and Mission Statements

We have the following vision for the future:

Illinois air, water, and land resources will be:

- *Clean and safe.*
- *Valuable assets in a sustainable economy.*
- *Contributing to an enhanced quality of life.*

The people of Illinois will:

- *Value a quality environment and understand how their actions affect it.*
- *Take an active role in helping to protect and improve air, water, and land resources.*
- *View the Agency as a respected and responsive environmental leader.*

The IEPA will be widely recognized as a public agency that:

- *Makes sound decisions which protect human health and the environment.*
- *Emphasizes continuous improvement, measurable results, quality public service and efficient use of resources.*
- *Shows initiative and fosters new ideas and solutions for better environmental protection.*
- *Listens to external perspectives and works with a wide range of interests to solve environmental problems.*
- *Pursues environmental compliance through both enforcement and assistance activities.*
- *Values employee growth and development by fostering a learning environment and recognizing employee contributions.*

We at IEPA believe in the following **core values:**

1. Fairness and integrity
2. Open and effective communication
3. Creative thinking and problem-solving
4. Meaningful external participation and involvement
5. Sound environmental decision-making
6. Responsive public service
7. Accountability for results
8. Recognition of employee contributions

We have developed the following mission statement:

**THE MISSION OF THE IEPA IS TO PROTECT, RESTORE,
AND ENHANCE THE QUALITY OF AIR, LAND AND
WATER RESOURCES TO BENEFIT CURRENT AND
FUTURE GENERATIONS.**

IEPA operates under the auspices of the Illinois Environmental Protection Act and several other state statutes. Under state law, the IEPA is designated as the primary operations agency for purposes of the major federal environmental protection programs. Statutory authority is granted for policy and regulatory development, planning and monitoring, permitting, inspections and enforcement, remedial actions, emergency management, and environmental infrastructure assistance.

IEPA has sought and received delegation of the major national environmental protection programs. IEPA also operates numerous state programs that do not involve a relationship with USEPA. In combination, these national and state-specific program responsibilities place IEPA in the lead role for delivering day-to-day environmental protection in Illinois. This agreement is designed to address the full range of these operations with only a few exceptions.

IEPA recognizes that it has a continuing responsibility to advise Region 5, USEPA regarding statutory or regulatory changes that could have a material effect on an authorized or delegated national environmental program. Region 5, USEPA, in turn, has a responsibility to promptly inform IEPA if it believes such change is inconsistent with applicable federal statutes or regulations governing the affected environmental program. Region 5, USEPA may also identify federal guidance or policies that should be considered in evaluating such change. IEPA and Region 5 agree to work together to resolve the issues related to several Illinois statutory provisions which may create impediments to certain authorization, delegation, or approval of certain federal environmental programs in Illinois, including the audit privilege law, the amnesty provisions in 415 ILCS-5/31 (C)(3), Section 31 of the Illinois Environmental Protection Act, and proportionate share liability at 415 ILCS 5/58.9.

Under federal programs that are delegated to the State, IEPA will continue to assume the lead in enforcement and compliance in Illinois. IEPA recognizes that there are also circumstances where USEPA may take the lead in enforcement and compliance as set forth in the Enforcement and Compliance Assurance subsection under Federal Roles. Both agencies recognize the need for timely and open communications to identify and coordinate responsibilities, work activities and opportunities for joint actions in the compliance and enforcement area. IEPA and USEPA are committed to improving work coordination and communications to ensure effective and efficient use of resources. Program offices will continue to coordinate activities with USEPA to ensure the appropriate instances of noncompliance are referred for enforcement actions. IEPA will also identify and evaluate existing enforcement response plans, updating them as necessary to ensure that timely and appropriate enforcement can be conducted.

IEPA operates within a complex network of intergovernmental and public/private relationships. The principal roles that IEPA plays within this web of relationships are as follows:

- a. Primary regulator - IEPA has direct regulatory responsibility for the full spectrum of environmental protection matters. This predominant role drives much of our focus and performance. Under the NEPPS, IEPA will strive to improve the environmental protection system in Illinois so that affordable environmental progress can continue to be realized.
- b. Secondary regulator - IEPA has authority to delegate certain regulatory activities to local governments and has done so under several programs. Certain efficiencies are gained when some regulatory actions take place at the local level. For the most part, these arrangements have worked well and have resulted in a net improvement in program operations. Where feasible, the IEPA will continue to seek out these opportunities and assume a secondary role as needed to ensure the integrity of program performance.
- c. Environmental information generator - IEPA creates a large amount of information about environmental quality in Illinois and about actions and events that affect Illinois' environment. Under the NEPPS, we want to do a better job of sharing this

information with the public and regulated community. The use of environmental goals and indicators should help us move in this direction.

- d. Policy and technical advice - The IEPA is frequently called upon to give environmental policy and technical advice to a wide variety of interests. This environmental expertise represents a major asset that can be utilized to support our environmental aims.
 - e. Financial provider - The IEPA provides financial assistance to eligible parties in a number of ways via grants, loans and cost-sharing for projects. These valuable resources need to be used wisely so that intended environmental benefits are realized.
 - f. Project sponsor - IEPA assumes direct sponsorship for a wide variety of environmental improvement projects such as hazardous site remediation, tire dump cleanups, collection of household hazardous wastes and safe disposal of abandoned hazardous materials. These environmental services help prevent or correct a wide range of adverse environmental conditions. IEPA is committed to delivering these services in a productive manner.
 - g. Change agent and promoter - The IEPA has opportunities to display environmental leadership and pursue system changes where it makes sense to do so. We want to encourage innovation and to take full advantage of these important opportunities. In exercising such leadership, we become advocates and promoters of new ways of thinking and new approaches for addressing environmental problems. Fostering this outlook within the IEPA is critical if we are to cope with the changing world scene.
2. **Region 5, USEPA** - The federal government has a fundamental responsibility to protect the integrity of the nation's environment and health of its diverse citizenry. Both USEPA and individual states conduct environmental protection activities, with USEPA directly implementing some federal programs, taking enforcement actions against violators, delegating federal programs for state operation, and reviewing and evaluating state program performance. Because pollution does not respect political boundaries, USEPA has a fiscal and statutory responsibility to ensure that a consistent, level playing field exists across the nation. USEPA performs this vital function by providing leadership when addressing environmental problems that cross state, regional and national borders and ensuring a consistent level of environmental protection for all citizens. The Agency fulfills these responsibilities by working with its many partners--other federal agencies, states, tribes and local communities--to address high priority environmental problems. By offering training and technical assistance, sharing work and conducting scientific and policy research, USEPA helps build the capacity of states and other partners to ensure protection of public health and the environment. USEPA also carries out an important role in reviewing state program performance, incorporating a wide variety of activities, from annual meetings with state program managers to file reviews. Region 5 will continue to provide the state with funding for base programs and specific projects which will achieve environmental results consistent with USEPA and IEPA priorities set forth in this agreement and will evaluate state programs to ensure the fiscal integrity of the USEPA/State relationship. Region 5 will continue to build state capacity for undelegated programs with a goal of moving those programs to the states in the near future.

Federal Role in Enforcement and Compliance Assistance - Compliance and enforcement activities to be accomplished during the term of this Agreement are included in the media programs. However, USEPA and IEPA believe it is helpful to highlight the federal role in compliance and enforcement in this Agreement.

There is a continuing role for USEPA in environmental protection in Illinois. USEPA can assist IEPA in conducting inspections, conducting joint enforcement actions, and in providing compliance and technical assistance to the State and its regulated entities. USEPA carries out its responsibilities in the enforcement arena in a variety of ways. The Agency acts as an environmental steward, ensuring that national standards for the protection of human health and environment are implemented, monitored and enforced consistently in all states. Under this PPA, USEPA and IEPA retain their authorities and responsibilities to conduct enforcement and compliance assistance, and such enforcement will be accomplished in the spirit of cooperation and trust. Additionally, both Agencies agree to explore the most effective application of the full spectrum of compliance tools, including compliance assistance and enforcement, to encourage and maintain compliance of sources.

Specific federal enforcement and compliance assistance responsibilities may include:

- Work on national priorities (e.g., multi-media inspections, companies with significant company-wide non-compliance in several states, and Office of Enforcement and Compliance Assurance (OECA) Priority Sectors).
- Work on regional priorities, including enforcement and compliance assistance in Region 5's Principal Places, as well as using this approach to reduce toxics, especially mercury; to promote sustainable urban environments and brownfields redevelopment; to clean up sediments; to protect and restore critical ecosystems; and to protect people at risk, especially children and environmental justice communities.
- Ensuring timely and appropriate enforcement, if necessary, in state and federal programs.
- Ensuring a level playing field and national consistency across state boundaries.
- Addressing interstate and international pollution (watersheds, air sheds, or other geographic units).
- Addressing criminal violations under federal law.
- Multi-media inspections and enforcement at federal facilities.
- Enforcement in non-delegated, partially delegated or non-delegable programs.
- Enforcement to assure compliance with federal consent decrees, consent agreements, federal interagency agreements, judgments and orders.

Both IEPA and USEPA agree in FY 2002 to ensure that there is a productive use of limited federal and state resources to secure compliance. In order to foster improved communications and coordination in the enforcement area, the following approach will be utilized:

Planning and Information Sharing

- IEPA and USEPA will hold an annual planning meeting to discuss enforcement and compliance matters.
- USEPA and IEPA will share information regularly about pending and potential enforcement cases in order to avoid surprises, ensure consistency, minimize duplication and ensure timely coordination of activities. For those enforcement programs where the authorizing statute does not provide for delegation to the states (e.g., non-delegable programs such as TSCA), USEPA will share enforcement information with IEPA to the extent allowed under existing OECA policies and procedures. USEPA will also provide IEPA with a copy of each non-delegable program enforcement action issued within the State. Information which is enforcement-confidential will be protected from disclosure by all parties to the fullest extent of the law.

Coordination of Activities

- Each agency will identify cases in which inconsistency with national enforcement response policies or state environmental compliance strategies or duplication of resources are potential problems, or in which coordination between USEPA and IEPA is essential.
- These cases will be discussed at meetings or conference calls, held at least quarterly.
- Each agency will designate appropriate contacts to attend meetings and discuss identified cases.
- For each facility identified, USEPA and IEPA will discuss and attempt to agree on the appropriate response for the violation and the appropriate agency to take the lead role. For some cases, joint actions may be preferable.

USEPA will take enforcement actions in Illinois as necessary and appropriate to ensure implementation of federal programs and as a deterrent to non-compliance, in accordance with the communication and coordination activities outlined above. There may be emergency situations or criminal matters that require USEPA to take immediate action (e.g., seeking a temporary restraining order); in those circumstances, USEPA will consult with the State as quickly as possible following initiation of the action.

For both USEPA and IEPA, enforcement and compliance assistance is conducted through individual media programs. However, both agencies conduct multi-media enforcement and compliance activities that will require coordination. While individual program activities will be coordinated on a program-specific basis, multi-media activities will be coordinated, when appropriate, through Region 5's OECA and the Compliance Management Panel. Specific multi-media activities that IEPA and USEPA will work together on in FY 2002 include coordination on multi-media inspections, including consideration of facilities appropriate for multi-media inspections in the Greater Chicago Initiative area, participation in the Greater Chicago

Senior Enforcement Managers' meetings, and identification of additional joint multi-media activities during the next annual planning meeting.

Region 5 Focus Areas in Federal FY 2002 - USEPA's Strategic Plan sets the course for the Agency in the coming years and defines the standards against which progress will be judged. To more effectively focus on our mission, 10 strategic, long-term goals are defined which express the desired outcomes: clean air, water, and land; safe food, homes, and workplaces; global environmentalism, sound science, greater compliance with environmental laws; and management integrity and access to environmental information for all Americans. All regional work can be linked to one or more of these goals. To guide our efforts, the Region's *Regional Results Plan* outlines programmatic and Region-specific focus areas for FY 2002. A regional focus area is one that addresses a multi-media environmental problem, needs non-traditional methods to solve the problem, needs federal leadership, is broad in scope, impacts a significant population or resource, and/or is an Administration priority. Each of the Region's five environmental focus areas continues to be a joint priority with Illinois; therefore, description of region and state activities for these programs will be found in the next section. For those focus areas not identified as joint, however, the agencies will continue to work together to coordinate actions, reduce duplication and manage overlap and complimentary activities.

Region 5 FY 2002 Environmental Focus Areas are:

- Reducing toxics, especially mercury
- Promoting sustainable urban environments and redeveloping brownfields
- Cleaning up sediments - this is a joint priority found under Protecting and Restoring Critical Ecosystems
- Protecting and restoring critical ecosystems
- Protecting people at risk, especially children and environmental justice communities

To direct limited resources to places where these focus areas can be most effectively addressed, the Region has identified **principal places** where the complex environmental problems would most benefit from a multi-media focus. Of the Region's eight principal places, those which impact Illinois are:

- Lake Michigan
- Greater Chicago
- Gateway (East St. Louis, IL)

To implement its activities in the priority places, Region 5 has created multi-media Regional Teams whose role is to evaluate, plan and implement activities to address the site-specific community issues and environmental problems in communication and cooperation with all impacted stakeholders, including IEPA. IEPA has recently identified specific State contacts to facilitate better communication and joint planning in each focus area. State activities supporting the Team goals are described here, under the appropriate State program area or in the Joint Environmental Priorities section as appropriate. Summaries of the Regional Team plans are provided as follows:

- Lake Michigan - Both the USEPA Great Lakes National Program Office (GLNPO) and the Region 5 Lake Michigan Team contribute to activities which promote the clean-up, restoration and protection of Lake Michigan, with GLNPO focusing at a Great Lakes Basin-wide level. USEPA's Great Lakes Program brings together federal, state, tribal, local, and industry partners in an integrated, ecosystem approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes. The Great Lakes Water Quality Agreement with Canada and LaMP 2000, provide the agenda for Great Lakes ecosystem management: reducing toxic substances; protecting and restoring important habitats; and protecting human/ecosystem species health. These objectives closely align with Region 5 and IEPA's joint environmental priorities and certain GLNPO activities may be described in those sections as appropriate. The Lake Michigan Lake-wide Management Plan (LaMP) 2002 will include a strategy for Total Maximum Daily Load (TMDL) development for Lake Michigan.

Highlights of Federal activities not covered elsewhere include:

Monitor Lake ecosystem indicators. GLNPO will assess and report on the state of key Great Lakes ecosystem components, make status and trend information available to great Lakes environmental managers, and coordinate measurement of a limited number of environmental indicators applicable to the entire Great Lakes Basin. Select data from the Lake Michigan Mass Balance Study will be reported, including atrazine and PCB information, enabling the Agency and its partners to further LaMP implementation and determine how to further reduce Great Lakes pollutants in the most cost effective way. GLNPO will also lead indicator development pursuant to the State of the Lakes Ecosystem Conferences. Lake Michigan Basin indicators are proposed to be developed by the LaMP.

Manage and provide public access to Great Lakes data. USEPA's integrated Great Lakes information system, developed by GLNPO and its state and federal partners, will deliver LMMB, and other, scientifically sound, easily accessible environmental information to decision makers and the public by traditional means and via the Internet. GLNPO will pilot techniques to provide public access to LMMB data via the Internet.

Provide and promote community-based environmental protection, especially in Areas of Concern (AOCs). USEPA will work with local communities to address the environmental problems they determine to be of the highest priority.

IEPA will continue to give priority to restoration and long-term protection of Lake Michigan. We will support and participate in activities of Region 5's Lake Michigan Team including development of the Lake Michigan lakewide management plan (LaMP) and participation in the Lake Michigan monitoring coordinating council, a revised 5-year Great Lakes Strategy, and the LaMP environmental indicators workgroup. The Agency is also actively pursuing numerous other Great Lakes activities including completion of Waukegan Harbor remediation, ecosystem restoration and ultimately its delisting as an AOC, and participation in multi-state activities (IJC, Council of Great Lakes Governor's

initiatives, the Corps of Engineers Great Lakes Dredging Team, the Great Waters provisions of the Clean Air Act). Of particular interest from the broader Great Lakes wide perspective, the Agency will continue participation in GLNPO's implementation plan for the Binational Toxics Strategy and the LaMP's toxics committee. Some of IEPA's P2 programs help support this effort.

- Greater Chicago Initiative - The Greater Chicago Initiative (GCI) focuses on Cook County, Illinois, particularly on the environmental justice areas of the Southeast and West sides of the City of Chicago. The purpose of the GCI is to work with local stakeholders, including Region 5, the State of Illinois, Cook County, the City of Chicago, the Metropolitan Water Reclamation District of Greater Chicago, other Federal, State, and regional agencies, industry, and citizens to coordinate various government and private environmental activities for the purposes of effectiveness and efficiency, particularly in areas that fall outside the purview of the regulatory agencies' base programs. The Deputy Director of IEPA and the GCI Regional Team Manager serve as co-chairs of the GCI Steering Committee. The Steering Committee meets as needed.

The Initiative starts its sixth year of existence as of October, 2001. At this juncture, Region 5 is engaged in internal strategic planning for the GCI and has prepared the following draft USEPA goals and objectives: air toxics, odors, coordination of voluntary pollution reduction programs, Chicago River waterways, sustainable development in the Lake Calumet region, lead poisoning, and the reduction in exposure to environmental asthma triggers. These goals and objectives, with the exception of lead poisoning, which is a new GCI goal for this year, are representative of ongoing USEPA GCI activities, most of which are executed in partnership with a variety of organizations and individuals, including the IEPA, depending on the topic. A variety of approaches are used to tackle these environmental problems, including permitting, enforcement, and innovative programs that stress voluntary action.

- Gateway (St. Louis/East St. Louis) - A very successful and fruitful partnership has developed over the last few years between the Region 5 Gateway Team and the staff of the IEPA, particularly the Collinsville office, as we work together to achieve the goals in the environmental justice Metro East area of improving the quality of life and protecting the natural resources within that community, as well as improving the community economics. Region 5 and IEPA will continue to work together on a Metro East Lead Collaborative Partnership, which was awarded as one of sixteen national Integrated Federal Interagency Environmental Justice Demonstration Pilots. The Partnership will continue to collect and analyze existing and new lead data to identify exposure pathways, hot spots and other data needs. The pilot has already identified nineteen areas and facilities where USEPA's Superfund removal program will provide assistance. IEPA will continue to work with USEPA to identify candidates for inspections/enforcement and provide technical assistance to facilities and communities, as well as continue to support the Gateway Enforcement Workgroup by participating in quarterly conference calls. IEPA's Air Program and Public Affairs Office will continue to support USEPA's effort for community forums on air issues, take part in the Sustainable Growth, Stormwater, EMPACT and Brownfields Showcase Advisory Group meetings and will participate in

identifying the extent of contaminated sediments. Both agencies will continue to focus brownfields activities on the Metro East St. Louis area and work toward development of community-based indicators of environmental health. IEPA and USEPA will continue to work on tire collection and sweeps and explore areas that would enhance coordination on groundwater issues. USEPA and IEPA will work to identify results and implement strategies to address the Metro East's stormwater issues and assist with ecosystem restoration and enhancement of wetlands to alleviate flooding. Specifically, USEPA and IEPA will work with the US Army Corps of Engineers St. Louis District office to increase water quality by stream stabilization, sediment control and protection of wetland habitat in the bluffs, which includes both St. Clair and Madison Counties. IEPA, specifically the Collinsville office, and USEPA will work together to assist the Confluence Greenway, ad hoc group of community organizations, to assess and redevelop Chouteau Island, which will involve the creation and restoration of numerous acres of wetlands; environmental restoration of critical habitat areas and recreation. Both agencies will continue to work together to provide environmental education initiatives and establish projects to build community capacity among neighborhood, school and environmental organizations.

IEPA will work with USEPA to provide for special data runs to report Gateway-specific numbers from some of the indicators and performance measures areas already identified within the PPA for the following areas: toxic chemical releases, pollution prevention, ozone nonattainment, hazardous air pollutants, acid rain, shallow groundwater, waste disposal at permitted facilities, open dumping, contaminated lands, waterway conditions, wastewater discharges, finished drinking water and groundwater recharge areas.

Other cross-cutting highlights not found elsewhere:

- Human Resource Investment for Change - Region 5 is committed to providing an environment that fosters recruitment, development and retention of a high quality, diverse workforce.
- Measuring and Managing for Environmental Results - Region 5 is committed to working with States to enhance data quality, collection and exchange, allowing us to rely heavily on environmental data to evaluate conditions, identify existing and emerging problems, set priorities, and make decisions to address the top hazards facing public health and the environment. Examples of this effort with Illinois include:

Quality Assurance and Quality Management Plans - Region 5 has a responsibility to ensure the quality of environmental data collected under all assistance agreements. Through the IEPA's development and implementation of an on-going quality management program (per EPA Order 5360.1 A2 (May 30 2000), the quality of environmental data will be known and appropriate for the intended use. For FY2002, Region 5 QA staff will continue to work with IEPA to implement IEPA's quality management plan (QMP) for all granted programs. The FY2002 goal of both organizations is to implement an approved state QMP. The QMP for the IEPA was approved on September 4, 2001, and the implementation of the approved QMP will begin in the first quarter of FY2002. For each subsequent year, revisions or updates to the QMP will be submitted to Region 5 for review and approval during the

agreement negotiations. With the approval of the IEPA QMP, the authority to review and approve QAPPs for most granted programs, except Superfund and TSCA-PCB inspections, has been delegated to the State. Since GLNPO's QA requirements differ from Region 5, any projects funded by GLNPO will continue to be addressed separately through that program.

One-Stop Reporting project - IEPA will develop a 120-Day Plan in accordance with the signed grant agreement. The 120-Day Plan will address the One-Stop building blocks in the context of enhancements planned for IEPA's information management and integration systems over the next 3-5 years. IEPA will work with Region 5 to facilitate information sharing about data integration and to jointly work towards the following:

1. Assessment and implementation of national data standards for facility and chemical identification coding;
2. Improvement of electronic communications and links (EMPACT, Envirofacts warehouse); and
3. Implementation of data integration beginning with the development of an Agency Compliance and Enforcement System known as ACES. All programs are involved in and committed to this strategic enterprise system, with coordination being provided by an Agency-wide ACES Data Management Coordinating Committee. This approach involves developing a centralized facility (locational) tie file, which all programmatic areas will utilize, as well as shared core databases for compliance, enforcement, and permitting. Individual programmatic systems will be built or updated to either use directly, feed to or extract information from this central framework.

D. Relationship of Agreement to Grants

IEPA will operate under a Performance Partnership Grant (PPG) in FY 2002. The programs that are described under this agreement are coordinated with the program elements used for the PPG. With this approach, we have taken a major step towards a more integrated approach to environmental management in Illinois.

IEPA operates under a PPG to gain more flexibility in use of federal funds, to reduce the administrative burden of having numerous, specific categorical grants/work plans, and to continue some key resource investments in priority activities. In particular, we have previously provided for such investments in the regulatory innovation and pollution prevention programs. To best achieve the administrative benefits of a PPG, fewer grant actions and awards are desirable. However, where an issue is identified in a single media program, USEPA will move to award the remaining resources while seeking to resolve the issue. Both agencies commit to timely identification and appropriate level of engagement on all such issues.

The parties also recognize that some specific project grants will continue in effect and operate in concert with this agreement. These special activities are best managed in this coordinated manner to ensure program integrity. The attached listing of grants shows the breakout between the categories of federal funding for FY 2002.

Congress requires USEPA to ensure, to the fullest extent possible, that at least 11 percent of federal funding for prime and subcontracts awarded in support of USEPA programs be made available to businesses or other organizations owned or controlled by socially and economically disadvantaged individuals, including women and historically black colleges and universities, based on an assessment of the availability of qualified minority business enterprises (MBE) and women-owned businesses (WBE) in the relevant market. Region 5 must negotiate a fair share objective with each state for procurement dollars covering supplies, construction, equipment and services. Accordingly, for any grant or cooperative agreement awarded in support of this agreement, the parties agree to ensure that a fair share objective will be made available to MBEs and WBEs.

E. Joint Planning and Evaluation Process

The parties believe it is important to clearly articulate how all the components of the performance partnership are interrelated and sequenced. We will carry out the following joint planning and evaluation process.

Actions	Milestones
1. Annual Environmental Conditions Report	July
2. State's Self-Assessment	August
3. Planning Dialogue Sessions	Sept./Oct.
4. Agreement Negotiations	October
5. Final Performance Partnership Agreement	November
6. State's Performance Report for PPG	Nov./Dec.
7. Region's evaluation of State's annual report	February

The Annual Performance Report for the PPG and the Annual Environmental Conditions Report have become the key components for performance review. The State's self-assessment will also serve as a planning basis for the next year's agreement with some emphasis on important performance considerations. It is also expected that national program guidance should be available at about this same time. File reviews or other oversight by Region 5 will be coordinated with this mid-year and annual report cycle.

II. SCOPE OF AGREEMENT

On August 23, 2001, IEPA submitted a Performance Self-Assessment to Region 5 for the following programs:

Clean Air
Safe Waste Management and Restored Land
Clean/Safe Water
Toxic Chemical Management
Innovative Protection

The programs for this PPA are described in Section VII of the agreement.

While USEPA and IEPA have attempted to provide a description of each Agency's environmental protection activities for the period of this agreement, it should be noted that there may be additional activities warranting action that is not contemplated at this time. USEPA and IEPA agree that coordination will occur as appropriate over the course of the agreement period to avoid overlap and duplication of effort in addressing new issues and concerns as they arise.

Furthermore, we recognize that this agreement does not necessarily encompass every agreement between IEPA and USEPA, and that some agreements, relationships, and activities will be described elsewhere. (USEPA also has agreements and responsibilities with other state agencies that are not included in this agreement.) This agreement does not replace or supersede statutes, regulations, or delegation, authorization or program approval agreements entered into with the State.

III. GENERAL PRINCIPLES FOR STATE/FEDERAL RELATIONSHIP

The IEPA and Region 5, USEPA have complementary missions to protect and restore the air, land and water resources. In order to accomplish these missions, the IEPA and Region 5 must maximize their resources and minimize activities that don't contribute to these missions or that hinder their accomplishment. Therefore, in working toward our mutual success, the IEPA and Region 5, USEPA, agree to the following principles:

1. We will work together as partners in a spirit of trust, openness and cooperation and with respect for each other's roles.
2. We will work to ensure that the State, as the major implementer of state and federal environmental protection programs in its jurisdiction, has the greatest degree of flexibility allowable under existing laws and delegation guidelines based on program performance and environmental progress.
3. We will coordinate our work to avoid duplication of effort.

4. We will work to ensure that communication is frequent and timely to avoid surprises; that communication within each agency occurs and that efforts are made to ensure that the right method of communication is used and that information reaches the right person.
5. We will use an agreed upon dispute resolution process (see attachment) to handle the conflicts that are certain to arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.
6. We will acknowledge EPA's role in the direct implementation of federal programs and in ensuring that federal programs are carried out in a consistent fashion throughout the region.
7. We will work to ensure that staff at all levels are aware of and held accountable for realizing these agreed upon principles.

IV. ENVIRONMENTAL RESULTS

Under the NEPPS, state and federal program managers are directed to focus more on "improving environmental results." To achieve this focus, the NEPPS calls for setting environmental goals and using environmental indicators to keep better track of our progress. We see this new focus as part of the next generation of environmental protection that is starting to emerge and take shape in various ways.

Both IEPA and Region 5 have some experience working with characterization of environmental conditions. IEPA has historically collected ambient environmental quality data and reported findings in various ways. Under the NEPPS, however, we think that more attention must be paid to developing improved linkages between actual environmental conditions and program performance so that we can better assess our effectiveness over time. It should also help us to apply our resources where they will do the most good.

A. Environmental Goals, Objectives, and Indicators

We have continued to refine the goals, objectives, and indicators to be consistent with the performance measurement hierarchy agreed to between ECOS and EPA. As a result of this effort, we have 7 environmental goals and 14 environmental objectives and indicators. We see these goals and objectives as a useful way to focus more attention on environmental results and to guide program planning. We do not view these goals as specific deliverables that involve accountability for grants purposes. In other words, program success does not hinge solely on attainment of particular goals. Establishment of these environmental targets gives programs a more clear sense of direction and certainly sound performance should show some progress towards the desired outcome. It must be understood, however, that some environmental conditions are influenced by factors beyond the normal control of an environmental program. Thus, actual attainment of a goal may be compromised even though program performance went very well by most measures. Even with such limitations, we

believe it has been useful to go through the goal setting process and to work on program linkages.

B. Annual Environmental Conditions Report

In August, 2001, IEPA published the sixth Annual Environmental Conditions Report - 2000. This report presents a full account of our environmental progress for the environmental goals and indicators. From year to year, we expect to gain more understanding regarding the directional influences between the objectives/indicators and the performance of these environmental programs. Eventually, we envision a two-way, inter-active relationship will develop. Performance strategies are designed to achieve progress towards the desired environmental outcomes. In turn, information gathered for the indicators may influence the program directions that are taken.

We continue to encourage public review and comment regarding this report and the progress that is shown.

V. JOINT ENVIRONMENTAL PRIORITIES

This section of the agreement presents the joint environmental priorities and an overview of the highlights for these important matters. For this agreement, the parties have put renewed attention on these priorities to ensure they reflect our mutual interests and joint performance expectations. Four of the six priorities from FY2001 were substantially revised to reflect this new perspective and one new priority, environmental security, was added. Thus, two priorities (reduction of toxics and protecting people at risk) remain to be worked on during FY2002.

A. Environmental Security

Homeland security has become a major national issue since the dramatic events that unfolded on September 11, 2001 and thereafter. These events changed the way we, as a nation, must prepare for future acts of terrorism within our borders. One facet of this issue deals with providing for environmental security with respect to potential terrorist acts. Illinois and Region 5 are engaged in developing better preparedness capabilities to handle such acts.

Illinois Terrorism Task Force - On May 16, 2000, Governor George H. Ryan signed Executive Order Number 10 (2000) formally creating the Illinois Terrorism Task Force (ITTF). The ITTF had been meeting informally since October 1999 to discuss the state role in preparing and responding to threats and incidents of terrorism within our state boundaries. This Executive Order also defined the composition of the ITTF to include state agencies with response capabilities or resources that support training and response. The ITTF includes representatives from state/local fire service, hazardous materials response, emergency medical services, law enforcement, public works, public health, National guard, and emergency management. Representatives from the FBI and FEMA are also included.

In order to tackle the complex issues of preparing and responding to terrorism in Illinois, the ITTF created several standing committees to examine specific areas, develop targeted action

plans and provide the Governor with further recommendations. The ITTF created the *Training Committee*, the *Bio-Terrorism Committee*, the *Crisis Management Committee* and *Communications Committee*. The committees included representatives from federal, state, regional and local levels as well as from public agencies, advocacy associations and private entities. IEPA participates on three of these committees. The ITTF has accomplished the following so far:

1. Mobile Response Teams were created to assist local first responders and coordinate the state's response. Three, 30-person interdisciplinary teams combining law enforcement and technical experts have been developed to deal with hostile humans and contaminated environments anywhere in the state (State Interagency Response Teams – SIRTs). Additionally four mobile teams (IMERTs) made up of volunteer medical professionals have been formed to provide on-scene treatment to casualties and support of local medical resources and to assist the SIRTs. These new teams complement the National Guard Civil Support Team (located at Bartonville) and the existing IDNS Radiological Assessment and Coordinated Emergency Response Team (RACER).
2. A critical assessment of local health departments and hospitals was conducted for bioterrorism preparedness.
3. A uniform training philosophy and curriculum for First Responder Training was developed. Terrorism and incident command system modules were incorporated into required law enforcement, fire service, and emergency management training.
4. State and local emergency managers were trained in and then conducted a statewide assessment of terrorism vulnerability and preparedness. This was used as the basis on a statewide three-year strategy to address deficits.
5. A statewide mutual aid system for weapons of mass destruction (WMD) and other catastrophic disasters was put in place. This includes fire equipment, emergency medical service apparatus, and search and rescue capability.
6. Equipment protocols and standardization were developed with respect to WMD-related procurements to enhance the efficiency of any response involving multiple responding agencies.
7. The IFFT also has promoted WMD exercise guidelines to focus local efforts on specific scenarios, scope of training, development and evaluation, and funding requirements.

The IEPA has played a significant role in many of these efforts including the creation and equipage of the SIRTs and in recommending standardized equipment and protocols. Supporting and enhancing such efforts is a significant ongoing commitment for the IEPA.

While there exists a baseline capability to respond to an incident anywhere in the state, certain priorities concerning potential high-risk targets have been established. First considered were the likely target areas of particularly critical infrastructure and facilities, utilities, high profile/high population areas, defense installations, continuity of government, medical facilities, and in particular the densely populated City of Chicago. From those vulnerability categories, the state determined that the highest priority targets are as follows:

- nuclear power plants
 - the downtown Chicago "Loop"
 - key public entertainment/recreation/shopping facilities
 - major bridges
 - major power sources
 - major telecommunications links
 - key federal and state buildings
 - water supplies
 - pipelines and refineries
 - commercial airports
- **The vision for the three-year Statewide Domestic Preparedness Strategy** - Through the use of verifiable data, the state has assessed the capabilities of Illinois jurisdictions to respond to a WMD terrorism incident and will enhance responder capabilities statewide to protect life, property, and environment in the state. The vision includes:
 - Establishing sound planning guidance specific to terrorism response for incorporation into local operations plans and the Illinois Emergency Operations Plan (IEOP).
 - Identifying and establishing enhanced medical, public health, and hazardous materials response capabilities by developing state regional rapid response forces.
 - Developing and implementing appropriate training of local, regional, and state responders.
 - Encouraging the exercise of plans and capabilities with the long-term goal of fostering statewide multi-hazard response capabilities.
 - **Briefing Community Leadership** - The Governor's Homeland Security Regional Training Seminars are being presented to provide an overview of terrorism preparedness in Illinois and to answer questions from the public and local first responders. A total of 16 sessions are being conducted around the state. IEPA is participating with several other key state agencies.

Overall Region 5 Environmental Security and Response Preparedness

Emergency Response Branch (ERB) has responded to thousands of oil and hazardous materials releases over the last 30 years, primarily through the National Response System and under the authority of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). During a terrorism incident, EPA is authorized by Presidential Decision Directive #39 to provide hazardous materials response support to the FBI and FEMA.

Region 5 Counter-Terrorism Preparedness

Region 5 ERB has completed counter-terrorism training for 10 On-Scene Coordinators (OSCs) that are located in five response offices across the Region. All of these personnel have Secret level security clearances, with the Branch Chief having Top Secret clearance. The Region has begun preparations to train the remaining cadre of OSCs in counter-terrorism.

Chemical, Biological, Radiological, and Nuclear (CBRN) Response

Currently, all Region 5 ERB OSCs and response contractors are trained to respond to oil and hazardous materials releases in Level B, C, and D personnel protective equipment. The counter-terrorism team has additional training in Level A and CBRN response operations. The Region's current capabilities to respond in the CBRN realm include: CBRN agent identification, sampling and multi-media monitoring for agents, assistance with evidence collection, decontamination and other crisis management and/or consequence management activities.

Training and Exercises

Region 5 has conducted two field training exercises addressing potential terrorism scenarios. Additional training, planning, and exercises are planned for FY 02. EPA also plans to coordinate training and preparedness exercises with state emergency management and environmental agencies. The EPA supports additional funding for states' training and preparedness activities so that they can better develop their own existing counter-terrorism programs.

The parties anticipate having a very active year dealing with this issue. We plan to be involved in the following ways:

1. Participation in coordinated anti-terrorism training and preparedness that focuses on situations that are relevant for the Midwest.
2. Design and organization of an early warning system for water intakes using the Upper Mississippi River.
3. Looking at better ways to assure that responsible persons are in control of hazardous substance transport vehicles.
4. Preparation of a guidance document for small public water supplies to perform security assessments and emergency operations planning.
5. Evaluation of priority hazardous chemical storage sites for physical security and terrorism preparedness.
6. Development of comprehensive and complimentary sampling, assessment, and decontamination capabilities for timely responses to potential terrorism incidents.

B. Regulatory Innovation

IEPA and Region 5, USEPA have a mutual interest in and commitment to pursuing regulatory innovation. This perspective has developed as both parties have worked to develop new approaches to the existing regulatory structures that will be:

- more efficient and flexible.
- provide incentives for good performance.
- result in further protection for human health and the environment.

We foresee a number of opportunities to collaborate in advancing our regulatory innovation work, including the following:

1. ECOS/EPA Agreement to Pursue Regulatory Innovation - This special agreement was developed to help promote projects that would test out new ways of achieving sound environmental performance. During FY01, IEPA submitted three proposals for innovation projects. The first project, "State Toxics Partnership Program", has been approved for implementation due, in larger part, to a very productive early consultation process. The second project, "NPDES Performance Incentive", has been approved as well. The third project, "UIC Program Partnership", is currently still in the consultation process.
2. National Regulatory Innovation Initiatives - USEPA is the chief sponsor of two national initiatives for regulatory innovation; Project XL and the National Performance Track program. For these initiatives, states may perform in a supporting role when projects are generated in their jurisdiction. In Illinois, three XL projects are underway; Metro Chicago Water Reclamation District; United Egg Producers and Chicago Regional Air Quality/Economic Development Strategy. IEPA is participating in each of these projects. Thirteen companies in Illinois have been accepted for the performance track program. IEPA assisted with compliance screening for these companies, provided review/comment on the applications filed and participated in site visits to facilities.

During FY02, the parties have the following joint expectations for performance:

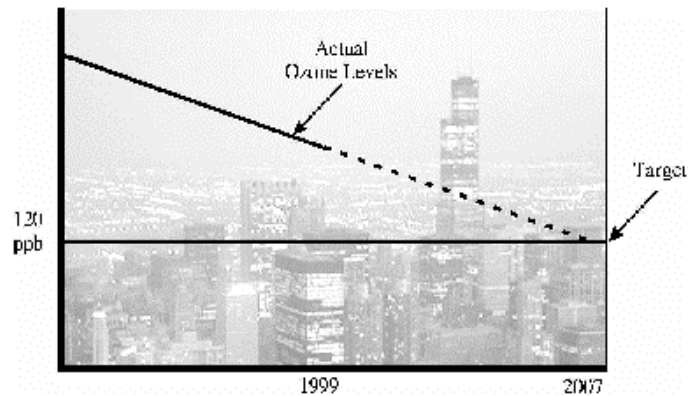
1. Five ECOS/EPA agreement projects will be approved and into implementation [note - means increase of two during the performance year];
2. More facilities in Illinois will participate in the performance track program;
3. Identifying additional incentives for the Performance Track program will be discussed; and
4. Joint progress statement will be developed that begins to identify key lessons learned where possible, and deals with measuring success for innovation.

C. Clean Air Market Approaches

- Addressing Ozone Nonattainment - While there has been significant improvement in ozone levels in the country over the past 25 years, ozone has been and continues to be the most pervasive air pollutant problem in Region 5, including in Illinois. It is the single pollutant for which the State is in non-attainment, and yet it is the pollutant with which the vast majority of the State's population has the most contact. Attaining the ozone standard is a top priority for both the Region and the State. It is clear that the Region and

the State must work closely to identify and develop cost-effective programs that result in reductions of ozone precursors in order for the State to attain the standards. Details of the State's strategy for the next fiscal year leading to attainment of the national ozone standards can be found in the Clean Air Program section. Region 5, Air & Radiation Division

also has a role in assisting the State in its quest for attainment of the ozone standards, including aid in developing innovative and creative approaches to obtaining emissions reductions, in advocating the approval of such approaches with USEPA Headquarters, and in working together with IEPA to achieve ozone reductions through the Clean Air Counts and Partners for Clean Air campaigns.



- NOx SIP Call - Both in response to the NOx SIP Call and to address attainment of the 1-hour ozone standard, IEPA developed rules to implement the NOx SIP Call at 35 Ill. Adm. Code 217, as follows: Subpart W, for EGUs; Subpart U, for non-EGUs; Subpart T, for cement kilns; and Subpart X, a voluntary opt-in program. Subparts W and U provide that Illinois will participate in the federal NOx Trading Program for those units covered by these subparts, and provides a methodology for the allocation of NOx allowances to EGUs and non-EGUs. These rules were negotiated with industry and business groups, were approved through a public hearing process, and were submitted to USEPA as revisions to Illinois' State Implementation Plan. As a result of Region 5's efforts to timely and efficiently review and shepherd the approval process for these rules, USEPA published final approval of Subparts T, U and W on November 8, 2001. However, USEPA has not acted on Subpart X. The compliance date for the rules, excluding Subpart X, is May 31, 2004.

Region 5 and IEPA will work together to obtain approval of Subpart X in this fiscal year. In addition, although IEPA will bear most of the effort to implement the NOx SIP call in Illinois, Region 5 will work to set up training sessions with USEPA Headquarters staff, including the Clean Air Markets Division (CAMD), will facilitate conference calls with CAMD when requested and will, when necessary and appropriate, act as an intermediate between IEPA and CAMD to resolve any conflicts or to address issues.

- Emissions Reduction Market System - IEPA recently completed the first year of operation for an innovative VOM emissions trading program. The Emissions Reduction Market System (ERMS) started operation in the Chicago ozone trading area in May 2000. The ERMS program is designed to operate on a seasonal basis, from May 1 through September 30, to correlate with the time of the year when ozone formation occurs. The

program allows trading among participating sources in order to meet a reduced cap on their overall VOM emissions.

Illinois was the first state in the nation to adopt this type of cap and trade program for VOM. Region 5, ARD advocated the approval of this program by USEPA Headquarters, and the program performed very successfully. ERMS began operation with 179 sources participating in the VOM emissions trading market. Participating sources are issued allotment trading units (ATUs) by the IEPA each year for their seasonal emissions. A number of key findings for the first year of this program are as follows:

1. The allotment shows a 10.3% reduction from the original baseline for success.
 2. Overall, sources in the ERMS program emitted 44.1% less VOM than their baselines would have allowed them to emit, and 37.9% less than their actual ATU allotment for 2000.
 3. The qualitative approach taken for this first year did not indicate any adverse relationship between market activity and hazardous air pollutant source performance.
- Clean Air Counts - Clean Air Counts is a joint, voluntary effort among staff from Region 5, City of Chicago's Department of Environmental Quality and the IEPA. Direction and funding for the program have come from the Delta Institute, pursuant to a grant. One of the purposes of Clean Air Counts is to find voluntary measures to reduce emissions of ozone precursors in the Chicago area, and to encourage the use of green energy. Staff from each of the participants have developed measures, quantified expected reductions for those measures, and have begun to formulate a strategy to implement those measures. If funding levels can be maintained, the Clean Air Counts program will continue with the implementation of these measures and will continue to develop and implement other measures.

D. Redevelopment of Urban Areas

IEPA and USEPA will work together to seek creative ways to lessen the impact of urban growth patterns on the environment. Governor Ryan started the Illinois Tomorrow initiative in May 2000. This initiative seeks to promote "balanced growth" for a better quality of life. In this context, Brownfields has emerged as one of the significant issues and opportunities to accelerate redevelopment of contaminated sites in urban areas. IEPA will continue to work jointly with USEPA Region 5 as an active participant in its Brownfields team activities. IEPA has provided information management and transfer on its Brownfield Program to thousands of parties across the state via public meetings, seminars, state-wide conferences, and national conferences.

There are several opportunities to collaborate with Region 5, USEPA to advance the remediation and reuse of contaminated properties, including the following:

1. The IEPA and Region 5, USEPA are participating in the first-of-its kind joint state/federal grant initiative wherein USEPA Demonstration Pilot Grant funds are

used to meet the state grant match. There will be four leveraged Brownfields grant projects.

2. The IEPA through funding from USEPA will use \$100,000 from the "USTFields" pilot to remediate an abandoned underground storage tank property in the City of Chicago.
3. IEPA has focused on Base Realignment and Closure sites along with USEPA and Department of Defense because these sites are scheduled for closure and their reuse offers an opportunity for economic recovery of communities associated with these bases. Upon successful completion of the cleanup, a Finding of Suitability for Transfer is issued by the Department of Defense with concurrence of IEPA and USEPA. IEPA will also conduct environmental restorative activities at sites formerly used, leased, or otherwise operated by the Department of Defense. These sites are closed and the property transferred to private, federal, state, or local government ownership.

IEPA continues to promote the redevelopment and reuse of Brownfields. Some of the Agency's redevelopment initiatives are:

1. As a part of Illinois FIRST (a Fund for Infrastructure, Roads, Schools and Transit), \$10 million in Brownfield loans will be offered to private parties and units of local government to clean up brownfield sites. This is a five-year, \$12 billion program designed by Governor George Ryan to build, repair and upgrade Illinois' critical infrastructure. Under this program IEPA will also clean up 33 abandoned landfills.
2. The IEPA will conduct brownfield redevelopment assessments at 50 sites. The redevelopment assessments are evaluations of contaminants at abandoned or derelict industrial properties with the potential for redevelopment and productive use.

Some of the redevelopment performance expectations for FY02 are:

1. The IEPA will clean up 320 acres at 12 sites through the Response Action Program.
2. IEPA will conduct three brownfield redevelopment assessments.
3. Provide brownfield grants to 50 communities to investigate and assess contamination.
4. The IEPA will assist in the development of the Finding of Suitability for Transfer on the remaining 10 acres at the Naval Air Station Glenview Base.
5. Four communities will receive a USEPA demonstration pilot grant that will be leveraged to provide funds for the match necessary for each community to receive an Illinois Brownfields Redevelopment grant.
6. As part of the public outreach and education, the IEPA's Annual All Cities Brownfields Conference will be held in April 2002.

IEPA and Region V, USEPA work in concert to enforce construction and operating standards for hazardous waste handlers. This cooperative permit and enforcement program keeps urban areas from becoming undesirable places to live or do business and helps improve existing commercial and industrial areas. Some of the expected performance measures include:

- 103 inspections at large quantity generators.
- 275 compliance assistance visits at small businesses.
- 300 permits approved for hazardous waste storage, treatment or disposal sites.

E. Protecting and Restoring Critical Ecosystems

Ecosystem degradation and loss is one of the most critical environmental management problems facing the United States today. This conclusion is consistent with the international community's Biodiversity Treaty, which identifies the loss of diversity as a global problem. Ecosystems in Region 5 and the Great Lakes Basin, beset by great ecosystem alterations and biodiversity losses, nevertheless sustain globally rare ecosystems, ecological communities, and species. These resources are being lost or degraded by physical impairment, exploitation, global climate change, chemical pollution, and the biological invasion of exotic species.

1. Lake Michigan Basin

- a. Great Lakes Area of Concern (Waukegan Harbor) - Completion of the Waukegan Harbor remediation is making good progress through citizen and government cooperation. Phase I of the Waukegan Harbor dredge project is planned for FY2002. Slip 1 and the approach channel will be deepened to 19.5 feet under that plan. This project is being sponsored and implemented by the local industry that utilize the harbor. Phase II plans call for additional dredging of the harbor to depths of 23 feet after obstructions from utilities have been eliminated. Delisting will be considered after Phase II is completed.

A Stage 3 Remedial Action Plan for Waukegan Harbor was provided to the International Joint Commission in FY2000.

- b. LaMP/TMDL - The Lake Michigan Lakewide Area Management Plan (LaMP) was released in April 2000, marking a transition from a predominately plan development focus toward more active implementation phase. One of the priority LaMP activities for FY2002 will be the cooperative development of a TMDL strategy for the open lake impairments, with intergovernmental and stakeholder meetings to occur in 2002.
- ### **2. Upper Mississippi River Basin**
- Frequently, there are differences in the states' water quality standards, 305(b) assessments, monitoring approaches, and 303(d) listings for the Upper Mississippi River basin. The Upper Mississippi River Basin Association will be working with the states to identify and evaluate differences in the five basin states' 305(b) assessments, 303(d) listings, water quality standards, and TMDL activities on the mainstem of the Upper Mississippi River. USEPA and Illinois will support and participate in the activities associated with this effort.
- Illinois Nutrient and Sediment Assessment - A science assessment of hypoxia in the Gulf of Mexico was conducted by the White House Committee on Environment and Natural Resources (CENR) and the six final science reports were completed in May, 1999. The final integrated assessment (CENR, 2000, Integrated Assessment of

Hypoxia in the Northern Gulf of Mexico, National Science and Technology Council Committee on Environment and Natural Resources, Washington, D. C.) was published in May 2000. The primary purpose of this investigation was to determine the causes and consequences of a hypoxic condition (depletion of dissolved oxygen) created in the Gulf of Mexico which adversely impacts commercial fisheries. The key finding of the assessment is that hypoxia in the northern Gulf of Mexico is caused primarily by excess nitrogen delivered from the Mississippi-Atchafalaya River Basin in combination with stratification of Gulf waters. Illinois has been identified as one of the major sources of nutrients and sediments in the upper Mississippi River system. The supporting science reports for the assessment identified the source of nutrients (nitrogen and phosphorus) and looked at methods, costs, benefits and effectiveness of load reduction. In addition to the CENR study, USEPA also provided funding through grants to the IEPA to produce the report entitled Baseline Loadings of Nitrogen, Phosphorous, and Sediment from Illinois Watersheds (printed, February 2000). This report provides details on source of nutrient and sediment loadings from Illinois watersheds which contribute to the Mississippi River Basin.

The Mississippi River/Gulf of Mexico Watershed Nutrient Task Force, at an October 11, 2000, meeting, reached agreement on an Action Plan, based on the Integrated Assessment, to reduce the extent of the hypoxia in the Gulf of Mexico. Federal and State officials agreed on a \$1-billion-per-year plan to revive as much as 30% of the dead zone by 2015. The recommended plan calls for a 30% reduction in the amount of excess nitrogen reaching the Gulf of Mexico.

A strategy for dealing with the recommendation of the Action Plan was published in January 2001, that recommended the establishment of Sub-basin committees and the development of sub-basin strategies as two primary actions for addressing sub-basin (such as the Upper Mississippi and Illinois River) and State issues. IEPA and Region 5 will initiate these recommendations by identifying representatives to a sub-committee for the Illinois River Basin and to begin the development and implementation of a sub-basin strategy. In response to the Gulf Hypoxia Action Plan and other water quality-related impacts from nutrient enrichment, the Illinois Department of Agriculture initiated the Nutrient Management Task Force, composed of staff from the Agency, USEPA, state research organizations, farm groups and industries, and the NRCS. The activities of the Task Force include reviewing water quality data and programs directed at agricultural nutrient controls. In addition, IEPA began a related effort on the development of nutrient standards.

EPA and IEPA will recommend that the Water Quality Technical Committee of the Upper Mississippi River Basin Association participate in some capacity, possibly as the convener of the sub-basin committee. This effort will be initiated with the Upper Mississippi River Basin Association in 2001.

3. Chicago Wilderness - USEPA invites IEPA this year to become an active partner in the Chicago Wilderness coalition. Both agencies recognize that they do a significant amount of permitting, enforcement, monitoring and other important

environmental protection tasks within the 6-county Chicago region. The Chicago Wilderness coalition consists of 124 state, local, federal, NGO and other partners that are actively implementing a plan to increase the local biodiversity. Many of our activities have a direct relationship with the work of these partners and both agencies this year will pursue means to better recognize the work that we are doing similar to these partners, determine how to record the environmental outcomes in a more relevant and appropriate manner and determine a method to report these outcomes to all relevant audiences. This is truly innovative environmental work and both agencies wish to capitalize on an opportunity to improve environmental outcomes in the Chicago region and then to use that model to improve environmental performances in other parts of the state.

F. Protecting People at Risk, Especially Children and Environmental Justice Communities

Over the last decade, concern about the impact of environmental pollution on particular population groups has been growing. There is widespread belief that minority or low-income populations bear disproportionately high and adverse human health and environmental effects from pollution. Most recently, in May 1997, in support of the Presidential Executive Order for all Federal agencies to address health and safety risks to children as a high priority, EPA established the Office of Children's Health Protection (OCHP), whose mission is to make protection of children's health a fundamental goal of public health and environmental protection in the U.S. Children are particularly vulnerable to environmental health risks because their systems are still developing, they eat and breathe proportionately more food and air per pound of body weight, and typical childhood behaviors, such as playing outside, crawling on the floor or putting things in their mouths, expose them to different environmental hazards. IEPA and Region 5 are committed to addressing environmental threats to these populations and will facilitate these efforts through periodic conference calls (i.e. quarterly).

IEPA is developing a management strategy (see Toxic Chemical Management program) for "sensitive receptor areas." IEPA is focusing on schools and environmental events (accidental releases, violations/enforcement cases, total toxic chemical releases, etc.) that occur in the vicinity of these sites. Areas of high potential impact will be identified and evaluated for protective measures. In response to the Agency's call for continued emphasis on children's health, Region 5 continues to support a multi-media Team called REACH (Region 5 Environmental Actions for Children's Health). The goal of this team is to ensure that the protection of children's health is a fundamental consideration of all environmental decision-making in Region 5. The Region will continue to focus on practical actions that community groups, parents, medical personnel and others can take to protect children by reducing asthma triggers, exposure to lead based paint, mercury and other contaminant sources of concern to children. The Region will continue the dialogue on children's environmental health between and among governmental, academic, medical, public health and community organizations. Coordinating and building a relationship with and among State agencies that are or should be concerned with children's health is a priority for the region and particularly the Children's Health Team. The Region's evaluation of environmental exposures of concern to children in Region 5 and assessment of available data on diseases with potential

environmental contribution are continuing. The REACH team would like to coordinate these efforts with IEPA for potential areas of overlap and joint use.

Region 5's EJ goal is to *"Ensure that all Region 5 citizens are protected from disproportionate impacts of environmental hazards and have adequate opportunity to participate in environmental process"*. With regard to EJ, Region 5 will focus on three key areas of emphasis: 1) continue EJ policy development and implementation into regional policies and programs; 2) decrease human health and environmental impacts; and 3) enhance stakeholder outreach and partnerships. Examples of Regional efforts include sponsorship of informational/training forums with community groups, States, business and industry; development of enhanced GIS mapping capabilities; and provision of grant opportunities and grant writing software. USEPA will also continue to support human health research efforts related to environmental justice and children's programs.

Region 5 will continue to use its June 1998 revised interim EJ guidelines for identifying and addressing potential environmental justice concerns in federal activities, including permit issuance and enforcement reviews. USEPA will implement Title VI of the Civil Rights Act and will consider environmental justice issues through the review of and comments on other federal agencies' proposals and actions under the National Environmental Policy Act and Section 309 of the Clean Air Act.

G. Reduction of Toxics, Especially Mercury

Releases of toxic substances have caused serious adverse effects in humans and damage to the environment. The laws, regulations, and multiple programs of USEPA and the states traditionally have been devoted in large part to investigating and reducing releases of toxic substances, most often in single-medium contexts. Consequently, Region 5 has created a multi-media Toxic Reduction Team to promote coordination of toxics reduction efforts, while the Toxics Program Section within Region 5's Waste Division has primary responsibility for PCBs, TRI and lead. IEPA has a similar multi-media focus on addressing toxic pollutants. Some areas of initial emphasis are: the reduction of releases of mercury; implementation of the Great Lakes Binational Toxics Strategy; the investigation of endocrine disruptors and toxaphene; and the reduction of lead. The Region 5 Toxic Reduction Team, the Toxics Program Section, and the IEPA will work on areas of common emphasis by providing technical support, sharing information, and by coordinating and disseminating results of scientific research. Particular areas of emphasis include the following:

1. Reduce mercury levels - To meet release and use reduction goals, federal actions for FY 2002 include: outreach to industry, organizations, and citizens on pollution prevention and risks; studying alternative use and treatment/disposal options; clearinghouse support and information; and implementing maximum achievable control technology standards (MACTs), the Great Lakes Water Quality Initiative (GLI), and the Great Lakes Binational Toxics Strategy. For example, USEPA will develop outreach materials aimed at the construction and demolition industry to encourage proper disposal of mercury-containing devices found in buildings. The Binational Toxics Strategy mercury workgroup will explore options to reduce mercury releases from utilities through

pollution prevention, energy efficiency, fuel switching, and green marketing programs, and will conduct outreach aimed at reducing the use of mercury-containing household products.

IEPA Bureau of Air is participating in Region 5 mercury workgroups such as the Great Lakes Air Deposition and Great Lakes National Program Office. These workgroups are focused on mercury measurement, modeling and reduction. Bureau of Air has formed an internal workgroup to focus on this topic as well. This workgroup will assist IEPA in planning activities or policies regarding mercury reduction.

IEPA's Bureau of Land is seeking authorization for the adopted Universal Waste Rule (UWR). The UWR is designed to encourage proper recycling of mercury-containing wastes (i.e., batteries, thermostats) by reducing the regulatory requirements for these wastes.

2. Reduce levels of Great Lakes Binational Toxics Strategy (BNS) toxicants - General Region 5 actions for FY 2002 include: monitor and evaluate implementation of and promote toxics reduction activities outlined in, the BNS. Specific actions include: promote removal of PCBs through PCB corrective actions, the PCB Phasedown Program, Supplemental Environmental Projects, and the BNS; reduce mercury use and releases; assess atmospheric pollutants; continue efforts to identify and quantify emissions of PAHs, B(a)P in particular; and investigate levels and sources of cadmium, 1,4-dichlorobenzene, 3,3'-dichlorobenzidine, dinitropyrene, endrin, heptachlor, hexachlorobutadiene and hexachloro-1,3-butadiene, hexachlorocyclohexane, 4,4'-methylenebis(2-chloroaniline), pentachlorobenzene, pentachlorophenol, tetrachlorobenzene, and tributyl tin.
3. Understand characteristics and effects of endocrine disruptors (ED) - To gauge the seriousness of ED impacts and to develop needed approaches, Region 5 actions for FY 2002 include: tracking and disseminating information; develop investigation and communication strategies; responding to issues and stakeholder inquiries; training through workshops and fact sheets; support effluent analysis for alkylphenols and estrogen at POTWs; support vitellogenin analysis of fish collected in Region 5 rivers and Great Lakes; tracking development of water quality criteria for developing water quality standards and developing data for issuance of health advisories; and providing coordination and clearinghouse support.

IEPA has developed an Endocrine Disruptors Strategy (2/97). Further development work is described in the program strategies for the relevant programs.

4. Reduce lead exposure - IEPA has taken numerous steps to respond to removal of lead-based paint that gets released to the environment. The IEPA investigates these incidents, takes appropriate samples and works with responsible parties to ensure adequate cleanup of these hazardous materials. IEPA is also developing a regulatory approach that would help prevent these adverse impacts due to unsafe removal of lead-based paints.

Region 5 actions for FY 2002 include: promote education and outreach programs on lead exposure through grants; improve regional coordination; support geographic initiative efforts; and implement portions of a Regional lead strategy which could include developing a method for screening lead cluster areas and investigating use of uniform health standards and risk assessment methodology.

VI. PUBLIC INVOLVEMENT

Both the IEPA and the USEPA are publicly accountable government organizations that exist to protect human health and the environment. This agreement is an evolving public document that can inform and guide public debate on environmental problems, goals, priorities, strategies and accomplishments; a document whose development and content over time will be in part shaped by public involvement. The agencies commit to development and use of a mix of approaches to effectively achieve public outreach and involvement.

Public outreach and involvement have several fundamental purposes:

1. Public information - to increase public understanding of the critical environmental issues facing the State.
2. Public education - to share information with the goal of motivating environmentally desirable public behaviors.
3. Public involvement - to engage in dialogue with stakeholders in order to gather their input and feedback systematically, offering an opportunity to shape the content and direction of environmental programs. Stakeholders include the other governmental entities, the regulated community, interest groups, academia, and the general public.
4. Coordination - to engage in cooperative discussion and activities with other providers of environmental protection services (e.g., other state and federal agencies, local governments, public, private, and non-profit groups) to ensure that planning goals, strategies, and implementation measures maximize environmental benefits and minimize duplication, gaps, and inconsistencies.

For FY 2002, IEPA and Region 5 held three focus group sessions. The session for business interests was held on October 11, 2001. A second session for environmental interests was held October 18, 2001. A third session for local government interests was held October 25, 2001. An attachment presents a summary of the discussions, including IEPA's responses, and lists the participants in the three sessions. IEPA has also prepared and attached a master list of MOA/MOUs.

VII. PROGRAM PERFORMANCE AND ACCOUNTABILITY

For this agreement, we have continued to refine the goals, objectives and indicators to fit the hierarchy ("SMART" Chart) agreed to by ECOS and USEPA. We have included the environmental goals and objectives, and program objectives and outcomes in the main text of the agreement. Program outputs are all listed as an attachment. This approach reflects our desire to emphasize focusing on environmental results.

IEPA and Region 5 continue to evaluate the national environmental data and reporting systems for each major program to identify good candidates for streamlining, wherever possible. This effort is believed to be critical for realizing the full potential of the NEPPS. During FY 98, a Reporting Requirements Inventory was completed (see attachment). Over time, we expect this master inventory to reflect the outcome of agreed reporting burden reductions or other changes.

IEPA and, when applicable, Region 5 agree to the following multi-program performance deliverables for FY 2002:

- a. Program weaknesses or improvement needs that are identified in annual reports or assessments, in concert with EPA's perspective on environmental conditions and program performance, will be appropriately addressed.
- b. National environmental information and reporting systems will be supported through timely submittal of data that is collected by the State and Region.
- c. Suitable fiscal controls will be operational and adequate financial reporting will be maintained.
- d. Core performance measures will be addressed as shown in the program-specific sections of this agreement.
- e. Performance strategies will be implemented and results achieved will be evaluated in the next annual performance report and self-assessment.

To accommodate what we are still learning about NEPPS, we may need to revise our performance expectations at appropriate times during the year. Both parties are amenable to being responsive to responsible requests for change as the circumstances may dictate.

Flexibility Pilots - Third Round

This agreement places special emphasis on partnership realization by identifying several **flexibility pilots**. These pilots are aimed at improving current operational practices or trying some alternative performance arrangements. For FY2002, we will conduct the following flexibility pilots:

1. QMP integration with NEPPS - IEPA wants to avoid creating yet another performance system that must be managed. Thus, we have designed a quality management system that will be integrated with key aspects of the annual NEPPS process. For example, we do not want a separate annual work plan for quality management nor do we want to see separate periodic evaluation reports. The performance self-assessment and the annual performance report could handle the results of evaluation efforts. The PPA will serve as the vehicle for

describing planned work as agreed to last year. We are continuing this pilot another year to ensure that the preferred approach is put into practice.

2. Lake Michigan LaMP/TMDL - The components of the Lakewide Area Management Plan are very similar to the key elements for TMDLs. As one of four states that border Lake Michigan, Illinois cannot independently satisfy TMDL requirements. Effective involvement and coordination from USEPA is necessary to ensure a manageable outcome for both the LaMP and the TMDL processes. An integrated approach has been committed to in the Lake Michigan LaMP 2000 and should be pursued so that the final LaMP addresses eventual development of an approvable TMDL in a timely manner. For FY2002 the Agencies will participate in strategy and stakeholder meetings to develop the action plan.
3. Performance of RCRA Compliance File Audits - During FY 2001, the Bureau of Land (BOL) conducted self-audits of the compliance files for 20 RCRA facilities selected by USEPA Region 5. BOL staff reviewed the files and submitted summaries of each file to Region 5. Region 5 audited ten of the 20 files during FFY2001. A letter from Bill Child (IEPA) to Bob Springer (Region 5) dated November 21, 2000 outlines a new approach to conducting compliance file audits. In addition, IEPA believes it will help to ensure the consistent application of the Hazardous Waste Enforcement Response Policy (ERP) from both IEPA and Region 5. Further details of the compliance file audit process will be discussed and implemented during FFY2002, consistent with the RCRA authorization requirement that any information obtained or used in the administration of a State program shall be available to USEPA upon request.

MEDIA PROGRAMS

A. Clean Air Program

1. **Program Description** - The Bureau of Air is organized, functionally, around five priority program areas:

- a. **Ozone** - One major metropolitan area in Illinois, the Metro-East area, is part of an interstate area that continues to be out of compliance with the 1-hour ozone standard. As of October 31, 2001, the Chicago severe ozone nonattainment area had three years of monitored attainment of the 1-hour ozone standard, although it is expected that IEPA will not be able to submit all of the materials necessary to formally petition for redesignation to attainment until late Spring 2002, at the earliest.
- There has been significant program development in terms of regulations to reduce ozone precursors in our efforts to comply with this standard, particularly since the Clean Air Act was amended in 1990. In FY01, we completed all currently required submittals of a state implementation plan (SIP) for nitrogen oxides (NOx) as part of our response to the NOx transport SIP call issued by the USEPA in the fall of 1998. On May 8, 2001, we submitted a final rate-based rule for electrical generating units (EGUs) as part of the attainment demonstration for Metro-East, which is effective May 20, 2003. Illinois submitted and adopted this rule even though the EGU rule for the SIP call is more stringent than that necessary to meet the minimum requirements of the attainment demonstration. On February 23, 2001, we submitted the final rule for EGUs, allowing for their participation in the national NOx trading program. On April 9, 2001, we submitted the final cement kiln rule, and on May 1, 2001, we submitted the final non-EGU rule. We will develop and propose a rule for large, stationary internal combustion engines following USEPA's promulgation of a federal rule consistent with the court's remand of USEPA's findings for that sector.

On April 3, 2001, USEPA proposed to approve Illinois' attainment demonstration SIP for the Metro-East St. Louis area. The updated attainment demonstration plan included reductions of NOx from EGUs in Illinois based on the application of a NOx emission limitation of 0.25 lbs/mmBtu, beginning May 1, 2003. This plan shows that the area will attain the ozone standard without any of the measures that would be required if the area is reclassified to serious. On June 26, 2001, USEPA approved an attainment date extension for the area until 2004, and issued final approval of the attainment demonstration for the area.

On December 26, 2000, Illinois submitted a major revision of the ozone attainment demonstration for the Chicago ozone nonattainment area. On August 31, 2000, USEPA proposed to approve the portion of Illinois' NOx SIP call rulemakings addressing the so-called EGUs, at 35 Illinois Administration Code (Ill. Adm. Code) Part 217, Subpart W. Also, on June 28, 2001, USEPA proposed approval of the two remaining portions of Illinois' rules to implement the NOx SIP Call: 35 Ill. Adm. Code 217, Subpart T - cement kilns, and 35 Ill. Adm. Code 217, Subpart U - non-

electrical generating units. Illinois' rules to implement the NOx SIP Call were the remaining piece of Illinois' 1-hour ozone attainment demonstration plan for the Chicago severe ozone nonattainment area, and on July 18, 2001, USEPA proposed to approve this attainment demonstration. On November 8, 2001, USEPA published final approval of the NOx SIP Call required rulemakings, Subparts T, U and W. On November 13, 2001, USEPA issued full approval of the attainment demonstration for Chicago.

In addition to our efforts to address 1-hour ozone nonattainment, we will track USEPA's actions regarding 8-hour ozone designations. The ozone program includes all activities relative to ozone, from monitoring to rulemaking to participation in subregional assessments of ozone to operation of the enhanced vehicle emissions testing program to voluntary measures through the Partners for Clean Air Program and the Clean Air Counts Campaigns.

- The Partners for Clean Air (PFCA) is a voluntary organization of industries and other entities in the Chicago area who take certain actions on Ozone Action Days (days when meteorologists predict that the weather patterns are conducive to ozone formation). The Agency forecasts Ozone Action Days based upon weather information and notifies the Partners. The Partners (with their employees) then take one or more actions to help reduce emissions of VOM. Such actions include staggered work hours to reduce rush hour traffic, telecommuting, and suspension of landscaping activities that involve use of small engines such as lawnmowers.

In 2001, the number of Corporate Partners was 450, from only 15 at the beginning of the program in 1995. The Agency's public education efforts have also increased public awareness of actions that individuals can take to reduce ozone formation on Ozone Action Days. The Partners' Top Ten Tips for Ozone Action Days are included on the next page. The PFCA accounted for an estimated 20.0 tons of VOM emissions reduced during the 2000 ozone season as presented in the figure below. We believe the efforts of the Partners and other individuals have been important in reducing the number of ozone exceedance days.

For FY02 the IEPA will continue its role in providing leadership and play an active role in the PFCA of businesses, governments and non-profit organizations throughout the Chicagoland area. Federal funds have been received from the Congestion Mitigation Air quality program to support our efforts of public education and outreach.

Also, in FY02, we will continue to promote the PFCA own superhero, "Breathe Easy Man," to highlight the voluntary actions that can be taken to reduce air pollution. We will also participate in significant public education and outreach efforts.

- b. Title V Program Implementation - This element of the Clean Air program includes the significant permitting activities required by the Clean Air Act. The primary focus in

FY02 is to continue to improve our rate of issuance as well as to participate in and tracking the development by USEPA of revisions to the New Source Review Program, amendments to Part 70, and other related actions prior to seeking amendments to the state program. To that end, we have committed to a schedule for Title V permit issuance, with all initial Title V permits being issued by December 2003.

- c. Air Toxics - Emissions of toxic air pollutants has been a concern of both the IEPA and USEPA for many years. Illinois has been active in the development of maximum available control technology (MACT) standards, required under the Clean Air Act for a number of years. We also anticipate that under Section 112(j) of the Clean Air Act we will be required to develop and implement on a case by case basis at least two of the MACT standards that are not expected to be promulgated by the statutory deadline. We will also continue our participation in various regional and national activities, including the Cumulative Risk Initiative and development of national rules and guidance pertaining to area sources and residual risk.
- d. Compliance - Activities traditionally associated separately with field inspections and enforcement all come under the larger umbrella of compliance. The Bureau will proceed to update and implement the compliance workplan between it and USEPA, Region 5, addressing these activities including any special projects, routine inspections, report reviews, stack tests, and other compliance activities. The Bureau will also participate in specific state and federal initiatives, including implementation of MACT standards as they are promulgated.
- e. Base Programs and National/Regional Priorities - Although the four program areas listed above are very focused priorities, the base programs must continue to function so as to maintain the progress we have achieved thus far both in the area of ozone reductions and with regard to other pollutants, such as sulfur dioxide (SO₂) and particulate matter (PM). Such base programs include air monitoring, state permitting, and data management, among others. Although many of the activities implementing the Agency's pollution prevention and small business programs are carried out by Field Operations Section inspectors and Permits Section analysts, coordination of these programs within the Bureau of Air is included in Base Programs. At the same time, there are key national and regional initiatives that should be included in our priorities, such as deployment of speciation monitoring network to assess fine particulate matter (PM_{2.5}) and regional haze.
 - Quality Management Plan
The IEPA Quality Management Plan (QMP) that includes QMPs for the individual bureaus has been approved by Region 5. The Bureau of Air plans to proceed with implementation of our plan in FY02. The Bureau's goal for FY02 is to evaluate and begin development of any necessary programs that are not currently in place that are part of our QMP. We will also be reviewing and revising any existing programs, as necessary, to comply with implementation of our QMP.

The first step in our implementation process will be to evaluate our quality training needs and to work with Region 5, either as a bureau or through a coordinated Agency effort, to develop a comprehensive training curriculum.

In FY02 the Bureau of Air will also start developing a Records Management System as part of our QMP implementation process. This project will require use of a great deal of time and resources for the Bureau and will be an ongoing project.

2. **Program Linkage to Environmental Goal/Objectives** - Trends in air quality gauge the success of the air pollution control program. These trends are determined from a combination of air quality measurements and emission estimates. The planned program objectives and program activities of the air program contained in this agreement will contribute in a variety of ways to the improvements reflected in those trends. For example, the declining trend in air quality exceedances and the steadily improving air quality conditions measured through the Air Quality Index provide an indication of the quality of the pollution control regulations and the effectiveness of the compliance assurance program. Emission trends illustrate the direct relationship between the control program and reductions of the targeted pollutants in the atmosphere. A summary of our environmental goals, environmental objectives, and the measures that demonstrate progress towards these goals and objectives is as follows:

Environmental Goal

Illinois should be free of air pollutants at levels that cause significant risk of cancer or respiratory or other health problems. The air should be clearer (i.e., less smog), and the impact of airborne pollutants on the quality of water and on plant life should be reduced.

<u>Environmental Objectives</u>	<u>Environmental Indicators</u>
<p><u>General Air Quality:</u></p> <ol style="list-style-type: none"> 1. Maintenance of 90%¹ "good" or "moderate" air quality conditions in the areas of the state outside the Lake Michigan and Metro-East 1-hour ozone nonattainment areas. 2. Maintenance of 90% "good" or "moderate" air quality conditions in the two 1-hour ozone nonattainment areas. 3. Maintenance of attainment status for pollutants other than ozone², especially in urban areas. <p><u>Ozone:</u></p> <ol style="list-style-type: none"> 4. Attainment of the 1-hour ozone standard by 2007. 	<p>Air Quality Index levels outside the 1-hour ozone nonattainment areas.</p> <p>Air Quality Index levels in the 1-hour ozone nonattainment areas.</p> <p>Trends in monitored levels of each criteria pollutant other than ozone.</p> <p>Trends in the relationship between the number of days in exceedance of the 1-hour ozone standard in the nonattainment areas and the number of days conducive to the formation of ozone.</p>

¹The new Air Quality Index, which replaces the Pollutant Standards Index, includes the 8-hour ozone and PM_{2.5} standards. It also includes six categories of air quality: good, moderate, unhealthy for sensitive groups, unhealthy, very unhealthy, and hazardous.

² Although the new 8-hour ozone standard has been upheld by the U.S. Supreme Court, the Court has remanded the case to USEPA to more fully articulate its implementation policy for the 8-hour ozone standard. USEPA has not yet issued a response to this remand order. Although the fine PM standard was also upheld, it cannot serve as a basis to limit air pollution from any individual source until several preliminary steps are completed, including design of a monitoring network, actual monitoring for fine PM and analyses of monitoring samples. Thus, there is currently no regulatory schedule for implementing the fine PM and 8-hour ozone standards. Illinois has continued deployment of our fine PM monitoring network and has begun to collect data. Monitoring for 8-hour ozone is also ongoing and Illinois has submitted its proposed designations for 8-hour ozone nonattainment areas to USEPA. Because the monitoring data for fine PM is incomplete, and implementation of the 8-hour ozone standard is uncertain, meeting these two new NAAQS will not be a specific goal of this FY02 NEPPS. However, Illinois will continue to meet its obligations to monitor these pollutants and will timely respond to any USEPA action on these standards. It should be noted, however, that data relative to the new standards has been used in calculating the "Air Quality Index".

<i>Program Objectives</i>	<i>Program Outcome/Measures</i>
1. VOM emissions in the Chicago nonattainment area reduced by at least an additional 68 tons per day by 2002.	Seasonal VOM emissions in the Chicago area 1-hour ozone nonattainment area by sector.
2. NOx emissions outside the Chicago nonattainment area reduced by at least an additional 105 tons per day by 2002.	Seasonal NOx emissions outside the Chicago 1-hour ozone nonattainment area by sector.
3. Reductions in emissions of hazardous air pollutants.	Trends in hazardous air pollutants as reported through the National Toxics Inventory.
4. Minimize the number of days of high priority violation.	Average number of days for significant violators to return to compliance or to enter into enforceable compliance plans or agreements.

3. Performance Strategies - Performance strategies include the daily activities performed by the Bureau of Air that ensure that our environmental goal and program objectives and outcomes are being met. The performance strategies are described below as program activities. Attaining the 1-hour ozone standard is a priority with the IEPA, and the planning activities related to it have been identified as an area of program activities. The program activities performed in the other four priority areas described below also support the progress we have made towards attainment of the 1-hour ozone standard, as well as support for maintenance of the other criteria pollutants. For example, a source's permit includes conditions that limit the source's emissions of ozone precursors as well as other pollutants so that the source's emissions do not cause or contribute to exceedance of any air quality standard.

- a. Ozone - The 1-hour ozone standard is the only one of the six "effective"³ criteria pollutants for which the State of Illinois is not in attainment. Therefore, attaining the 1-hour standard is a priority for us, and it deserves attention separate from the other, more functional programs in the Bureau of Air.
 - General - IEPA will continue and expand upon our previous progress towards obtaining voluntary episodic emission reductions through the Partners for Clean Air, including measurement of program support, assessment of SIP credit potential, and continuation of our public education efforts. Additionally, we will participate in ozone forecasting and mapping projects.
 - 1-Hour Ozone - When USEPA has completed its remand rulemaking establishing limitations on NOx emissions from internal combustion engines, IEPA will adopt and submit the necessary rules to USEPA. IEPA will submit the annual statewide

³ As discussed *supra* in Footnote 2, there is currently no regulatory schedule for implementing the fine PM and 8-hour ozone standards.

emission inventory of major sources including ozone precursors in NET format, to USEPA. IEPA will also continue participation in the Clean Air Counts campaign between communities in northeastern Illinois and USEPA in an effort to find creative means of obtaining reductions of VOM and NO_x to further enhance air quality in the area.

- 8-Hour Ozone - IEPA will track and timely respond to USEPA's final designations of the 8-hour ozone standard, and its development of planning guidance for implementing the 8-hour ozone standard.
 - Mobile Source Programs - IEPA will continue to add programs and initiatives for motor vehicles and fuels, with an emphasis on clean, alternative fuels and advanced vehicle technologies. The Clean Fuel Fleet Program, the Illinois Alternate Fuels Rebate Program, and the Stage I, Stage II, and Tank Truck certification programs for vapor recovery will continue. Staff will continue to work on new initiatives and projects with the State's Clean Cities collations and select companies to promote clean fueled vehicles, development of fuel infrastructure and niche markets for clean, alternative fuels with federal and state funding. In addition, the Illinois Green Fleets Program was recently launched. Green Fleets provides recognition and additional marketing opportunities for those government and business fleets in Illinois that implement alternative fuels and vehicles into their fleet. Designated "green fleets" will be highlighted in newsletters and on a website.
 - On-Board Diagnostics (OBD) - Federal and state law require pass/fail OBD testing by January 1, 2002. IEPA will work to obtain a legislative change to allow OBD testing in lieu of IM240 test so both tests are not required. In addition, IEPA will submit a revised Illinois Pollution Control Board rule for pass/fail OBD testing and include provision for a waiver of the required starting date to allow Illinois any needed flexibility. IEPA will also work with USEPA for approval of a one-year waiver of such testing if necessary.
- b. Title V Program Implementation - IEPA will continue to improve its rate of issuance of Clean Air Act Permit Program (CAAPP - Illinois' Title V program) permits, and ensure that sources in the State are aware of their obligations to comply with their CAAPP permits. IEPA has committed to a schedule for issuing all initial Title V permits by December 2003. IEPA will also continue to provide Region 5 with draft/proposed permits for federal review concurrent with public notice and review. Improving our rate of issuance of CAAPP permits is a necessary and important element of our air program that assists Illinois in meeting its environmental and program objectives of attaining the ozone standard and maintaining attainment of the other NAAQS. The Bureau of Air and Region 5 will jointly determine and address any required revisions to the Title V program resulting from adoption of USEPA's final amendments to 40 CFR part 70 and any permitting issues. We will process construction permit applications, including PSD and New Source Review evaluations, as appropriate. The Bureau will improve its rate of input into the RACT/BACT Clearinghouse.

- c. Air Toxics - The Bureau of Air's air toxics program is very active on the national level in the development of MACTs, on the state/regional level through our participation in the mercury initiative and the Great Lakes project, and on the state level in the development of data relative to toxic pollutants other than HAPs that Illinois has identified as being of concern in this state.

- MACT Development - We will continue our very active participation in development of MACT standards during FY02, including participation in the development of NESHAPs for the miscellaneous organic NESHAP, iron and steel foundries, site remediation, metal can coating, and miscellaneous metal parts products coating, among numerous others.
- § 112 Implementation - IEPA will continue implementation of § 112 major HAPs requirements consistent with the Delegation Agreement between Illinois and USEPA, including subsections (g)(New Source Review), (f)(residual risk), (i)(early reductions), (j)(site-specific MACT where USEPA has not promulgated categorical MACT), and (r)(risk management plans). Moreover, IEPA will work with Region 5 in implementation of § 112(k) through the various community-based initiatives identified below. USEPA expects to miss the May 15, 2002 promulgation deadline for as many as four MACT standards. Thus, under Section 112(j) of the CAA, the "hammer clause" will be triggered and IEPA will accept applications for pre-construction review of MACT for sources in a source category subject to a pending NESHAP and either accept or reject the MACT proposal.

With the advent of Section 112 MACT promulgation, regulatory innovation should be stressed as a compliance mechanism. Since the outset of MACT regulatory development, many new approaches to HAP reductions have emerged and should be encouraged through EMS agreements and achievement tracking.

- Monitoring - Illinois will continue the operation of the urban air toxics monitoring site at Northbrook for calendar 2002, including collection of air quality data and submission of that data to AIRS on the same schedule as PAMS data is submitted. IEPA will operate four PAMS monitoring sites on the required schedule.
- Urban Toxics Strategy - Illinois will work with USEPA within the framework of the Integrated Urban Air Toxics Strategy, including evaluation of the impact of the strategy on Illinois source sectors, evaluation of federal/state roles, and determination of the significance of sectors not affected by MACT standards.
- Local-Scale Toxics Assessment - IEPA commits to working with Region 5 to assess and where necessary, update, the inventory for the Cumulative Risk Initiative (CRI). Once inventories are updated and verified, IEPA will work with Region 5 to identify any need for reductions of air toxic emissions near sensitive populations, and will explore opportunities to gain voluntary reductions of any pollutants of concern. This effort will include source inspections and the examination of dispersion and exposure

models, if appropriate. Also, the IEPA will target 8 to 15 CRI sources for full inspections for compliance and pollution prevention follow-up, as appropriate.

- National Air Toxics Assessment (NATA) - IEPA commits to tracking the development of the NATA and evaluating its results, including coming to an understanding of USEPA's methodology. IEPA will also work with Region 5 in providing outreach and a forum by which questions that arise from the public availability of NATA and the CRI can be answered on a professional basis by either agency. IEPA and Region 5 will collaborate to interpret NATA results and examine whether these results can be useful in local-scale assessments.
 - Great Lakes Project - Illinois will continue its work on air toxics inventory enhancement in conjunction with the Great Lakes Project. Additionally, assuming approval of our proposal, Illinois will join with Ohio in the deployment of state-of-the-art mercury monitoring. Illinois will collaborate with Region 5 and the other Great Lakes states to develop a long-range regional plan to address air deposition.
 - Mercury Initiative - Illinois will continue its work with other Region 5 states regarding determination of the uses of mercury and how to address reduction of its use and in Region 5's Binational Toxics Strategy Mercury Workgroup to reduce releases of mercury in the Great Lakes Basin. Additionally, deployment of the state-of-the-art mercury monitors identified above will provide more specific information regarding mercury deposition.
 - Inventory - We will continue to work with Region 5 to refine Illinois' air toxics inventory as part of NATA including the quality assurance and completion of the 1999 inventory of 188 HAPS in NET format and development of 1999 database modeling parameters.
- d. Compliance - All compliance matters, including field inspections and enforcement, are addressed under this category.
- Inspections - The Field Operations Section will execute the inspection plan established in conjunction with the Region 5, USEPA. The plan will utilize a comprehensive approach to planning all compliance activities, including a priority/resource based analysis of inspections and other inspector related activities. This includes sources with Clean Air Act Permit Program permits and Federally Enforceable State Operating permits, agricultural facilities, refineries, steel companies, chemical manufacturers, Emission Reduction Market System participants, other large emitters, asbestos demolition and renovation projects, complaint and enforcement follow-up investigations, and complicated emitters. As FFY 02 proceeds, we will use this method to refine our analysis and resource allocation to ensure the most effective inspection program possible based on available resources.

In addition to our inspection efforts, we have intergovernmental agreements with the City of Chicago Department of Environment and the Cook County Department of

Environmental Control. The agreements outline specific inspection and other activities that they perform on our behalf. These activities are mostly related to dry cleaners, asbestos removal activities and complaint investigations.

- Compliance - The Compliance and Enforcement Section of the Bureau of Air will facilitate compliance and enforcement initiatives, including the following National/Regional initiatives: refineries; printing/publishing sources; HON sources; chemical sector sources; federal facilities; NSR/PSD/FESOP/Title V sources; stack testing; portland cement plants; and mega-animal feeding facilities. The date stack testing was completed, the results of the test, and the type of enforcement action taken will be entered into AFS for sources found in violation of emission limitations. Also, the date of submittal, the compliance status, and enforcement follow-up will be entered into AFS for Title V sources subject to the annual compliance certification requirement. IEPA will work towards providing stack test information for all sources that test during FY02. Additionally, the Compliance Unit will track compliance with the ERMS, including trades. IEPA will continue its annual performance review and report as provided in the ERMS rules.
- e. Base Programs and National/Regional Priorities - The base programs are those areas of the air program that continue every day to assure clean air in the state. This element of the air program includes, for example, air monitoring and analysis and speciation of fine PM. National/regional priorities are those specific areas of air pollution control that USEPA or Region 5 has identified as deserving of particular attention.
 - Air Monitoring - The Bureau of Air will compile a complete and valid air quality database sufficient to meet program needs and USEPA's requirements. We will operate the air monitoring network pursuant to USEPA's guidelines. Additionally, we will continue to obtain data from the PM_{2.5} monitoring system and will deploy the remaining five chemical speciation sites as federal funding allows. It is important that federal funding pursuant to § 103 be continued and be timely. We will work with Region 5 to conduct audits on CEMs.
 - State Permitting - The Bureau of Air will continue to process construction and "lifetime" operating permit applications for state (non-Title V/non-FESOP) sources and provide proposed construction permits to Region 5 as appropriate.
 - PM_{2.5} - Through multi-state workshops coordinated by LADCO, Illinois and the other LADCO states' staffs have begun developing the process to expand the state inventories to include emissions of PM_{2.5} and PM_{2.5} precursors.
 - Regional Haze/BART - The Bureau of Air has worked with the Midwest Regional Planning Organization (LADCO) and other midwestern states to develop and actively participate in a process to address the requirements of the 1999 Regional Haze Rule. The Bureau of Air will continue to participate in conferences and workshops necessary to address regional haze.

- Vehicle Programs - The Bureau of Air will implement its Clean Fuel Fleets Program and will continue its programs addressing vapor recovery (Stage I, Stage II, and Tank Truck Certification). We will also continue operation of the State program established pursuant to the Illinois Alternative Fuels Act, which is to encourage the use of alternative fuels in the State, partially through encouraging establishment of a refueling infrastructure.
- Data Management - Data management is a program important to the Bureau of Air's ability to efficiently handle the vast amounts of data generated through permitting, inspections, inventory development, air quality planning, monitoring, and so forth. It is an element of our program that supports our efforts to attain the ozone standard and to maintain attainment with the other NAAQS.
 - ERMS Database Implementation - The Bureau of Air will continue to collect and maintain all relevant data and thereby evaluate the performance of the program.
 - Annual Emissions Reporting - The Bureau of Air has revised the Annual Emission Report rules to encompass special ERMS reporting of HAPs, as well as other changes in reporting requirements since it was last amended.
 - Integrated Comprehensive Environmental Data Management System (ICEMAN) - We will continue to expand the capabilities of ICEMAN. Areas of importance include: extracting modeling-ready data, web access by the public to appropriate data and modifications, as necessary, to implement the Compliance Monitoring Strategy (CMS) requirements.
 - Agency Compliance and Enforcement System (ACES) - In cooperation with other parts of IEPA, we have begun and will continue the detailed design and the implementation of ACES at an Agency level.
- Community Relations - The Bureau of Air is committed to involving the public (citizens, community leaders, and company representatives) in various Bureau activities. The Bureau of Air, through the Office of Community Relations, disseminates information and promotes public involvement in various Bureau programs through a variety of outreach mechanisms, including public meetings and hearings, workshops and conferences, fact sheets and pamphlets, news releases, and responsiveness summaries. Community Relations is engaged in an ongoing process to maintain a dialogue with individuals and groups to ease public concern, raise public awareness, and increase public trust.
- Multimedia Agency Programs - The Bureau of Air will continue its active participation in the Agency's public education program, including actions to educate the public regarding measures individuals can take to help reduce pollution. The Agency's Pollution Prevention Program is assisted by the Bureau of Air principally through Permits and Field Operations Sections; these Sections will enhance their assistance to metal finishers, coaters, and other sources. Pollution prevention assistance will continue to be a routine part of inspections performed by Bureau of Air inspectors. Inspectors and permit analysts will assist small businesses in their awareness and understanding of existing and proposed MACT standards and air pollution regulations. As described above under Air Toxics, we will continue our

participation in the Great Lakes Project. We will also proceed with a regulatory approach to limiting particulate emissions of lead from, principally, sandblasting activities, part of another Agency initiative. Bureau of Air will support the Agency's Regulation Innovation Program through the Permits Section.

- National/Regional Priorities - As described above, we will continue active participation in the development of MACT standards. Promulgation of the Section 112(c) list of MACT standards is expected in FY02. USEPA expects to promulgate all but four of the MACT standards listed in the CAA by May 15, 2002. Any MACT standards not timely developed by USEPA must nevertheless be implemented by the IEPA pursuant to Section 112(j) of the CAA as of May 15, 2002. Any such activities will be administered by IEPA under the Delegation Agreement. IEPA will continue to participate in Section 112(f) residual risk committees for targeted MACT standards. Section 112(f) is expected to be a component in the Urban Air Toxics Integrated Strategy development over the next five years. Also, as described above, we will participate with Region 5 in performing audits of CEMS, particularly those for SO₂ and NO_x. Region 5 will help the state in its participation on a national level in the development of ozone policies and will work with the Agency to streamline Title V. The Bureau of Air will participate in the Chicago Compliance Initiative and the Clean Air Counts campaign.

4. Clean Air Program Resources

Federal Resources	51 FTE
State Resources	<u>352</u> FTE
TOTAL	403 FTE

5. Federal Role - The Region 5 Air and Radiation Division (ARD) commits to support the Bureau of Air in all efforts necessary to achieve the Agency's mission of Clean Air. A priority will be playing a leadership role in the identification and resolution of program issues at the national level which impact state implementation. Region 5 will work with Illinois to assess issues of concern and develop possible solutions. Region 5 will facilitate issue resolution through the HQ process to ensure answers are timely and responsive to state concerns, while reflecting appropriate national consistency. Specifically with regard to SIPs, Region 5 will provide technical assistance, review, and testimony where requested, before and during state rulemaking. Completeness reviews will be completed within 60 days, but no later than 6 months from the date of submittal, and Region 5 will prepare Federal Register actions as expeditiously as possible, while striving to achieve statutory deadlines for rulemaking actions. Administratively, ARD will continue to provide IEPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards.

ARD will work with IEPA to seek innovative ways to address broad regional priorities, including community based environmental protection, pollution prevention, and compliance

assistance. Geographic initiatives are in place in the Greater Chicago and East St. Louis areas in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns related to air pollution. Greater Chicago Team activities for FY02 which relate to air programs include the continued asthma outreach and education, especially networking with local organizations such as the Chicago Health Corps to develop more effective communication tools, and promoting assessment of transportation and sustainable development activities. For example, Region 5 will be participating on the Clean Air Counts campaign, which, among other things, will assess the impacts of New Source Review (NSR) construction permit regulations on infill development. ARD will also provide continued support to the Cumulative Risk Initiative (CRI), the result of the TSCA Petition submitted to Headquarters regarding cumulative risk issues and incinerators. The Region plans to finalize and release this study during FY02. Completion of the loading profile phase was completed in FY01, with data being made available to the State, local agencies and the communities and the industries indicated by the assessment as principle contributors of toxic emissions in the study area. We envision multiple opportunities to use this information to assess and target opportunities to reduce current emissions, as well as to apply information and analysis in the report to better understand and implement our MACT inventory, and monitoring activities. We expect to work with IEPA to brainstorm and prioritize such efforts. The Region has put in place a grant with the Delta Institute to identify facilities that may be emitting high hazard pollutants for pollution prevention and ISO 14000 activities. This project will commence as soon as the study is finalized. Air-related priorities in the Gateway area include the creation of action plans to develop sustainable urban development and its related benefits. This is accomplished by pulling together stakeholders including communities, businesses, and environmental groups to meet in workshops and discuss how to maximize economic and environmental benefits to their city. Region 5 will also participate in the Clean Air Counts campaign which is designed to explore NSR effects on redevelopment, air quality benefits of infill development, and research of clean utility siting in urban areas.

Region 5 has been actively involved in the Clean Air Counts campaign in the Chicago area, with a diverse network of stakeholders to create new strategies for attaining Clean Air Act standards while achieving redevelopment goals. These strategies will influence municipal and private actions such as Brownfield redevelopment, investments in transit, greening, and other infrastructure, pollution prevention, and land use decisions. Region 5 continues to be involved in various workgroups that were formed to concentrate on pieces of the Campaign. These include clean air technology, aggregation, incentives and credits, development and energy. Out of these workgroups, we will identify activities to be implemented in both the short and long term that enable specific actions to occur that are necessary to combine cleaner air with redevelopment activities. These actions and activities may also qualify as reductions under the State Implementation Plan (SIP) or may improve the livability within a nonattainment area.

Regional activities in the State's broad program components include the following that ARD will undertake:

a. Ozone

- Provide technical assistance to Illinois in the implementation of the NOx SIP Call, particularly the federal NOx trading program.
- Provide Illinois with guidance on the status of the federal lawsuits regarding the 8-hour ozone standard and NOx SIP Call development.
- Provide Illinois with active support in bringing the Metro-East area into attainment.
- Provide technical assistance and advice in development of upcoming reasonable further progress plans for the 8-hour ozone standard.
- Coordinate with IEPA on any response to comments on proposed approval of the Illinois Emissions Market Reduction System trading program.
- Provide technical assistance to Illinois in implementation of its Clean Fuel Fleet program.
- Take appropriate rulemaking action on Illinois' Phase II attainment demonstration plan for the 1-hour ozone standard and provide assistance in resolving any issues.
- Assist Illinois in the implementation of the new MOBILE6 mobile source emissions model and provide technical assistance to address any issues.
- Provide technical assistance in addressing issues and in resolving problems associated with demonstrating conformity of transportation and general programs, plans, and projects to the State Implementation Plan.
- Work with the State to continue implementing and improving upon existing Ozone Mapping System.

b. Title V

- Facilitate timely resolution of permit issuance rate impediments identified with State. Promote timely resolution of national issues, and common sense solutions for addressing newly identified concerns in a manner which promotes continued issuance of Title V permits.
- Work with State and HQ to streamline Title V where national opportunities exist and where state-specific efforts are feasible, including reviewing draft/proposed permits concurrently with public review.
- Provide technical assistance as requested by the State for issues such as applicability determinations.
- Review a broad range of draft permits consistent with the Permits Memorandum of Agreement and provide feedback at the staff level on permit content, organization, and structure during program start-up and on draft permits of concern where there is reason to believe that public scrutiny will be high, while minimizing review of those permits that include federally enforceable permit conditions to limit applicability of various regulatory thresholds, particularly where the State has issued similar permits previously.
- Provide all information relative to changes in Title V regulations and guidance in a timely manner.
- Provide general training opportunities as appropriate.
- Provide the State with specific concerns with regard to Title V approval, including enforcement and compliance provisions.

- Consult with the IEPA during the development of federal rules and policy to the extent feasible.
- On a quarterly basis, Region 5 will submit the following information to IEPA during Title V/NSR conference calls.
 - 1) Any sources with CAAPP applications pending for which significant public interest or a concern over environmental justice has been identified by USEPA;
 - 2) Any sources with CAAPP applications pending in which USEPA has any special interest, with explanation; and
 - 3) Any source with an issued CAAPP permit for which a petition for review by USEPA has been submitted, pursuant to Section 505(b)(2) of the Clean Air Act.
- Approve Illinois' Title V program.

c. Air Toxics

- Provide assistance in implementing MACT. In particular, provide assistance in any applicability determinations and control requirements associated with those NESHAP impacted by Section (112(j), the "hammer" clause.
- Work with Delta Institute and CRI stakeholders on CRI Pollution Prevention/ISO 14000 project.
- Support Illinois' efforts to secure additional funding for air toxics monitoring.
- Assist Illinois in implementing their air toxics monitoring network and in conducting data analysis.
- Coordinate and advance the understanding of mercury impacts and seek reductions as appropriate.
- Coordinate efforts to develop state toxics inventories and assist in the QA.

d. Compliance Assistance and Enforcement

- Region 5 FY02 initiatives include coal fired utilities, refineries, MACT (degreasers, chrome platers, printing/publishing), HON sources, chemical sector sources, minimills, federal facilities, portland cement plants, ozone sources, a stack testing initiative in geographic priority area, and NSR/PSD/FESOP/Title V.

e. Base Programs and National/Regional Priorities

- Air Monitoring:
 - Conduct Quality Assurance (QA) system audits of the IEPA ambient air quality monitoring network and provide the service of QA performance audits when needed in coordination with IEPA.
 - Continue to provide assistance and technical support for the Photochemical Assessment Monitoring Stations (PAMS) in coordination with IEPA.
 - Work with the State to implement Lake Michigan PAMS data analysis plan.
 - Work with the State in reviewing and approving annual NAMS/SLAMS network plans.
 - Provide IEPA the resources needed to support the national trend site for PM2.5 speciation.
 - Provide Illinois training in quality assurance and data reporting for PM2.5.
 - Support Illinois' efforts to secure Section 103 funding for PM2.5 monitoring.
 - Assist the state in obtaining additional funding for toxics monitoring.

- Assist the state in the implementation of the air toxics monitoring network and conduct data analysis.
- Permitting (other than Title V):
 - Facilitate timely resolution of permit problems, including resolution of national issues and common sense solutions for addressing identified concerns.
 - Provide technical assistance as requested by the State for issues such as applicability determinations.
 - Review draft permits consistent with the Memorandum of Agreement, including FESOP, netting, all PSD permits and permits of concern where there is reason to believe that public scrutiny will be high.
 - Provide all information relative to changes in construction permit program regulations and guidance in a timely manner.
- Small Business
 - Promote regional communication and information exchange through quarterly conference calls and an annual conference.
 - Address questions, complaints, and compliance efforts regarding the Stratospheric Ozone Protection programs throughout the State.
 - Work with the State to develop a mechanism to assess how well small business MACT outreach is furthering compliance goals.
 - Continue to host quarterly calls with state/local dry cleaner contacts.
 - Continue to provide ongoing technical assistance to state/local dry cleaner contacts. Region 5 will continue to provide a conduit for state/local dry cleaner contacts having issues to be addressed by USEPA headquarters and will continue to assure access for these contacts to federal documents, information and other resources that become available.
- Public Outreach and Education
 - Provide outreach information and educate stakeholders by providing materials, attending meetings, and making presentations on the NOx SIP Call as requested by the State or other stakeholders.
 - Continue to support the Ozone Action Days and Partners for Clean Air programs through mailings of materials and other outreach activities.
 - Continue to be a "Partner for Clean Air."
 - Participate in community forums on urban sprawl and hold at least another community workshop in the East St. Louis area on urban sprawl.
 - Assist Illinois in educating affected stakeholders on the Clean Fuel Fleet program.
 - Pursue opportunities for public education and outreach using its Ozone Action Days brochures, particularly focusing on our geographic initiative minority communities, finding ways to effectively provide this information to parents of children that may be especially vulnerable.

- Expand and enhance ARD's Homepage to provide both general and State-specific information on environmental problems and conditions in a manner that is readily understandable.
- Region 5 will continue to collaborate with IEPA and environmental providers in Illinois to build and expand state capacity in environmental education.
- Continue outreach on asthma and its relationship to air pollution in the Greater Chicago area.
- Provide outreach information and educate stakeholders by establishing meetings, seminars, and materials, particularly in the form of Q/A, regarding the National Air Toxics Assessment (NATA) and the CRI projects.

6. **Federal Oversight** - As part of the planned output for the air program, the IEPA will submit information to the USEPA's data system in addition to providing a variety of summary reports and analyses. The oversight arrangements listed here anticipate that USEPA will avail itself of such information as part of its oversight program. The remainder of this section discusses special arrangements, including on-site inspections for specific parts of the air program.

a. Ozone

- Vehicle Inspection and Testing - The Illinois Auditor General's Office has completed a nearly seven month intensive audit of Illinois' Vehicle Inspection and Testing Program. Based on the report issued by the Auditor General, this program is functioning at a high level. Therefore, on-site audits or inspections of routine program are not recommended. IEPA will address all findings of the Auditor General.

b. Title V

- FESOPs - Federally enforceable permit programs (e.g., NSR, PSD, FESOP, Title V) will receive review sufficient to ensure programmatic integrity. Draft permits will be made electronically accessible to USEPA with paper copies and supporting documents provided upon request. USEPA will minimize the review given to CAAPP permits that are substantially similar to previously-issued permits that have been reviewed.
- Region 5 will work with IEPA to jointly develop a complete and accurate source inventory. USEPA continues to develop source listings under regulatory development (i.e., ICRs, SEPs, etc.). This information should be available to Illinois to enhance source inventory data.

c. Base Programs and National/State Priorities

- Air Monitoring - USEPA will review results of National Performance System Audit program and perform limited on-site audits or inspections on a case-by-case basis pursuant to joint agreement on the needs specific to the State program. For source emissions monitoring, USEPA will participate in witnessing selected stack tests in conjunction with the State.

B. Clean Land Program

1. Program Description

The Bureau of Land implements the Clean Land Program. BOL's goals are to minimize generation of wastes, maximize proper management of waste generated, and maximize restoration of contaminated land. To achieve these goals BOL has divided its resources into six broad environmental focus areas and 17 BOL programs:

Hazardous Waste Management

- a. RCRA Subtitle C Program regulates the generation, transportation, treatment, storage, or disposal of hazardous wastes to ensure that hazardous wastes are managed in an environmentally sound matter.
- b. Underground Injection Control Program regulates the underground injection of liquid hazardous waste into deep wells to ensure that underground sources of drinking water are protected from contamination. (Note: This program also regulates the injection of liquid non-hazardous waste as a disposal method.)

The IEPA is currently under negotiation with USEPA Region 5 concerning the return of the UIC primacy program to Region 5. The Agency has determined that the resources required to properly operate this program under the primacy provisions are not available from USEPA. The negotiations may result in a number of possibilities, including (but not limited to): 1) the complete return of the UIC program to Region 5; 2) the Agency's operation of UIC permitting, inspection, and inventory activities under contract with Region 5; or 3) the continuance of the Agency's operation of the primacy program with a substantial increase in funding by USEPA.

Nonhazardous Solid Waste Management

- c. RCRA Subtitle D Program regulates municipal solid waste landfills. Although source reduction, reuse, recycling, and composting diverts a portion of the municipal solid waste from disposal, landfilling remains the most popular waste management practice.
- d. Household Hazardous Waste Collection Program diverts municipal waste containing hazardous materials (e.g., waste oils, petroleum distillate-based solvents, oil based liquid paints, pesticides) from landfills through one-day collection events and long-term collection facilities.
- e. High School Hazardous Waste Collection Program provides school districts with hazardous educational waste collections associated with one-day household hazardous waste collection events.

- f. Partners for Waste Paint Solutions Program offers consumers the opportunity to return paint products to paint retailers, local units of government, recycling centers, and material recovery facilities participating in the program.
- g. Used Tires Program ensures that used tires are managed properly and are recycled or converted to tire-derived fuel (TDF) for energy recovery or other beneficial use and that improperly stored/disposed used and waste tires are cleaned up.
- h. Industrial Materials Exchange Service provides an information exchange for hazardous and nonhazardous waste by-products, off-spec items, and overstocked or damaged materials with a potential for industrial reuse.
- i. Underground Injection Control Program regulates non-hazardous industrial waste injection wells, septic systems, storm water drainage wells, and other wells that inject fluids below the land surface. (Note: This program also regulates the underground injection of liquid hazardous waste into deep wells.)

The IEPA is currently under negotiation with USEPA Region 5 concerning the return of the UIC primacy program to Region 5. The Agency has determined that the resources required to properly operate this program under the primacy provisions are not available from USEPA. The negotiations may result in a number of possibilities including (but not limited to): 1) the complete return of the UIC program to Region 5; 2) the Agency's operation of UIC permitting, inspection, and inventory activities under contract with Region 5; or 3) the continuance of the Agency's operation of the primacy program with a substantial increase in funding by USEPA.

During the reversion process IEPA commits to maintain a level of effort on the Class I and V wells equal to the commitment specified in the FY 2000 agreement.

Federal Cleanups

- j. National Priorities List Program investigates and cleans up Superfund⁴ sites (i.e., the most serious hazardous waste sites in Illinois, as well as the nation).
- k. Federal Facility Program provides assistance to federal agencies responsible for conducting cleanups and provides assurance to local communities that federal facility sites have been cleaned up satisfactorily.
- l. Site Assessment Program collects and evaluates environmental information on uncontrolled hazardous waste sites which pose an unacceptable risk to human health and the environment. The information is gathered to screen sites for no further action

⁴ Superfund generally refers to the USEPA program operated under the authority of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA) and Superfund Amendments, Reauthorization Act of 1986 (SARA), and National Oil and Hazardous Substances Pollution Contingency Plan of 1990 (NCP).

determinations, to advance sites in the Superfund investigation process (see item "o." below), or for Brownfields redevelopment.

State Cleanups

- m. Response Action Program administers cleanup at those sites where State or responsible party resources are necessary to clean up hazardous substances.
- n. Site Remediation Program provides participants (remediation applicants) with the opportunity to voluntarily clean up contaminated sites with IEPA oversight.

Leaking Underground Storage Tank Cleanups

- o. Leaking Underground Storage Tank Program directs the cleanup of properties where petroleum or hazardous substances have leaked from state and federally regulated underground storage tanks and the Illinois Emergency Management Agency has been notified. BOL also administers the Underground Storage Tank (UST) Fund to help tank owners and operators pay for these cleanups. BOL program staffing is paid for from the federal LUST Trust Fund.

Other Environmental Areas

- p. Office of Brownfields Assistance promotes the cleanup and redevelopment of abandoned or underutilized commercial and industrial properties.
- q. Noise Pollution Control Program assists in the implementation of noise pollution control regulations.

2. Program Linkage to Environmental Goals/Objectives

BOL utilized the SMART framework to illustrate the multi-level relationship between program and environmental objectives, and Bureau-specific goals.

ENVIRONMENTAL GOAL Safe Waste Management and Restored Land	
<u>Environmental Objectives</u>	<u>Environmental Indicators</u>
<ol style="list-style-type: none"> 1. By 2005, reduce or control risk to human health and the environment at 90,000 acres with contaminated soil, contaminated groundwater, or unmanaged waste. 2. By 2005, no significant releases from waste management facilities that harm off-site groundwater, human health, or the environment. 3. By 2005, reduce the waste disposed in Illinois from in-state sources to 34 million cubic yards per year. 	<p>[CORE] Acres of land where human health risk is reduced or controlled</p> <p>Greater number of facilities in detection monitoring</p> <p>Cubic yards of waste disposed in Illinois from in-state sources</p>
<u>Program Objectives</u>	<u>Program Outcomes</u>
<ol style="list-style-type: none"> 1. By 2005, reduce the annual amount of hazardous waste managed at commercial treatment/disposal facilities by 10%. 2. By 2005, 25% of the municipal waste stream generated in Illinois will be recycled. 3. By 2005, 60% of operating waste management sites with groundwater monitoring systems will be in detection monitoring. 4. By 2005, 95% of waste management sites with groundwater monitoring systems have no measurable release to groundwater. 	<ul style="list-style-type: none"> • Tons of hazardous waste managed at commercial treatment/disposal facilities annually • Tons of municipal waste recycled • Amount of municipal waste diverted from solid waste disposal facilities through IEPA-sponsored collection events and alternative management methods • Number of hazardous waste management facilities conducting detection • Number of hazardous waste management facilities conducting assessment/compliance monitoring • Number of hazardous waste management facilities performing corrective action • Number of nonhazardous waste management facilities conducting detection • Number of nonhazardous waste management facilities conducting assessment/compliance monitoring • Number of nonhazardous waste management facilities performing corrective action

<p>5. (Draft) - By 2005, 90% of RCRA-regulated and inspected sites will be in full compliance within 90 days of the inspection date.</p>	<ul style="list-style-type: none"> • [CORE] Significant Non-Compliers (SNC) rate within compliance monitoring program • [CORE] Average number of days for SNC to return to compliance or to enter enforceable compliance plans or agreements • [CORE] Percent of SNC at which new or recurrent violations are discovered (by reinspection or compliance order monitoring) within two years of receiving a final order in an enforcement action • [CORE] Percent of hazardous waste managed at Treatment, Storage, and Disposal facilities with approved controls in place • [CORE] Description of environmental benefits that are achieved due to resolution of enforcement cases that involve P2, SEPs, etc., when information is readily available • Success rate of Compliance Assistance Program (% of generators in compliance at the beginning of compliance assistance surveys; % of generators in compliance at the end of compliance assistance surveys; and % of generators in compliance within 90 days after compliance assistance surveys)
<p>5. By 2005, ensure proper closure and post-closure of all inactive landfills.</p>	<ul style="list-style-type: none"> • Number of inactive nonhazardous landfills closed • Percentage of GPRA Baseline Post-Closure Universe landfills facilities brought under control • Number of closure plans approved
<p>6. By 2005, clean up 16,424 sites (about 93,475 acres):</p> <ul style="list-style-type: none"> • 14,900 state and federally regulated Leaking Underground Storage Tank (LUST) sites (26,075 acres) • 1,453 voluntary cleanup sites (9,600 acres) • 27 identified abandoned landfills (1,800 acres) • 37 National Priorities List sites (6,000 acres) • 7 Federal facility sites (50,000 acres) 	<ul style="list-style-type: none"> • Acres remediated annually at LUST sites based on the issuance of No Further Remediation (NFR) Letters • Acres remediated annually at site remediation programs based on the issuance of NFR Letters and 4(y) Letters • Acres remediated annually at abandoned landfills through the State Response Program based on constructions completed • Acres remediated annually at National Priorities List sites based on constructions completed • Acres remediated annually at Federal facilities based on the issuance of NFR letters 4(y) letters and Findings of Suitability for Transfer

3. **Performance Strategies**

Performance strategies are plans to optimally employ resources and effectively direct BOL's efforts to achieve the three environmental objectives identified above. BOL's strategies for FY2002 are: (1) reduce the quantity and hazardous nature of waste generated (particularly those wastes containing Persistent, Bioaccumulative, and Toxic (PBT) constituents); (2) increase recycling and reuse; (3) manage pollution and waste; (4) clean up releases of wastes and hazardous substances; and (5) provide incentives for cleanup and redevelopment of underutilized industrial and commercial properties. Each of these strategies affects at least one of the six environmental focus areas. The effectiveness of BOL in implementing the strategies will be measured through the accomplishment of the program objectives (listed above) by the different BOL programs. Below is a description of program activities for the six environmental focus areas for FY2002.

Hazardous Waste Management

- a. *Help companies identify and apply cleaner technologies and practices.* BOL and the IEPA's Office of Pollution Prevention (OPP) assist generators in identifying in-plant practices that may reduce the volume and toxicity of wastes (particularly those containing PBT constituents). BOL prepares Pollution Prevention Feedback Summary forms summarizing pollution prevention topics discussed with the generators. Completed forms are submitted to the IEPA's Office of Pollution Prevention for follow-up assistance.

For FY2002, BOL will support pollution prevention activities through continuing education of their staff, conducting joint inspections (with OPP) at RCRA generators, and by promoting pollution prevention opportunities during surveys/inspections.

- b. *Integrate pollution prevention into BOL's compliance and enforcement programs.* For FY2002, enforcement cases will be evaluated to incorporate supplemental environment projects⁵ that include pollution prevention measures (particularly in the area of PBTs).
- c. *Permit facilities that treat, store, and dispose of hazardous waste.* USEPA and BOL require owners and operators of hazardous waste management facilities to obtain and comply with permits prescribing technical standards for design, safe operation, and closure of their facilities. BOL has adopted the following permitting action plans in cooperation with USEPA:
 - BOL will ensure the safety and reliability of hazardous waste combustion by implementing the *Combustion Initiative's* permitting strategy: (1) establish

⁵ Supplemental environmental project is an environmentally beneficial project that a violator agrees to undertaken in settlement of an enforcement action, but which the violator is not otherwise legally required to perform.

higher priority for combustion facilities resulting in the greatest environmental benefit or the greatest reduction in overall risk to the public; (2) ensure employment of sound science in technical decision-making; and (3) include public involvement in permitting decisions. For FY2002, BOL and USEPA will evaluate the use of a risk assessment by Trade Waste Incineration, Inc. (Sauget, Illinois)⁶ as a condition of its renewal application. Other activities planned are the review of renewal permit applications for Eastman Chemical (Carpentersville, Illinois) and Akzo Chemical (Morris, Illinois).

d. *Ensure compliance by inspecting and monitoring individuals and waste management facilities that generate, transport, treat, store or dispose of hazardous waste and take enforcement measures when necessary.* To implement this strategy, BOL has adopted the following activities:

- Compliance Assistance Program - BOL will promote environmental compliance among small businesses by conducting compliance assistance surveys regardless of the volume of waste generated. The purpose of the survey is (a) to educate business owners and operators of their regulatory obligations under RCRA; (b) to achieve compliance through assistance rather than enforcement; and (c) to identify pollution prevention opportunities (particularly in the area of PBTs). BOL will notify a business of deficiencies in writing within 45 days of the survey⁷. A Compliance Evaluation Inspection will be conducted and appropriate enforcement actions will be taken if the business fails to correct all identified deficiencies within 90 days of the initial survey.

For FY2002, BOL will conduct 250 compliance assistance surveys. The compliance success rate⁸ of businesses with Federal identification numbers will be entered into the *RCRAInfo System*. BOL will include the results of all compliance assistance surveys conducted in the FY2002 Annual Performance Report.

- Compliance Evaluation Inspections - BOL will conduct inspections to verify compliance status with RCRA requirements. BOL pursues compliance through the use of inspections, Violation Notices/Non-compliance Advisories, and enforcement actions, where appropriate.

⁶Illinois' only commercial hazardous waste incinerator.

⁷ If a substantial and imminent danger is identified during a survey, BOL will cancel the survey and immediately initiate a Compliance Evaluation Inspection.

⁸Percent of generators in compliance at the beginning of compliance assistance surveys; Percent of generators in compliance assistance surveys; and Percent of generators in compliance within 90 days after compliance assistance surveys.

Eighty-five (85) waste management facilities in Illinois actively treat, store and/or dispose of hazardous waste. For FY2002, BOL will inspect 55 of these facilities.⁹ These inspections may include Compliance Evaluation Inspections (CEI), Compliance Schedule Evaluations (CSE), Comprehensive Groundwater Monitoring Evaluations (CME), Operation and Maintenance Inspections (OAM), Closure Verification Inspections (CVI), and Financial Record Reviews (FRR). In addition, BOL will inspect 100 generators regulated under RCRA. There are several criteria for selecting these 100 generators for inspection. Generators targeted for inspection may possess any combination of the following criteria:

- (a) Filed a 1999 Hazardous Waste Annual Report indicating they are an active large-quantity generator (LQG) of hazardous waste;
- (b) Produce hazardous waste containing persistent, bioaccumulative, and toxic (PBT) constituents;
- (c) Have a history of non-compliance;
- (d) Have an active enforcement order issued against them;
- (e) Are identified in RCRAInfo as a G1 and notified after January 1, 1990;
- (f) Filed a Hazardous Waste Annual Report (as an LQG) in the past but no longer file reports;
- (g) New generators;
- (h) Small-quantity generators outside of the Des Plaines Region.

In some BOL regions, the LQG universe has been inspected in the past 2-3 years. In those instances, BOL will focus on other categories of RCRA generators that meet one or more of the criteria identified above. BOL anticipates that these inspection activities may identify some LQGs that are currently non-filers.

All violations discovered by BOL will be addressed in accordance with the USEPA Office of Enforcement and Compliance Assurance's *Hazardous Waste Civil Enforcement Response Policy* (dated March 15, 1996; effective April 15, 1996).

BOL will also conduct "other" inspections as required including sampling inspections, citizen complaint investigations, follow-up inspections, case development inspections, non-financial record reviews, etc. In addition, BOL will conduct joint inspections with new Region 5 inspectors for the purpose of providing training and education.

- BOL's field staff will continue its participation in Illinois' aggressive criminal/enforcement program by providing technical assistance in gathering media samples and other environmental data/evidence for case development by law enforcement agencies.

⁹BOL is committed to inspect all hazardous waste management facilities scheduled for FY2001 and will provide written justification to USEPA Region 5 (upon request) for those facilities that are not inspected (e.g., hazardous waste management operations may have ceased prior to the time of the scheduled inspections).

BOL is a member of the Illinois Environmental Crimes Investigators Network, a partnership among the Illinois Attorney General, IEPA, Illinois State Police, Illinois Department of Natural Resources, the Illinois State's Attorney's Association, and local law enforcement. For FY2002, BOL will continue to be an active member of the Network through its civil and criminal environmental investigations, response to Network Environmental Crime Hotline referrals from the Illinois Attorney General's Office, and contribution to the Network newsletter.

BOL also represents the IEPA as a member of the Midwest Environmental Enforcement Association (MEEA), an alliance of regulatory, law enforcement, and prosecutorial agencies from Illinois, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Oklahoma, Ontario, and Wisconsin. MEEA provides local, state, and Federal enforcement agencies with training and professional networking opportunities for the exchange of enforcement-related information. For FY2002, David Jansen (BOL Springfield Regional Manager) is the MEEA secretary and the Illinois Executive Committee member.

- BOL will verify the safety and reliability of hazardous waste combustion in conjunction with the *Combustion Initiative*. For FY2002, BOL and its contractor will monitor Trade Waste Incineration, Inc. (Sauget, Illinois) by emissions testing activities. In addition, BOL will conduct two Compliance Evaluation Inspections at this facility.
- e. *Review and approve closure plans for units where waste management facilities once stored, treated or disposed of hazardous waste.* Many facilities which previously stored, treated or disposed of hazardous waste have elected not to obtain a RCRA permit for these activities. These facilities must complete closure of all the units where they conducted hazardous waste management activities. Closure must be carried out in accordance with plans approved by BOL.
- BOL will ensure that 90% (or 50 of 56) of the Government Performance & Results Act Baseline Post-Closure Universe¹⁰ will have “approved controls in place” by FY2005. Approved controls in place mean: (a) a post-closure permit has been issued for the unit, or an existing permit at the facility has been modified so that the unit in question is subject to the post-closure permitting standards; (b) the unit has achieved clean closure, as verified by BOL; (c) the unit has properly closed with waste in place, as verified by BOL, and a post-closure plan, or similar enforceable document (such as a consent order), covers appropriate post-closure obligations including 40 CFR Part 264 Subparts F and G groundwater monitoring and cap maintenance requirements; (d) the unit is situated among solid waste management units, and closure and post-closure obligations at the unit are covered by a corrective action order or a similar enforceable document (including

¹⁰Government Performance & Results Act Baseline Post-Closure Universe are those facilities undergoing closure of all of its hazardous waste management land-based units (e.g., landfills, waste piles, surface impoundments) as of October 1, 1997.

40 CFR Part 264 Subparts F and G groundwater monitoring and cap maintenance requirements as applicable); (e) the unit has been accepted by one of the State or Federal cleanup programs for remediation; or (f) the application of other controls approved by BOL (as determined on a case-by-case basis).

At the end of FY2001, 84% (or 47 of 56) of the Government Performance & Results Act Baseline Post-Closure Universe had approved controls in place.

For FY2002, BOL will issue one additional post-closure permit, increasing the percentage of facilities on the Government Performance & Results Act Baseline Post-Closure Universe with controls in place to 84%.

- f. *Require investigation and cleanup of hazardous releases at waste management facilities.* The investigation and cleanup of hazardous substances at RCRA facilities is called corrective action. Facilities generally are brought into the RCRA corrective action process when there is an identified release of hazardous waste or hazardous constituents, or when BOL and USEPA are considering a facility's RCRA permit application. The elements of corrective action are an initial site assessment, an extensive characterization of the contamination, and an evaluation and implementation of cleanup alternatives, both immediate (e.g., drum removals) and long-term (e.g., groundwater pump and treat). BOL has authority to direct corrective action at facilities permitted after April 1990, while USEPA is responsible for directing corrective action at all other permitted facilities. Corrective action at closed facilities or those undergoing closure of all regulated units can only be directed by USEPA. BOL will initiate the following action plans in FY2002:
- BOL will ensure that human exposure will be controlled at 26 of the 29 (or 90%) Cleanup Baseline Universe¹¹ facilities and groundwater releases will be controlled at 20 of the 29 (or 70%) Cleanup Baseline Universe facilities by FY2005. Human exposures have been controlled at 17 facilities, while groundwater releases have been controlled at 17 facilities. During FY2002, BOL will ensure that (1) human exposures are adequately controlled at two more Baseline facilities; and (2) groundwater releases are adequately controlled at two more Baseline facilities.
 - By FY2005, BOL will ensure that corrective measures are implemented at a total of 30 facilities. BOL is responsible for directing corrective actions at 40 permitted RCRA facilities. Corrective measures have already been implemented at 15 of the 40 facilities.
 - BOL will seek the FY2002 supplemental funds for RCRA corrective action environmental indicator determinations at GPRA baseline facilities.

¹¹USEPA developed the RCRA Cleanup Baseline Universe list in conjunction with the states as a result of a mandate in the Government Performance & Results Act requiring USEPA to measure and track the program progress. There is a total of 1,712 facilities on the RCRA Cleanup baseline. There are 56 Cleanup Baseline Universe facilities in Illinois.

As they are submitted, BOL will review (a) new RCRA permit applications for interim-status or new facilities; and (b) Part B RCRA permit renewal applications. This will increase the universe of facilities for which IEPA has corrective action authority.

- g. *Submit Authorization Revision Application (ARA) in accordance with federal schedules.* Since January 31, 1986, IEPA has been authorized by USEPA to implement the RCRA hazardous waste program in Illinois. BOL has been granted authority to implement additional parts of the RCRA Program that USEPA has since promulgated (e.g., Corrective Action, Land Disposal Restrictions, etc.). Final action on ARA applications are being held up due to several statutory issues identified by USEPA's Office of Enforcement and Compliance Assurance. USEPA and the State of Illinois are currently working together to address these issues and possible statutory revisions.
- h. *Participate in Geographic Initiatives.* A geographic initiative represents an area deemed by USEPA to have sensitive environmental problems requiring extra attention. In addition, several of the geographic initiatives may include areas with environmental justice¹² concerns.

Great Lakes Basin Initiative covers counties in all six Region 5 states (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin). In Illinois, the eastern most sections of Cook County and Lake County are within this geographic area. This Initiative brings together Federal, state, tribal, local, and industry partners in an integrated approach to protect, maintain, and restore the chemical, biological, and physical integrity of the Great Lakes.

- i. The Agency is seeking the full amount of the Clean Sweeps (PBT) supplemental funding for FY 2002, if available.

Nonhazardous Solid Waste Management

- j. *Enhance recycling and reuse opportunities.* BOL encourages environmentally sound solid waste management practices that foster recycling and that maximize the reuse of recoverable material. BOL administers the following solid waste management programs and services that reuse or reclaim materials from the municipal waste stream:

¹²Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no groups of people, including racial, ethnic, or socioeconomic groups, should bear a disproportional share of negative environmental impacts.

Program/Service	Waste Types	Recovery Method
Household Hazardous Waste Collection	Paints, Flammable Solvents, Oils, Aerosols, Household Batteries	Fuel Blended, Recycled
Partners for Waste Paint Solutions	Paints	Fuel Blended, Recycled
Used/Waste Tires	Whole or Shredded Tires	Supplemental Fuel for Power Plants and Industrial Facilities, Stamped Rubber Parts, Playground Cover, Flooring in Horse Arenas, Crumb Rubber for various applications
Industrial Materials Exchange Service	Acids, Alkalis, Other Organic Chemicals, Solvents, Oils and Waxes, Plastics and Rubber, Textile and Leather, Wood and Paper, Metals and Metal Sludges, etc.	Industrial Reuse

BOL also permits facilities that recycle and reuse waste materials as a part of their operations, such as landscape waste composting facilities, transfer stations, material recovery facilities, and storage/treatment facilities.

- k. *Foster waste disposal habits that promote a cleaner and safer environment.* Illinois has implemented landfill bans¹³ and a variety of environmental programs that promote safe waste management through the segregation of municipal waste streams. BOL administers three environmental collection programs that aggregate waste containing hazardous constituents (a) Household Hazardous Waste Collection Program; (b) High School Hazardous Waste Collection Program; and (c) Partners for Waste Paint Solutions. These collections provide an opportunity for the wastes to be either reused or safely disposed in facilities designed to treat or dispose of hazardous waste. These programs also include public education elements that identify (a) household wastes containing chemicals that make their disposal in municipal waste landfills or incinerators undesirable; (b) safe use and storage procedures for household hazardous materials; and (c) consumer practices to reduce the amount and toxicity of household products discarded.

BOL also administers an industrial materials exchange service that helps divert materials from the industrial waste stream to businesses that can reuse the materials.

For SFY2002, BOL will conduct at least 25 household hazardous waste collections. These one-day collection events will help divert municipal waste containing persistent, bioaccumulative, and toxic constituents (e.g., mercury-containing lamps) from solid waste landfills.

¹³In Illinois, the following municipal waste materials are banned from landfill disposal due to their volume and/or toxicity: (a) used and waste tires; (b) landscape waste; (c) white goods (i.e., domestic and commercial large appliances) that have not had their hazardous components removed; (d) lead-acid batteries; and (e) liquid used oil.

- l. *Ensure that used and waste tire handlers operate in compliance with state standards and cleanup used and waste tires that have been improperly disposed.* Each year, BOL conducts compliance inspections at: 1) more than 600 tire retailers; 2) all tire storage sites (approximately 230); and 3) more than 30 registered tire transporters (pursuant to BOL's Tire Transporter Audit Strategy).

BOL conducts approximately 100 used/waste tire cleanup activities and removes and recycles the equivalent of approximately 500,000 passenger tires annually. The three types of cleanups conducted by BOL include: 1) forced waste tire removals at sites that pose an immediate threat to human health and the environment; these include provisions for cost recovery actions; 2) 20 to 30 county-wide tire collections annually where Illinois citizens bring used/waste tires from their property to a central location for recycling and energy recovery; and 3) consensual removals where BOL removes up to 1,000 tires from an individual's property at no cost to the property owner (pursuant to a Consensual Removal Agreement).

- m. BOL has proposed a regulatory innovation project that would allow sharing of UIC program implementation. This approach was taken as an alternative to returning the responsibility for UIC program operations as was discussed for the 2001 PPA.
- n. *Ensure proper closure and post-closure care of all old landfills by 2005.* BOL has identified 54 inactive landfills potentially subject to 1985 closure requirements,¹⁴ but where the regulatory status is uncertain. Some of these landfills may be determined closed and covered subject to older regulatory standards and so may not be required to complete further closure or post-closure care. In FY2002 and 2003, the BOL will evaluate the regulatory status of these 54 landfills to determine whether or not each is required to complete closure and conduct a program of post-closure care. Each landfill owner or operator will receive a written determination from the BOL identifying all obligations to close, maintain and monitor the facility. The BOL field staff will inspect each facility to ensure compliance and initiate vigorous enforcement, if necessary.
- o. *Evaluate the compliance status of all operating RCRA landfills required to monitor groundwater quality pursuant to State and Federal law by 2005.* Illinois solid waste landfill regulations¹⁵ require RCRA-regulated facilities that routinely monitor groundwater quality as a permit condition to report all detections of certain contaminants. In FY2002, BOL will continue to identify and evaluate the status of each operating RCRA landfill required to monitor groundwater quality to determine its regulatory status according to the following categories:

¹⁴Illinois regulations adopted in 1990 (35 IAC 814.501) required all municipal solid waste landfills which were unable to demonstrate regulatory compliance at the time or which subsequently initiated closure prior to September 18, 1992 to complete all closure requirements in accordance with regulatory standards adopted in 1985 (35 IAC 807).

¹⁵35 Ill. Adm. Code 811-814

Detection monitoring: These facilities are performing groundwater monitoring but have not detected concentrations of regulated contaminants.

Assessment monitoring: These facilities have detected contaminants and are evaluating the source of the exceedance.

Corrective action: These facilities are taking corrective measures to control the source of exceedances and/or actively mitigating groundwater contamination.

Federal Cleanups

- p. *Address immediate dangers first, and then move through the progressive steps necessary to evaluate whether a site remains a serious threat to public health or the environment.* Superfund provides resources for removal and remedial actions at uncontrolled or abandoned hazardous waste sites. Various parties, including citizens, State agencies, and USEPA, discover such sites. Once discovered, sites are entered into USEPA's computerized inventory of potential hazardous substance release sites (i.e., Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS). BOL then evaluates the potential for a release of hazardous substances from the site by investigating site conditions. The data collected is used in an assessment and scoring system called the Hazard Ranking System to evaluate the dangers posed by the site. Sites that score above 28.5 on this System are eligible for listing on the National Priorities List (NPL).

BOL's site assessment priorities are to (a) identify potential hazardous waste sites; (b) identify need for emergency action; (c) evaluate the backlog of sites on EPA's computerized inventory of potential hazardous substance release sites; and (d) propose listing of appropriate sites on the NPL.

For FY2002 BOL will address these priorities through the following activities:

Activity	Planned for FY2002
Pre-CERCLIS Screening Action	5
Immediate Removal Coordination	12
Integrated Site Assessment	15
Expanded Site Inspection	5
Hazardous Ranking System	1
Preliminary Assessment	20
TOTAL	58

- q. *By 2005, complete construction on 85% (or 37) of the 44 Superfund sites.* Superfund sites are CERCLIS sites addressed through Federal cleanup laws (i.e., CERCLA, SARA, or NCP). The most serious Superfund sites are listed on the NPL. Since each Superfund site presents unique challenges, BOL employs a systematic approach to develop a cost-effective cleanup acceptable to the State and local community. This approach is composed of a five-phase remedial response process¹⁶ consisting of: (a) investigation of the extent of site contamination (remedial investigation); (b) study of

¹⁶Sections 300.430 - 300.435 of the NCP

the range of possible cleanup remedies (feasibility study); (c) selection of the remedy (Record of Decision); (d) design of the remedy (remedial design); and (e) implementation of the remedy (construction completion). In Illinois, there are 44 NPL (Superfund) sites.

The benchmark set for 2001 to 2002 is to issue two Records of Decision at two Superfund sites and complete construction at six Superfund sites:

Records of Decisions Planned for FY2002	
Site Name (City or County)	IEPA Inventory Identification Number
Beloit Corp. (Rockton)	2010355004
DePue/NJ Zinc/Mobil Chemical (DePue)	0110300003
Southeast Rockford Groundwater Contamination (Rockford)	2010300074

Superfund Construction Completions Planned for 2001 – 2002		
Site Name (City or County)	Acres	IEPA Inventory Identification Number
LaSalle STRA Enhancement SVE and Phytoremediation	10	0990300007

- r. *By 2005, determine and conduct necessary remedial actions at seven Federal facilities and complete the transfer of property at six of these federal facilities.* Federal facilities are properties where the Federal government conducted a variety of industrial activities. Due to the nature of such activities, Federal installations may be contaminated with hazardous waste, unexploded ordnance, radioactive waste, fuels, and a variety of other toxic contaminants.

Under Federal law,¹⁷ Federal facilities must be investigated and cleaned up to the same standards as private facilities. Due to their size and complexity, compliance with environmental laws and regulations may present unique management issues for these facilities. IEPA, USEPA, U.S. Department of Defense, and U.S. Department of Interior are conducting cleanup activities at 45 Federal facilities.

Base Realignment And Closure (BRAC) sites have been the focus of BOL, USEPA, the U.S. Department of Defense, and other federal agencies because these sites are scheduled for closure and their reuse offers an opportunity for economic recovery of communities associated with those bases. Upon successful completion of the cleanup, a Finding of Suitability for Transfer (FOST) is issued by the Department of Defense and other federal agencies, with concurrence of USEPA and IEPA. The FOST validates that site closeout requirements have been met and identifies any institutional controls (i.e., restrictions on land use).

¹⁷ Section 120 of the Comprehensive Environmental Response compensation and Liability Act of 1980, as amended, and Executive Order 12580

For FY2002, BOL will assist in the development of the FOST on the remaining 10 acres at the Naval Air Station Glenview base.

In addition to BRAC sites, BOL conducts environmental restoration activities at sites formerly used, leased, or otherwise operated by the U.S. Department of Defense or any of its components. These sites (commonly referred to as FUDs) were closed and the property transferred to private, Federal, state or local government ownership (i.e., the U.S. Department of Defense no longer controls). BOL has identified 36 FUDs requiring further response actions.

A significant note for a FFY 2002 goal is at the Crab Orchard National Wildlife Refuge (CONWR) Superfund Site. The investigation of the 7310-acre Lake Monitoring Operable Unit (OU) of the total 42,250-acre refuge has been completed ahead of the original schedule. Based on the results of the Preliminary Assessment/Site Investigation (PA/SI), the CONWR Technical Working Group (comprised of the Federal Facility Agreement parties) is in the process of dissolving the Lake Monitoring OU. The PA/SI did not indicate the need for any additional investigation or remediation. The future action will be the monitoring of contaminants of concern (COC's) found in the lake. The monitoring of the decreasing trends in COC's in the OU will be adequately tracked through or in conjunction with other existing OU's at CONWR. Since the investigation of the Lake Monitoring OU did not justify a remedial response, no further evaluation of this OU is necessary.

Savanna Army Depot has reached an impasse in the process to transfer property as a result of the potential for unexploded ordnance (UXO) contamination. In August 2000, the Army initiated the Strategic Management, Analysis, Requirements and Technology (SMART) Team in response to concerns from Congressman Don Manzullo to resolve issues related to ordnance-contaminated sites. This group meets every month and is currently revisiting the installation-wide sampling strategy for ordnance-contaminated sites. Based upon the progress of the SMART Team and significant additional resources by IEPA, USEPA, and the Army, the Agency anticipates property transfers to begin in the fall of 2001 and early 2002. Current projections indicate parcels with the following acreage will be transferred in 2002: 501 acres to the Local Reuse Authority (LRA) and 2 parcels (83 acres and 418 acres) and 1,175 acres to the U.S. Fish and Wildlife Service.

Site Name (Total Acres)	IEPA Inventory Identification Number	Acres Evaluated with No Further Action (NFA)	Acres Remaining to be Evaluated or Remediated	Acres Realigned (Unit of the Federal Government Retaining Control)	Acres Transferred (Public or Private Entities accepting control and ownership of the property)	Acres Remaining to be Transferred by 2005
Naval Air Station Glenview (1,200)	0311025007	1,110	80	70 (U.S. Navy Dept. of Defense)	1,120 (Village of Glenview)	10
Libertyville Training Site (164.44)	0978110003	164.44	5	0	159.44 (City of Vernon Hills)	5
Fort Sheridan (172)	0970555001	312	400	400 (U.S. Army Reserve and U.S. Navy (Department))	312 (Lake County Forest Preserve District; City of Highwood; City of Highland Park)	0 - completed 2001
O'Hare Air Reserve Station (352) and Fort Dearborn (16.48)	0316760003	321.58	30.42	0	12 (City of Chicago)	340
	0312765079	16,085	0.395	0		16.48
Chanute Air Force Base (2,125)	0198170001	705	1,420	0	705 (Village of Rantoul)	1,420
Savanna Army Depot	0158100002	36	13,026	0 (U.S. Fish and Wildlife Service (Department of the Interior) Upper Mississippi National Fish and Wildlife Refuge-Lost Mound Unit)	0 (JoCarroll Reuse Authority (Local Reuse Authority))	13,042
Joliet Army Ammunition Plant (23,542)	1970450027	18,303	5,239	16,072 U.S. Forest Service (Depart- ment of Agri- culture); Midewin National Tallgrass Prairie; U.S. Department of Veterans Affairs- Abraham Lincoln National Cemetery	2,231 (Joliet Arsenal Development Authority (Local Reuse Authority); CenterPoint Properties; Will County)	5,239
Crab Orchard National Wildlife Refuge (43,500)	1998620014	40,894 ¹⁸ (7,412)	2,606	43,500 (U.S. Fish and Wildlife Service (Department of the Interior) Crab Orchard National Wildlife Refuge	0	0

Also in FY2002, BOL will amend cleanup regulations to include alternatives to the recording of the No Further Remediation Letter¹⁹ to form a permanent chain of title. For example, military properties normally do not maintain a chain of title for security purposes. In other cases, placing restrictions on land use may be difficult to implement (e.g., to place any institutional controls on a military property would require approval from the General Services Administration).

¹⁸ Of the 43,500 acres evaluated under the CERCLA PA/SI process, additional CERCLA investigation and evaluation were necessary on 10018 acres and 7,412 acres have been remediated or a no-action decision has been reached.

¹⁹ 35 Ill. Adm. Code 732; 35 Ill. Adm. Code 740

- s. *By 2005, conduct 50 brownfield assessments using BOL staff.* Redevelopment assessments are evaluations of contaminants at abandoned or derelict industrial properties with a potential for redevelopment and productive use. These assessments are funded by USEPA.

Since FY1995, BOL has completed 30 redevelopment assessments. For FY2002, BOL will conduct three redevelopment assessments.

State Cleanups

- t. *By 2005, clean up 9600 acres at 1453 sites through the voluntary cleanup program.* The Site Remediation Program is one of the oldest state voluntary cleanup programs in the nation. Remediation Applicants may elect to clean up all contamination at the site or specific chemicals. Remediation objectives are developed by the Remediation Applicant using a risk-based approach, which allows the use of engineered barriers and institutional controls. Successful completion of all program requirements results in a No Further Remediation Letter²⁰ for the site.

In 2002, the voluntary Site Remediation Program will continue to assist Remediation Applicants in various stages of the cleanup process. BOL has targeted dry cleaning facilities and manufactured gas plants because these industries initiated sector-specific strategies (e.g., financial incentives, marketing programs, etc.) to deal with environmental cleanup issues.

- u. *By 2005, clean up 27 of 33 abandoned landfills under Illinois FIRST.* Illinois FIRST (a Fund for Infrastructure, Roads, Schools and Transit) is a five-year, \$12 billion program designed by Governor George H. Ryan to build, repair and upgrade Illinois' critical infrastructure. This program has dedicated \$50 million over the next five years to clean up 33 abandoned landfills that pose a safety and environmental threat.

In 2001, BOL completed construction of the following landfills: (1) the 26-acre Western Lion Landfill; (2) the 40-acre Service Disposal Landfill; and (3) the 58-acre Paxton II landfill. The benchmark set for 2002 is to complete construction at the following five landfills:

²⁰35 Ill. Adm. Code 740

Illinois FIRST Construction Completions Planned for 2002		
Site Name (City or County)	Acres	IEPA Inventory Identification Number
Centralia Environmental Services (Centralia)	35	1214220003
Prior 1,2,3,4 (Centralia)	29	0298050001
Waste Hauling Landfill (Decatur)	40	1158010001
Bi-State Disposal Inc. (Belleville)	40	1638160001
Bennitt (Rockdale)	13	1970850004

Leaking Underground Storage Tank (“LUST”) Cleanups

- v. *Protect human health and environmental quality by cleaning up leaking underground storage tank systems.* The State of Illinois administers a comprehensive underground storage tank program under a cooperative agreement negotiated with the USEPA. The terms of this agreement require the Illinois State Fire Marshall to enforce preventive measures and BOL oversees the remediation of releases from state and federally regulated underground storage tanks.

At the end of June 2001, there were over 21,000 confirmed releases reported. BOL has an objective to clean up approximately 13,000 of these releases (or 22,750 acres) by 2005.

For FY2002, BOL will implement the following action plans to improve the cleanup of state and federally regulated leaking underground storage tanks:

- Owners and operators of underground storage tanks in Illinois may be eligible for reimbursement of cleanup costs from the underground storage tank reimbursement fund (UST Fund). Without the UST Fund, many tank owners and operators will be unable to properly or expeditiously clean up tank releases. The UST Fund is generated by a tax and an environmental impact fee on motor fuels. Expiration of the environmental impact fee at the end of 2002 will reduce the Fund by approximately \$50 million annually. In FY2002, BOL will report on efforts to ensure adequate revenue to continue the UST Fund through 2013.
- BOL has proposed adding methyl tertiary butyl ether (“MTBE”) to the list of gasoline indicator contaminants in the Petroleum Underground Storage Tank regulations²¹ and adding risk-based remediation objectives for MTBE to the Tiered Approach to Corrective Action Objectives (TACO) regulations.²² Similar changes will also be proposed to establish state-wide Groundwater Quality Standards for MTBE.²³ These changes will not affect the use of MTBE relative to Clean Air Act requirements, but will ensure that MTBE is addressed whenever a

²¹35 Ill. Adm. Code 732

²²35 Ill. Adm. Code 742

²³35 Ill. Adm. Code 620

release of petroleum fuel occurs. BOL will report the status of regulating MTBE in the LUST and TACO regulations.

- BOL will help underground storage tank owners and operators understand and comply with the regulatory requirements by expanding the availability of program information through printed materials, computer-based informational media, and speaking engagements. IEPA will take appropriate formal (i.e., referrals to the Attorney General's or State's Attorney's Offices) and informal enforcement actions, as needed, to ensure that cleanups are proceeding to protect human health and the environment.
- Through Federal funding and collaboration among local, State and Federal governments, the BOL will use \$100,000 from a USEPA "USTFields" pilot to remediate an abandoned underground storage tank property selected by the City of Chicago. BOL will direct its contractors to remediate these properties and will work closely with the City to ensure that the remediation is consistent with the proposed future use of the property.
- BOL expects adoption of the Petroleum Underground Storage Tank regulations²⁴ in 2002. Revisions include, but are not limited to, amendments to the requirements for investigations of groundwater and migration pathways, off-site access and electronic reporting. In addition, BOL has proposed that Licensed Professional Geologists be authorized to certify portions of the site characterizations and cleanups. BOL will report the status of the amendments to the LUST regulations.

Other Environmental Areas

- w. *Provide financial incentives and technical support to initiate and advance self-sustaining efforts by local governments and private parties to clean up brownfield sites and establish state, community and federal partnerships to promote Brownfields redevelopment.* Below are the financial incentives and technical support objectives for brownfields redevelopment in Illinois.
- By 2002, provide brownfield grants to 50 communities to investigate and assess contamination. The Illinois Brownfield Redevelopment Grant Program (BRGP) offers grants worth a maximum of \$240,000 each to municipalities to investigate brownfield properties. Brownfield Redevelopment Grants may be used to perform environmental site assessments to determine whether a brownfield property is contaminated, and if so, to what extent. These grants may also be used to develop cleanup objectives and prepare cleanup plans, but cannot fund actual cleanup activities. Grant recipients are required to share in any grant award through a 70/30 match and to spend the grant within three years. The Office of Brownfields Assistance seeks out BRGP grant recipients, evaluates grant

²⁴35 Ill. Adm. Code 732

applications, monitors grant activities, and reviews reimbursement requests to ensure eligibility and reasonableness of costs.

- Brownfields representatives from the Office of Brownfields Assistance assist communities with extremely complex issues of Brownfields cleanup and redevelopment and guide them through both the grant application and implementation processes and will meet with city officials before they file a formal grant application to help determine cleanup potential and maximize grant dollars.
- The IEPA issued 38 grants as of July 1, 2001. Two additional grant applications are currently in-house and under review. Brownfields representatives are assisting 12 additional communities with preparation of grant application for immediate submittal.
- By 2005, provide \$10 million in brownfield loans under Illinois FIRST. The Illinois Brownfields Redevelopment Loan Program (BRLP) offers low interest loans to private parties and units of local government to clean up brownfields sites.

The maximum loan amount for any single loan application is \$500,000. These loans will pay for remediation and limited investigation and demolition activities. Cleanups funded by the loan program will take place under the Site Remediation Program.

The rules administering the loan program were adopted on August 8, 2000. As of July 1, 2001, the Bureau of Land has received three Brownfields Redevelopment Loan applications. Applications are reviewed by Brownfields representatives, and the loans will be managed and serviced by the Office of Brownfields Assistance.

- By 2005, participate in four leveraged Brownfields grant projects with USEPA. The Office of Brownfield Assistance and Region 5 developed the first-of-its-kind joint state/federal grant initiative wherein USEPA Demonstration Pilot Grant funds were used to meet state grant match requirements so IEPA Brownfields Redevelopment Grant funds could be provided to Illinois municipalities.

Cross-Bureau Initiatives

Below are three major initiatives that will require resources from more than one BOL focus area for their development and implementation.

x. Geographic Information System

By 2005, the BOL intends to publish on the Internet Geographic Information System (GIS) formatted data on all significant sites. The BOL is currently developing an inventory of existing hardware, software and data sources and is developing GIS data quality standards for all BOL databases. By the end of FY 2001, the BOL will complete this inventory and will establish point locations as decimal degrees for all significant sites.

- y. *By 2003, integrate protection of natural resources into cleanup programs.* BOL and the Illinois Department of Natural Resources are in the process of developing a screening methodology and cleanup criteria to assure that cleanups protect plants and animals (eco-risk) as well as human health. This effort has been ongoing for about a year and will continue over the next several years, culminating in adopted rules in 2003.

z. Community Relations

The Bureau of Land is committed to involving the public (e.g., citizens, community leaders, Agency personnel and company representatives) in the development and implementation of waste management and cleanup activities. The Bureau of Land, through the Office of Community Relations, disseminates information and promotes public involvement and education on the various Bureau programs through a variety of outreach mechanisms (e.g., public meetings and hearings, workshops and conferences, fact sheets and pamphlets, news releases, and responsiveness summaries). Community Relations is engaged in an on-going process to maintain a dialogue with individuals and groups impacted by a site or facility, which can ease public concern, raise public awareness, and increase public trust.

4. Program Resources

Projected resources for the IEPA BOL are identified by the environmental focus areas:

Program	Federally-Funded Work Years	State-Funded Work Years	Total Work Years
Hazardous Waste Management	59	41	100
Solid Waste Management	0	89	89
Federal Cleanups	45	0	45
State Cleanups	0	93	93
Leaking Underground Storage Tanks	29	47	76
Other Environmental Areas (Brownfields/Noise)	0	7	7
TOTAL	133	277	410

5. **Federal Role**

Hazardous Waste Management

- *RCRA Subtitle C Program*

- Provide compliance assistance to regulated entities subject to new federal regulations.
- Provide compliance assistance to qualifying small businesses in priority sectors (i.e., industrial organic chemicals and metal services).
- Provide assistance to IEPA, if requested by IEPA's BOL and/or Illinois' Small Business Program for IEPA delivery of compliance assistance in accordance with USEPA's "Policy on Compliance Incentives for Small Business," issued May 20, 1996, effective June 10, 1996, for RCRA authority regulations.
- Coordinate compliance monitoring and enforcement efforts developed through the Greater Chicago Senior Managers Enforcement Committee.
- Discuss with, and/or explain to IEPA: (a) new or revised federal RCRA rules, (b) new or revised Strategic Plans affecting HW, (c) USEPA's Hazardous Waste Civil Enforcement Response Policy, (d) USEPA's RCRA Civil Penalty Policy, (e) USEPA's computerized programs to determine financial status of RCRA-regulated entities, (f) USEPA's sector-, waste-, or rule-specific enforcement strategies, (g) RCRAInfo and other U.S. data management developments.
- Provide assistance to IEPA in conducting financial analyses of violators' claim of inability to pay for injunctive relief and/or monetary penalties in formal enforcement actions brought by the State of Illinois.
- Inspect installations handling hazardous waste: Criteria for USEPA's selection of installations include (a) statutory mandate (i.e., installations managing hazardous waste in a manner for which RCRA requires a permit, which are owned and/or operated by State and/or local governments; and treatment, storage, and disposal facilities receiving CERCLA waste from off-site locations), (b) requests from IEPA, (c) Federal facilities, (d) installations subject to open Federal enforcement judicial and/or administrative decrees/orders, (e) treatment, storage, and disposal facilities subject to RCRA permit conditions issued, administered, and enforced by USEPA, and (f) installations handling waste in USEPA's Regional priority sectors, such as metal services (electroplating and coating operations) and organic chemicals.
- Investigate and, if necessary, inspect installations in USEPA's National Priority Sector, such as those handling certain commercial and/or industrial wastes in manners that illegally evade RCRA requirements for permits. Such operations include (a) waste-derived fertilizers, (b) metal foundries, (c) waste recycling, and (d) impermissible diluters of hazardous waste prohibited from land disposal.
- Issue enforcement responses to RCRA violations detected by USEPA, or referred to USEPA by IEPA, in accordance with USEPA's Hazardous Waste Civil Enforcement Response Policy, USEPA's RCRA Civil Penalty Policy, and relevant USEPA enforcement strategies.
- Conduct inspections at state and local TSDFs and coordinate any enforcement efforts with BOL.

- Work with BOL to inspect all federal TSDFs and coordinate any enforcement efforts with BOL.
- Work with BOL to identify and integrate the various RCRA facility universes. These universes include: GPRA baseline for CA high priority under the National Corrective Action Prioritization System (subject to corrective action), land disposal, treatment/storage. In addition, the Region will work with BOL in re-evaluating select facilities as requested by either party.
- Implement a plan for imposing corrective action at GPRA baseline facilities which do not or will not have RCRA permits.
- Work with BOL to develop an agreement for addressing the renewal of the corrective action portion of expired RCRA permits. The corrective action portion of all RCRA permits issued prior to 1990 were addressed by Region 5. However, the future workload will be shared by Region 5 and BOL under the agreement.
- Assist BOL with an expedited review and approval of ARAs submitted.
- Work with BOL and other Region 5 states to explore ways to expedite and improve the authorization process.
- Address the issues relating to Illinois legislation (e.g., Audit Privilege Law and Section 31 of the Illinois Environmental Protection Act) that has delayed the RCRA authorization process.
- Provide technical assistance and training (as needed) for the review of RCRA requirements.
- Provide RCRAInfo support and training as needed and requested by BOL. In addition, Region 5 will continue to maintain the Handler Identification module of RCRAInfo.
- During some RCRA inspections of installations within the 2800 SEC series, inspectors will provide, at a minimum, information on pollution prevention to the representatives of the installation inspected. Such information may be in the form of written documents and/or verbal discussions about the compliance effects of changing the installations activity to cease the generation of hazardous waste, etc. If the installation's representative expresses an interest in reducing or eliminating the PBTs in its hazardous waste, inspectors will refer the representative to the respective State technical assistance entities which provide relevant advice.

Solid Waste Management

• *RCRA Subtitle D Program*

- Work with the Superfund Division to ensure the completion and submittal of all Hazardous Waste Management Annual Reports and all Nonhazardous Waste Shipped Out-of-State Annual Reports.
- Provide technical information to BOL regarding the implementation of RCRA Subtitle D Part 258 through continued exchanges of information between approved States utilizing the Listserver and an annual meeting.
- Based on discussions with the state and review of state reported data, the UIC Branch, USEPA, Region 5, will assess the National core measures to identify significant

issues and trends that have occurred in the BOL program during the past year and follow up as appropriate.

- Provide BOL the opportunity to provide input on the development of all major regulations, guidance, policy documents and issues.

Federal Cleanups

- *National Priorities List Program*

- Provide guidance, policy decisions, and program updates in a timely manner that may impact the State's program.
- Provide Core, Site Assessment, and other cooperative agreements yearly funding for effective implementation of the State's programs.
- Support State activities through participation in meetings, community involvement, co-hosting conferences, seminars, information sessions, as appropriate.
- Provide technical expertise wherever possible.
- Pursue new approaches to allow new technologies to be used in Superfund.
- Review and provide assistance on State work as requested or required.
- Provide lab analytical services if possible when requested by the State.
- Develop comfort letters and/or prospective purchaser agreements.
- Respond to requests to assist with transfer of federal properties for re-use or redevelopment.
- Complete and submit all Hazardous Waste Management Annual Reports and all Nonhazardous Waste Shipped Out-of-State Annual Reports.
- Inform BOL of any additional grant opportunities (e.g., Brownfields grants) that become available through USEPA.

Leaking Underground Storage Tank Cleanups

- *Leaking Underground Storage Tank Program*

- Provide forums to exchange ideas and information.
- Assist in locating and/or providing specific training needs identified by BOL.
- Provide projections on LUST funding, procedure and policy changes, and other information that will affect BOL's administration of the LUST program.
- Inform BOL of any additional grant opportunities (e.g., Brownfields grants) that become available through USEPA.

6. Oversight Arrangement

This agreement was developed under the National Environmental Performance Partnership System (NEPPS) guidance dated May 17, 1995. The oversight arrangements and BOL/USEPA's Region 5 relationship will follow the provisions of the NEPPS for the programs identified below.

RCRA Subtitle C Partnership Arrangement

Considering BOL's past performance and the cooperative working relationship with Region 5, BOL will assume an independent self-management role in RCRA implementation and look to Region 5 for support and assistance in more specialized areas. To ensure an efficient and effective program, BOL will conduct the file audits and program self-assessments/self-evaluations in order to demonstrate the program's success and areas of concern. In particular, BOL will:

- (a) Meet once on or about December 10, 2002 to discuss the *State's Performance Report for the Performance Partnership Grant*;
- (b) Conduct an annual mid-year program conference call on or about May 10, 2002 to discuss the *State's Self-Assessment*;
- (c) Conduct at least quarterly program component (e.g., permit/corrective action, enforcement, RCRA Info) conference calls;
- (d) Conduct joint inspections; and
- (e) Investigate and respond to inquiries from Region 5 concerning facilities that do not appear to have been timely and/or appropriately addressed under Illinois' enforcement program. This will include at least one annual meeting between Region 5 and IEPA to discuss the file audit results. Final file audit procedures will be developed and documented during FY2002.

Superfund Partnership Arrangement

USEPA Region 5 and BOL support each other's activities throughout the Superfund process, including reviews of work plans, investigations, community relations plans, risk assessments, remedial designs, etc. In order to streamline our efforts and reduce duplication of effort, the Superfund Memorandum of Agreement identifies the oversight roles of Region 5 and BOL. These roles are outlined in the table below.

Document for Review	Federal Role	State Role
Community Relations Plan	A (limited)	RC
Health & Safety Plan	RC	AUD
Quality Assurance Project Plan	A (limited)	AUD
Sampling Plan	RC	RC
Field Remedial Investigation Activities	AUD	AUD
Draft Remedial Investigation Report	RC	CNC
Final Remedial Investigation Report	AUD	AUD
Feasibility Study Work Plan	AUD	AUD
Applicable or Relevant and Appropriate Regulations Review	RC	RC
Draft Feasibility Study	RC	RC
Final Feasibility Study	AUD	AUD
Proposed Plan	A	RC
Record of Decision	A	CNC
Responsiveness Summary	RC	AUD
Final Design (Fund Lead)	RC	RC

Document for Review	Federal Role	State Role
Final Design (Enforcement Lead)	AUD	AUD
Remedial Action Change Orders (Fund Lead)	RC (subject to Block Grant initiatives)	RC
Preliminary and Final Inspections	P	P
Preliminary and Final Closeout Reports (Fund Lead)	A	A
Preliminary and Final Closeout Reports (Enforcement Lead)	CNC	CNC
Five-Year Reviews (Fund Lead)	RC	RC
Five-Year Reviews (Enforcement Lead)	AUD	AUD

where		
A	Approve	Each Agency fully approves each document before the document can be considered final.
AUD	Audit	Prior approval or a response to the document is not required; however, the support Agency may do a review after the fact to determine conformance with established procedures. If there is a deficiency identified and the parties concur, then steps shall be taken to correct the deficiency. Non-concurrence on deficiencies should be elevated to the appropriate management levels.
RC	Review and Comment	The support Agency will review and comment on the designated document. The lead Agency does not need to receive an approval from the support Agency to produce a final document.
CNC	Concur or non-concur	The support Agency may either concur or non-concur on the document. Non-concurrence will require that the issues relevant to the document are elevated to the appropriate management level for potential resolution of the dispute.
P	Participate	The support Agency will be given adequate notice and supporting documentation to attend meetings.

LUST Oversight Arrangement

The BOL/USEPA Region 5 oversight arrangement will be similar to previous years. BOL will:

- (a) Conduct semi-annual meetings (at mid-year and end-of-year) with Region 5 to discuss the current status of the LUST program, changes in legislation, regulations, policies and procedures;
- (b) Provide semi-annual financial status reports; and
- (c) Report the progress of the leaking underground storage tank program in the Environmental Performance Partnership Self-Assessment report.

C. Clean/Safe Water Program

1. **Program Description** - The program elements are designed to protect and maintain water resources in Illinois. Three principal efforts work together to fully address all aspects of water resource protection and management. Several program elements serve all efforts and are consolidated. These functions include data management; compliance assurance (including formal enforcement management systems approved by USEPA) for both facility operational parameters and competency of facility operating personnel; infrastructure financial assistance; program administration; and quality control and quality assurance for environmental monitoring.
 - a. **Water Pollution Control** - Illinois' point and nonpoint source program efforts are managed using a watershed management approach and two permit systems to control the discharge, treatment or disposal of wastewater. The program serves to manage and protect existing water resources; restore and maintain water quality in those waters which have degraded due to natural causes or human actions; monitor water quality and water resource conditions; manage watersheds and drinking water aquifer recharge areas; limit discharges into water resources; ensure operational compliance through facility inspection and evaluation; participate in educational activities to ensure that both owners and operators understand operation, compliance and administration requirements; provide compliance assistance and initiate informal and formal enforcement procedures; and administer financial assistance programs. Program operations are authorized by primary delegation for federal Clean Water Act (CWA) and its regulations, specific delegation agreements for the National Pollutant Discharge Elimination System (NPDES) and grant/loan activities, and through requirements of the Illinois Environmental Protection Act. Reporting on all compliance provisions contained in statute is done through the Permits Compliance System (PCS). The PCS is utilized for the NPDES program that is operated by IEPA via the NPDES Memorandum of Agreement between IEPA and the USEPA. NPDES dischargers send discharge monitoring reports (DMRs) to the IEPA, who in turn places the data in those DMRs into the PCS that is maintained by USEPA. Submittal of DMRs to USEPA may occur as a result of an inspection and enforcement action or permit condition. Program emphasis is being restructured to focus upon compliance through pollution prevention measures, using watershed management as the basis for redirecting and more closely coordinating existing activities, as well as the framework for developing new activities.
 - b. **Public Water Supplies** - Public water supplies program efforts focus on the provision of an adequate quantity of safe drinking water to Illinois consumers consistent with USEPA negotiated Public Water Supply System (PWSS) program guidance. Program activities are administered through the inspection and evaluation of water supply sources, treatment, distribution, administration and operation; water quality monitoring at the source, treatment entry point and distribution system; permitting of new or modified water supply facilities or treatment processes; administration of a Community Water Supply Testing Fund (CWSTF) program that provides analytical services and assistance with monitoring related requirements; provision of compliance assistance and initiation of formal enforcement procedures; participation in educational activities to ensure that

both suppliers and operators understand operation, compliance and administration requirements; administer financial assistance programs; and delivery of an annual report on the compliance history of all water supplies within the State. A source water protection program which is closely coordinated with the watershed protection initiative of the Agency is being used to protect surface and groundwater sources and to achieve ongoing compliance. Program operations are authorized by primacy delegation for federal SDWA regulations and through requirements of the Illinois Environmental Protection Act.

Enforcement of the federal Lead Ban is primarily accomplished through the Illinois Plumbing Code. Plumbing inspectors test flux and solder and examine pipe in both new and remodeled installations as a part of routine inspections to ensure that lead free materials are being used. Records of these inspections are maintained in a Lead Ban Compliance Report by the IEPA Field Operations Section. Lead ban compliance for public water supplies is enforced through Board regulations.

The Illinois Department of Public Health (IDPH) has responsibility for the non-community water supply (NCWS) program through a Memorandum of Agreement (MOA) that requires program operation to achieve compliance with federal SDWA and Board regulations. The MOA was modified to include the source water assessment initiatives required by the 1996 SDWA Amendments. Through the MOA, the IDPH is completing potential contamination source identification within 1000 feet of NCWS wells. This information is now available to the public at: <http://www.epa.state.il.us/water/groundwater/source-water-quality-program.html>. Other activities under the MOA include inspection and evaluation of NCWSs, water quality monitoring, provision of technical assistance, enforcement activities, operator training and demonstration of competence for non-transient non-community water supply operators, and source water protection programs. IDPH has contracted program responsibility to some County Health Departments. Those County Departments perform inspection services, prepare reports, and provide data input and update and enforcement case referral to IDPH. Compliance reports for federal requirements are coordinated quarterly. These reports will be submitted at the same time as Agency reports.

The Agency provides analytical services for all chemical (non-radionuclide) and bacteriological contaminants for which a maximum contaminant level (MCL) has been set by the Board. In order to be able to provide this service, the Community Water Supply Testing Fee Program was passed by the Governor and General Assembly in 1990. This voluntary program provides analytical services for all required chemical (non-radionuclide) and bacteriological monitoring including repeat and confirmation samples for an annual fee. A voluntary program to analyze community drinking water samples for radionuclides and authorize the Illinois Department of Nuclear Safety to assess a fee for such services was established under the provisions of the 2001 amendments to the Nuclear Safety Law. In 1996, IDPH obtained the legislation and resources required to support specific NCWS monitoring efforts through a Laboratory Fee Program. The program establishes fees for specific analyses. Analytical services are available to all NCWSs serving fewer than 100 persons. Free analytical services are provided for

schools. NCWSs serving more than 100 persons are required to use a private laboratory for analytical services.

- c. Source Water Assessment and Protection (SWAP) - Public water supplies in Illinois rely on both surface water and groundwater as the source for water being delivered to their customers. These waters are vulnerable to contamination from land use activities near the points of source water withdrawal. Regulations pursuant to the federal SDWA require that a Source Water Assessment (SWA) identifying potential source of contamination be prepared for all public water supplies in the state. The SWAs then must be made available to the public via the Internet and in "hard" copy forms. The Agency has taken the responsibility for the preparation of these assessments for all community water supplies and has committed to assisting the IDPH in assessing the NCWSs. A SWAP Internet geographic information system (GIS) has been developed and is available to the public to access information. Further, development and refinement will occur during FY2002 to make this system more interactive for internal and external stakeholders. Additionally, we will continue to integrate CWA information and data into this system. This program includes over 6,100 public water supplies in the state, of which approximately 4,100 are non-community water systems. IEPA has processed SWA information for 3,661 NCWS. In order to implement the program, IEPA has established contracts and inter-governmental agreements with a number of other state and federal agencies, including delineation request for proposal to consulting firms, four state universities, Illinois Rural Water Association (IRWA), IDPH, and the United States Geological Survey (USGS). The Agency anticipates that the program will be completed by 2003.

As SWAs are completed, the Bureau will work, based upon available resources, with communities to develop source water protection management programs to minimize the risk posed by identified potential sources of contamination. The Agency acknowledges that source water management plans are not statutorily required and do not need Agency approval should a public water supply choose to prepare one. However, a number of State and Federal programs and regulations provide assistance to drinking water supplies wishing to protect their source water. These programs include: NPDES permits for upstream discharges; restrictions in construction and operating permits for wastewater facilities in proximity of surface water intakes and well setback zones; expansion of well setback zones establishing maximum setback zones; establishing regulated recharge areas, enforcement of technology control regulations; requirements for minimal hazard certification; and enforcement of groundwater quality standards. In addition, supplies participating in the vulnerability monitoring waiver program are required, through a special exception permit, to implement source water protection area management. We project that an average of 50 supplies will request Agency assistance through utilizing one or more of the above components to develop comprehensive source water protection plans each year for the foreseeable future.

2. **Program Linkage to Environmental Goals/Objectives** - The environmental goals, objectives and indicators include various water-related conditions. These indicators were chosen to reflect statewide progress in areas of water quality, safety of the drinking water provided to Illinois citizens and overall reductions in water-related pollutant loading. The section on Performance Strategies describes new or expanded activities that will be implemented leading to achievement of the environmental goals and indicators.

The "Watershed Management" strategy addresses those watersheds with significant water quality concerns. The specific activities listed under this strategy will direct Agency programs to improve or protect water quality conditions in streams or lakes (waterway and inland lake conditions). The point source control activities in the watershed strategy will also provide improved compliance for those discharges that most directly influence water quality (wastewater discharges). Further, the source water protection component will ensure increased compliance with drinking water criteria (finished drinking water) and ensure that the areas around community water supply wells (groundwater recharge areas) and surface water supply watersheds are protected from hazardous sources of pollution. Finally, the sediment management program is intended to address the most significant remaining water-based sources of pollution to Lake Michigan (Lake Michigan conditions) and other surface waters.

The activities listed under "program enhancements" will also contribute to achievement of the goals and indicators. The NPDES program delegation is expected to improve both understanding of and compliance with permit requirements. NPDES permit backlog management activities will place priority on discharges to impacted watersheds and should contribute to improved overall water quality (waterway and inland lake conditions). Public water supplies will focus on the development and initial implementation of innovative programs needed to carry out the provisions of the SDWA Amendments of 1996, including the integration of source water protection provisions into Watershed Management. The expanded municipal compliance assistance programs will be directed at both wastewater discharges and public water supplies and should improve compliance rates in both areas (wastewater discharges and finished drinking water).

ENVIRONMENTAL GOAL

Clean Water - Illinois' rivers, streams and lakes will support all uses for which they are designated, including protection of aquatic life, recreation and drinking water supplies.

Environmental Objectives

1. Waterways with Good water quality conditions will increase 5% from 2000 levels by the year 2005. (Stream mileage in Good condition reported in the cycle 2000 305(b) report was 62.5%.)
2. The percentage of lakes in Good or Fair condition will remain constant from 2000 to the year 2005. (Lake acreage in Good or Fair condition reported in the cycle 2000 305(b) report was 97.0%).
3. The percentage of open shoreline miles in Good condition remains constant from 2000 to the year 2005. (Lake Michigan shoreline mileage in Good condition reported in the cycle 2000 305(b) was 100%.)

Environmental Indicators

The number and percentage of waterways that are classified as Good, Fair or Poor based on assessment of designated use attainment for a)fish and shellfish consumption; b) recreation; c) aquatic life support; d) drinking water supply. (Source: 305(b) report or electronic supplement)

The number and percentage of inland lakes classified as Good, Fair, or Poor based on assessments of designated use attainment for a)fish and shellfish consumption; b) recreation; c) aquatic life support; d) drinking water supply. (Source: 305(b) report or electronic supplement.)

The number and percentage of Lake Michigan open shoreline miles that are classified as Good, Fair, or Poor based on assessments of overall use support attainment for a)fish and shellfish consumption; b) recreation; c) aquatic life support; d) drinking water supply. (Source: 305(b) report or electronic supplement.)

Program Objectives

4. The total pollutant load discharged in the year 2005 will be 99.5% compliant with permit discharge limits.

Program Outcomes

The total pollutant load associated with non-compliance as a percentage of the total permitted load discharged. (Source: Annual Conditions Report)

*Percent of facilities implementing wet weather control measures. (Source: End of Year Report)

*Core Performance Measure (CPM). Type of measure (i.e., indicator, outcome, or output) reflects EPA's view of the CPM hierarchy and does not necessarily imply concurrence by IEPA.

ENVIRONMENTAL GOAL Safe Drinking Water - Every Illinois Public Water System will provide water that is consistently safe to drink	
<u><i>Environmental Objectives</i></u> 1. The percentage of the population served by community water supplies who receive drinking water with no short term (acute) or long term (chronic) adverse health effects increases to over 95% by the year 2005 (an increase of 5%).	<u><i>Environmental Indicators</i></u> The percentage of persons served by community water supplies that have not incurred violations of any acute MCL, chronic MCL, acute treatment technique, chronic treatment technique or health advisory during the year for drinking water standards that have been in effect for more than 3 years. (Source: Annual Conditions Report) Number of: a) community drinking water systems and percent of population served by community water systems, and b) non-transient, non-community drinking water systems, and percent of population served by such systems, with no violations during the year of any federally enforceable health-based standard
<u><i>Program Objectives</i></u> 2. 50% of the community water supplies in the State with source water protection programs in place by 2005.	<u><i>Program Outcomes</i></u> Estimated number of community water systems (and estimated percent of population served) implementing a multiple barrier approach to prevent drinking water contamination.

ENVIRONMENTAL GOAL Groundwater - Illinois' resource groundwater will be protected for designated drinking water and other beneficial uses	
<u><i>Environmental Objectives</i></u> 1. A declining trend of groundwater contaminants in community water supply wells will occur through year 2005.	<u><i>Environmental Indicators</i></u> Trends for groundwater contaminant exceedances in community water supply wells using unconfined aquifers. (Source: End of Year Report)
<u><i>Program Objectives</i></u> 2. The percentage of groundwater recharge areas (acres) with protection programs established or under development will increase to 45% by the year 2005. Furthermore, 90% of the state's population utilizing community water supply groundwater sources will have protection programs in place, or under development, by the year 2005.	<u><i>Program Outcomes</i></u> The percentage of total recharge groundwater recharge areas (acres associated with water supply wells) using unconfined aquifers that have protection programs established or under development. The population served by groundwater dependent community water supplies with protected source water. (Source: Annual Conditions Report)

*Core Performance Measure (CPM). Type of measure (i.e., indicator, outcome, or output) reflects EPA's view of the CPM hierarchy and does not necessarily imply concurrence by IEPA.

3. Performance Strategies

a. Base Program

- Watershed Management -The IEPA continues to utilize a watershed approach in the development and implementation of its ground and surface water programs. The Agency coordinates watershed activities, including TMDL activities, with other state and federal natural resource agencies utilizing the Watershed Management Committee as the coordination mechanism. The Unified Watershed Assessment will be used in the expansion of programs, and enhanced coordination of watershed activities with other state and federal agencies. Development of Comprehensive Watershed Implementation Plans are underway on two watersheds selected from the Unified Watershed Assessment 1999-2000 Restoration Schedule for Category I Watersheds in Need of Restoration. The development of watershed plans in targeted watersheds, utilizing 104(b)(3) funding, is an ongoing process, which has implemented 15 watershed efforts to date. Watershed staff is in place in regional offices to promote and assist watershed planning groups in the development of comprehensive watershed implementation plans. The National Nonpoint Source Monitoring Program Lake Pittsfield Watershed pilots many of the management practices utilized in predominantly rural watershed settings. This watershed is based in the Upper Mississippi basin, and will continue to be monitored until the close of the National Monitoring Program's 10-year cycle. The Watershed Implementation Plan (WIP) guidance document continues to be improved and reviewed by interested users and cooperative state and federal agencies. The WIP should be completed in FY2002. The WIP has been incorporated into the Nonpoint Source (NPS) Management Program as the format to be utilized in development of the TMDL implementation strategy. These strategies will thereby be in a watershed plan format upon completion.

To enhance program coordination and improve communication between agencies, a Natural Resources Conservation Service liaison position was established and is housed at IEPA. This liaison position has been extended through FY2002 at a minimum. The Agency will work with USEPA to adapt planning programs to the goals of the Clean Water Action Plan.

The Agency will maintain and update the State Water Quality Management Plan, which identifies goals and objectives pertaining to activities having water quality impacts. The Continuing Planning Process (CPP) provides a description of the Illinois water pollution control program. The Agency will work with USEPA to update the CPP description by January 1, 2003. Utilizing funding provided through Section 604(b) of the CWA, the Agency will also continue to support Section 205(j) water quality management planning activities performed by Areawide Planning Agencies. Activities of these agencies will be reported separately to Region 5 on a semi-annual basis.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will promote watershed management through continued financial support through Section 104(b); by supporting the Region 5 Watershed workgroup; by working with IEPA in the finalization and promotion of the WIP and revisions to the CPP; by providing technical assistance to other watershed projects; and by continued training of staff in watershed management planning methodologies.

USEPA will continue to coordinate the state/federal watershed work group to facilitate exchange of information, by arranging conference calls and meetings periodically or as special issues warrant. USEPA will provide technical assistance on environmental indicators development and planning issues and review of the Section 604(b) grant. USEPA will provide technical assistance to IEPA through membership on the Watershed Management Committee, including development of the Watershed Implementation Planning Program.

Promotion of activities under the Clean Water Action Plan will continue in 2002, and the revisions to the CPP and WQM plan will be reviewed. USEPA will promote watershed management through the American Bottoms and the Chicago River projects and through cooperation with IEPA on the Illinois River Water project.

- Illinois River Initiatives - Within the State of Illinois, the Illinois River Basin has been identified as a major priority. The Illinois River Watershed is one of the most significant natural resources in Illinois. The watershed includes more than 90 percent of the state's population, consists of approximately 60 percent of the total land area of Illinois, and is a principal corridor for drinking water, recreation and commerce. Protection and enhancement of this natural resource is a priority concern of the state of Illinois. The IEPA has identified numerous sub-watersheds that include rivers, streams, lakes or groundwater resources that represent high quality water resources worthy of protection and actions of a preventative nature to protect these resources. In order to focus public attention and identify resource needs, several initiatives are underway which are worthy of attention:
 - Integrated Management Plan for the Illinois River Watershed - Under the Chairmanship of Lieutenant Governor Corinne Wood, an Illinois River Strategy Team was formed. This group of public and private sector representatives formed an Illinois River Planning Committee to develop recommendations regarding environmental and economic issues on the Illinois River.

Recommendations under these issues form the heart of the Integrated Management Plan. The January 1997 Plan became the foundation for the next significant initiative, The Illinois River Restoration and Conservation Grant Act.

- Illinois River Restoration and Conservation Grant Act - This Act establishes an interagency body to develop and administer a grant program to fund local watershed management projects. Focus is to be placed on ecological and economic interests, and to stimulate local and private interest in watershed

enhancement and protection. The Act established the Illinois River Coordinating Council to advise on grant awards and to make recommendations towards the betterment of the Illinois River. The Council is comprised of representatives from the Governor's Office, the Illinois Congressional Delegation, state natural resource and environmental agencies, and private interests involved with the watershed.

In order to meet some of the challenges facing the Illinois River and its tributaries, a program was developed by the Lt. Governor that relied on existing federal funding sources. "Illinois Rivers 2020" is a voluntary program that incorporates many of the programs and attributes of the Conservation Reserve Enhancement Program (CREP) and other upland nonpoint source pollution control efforts under the Corps of Engineers and USEPA. Congress authorized \$100 million in federal funding for the "Illinois River 2020" program. The federal Fiscal Year 2001 budget appropriated \$1 million for the program. However, no appropriations for Illinois River 2020 were included in the FY2002 federal budget. IEPA is committed to the Illinois Rivers 2020 program and will complete meaningful efforts for river improvement with available state funds for FY2002, to the extent possible.

- Conservation Reserve Enhancement Program - In addition to the above activities, and to initiate the objectives of protection and enhancement of the Illinois River watershed, Illinois has successfully negotiated with the USDA/FSA and Commodity Credit Corporation resulting in Illinois obtaining 100,000 acre Conservation Reserve Program enhancement for the Illinois River watershed. The State Enhancement Program proposed a total acreage of 232,000. Additional acreage eligibility will be based on successful landowner sign-up in the initial program. These additional funds will be used to achieve the goals of reducing soil erosion and sedimentation, improve water quality, and enhance wildlife and fish as detailed in the Lt. Governor's Integrated Management Plan. The estimated total costs for the Conservation Reserve Enhancement Program (CREP) for the Illinois River watershed is \$438,978,000 over 15 years. Illinois will cost share 20 percent, or \$91,733,600. As of November 2001, a total of 95,310 acres were also enrolled in the state side of the program. Contract costs from the state side of CREP to landowners were \$38,009,606.

The IEPA is assisting this effort by providing financial support to those counties needing additional assistance to process sign-ups and assist landowners. It is expected that a successful and positive experience in this program will enhance sign-up in other counties having Unified Watershed Assessment Strategy Category 1 waters within their jurisdiction or waters/watersheds not meeting their designated uses, requiring the preparation of a TMDL.

USEPA and IEPA Detailed Work Plans - Both agencies will continue to work with local watershed interests in high priority watersheds, as identified in the Unified Watershed Assessment and Watershed Restoration Priorities. This will

include providing guidance for preparing watershed plans, and tools for motivating the public to become involved. Progress regarding watershed planning within the Illinois River basin will be reported to the Illinois River Coordinating Council, of which, USEPA is a member. Both agencies will continue to explore ways in which USEPA can provide additional technical assistance.

- Point Source Control Programs - Emphasis will be placed on managing those point sources that cause or contribute to water quality problems in priority watersheds. These sources will include both major industrial and municipal dischargers and significant minor dischargers. The IEPA will track progress in reducing impacts from these sources as a measure of success in implementing this aspect of the watershed program. While the compliance assurance programs of the Agency (including field inspections, compliance follow-up and enforcement) are structured to provide timely response to all violations of NPDES permits as well as other state and federal requirements, programs are now in place to specifically track the pollutant loads associated with point sources in targeted watersheds. This information is used to make strategic enforcement decisions. The Agency has developed an indicator to report noncompliant loads from permitted point sources in priority watersheds. By identifying critical watersheds and facilities with significant levels of noncompliant load, the IEPA prioritized its efforts at eliminating the most significant impacts to our water resources. This prioritization effort has proven to be an effective tool at reducing excess pollutant loading. The IEPA will continue its efforts to further reduce excess (non-compliant) pollutant loads.

IEPA will provide an inspection strategy and a plan for use of inspection resources at the beginning of the federal fiscal year. The strategy will identify the percentage of majors covered and address Combined Sewer Overflows (CSO), Sanitary Sewer Overflows (SSO), stormwater inspections, Concentrated Animal Feeding Operations (CAFO) inspections, pretreatment audits and inspections, and minor facilities. (CAFO and pretreatment inspections are discussed more fully in later sections.) We will continue to focus on inspecting facilities in priority areas while addressing instances of noncompliance and maintaining a base level of oversight on a statewide basis at both major and minor dischargers. The inspection plan will be provided via PCS and include major facilities and pretreatment programs targeted for inspection and the type of inspection planned. Scheduling is based on factors including facility compliance histories, consideration of areas with identified water quality impairment, instances of noncompliance identified during the year through sampling, review of reports, citizen complaints, requests for assistance from plant operating staff and support for other IEPA programs. Also, we will continue the program of technician reconnaissance inspections at wastewater treatment facilities. The level of approximately 8,500 site visits annually will be maintained to keep abreast of overall plant condition, equipment malfunction, poor effluent quality, or bypassing.

CSO and SSO inspections will be scheduled on a case-by-case basis in response to complaints, water quality problems, or noncompliance with permit requirements.

Inspections of NPDES permitted stormwater discharges will include both scheduled inspections and response to citizen complaints. Emphasis will continue on construction site stormwater inspections in rapidly developing areas and areas where runoff from these sites is significantly impacting receiving waters.

Core Program Outcomes - Total pollutant load associated with non-compliance (Source: Annual Conditions Report), percent of facilities implementing wet weather control measures (Source: End of Year Report), and percent of watersheds with toxic pollutant loadings at or less than permitted limits (Source: Annual Conditions Report).

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA acknowledges the shift in program emphasis from major discharges to sources impacting priority watersheds. Pre-issuance oversight of individual permits has been essentially discontinued except for an annual negotiated small listing, and available federal resources on the permitting side will be focused on resolving common permitting issues associated with existing, new or revised federal policies or effluent guidelines, identifying and resolving issues associated with state delegation and initial operation of the sludge program. In addition to the permits selected for review prior to issuance, USEPA will review a number of randomly selected issued permits for conformance with Federal requirements and an evaluation of the quality of those permits. USEPA will also be responsible for advising the state of their interest in the NPDES permits for dischargers located in the USEPA place-based efforts such as Gateway or Greater Chicago. Available federal resources for compliance and enforcement will be focused on compliance monitoring in priority sectors, including metal finishers, non-ferrous metals, petroleum refining, iron and steel, industrial organic chemicals, industrial inorganic chemicals, CSOs; sludge inspection; storm water inspections, and enforcement of significant violation found in these sectors; compliance assistance and enforcement related to the sludge program; and support to the state for its efforts in priority watersheds, or where federal enforcement action is requested or warranted, as resources allow. In those areas where the USEPA has identified "place-based" initiatives, such as Greater Chicago, the Chicago River, American Bottoms, and the Gateway areas, USEPA will take the lead on working out a process to provide adequate program coverage that takes best advantage of the resources of both agencies, and other partners. USEPA will work with IEPA in these place-based initiatives, to schedule direct assistance for the following activities:

1. Performing wet-weather inspections with emphasis on CSO and SSO inspections.
2. Continuing seminars for pretreatment POTWs.
3. Setting up seminars for industrial users of specific POTWs.

USEPA will provide this assistance as its staff resources allow and in consideration of the needs for similar assistance by other states in Region 5.

Critical Ecosystems Focus

American Bottoms - The USEPA Critical Ecosystems, Gateway and Upper Mississippi teams are working with the U.S. Army Corps of Engineers, St. Louis District Office, on a project to reduce the amount of interior flooding in the Metro East area. The primary focus of this project is to reduce flooding via the restoration of up to 15,000 acres of wetlands such that these natural areas will mimic earlier environmental conditions, absorb excess water and minimize the amount of flooding at any given time. The project's focus area is primarily the area within the historic American Bottoms area and some of the ancillary bluff lands to the east. USEPA supports this project because of the anticipated amount of wetlands that can be restored and because the agency can help the local communities resolve a long-standing environmental problem in a non-structural manner.

The Corps has asked USEPA's assistance in working with all local parties (including IEPA) to develop a comprehensive storm water plan that would reduce the amount of water and sediment due to erosion into streams that is being discharged from the bluffs. USEPA and IEPA's Collinsville office will work to develop and implement a locally approvable storm water plan.

Chouteau Islands – The Southwestern Illinois Resource Conservation and Development will lead a collaborative partnership to convert approximately 8,000 acres of private and public land into a restored habitat and recreational resource for the St. Louis Metro East Region. Region 5 and IEPA will work together with the collaborative partners on the Chouteau, Gabreite, and Mosenthine Islands. Throughout FY2002, Region 5 and IEPA will determine respective roles and opportunities.

Greater Chicago Area Waterways

Joint Role

There has been an extensive amount of interest related to the Chicago waterways in recent years. The Chicago waterways include the North and South Branches of the Chicago River, Chicago River, North Shore Channel, Sanitary and Ship Canal, CalSag Channel, and Lower Des Plaines River from Lockport Lock and Dam to the I-55 Bridge. Flow in these waterways consists largely of effluent from three large sewage treatment plants in the Chicago Area. These waters are designated as Secondary Contact and Indigenous Aquatic Life Standards. The distance from Northern Chicago to the I-55 Bridge is approximately 50 miles. The lower 11 miles of this waterway are undergoing active review to redefine attainable beneficial uses and supporting water quality standards in anticipation that improved conditions resulting from various environmental programs and pollution reduction initiatives warrant an upgrade in the use designation. This is the first stage of a comprehensive review that will address the entire Chicago Waterway system. IEPA will extend its evaluation up into the main reaches of the Chicago Waterway system during FFY2002.

Region 5 and IEPA believe that a watershed management approach for Chicago waterways, which would include structured discussions between stakeholders, is the best way to build consensus around solutions to remaining water quality problems. This process has been started with both Region 5's and IEPA's participation in the Technical Advisory Committee for the Urban River Monitoring and Recovery Initiative.

Federal Role - USEPA Region 5 Water Division will coordinate comprehensive watershed planning with IEPA for a structured stakeholder discussion on subjects as listed above. USEPA will participate in the Use Attainability Analysis Workgroup for the Lower Des Plaines River and Chicago Waterway and the Urban River Monitoring and Recovery Initiative.

- Nonpoint Source Programs - IEPA will continue to emphasize nonpoint source management programs using funding made available from Section 319 of the CWA. The Agency will implement the Nonpoint Source Program consistent with the approved NPS management program. Additional base program activities in those priority watersheds impacted by nonpoint sources will include expanded monitoring, consultation and technology transfer/awareness programs directed at contributing watershed land owners, intergovernmental working agreements, increased attention to permitted and unpermitted storm water sources and accelerated implementation of program activities identified in the approved Nonpoint Source Management Plan. During FY 2002, IEPA will focus increasing attention of its NPS program on implementation of TMDLs and implementation within impaired waters. This implementation will focus on those waters impaired due to sedimentation, nutrient enrichment, or loss of habitat. Any additional Section 319 funding will focus on support of the Unified Water Strategy, and development of implementable watershed plans. In August 1999, Illinois was the fourth state in the nation to have its expanded nonpoint source program approved by USEPA. Additional resources derived from this status will be focused on development and implementation of watershed restoration action strategies and support of the TMDL effort in Illinois. The State will provide USEPA in the first biannual report, a description of the methodology to be utilized. IEPA will continue to provide data on NPS activities through the GRTS system to enhance timeliness and accuracy of information and share information with other states.

See the Bureau of Water program outputs in the Attachment.

Federal Role - Regional staff will support the expanded funding of nonpoint source monitoring and control activities that are part of the overall watershed program. In some cases, this may require consideration of activities that have not historically been considered for nonpoint source support at the federal level; however, activities must be eligible under Section 319 for funding. The USEPA, in cooperation with IEPA staff, will pursue approval of the designation of Illinois as an Enhanced Benefits State.

USEPA anticipates that Illinois will be submitting grant applications to support the nonpoint source program and to fund nonpoint source demonstration projects. USEPA will review these applications and provide assistance as needed. Also, Wetlands and Watersheds Branch (WWB) will continue to work with IEPA in the completion of grants previously awarded.

WWB will continue to provide technical assistance to the State and local agencies regarding practices that will minimize pollution from nonpoint sources such as proper pesticide management and no-till practices. USEPA will support use of nonpoint source funds to support clean lakes projects where appropriate criteria is met. USEPA will participate in the Watershed Management Committee at the State level and provide technical and financial support as feasible.

USEPA will provide analysis of impairments and suspected sources/causes for consideration in targeting NPS implementation actions (including monitoring).

- Public Involvement - The key to the success of water quality programs is understanding and involvement of citizens with local knowledge of water quality problems. Opportunities for public input into Agency decisions are widely available at both the policy level and for individual decisions. Public comments are solicited on NPDES permits for individual discharges to waters of the state and formal public hearings are held when necessary to resolve outstanding issues. Advisory committees, with representation from a broad cross section of the affected public, are formed to help guide the Agency in the development of most standard proposals and implementation procedures. In addition, a more formalized procedure for public comment is provided through the Board hearing process for regulatory revisions and the Joint Committee for Administrative Procedures requirements for Agency procedures. The Watershed Planning Committee will continue to be utilized as a mechanism for coordination of all watershed planning and implementation activities, including TMDL development around the state. The Agency chairs that committee. Public and private organizations are invited to participate in watershed planning decisions. This will continue to be the coordination mechanism for Unified Watershed Assessments and other activities associated with the Clean Water Action Plan.

As new federal requirements for state administration of the provisions of the CWA are adopted, the Agency will continue to seek input from the full spectrum of public interests to develop effective, efficient and responsible implementation strategies. Three major program initiatives will continue to require extensive public input in FY2002 to define both the focus and scope of Agency implementation procedures: TMDL development for impaired waters (both for general listing criteria and individual watershed plan development), CAFO permitting requirements and Stormwater Permitting requirements for municipal storm sewer systems. Public involvement in these program areas is discussed elsewhere in this document under the specific program activity.

- Community Relations - The Bureau of Water is committed to involving the public (e.g., citizens, community leaders, organized groups and company representatives) in the planning, development and implementation of water pollution control and public water supply programs. The Bureau of Water, through the Office of Community Relations, disseminates information and promotes public involvement and education on the various Bureau programs through a variety of outreach mechanisms (e.g., public meetings and hearings, workshops and conferences, fact sheets and pamphlets, news releases and responsiveness summaries). Community Relations is engaged in an on-going process to establish and maintain a dialogue with individuals and groups impacted by a facility or project, which can ease public concern, raise public awareness, and increase public trust.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will participate in the Watershed Management Committee at the State level and provide technical and financial support as feasible.

- Wetlands Activities - The State will continue to develop and review wetland policy at the state and federal levels using the Interagency Wetland Committee (IWC). The IWC, composed of several state land/water management, regulatory and research agencies, including the IEPA, will coordinate banking, mitigation and other wetland related activities.

The IEPA anticipates receiving approximately 1500 applications for Section 401 certification within the next year. Many of these proposed projects involve wetlands. These applications, and plans for other projects submitted on a preliminary review basis, will be reviewed for compliance with the applicable water quality standards. The IEPA will evaluate and respond as required to applications for 401 certification.

Federal Role - USEPA anticipates that eligible applicants in Illinois will be submitting requests for grants to support the wetlands program consistent with wetland grant guidelines. In order to coordinate these efforts and ensure a comprehensive and uniform approach to wetlands issues statewide, and so that related efforts in other areas of the water quality program are also coordinated with the wetland activities under these grants, USEPA and the IEPA will cooperatively evaluate the wetland grants and work products in terms of the additional wetland and water quality planning and research needs of the state. USEPA will review these applications and provide assistance to the grant applicants as needed. Also, WWB will continue to work with Illinois in the completion of grants previously awarded.

WWB will continue to review selected Section 404 permits for compliance with the tenets of the CWA. Significant violations of the provisions of Section 404 (wetlands) will result in USEPA enforcement actions. Enforcement actions in which USEPA and IEPA have mutual responsibilities will be coordinated.

As resources allow, technical assistance will be provided to the State and other agencies upon request or referral for assistance, in such areas as wetlands training, field identification and implementation of other agency programs.

- Source Water Protection - Illinois will continue aggressive implementation of a source water protection program under the 1996 SDWA. The IEPA will continue producing source water assessments.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will maintain a federal role in support of the Illinois Groundwater Protection and SWAP Programs. In particular, USEPA will undertake activities to assist Illinois with increasing local source water protection and to help define USEPA's appropriate Federal role in support of local source water protection program.

- Groundwater Protection Program - IEPA will continue improving the groundwater protection program to accelerate implementation of pollution prevention in wellhead protection areas for new and existing water supply wells. SWA fact sheets, monitoring waivers, and consumer confidence report technical assistance were integrated to further leverage protection programs. IEPA will continue the development of regulated recharge area and maximum setback regulations for proposal to the Board. The Pleasant Valley Public Water District regulated recharge area became effective on September 1, 2001. In addition, a proposal to amend Illinois' groundwater quality standards regulation to include a preventive notice/response level and Class I and II standard for Methyl Tertiary Butyl Ether at First Notice. In addition, the IEPA will work with the Illinois Nature Preserve Commission and other stakeholders in the designation of 85 Dedicated Nature Preserves as Class III Special Resource Groundwater. Class III Special Resource Groundwater is established for demonstrably unique (e.g., irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; or for groundwater that is vital for a particularly sensitive ecological system.

The Groundwater program will also continue to work on integrating the Illinois Department of Agriculture's (IDOA) rural pesticide monitoring program to develop an overall groundwater quality indicator.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will work with IEPA in the development of a fully integrated Comprehensive State Ground Water Protection Program by ensuring that all Federal criteria are addressed in the submittal.

- Lake Management Programs - The Governor's "Conservation 2000" program, initiated in SFY96, provides a wide range of conservation initiatives to be

implemented by the IDOA and the Illinois Department of Natural Resources, as well as the Agency. Many of these activities are expected to directly or indirectly compliment the watershed program, particularly in the area of nonpoint source pollution control. Conservation 2000 includes funding to implement the Lake Management Framework Plan, a comprehensive program for improvement of Illinois' inland lake resources. This program includes expanded technical and educational assistance to lake owners interested in developing restoration and protection plans; expanded ambient and volunteer lake monitoring efforts for assessment and management purposes; and limited financial assistance programs (the Illinois Clean Lakes Program and Priority Lake and Watershed Implementation Program) to provide grants for lake planning and implementation activities. Lakes with watersheds on the priority list will be given first access to the funding and technical assistance provided by the Conservation 2000 program.

See the Bureau of Water program outputs in the Attachment.

Federal Role - The Illinois Clean Lakes Program is essentially the same as the Federal Clean Lakes Program authorized under Section 314 of the CWA administered by USEPA. Although Section 314 funding is no longer available, USEPA will support the use of Section 319 funds to implement appropriate lake management measures both within the lake and their watersheds as set forth in approved clean lakes program plans and where consistent with the Illinois Nonpoint Source Management Program.

- State Revolving Fund Program - The Agency will continue to manage the low interest loan program for both wastewater and drinking water facilities. In anticipation of an increased demand for both wastewater and drinking water loan assistance, the Agency will take initial steps toward implementation of a leveraged program. Appropriation levels for FY 2002 will be used to support a \$100M bond sale for the CWSRF and a \$50M bond sale for the DWSRF.

Federal Role - USEPA will process all of the necessary paperwork to close out the two construction grant projects that have been administratively completed and make those funds available for the SRF program.

See the Bureau of Water program outputs in the Attachment.

- b. Program Enhancements - In the IEPA's self-assessment, a number of general program enhancements were identified in the three major program areas (water pollution control, drinking water and groundwater programs) that would address weaknesses or improve overall program effectiveness. The following summarizes commitments to implement these enhancements and associated federal roles:
 - SDWA Amendments of 1996 - There are a number of national work groups developing regulations required by the SDWA Amendments and the Agency is assisting on several of these. Tracking the progress of rule development allows some advance preparation to initiate State rule making.

Annual Compliance Reports will continue to be prepared and submitted to USEPA each year prior to the first of July and public notice will include the issuance of a press release that provides a summary of the report.

Annual PWSS Program Guidance is provided through Region 5 and gives direction for state core program activities, activities needed to retain drinking water- state revolving fund grants and other recommended activities. With the agreement in place, a brief response will be made to the various sections and subsections of the guidance in order to keep Region 5 apprised of the work that has been done.

The State has set aside 10% of the FY1997 SRF allotment for the purpose of delineating and assessing source water protection areas pursuant to 1452(k)(1)(C) of the SDWA. A comprehensive work plan for use of these set-aside funds has been approved by the USEPA. The State will report annually on the progress made in delineating and assessing source water protection areas pursuant to 1452(k)(1)(C) of the SDWA.

A number of regulations were approved by the Board on July 22, 1999, December 2, 1999, and August 24, 2000, to keep pace with the "identical in substance" requirements of the Illinois Environmental Protection Act including: Variance and Exemption Regulations; the new definition of a Public Water Supply; modification of monitoring requirements as appropriate, and development of a program to assist in and monitor Consumer Confidence Reports. On December 7, 2000, the USEPA finalized the radionuclide rule. This rule retains the existing MCLs of 5 pCi/L for the combined radium and 15 pCi/L for gross alpha particle activity. To facilitate compliance with the radionuclide MCLs, the IEPA will be working with all supplies in noncompliance to establish a fixed-date schedule to achieve compliance in the shortest, most reasonable period of time possible.

On December 13, 2000, Docket Number R01-7, Safe Drinking Water Update, U.S. Environmental Protection Agency Regulations (U.S. EPA) (January 1, 2000, through June 30, 2000), Proposed Rule, Proposal for Public Comment was reviewed. The docket was reviewed by the Ground Water and Drinking Water Branch and Office of Regional Counsel. The sections reviewed in this docket included:

- Lead and Copper Rule Minor Revisions,
- Amendments to the September 17, 1999, Unregulated Contaminant Monitoring Rule,
- Amendments to the December 16, 1998, Interim Enhanced Surface Water Treatment Rule and Stage 1 Disinfectants and Disinfection Byproducts Rule,
- Removal of the Maximum Contaminant Level Goal (MCLG) of zero for chloroform in drinking water,
- Withdrawal of the April 14, 2000, Interim Enhanced Surface Water Treatment Rule and Stage 1 Disinfectants and Disinfection Byproducts Rule,
- Corrections (two) to the May 4, 2000, Public Notification Rule.

On April 19, 2001, the State of Illinois requested and received an extension of the deadline for submission of a complete and final primacy revision to EPA for the Interim Enhanced Surface Water Treatment Rule (IESWTR), the Disinfectants and Disinfection Byproducts Rule (DBPR), the definition of a Public Water Supply, as amended by the SDWA, Consumer Confidence Report (CCR), Lead and Copper Minor Revisions (LCR), Analytical Methods & Laboratory Certification Revisions, Variances & Exemptions Revisions and Public Notice Rule (PNR). The State requested that the deadline be extended from December 16, 2000, until December 16, 2002.

The Public Water Supply Operations Act was amended on July 9, 1999, to enhance the IEPA operator certification program for drinking water operators. The enhancements included the requirement for continuing education for certificate renewal as well as other amendments necessary to meet the minimum standards for drinking water operator certification programs set by USEPA. The 35 Ill. Adm. Code 680 was adopted April 24, 2000, to implement the enhanced program. The Illinois Operator Certification Program was also approved by USEPA on February 8, 2001, as being in conformance with Section 1419 of the SDWA as amended. This program approval enabled the IEPA to apply for the operator certification grant authorized under Section 1419 for the SDWA to assist in the training of operators. The Illinois Operator Expense Reimbursement Certification Program was approved by USEPA on September 27, 2001.

Federal Role - USEPA will provide the State with guidance on all regulations and programs applicable for implementation in FY 2002.

USEPA will develop guidance for educational and technical assistance requirements. Input from States and USEPA Regional personnel will be included throughout the entire development procedure. USEPA personnel will actively participate in these programs whenever possible.

- Small System Support - Technical assistance activities continue to focus upon providing operational compliance assistance to small community water supplies and toward reducing operational violations for small systems through operator education on a one-to-one basis during operational visits and sanitary surveys. Scheduled activities provide additional technical assistance through conferences, seminars and workshops co-sponsored with and provided by the IRWA and the Illinois Section American Water Works Association. Presentations by Field Operations staff will also be made at workshops co-sponsored with the IDPH, at the Illinois Potable Water Supply Operator's Association (IPWSOA) annual conference, IRWA meetings, and at local operator meetings. These presentations will include topics such as record keeping and reporting requirements; operational testing procedures; backflow program implementation and record keeping; new requirements of the SDWA Amendments of 1996; groundwater regulations; State Revolving Loan fund for public water supplies; boil orders; permit compliance requirements; distribution operation;

and other topics of interest that would help in the proper operation and maintenance of community public water supplies. Additional outreach is also being provided to community water suppliers with positive coliform reports to ensure proper collection of repeat sampling and issuance of boil orders and public notices. IEPA provides technical assistance for Consumer Confidence Reports by providing the needed compliance information to water supplies for incorporation in the notices and participating in conferences, seminars and workshops to explain the requirements and respond to questions.

Illinois was one of the states selected for siting of a Small Public Water System Technology Center, located at the University of Illinois, Urbana - Champaign Campus. Program coordination has begun among the USEPA, Regions 5 and 7, the States, Universities and other organizations. Research grants continue to be awarded. IEPA will participate on the Board of Directors and provide other assistance to the Center.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will continue to develop regulations and guidance for major Amendment requirements. Input from States and USEPA Regional personnel will be included throughout the entire development procedure.

See the Bureau of Water program outputs in the Attachment.

- Capacity Evaluation - All new systems which come into existence after October 1, 1999, are required to demonstrate that managerial, technical and financial resources are available to support operation in compliance with all State and federal drinking water regulations. This capacity development demonstration is a requirement of the SDWA Amendments of 1996. Illinois adopted regulations to require this capacity demonstration for new public water supplies on July 29, 1999, and is implementing capacity evaluation as a part of the permits process.

By September 30, 2002, State must submit a report to the Governor that shall also be available to the public on the efficiency of the strategy and progress made toward improving the capacity of public water systems in the State.

By October 31 of every year, the State will provide documentation to USEPA showing the ongoing implementation of both the new systems capacity development program and the existing systems capacity development strategy. The first report was submitted on July 20, 2001. This report documented the efficacy of the Illinois capacity development strategy in helping systems with a history of significant non-compliance improve their capacity.

Federal Role - USEPA Regional personnel will work closely with the State on the capacity development annual reporting requirements and the report to the Governor. USEPA Regional Office will remind the State of the capacity development reporting

requirements through a memorandum.

- Technical Assistance and Public Education - These goals have been addressed since the inception of the Agency as a basic drinking water program element. A provision of the Amendments allows the USEPA Administrator to provide technical assistance to small Public Water Systems, including circuit-rider and multi-state programs, training and preliminary engineering evaluations. Illinois has long supported technical assistance as a basic element needed to maintain compliance for all public water supplies, and has planned specific activities in FY2002 in addition to routine core program operational visits (Class II Sanitary Surveys) and presentations in response to invitations. Workshops designed to provide technical assistance in record keeping, operational performance monitoring, cross-connection control and rule interpretation will be offered in several locations by the Agency, Illinois Section American Water Works Association (AWWA), IPWSOA and the IRWA. The Agency and Illinois Section AWWA will cooperate to provide technical assistance to small water supplies by presenting a description of changes to the SDWA and other State and federal regulations at the Annual meeting, the two regional Small Systems Annual Meetings held in October through seminars scheduled to be presented throughout the State, and through participation on the Illinois Section AWWA Small Systems Committee. Agency personnel will continue to participate in public civic organization programs as well as professional association activities to provide education in drinking water requirements and programs.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will develop guidance for educational and technical assistance requirements. Input from States and USEPA Regional personnel will be included throughout the entire development procedure. USEPA personnel will actively participate in education and training programs whenever possible.

- Legislative Changes - The need for possible legislative changes required to fully implement the Amendments will continue to be monitored, and actions taken as necessary.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will review and provide comments on proposed legislation and regulations to ensure consistency with federal statutory requirements. Support during the legislative adoption process may also be provided.

- NPDES Program Delegation (Sludge Program) - The Agency will continue with rulemaking that will allow state assumption of the Federal sludge authority. Work completed during FFY98 identified a need to proceed with rulemaking before the Board as well as the Agency proceeding with its portion of the rules through its own course of action. During FY 99, work on development of the rulemaking drafts proceeded through the development of the basic drafts. During FY 2002, the Agency

will have the necessary rules in place to submit a delegation application to USEPA. Sludge rulemaking proposals will be submitted to USEPA early in development so that issues or concerns may be identified. The goal of Illinois' Sludge Management Program is 54% beneficial reuse of biosolids.

See the Bureau of Water program outputs in the Attachment.

Federal Role - Expeditionary review of the sludge rulemaking proposals as they are presented so that any fatal flaws are identified early in the process.

- NPDES Permit Backlog - Illinois has a backlog of expired NPDES permits as of July 11, 2001, of 27% for all permits and 29% for major permits. While a backlog is never a desirable condition, the expired permit conditions remain in effect until a new permit is issued. For facilities where permit requirements are not expected to change significantly over time, the impact of operating under an expired permit is minimal. The Agency has taken significant steps to reduce the backlog through the use of general permits and more efficient use of limited resources. We will further minimize the impact of permit backlog by targeting permit resources on reissuance of expired permits in priority watersheds with point source impacts. This initiative coupled with a continuing emphasis on major permits should effectively minimize the environmental impact of backlogged NPDES permit reissuance. The efforts of reducing the backlog started in FY2000 will continue into 2002.

In April 2001, USEPA and IEPA met and developed a schedule for issuance of all major NPDES permits that had expired or would expire through December 31, 2001. The schedule is being followed to determine which major permits receive attention. The schedule is an ambitious one that will achieve the national goal of having no more than 10% of the major NPDES permits expired by December 31, 2001. The work required for each permit has risen because of greater complexity and greater public involvement. This factor when input into the USEPA model for predicting the backlog suggests we will not meet the goal for majors. We will continue working towards improving this situation. IEPA will provide a list of major permits that will be issued during FY2002.

The model predicts we will meet the 10% backlog target for all NPDES permits by December 31, 2004.

Joint Role - USEPA and Illinois working together will issue the following permits early in FY2002:

MWRDGC - Calumet, IL0028061
MWRDGC - Northside, IL0028088
MWRDGC - Stickney, IL0028053

See the Bureau of Water program outputs in the Attachment.

Federal Role - As new federal regulations are issued that affect different industrial sectors, USEPA will identify specific issues that could impact expired permits and work with Illinois to develop appropriate language for permit issuance. USEPA will facilitate information exchange between the states on watershed protection, innovative approaches, etc., that could be used by IEPA in this effort. Region 5 will also expedite the review of the draft general NPDES permits, which will require renewal during FY2002, so that the use of general permits continues to be a significant element of the permit backlog reduction effort.

- Pretreatment Delegation - In past Agreements, Illinois has committed to seeking delegation of the federal pretreatment component of the NPDES program. The Agency has done most of the preliminary evaluation of regulatory and statutory authorities that will be needed to operate the pretreatment program. We have also evaluated changes to the workload of existing staff needed to administer the additional requirements of delegation. That analysis has been submitted to USEPA in the form of a preliminary delegation request. We have indicated that we do not expect that new state resources could be made available to add staff for this program expansion and that there would need to be substantial restructuring of permit and field operations responsibilities to deal with the increased workload. Given the new federal initiatives in the Clean Water Action Plan (particularly in the areas of stormwater and CAFOs that will also place significant demands on these areas of the program, we do not believe that it is prudent to continue to seek delegation of the pretreatment program at this time. The State will continue to provide the extensive support functions that are currently in place. Teamwork between USEPA and IEPA in this area has been excellent and the resulting joint permitting and compliance process is essentially transparent to the regulated community. The Agency will continue to evaluate the feasibility of pre-treatment delegation as the workload associated with the new federal permitting requirements becomes better defined.

IEPA will maintain Water Enforcement National Database (WENDB) elements and PCS, continue to identify and inspect Categorical Industrial Users (CIUs) in non-pretreatment POTWs (especially in the six-county area surrounding Cook County), issue construction and operating permits to such Industrial Users (IUs) that are consistent with Federal regulations, and conduct pretreatment audits of approved POTW programs at least once every five years, along with pretreatment compliance and reconnaissance inspections as appropriate in intervening years. We will also discuss the format and contents of a pretreatment effectiveness report with Region 5 during the year and prepare a report in a mutually agreed upon form, and continue to report annually on program performance measures (i.e., high quality sludge, POTW NPDES compliance rates, compliance statistics), and status of program activities.

Federal Role - The Region will continue to review and approve new POTW pre-treatment programs that have been required through NPDES permits, and modifications to approved POTW pretreatment programs. The Region will work with IEPA to public notice new programs and modifications, and incorporate same into POTW NPDES permits. The Region will also coordinate with IEPA to provide

oversight of POTW pretreatment programs, and requests copies of all pretreatment inspection reports generated by IEPA staff, as well as all correspondence regarding review of POTW Pretreatment Annual Reports. Develop and implement a strategy to identify CIUs in non-pre-treatment POTWs (at least those in the six-county area surrounding Cook County), obtain information to help verify their status as CIUs and their compliance status, and conduct inspections and compliance follow up. Such a strategy would have the added benefit of furthering the goals of the Metal Finishing Strategic Goals Program, by addressing the facilities operating outside the regulatory system.

- Compliance Assistance/Enforcement - Illinois will continue its comprehensive assistance program to provide wastewater performance trends and encourage timely planning for preventive and corrective actions. We will continue to target enforcement/compliance assistance as part of a watershed-based strategy to ensure timely and appropriate enforcement actions are taken for all facilities in SNC.

The Agency will continue to pursue the improvement of water quality and the achievement of sustained compliance via appropriate state actions. These include requiring an IEPA permit consistent with applicable state requirements for the construction, modification, and/or operation of water supply facilities, water mains, wastewater treatment works, sewers, pretreatment, and mining facilities; administering the State's Build Illinois Compliance Grant program, loan assistance for drinking water and wastewater, and requiring properly certified operators as a vehicle for assuring that drinking water and wastewater treatment facilities are properly operated and maintained by qualified personnel. Illinois will also continue to routinely update PCS, Safe Drinking Water Information System (SDWIS), and Grants Information Control System (GICS), utilize SDWIS – State in production mode, as well as continue to assist USEPA in addressing information needs. Information will continue to be provided on all water programs.

Field staff will provide a level of compliance assistance which is appropriate for the needs of the facility at each inspection. This may range from a discussion of the inspection results to extensive operational assistance, including both assistance funded under the 104(g)(1) program and operator assistance at larger and non-municipal facilities. Activities in the 104(g)(1) program will continue at the level of past years, including mid-year and end-of-year reports, participation in regional and national activities, and assistance in maintenance of the national computer database.

See the Bureau of Water program outputs in the Attachment.

Federal Role - The Region will continue to provide any information on national or other state activities with a similar focus. USEPA will share compliance assistance tools with the State, review quarterly noncompliance reports, review the draft tracking and reporting system, provide multi-media inspection training, and share the enforcement workload with the State to assure statewide/program-wide coverage of SNCs and geographic areas of concern.

The Region will continue to work with the State to identify additional IUs in non-approved POTWs that are subject to categorical pretreatment standards. The Region will also work with IEPA to ensure that conditions included in State-issued construction and operating permits for pretreatment facilities at these CIUs are consistent with federal pretreatment requirements. USEPA will support operator assistance efforts and encourages Illinois to fully participate in the National and Regional Operator Training Conference. USEPA will provide IEPA with a list of facilities the Region intends to inspect in the fiscal year and the resources available for assistance.

Joint Role - The Region and IEPA will continue to review reports submitted by CIUs, and inspect and sample high priority facilities.

Core Program Outcomes - The required data elements for Accountability Outcome Measures #1 and #2 and Output Measures #1 through 4 of the Enforcement and Compliance Assurance Programs will be maintained in PCS.

- Wet Weather Initiatives - IEPA will continue the efforts of controlling wet weather flows which include inspections of Stormwater related construction sites, industrial Stormwater facilities, and facilities with SSOs and CSOs. Maintaining stormwater related compliance and enforcement is a priority. IEPA will develop Phase II Municipal Separate Storm Sewer System (MS4) Permits for issuance by December 2002. IEPA will reissue the Rockford Phase I MS4 Permit. IEPA will focus on CSO and SSO issues including reissuance of expired or expiring NPDES permits with CSO control requirements and industrial and construction activities covered under the Phase 1 Stormwater regulations. IEPA will issue CSO Permits consistent with the national CSO Policy. Priority will be given to those Stormwater facilities which: (a) have failed to apply for coverage under NPDES permit, (b) failed to develop and implement the required Best Management Practices (BMPs), and (c) cause significant water quality problems. With the Phase II stormwater regulations finalized in December 1999, IEPA will develop and implement an outreach program for those entities, mainly municipalities that will be covered under the regulations for the first time. Regarding SSOs, State regulations prohibit overflows from sanitary sewer systems. The Agency will continue to use its enforcement authority to gain correction of these overflows when they are discovered. During the next year an inventory of SSOs, and an enforcement and compliance assurance implementation strategy for SSOs, will be undertaken. We will also continue to monitor the development of Federal regulations and make any changes to our programs that are necessary.

IEPA will develop a strategy and permit conditions to implement the recent incorporation of federal CSO policy into the Clean Water Act. This will include: a) development of standard permit conditions requiring development of long term control plans (LTCP) for combined sewer collection systems, b) a schedule and approach to incorporate such requirements into permits through reissuance or

modification, and c) a prioritization system that recognizes sensitive areas at high risk for human health exposure such as waters utilized for potable water supply, swimming and recreational activities. The strategy and implementation steps will be developed in consultation with Region 5.

Federal Role - Facilitate regular conference calls to address Stormwater Phase II implementation issues.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will provide information on P2 and Animal Feeding Operations (AFO) to IEPA.

- Water Quality Standards Activities - IEPA is currently involved in numerous standards initiatives that will carry into FY2002. Several are multi-year efforts that will extend well beyond FY2002. After completion of a stakeholders workgroup on anti-degradation policies and implementation procedures in June 2000, a proposed new anti-degradation standard was filed with the Board in August 2000. The Board issued a first notice rule on June 21, 2001, and schedule another hearing for August 24, 2001, to take comments on its first notice rule. Final adoption is expected during the first half of FFY2002. Reviews and proposed updates to specific general use water quality standards for metals and organics have been completed. Filing with the Board during the last quarter of FFY2001, with public hearings following shortly thereafter. Review of the Lower Des Plaines River use designation and affiliated water quality standards are currently underway. Additional standards issues expected to receive attention during FFY2002 include nutrient standards, bacterial standards, the general use ammonia standard, mining related regulations, and a use attainability analysis of the Chicago Waterway System. IEPA will also begin to update human health criteria based on the revised Human Health Methodology.

Federal Role - USEPA will work closely with the Agency during the process of developing revisions to water quality standards and any changes to use designations to ensure that proposals submitted to the Board are approvable. USEPA will provide IEPA with Regional and national technical support and necessary data through the Clearinghouse. USEPA will consult with U.S. Fish and Wildlife Service (USFWS) on new or revised water quality standards adopted by Illinois. USEPA will provide timely review and approve or disapprove new or revised water quality standards adopted by Illinois.

- Great Lakes Water Quality Initiative - The water quality standards revision and permitting procedures mandated under the Great Lakes Initiative were completed and submitted to Region 5 in February 1998 and approved by USEPA on July 31, 2000. Activity during FY2002 will center around implementation of the GLI.

See the Bureau of Water program outputs in the Attachment.

- Development of Biological Methods and Assessment Criteria – IEPA will continue to work with USEPA Region 5 to evaluate and enhance sampling methods for stream macroinvertebrates and fish and to enhance ways to incorporate biological information into assessments of designated use attainment of Illinois surface waters. IEPA intends to complete evaluation of the new fish index of biotic integrity and to incorporate the new index of biotic integrity into resource-quality reporting in the 2003 305(b) report. Development of a multi-metric macroinvertebrate index of biological integrity continues as scheduled. IEPA will continue to coordinate meetings of the Biocriteria Workgroup to update and to solicit review of the development of biological methods and of how to incorporate biological criteria in use-attainment assessments.

See the Bureau of Water program outputs in the Attachment.

Federal Role - The Water Quality Branch at Region 5 will continue to provide expertise in workings of biocriteria in general, participate on Illinois Biocriteria Workgroup, and facilitate the exchange of biocriteria information between Region 5 states and others. Region 5 will assist the state in obtaining federal funds that may be available for the development of biological assessment tools.

- Development of Nutrient Criteria - IEPA will continue participation in the Regional effort to develop nutrient criteria guidance by being a member of the regional workgroup. IEPA will also review data from the state to evaluate its quality and usefulness, and continue the collection of stream chlorophyll data initiated in the summer of 2000. Data from a new monitoring effort, a battery of eight continuous monitoring stations, will be collected and analyzed beginning in FY2002. This project was devised to support the nutrient standards effort. We will continue dialogue with external stakeholders and interested parties through continuation of meetings with a Nutrient Standards Workgroup created in FY2001. This group will investigate the nutrient standards issue and ultimately provide essential input into the Illinois nutrient standards development process.

Federal Role - USEPA will coordinate the Regional nutrient criteria effort. USEPA will work with USGS-Biological Resources Division and Water Resources Division to develop a nutrient database for Region 5. USEPA, Region 5 will participate in the national nutrient workgroup with USEPA HQ and the other Regions. USEPA, Region 5 will ensure that issues of concern to Region 5 States and Tribes receive adequate and appropriate consideration by the national workgroup. USEPA will publish national guidance on nutrient criteria applicable to Region 5 States and Tribes. Guidance will be developed for lakes and reservoirs, streams, estuaries and wetlands. States and Tribes will be expected to adopt nutrient criteria within three years of publication of final guidance.

- 305(b) Reporting - Pursuant to requirements in Section 305(b) of the Federal CWA, the Agency publishes a biennial "Illinois Water Quality Report" that provides an assessment of the water quality conditions of the state's surface and groundwater

resources. In addition to characterizing statewide water quality conditions, the report is supplemented with fact sheets addressing general water quality conditions at a watershed level. An Illinois Water Quality Report is scheduled to be written and published in all even numbered years (e.g., 2002, 2004), while electronic updates of water quality data are scheduled to be submitted in odd numbered years (e.g., 2003, 2005). For this reporting period, the Agency will submit to USEPA by April 1, 2002, a published 2002 Illinois Water Quality Report and an electronic update. During this fiscal year, IEPA will work with USEPA on identifying objectives and approaches to monitoring wetland resources within the state.

- Five-Year Monitoring Strategy - The Agency is currently operating under a monitoring strategy documented in our “Surface Water Monitoring Strategy, 1996-2000” report (Document #IEPA/BOW/96-062). This report needs to be updated to reflect the significant changes and additions to state and national program directions. A review of the Agency’s monitoring efforts and strategy was initiated in October 2000. The desire to expand assessment efforts (i.e., stream miles and lake acres); to utilize other entity data (i.e., MWRDGC and others); to respond to 303(d) listing concerns; to collect additional data to support TMDL studies; to improve upon nonpoint source pollution impact assessments; to strengthen quality assurance/quality controls efforts; etc., will all need to be specifically reviewed and addressed. The Agency will finalize and publish their “Water Monitoring Strategy: 2002-2006” report within the first half of the fiscal year.

Federal Role - As requested, provide support to IEPA in the development of a comprehensive, five-year surface water monitoring strategy.

- Fish Consumption – IEPA will assist USEPA in conducting the new national fish contaminant survey. Illinois will also reconcile, as appropriate, designated uses and water quality criteria for water bodies with the risk assessment methodologies for developing fish/shellfish advisories/ classifications.

Federal Role – USEPA will design and implement the national fish contamination survey. EPA will also communicate with the State on fish consumption advisory consistency and assist on maintaining current consistent approach used by Region 5 states.

- Fox River Water Quality Study - Three stream segments on the Fox River (DT09, DT69, and DT22) were added to Illinois’ 1998 Section 303(d) list in the summer of 1999. It was subsequently felt by the Agency that additional evaluation of available and supplemental data was necessary before extensive resources were expended to prepare TMDLs for these waters. Supplemental monitoring was conducted in June, July, and September 2000, particularly for fecal coliform and dissolved oxygen, the primary listed causes of impairment. *E. Coli*, suspended solids, water temperature, pH, specific conductance, rainfall information, and flow data were also collected. Results of the data collection effort will be utilized by the Agency to make April 1, 2002, Section 305(b) assessment and subsequent Section 303(d) listing

determinations.

Federal Role - At the time of supplemental data collection by IEPA, USEPA Region 5 Staff were working in conjunction with the Max McGraw Wildlife Foundation and the Conservation Foundation to determine impacts of dams to water quality and aquatic life on the Fox and DuPage Rivers. Any data collected under a USEPA approved quality assurance project plan on the three-subject Fox River segments will be forwarded to IEPA by March 2002. Such data would assist the Agency in making updated and more comprehensive 305(b) assessments and potential subsequent TMDL development decisions.

- Upper Mississippi River Issues - IEPA will provide data for the Upper Mississippi River Water Quality Data Report and will work with several state and federal agencies on analysis of the project. IEPA will also participate on a large river biocriteria development workgroup supported by USEPA for the Upper Mississippi River.

Federal Role - The USEPA will work with the State and other federal cooperators to finalize an information database for the Upper Mississippi River Water Quality Data Report by FY2001. USEPA will also support large river biocriteria workgroup meetings by providing technical and financial resources to the states.

- Total Maximum Daily Load (TMDL) - The IEPA's Watershed Initiative is providing a framework for successful coordination of nonpoint and point source program activities to improve overall water quality conditions. The TMDL process is an important tool for developing watershed-based solutions and therefore, an important component in watershed restoration efforts. The Agency will continue to rely heavily on the 305(b) reporting process for the identification of water quality limited waters in need of TMDLs under Section 303(d) of the CWA. A Request for Proposals (RFP) for the development of TMDLs in 13 watersheds (38 waterbody segments) based on IEPA's 1998 303(d) List long-term schedule was publicized in April 2000. Proposals were accepted until June 13, 2000, at which time the Agency received bids from 12 potential contractors. The proposals were reviewed and contract(s) were awarded in FY2001. Provide an update on the status of the contract awards and does IEPA intend to do the same in FY2002.

Development of TMDLs on a watershed basis, including the development of an implementation plan, will be on a two-year schedule for completion. Contractor(s) selected for TMDL development in each watershed will be responsible for the following deliverables and/or services:

1. Develop a TMDL for each Pollutant associated with each waterbody segment in the specified watershed.
2. Each TMDL developed should have reasonable assurance of implementation in the watershed and be consistent with the applicable federal regulations and guidance issued by USEPA.

3. The contractor shall describe the methodologies in detail and submit documentation of the methodologies to be employed in the development of a TMDL.
4. The method chosen for including seasonal variation in the TMDL should be described in detail.
5. The contractor(s) will evaluate several scenarios in consultation with the Agency prior to recommending a TMDL for pollutant.
6. Prepare and submit written interim reports (there are three different reports required with language stipulating what each report must contain).
7. The contractor shall provide a final report which will contain but not be limited to the contents of the interim reports, description of public participation efforts, a plan for implementation of the recommended TMDLs and an executive summary.
8. The contractor will attend three public meetings and/or hearings to make presentations and explain the basis for the recommended TMDLs and the implementation plan.
9. The contractor will install the methodology or the water quality model used in the development of the TMDLs on the computer system, verify operational capability on the system and train Agency technical staff in the operation of the model.

The Agency is currently developing the draft 2-year 2001-2002 schedule of proposed watersheds for TMDLs. TMDLs completed for Rayse Creek and the East Fork Kaskaskia River will be submitted to USEPA for approval by April 2002. TMDLs completed for Salt Creek and the East Branch DuPage River will be submitted to USEPA by June 2002. TMDLs for Governor Bond Lake and Cedar Creek have been conducted with close support from Region 5. Those TMDLs have been presented to the public and public comments are now under consideration by the federal consultant for appropriate response to the technical issues and will be submitted to USEPA for approval in December 2001. The remaining TMDLs from the first round are nearing completion of the draft report that will be submitted for public review and comment. Region 5 has reviewed one of those (Rayse Creek) and provided comments to the IEPA at this time.

TMDLs in the second round are now nearing the mid-point in development. Public meetings for these watersheds have been scheduled and announced.

IEPA, in a joint effort with USEPA, will complete TMDLs on two waterbody segments (Cedar Creek and Governor Bond Lake) selected by USEPA. IEPA will submit the final TMDLs on these waterbody segments to USEPA for approval in December 2001.

By December 30, 2001, the IEPA will jointly work with the USEPA to develop and subsequently implement an action plan, with milestones, specific TMDL outputs, and respective roles, to complete development of TMDLs in priority waters in FY2002 and begin development of TMDLs for completion in future years.

IEPA will submit a draft 2002 303(d) list, including listing methodology, to USEPA by July 1, 2002. IEPA will submit a final 303(d) list to USEPA for approval by October 1, 2002.

The State and USEPA will work together to combine annual TMDL funding sources into one multi-year TMDL grant. It is envisioned that this consolidated TMDL grant will provide efficiencies in the funding process and cut down on unnecessary paperwork.

The IEPA has incorporated its Assessment Database (ADB) into GIS to track 305(b) related assessments as well as 303(d) listed waters. Emphasis will continue to be placed on expanding modeling capabilities, such as BASINS, to support TMDL development.

As our neighboring states will have possible TMDL development in border water, which would be affected by loads from Illinois, the practice of providing notice of draft NPDES permits to our neighboring states will continue. This practice, mandated by regulations, will be a route of information transfer for point source loads.

Federal Role - USEPA will continue to coordinate the State/Federal TMDL workgroup to facilitate exchange of information, by arranging conference calls and meetings periodically or as special issues warrant. USEPA will continue to work with State in the TMDL program review of methodologies, review of TMDLs, guidance and technical assistance in development of TMDLs. USEPA is interested in working with the States to improve the quality of the 305(b) report. USEPA will review and comment on draft TMDLs and 303(d) lists in a timely manner. USEPA will provide TMDL practitioners training by February 2002.

- Livestock Waste Management - The Agency has operated a livestock waste management program for many years, and has had field inspection staff specifically assigned to the program for over 20 years. Watershed Management Section staff and the Agency's Agricultural Advisor provide additional resources for the program. In 1996, the Legislature adopted the Livestock Management Facilities Act in response to public concern about environmental affects of livestock production facilities, particularly large hog confinement facilities. Among other things, this law gives the IDOA some additional responsibilities for regulating environmental aspects of these facilities. In 1998 and 1999, the legislature amended the Livestock Management Facilities Act to expand the coverage of facilities subject to the Act.

The Unified Strategy for Animal Feeding Operations (AFO) was issued March 9, 1999. The Agency will work with Region 5 on an implementation plan consistent with available state resources. In FY2002, IEPA will continue to develop the AFO inventory. In developing the inventory, the IEPA will compile data from existing sources based on field inspections, enforcement activities and permitting. Other

sources will be added as deemed appropriate and reliable. This initial phase of the inventory process will be provided to USEPA for review. Following this review, additional data and a schedule for any outstanding activities necessary to complete the inventory of CAFOs will be arranged by mutual agreement between IEPA and USEPA.

The IEPA during FY2002 will issue a general NPDES permit for CAFOs including those with 1000 or more animal units. Illinois EPA and USEPA will arrange a mutually agreeable schedule of activities that ensures the issuance of the general permit within this timeframe. Authorization for coverage under the general NPDES permit will be issued for eligible facilities. Individual NPDES permits will be issued to CAFOs including those with 1000 or more animal units that may need additional permit conditions beyond those in the general NPDES permit. Through ongoing efforts, the Agency will solicit notices of intent to CAFOs or applications for individual NPDES permits, as the case may be. For CAFOs with 1000 or more animal units, the Agency will enforce the duty to apply for an NPDES permit in the event that a facility is subject to enforcement for a water pollution violation or violations. For CAFOs with more than 300 but less than 1,000 animal units that are subject to enforcement for a water pollution violation or violations, the Agency's enforcement will result in either (1) a change in the design or operation of the facility, or both, such that the facility no longer is a CAFO point source or (2) the submission of an application for a NPDES permit. The Agency will continue to work with Region 5 to review and revise as may be appropriate current state strategies for dealing with CAFOs in the context of the existing Federal strategy and emerging guidance including permitting, inspections, compliance, priority ranking criteria and enforcement. With regard to a strategy for inspections, Agency will continue to respond to complaints and follow up on previously identified problem facilities. It will also continue to initiate inspections, with the goal of inspecting all CAFOs before October 2003. Targeted inspections will also be scheduled to identify facilities larger than 1000 animal units or otherwise subject to NPDES requirements. Consistent with available resources, the Agency will work toward a goal of inspecting all CAFOs before October 2003.

The Agency will continue to use Section 319 funds in FY 02 for development of a program to assist operators with livestock waste nutrient management plans and construction of livestock waste handling facilities that will correct water quality problems identified in the 305(b) report.

Federal Role - USEPA will update the CAFO survey of 1995 that delineates current AFO programs. USEPA will work with the State in developing the State strategy for NPDES permitting, inspections and enforcement. USEPA and the State will work cooperatively to conduct inspections and take enforcement actions as planned and required.

See the Bureau of Water program outputs in the Attachment.

- Coordinated Use of Enforcement Authorities - Efficient use of resources and effective approaches to promoting compliance can be optimized through coordination between USEPA and IEPA regarding pursuit of enforcement activities. Periodic conferences with designated compliance and legal staff at USEPA and IEPA should take place to discuss formal enforcement actions each agency anticipates initiating and to identify violators that are to be pursued as a cooperative effort by both agencies. Identification of such cooperative efforts should take into account the priorities of each agency, including targeted watershed considerations, geographic initiatives (such as those involving the Metro East area, Greater Chicago, and the Upper Mississippi River), priority pollutants, and the pretreatment and sludge programs. Where USEPA will take the lead in enforcement action, IEPA would, in appropriate instances, provide supporting information and participate in proceedings and settlement negotiations. Such participation would apply to matters handled by both administrative orders issued by USEPA and by complaints filed in federal court through the United States Department of Justice (USDOJ). If warranted by the circumstances, the Illinois Attorney General's Office, on behalf of the IEPA and the State of Illinois, might elect to intervene as a formal party to enforcement cases filed by USDOJ.

Federal Role - USEPA and, in some cases, USDOJ, would initiate and pursue the enforcement actions that are to be handled cooperatively with a federal lead. Penalties collected in such matters would be split with IEPA in recognition of the degree of state support provided.

- Compliance Assistance Activities - The Agency is currently reviewing the comprehensive list of reporting requirements provided by the Region. This listing also contains recommendations for changes and improvements to the current process. The goal of this review is to further streamline reporting and oversight within the constraints of federal statutory and regulatory requirements.

See the Bureau of Water program outputs in the Attachment.

Federal Role - USEPA will provide a comprehensive list of current reports received from the Agency as well as a listing of reports and submissions required under federal statutes and regulations. They will work with the Agency to streamline necessary reporting and integrate this reporting into the self-assessment process to the maximum extent possible. In addition, a study of oversight and accountability activities has been undertaken. When complete, the study will be used by USEPA and the state to ensure that these programs are both efficient and responsive to program needs.

- c. Shared Environmental Goals – IEPA will work with USEPA and the other Region 5 States to develop a set of shared environmental goals, indicators and interim targets for the water programs that focus on environmental outcomes and enhance our joint efforts to protect and restore water resources.

4. **Program Resources** - The Agency plans to devote 326 work years in Fiscal Year 2002 to activities in the water program. Of this total, approximately 183 work years will be supported with State resources and 143 work years will be supported by federal funding under the CWA and SDWA. The distribution of work years is expected to be as follows.

	Federal Estimated Work Years	State Estimated Work Years
Water Pollution Control	93 ²⁵	130
Public Water Supplies	50	53

This level of effort assumes that federal grant awards in FY2002 will approximate the amounts received in FY2001. Work years associated with groundwater protection activities are included in the numbers shown for the Public Water Supply program. The NCWS program is administered by the IDPH and accounts for 12 of the federal work years above.

5. **Federal Role for Clean/Safe Water Program** - While new federal and state roles will be discussed and emerge during the next year, Region 5 commits to support Illinois in all efforts necessary to achieve the Agency's mission of clean and safe water. Administratively, Region 5 will continue to provide IEPA timely information regarding available resources and competitive grants throughout the year and will work with the State to expeditiously apply for and receive appropriate awards. Region 5 will work with IEPA to seek innovative ways to address broad regional priorities, including community-based environmental protection, pollution prevention and compliance assistance. Geographic initiatives are in place in the Greater Chicago and East St. Louis areas as well as the upper Mississippi River Basin in Illinois, and efforts will continue to foster relationships with these local areas and address specific community concerns. In addition to those listed elsewhere in this agreement, Regional activities in the State's broad program components include the following:
- Region 5 commits to providing technical and programmatic assistance to IEPA in the development of revisions to state water quality standards.
 - Region 5 will pursue improved state coordination 1) to establish regular and improved communication mechanisms so that the Region can be proactive in addressing upcoming issues and the states can better network with each other to provide better public service, and 2) so the states are better informed and active participants in regional and national goals.
 - Region 5 will develop a mechanism to report the progress of the Region 5 states' Wellhead Protection Programs.
 - Region 5 will develop and provide tools to the states to assist with the implementation of Illinois' Wellhead Protection Programs.

²⁵ Four of the federal work years in the Clean Water Program are funded by 205(j) monies for monitoring and assessment activities.

- Region 5 will develop a mechanism for working with or improving relationships with federal agencies to support Illinois' Wellhead Protection Program.
- Region 5 will continue to facilitate the development of electronic reporting of the progress of the Region 5 states' Source Water Protection Programs.
- Provide assistance to IEPA in implementing their Source Water Protection Program.
- Region 5 will work with IEPA and other partners on developing plans to assess and remediate sediment pollution in the West Branch of the Grand Calumet River.
- Region 5 will work with IEPA in regards to defining appropriate dredge material disposal sites for the Upper Mississippi and Illinois Rivers.
- Region 5 will support IEPA's effort on the development of the Upper Mississippi River Assessment Report.
- Region 5 has shared with IEPA the Fate and Transport Report for Sediments and Nutrients for use in targeting watersheds for water quality improvements.
- Region 5 will support IEPA and other Illinois Agencies along with other States in the development of an Upper Mississippi River Water Quality Assessment.
- Region 5 will also assist the State in expanding GIS/Global Positioning System capabilities.
- Region 5 will assist IEPA staff with interpretation of the National Primary Drinking Water Regulations, and with the development of regulatory implementation alternatives.
- Region 5 will work with IEPA to work through analytical methods as they arise.
- Region 5 will work with IEPA staff to apply in Illinois geographic initiative areas (Greater Chicago and Peoria Lake) the sediment GIS/database system currently used in the Southeast Michigan Initiative. The system is designed to visualize and analyze sediment data at sites in priority waterways.

6. **Oversight Arrangements** - USEPA needs to ensure the effective use of Federal funds. The role of oversight is to provide the parties to the agreement knowledge that a task has been completed, is of good quality and is in conformance with the applicable law and regulation. Oversight will focus on identifying and solving problems. IEPA and USEPA agree to quickly escalate issues so that they are resolved in a timely manner.

a. **Water Pollution Control Program** - The reporting mechanisms for the water pollution control programs are tied to the specific activity subjected to oversight. Some of these mechanisms have matured and are serving the needs of the oversight process quite well. Others are in stages of redevelopment and will continue to be reviewed and modified to better serve the needs of the party.

Grants/State Revolving Fund - Regional staff will conduct an annual SRF Program Evaluation Visit and an annual Post Award Monitoring Visit. Ample notice will be given to the State to ensure that the necessary files and program records can be made available to Regional staff.

NPDES Permits - The new oversight process is in the sixth year of implementation of revisions. Agreement has been reached to eliminate the formal pre-issuance review of each major permit. The current program involves staff to staff discussions and problem resolution before the drafting of an NPDES permit or modification. Conflict resolution procedures have been developed. The principal reporting system is the

PCS. Region 5 and the Agency are negotiating a list of permits projected for reissuance for which USEPA would review prior notice. Applications for modification of NPDES permits are supplied as received. As the permits are issued or modified, PCS is updated. Minor permit activity is also noted in PCS. Targeted watershed permit activity reporting will be in PCS also.

Inspection Program - The current system of providing USEPA with an inspection strategy and plan at the beginning of the year is satisfactory. No changes are anticipated at this time.

Compliance Monitoring and Enforcement - The current system is working well. USEPA and the Agency will continue to update oversight and coordination activities to reflect changing program priorities discussed in this document.

Nonpoint Source Management Program - Current program reporting requirements will be reduced to an annual basis in the conditions of the Section 319 Grant, utilizing the Grant Reporting Tracking System (GRTS).

Chicago River - Region 5 will provide direct assistance to this principal place and ensure wetlands work targeting.

American Bottoms - Region 5 will work with Regional Teams and the U.S. Army Corps of Engineers (St. Louis District Office) toward flood reduction and wetlands restoration. Region 5 will also investigate for a potential Class V project.

Quality Management Plan (QMP) - The review and approval by USEPA needs to be limited to only those issues required for approval, and oriented toward eliminating duplication of effort.

- b. Public Water Supply Program - The current process of providing periodic self-assessments on the negotiated PWSS program guidance will be continued. The Agency will continue work with the IDPH to report on NCWSs in the Annual Compliance Report.
- c. Groundwater Program - The current process of providing self-assessments will be reduced. Groundwater protection progress will be reported electronically to the Region.

MULTIMEDIA PROGRAMS

D. Toxic Chemical Management Program

1. **Program Description** - This program is focused on chemical emergency response and toxic chemical management.
 - **Chemical emergency response** - This program deals with preparedness and response to environmental emergencies such as spillage or sudden accidental release of hazardous substances. Appropriate and timely response to these incidents is a high priority for the Agency. The general authority and responsibility of the State administrative agencies to deal with disasters and emergencies is specified in the Illinois Emergency Management Act and Illinois Emergency Operations Plan. Under this plan, the IEPA is the lead State Agency for technical response to emergency events involving oil and hazardous material. The IEPA is also involved with the prevention of environmental emergencies. One means is by oversight of comprehensive chemical safety audits that are performed by facilities on chemical process operations. These audits are usually in response to a permit requirement or a court sanctioned consent decree negotiated to resolve a lawsuit filed by the State concerning a spill or release. Another means of prevention is through implementation of the Illinois Chemical Safety Act, which requires certain industrial facilities to develop and maintain chemical safety contingency plans and conduct periodic training for designated staff that deal with chemical emergency incidents..
 - **Toxic chemical management** - This program deals with toxic chemical risks that do not involve emergency situations. Such risks can result when humans or other living organisms are exposed to chemicals having toxic properties (causing cancer, birth defects, genetic damage, etc.). Managing these risks generally involves five steps:
 1. Awareness that exposures can or do occur;
 2. Assessment of the harm that can result;
 3. Selection of suitable mitigation methods;
 4. Method application to achieve risk reduction; and
 5. Public outreach/education as needed.

A wide range of commercial chemicals or products made with chemicals (e.g., lead-based paint) exhibit these toxic properties. In particular, chemical substances that are regulated under the federal Toxic Substance Control Act and, toxic chemicals subject to reporting under the federal Emergency Planning and Community Right-To Know Act form the core focus for this program. Integration and analysis of toxic chemicals information from other environmental protection programs is also a priority matter.

2. **Program Linkage to Environmental Goals/Objectives** - Over 60,000 chemicals are in commercial use in the United States. Many of the substances have toxic effects on humans and the environment. Unwanted exposure situations can occur in a myriad of ways from transportation accidents to spills at facilities, unsafe removal of hazardous

paints, unsafe removal of mercury containing devices, or bioaccumulation in sport fish that are caught and consumed. This program is designed to reduce excessive risks from toxic chemicals that are present in Illinois. This program also supports the work of media programs that are responsible for achieving clean air, land, and water.

ENVIRONMENTAL GOAL Adverse consequences resulting from toxic chemical releases are avoided, where possible, or otherwise minimized	
<p><u>Environmental Objectives</u></p> <ol style="list-style-type: none"> 1. Toxic chemical hazards will be reduced over the next five years. <p><u>Program Objective</u></p> <ol style="list-style-type: none"> 1. Emergency incidents are timely controlled and fully resolved within 180 days. 2. Lead-based paint is safely removed from exterior surfaces of buildings and structures. 3. Anglers and their families are timely advised regarding safe fish consumption levels. 4. Annual toxic chemical releases will show a downward trend due to various forces and actions. 5. Acceptable risk-based remediation objectives are achieved for 95 percent of clean-up projects. 	<p><u>Environmental Indicators</u></p> <ul style="list-style-type: none"> • Toxic chemical scorecard (annual amounts released and exposure potential, etc.). <p><u>Program Outcome Measures</u></p> <ul style="list-style-type: none"> • Percents of incidents controlled and fully resolved in specified time. • Percent of removal sites that meet performance standards. • Percent of fish consumption advisories issued within same year that confirmation of problem waters occurs. • Annual amounts (lbs) of reported toxic chemical releases. • Percent of projects with acceptable risk-based remediation objectives.

3. Performance Strategies

- Chemical Emergency Response - Appropriate response to environmental emergencies is among the highest priorities of IEPA and Region 5. Management of that response is conducted within the context of a larger disaster management framework involving all State agencies working with local and federal authorities.
 - a. IEPA will continue to operate a response system that has four principal components.
 1. Duty officers - In order to ensure IEPA capability to assess emergencies on an around-the-clock basis, the Office of Emergency Response (OER) maintains a duty officer system. Each of the six volunteer duty officers are available on-call to the IEMA dispatchers during non-office hours for a week at a time. IEMA receives spill notifications on their toll-free hotline on a 24-hour basis and also receives calls during non-office hours. The duty officer evaluates

- each notification and can contact an on-call OER staffer in each of three offices in the State (DesPlaines, Collinsville, and Springfield) for further technical advice or to request them to respond in person to an incident
2. Core response team - OER has professional staff that work full-time on responding to emergency incidents. This core response team is managed out of Springfield, but also has field staff in DesPlaines and Collinsville. Whenever possible, the IEPA dispatches these specially trained staff to handle emergency situations. This team also gives expert advice to other field operations staff and local officials that may have responded to an incident.
 3. Regional field personnel - Technical staff from the Agency's field offices are distributed in seven regions throughout the State and may be called on to respond to incidents when they either are closest or when individuals have unique technical expertise.
 4. Legal support - The IEPA has provided an attorney and part-time paralegal support of this activity. Various types of viable enforcement cases arise from these emergency situations.
- b. There are several efforts focused on the preventive aspects of emergency management that target one or more of the probable causative areas. The non-random or systemic causes can be reduced by focusing efforts to correct the root cause which may be traced to one or several operational, process design, maintenance or management deficiencies. OER has also begun systematically focusing more efforts recently on compliance efforts involving businesses which frequently report incidents. In the past, this type of approach had been limited to facilities which had very egregious incident histories.
1. Spill Compliance - Enforcement and compliance assurance tools are used to obtain more prompt and thorough cleanups. Facilities or entities which have a relatively high frequency of spills have also been targeted for increased scrutiny. Examples are anhydrous ammonia refrigeration releases, oil and fuel pipeline leaks, railroad locomotive spills and spills to surface waters. In addition to assuring objective evidence of remediation, a strategic focus of this effort is to encourage adoption of approaches to reduce the recurrence of these types of incidents.
 2. HAZOP studies- Another approach used by IEPA to address serious releases from technologically complicated process facilities is to require and monitor the conduct of detailed engineering studies of accidental chemical release potential. Such studies usually begin by identifying hazards for various failures in the processes that can result in chemical releases. Often a very detailed and systematic procedure called a Hazards and Operability Study, or HAZOP, is conducted. This approach has been most frequently used by IEPA in an enforcement context as a stipulation of a consent decree. In other situations, such studies have been required as a permit condition.
 3. PCB compliance assurance - More inspection work is being focused on facilities that have a greater probability of non-compliance based on experience in other state programs. Facilities built prior to the ban on PCBs

that include but are not limited to, educational facilities, hospitals, state and local government facilities, electrical utilities, hazardous waste facilities, sand and gravel mines, sawmills, and oil production facilities will be among those targeted. At the specific request of Region 5, no reported emergency incidents or spills will be inspected.

4. Chemical safety activities - Under the Illinois Chemical Safety Act (ICSA), future strategy will be to increase the effectiveness of such plans by conducting a study of "significant releases" that have occurred during the past ten years and communicating the results with the facilities regulated by ICSA. This study will encompass the causes of such releases, the impact of ICSA plans in mitigating releases, and the deficiencies frequently found when plans have been reviewed by IEPA. Efforts will be made to revise the ICSA to more closely parallel and complement the Risk Management Program (40CFR 68) and to include provisions for release prevention.

- c. IEPA has participated in development of area contingency plans for the Upper Mississippi River and local plans for the Quad Cities and St. Louis areas. It continues to participate in area planning and in FY 2001 will continue efforts in the Peoria area.

- Toxic Chemical Management

- a. Toxics release information (TRI) - IEPA will continue to prepare and publish the Annual Toxic Chemical Report which presents a compilation of toxics data filed (Form R) by specified facilities in Illinois. This information is also made available to and used for other programs and projects.
- b. Toxics database integration - Our efforts are primarily focused on implementation of the incident management system. This database will be integrated with other priority toxics data. Conversion to an Oracle-based platform has also been undertaken.
- c. Safe removal of lead-based paint - Focusing on removals from exterior surfaces and superstructures, IEPA will continue to explore a more efficient regulatory scheme that focuses on prevention rather than response to problems. IEPA continues to respond to incidents where lead-based paint gets into the environment due to poor removal practices.
- d. Statewide fish contamination monitoring - IEPA will continue to participate, as appropriate, on the interagency group. Sport fish are collected each year and tested to determine if consumption is safe or if advisories should be issued.
- e. Endocrine disruptors strategy - IEPA continues to work on various science and technical issues relating to endocrine disruptors.

- f. Geographic Initiatives - The IEPA will be part of a geographic focus for multi-media concerns for the following:
- Participation in the USEPA's St. Louis Gateway initiative and the Greater Chicago initiative.
 - Sensitive Receptor Areas - The IEPA received grant funding for a special project to look at environmental hazards in areas around schools. This several-year project is expected to evaluate ways of achieving enhanced protection for children that go to schools in high risk areas.

4. Program Resources

- Chemical Emergency Response - Historically and practically the emphasis has been toward responding to emergencies, assessing the risks to human health and the environment, assisting local responders as appropriate, and assuring appropriate cleanup by the responsible party or with public resources when necessary. About 14 staff are devoted to response, subsequent compliance and enforcement, ICSCA implementation and HAZOP activities. These core staff are funded from non-federal sources. Other field staff that work in the Air, Land or Water Bureaus are funded from a mixture of sources that is addressed in their respective program performance sections.
- a. PCB Compliance assurance - The work will be performed through the Office of Emergency Response at IEPA. The Agency will devote 1.7 full-time equivalent headcount to inspectional and case development (about 25 inspections and 22 samples) at the anticipated federal funding level of \$100,000. At Region 5's insistence, no emergency incidents or spills will result in inspections or sampling. Three personnel will be utilized on a part-time basis each. These staff will do TSCA part-time and emergency response otherwise. IEPA will continue to utilize its Organic Chemistry Laboratory (Springfield) for securing and analysis of samples taken during compliance inspections. The Springfield laboratory has been evaluated and approved for PCB analysis by the USEPA, Region 5 office. A State Quality Control Officer has been designated within the Office of Emergency Response to assure that report format and contents are consistent with USEPA standards, and that all suspected violations are properly documented before reports are submitted to USEPA Region 5 for case review and development. Sample analysis quality will be assured by a review process as specified in the previously approved Quality Assurance Project Plan (QAPP). IEPA and Region 5 have been working on a revised QAPP. IEPA will finalize the TSCA PCB QAPP update within 60 days of receipt of final comments from USEPA on the draft.
- Toxic Chemical Management
 - a. Toxic chemical release information- This activity is funded entirely from State sources.
 - b. Toxic chemical database integration - First phase supported by federal funds.

- c. Lead-based paint removal - This activity is currently funded entirely from State sources.
- d. Endocrine Disruptors Strategy - This activity is funded entirely from State sources.
- e. Sensitive receptor areas - Federal funding helps support this work.

5. **Federal Role**

- Emergencies - State emergency management is coordinated with federal capabilities in general through the Federal Response Plan. With respect to the technical aspects of environmental emergencies, state and federal efforts are coordinated in accordance with the Regional Contingency Plan for hazardous materials and with the Oil Pollution Act Area Contingency Plan for oil spills to surface waters. If the USEPA is notified of a release or other incident which might require an emergency response, it will notify the IEPA. The IEPA may request technical and/or enforcement assistance from USEPA if it is unable to adequately respond due to limitations on resources or authority. USEPA will respond if the criteria for a response action in the NCP are met based on manpower availability. USEPA agrees to notify the State of the intent to conduct an emergency response action prior to initiating on-site activities. In cases of extreme emergency, the USEPA will make a reasonable attempt to contact IEPA and will proceed as required to mitigate threats to the environment, public health and welfare.
- Toxic Chemical Management - Region 5 has a Toxics Program Section and a Toxics Reduction team. The Toxics Program Section (in WPTD) includes program activities for PCBs, the Toxic Release Inventory (TRI), and lead (Pb). The Toxic Reduction team is a cross-program/multimedia effort. The team's main activities for FY2000 are to address mercury, endocrine disruptor, lead (Pb), and the Great Lakes Binational Toxics Strategy. Region 5 will take the following actions relating to IEPA's program:
 1. Work with IEPA on identifying facilities for Region 5 TRI data quality reviews in Illinois, as well as other compliance assurance activities.
 2. Provide relevant information about control/regulation of lead-based paint removal.
 3. Continue dialogue with IEPA about strategies for dealing with endocrine disruptors.
 4. The TRI and TSCA Programs will play an advisory role on issues pertaining to EPCRA § 313 and TSCA whenever IEPA requests and address the following:
 - The TRI and TSCA Programs will make sure that IEPA is updated on new regulations, policies, and guidance and Regional initiatives within the State of Illinois.
 - The TRI and TSCA Programs will provide IEPA technical assistance on EPCRA § 313 and TSCA regulations.
 - The TRI and TSCA programs will advise IEPA on EPA National and Region 5 priorities, goals, and enforcement strategies.
 5. The Pesticides and Toxics Enforcement Section at Region 5 will:

- Assist IEPA with targeting for PCB inspections. Any tips or complaints will be forwarded to IEPA.
- Maintain a data base of the inspection activities carried out by IEPA.
- Review inspection reports and issue the appropriate enforcement action.
- Provide oversight, technical assistance and outreach to IEPA and the regulated community.
- Inform IEPA of any pertinent initiatives or training opportunities. Provide training to IEPA staff as needed.

6. **Oversight Arrangements**

- Chemical Emergency Response - No formal arrangement has been used for this program. Coordination occurs through participation in the Region 5 Regional Response Team, of which USEPA is a co-chair. At this time, it does not seem necessary to change the working relationship.
- a. PCB Compliance assurance - Region 5 will provide oversight and make recommendations in the following areas:
 - Targeting facilities for inspection
 - Review inspection reports and provide comments when necessary so that IEPA can draft a final report that sufficiently addresses all potential compliance issues

IEPA will assure the following:

 - The latest revision of the FIFRA TSCA Tracing system (FFTS) data entry form will be used for all PCB inspections. The properly completed form will be faxed or mailed to Region 5 within seven days after the inspection is completed. Inspection reports will be submitted to USEPA in a timely manner.
 - The TSCA PCB QAPP Update will be finalized within 60 days of receipt of final comments from USEPA on the draft.
- Toxic Chemical Management -
 - a. Toxics release information report - Not applicable since no federal funding is involved.
 - b. Toxics data integration - Based on grant arrangements.
 - c. Lead-based paint removal - Not applicable due to the absence of federal funding.
 - d. Endocrine Disruptors Strategy - Not applicable.
 - e. Sensitive receptor areas - Based on grant arrangements.

F. Innovative Protection

1. **Program Description** - This program is comprised of regulatory innovation, pollution prevention and environmental education and assistance.
 - **Regulatory Innovation** - The IEPA is helping create opportunities for progressive companies and local governments to demonstrate better environmental performance. Specific projects are generated by sponsors that want to try some innovative ways of achieving continuous improvement. In particular, environmental management systems (aka ISO 14001) are often utilized by project sponsors as the driving mechanism.
 - **Pollution Prevention** - The Agency's pollution prevention (P2) program is designed to promote P2 as the preferred strategy for environmental protection. Reducing pollution through the use of less-toxic raw materials, good housekeeping practices and cleaner production techniques is preferable to treating or managing it after the fact. The Agency's Office of Pollution Prevention (OPP) promotes P2 through a variety of educational, technical assistance and voluntary recognition programs. For example, OPP sponsors workshops and seminars that inform businesses and others about the latest P2 approaches and management tools. It also employs a staff of engineers and technical specialists that help businesses identify and implement P2 projects at their facilities. Finally, the Agency partners with business associations and environmental groups to provide recognition and support to facilities that adopt comprehensive P2 efforts.
 - **Environmental Education and Assistance** – The IEPA looks to improve awareness and understanding of environmental issues through education and outreach activities. The Agency's environmental education program, working in partnership with non-profit organizations and other governmental agencies, sponsors educational programs and exhibits; conducts educator training workshops; provides summer internships for students; and hosts an interactive Internet site to educate children about environmental protection. The Office of Small Business (OSB) provides resources and assistance to help small businesses comply with environmental regulations through toll-free telephone and online helplines; "plain language" environmental factsheets and guides; speaking engagements at local business organizations and trade associations; and outreach activities and projects.
2. **Program Linkage to Environmental Goals/Objectives** - Environmental performance at some business and other facilities in Illinois can be positively impacted by non-regulatory influences. This program is designed to help generate environmental progress using practices that are not grounded in the traditional environmental regulatory system. The following goals and objectives reflect this perspective.

ENVIRONMENTAL GOAL
Environmental improvements will result from voluntary actions being taken by businesses, communities, and the public

<u>Environmental Objectives</u>	<u>Environmental Indicators</u>
1. Better environmental performance is demonstrated over the next four years by participants in non-regulatory, structured situations.	Documented performance by participants.
<p style="text-align: center;"><u>Program Objective</u></p> <p>1. Majority of pilot innovation projects undertaken are fully or partially successful (i.e. demonstrates new practices/approaches).</p> <p>2. Facilities accepted for the "National Environmental Achievement Track" (NEAT) (sponsored by USEPA in partnership with states), meet performance expectations for continued participation.</p> <p>3. More than 50 percent of the facilities receiving assistance from IEPA-trained college intern students are implementing new P2 projects.</p> <p>4. Effective on-site P2 assistance offered by IEPA non-regulatory engineers and technical specialists increases by 10 percent each year.</p> <p>5. One or more quality P2 recommendations are provided in 35 percent of the regulatory field inspections by 2002.</p> <p>6. More comprehensive facility P2 efforts are generated by 2002 from a revitalized voluntary P2 program sponsored by the Agency.</p> <p>7. Small businesses are making changes or improving performance as a result of IEPA compliance assistance activities.</p> <p>8. Small business awareness and use of IEPA telephone Helpline increases by 10 percent each year.</p> <p>9. Use of Agency educational materials increases by 10 percent each year.</p>	<p style="text-align: center;"><u>Program Outcome Measures</u></p> <p>Projects that are undertaken will be evaluated to determine if they are successful, partially successful, or not successful.</p> <p>Percent of participating facilities that satisfy criteria for continuing in NEAT each year.</p> <p>Percent of facilities implementing a student P2 project and amount of waste/emissions reduced due to the projects.</p> <p>Percentage increase in on-site P2 assistance and percent of surveyed respondents implementing at least one recommended P2 project.</p> <p>Percent of field inspections including a P2 recommendation and percent of surveyed respondents implementing at least one recommendation offered by an inspector.</p> <p>Percent of participants implementing P2 projects and amount of waste and releases reduced due to the program.</p> <p>Percent of surveyed respondents indicating compliance-related changes were implemented as a result of IEPA outreach and assistance.</p> <p>Percentage increase in Helpline usage.</p> <p>Percentage increase in the number of educators requesting educational materials.</p>

3. **Performance Strategies** - The following action plan will be pursued for these special activities:

- **Regulatory Innovation** -
 - a. **EMS agreements** - Two EMS agreements with cooperating companies have been executed to pilot test specific regulatory innovations. We expect to have several more companies execute agreements during FY2002.
 - b. **XL projects** - Implementation has begun for two projects in Illinois.
 - c. **National Environmental Achievement Track** - Illinois has twelve charter participants in this initiative sponsored by USEPA. One additional company was accepted for participation during the second round.
 - d. **ECOS/EPA innovation agreements** - IEPA has received approval for two projects and one more is still being developed for consideration during FY02.
- **Pollution Prevention**
 - a. **Educational Outreach** - OPP will sponsor at least three workshops in different areas of the state to promote P2 to industrial facilities and other sources. OPP will continue to update information on its website and maintain an e-mail distribution list for facilities on P2 techniques and developments. We will also initiate an outreach program to state government employees on P2 practices for home and work.
 - b. **Technical Assistance** - OPP will provide on-site technical assistance to over 100 facilities to help them identify and implement P2 measures. OPP will recruit, train and place 15-20 student interns at selected Illinois facilities to work on P2 projects during the summer. OPP will partner with the Illinois Waste Management and Research Center to provide special assistance to printed wire board facilities. Finally, OPP will continue to extend its technical assistance to non-traditional sources, such as government facilities, schools and water reclamation districts.
 - c. **Regulatory Integration** - OPP will work with the media programs to implement at least three projects that provide P2 assistance to a specific industrial sector, type of generator or geographic area. OPP will continue to provide training to regulatory staff on P2 techniques and practices for selected industrial processes. OPP will work with BOL to conduct a P2 training workshop for site remediation staff. We will also work with the Division of Legal Counsel to incorporate P2 site assessments as Supplemental Environmental Projects in settlement negotiations.
 - d. **Voluntary Initiatives** - OPP will provide technical assistance to facilities participating in the Metal Finishing Strategic Goals Program, Great Printers Project, Drycleaner Star Program and Department of Defense/Illinois P2 Partnership. OPP will complete revisions to the Agency's voluntary P2 program and initiate a process to recruit facilities to participate.

- Environmental Education and Assistance
 - a. Environmental Educator Training - The IEPA will present at least one teacher workshop for the Agency's 5th/6th grade education packet *Environmental Pathways – Youth Investigating Pollution Issues in Illinois*. The IEPA will also co-sponsor at least one professional development training workshop for non-formal educators.
 - b. Education Partnerships – The IEPA will actively pursue partnerships with external public groups (other state agencies, not-for-profits and USEPA Region 5) and the private sector to develop cooperative environmental education programs.
 - c. Educational Public Outreach - The IEPA's educational materials and resources will be promoted at educator conferences. New material will be added to the Envirofun web site. Articles pertaining to current environmental education activities will be submitted to various publications.
 - d. Small Business Helplines - The Office of Small Business (OSB) will continue to manage the telephone and online helplines, which offer small businesses a non-threatening method to obtain answers to environmental regulatory questions. OSB will directly answer routine questions and work closely with Bureau staff to answer technical and complex questions. Efforts to publicize the Helpline will continue.
 - e. Regulatory Guides for Small Businesses - It is anticipated that six new guides covering various subjects relevant to small businesses will also be prepared. Potential topics include annual emission reporting, annual hazardous and non-hazardous waste reporting, water discharge reporting, circuit board manufacturers, and waste determinations.
 - f. Environmental Workshop for Small Businesses – OSB will design an environmental regulatory workshop for small businesses and sponsor one workshop to test its effectiveness and acceptance by the small business community. The workshop will cover the ten most common environmental problems at small businesses and how to avoid them. OSB will partner with a public or private sector group for co-sponsorship of the workshop.

4. Program Resources

- Regulatory Innovation - About 2.0 work years are supported by federal and state funding.
- Pollution Prevention – The IEPA will support 12.5 work years with federal and state funds.
- Education and Assistance – The IEPA will use state funds to support 1.0 work year for education and 3.0 work years for small business assistance.

5. **Federal Role**

- **Regulatory Innovation**- Region 5 supports and works with IEPA on regulatory innovation projects and programs. For IEPA's EMS agreement projects, Region 5 participates in the review and development of the EMS agreement project, when requested. This may include technical support and program and policy interpretation. If necessary, the Region will undertake actions to ensure the projects satisfy the State's delegation responsibilities.

USEPA manages several national programs promoting innovation. They are Project XL, National Performance Track Program and the Strategic Goals Program for Metal Finishing. Each program requires the participation and support by the IEPA for its implementation. IEPA is an active team member for the two XL projects located in IEPA. USEPA will implement the project and develop documents or other mechanisms necessary for implementation. IEPA will provide input and consultation as well as support the data collection and evaluation elements of the projects. The National Performance Track Program is managed by USEPA. This program requires the State's participation for compliance screen, review of business' self certification, site visits, and recommendations. The Strategic Goals Program for Metal Finishing is coordinated at a national level and technical and administrative support is provided at the regional level. Since delegation responsibilities of POTWs reside with the State, IEPA is a critical member and supporter of the program.

Region 5 manages the ECOS/EPA innovation agreements, ensuring involvement and coordination of national program offices. USEPA establishes the teams and works directly with IEPA on early consultation and discussions regarding each proposal. Together, Region 5 and IEPA establish the schedule for each project and commit to working cooperatively on resolving issues and providing information.

- **Pollution Prevention** - Region 5 supports IEPA's efforts to advance pollution prevention activities within regulatory programs and voluntary programs. We will continue to offer funding assistance to the State through the Pollution Prevention Incentives for States grant program and explore other funding options for innovative P2 activities. In addition, Region 5 will participate in the following:
 - Continue to chair and facilitate cooperation among stakeholders in the Greater Chicago Pollution Prevention Alliance.
 - Continue to co-chair the Illinois Department of Defense P2 Partnership.
 - Support and promote voluntary programs that reduce pollution at the source, such as the Energy Star and WasteWise programs.
 - Disseminate pollution prevention information, especially through USEPA's support of the Pollution Prevention Resource Exchange (P2Rx).
 - Support pollution prevention sector initiatives with metal finishers and printed wire board manufacturers.

- Education/Assistance - IEPA and USEPA will continue to work together on educational conferences and share information on a variety of education topics.

6. **Oversight Arrangements**

- Regulatory Innovation - No oversight arrangement is anticipated.
- Pollution Prevention – No oversight arrangement is anticipated.
- Education/Assistance - No oversight arrangement is anticipated.

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ATTACHMENTS

- Listing of Funding Sources
- Summary Report for FY 2002 PPA Focus Group Discussions
- Listing of Program MOAs and MOUs
- Reporting Requirements Inventory
- Dispute Resolution Process
- Program Outputs

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LISTING OF FUNDING SOURCES

- A. The FY 2002 federal performance partnership grant to Illinois EPA includes the following programs for which this agreement serves as the program commitment (e.g., work plan):
1. Air pollution control program (CAA, Sec. 105)
 2. TSCA compliance assurance
 3. Hazardous waste management program
 4. Underground injection control program
 5. Water pollution control program (CWA, Sec., 106)
 6. Public water system supervision program
- B. For the following categorical grants to Illinois EPA, this agreement also serves as the program work plan:
1. CERCLA implementation support (CORE)
 2. Base program funding for nonpoint source control activities (CWA, Sec. 319)
 3. Base program water quality management planning activities (CWA, Sec. 604(b))
 4. State revolving fund administration funding (CWA, Sec. 603 (SDWA, Sec. 1452)
 5. Air pollution program (CAA, Sec. 103)
- C. For the following federal grants to Illinois EPA, this agreement provides an overall strategic framework and, in some cases, implementation provisions that work in concert with the requisite project-specific work plans that remain in effect:
1. TSCA multi-media grant project (Sensitive Receptor Areas)
 2. CERCLA pre-remedial support
 3. CERCLA site-specific projects
 4. Funding for nonpoint source projects (CWA, Sec. 319)
 5. Clean Lakes project funding (CWA, Sec. 314)
 6. Research and demonstration funding (CWA, Sec. 104(b)(3))
 7. Operator training funding (CWA, Sec. 104(g))
 8. Areawide Agency water quality management planning (CWA, Sec. 604(b))

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SUMMARY REPORT
FOR FY 2002 PPA FOCUS
GROUP SESSIONS

For the FY2002 PPA, IEPA and Region 5, USEPA held three focus group discussion sessions with interested stakeholders. The purpose of these sessions was to promote public involvement and review of the joint priorities, goals and objectives, and performance strategies. This report presents a summary of the discussions and identifies issues, concerns and suggestions provided by the stakeholders. IEPA's responses are also presented for the record.

Business Interests Session

Prior to this session, the participants were sent a draft PPA for review. The Illinois Environmental Regulatory Group (IERG) took the lead in arranging for this session. Twelve persons from companies and four staff from IERG took part in the session held on October 11, 2001. These persons represented 12 different businesses (see attached roster).

The discussion is summarized as follows:

1. Renee Cipriano and D. K. Hirner (did not sign roster) made brief opening remarks.
2. Open discussion session.
 - a. Question was raised about joint filing (state/federal) of DMRs and potential problems due to lawsuit filed in California about MOA for NPDES program delegation.
 - Response - We will review the MOA for delegation and could be willing to consider clarifying language about state and regional intentions.
 - b. Inquiry about IEPA's interest in mercury containing equipment removal. Industry would appreciate having an opportunity for early participation.
 - Response - After we gather some basic information about mercury usage, we will involve business in consideration of possible actions.
 - c. An interest was expressed in working with the IEPA on various existing and new innovation initiatives.
 - Response - Could be opportunities stemming from the ECOS/EPA innovations agreement projects. We are working on three so far. [They would like to see some information about these projects.] We would also be willing to come to one of their regular meetings and discuss this work.
 - d. Some concern was expressed about IEPA not being responsive in permitting (air) for production expansions. In particular, the PSD process was described as being much slower (6 vs. 12 months) here than in neighboring states.
 - Response - Due to staffing problems, some permits have taken longer than in past years. We are willing to have more discussion about this matter. Legal staff do not have veto power over permit decisions. The Bureaus make the final call.

Public Interests Session

Prior to this session, the participants were sent a 2002 Performance Self-Assessment and the draft Performance Partnership Agreement for review. Prairie Rivers Network was the lead group for arranging this session. Eight persons took part in the session held on October 18, 2001 in Chicago. These persons represented eight organizations (see attached roster).

The discussion is summarized as follows:

1. Roger Kanerva and Rob Moore made brief opening remarks.
2. Open discussion session
 - a. General point was made about the new mission, vision and value statements. In particular, they would like to stress the importance of public participation.
 - b. IEPA should do more to promote sustainable development. Urban sprawl should be addressed using water pollution permits.
 - Response - IEPA is a member of the Governor's Balanced Growth Cabinet. This group has the lead in dealing with urban sprawl issues.
 - c. Clean Water Program - The following questions or points were raised in this session and in subsequent written comments:
 - (1) They would like to see a bigger role for the NRCS in doing the TMDL development work.
 - (2) They are not satisfied with the public participation process for the Black Beauty Mine case and the Board's decision. The issue is the degree and significance of changes made to a permit. They are working on a proposal to change the permitting rules.
 - (3) Question was raised about the 303(d) listing methodology.
 - (4) Questions were raised about the nutrient standards and implementing narrative standards.
 - (5) Concern was expressed about the criteria for permitting CAFOs.
 - (6) Question was asked about permit backlogs and, in particular, the status of permit renewal for the MWRDGC.
 - (7) Question was raised about sufficient attention being paid to storm water pollution control.
 - (8) Question was raised about the use attainability analysis for the DesPlaines/Chicago Rivers.
 - (9) Question was raised about how regulations impact mining operations.
 - (10) Concern was expressed about how we are handling standards for wetland areas.
 - (11) The PPA does not say what is going to happen with the FPA review process.

- (12) Village of Richmond applied for SRF funding and was turned down due to high user cost. So the Village annexed an area to get more users but it impacts a Class A stream.

- Responses:

(1+3) TMDL issues

- 5 year old data issue - At some point data age becomes a factor in whether the waterbody has been adequately assessed. While the period of time that the data may truly represent those waters varies from case to case, five years is a reasonable approach and coincides with 1) USEPA 305(b) assessment guidance for distinguishing between "monitored" and "evaluated" assessments, and 2) the rotating basin sampling plan instituted by the IEPA in the mid-1990s.
- Listing methodology - The assessment of waters has been conducted through a process detailed in the 305(b) Reports, generally described in "Surface Water Assessment" pages 20-73 of the 2000 Report. Once those waters have been sampled and the data have been evaluated in accordance with the assessment methods published in the 305(b) Report, impaired streams were (in 1998) identified and subjected to the listing methodology published in the 303(d) List, pages 2-7 in the 1998 List. Note that the 305(b) Report and the 303(d) List have separate functions and contain different methods by which waters are evaluated. Recent USEPA directives would have states consolidate this process--the description of the sampling, evaluation of the data and use impairment and listing.

Over the past year, the IEPA has worked diligently to develop a Quality Assurance Project Planning (QAPP) process that would potentially allow for the data collected by other entities to be used in the 305(b) assessment and 303(d) listing process. Submitted monitoring plans are reviewed by the Agency's Quality Assurance Office and surface water monitoring and watershed planning staffs to ensure that appropriate sample collection, shipping, analysis and other procedures will be followed in order to ensure a quality data set. Over the past year, formal QAPP arrangements have been entered into with MWRDGC and a group conducting monitoring in support of the TMDL for the West Branch of the DuPage River. Other monitoring plans are currently under review as well.

- Pace of TMDL production - IEPA currently has TMDLs underway in 19 watersheds--six started in 1999-2000 and 13 started in 2000-2001. This is consistent with the long-term schedule published in the 1998 303(d) List. The next round of contracts for TMDLs will be handled differently than the first two and should allow the IEPA to address deficiencies we have identified in the early rounds. Contracts should be awarded for the first of these by the Spring of 2002. We think this new contracting method will allow us and the contractors to provide a better, final TMDL, at a reasonable pace.

- Implementation plans - The first of our TMDLs (Governor Bond Lake and Cedar Creek) were conducted with oversight from USEPA, using their consultant. At that time USEPA was subject to a Congressional prohibition concerning the use of the then-final July 2000 TMDL regulations. TMDLs under development at that time were guided by the appropriate rules in effect. Those federal regulations did not require development of an implementation plan. Our other TMDLs in development, and those we develop in the future, will contain specific implementation plans, cost data for implementing those plans and identify those individuals that will be called upon to develop the plans.
- (2) Public Participation Aspects of NPDES Permitting - The Agency remains committed to working with interested and affected parties to improve communication and effectiveness, particularly regarding the public participation component of NPDES permit issuance. As in recent years, Agency staff will maintain willingness and ready accessibility to meet with parties and give fair consideration of proposed program modifications and improvements. As environmental groups develop specific ideas and proposals for regulatory modifications we certainly encourage dialogue on those matters.
- (4) Nutrient Standards and Implementing Narrative Standards - IEPA is committed to the development and implementation of water quality standards for nutrients. We are working with USEPA in the creation of a plan that will outline the steps and time frame for this process. Concrete regulatory proposals will emanate from the Illinois Nutrient Standards Workgroup according to this plan as this group deliberates on the appropriate numeric and narrative standards to protect various categories of water bodies from nutrient impairment.

Until the Illinois Pollution Control Board adopts nutrient water quality standards, it will remain difficult if not impossible for the IEPA to impose nutrient limits in most permits. The nutrient standards package, including guidance dictating what the applicable permit limits would be based on, standards particular to water body type and other factors, must first be in place so that permit limits may be equitably assigned. Likewise, without the foundation of adopted nutrient water quality standards protective of designated uses, it will be impossible to know whether new or expanded discharges will violate any future standards. We will continue to utilize anti-degradation regulations to determine the appropriateness of all new and expanded discharges for nutrients and all other potential pollutants, thereby avoiding new impairment problems.

- (5) CAFO Permitting - All CAFOs are not required to obtain an NPDES permit. Rather, they are subject to the federal regulations under 40 CFR 122 that provide exceptions to permitting according to the size of the CAFO, but also establish a duty to apply for a permit in the event of a discharge. CAFOs are also subject to regulation under 35 Ill. Adm. Code Subtitle E that reiterates the federal size classification of CAFOs required to obtain a permit. However, Subtitle E also

creates an exemption from permitting if the facility confines the livestock waste and discharges only due to large storm events. 35 Ill. Adm. Code 502.102 states, in part, that "...no animal feeding operation shall require a permit if it discharges only in the event of a 25-year 24-hour storm event." This effectively exempts many operations from permitting as long as no discharge occurs during storm events of lesser severity.

Earlier this year we proposed to use \$500,000 of 319 funds in a specific watershed impaired by livestock waste. Those funds would be used for the development of both nutrient management plans and construction of livestock waste management facilities. Many of the farms in this watershed are old dairies. The likelihood of these facilities having the funds necessary to make the necessary corrections is small. 319 funds for this type of practice will only be available for this year. On December 15, 2002, the final federal CAFO regulations will be issued and these facilities may at that time become point sources. Given the reticence of the livestock community in this area to take corrective action voluntarily and without penalty (we offered a limited amnesty program in 1998 that proved ineffectual), we are willing to take this final step toward compliance before the on-set of new regulations.

- (6) MWRDGC Permits - Revised drafts of the NPDES permits for the Metropolitan Water Reclamation District of Greater Chicago's three major treatment plants have been sent to USEPA and the District. These drafts have been revised to include changes made necessary by comments received during the public hearing and written comments received during the comment period. USEPA was provided the draft so they may identify any issues they may have, as the next step in the process is for them to receive a proposed permit. This step would allow the IEPA to adjust if a problem were highlighted by USEPA. The District was provided a copy so they could identify any errors. We plan to issue a proposed permit shortly, in early 2002.

These permits will require compliance with the Combined Sewer Overflow Policy of 1994 as this is now part of the Clean Water Act because of the Wet Weather Quality Act of 2000. The permits comply with the Policy.

The study of nutrients and their impact on the water quality of the Upper Illinois and the Mississippi is being reviewed by the Agency, but not as part of the permit itself. The issues of nutrient statewide will be reviewed as rulemaking is undertaken in response to directives from USEPA. We have changed the ammonia limits to comply with current regulations. Phosphorus is currently not regulated in the permit but will be if the rulemaking process results in phosphorus limitations.

We have reviewed the data from our ambient water quality monitoring network. The data does not indicate violations of dissolved oxygen in the upper reaches of the Illinois River and Lower DesPlaines River. We believe the permit

requirements for ammonia and carbonaceous biochemical oxygen demand are sufficient to prevent dissolved oxygen impacts attributable to these effluents.

- (7) Storm Water - The Agency has increased attention and resources dedicated to storm water issues in recent years. Major effort has been invested in development of program components related to the storm water phase 2 permitting, including a substantial public outreach element. There has been increased field inspection and complaint investigation activity, particularly in the rapidly developing sections of northeastern Illinois. We will continue to require that storm water pollution prevention plans be developed and maintained on premises at permitted sites where they are available for and accessible to the permittee's site management staff as well as IEPA and local authority field staff.
- (8) Use Attainability Analysis for DesPlaines and Chicago Rivers - The Agency is aware that thermal conditions are an important component of the water quality issues to be addressed in the use attainability analysis for these waterways and is committed to a thorough consideration of thermal conditions within those studies.
- (9) Mining Regulations - The Agency has initiated a review of the water quality regulations for mining. We are working with environmental groups, the mining industry and USEPA to identify inconsistencies between state and federal program requirements and the proper resolution of such conflicts. This is a priority to the Agency and we intend to advance this activity as rapidly as possible.
- (10) Wetlands - The priority at the moment is to complete the required development of nutrient standards for all waters. If along the way, we are able to glean some information useful to the development of wetland water quality standards or applicable to wetlands, we will take full advantage of that opportunity. We believe that adoption of the anti-degradation rule now pending before the Board will fully resolve how the IEPA addresses potential degradation within the Section 401 certification process.
- (11) Facility Planning Areas - The Bureau of Water is conducting an internal review of the facilities planning area process, hoping to complete its review in December. The review will define the Agency vision of what facilities planning needs to accomplish. The issue of conducting an anti-degradation analysis during the planning stage, rather than at the permitting stage, makes a lot of sense and is being seriously considered. Following the internal review, discussions with stakeholders will occur to think through facility planning issues the internal review may not have included and to seek statewide consensus.
- (12) The Balanced Growth Cabinet is looking at how the state supports infrastructure projects.

c. Clean Air Program - The following points or questions were raised:

- (1) How is the NOx control rule structured for 2003?
- (2) 90% target for clean air seems too low and should be higher.
- (3) What is status of attainment for the Chicago area?
- (4) Questions were raised about the reference year for the tonnage reductions (68 and 105).
- (5) Questions were raised about the compliance figure in the Performance Self-Assessment, pg. 13) and the Performance Partnership Agreement (pg. 37).
- (6) Question was raised about IEPA's view of USEPA's enforcement grants strategy.
- (7) What are the four MACT standards that are not getting done by EPA?
- (8) What is IEPA's schedule for doing report development about the multi-pollutant strategy?
- (9) IEPA should flag something if a real emissions trend occurs in the ERMS . They wonder about developing a menu of corrective actions.
- (10) They think there needs to be 30 days of concurrent review time so that Region 5 can fully consider public comments.
- (11) What is IEPA's perspective on NSR compliance for coal power plants?
- (12) What do we know about an air permit for a concrete plant in Missouri?

• Responses:

- (1) Sources still must comply with .25 limit by 2003. The NOx rule is set up for two phases.
- (2) The new 8-hour standard for ozone is figured into the air quality index and results in a bit lower level of "good" air quality achievement.
- (3) We will be going for re-designation in the Spring and do a maintenance plan too.
- (4) The tonnage figures are for the phase II acid rain controls.
- (5) The targets are for particular years.
- (6) Bureau of Air is not enthused about this enforcement grants strategy.
- (7) Paint stripping rule is only one that affects Illinois.
- (8) A draft report will be done but not interim actions. The Bureau will circulate portions as these become available.
- (9) IEPA has committed to on-going dialogue about the Annual Performance Review Report for the ERMS.
- (10) If significant public issues arise for a Title V permit, then the process slows down for more consideration of concerns.
- (11) We see this as a federal initiative.
- (12) This permit is not going anywhere.

d. Toxic Chemical Management Program - The following questions or points were raised:

- (1) Question was raised about IEMA and having all the LEPCs across the state.

• Response - IEMA has the lead role for these arrangements.

e. Clean Land Program - The following questions or points were raised:

- (1) What is the status of the Paxton site?
- (2) Has the IEPA received a particular landfill application?

- Responses

- (1) Bureau of Land staff provided an explanation of the stabilization work being done. We expect this site to have gas production for 25 years.
- (2) We do not have an application yet.

f. Innovative Protection Program - The following questions or points were raised:

- (1) Question was raised about XL projects and who is watching them.

- Response - Contact persons were supplied to provide information about specific projects.

Local Government Interests

Prior to this session, the participants were sent the draft PPA for review. The Illinois Municipal League was the lead group for arranging this session. Sixteen persons took part in this session, held on October 25, 2001 in Springfield. These persons represented 16 local governments and consulting companies.

The discussion is summarized as follows:

1. Roger Kanerva and Bob Hutson (did not sign roster) made brief opening remarks. The IML's Public Works Committee would like regular participation from the IEPA at their meetings.
2. Open discussion session - The following questions or points were raised:
 - a. A question was raised about the requirements for water and sewer separation.
 - Response - Bureau of Water has a workgroup looking at this matter and the relative risks. We would be willing to work on an agreeable solution and to update the water supply regulations.
 - b. A question was raised about the 404 permit review process and need for some streamlining.
 - Response - Multiple federal/state agencies interact in this process and sometimes we aren't synchronized very well. We have had some success doing preliminary reviews. The Bureau of Water is also making some changes in the water quality certification procedures.

- c. A concern was expressed about the State developing TMDLs when the federal rules are on hold. In particular, rules for methodology on identifying impaired waters need attention.
- Response - Bureau of Water is committed to reactivating the rule development workgroup to address this matter.
- d. A general concern was expressed about excessive regulation and having even more to cope with locally.
- Response - We are trying some new approaches for regulatory innovation that may provide some relief for regulated entities. We encourage local governments to participate in these efforts.
- e. A question was asked about the status of the phase II stormwater regulations and possible funding assistance.
- Response - The Bureau of Water is working on a general permit for separate storm sewers with some interested parties. For construction sites, we think the existing general permits will still work. We are not aware of any funding assistance as this matter was driven by a court case and consent order.

IML is considering a funding approach through legislation for fees and is looking for involvement by the IEPA.

- f. A question was raised about the consulting assistance that was used for the Galesburg TMDL project.
- Response - USEPA had some resources that fit with this project. Public hearing was held and the comments are being considered.
- g. IEPA staff described the Green Committee's Demonstration program and provided a handout.
- h. A question was raised about the Corps of Engineers' ecological restoration plan (reference to document).
- Response - Not recorded.
- i. A question was raised about the complexities involved with doing consumer confidence reports. Why can't they just put one notice in local newspaper? Why isn't this provision more user friendly?
- Response - The federal rules don't allow this simpler approach to be taken. Maybe this reporting provision would make a good innovation project. We would be willing to have further discussions regarding this matter.
- j. A question was raised about using locally derived water quality data when feasible.
- Response - We are open to using other data sources when possible.

2002 PPA DIALOGUE SESSION
Attendance Roster
Illinois EPA

Date: 10/11/01

<u>Participant Name</u>	<u>Representing</u>	<u>Telephone</u>
Jene Robinson	Ameren	217/423-0119
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Larry Siebenberger	Granite City Division National Steel	618-451-3391
MARK CALMES	ARCHER DANIELS MIDLAND	217-451-7456
Joe Nargozos	Enviro Power	312-543-2570
Christa Russell	Lone Star Cement	317-706-3305
Brooke Peterson	Illinois Environmental Regulatory Group	217-522-5512
Alec Messina	IL Env Reg Group	217-522-5512
KEITH HARRIS	PACTIV CORP.	217-479-1194
LORINDA LAMB	Commonwealth Edison	630/576-6731
ALAN JIRIK	CORN PRODUCTS	708/563-6707
Jerry Starkey	Equistar Chemicals	815/942-7285
Glynda Harrington	Equistar Chemicals	815/942-7295
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Marcia Willhite	IEPA - BOA Chief	217-782-1654
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Renet Cipriano	IEPA - Director	217-782-9540
Bill Seith	Ill. EPA - Dep. Dir.	217-557-7824
Troy Kanerra	IEPA	(217) 785-5735
Joseph E. Svorc	IEPA	217 782-5544

2002 PPA DIALOGUE SESSION
Attendance Roster
Illinois EPA

Date: October 18, 2001

<u>Participant Name</u>	<u>Representing</u>	<u>Telephone</u>
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<u>Brian Motcalf</u>	<u>IL PIRG</u>	<u>312-364-0096</u>
<u>Seamus Uebaszewski</u>	<u>ALAMC</u>	<u>312 243 2800</u>
<u>JOHN KNIGHT</u>	<u>SFCP</u>	<u>312-641-5575</u>
<u>Albert Ettlinger</u>	<u>ELPC/Sierra</u>	<u>312 795-3707</u>
<u>Cindy Strukard</u>	<u>Friends of the Fox R.</u>	<u>815/675-2594</u>
<u>CHERYL NEWTON</u>	<u>Region 5- EPA</u>	<u>312-353-6730</u>
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<u>Marcie Willhite</u>	<u>IEPA</u>	<u>217-788-1654</u>
<u>KEVIN BRENN</u>	<u>IEPA</u>	<u>217/785 0833</u>
<u>Bill Seith</u>	<u>IEPA</u>	<u>217-557-7824</u>
<u>Rob Moore(phone)</u>	<u>Prairie Rivers Network</u>	
<u>Alicia Ward</u>	<u>USEPA</u>	<u>312-886-7552</u>
<u>Dennis Wojchowski</u>	<u>USEPA</u>	<u>312-886-0228</u>
<u>Marian Byrnes</u>	<u>Southeast Env. Task Force</u>	<u>773/374-8543</u>
<u>JACK DARIN</u>	<u>Sierra Club</u>	<u>312 251-1680</u>

2002 PPA DIALOGUE SESSION
Attendance Roster
Illinois EPA

Date: ²⁵October 18, 2001

Participant Name	Representing	Telephone
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<u>Tom McSwiggan</u>	<u>IEPA - Water/Permits</u>	<u>217 782-0610</u>
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<u>GENE HEWITT</u>	<u>CITY OF PEORIA</u>	<u>309-494-8816</u>
<u>Bob Hertz</u>	<u>CITY OF FAIRVIEW HEIGHTS</u>	<u>618-489-2020</u>
<u>Joe Schellen</u>	<u>Illinois Municipal League</u>	<u>217-525-1220</u>
<u>Gary King</u>	<u>IEPA - Bureau of Land</u>	<u>(217) 782-0245</u>
<u>KEVIN GREENE</u>	<u>IEPA - P2</u>	<u>(217) 785-0833</u>
<u>Tom Overmyer</u>	<u>IML / Daily & Associates</u>	<u>(217) 352-4169</u>
<u>JEFF SMITH</u>	<u>IML / CITY OF CHAMPAIGN</u>	<u>217-351-4466</u>
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2002 PPA DIALOGUE SESSION

Attendance Roster

Illinois EPA

Date: October 18, 2001

Participant Name

Representing

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MASTER LIST
OF PROGRAM MOA/MOUs

Clean Air Program

1. Illinois Department of Commerce and Community Affairs (DCCA) - This Agreement defines the responsibilities of DCCA and the Illinois EPA in developing and implementing the Small Business Stationary Source Technical and Environmental Compliance Assistance Program which is required under Section 507 of the Clean Air Act.
2. Cook County Department of Environmental Control - This agreement identifies the responsibilities of the County in the implementation of the air monitoring network and filter weights analysis at the Robbins Incinerator.
3. Illinois Department of Commerce and Community Affairs - The agreement identifies small business activities for which DCCA is responsible on an annual basis.
4. Illinois State University - The University will provide population projections to the Agency (Agency intergovernmental agreement split between the Bureaus of Air and Water).
5. Cook County Department of Environmental Control - This agreement identifies the annual activities associated with the installation and operation of the monitoring network and filter weights analysis at Robbins Incinerator.
6. Illinois Department of Agriculture - The annual agreement identifies Stage II inspections at gasoline dispensing stations that will be conducted by the Department.
7. Title V Agreement - The agreement will establish a working arrangement with USEPA regarding the Title V permit program.
8. Transportation Conformity Agreement - The agreement will be negotiated with the Chicago Area Transportation Study and Illinois Department of Transportation regarding the Clean Air Act requirements to ensure transportation-related projects conform to state implementation plan.
9. Compliance Plan - An annual agreement with USEPA to implement compliance and enforcement issues within the context of the enforcement response plan to be finalized with USEPA.
10. Cook County Department of Environmental Control - This agreement defines the responsibilities of Cook County in the implementation of Section 105 Clean Air Act environmental protection programs.
11. Illinois Department of Commerce and Community Affairs - The agreement which identifies the responsibilities of DCCA associated with the Illinois/India Environmental Initiative grant.
12. City of Chicago - This agreement identifies the annual responsibilities of the City in accordance with Section 105 of the Clean Air Act.

Land Program

1. Superfund Memorandum of agreement between the IEPA and USEPA. This agreement establishes procedures to designate "lead agency" and "support agency" roles for all Superfund activities including federal facilities oversight.
2. In 1993 USEPA and IEPA amended the Superfund Memorandum of Agreement. Addendum No. 1 was added. This amendment establishes a collaboration between USEPA and IEPA, which will guide us in dealing with sites which fit the Brownfields definition.
3. In 1995 and 1996 the TACO Memorandum of Understanding was developed under the RCRA Memorandum of Agreement. The amendment is intended to encourage voluntary environmental cleanup, and establish how IEPA intersects with USEPA and to recognize the IEPA use of the Tiered Approach to Corrective Action Objectives for sites subject to RCRA, LUST or the TSCA.
4. RCRA Memorandum of Agreement between IEPA and USEPA. This agreement establishes policies, responsibilities and procedures for the State of Illinois Hazardous Waste Management Program. This MOA further sets forth the manner in which the State and USEPA will coordinate in the State's administration of the State Program and pending State authorization revision.
5. The RCRIS Memorandum of Understanding is designed to ensure that data integrity is preserved, and to provide sufficient data to adequately administer and properly oversee the RCRA program.
6. The Underground Injection Control (UIC) Memorandum of Agreement establishes policies, responsibilities and procedures pursuant to the Safe Drinking Water Act for the State of Illinois UIC program.

Clean Water Program

1. Delegation Agreement with the USEPA for management of the construction grant program under the Clean Water Act.
2. Operating Agreement with the USEPA for management of the Clean Water State Revolving Fund under the Clean Water Act.
3. Operating agreement with the USEPA for management of the Drinking Water State Revolving Fund under the Safe Drinking Water Act.
4. Memorandum of Agreement with the Illinois Department of Agriculture (IDOA) for administration of containment regulations for agrichemical facilities.
5. Memorandum of Agreement with the IDOA for the administration of regulations for livestock management facilities and livestock waste handling facilities - pending.
6. Memorandum of Agreement with the Illinois Department of Public Health (IDPH) for regulation of private sewage disposal systems.
7. Delegation Agreement with the USEPA for management of the National Pollutant Discharge Elimination System permit program under the Clean Water Act.
8. Memorandum of Agreement with the IDPH for regulation of non-community public water supplies.
9. Memorandum of Agreement with the IDPH and the Illinois Department of Nuclear Safety (IDNS) regarding laboratory certification authority.
10. Memorandum of Understanding with the IDNS for the agronomic disposal of sludge.

11. Memorandum of Agreement with the IDOA for providing matching funds for Clean Water Act Section 319 grant program.
12. Memorandum of Agreement with the Illinois Department of Natural Resources (IDNR), IDPH, and IDOA for fish contaminant monitoring.
13. Memorandum of Agreement with the City of Chicago for Lake Michigan water quality monitoring.
14. Memorandum of Agreement with the Illinois Department of Transportation (IDOT).
15. Cooperation Working Agreement with IDOA regarding the Agricultural Land Preservation Policy.
16. Memorandum of Agreement with the IDNR regarding capital projects that may affect endangered species.
17. Interagency Agreement with the Historic Preservation Agency regarding permit activities affecting historic sites.
18. Memorandum of Agreement with the Corps of Engineers, IDOT, and IDNR for the dredge and fill program under future 401 and 404 of the Clean Water Act.

Emergency Management

1. Letter of Agreement for Illinois Emergency Operations Plan
2. Agreement for Illinois Plan for Radiological Accidents
3. MOA for Spill Response on the Upper Mississippi River

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REPORTING REQUIREMENTS INVENTORY

General Grant Requirements (either grant by grant or combined under PPGs)

Report	Source	Time Frame	Comments
Financial Status Report	40 CFR 31.41 40 CFR 35.6670	Annual, and at termination of grant, unless specified otherwise, but not more frequent than quarterly. Annual reports due 90 days after the end of the grant year. Final reports due 90 days after the grant termination date. Quarterly reports due 30 days after the reporting period.	For PPGs and Non-PPG grants, annual FSRs (and/or 90 days after grant termination) are required, unless quarterly reports are required by special condition to a grant.
MBE/WBE Report	40 CFR 31.36(e) 40 CFR 35.6665	Annual, with the exception of quarterly reports for Superfund cooperative agreements.	Goals are established annually for all grants. Goal attainment reports are required annually, with the exception of quarterly reports for Superfund cooperative agreements.
Proper Inventory	40 CFR 31.50(5)	90 days after grant termination	Only applicable to federally-owned property

Bureau of Air

Reporting and Program Performance Submissions			
REPORT/PERFORMANCE SUBMISSION	SOURCE	TIME FRAME	COMMENTS
PSD draft and final permits	PSD authority; delegation MOU	At notice and at issuance	Submitted in hard copy and electronically in Lotus Notes via the Internet
New Source Review draft and final permits	SIP	At notice and at issuance	Submitted in hard copy and electronically in Lotus Notes via the Internet
Draft and final FESOPs	SIP	At notice and at issuance	Submitted in hard copy and electronically in Lotus Notes via the Internet
Title V draft, proposed, and final permits <ul style="list-style-type: none"> Number of operating permits issued 	Program approval	At notice and at issuance Annually	Submitted in hard copy and electronically in Lotus Notes via the Internet End-of-the-Year Grant Report
Title V: Numbers of: <ul style="list-style-type: none"> New applications Significant modifications Early reductions of HAPs By name of source: <ul style="list-style-type: none"> Significant public interest Fed. environmental justice concerns Other than administrative changes Sources where USEPA has expressed an interest or concern 	MOA	Quarterly	Submitted during periodic telephone conferences with Region 5 staff
Title V source data	Program approval	On-going	Submitted electronically in through the AIRS database
RACT, BACT, and LAER source and control data	PSD authority; delegation MOU	Quarterly	Submitted electronically or in hard copy
MACT source and control data <ul style="list-style-type: none"> Number implemented Number of sources affected Number of sources with operational controls in place 	§ 112(l) delegation agreement	During MACT develop- ment and imple- mentation	Submitted electronically via the AIRS database

Air Quality Data: NAMS/SLAMS data already QA/QC'ed	40 CFR 58	Quarterly	Submitted electronically via the AIRS database; due 3 months following the end of the quarter
Excess Emissions Report Summaries: Facilities' summaries of their excess emissions as detected by CEMS/COMS; send summary of the reports submitted by the sources	Previous NEPPS element	Quarterly	Submitted in hard copy; due 60 days following the end of the quarter
Acid Rain CEMS audits: Selected facilities audited during annual retest <ul style="list-style-type: none"> Report number of audits performed 	Title IV	Upon request; Summary annually Annually	Submitted in hard copy End-of-the-Year Grant Report
Asbestos: List of addresses where inspections were made	Delegation agreement	Quarterly	Submitted electronically via disk; due 30 days following the end of the quarter
Vehicle Emission Test Reports: <ul style="list-style-type: none"> Number of tests performed Outstanding driver's license suspensions Station utilization rate Wait time statistics Waiver rates Compliance statistics Number and type of motorist telephone calls to hotline QA/QC highlights 	At USEPA's request	Monthly	Submitted via hard copy

TOXIC SUBSTANCES CONTROL ACT (TSCA) PROGRAM

REPORT	SOURCE	TIME FRAME	COMMENTS
Written Evaluation Reports	Grant Agreement/40 CFR 31.40	Semi-Annual	Region 5 notes that this replaced by the general, annual end of year report

Bureau of Land

UNDERGROUND INJECTION CONTROL PROGRAM REPORTING REQUIREMENTS			
REPORT	SOURCE	TIME FRAME	COMMENTS
Significant Non-Compliance (Form 7520-2B)	40 CFR 144.8	Semi-annual	15 th of April and October to allow submittal to OECA by the 30 th of each reporting month
Exceptions List <ul style="list-style-type: none"> • Compliance Evaluation • Permit and Area of Review • Inspections/Mechanical Integrity Testing • Non-compliance Report for non-major facilities 	40 CFR 144.8	Quarterly	Form 7520 is not used to report the information to the Region. The information is reported to the region electronically on a quarterly basis. Region V receives the information in a format that enables them to provide the required information to Headquarters. This arrangement has been agreed to by both Illinois and Region V.
Compliance rates with UIC permits, land ban petitions, and enforcement requirements	Management Agreement between Office of Water and USEPA Region 5		Includes those elements not covered under the Form 7520 reporting process. 98 percent is the target rate.

COMMENTS ON USEPA (REGION 5) HAZARDOUS WASTE MANAGEMENT PROGRAM REPORTING REQUIREMENTS			
Report	Source	Time Frame	Comments
RCRAInfo Reports	RCRIS Memorandum of Understanding (MOU)	Daily and Monthly	Illinois EPA inputs data and maintains modules for which we are Implementor of Record (IOR). These modules include 1) Compliance Monitoring and Enforcement and 2) Permit. Illinois EPA forwards original Notification of Hazardous Waste Activity Forms (8700-12) that are received by Illinois EPA to Region 5 into the Corrective Action Module (for which Region 5 is IOR).
Annual Self-Evaluation Report	Environmental Performance Partnership Agreement (EPPA)	Annually (at the end of the year)	This report is a summary of Illinois EPA's activities and performance under the RCRA Subtitle C portion of the EPPA. This report includes summaries of activities and performance under the various

			program initiatives. This report is used for discussion at the end-of-the-year meeting and as a basis for the performance evaluation of Illinois EPA's hazardous waste management program.
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COMMENT ON USEPA (REGION 5) HAZARDOUS WASTE MANAGEMENT PROGRAM REPORTING REQUIREMENTS			
One page inspection summary form (or full inspection report - at inspector's discretion) .	CERCLA Off-Site rule	Inspection summary form (or full report) must be e-mailed to Region 5 within 7 days of inspection.	Region 5 will provide a blank electronic form to IEPA for IEPA inspectors to summarize off-site facility inspections. Region 5 can provide a listing of all Superfund "off-site" facilities in Illinois to the appropriate contact upon request.

Training reports and FOIA reports will be provided to Region 5 upon request.

SUPERFUND COOPERATIVE AGREEMENT PROGRAM REPORTING REQUIREMENTS			
Report	Source	Time Frame	Comments
Semi-annual reporting	40 CFR 35.6650	Original requirement -- 30 days after Federal fiscal quarter. Approved deviation allows semi-annual.	Region 5 has received a deviation to move to semi-annual reporting. This applies to all States.
DOL Report Davis-Bacon Act	40 CFR 35.6665	Within 10 days of construction award.	Construction contracts only.
NTC Removals started	Section III-H of the USEPA Region V - Illinois EPA Superfund Memorandum of Agreement (SMOA)	Semi-annual	This requirement (and those that follow) may be met by a commitment to maintain the CERCLIS III data base. Once this data base is running for state data entry, Region 5 will consider requests to modify these reporting requirements to address this change.
Number of PAs/SIs	Section III-A of the SMOA	Semi-annual	Same as above.
RI/FS, RD and RA starts	Sections III-B, III-D, III-E of the SMOA	Semi-annual	Same as above.
RODs signed	Section III-C of the SMOA	Semi-annual	Same as above.
Construction Completions	Section III-E of the SMOA	Semi-annual	Same as above.
Enforcement Negotiations started	Section IV-C of the SMOA	Semi-annual	Same as above.
Settlements reached	Section III-C of the SMOA	Semi-annual	Same as above.

UNDERGROUND STORAGE TANK (UST) PROGRAM REPORTING REQUIREMENTS			
Report	Source	Time Frame	Comments
Written evaluation reports	Grant Agreement/ 40 CFR 31.40	Semi-annual	Region 5 notes this is replaced by the end-of-year reports/self-assessments for EnPPA, PPG states.
Performance Measures Report	Grant Agreement	Semi-annual	Region 5 recognizes this as a "bean report," and will promote changes at the national level; however, until such time, a semi-annual report is still required.

LEAKING UNDERGROUND STORAGE TANK (LUST) PROGRAM REPORTING REQUIREMENTS			
Report	Source	Time Frame	Comments
Financial Status Report	Grant Agreement/ 40 CFR 30.52	Semi-annual for Illinois	Due to continued concerns related to spending, Region 5 requests semi-annual FSRs for this program from Illinois, reduced from quarterly.
Performance Measures Report	Headquarters	Semi-annual	Region 5 recognizes this as a "bean report," and will promote changes at the national level; however, until such time, a semi-annual report is still required.

Bureau of Water

Report	Source	Timeframe	Comments
SAFE DRINKING WATER ACT			
Safe Drinking Water Program			
Safe Drinking Water Information System (SDWIS) Note: This is a data input requirement	40CFR 142.15	Quarterly	Database reporting that includes: PWS Inventory, Violations, Enforcement, Variance/Exemption
Annual Compliance Report (ACR)	SDWA amend. 1414(c)(3)(A)(I)	Annual	State distributes the report to the public. USEPA takes all of the State's annual reports and publishes a national report.
Annual Guidance requirements. The program guidance is incorporated by reference in the EnPPA. See Program description b, and oversight Arrangements b.	40 CFR 142.17	Annual	At least annual USEPA shall review the compliance of the State set forth in 40 CFR part 142, subpart B and the approved State primacy program.
Source Water Assessment Program Set Aside Report	Program Directive SDWA Section 1453	Annual	SWP Set-aside.
Wellhead Protection Program			
Wellhead Protection Status Report	SDWA 1428(g)	Biennial	Status report describing the State's progress in implementing the Wellhead Protection Program. Include amendments to the State program for water wells sited during the biennial period.

CLEAN WATER ACT			
Watersheds and Nonpoint Source and Standards and Applied Sciences			
Report	Source	Timeframe	Comments
305(b) Water Quality Report	40 CFR 130.8 and 130.10	Written report in even numbered years (e.g., 2002, 2004) and an electronic update of water quality data in odd numbered years (e.g., 2001, 2003)	Serves as the primary assessment of state water quality; leads to development of water quality management plans. Serves as the annual water quality report under 205(j). In even numbered years, draft report is due January 1; final report due April 1. In odd numbered years, electronic updates due April 1.
Section 205(j) certification	40 CFR 130.10	Annual	Will be replaced by the 305(b) report.
STORET/Ambient water quality monitoring (Note: This is a data base input requirement)		90 days	The State is required to store ambient water quality data in a suitable database, and eventually (within 90 days) transfer the data to STORET.
303(b) (d)List	130.7(d) 130.0	Biennial, due April 1 of even numbered years. Due April 1 of every fourth year, beginning in 2002.	Consists of a list of waters, pollutants causing impairments, and the priority ranking including waters targeted for TMDL development.
National PCS Data base - All of the following relate to the Permit Compliance System (PCS) Update for <u>Enforcement and Compliance and NPDES (Permitting) Programs</u> as required by the PCS Policy Statement, Water Enforcement National Data Base (WENDB) and cited Regulations. They are data base inputs unless otherwise indicated. (Ongoing with timeframes as indicated).			

Enforcement and Compliance Assurance			
Report	Source	Timeframe	Comments
Commitments Pre-treatment and Sludge Programs	Federal Rule Part 503 and 40 CFR Part 403 respectively	Data entry of Annual Reports from Municipalities with approved P/T programs	Federal Rule Part 503 sets minimum national standards.
		Quarterly entry of inspection data for categorical and significant industrial users	Update to Pretreatment Program Enforcement Tracking System (PPETS) for all approved pre-treatment programs
		Quarterly Report	Pre-treatment SNC for all major approved programs
Violation/enforcement/penalty data, which includes compliance schedules and their updates.	40 CFR 123.27	Ongoing in PCS manual reporting - semi-annual.	Administrative Orders Consent Orders Judicial Cases with Penalties concluded
Inspections	40 CFR 123.26	As conducted	USEPA reports State and Federal field efforts semi-annually to HQ.
NPDES (Permitting) Support			
Report	Source	Timeframe	Comments
Inventory data for major and minor dischargers	PCS QNCR/Moving Base Memorandum of Agreement (MOA)	Ongoing Quarterly to Region	State submits list of major dischargers annually as required in MOA. Updates of the major and minor dischargers are in PCS.
Permit limits	PCS, 40 CFR 122.44	Issuance/renewal/modification	All permits are required to have effluent limitations as specified in regulation. No specific reporting requirement.
Permit Issuance and Expiration dates	PCS, 40 CFR 122.46	Ongoing	Each permit is required to have specified duration.
Effluent monitoring	PCS/DMR data	Ongoing, whether	As required by regulation, and

data	40 CFR 122.48	monthly, weekly, daily, grab, composite, etc.	permit specification.
Compliance schedules	PCS, 40 CFR 122.47	Varies-based on permit requirement	Permittees are required to submit progress reports if any compliance schedules are included in its permit. State reports status in PCS.
Assistance Agreements/Grants			
Water Project/Grant Progress and Performance Reports, including 104, 106, 205(j),* and 319	Grant Requirement 40 CFR 31.40 319's source is CWA 319(h)(11)	End of Grant or Budget/Project Period	Water Programs have numerous pots of moneys which are all covered by an end of grant, end of project reporting requirements (as noted under general grant requirements). When part of an EnPPA/PPG, these are combined with an overall end-of-year report; otherwise a separate report is provided. In general, all reporting has been reduced to annual or end of project.
*Semi-annual		319 - Annual	
Drinking Water/Clean Water SRF measures	Office of Water Core Performance Measures SDWA 452	Annual	Outlays Other core measures
Great Lakes Program Office			
Great Lakes Projects (Funded under Section 104) Progress Reports	40 CFR 31.40	Quarterly, Semi-annually, or annually, as determined by Program	Varies by project. Periodic progress reports and a final report are required.

DISPUTE RESOLUTION PROCESS

IEPA and Region 5 will use an agreed upon dispute resolution process to handle the conflicts that may arise as we implement our environmental programs and will treat the resolution process as an opportunity to improve our joint efforts and not as an indication of failure.

A. Informal Dispute Resolution Guiding Principles

IEPA and Region 5 will ensure that program operations:

- Recognize conflict as a normal part of the State/Federal relationship.
- Approach disagreement as a mutual problem requiring efforts from both agencies to resolve disputes.
- Approach the discussion as an opportunity to improve the product through joint efforts.
- Aim for resolution at the staff level, while keeping management briefed. Seriously consider all issues raised but address them in a prioritized format to assure that sufficient time is allocated to the most significant issues.
- Promptly 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 to assure acceptance by all stakeholders.
- Document discussions to minimize future misunderstandings.
- Pay attention to time frames and/or deadlines and escalate quickly when necessary.

B. Formal Conflict Resolution

There are formalized programmatic conflict resolution procedures that need to be invoked if the informal route has failed to resolve all issues. 40 CFR 31.70 outlines the formal grant dispute procedures. There is also an NPDES conflict resolution procedure. The Superfund Program sponsors an Alternate Dispute Resolution Contract that provides neutral third parties to facilitate conflict resolution for projects accepted into the program. These are all time-consuming and should be reserved for the most contentious of issues. For less contentious matters, we will use the following procedures:

1. Define dispute - any disagreement over an issue that prevents a matter from going forward.
2. Resolution process - a process whereby the parties move from disagreement to agreement over an issue.
3. Principle - all disputes should be resolved at the front line or staff level.
4. Time frame - generally, disputes should be resolved as quickly as possible but within two weeks of their arising at the staff level. If unresolved at the end of two weeks, the issue should be raised to the next level of each organization.
5. Escalation - when there is no resolution and the two weeks have passed, there should be comparable escalation in each organization, 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 organization.

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BUREAU OF AIR PROGRAM OUTPUTS

Ozone:

1. Submit draft redesignation request for Chicago-land 1-hour ozone nonattainment area to EPA (September 2002).
2. Address deficiencies, if any identified, regarding subpart X of oxides of nitrogen rule (September 2002).
3. Submittal of triennial ozone precursor inventory for ozone nonattainment areas in NET format by June 2002.
4. Submittal of statewide inventory major point sources of ozone precursors in NET format by June 2002.

Title V:

5. Issue Title V permits to electric utilities.
6. Issue construction permits; PSD and New Source Review evaluations as necessary.
7. Submit changes made to fully approved Title V program for USEPA review by March 2002.
8. Provide draft/proposed permits to Region 5 for review concurrently with public notice and review.
9. Submit data to the RACT/BACT Clearinghouse.

Air Toxics:

10. Continue implementation of § 112, including subsections (g)(major HAPs New Source Review), (f)(residual risk), (i)(construction permits), (j)(site-specific MACT where USEPA has not promulgated categorical MACT), and (r)(release management plans).
11. Continue general air toxics air quality data collection and submittal to AIRS.
12. Operate two toxics monitoring sites through December 2002.
13. Continue PAMS monitoring at four sites on the PAMS schedule.
14. Urban Toxics Strategy: evaluate impact on Illinois source sectors; evaluate federal/state roles; determine the significance of sectors not affected by MACT standards; work with sources or groups of sources towards gaining reductions of toxics emissions or further risk assessment.
15. Great Lakes Project: continue to enhance inventory development; contribute to development of the regional strategy.
16. Implement mercury monitoring subsequent to receipt of federal funding.
17. Continue to refine Illinois' statewide inventory as part of the National Air Toxics Assessment.
18. Submit draft 1999 inventory in NET format for 188 HAPs by June 2002.
19. Develop 1999 database modeling parameters.
20. Target 8 to 15 CRI sources for full inspections for compliance and pollution prevention follow-up as appropriate.
21. Finish review of CRI chapters; provide discussion and narrative on state activities for the CRI report; work with EPA to refine source inventories and examine risk exposures.

Compliance:

- 22. Compliance investigations and enforcement actions that provide an acceptable balance between resource commitments (state, local, federal) and benefit to the environment, including any SEPs.
- 23. Implement the FY02 Compliance Workplan.
- 24. Complete ERMS annual systems performance review.

Base Programs and National/Regional Priorities:Air Monitoring:

- 25. See Reporting, below.
- 26. Perform CEMS audits, particularly of SO₂ emissions at utilities.
- 27. Continue deployment of the PM_{2.5} chemical speciation monitoring network; collect and analyze data.

State Permitting:

- 28. Provide USEPA with copies of construction permits, as appropriate.

PM_{2.5}:

- 29. Continue inventory development.
- 30. Continue collection of monitoring data.

Data Management:

- 31. Continue to collect and maintain all relevant data and evaluate the performance of the ERMS program.
- 32. Continue to expand the capabilities of ICEMAN.
- 33. Continue the detailed design and the implementation of ACES at an Agency level.

Community Relations:

- 34. Hold public hearings as appropriate.
- 35. Prepare and disseminate responsiveness summaries following public hearings and receipt of comments.
- 36. Prepare and disseminate fact sheets, pamphlets, and news releases as appropriate.

Multi-Media Agency Programs:

- 37. Develop a regulatory approach to limiting particulate emissions of lead from external surface removal projects.

National/Regional Priorities:

(Note: These activities are included within our categorical activities listed above.)

Reporting and Program Submissions:

38. Illinois EPA Bureau of Air will provide USEPA with the reports and program documents as listed in the Reporting Requirements Inventory.

Bureau of Land Program Outputs for FFY 2002

Division of Land Pollution Control

Hazardous Waste Management

1. Number of treatment storage disposal facilities inspections
2. Number of enforcement actions taken and penalties collected
3. Number of compliance surveys conducted
4. Number of compliance agreements established
5. Number of criminal investigations initiated and closed
6. Number of referrals to Illinois EPA's Criminal Enforcement Decision Group and to prosecutorial authorities (hazardous waste cases)
7. Number of draft and final permits and permit modifications issued to facilities in the permitting universe
8. Number of closure plans, closure plan modification requests, and closure certifications reviewed and approved for facilities
9. Number of RCRA Facility Assessments completions, stabilization actions required in a permit, RCRA Facility Investigation Phase I and Phase II report or workplan approvals, and corrective measure report approvals. NOTE: among these corrective measure reports will be a final remedy construction completion report

Nonhazardous Solid Waste Management

1. Number of referrals to Illinois EPA's Criminal Enforcement Decision Group and to prosecutorial authorities (nonhazardous waste cases)
2. Number and category of Used Waste Tire facilities inspected
3. Number of tire cleanups conducted and volume of tires recycled
4. Number of Closure Certifications approved for non-hazardous landfills

Division of Remediation Management

Federal Cleanups

1. Number of Remedial Investigation Reports reviewed annually
2. Number of Findings of Suitability for Transfer reviewed annually
3. Number of engineer evaluation/cost analyses reviewed annually
4. Number of Brownfield Assessment reports completed annually
5. Number of new CERCLA sites (i.e., National Priorities List sites, Federal facilities, or other hazardous waste sites) identified annually
6. Number of CERCLA sites where removal actions (i.e., short-term actions) have been initiated
7. Number of CERCLA sites where remedial actions (i.e., constructions aimed at permanent remedies) have been initiated

8. Number of Record of Decisions have been signed
9. Number of CERCLA investigations initiated

State Cleanups

1. Effective date of amendments to Site Remediation Program regulations
2. Number of new Site Remediation Program sites enrolled annually
3. Number of new Response Action Program sites identified annually

Leaking Underground Storage Tank (LUST) Cleanups

1. Effective date of MtBE amendments to land regulations
2. Enactment of legislation to extend Environmental Impact Fee
3. Number of new state and federally regulated LUST sites (i.e., incidents) identified annually
4. Annual average cost of cleanup per site (based on payments from the UST Fund)

Brownfields

1. Applications received annually for Brownfield loans
2. Number of Brownfield loans (and dollar value) issued annually
3. Number of Brownfield grants (and dollar value) issued to communities to investigate and assess contamination annually
4. Number of Brownfield assessments conducted by Illinois EPA annually

Underground Injection Control

1. Number and type of permit determinations issued.
2. Number of required operator submitted reports received and percentage of these reviewed for compliance
3. Percent of inventoried wells covered by inspections giving percent for Class I and V
4. Number of MITs scheduled and of this, the number conducted, the number witnessed, the number that failed and the number of these that are addressed through fix and retest, plugged, enforcement
5. Percent of wells scheduled to receive MITs that do
6. Number of Class V wells added to the inventory
7. Number of Class V wells where action was taken through permits, BMPs, file reviews, compliance assistance, or closures
8. Number of instances of non-compliance. Number of these addressed with enforcement action and the number returned to compliance
9. Percent of wells out of compliance and percent of these returned to compliance
10. Submit annual inventory of injection wells by well type no later than December 15 of each year
11. Submit at federal fiscal mid-year (April 30) and end of year (October 30), the data necessary for the Region to complete the OMB approved state reporting forms (7520s) that were established for the UIC program

Cross-Bureau

Community Relations

1. Number and description of public hearings arranged or coordinated by the Office of Community Relations for LUST, RCRA, Superfund and other Bureau of Land programs annually
2. Number and description of responsiveness summaries written by the Office of Community Relations for LUST, RCRA, Superfund and other Bureau of Land programs annually
3. Number and description of fact sheets, pamphlets, and news releases written by the Office of Community Relations for LUST, RCRA, Superfund and other Bureau of Land programs annually
4. Number and description of events (e.g., property access, sampling, surveys, meetings) that the Office of Community Relations staff assists Bureau of Land staff (or their representatives) for LUST, RCRA, Superfund and other Bureau of Land programs annually
5. Number of media inquiries and/or events handled by the Office of Community Relations (in conjunction with the Office of Public Information) for LUST, RCRA, Superfund and other Bureau of Land programs annually
6. Number of permit/remedial applicants and responsible parties assisted annually by the Office of Community Relations in meeting their public involvement obligations (e.g., reviewing community relations plans and other materials, arranging facility tours, facilitating site open houses, hosting availability sessions)

Program Outputs Bureau of Water

Watershed Management

1. Description of major achievements in developing and implementing comprehensive watershed management programs including: how water quality standards are used in managing water quality improvements, how interrelated programs will be coordinated using a watershed approach, and identification of waters attaining standards and progress made toward attainment of standards. (Source: End-of-year report)
2. Develop Watershed Implementation Plans on the 104(b)(3) funded planning grants.
3. Designate dedicated Nature Preserves as Class III Special Resource Groundwater to the Illinois Pollution Control Board based upon petitions received.
4. Summary of information on reductions in nonpoint source pollutant loading in specific watersheds.
5. Summary information on reduction in pollutant loading from point sources in priority targeted watershed. (Source: End-of-year report)
6. Number of facility inspections conducted and summary outcome of those inspections.
7. Number and percentage of approved pretreatment facilities audited in the reporting year. Of those, the number of audits finding significant shortcomings and the number of local programs upgraded to achieve compliance. (Source: PCS)
8. Percent of POTWs that are beneficially reusing all or part of their biosolids. (Source: End-of-year report)
9. List of actions taken to reduce NPDES compliance monitoring. (Source: End-of-year report)
10. Status of all delegated NPDES programs with regard to adoption of applicable regulations and legal requirements. (Source: End-of-year report)
11. Number of CAFOs with 1,000 or more animal units with current permits and whether the permits include manure management requirements.
12. TMDL status: a) the number of TMDLs submitted to EPA; b) the number of state-established TMDLs approved by EPA; c) watersheds with plans implemented to attain TMDL; d) watersheds with TMDL listed segments for which a plan has been developed and implemented to meet water quality standards. (Source: End-of-year report)
13. Revisions to the Continuing Planning Process provided to USEPA.
14. Identify those watershed projects in the Section 319 draft work plan which are included in the Unified Watershed Approach. Identify the watersheds priority ranking within the Illinois EPA's Targeted Watershed Approach.
15. IEPA to cooperate with Department of Agriculture on refining Transect Survey data and establish degree of error in computation of erosion from cropland.
16. Continually update nonpoint source information in GRTS including all mandatory elements.
17. Provide annual reports which summarize progress in reducing nonpoint source loadings.

Public Involvement

18. Public involvement into the Watershed Initiative will be described as part of the watershed report identified in Program Output #1 of Watershed Management. (Source: End-of-year report)

Drinking Water Program

19. Status of significant activities taken to meet new SDWA requirements including:
 - Section 1414(c)(3)(A) annual compliance report.
 - Percent of DW-SRF set-aside funds earmarked to perform source water delineations and assessments. (Source: End-of-year report)
 - Develop modifications to the Radionuclide Regulations.
 - Implement a return to compliance program for the Radionuclides Regulations. (Source: End-of-year report)
 - Submit first annual Operator Certification Program Report discussing program implementation.
 - Continue to implement and report the new system Capacity Development Program.
 - Continue to implement and report the existing system Capacity Development Strategy.

Source Water Protection

20. Continue implementation and tracking of Source Water Assessment Program. (Source: SWP Reporting Matrix table)
21. Continue publication of source water assessments for community water supplies.
22. Continue work to include source water protection provisions into the WIP guidance and participate in watershed efforts (including Lake Michigan LaMP, Upper Mississippi, etc.) to protect surface water supplies of drinking water.
23. Continue to propose groundwater quality standards, regulated recharge areas and maximum setback zone regulations to the Illinois Pollution Control Board.

Lake Management

24. Initiate and administer 1-3 Phase I diagnostic-feasibility studies and 3-5 Phase II implementation projects under the Illinois Clean Lakes Program.
25. Initiate and administer four to six projects under the Priority Lake and Watershed Implementation Program.
26. Conduct Ambient Lake Monitoring Program activities at 50 lakes.
27. Conduct basic Volunteer Lake Monitoring Program (VLMP) Secchi transparency and Zebra Mussel monitoring at 180 lakes. Conduct expanded VLMP monitoring (i.e., Chlorophyll *a*, Water Quality) at 100 lakes.
28. Continue expanded technical assistance capabilities to lake associations, volunteers, lake owners/managers, and the public.

29. Provide funding for and administer approximately 100 Lake Education Assistance Program Grants.
30. Plan for and conduct five lake management workshops in different parts of the state.
31. Develop and distribute four to six Lake Notes fact sheets.

Small System Support

32. Number of operational visits conducted. (Source: End-of-year report)
33. Estimate of water supply personnel informed/trained. (Source: End-of-year report)

State Revolving Fund

34. Number of communities receiving loans and the amount. (Source: End-of-year report)
35. Report on federal indicators to measure the pace of the CW-SRF and DW-SRF programs. (Source: End-of-year report)
36. Continue to maintain SRF information system. (Source: End-of-year report)

Technical and Public Education

37. Technical assistance workshops presented with Illinois Rural Water Association, Illinois Section AWWA, IDPH, IPWSOA and local operator groups.

NPDES Program Delegation

38. Development of regulatory package to allow the assumption of sludge authority for presentation to Pollution Control Board and Agency rulemaking procedures.
39. Pre-treatment effectiveness report. (Source: End-of-year report)

NPDES Permit Backlog

40. Substantial elimination of the backlog of expired NPDES permits for facilities that have been identified as significant contributors to water quality problems in priority watersheds by the end of the fiscal year.
41. Number of stormwater sources associated with industrial activity, number of construction sites over five acres, and number of designated stormwater sources (including Municipal Phase I) that are covered by a current individual or general NPDES permit. (Source: PCS)
42. Number of permittees that are covered by NPDES permits or other enforceable mechanisms consistent with the 1994 CSO policy. (Source: PCS)
43. Number of a) non-storm water general permits issued and b) number of facilities covered. (Source: PCS)

Compliance Assistance/Enforcement

44. Average number of days to reach agreement on a compliance plan for resolution of violations. (Source: PCS)

45. Success ratio (non-compliance returned to compliance) for participants that receive compliance assistance. (Source: PCS)
46. Description of environmental benefits that are achieved due to resolution of all enforcement cases. (Source: End-of-year report)
47. A pilot assessment annual compliance excellence achievers as demonstrated by three or more years of sustained compliance. (Source: PCS)
48. Percent and accuracy of discharge monitoring data received that is required to be reported by the NPDES permit program. (Source: PCS)
49. Submit an annual non-compliance report for non-majors NPDES dischargers.
50. Number of enforcement actions including number of non-compliance advisories issued. (Source: PCS)
51. Number of cases involving audit privilege. (Source: End-of-year report)
52. Enhancement of Enforcement Management System reflecting provisions of recent legislative changes and program priorities. (Source: End-of-year report)
53. Number of demand letters issued. (Source: End-of-year report)
54. Number of wastewater and water supply operators certified. (Source: End-of-year report)
55. Percent of sample results received that are required under the SDWA. (Source: SDWIS)
56. Report to address Office of Enforcement and Compliance Assistance Accountability Outcome Measures #2 and #3:
 - Environmental and public health benefits achieved through inspections and enforcement activities.
 - Results or impact of using: audit privilege or immunity law; audit policies; small business compliance assistance policies; and compliance assistance initiatives developed for specific industrial sectors. (Source: End-of-year report)

Water Pollution Control Inspection Strategy

57. Inspection Strategy at the start of the fiscal year identifying overall goals and priorities including an approach for targeting CAFOs.
58. Inspection Plan at start of fiscal year identifying facilities to be inspected and type of inspection to be conducted. Includes Majors, Pretreatment Communities. (Source: PCS)

Water Quality Standards

59. Submit a rulemaking package to the Illinois Pollution Control Board for new BETX and updated zinc, nickel, and cyanide water quality standards.
60. Create the Illinois Nutrient Standards Workgroup and develop Illinois-specific water quality standards for nutrient parameters.
61. Continue efforts for establishing biocriteria standards and updating anti-degradation standards and use designations.
62. Continue efforts to adopt EPA's *Ambient Water Quality Criteria for Bacteria – 1986* (transition from fecal coliform to E. coli and/or enterococci indicators) for the protection of recreational uses.

Total Maximum Daily Load (TMDL)

63. Develop and submit draft TMDL list by July 1, 2002, and a final list by October 1, 2002.
64. Develop TMDLs in accordance with the approved schedule.
65. Complete development of TMDLs on the 7 watersheds identified on the Illinois EPA's 1998 303(d) list for completion and submittal to USEPA for approval by July 2001.
66. Begin development of TMDLs on 13 watersheds in accordance with the long-term schedule identified in Illinois EPA's 1998 303(d) list.

Review of National Data/Reporting Systems

67. Report proposing changes in reporting and format for the next self-assessment. (Source: Report by the end of the second quarter of the federal fiscal year)

Monitoring and Assessment

The following activities are supported with 205(j) and 106 funds:

68. Percent of state waters monitored and assessed as Good, Fair, or Poor (includes waterway, inland lake, and Lake Michigan). (Source: 2002 Illinois Water Quality (305(b) Report)
69. Percent of river miles and lake acres that have been assessed for the need for fish consumption advisories; and compilation of Site-issued fish consumption advisory methodologies. (Source: Annual supplement to 305(b) report)
70. The new fish IBIs and a computer program to calculate IBI scores will be ready for using in resource-quality assessments to be reported in the 2003 305(b) report. Procedures will be defined for incorporating the new IBI scores into the decision-making criteria used to assess attainment of designated uses.
71. Continue development and evaluation of macroinvertebrate sampling methods and of a multi-metric index of biological integrity for macroinvertebrates. Continue development and evaluation of the multi-variate approach for using macroinvertebrate information in resource-quality assessment.
72. Develop a comprehensive draft report that documents the Agency's updated Surface Water Monitoring Strategy for 2002-2006.
73. Make updated 2002 Section 305(b) assessments on all three Fox River 1998 303(d) listed waterbody segments.

Community Relations

74. Number of and description of public hearing and meetings arranged for or coordinated by the Office of Community Relations for permits, planning, and other Bureau of Water programs annually.
75. Number and description of responsiveness summaries coordinated by the Office of Community Relations for permits, planning, and other Bureau of Water programs annually.

76. Number and description of fact sheets, pamphlets, and news releases written by the Office of Community Relations for permits, planning, and other Bureau of Water programs annually.
77. Number and description of events (e.g., conferences/workshops, property access agreements, field sampling activities, surveys, project meetings) that the Office of Community Relations staff assists Bureau of Water staff (or their representatives) with for permits, planning, and other Bureau of Water programs annually.
78. Number of media inquiries and/or events handled by the Office of Community Relations (in conjunction with the Office of Public Information) for permits, planning, and other Bureau of Water programs annually.
79. Number and description of miscellaneous activities and events handled annually by the Office of Community Relations in supporting the Bureau's public involvement needs (e.g., reviewing community relations/outreach materials, arranging facility tours, facilitating site/project open houses, hosting availability sessions)

MULTI-MEDIA PROGRAMS PROGRAM OUTPUTS

Toxic Chemical Management Program

- Toxic Chemical Management
 1. Annual Toxic Chemical Report.
 2. Number of PCB inspections, related sample results and inspection reports.
 3. Preparation of enforcement cases, if applicable.
 4. Decision about regulatory proposal.
 5. Number of removal incidents where response is necessary.
- Chemical Emergency Response
 1. Number of emergency incident notifications and IEPA on-site responses.
 2. Number of significant release reviews conducted and recommendations sent to IEMA.
 3. Number of HAZOPS.
 4. Number of enforcement actions taken.

Innovative Protection Program

- Regulatory Innovation
 1. Number of EMS projects that are proposed and implemented.
 2. Number of ECOS/EPA regulatory innovation projects that are proposed and are implemented.
 3. Number of clients that receive some assistance.
 4. Number of small business guides that are completed.
- Pollution Prevention

(Education Outreach)

 1. Number of presentations completed.
 2. Number of attendees at P2 workshops.
 3. Number of requests for further assistance from presentations and workshops.
 4. Number of participants on e-mail distribution list.
 5. Number of documents and links available on OPP Web page and number of time pages are accessed ("hits").
 6. Sponsor special P2 seminars for local governments.
 7. Level of customer satisfaction with educational outreach activities (ease of use, contains useful information, clear format, etc.).

(Technical Assistance)

 1. Number of P2 site visits conducted.
 2. Number of facilities reached through special outreach initiatives.
 3. Number of engineering interns placed with business and others.
 4. Number of P2 recommendations offered.
 5. Project/Actual amount of pollution prevention.

6. Level of customer satisfaction.

(Regulatory Integration)

1. Number of facilities receiving on-site technical assistance as a result of an inspection.
2. Number of geographic or sector initiatives with P2 element.
3. Number or percent of non-compliance actions (compliance-commitment agreements, consent decrees) which include P2 recommendations or conditions.
4. Number of inspections where P2 was discussed.
5. Develop and initiate P2 training for selected permit writers.
6. Provide follow-up sector-specific P2 training for field staff.

(Voluntary Initiatives)

1. Initiate new voluntary P2 program for Illinois businesses.
2. Initiate special mercury reduction recognition program for hospitals.
3. Number of participants in voluntary P2 initiatives and partnerships.
4. Number of P2 projects implemented by program participants and amount of pollution prevented.
5. Level of P2 integration into facility business functions.

- Environmental Education

(Support increased intra-Agency coordination of environmental education)

1. Quarterly Environmental Education reports for Senior staff.

(Refine suitable environmental indicator(s) and core performance measure(s))

1. Annual number of persons who participate in environmental education activities
2. Summary reports of pre- and post-survey results.

(Develop partnerships with external groups)

1. Number of partnerships formed.

(Expand public outreach)

1. Revised *Air, Land & Water* education packet.
2. Teacher workshops for the revised *Air, Land & Water* education packet.
3. Exhibit to promote the Illinois EPA's environmental education program.
4. Revised conceptual design plan for Illinois EPA's environmental education Web site.
5. Next edition of Envirofun installed.
6. Number of environmental education articles for various publications.