

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF WATER QUALITY FY 2006 GOALS

Mission:

Protect, maintain and enhance the quality of Utah's surface water and ground water to allow appropriate beneficial uses, and protect public health while giving reasonable consideration to economic impacts.

1. Foster integrated information management and 24 hour service through the Internet.^{EIMI}

Measures:

- a. Complete enhancements to the ground water compliance database to allow electronic reporting of DMRs and generation of compliance reports. (Rob; will require IT contract) The contractor who constructed the current database is no longer in business and the obsolete software can no longer be supported or modified internally or by IT contractors. The database is functional for evaluating compliance of ground water protection levels and generating an automated compliance report to the project and section managers. Management has decided that resources will be more efficiently expended by either: 1) migrating to the geospatial Arc GIS database if awarded the Environmental Information Exchange Network (EIEN) Grant Program proposal submitted by AGRC and DEQ/DWQ for developing a geospatial database with associated analytical GIS tools for the UIC Program; or 2) Migrating to the existing STORET database.
 - b. Make modifications and progress in getting data into our surface water database and enhance user access
 - 1) Electronically transfer periphyton, phytoplankton and macro invertebrate data to the system (ongoing Arne)
 - 2) Transfer chemical data from state laboratory (ongoing Arne)
 - 3) Transfer all data to storet (ongoing Arne)
 - 4) Add physical parameter data from cooperators to state database (ongoing Arne)
 - c. Continue the PCS/ICIS migration by following the work plan developed by EPA. (Ongoing Edith)
 - d. Insure that all public notices for permits and Water Quality Board Agendas are noticed on our web site (Ongoing - Faye & Section Managers)
2. Implement Core Programs in an efficient and professional manner.

Measures:

- a. Develop a consistent customer feedback mechanism for the entire division. (Branch Managers, December 1,2005)
 - b. Operate programs in a manner to facilitate customer satisfaction as evidenced by minimizing complaints, permit appeals, etc., and maximizing positive feedback. (Ongoing)
 - c. Implement programs effectively in accordance with rules and statute to protect water quality. (Ongoing)
 - d. Maintain an effective working relationship with EPA and local health departments. (Ongoing)
 - e. Maintain a streamlined one-stop energy permitting approach under coordination of DEQ. (Ongoing, Rob, Kiran, Mike H.)
3. Implement the Phase II Stormwater Program.

Measures:

- a. Continue outreach/education activities. (Ongoing)
 - b. Resolve difference with EPA on inspections. (Mike Heerkimer, 1/1/2006)
 - c. Engage DWQ staff, District Engineers and municipal and county staff to assist with inspections. (Tom Rushing, 3/1/2006)
4. Implement the Utah AFO/CAFO strategy.

Measures:

- a. Develop a short, easy to read fact sheet to summarize progress. (10/1/05 Rand)
 - b. Promote partner funding and resources for potential CAFOs. (Ongoing Mike R.)
 - c. Track annual progress of potential CAFOs and take appropriate actions. (4/01/06 Don)
 - d. Prepare and distribute a progress report on the AFO/CAFO Strategy. (6/01/06 Mark Peterson and Don) Mike R. will report information to the Utah Water Quality Board.
 - e. Implement UPDES coverage of ground water permitted CAFOs. (4/15/06 Rob)
5. Accomplish an effective program for completion and implementation of TMDLs.

Measures:

- a. Complete and track scheduled TMDLs for listed waterbodies according to approved TMDL submission schedule. (Semi-annual in May and November, Harry) The current submission schedule is shown below. Any waters listed will comply with EPA guidelines to complete TMDLs within a 12 year window. Currently all listed waters since 1998 are scheduled for completion by 2012 inclusive of those listed in 2004.

Year	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010
Annual% Goal	4%	4%	4%	4%	12%	12%	12%	12%	9%	9%	9%	9%
Cumulative% Goal	4%	8%	12%	16%	28%	40%	52%	64%	73%	82%	91%	100%
% TMDLs Completed		18%		36%		65%		77%				
# TMDLs Completed							7	10				

- b. Incorporate by reference into Utah’s water quality standards all approved TMDLs within 120 days after the notification of approval by EPA. (Ongoing Harry)
 - c. Utilize existing in-house procedure to insure appropriate waste load and permitting assumptions and policies are incorporated into TMDL development for determination of facility WLAs. (Ongoing Harry)
 - d. Watershed coordinators will monitor and manage implementation activities for completed TMDLs by establishing implementation milestones, identifying milestone leaders and tracking their completion. Tracking reports will be submitted to Division of Water Quality management annually on January 15. (Harry) ^{WTR}
 - e. Maintain sound fiscal management of contracts by tracking contract amount, expenditures to date and availability of funds to meet obligations via quarterly reports. (Ongoing Harry & Stacy)
 - f. Maintain, track and report on the status of TMDL progress in support of Utah’s Long-Term TMDL Submission Schedule. (November and May of each year Harry J.)
 - g. Develop analytical components of the TMDL/GIS database for acquisition of water quality data by DWQ staff, other governmental agencies and the general public. (Harry & Jim H.6/1/06)
 - h. Hire level IV Scientist to assist with development of WLAs and UAAs. (Harry Judd, 11/1/2005)
- 6. Effectively implement the DEQ initiative on subdivisions and growth with local health departments by completing a model ordinance (Bill Damery, 6/1/2006).
 - 7. Establish an effective Monitoring Program. ^{RGI}

Measures:

- a. Prepare a DWQ annual monitoring plan for chemistry, bioassessment, physical habitat, fish, fish tissue and pathogens based upon needs and use of the data. (4/15/06 Richard & Tom)
- b. Establish a strategy with milestones and schedule to develop the necessary metrics and evaluation procedures to utilize and interpret biological data in Utah. (3/01/06 Richard & Jeff)
- c. Sample 50 potential reference and other sites needing further study for 305b or TMDL's. (10/31/05 Richard)
- d. Work with EPA to develop the long-term (ten years) monitoring and assessment strategy plan for Utah. (9/30/05 Tom T./Richard)
- e. Download from EPA the remaining EMAP data upon availability for use in assessments. (Ongoing Jeff/Arne)
- f. Establish strategy for utilization of an increase of 106 funding to enhance existing monitoring program. Potential considerations may include: temporary positions for the Utah Health Laboratory to increase nutrient analysis capacity, purchase of laboratory equipment, testing for fish tissue toxicity, increased bacteriological monitoring, or the establishment of long-term flow monitoring stations. (Richard 9/15/05)
- g. Initiate development of measures for characterizing the beneficial use of the wetlands of Great Salt Lake. Biological measures include, but are not limited to vegetation, macroinvertebrates, and phytoplankton. Coordinate with the Department of Natural Resources of HGM and wetland reference sites. This effort contributes to the watershed planning in the Great Salt Lake Basin. EPA will provide technical assistance. (Theron Miller, 10/1/2006)
- h. Establish or renew contracts with bug lab (macroinvertebrates) and Dr. Sam Rushforth (periphyton & phytoplankton. (7/01/05 Jeff/Richard)
- i. Develop a mercury monitoring component as part of the long-term monitoring strategy but initiate mercury sampling for areas with reported elevation levels the summer of 2005. (John Whitehead, 12/1/2005)
 1. Develop protocol for listing of impaired waters. (John Whitehead/Tom Toole, 3/1/2006)
 2. Developing monitoring criteria. (John Whitehead/Richard Denton, 8/1/2006)
 3. Establish a workgroup to provide guidance and recommendations for the mercury monitoring program. (John Whitehead, 8/1/2005)
 4. Participate in the issuing of mercury advisories as needed. Ongoing

8. Improve and Enhance DWQ Employee Resources measures.

Measures:

- a. Insure that all DWQ employees receive DEQ training (as scheduled) (Ongoing Branch Mgrs & Faye)
- b. Effectively utilize incentive awards and ASAs to recognize employees. (Ongoing)
- c. Establish and implement a Division tracking system for P.E. continuing education requirements and report progress to DEQ annually. (9/1/05 Stacy & Acct. Tech)
- d. Provide cross-section and Division orientation for each new employee. (Ongoing)
- e. Provide every employee with at least one professional annual development training opportunity and track annually. (Liz Taylor, Ongoing)
- f. Utilize the Employee Committee to conduct “Brown Bag” seminars, oversee the suggestion box and facilitate the implementation of continuous improvement opportunities. (Ongoing)
- g. Develop new employee handbook to acquaint new and existing staff with current policies and procedures (12/31/05 Stacy)

9. Maintain a successful underground wastewater disposal system program.

Measures:

- a. Maintain a positive working relationship with the LHDs. (Ongoing)
- b. Continue to work with USU to provide an effective training, certification and continuing education program. (Ongoing, Kiran)
- c. Work with the on-site wastewater committee, develop a schedule of actions (including rulemaking and any other activities) needed to move this program forward. (Plan and schedule by 8/30/05 Kiran)

10. Complete necessary rulemaking with effective stakeholder involvement.

Measures:

- a. Modify 317-4 to allow RGF treatment systems. (9/30/05 Kiran)
- b. Modify 317-1, effluent reuse rules to allow a BOD/TSS variance for Type II water and to change monitoring requirements. (John Kennington, 11/1/2005)

- c. Prepare a strategy including milestones and dates to complete NPS management plans for Mining and Stormwater. (9/30/05 Mike R., Mike H., & Rob)
 - d. Modify Rules to adopt TMDLs by reference. (Ongoing with TMDL approvals, Harry)
 - e. Establish a written enforcement guidance policy with EPA comment for CAFOsand biosolids. (TBD, Mike H.) At the May 18, 2005 mid-year meeting with EPA, Diane Sipe indicated that the Enforcement Agreement has become obsolete and needs to be revised. Dianne Sipe recommended that we wait until the SNC wet weather criteria have been developed before revising the Enforcement Agreement.
 - f. Initiate the development of rules for Use Attainability Analysis (UAA). (Mike/Harry11/1/05)
 - g. Develop rules for the development of the 303(d) List of Impaired Waters. (Mike/Tom 4/1/05)
11. Coordinate with GOPB to assist communities with proper planning for the impacts of growth on wastewater needs as a part of Quality Growth planning.

Measures:

- a. Review and comment upon the wastewater management section of each communities Quality Growth plan. Perform the review using the checklist developed for a model sewer management plan. (Ed Macauley, Ongoing)
- b. Revise and update the MWPP and foster increased participation. (Ongoing Paul)
- c. Allocate funding for good wastewater infrastructure planning. (Ongoing Ed)
- d. Strengthen community outreach activities. (Ongoing Ed, Shelly)

**UIC PERFORMANCE PARTNERSHIP GRANT AGREEMENT
FY 2006**

The Utah Department of Environmental Quality, Division of Water Quality (Utah DWQ), certifies that it maintains and implements an adequate Underground Injection Control (UIC) Program under Section 1422 of the Safe Drinking Water Act (1422 UIC Program) in conformance with federal and state laws, regulations, and conditions set forth in program authorization (delegation) documents.

As long as the Utah DWQ maintains an adequate 1422 UIC program, the Regional Administrator of the United States Environmental Protection Agency (USEPA) Region VIII and the Director of the Utah Division of Water Quality agree this Agreement shall remain in effect, except as amended through mutual agreement.

Grant dollars awarded by the USEPA may be used by the Utah DWQ to perform core program activities to adequately maintain its 1422 UIC program, even when these activities are not specifically defined by goals, measures, and/or reporting requirements.

CORE PROGRAM ACTIVITIES

Utah DWQ agrees to conduct core program activities as described in and as evidenced by the submittal of the UIC Program reports itemized in Table I.

USEPA agrees to provide the following support to the Utah 1422 UIC Program:

1. One annual midyear review of Utah 1422 UIC Program.
2. Technical training, as appropriate and as funds allow.
3. Seventy-five percent (maximum) of funds necessary to operate the core State 1422 UIC Program, assuming a federal budget funding level near or equal to the past three years. Should funding levels drop significantly, USEPA will review core program elements and provide appropriate revisions.

GOALS

1. To protect Underground Sources of Drinking Water (USDWs) from contamination by maintaining and implementing an effective core DWQ 1422 UIC program.

Measures:

- a. Evaluation of core program effectiveness, reported in the semi-annual and annual narrative program report to the Administrator. (See Table 1 for specific dates – Semi-Annual and Annual Narratives_Rob/Candace) Semi-Annual Narrative Report issued.
- b. Enforce the new Class V Rule regarding motor vehicle waste disposal wells and large capacity cesspools. (Ongoing, Candace)) MVWD wells are closed as they are identified. See Semi-Annual and Annual Narratives for details. (Ongoing)
- c. Report the number of underground injection wells tested for mechanical integrity to assure that the injection fluid stays within the well and within the injection zone, and the number that passed. (See Table 1 for specific dates - EPA Form 7520-3) Reported according to schedule in Table I.
- d. Report the number of Class IV/V injection wells (by well type) closed voluntarily and involuntarily (See Table 1 for specific dates dates – PAMs Electronic Spreadsheet Report). Provide narrative of other actions taken to identify Class V wells and to address potential endangerment from Class V wells. (See Table 1 for specific dates - narrative Semi-Annual and Annual Narratives) Reported according to schedule in Table I.

2. To reduce violations of state Ground Water Quality Standards through permitting, pollution prevention, compliance, and enforcement measures.

Measures:

- a. Number of discharges by industrial Class V and other potentially endangering wells controlled by closure or permit. (See Table 1 for specific dates- PAMs Electronic Spreadsheet Report) Reported according to schedule in Table I.)
 - b. Utah UIC Program monitoring activities done according to the EPA-approved Quality Assurance Project Plan (QAPP) for DWQ.
3. To encourage responsible environmental behavior and promote excellence in environmental quality through environmental education, community-based partnerships and qualitative and quantitative feedback from regulated and non-regulated customers.

Measures:

- a. Description of presentations to local government groups, local health departments, public works departments, private sector groups, civil groups, etc. which include UIC concerns and opportunity for feedback. (See Table 1 for specific dates - Semi-Annual and Annual Narratives) Reported according to schedule in Table I.)
- b. Description of all outreach activities intended to inform local government groups, local health departments, public works departments, private sector groups, civil groups, etc. about the new Class V rule regarding the closure of motor vehicle waste disposal wells (MVWDs) and large capacity cesspools (LCCs). (See Table 1 for specific dates- Semi-Annual and Annual Narratives) Reported according to schedule in Table I.

Table I - UIC Reporting Requirements FY 2006

<u>Due Date</u>	<u>Reporting Cycle</u>	<u>Report Required</u>
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<u>January 20</u> (1 st Quarter Date)	<u>Quarterly</u>	<u>Quarterly Exceptions List (Form 7520-4)</u>
<u>April 20</u> (2 nd Quarter Date)	<u>Quarterly,</u> <u>Semi-Annual</u>	<p style="text-align: center;"><u>Quarterly</u></p> <u>Quarterly Exceptions List (Form 7520-4)</u> <p style="text-align: center;"><u>Semi-Annual</u></p> <u>Compliance Evaluation and Enforcement (Form 7520-2A)</u> <u>Significant Non-Compliance and Enforcement (Form 7520-2B)</u> <u>Inspections, and Mechanical Integrity Testing (Form 7520-3)</u> <u>Program Activity Measures (PAMs) Electronic Spreadsheet Report OR "Extra Reports"</u> <u>Class V Activities Narrative</u>
<u>July 20</u> (3 rd Quarter Date)	<u>Quarterly</u>	<u>Quarterly Exceptions List (Form 7520-4)</u>
<u>October 20</u> (4 th Quarter Date)	<u>Quarterly,</u> <u>Semi-Annual,</u> <u>Annual</u>	<p style="text-align: center;"><u>Quarterly</u></p> <u>Quarterly Exceptions List (Form 7520-4)</u> <p style="text-align: center;"><u>Semi-Annual</u></p> <u>Compliance Evaluation and Enforcement (Form 7520-2A)</u> <u>Significant Non-Compliance and Enforcement (Form 7520-2B)</u> <u>Inspections, and Mechanical Integrity Testing (Form 7520-3)</u> <u>Program Activity Measures (PAMs) Electronic Spreadsheet Report OR "Extra Reports"</u> <p style="text-align: center;"><u>Annual</u></p> <u>Permit Review and Issuance, AOR (Form 7520-1)</u> <u>Annual Program Narrative</u> <u>Class V Inventory Progress</u>
<u>December 31</u>	<u>Annual</u>	<u>Final Financial Status Report (FSR)</u>

UTAH FY2006
UPDES PERFORMANCE PARTNERSHIP GRANT AGREEMENT (PPGA)

The Utah Department of Environmental Quality (DEQ) shall fully implement and enforce its delegated UPDES program (including, as appropriate, general permitting, pretreatment, biosolids, CAFO, and storm water programs) as required by 40 CFR Parts 122-124, 403, 501 and 503, its delegation MOA July 7, 1987, SEA, Inspection Plan, and any other agreements with EPA regarding program implementation. The PPA may specify goals and objectives for activities beyond the base level of performance, but, in no way, should this be interpreted as relief from full implementation of the base program.

The DEQ certifies that it has, maintains, and implements an adequate UPDES program including pretreatment, biosolids, CAFO, and storm water in conformance with federal and state laws and regulations and conditions set forth in program authorization (delegation) documents.

As long as the DEQ maintains an adequate program, the EPA and the DEQ agree that this Agreement shall remain in effect, except as amended through mutual agreement.

Grant dollars awarded by the EPA may be used by the DWQ/PCS to perform core program activities to adequately maintain its UPDES program, even when these activities are not specifically defined by goals, measures, and/or reporting requirements.

GOAL:

Continue to fully implement the ongoing UPDES pretreatment, biosolids, CAFO, and storm water management programs as per the following “**CORE PROGRAM ACTIVITIES**” and “**COMPLIANCE AND ENFORCEMENT ACTIVITIES**” together with the annual FY’2005 Division of Water Quality, Goals and Objectives.

UPDES Program Reporting Measures Tied To Core Program Activities:

1. Number and percent of facilities that have a discharge requiring an individual permit that:^{CPM, W8}
 - (a) are covered by a current UPDES permit (12/30/05 and 6/30/06 Edith)
 - (b) have expired individual permits (12/30/05 & 6/30/06 Edith)
 - (c) have applied for, but have not yet been issued an individual permit (12/30/05 & 6/30/06 Mike)
 - (d) have individual permits under administrative or judicial appeal (12/30/05 & 6/30/06 Mike)

2. Each year, 95% of priority permits and 90% of all permits are issued or reissued within the 5 year statutory time frame. If the number of expired permits is greater than 30% at any time, provide an overall permit issuance/backlog reduction plan showing how the State will expeditiously reduce the backlog to 10%. (5/1/06 Mike)

3. Number of watersheds in which a watershed permit(s) has been issued. (5/1/06 Mike)
WTR

4. Number of storm water sources associated with industrial activity, number of construction sites over one acre, and the number of designated storm water sources (including Municipal Phase I and Phase II) that are covered by a current individual or general UPDES permit or other enforceable mechanism.^{CPM W9} (12/30/05 & 6/30/06 Tom R. and Mike G.)
 - a. Number that are covered by each current storm water general permit (e.g., industrial, construction, MS4) (12/30/05 & 6/30/06 Tom R. and Mike G.)
 - b. Number that are covered by current individual storm water permits (e.g., Phase I MS4s) (12/30/05 & 6/30/06 Tom R. and Mike G.)
 - c. Number of expired general or individual storm water permits (12/30/05 & 6/30/06 Tom R.)
5. Manage the application of the Storm Water Phase II Regulations. (Ongoing Tom R. and or Mike G.)
6. Involve regulatory agencies and the public as necessary to effectively permit storm water discharges. (Ongoing Tom R. and or Mike G.)
 - a. The State program is accessible by the public and regulated entities (i.e., contact information and web sites, etc.).
 - b. Include EPA in the review process prior to issuing general and individual permits for storm water discharges.
 - c. Track storm water general permit coverage and provide data to EPA on regulated agencies consistent with National efforts for data management (PCS/ICIS).
7. Percentage of Significant Industrial Users (SIUs) in POTWs with Pretreatment Programs and % of known Categorical Industrial Users (CIUs) in non-pretreatment POTWs that have control mechanisms implementing applicable Pretreatment standards and requirements. (12/30/05 & 6/30/06 Jen)^{W9}
8. Perform audits on 85% of all approved pretreatment programs annually. During audits inspect at least 20% of the SIUs.. (Ongoing Jen)
9. Maintain the Utah AFO/CAFO Strategy . Specific commitments include:
 - a. Develop a new General Permit based on revised CAFO Rules. (7/1/05 Don)
 - b. For all permitted CAFOs, enter permit facility data, permit event data, and inspection data into PCS. (Ongoing Don)
 - c. Implement the process to address all animal feeding operations that are impacting water quality. Provide progress on implementation to EPA. (Ongoing Don)

- d. Conduct meetings of the AFO/CAFO committee and maintain critical partnerships with NRCS, UACD, the Farm Bureau and the agricultural community. (Ongoing)
10. Upon promulgation of the Pretreatment Streamlining regulations (anticipated in summer of 2005), examine the need to update State rules and procedures as appropriate to allow for implementation. (12/30/05 Jen)
 11. Implement the Sewage Sludge (Biosolids) regulations
 - a. % and # of UPDES permits that contain biosolids language. (12/30/05 & 6/30/06 Mark)
 - b. Maintain data in the PCS/ICIS database. Submit the data electronically by May 1 each year for the proceeding monitoring year. (5/1/06 Mark)
 - c. Revise or maintain current reference for regulations based on adoption of 40CFR 503. (Most_recently revised as of July, 1998 and August 4, 1999) (12/30/05 Mark)

UPDES Program Reporting Measures Tied To Compliance and Enforcement Activities

1. Ensure maintenance of information management systems sufficient to plan, track, assess, and make adjustments to program activities.
 - a. Properly enter data into the PCS data system such that the federally required data fields are kept current. (Ongoing Mike, Edith)
 - b. Data is entered accurately - the PCS Data Entry Percentage Rate is at 95% or higher and includes permitting, compliance, and enforcement data required by the PCS Policy Statement. This can be measured by USEPA, as needed, for quality assurance purposes. UTDEQ addresses this in its Self Assessment. (Ongoing Mike, Edith)
 - c. Respond to the Watch List monthly. (Mike/Edith, Ongoing)
2. Non Major Facilities Compliance Report.

Continue to report non-major facilities compliance data the same as majors through the PCS data management system. (Ongoing Mike)
3. Coordinate inspection activities among programs and between the State and USEPA. Incorporate targeted USEPA national and regional priority sectors, as agreed upon between UTDEQ and USEPA. Include those sectors, as agreed upon, when planning IU inspections by UTDEQ or USEPA. Consider planning inspections to complement timing and focus on watershed efforts. Inspections will be made in accordance with the mutually agreed to annual inspection plan. (Ongoing Kari, Lonnie)

- a. Submit draft inspection plan for FY06 by June 1, 2005, and final inspection plan within 30 days of receiving EPA's formal comments on the draft plan
- b. Track inspections in PCS. (Ongoing Kari, Lonnie)
- c. DWQ will conduct the following number of inspections during FY06

Majors----26

Minors----42

Pretreatment (Audits and PCIs)----16

4. Sanitary Sewer Overflows (SSOs)

- a. Respond to SSO when requested by districts, municipalities, and local health departments as requested or if waters of the State are threatened. (Ongoing Jen)
CPM E1
- b. Continue to inventory (ask questions of) permittees for SSO occurrences and resolutions through the Municipal Wastewater Planning Program (MWPP) questionnaire.
- c. Submit to EPA Region 8 a report by September 30, 2006 that will include:
 - i Number of UPDES inspections at major facilities where SSO information was received. (6/30/06 Jen)
 - ii An updated SSO inventory from MWPP surveys. (6/30/06 Jen)
 - iii The number of SSOs reported and their cause from the MWPP inventory. (6/30/06 Jen)
 - iv The number and percent of SSO inspections in priority watersheds (as defined by the State) including the name of the priority watershed.
 - v The number and type of informal and formal enforcement actions taken in response to SSOs;
 - vi. The percent of enforcement actions in priority watersheds (as defined by the State) for SSO; and
 - vii A list of SSOs addressed including a description of how 20% of the systems in the SSO inventory were addressed.
- d. The State will take enforcement action as per Utah's EMS whenever deemed necessary to protect waters of the state. (Ongoing Jen)^{CPM E6}
- e. Utah will complete an inventory of its collection systems (including satellite systems) in priority watersheds (as defined by the State) and provide the inventory to EPA by December 31, 2005.

5. Storm Water

- a. Division personnel will conduct at least 150 inspections of permitted and unpermitted facilities including the construction and industrial sectors E, G, U, AA and AD. All inspections are entered into PCS/ICIS. (Ongoing Tom R. and Mike G.)^{CPM E5}
 - b. Train additional inspectors (DEQ Scientists and Engineers, Municipal Public Works Depts., County Health Depts. and District Engineers) to perform erosion and sediment control inspections at construction sites. This will increase the number of overall storm water inspections performed in the state. (Ongoing Tom R. and Mike G.)
 - c. Provide EPA with a copy of Utah's current storm water permit tracking system semi-annually (, 3/31/06, 9/30/06), either electronically or on CD-rom. (Tom R.)
 - d. EPA will conduct periodic file reviews to assess the quality of state storm water inspection reports and to review the enforcement follow up to inspection reports. For those states with storm water enforcement response guides (ERG), the state enforcement response will be reviewed in accordance with the state ERG. For those states without an approved state storm water ERG, the state enforcement response will be reviewed based on EPA's EMS/ERG.
 - e. DWQ will develop a draft storm water compliance and enforcement plan and provide to EPA by December 31, 2005 (Tom R.)
6. Assure consistent enforcement of WET requirements in permits.
- a. Following EPA's review and comment, revise Utah's WET policy and guidelines in order to assure alignment with EPA's national WET policy and/or regulations. Target 120 days following receipt of EPA's final comments. (Ongoing Kari)
 - b. Enforce UPDES permit WET limits and compliance schedule violations in accordance with the enforcement guidance contained in its February 15, 1991 "Permitting and Enforcement Guidance Document for Whole Effluent Toxicity Control," and any subsequent revisions. (Ongoing Kari)^{W8, E6}
 - c. Utah will submit as part of their annual report, a list of the facilities which have entered into a TIE/TRE during FY06 and a list of any formal enforcement actions which included WET violations.
7. Biosolids-Promote the beneficial use of biosolids
- a. Continue to conduct Biosolids inspections. The goal will be to conduct inspections on 50 % of Utah's biosolids-only permittees annually. In the End-of-Year Report, include the number of Biosolids inspections actually conducted. (Ongoing Mark)
 - b. Reissue all biosolids permits which will expire in FY2006 and transition into consolidated permits as needed. (Ongoing Mark)

- c. Submit an End-of-Year report to EPA (9/30/2005, Mark S.)
8. Enforcement Agreement.
- a. Revise the State/EPA Enforcement Agreement as appropriate and warranted. (3/1/2006, Mike H.)
 - b. EPA will conduct quarterly conference calls with DWQ to discuss the Quarterly Noncompliance Report for major and minor facilities and current and projected enforcement cases to address concerns early in the process.
 - c. DWQ will review its standard Administrative Order template to ensure that it contains language requiring compliance with any schedule developed as part of an Order and identifies appropriate State sanctioned penalties for failure to meet the compliance schedule.
9. Concentrated Animal Feeding Operations (CAFOs) (Ongoing Don)
- a. Continue to implement “Utah’s Strategy To Address Pollution From Animal Feeding Operations”
 - b. Maintain an inventory of all permitted CAFOs during FY2006
 - c. Inspect at least 20 CAFOs during FY2006 including those also covered by groundwater permits
 - d. Coordinate with the Region to ensure Regional accessibility to CAFO information, including permit, inspection, and enforcement data
 - e. Include in the End-of-Year report for FY2006 (Don):
 - i. Total known number of CAFOs in Utah and of these, the number of permitted CAFOs
 - ii. Total known number of CAFOs in priority areas and of these, the number permitted
 - iii. Names and HUC codes for priority watersheds in the state
 - iv. Numbers and percent of total known CAFOs in Utah inspected
 - v. Numbers and percent of total known CAFOs in priority areas inspected
 - vi. Number of enforcement actions taken against CAFOs, including:
 - Number of settlements
 - For each case, any penalty amount assessed and collected
 - f. Nutrient Management Plans shall also be tracked in PCS as a compliance schedule item as required by the PCS Policy Statement.

- g. Region 8 will conduct up to two joint EPA/state CAFO inspections in each state. Region 8 will also conduct up to two CAFO oversight inspections in each state if two CAFO oversight inspections were not conducted in that state in FY05.
 - h. EPA will conduct periodic file reviews to assess the quality of state CAFO inspection reports and to review the enforcement follow up to inspection reports. For those states with enforcement response guides (ERG), the state enforcement response will be reviewed in accordance with the state ERG. For those states without an approved state ERG, the state enforcement response will be reviewed based on EPA's EMS/ERG. EPA will focus its efforts on those Region 8 states with the least CAFO enforcement activity.
10. Report to EPA in the End Of Year Report the number of the following types of inspections:
- a. Majors (Lonnie, Kari)
 - b. Minors (Lonnie, Kari)
 - c. Storm Water (Tom)
 - d. CAFOs (Don)
 - e. Biosolids (Mark)
 - f. SSOs (Jen)
 - g. Pretreatment (Jen)
 - h. Priority Areas (Don)

EPA will determine the number of inspections conducted at midyear (March 31, 2006) by DWQ in each category above by pulling this information from PCS. Any inspections, which do not appear in PCS by March 31, 2006, will not be counted in the midyear numbers.

11. EPA Region 8 may propose to inspect, in consultation with the State, certain coal bed methane operations in Region 8 for compliance with the Clean Water Act.
12. Submit to EPA appropriate enforcement documents at appropriate times as follows: ^{CPM}
E6
- a. NOVs as they are mailed to the violator (Ongoing DWQ Staff)
 - b. DWQ will provide penalty calculations and all necessary background documentation to EPA for enforcement actions against major facilities and for cases in priority areas (storm water, SSOs and CAFOs) before the information is shared with the facility to allow EPA to evaluate the proposed penalty. EPA will provide written comments on draft settlement documents and penalty calculations within seven calendar days from the date it is received. (Ongoing DWQ Staff)
 - c. SAs for minor permittees and unpermitted facilities as they are settled (Ongoing DWQ Staff)

- d. Study and revise as required DWQ's penalty policy associated with enforcement actions. (3/1/2006, Mike H.)

13. Mining

EPA Region 8 will review its current inventory of mining facilities in Region 8, including sand and gravel operations. Based on that review, EPA may propose to conduct joint inspections with the State providing the lead at certain mines in Region 8 for compliance with the Clean Water Act.

14. Federal Facility Inspections

Region 8 will seek authorization from the State to work with EPA to target VA Hospitals for multimedia inspections. States will be the lead for NPDES portion of a multimedia inspection at the selected VA Hospitals if the facility is regulated by NPDES.

FY 2006 UTAH GROUND WATER PROTECTION SECTION
PERFORMANCE PARTNERSHIP AGREEMENT

GOALS

1. Continue administration of a comprehensive ground water protection program according to priorities established in Utah Ground Water Protection Strategy and the annual FY 2006 Division of Water Quality/Goals and objectives.

Measures:

- a. End-of-year report as required by 106 grant on achievement of FY 2006 DWQ/Ground Water Program Goals and objectives - due 12/31/06
- b. Statewide Permitting Program administered in accordance with strategy and state rules. Ongoing
- c. Education efforts conducted to encourage awareness of ground water protection issues. Ongoing
- d. Continue participation in the EPA VIII regional Ground Water Protection Strategy Work Group. The intent is to help EPA develop a regional strategy for refocusing EPA and Region VIII States efforts on ground-water protection. Ongoing
- e. Continued efforts to encourage local governments to institute ground water protection measures. Classifying aquifers within State has been instrumental for local officials in implementing successful ground water protection land use ordinances. Ongoing
- f. Continue to seek permanent annual funding in the amount of \$160,000 for the implementation of a state-wide ambient ground water monitoring network and for the classification of aquifers. Ongoing

WATER QUALITY /WATERSHED PROTECTION AND MANAGEMENT
FY-06 PERFORMANCE PARTNERSHIP AGREEMENT

WQM and TMDL Sections, DWQ

GOAL/Activities:

1. Maintain strong State and local institutional capabilities to implement Watershed Approach for TMDL development and implementation of the Nonpoint Source Program.^{WTR}
 - ◆ Continue active support of Partners for Conservation and Development (UPC&D)
 - ◆ Utilize and enhance State GIS capabilities for watershed planning and implementation.
 - ◆ Submit 319 mid-year and annual reports and maintain Nonpoint Source Grants Reporting and Tracking System (GRTS).
 - ◆ Continue implementation of upgraded NPS Pollution Management Program Plan. Develop components related to stormwater/urban runoff. Develop a schedule and begin revision/update of the NPS Pollution Management Plan by 2007.
 - ◆ Develop and pursue approval for stormwater/urban run-off component of the Management Plan.

Measures:

- a. Continued development and revision of base data layers for watershed management unit status reports and TMDL plans including maps of 303(d) waters and other environmental features. (NPS Plan Task 26)^{CPM W13}
 - b. GRTS is updated semi-annually and reports are submitted according to July 1st and January 1st deadlines. (NPS Plan Task 33)
 - c. Complete revision of stormwater/urban run-off plan by March 2006.
 - d. Submission of NPS Annual Report. (4/1/06)
2. Ensure that federal land management is consistent with State Nonpoint Source Pollution Management Plan and watershed needs and concerns:
 - ◆ Conduct annual program/project/monitoring review meeting.
 - ◆ Conduct field audits on selected projects and review federal actions.
 - ◆ Implement cooperative monitoring programs and work jointly for consistent procedures and protocols.
 - ◆ Evaluate need and establish schedule as resources permit to revise MOUs with Forest Service and BLM.
 - ◆ Works closely with federal land management agencies to identify the 303(d) listed waters on federal lands and work jointly to develop and implement TMDL per agreement between FS and EPA.

Measures:

- a. % of stream miles and lake acres monitored which meet designated uses for aquatic life and recreation on public lands (NPS Plan Task 3)^{CPM W4}
 - b. Completed field project reviews with documented observations and recommendations summarized in NPS Program Annual Report. (NPS Plan Task 29)
 - c. Number of 303(d) water bodies (streams and lakes) located on public lands (FS and BLM) and number of TMDLs developed in conjunction with and support of FS or BLM. Report results in EOY report for the PPA and NPS annual report. (NPS Plan Tasks 3 & 5)
 - d. Depending upon resource constraints related to fires and other management priorities, work jointly to revise memorandum of understanding with FS and BLM (NPS Plan Task 20)
3. Improve public awareness and support of TMDL development and implementation through the watershed approach and nonpoint source program:^{WTR}
- ◆ Continue to work on revising the 1995 NPS I&E strategy to support development and implementation of TMDLs and other NPS Program priorities.
 - ◆ Increase non-governmental partnership in implementing the Watershed Approach developed TMDLs and NPS Management Program.
 - ◆ Promote the Watershed Approach to TMDL development via conferences, newsletters and basin workshops and through the Utah Watershed Coordinating Council.

Measures:

- a. Number of new Adopt-A-Waterbody groups and number of groups linked to TMDL waters. (NPS Plan Tasks 16 & 17)
 - b. Provide input and assistance to the annual Nonpoint Source Water Quality conference.
 - c. Revised NPS Program I&E Outreach Strategy. Target completion date is March, 2006. (NPS Plan Task 17)
 - d. Document public information actions completed to promote Watershed Approach/TMDL planning process and other key program actions, i.e. WQS, and 303(d) listing. Such actions will be reported in the EOY PPA report. (NPS Plan Task 15)
4. Implement nonpoint source best management measures on a priority water quality protection/improvement basis supporting the implementation of TMDLs.^{WTR}

- ◆ The state will continue implementation of Utah AFO/CAFO strategy and report results.
- ◆ Solicit and review priority project proposals, PIPs and prepare 319 application.
- ◆ Monitor and evaluate project implementation jointly with local sponsors.
- ◆ Conduct watershed evaluations and write reports for selected 319 watershed projects with assistance of ‘partners’ (cooperating agencies).
- ◆ Report non-319 investment in watershed restoration projects by other entities through participation in watershed based/TMDL process.

Measures:

- a. Assess and report according to 305(b) cycle, the number and percent of lake acres and stream miles monitored which have water quality supporting designated beneficial uses (NPS Plan Tasks 3 & 5)
- b. Report those waters identified on 2000 303(d) list of impaired waters or subsequent 303(d) lists where those waters have been restored to partial or full attainment of assessed beneficial uses. (WQ-15)^{CPM W5}
- c. Practices implemented appropriately and effectively and natural resource improvements being achieved for 319 NPS Watershed Projects. Also report on reductions in nonpoint source loadings for sediments, nitrogen and phosphorus and improvements in water quality for information available. Information will be included in project annual reports (GRTS), final project reports and NPS Program annual report. (NPS Plan Tasks 2, 6, 36 & 40)^(WQ-14)
- d. Report non-319 funding in watershed protection / restoration projects in project annual and final reports. (NPS Plan Task 34)
- e. Report progress in implementing Utah AFO/CAFO Strategy through semi-annual reports to ‘partners’ and an annual progress summary report. (NPS Plan Task 34)
- f. Continue to provide information on fish consumption advisories through the National Listing of Fish and Wildlife Advisories. Such state advisories are posted on the DEQ/DWQ Web site at www.waterquality.utah.gov.^{CPM W3}
- g. Report (A) number of the Nation’s watersheds where: water quality standards are met in at least 80% of the assessed water segments. (Annually Mike R.) It is anticipated that Utah will have no watersheds at the HUC level requested to report this level of achievement. This level of resolution is far to large. Utah’s approach to assessment, TMDL development and implementation is on a much smaller scale. We will report on specific TMDL approved waterbodies where restoration has restored beneficial uses. In addition we will not be able to report (B) all assessed water segments maintaining their quality and at least 20 percent of assessed water segments show improvement above conditions as of 2002. (WQ-15)^{CPM W6}

5. Implement aggressively the watershed approach to water quality assessment and TMDL development and implementation in Utah to complete assessments and develop TMDLs for impaired waters according to the approved 303(d) list.^{WTR}
- ◆ Provide leadership and direction in promoting the Watershed Approach in developing TMDLs for targeted areas of impairment.
 - ◆ Complete integrated report pursuant to CWA Sections 303(d) and 305(b) and submit to EPA by April 1, 2006. **(WQ-8)**
 - ◆ Direct the development of local basin Steering Committees and Technical Advisory groups to oversee development and implementation of TMDL watershed based plans.
 - ◆ Work with USDA/NRCS to promote the integration of EQIP funding into the watershed approach basin NPS priority areas by participation in the Local Work Groups, Zone Executive Committee Meetings, State Technical Committees.
 - ◆ Utilize local watershed steering and technical advisory committees to develop TMDLs or watershed plans in accordance with Utah's Watershed Approach Framework or EPA's FY 04 NPS Grant Guidelines.
 - ◆ Establish local watershed coordinator positions for high priority watersheds.

Measures:

- a. Number of developed TMDLs or Watershed Plans and identify those in progress. (NPS Plan Task 4)
 - b. Number of basin steering and technical advisory committees formed and functioning (NPS Plan Tasks 9 & 10)
 - c. Number of watershed-based plans and (river miles or acres covered), supported under State NPS Management Programs since beginning of FY-2002 that have been substantially implemented per information reported in GRTS. **(WQ-27)**
 - d. Number of watershed-based plans and water miles or acres covered, supported under State NPS Management Programs since beginning of FY-2002 that have been developed and number of watershed-based plans are being implemented per information reported in GRTS.
 - e. Complete integrated 305(b) and 303(d) report/list by April 1, 2006. Also update the EPA Assessment Database. **(WQ-8&9)**
 - f. Number of priority NPS watershed areas where EQIP funds are being used. Report allocation of EQIP funds to 303(d) waters and approved TMDL watersheds. (NPS Plan Task 34)
 - g. Number of priority watershed coordinator positions developed and functioning according to contract work plans. (NPS Plan Task 9)
6. Maintain Water Quality Standards as the basis for effective water quality management and assessment programs. **(WQ-5)**

Measures:

- a. Complete triennial review of WQS including adoption of E. coli standard and other site specific criteria, and submit to the EPA Regional Administrator for review and approval. (July, 2005)
 - b. Revise Water Quality Standards as warranted and prepare for adoption by the Utah Water Quality Board. (August, 2006)
 - c. Continue implementation of Nutrient Criteria Development Plan. Provide annual progress report to EPA (February). **(WQ-2)**
7. Maintain compliance with Section 303(d) list submittal requirements and completion of scheduled TMDLs as negotiated with EPA (1998).

Measures:

- a. Submit FY-2006 303(d) list to EPA on or before April 1, 2006. The list will identify TMDLs completed during reporting period and those proposed for completion during next reporting period, waters proposed for delisting based on criteria, and waters proposed for development of site specific criteria or alteration of water quality standards. (NPS Plan Task 3 & 5) **(WQ-8)** ^{CPM W6}
 - b. Submit completed TMDLs to EPA for review and approval by April 1, 2006 according to TMDL development schedule (1998). (NPS Plan Task 4)
8. Develop and implement a long-term biological assessment program: **(Workplan for FY-2005 supplemental CWA Section 106 grant funds)**

Traditionally Utah's Division of Water Quality (UDWQ) has focused on assessing the chemical integrity of stream ecosystems. Biological samples were collected at a number of long-term locations, but these data were primarily used to monitor qualitative changes in the composition of macroinvertebrate assemblages at these sites. Recently the DWQ has moved toward creating tools that will allow the state to quantify the biological integrity of Utah's stream ecosystems. Supplemental FY-2005 CWA Section 106 grant dollars will be used for additional processing and monitoring expenses incurred with the expansion of the biological assessment program.

GOALS /Activities

- a. Increase the number of yearly biological sample locations from ~24 to ~74 and use these data to support a number of water quality programs:
 - ◇ Continue to sample 5-10 reference sites per year to enhance biological assessment tools.
 - ◇ Sample new locations within rotating basins to quantify the biological integrity of state waters that have not been assessed (303(d) list).

- ◇ Use biological assessment data to help set endpoint targets for TMDL implementation.
- ◇ Sample at locations identified as in need of further study to determine impairment status.
- ◇ Continue to sample long-term sites to develop long-term trends of biological integrity.

Measures:

- a. Develop an annual biological monitoring strategy that best balances the programmatic needs of stakeholders and make the list of sites available for review. (8/1/05 Jeff & Richard)
- b. Collect physical habitat, macroinvertebrate, and periphyton samples at ~50 streams annually to provide the data necessary to augment assessment tools and fulfill both TMDL and 303(d) assessment needs. (11/1/05 Richard)
- c. Analyze existing reference data and develop a report that identifies specific types of streams where additional reference data are needed. (Jeff 5/1/06)
- d. Digitize both field and laboratory data and store in a readily accessible database. (Jeff & Arne ongoing)
- e. Update QA/QC procedures to describe field collection procedures. (Richard ongoing)
- f. Expand field and laboratory periphyton collections to include the collection, identification, and enumeration of diatoms.

Measures:

- a. Collect periphyton samples at all biological monitoring sites and preserve them such that diatoms can be enumerated and identified. (Richard 11/1/05)
- b. Compare assessments made with diatoms with those made with macroinvertebrates to determine stressors-specific responses of each assemblage. (Jeff ongoing)
- c. Develop an autecology table that links diatom taxa to characteristics that describe water quality.
- d. Develop tools that generate easily-interpretable, quantitative estimates of biological integrity from raw taxonomic lists.

Measures:

- a. Compile and utilize existing biological data to create preliminary site assessments and include these assessments in the 2006 Integrated Report. (Jeff & Tom 12/01/2006)

- b. Develop, evaluate, and refine a macroinvertebrate RIVPACS-type empirical model. (Jeff 5/1/06).
- c. Develop, calibrate, and refine macroinvertebrate multimetric indices for the major ecoregions of the State. (Jeff 6/1/06)
- d. Evaluate all assessment tools and determine appropriate thresholds of impairment and develop a procedure for incorporating these measures into the listing process. (Jeff & division management 2007)
- e. Document all procedures and analyses used in tool development so that all methodology is transparent. (Jeff and Richard ongoing)
- f. Prepare and distribute a yearly report that summarizes and interprets the biological integrity of all sites with sufficient biological data. (ongoing)