

US EPA ARCHIVE DOCUMENT

September 2, 1998

## Steele CountyXL Community Pilot Program Proposal

### A. Steele CountyXL Pilot Program Proposal clarification amendment.

At the August 20<sup>th</sup> Steele CountyXL Pilot Program Proposal meeting that was held in Owatonna with representatives from EPA, MPCA, Owatonna Waste Water Treatment Plant and CommunityXL direct participants, it was decided that EPA would like additional clarification to the following issues, prior to making a firm decision concerning Steele CountyXL consideration:

- Permitting.
- Enforcement.
- Mass balance versus concentration based regulatory compliance for categorical dischargers.

Steele CountyXL direct participants met on August 25<sup>th</sup> with MPCA and the Owatonna POTW to address these issues that will, hopefully, give EPA a better perspective of where we are and where we would like to go in order to achieve superior environmental performance on the community level.

Results of the discussion we had that day is as follows:

1. **Permitting:** Direct participants would view conditional acceptance of the CommunityXL Program as an agreement and partnership with local, state and federal regulatory agencies, rather than grappling with the complexities of a formal county permit program.

All parties entering into the final agreement would operate under established conditions of the Steele CountyXL Community Pilot Program as agreed upon by the direct participants, local, state and federal regulatory agencies.

The City of Owatonna would continue to be permitted by the State of Minnesota, but would not issue individual permits to those involved with the project.

Participation in the Steele CountyXL Community Pilot Program would be voluntary, not mandatory for existing wastewater permitted facilities.

Discharge regulated components would be viewed as a composite total, and not individual facility for discharge levels.

2. **Enforcement:** Steele CountyXL Community Pilot Program direct participants would like to alter the existing regulatory requirement for publication in the local newspaper of a facility that has experienced significant non-compliance (SNC) activities as exists today, to one where non-compliance issues are reviewed by the community stakeholders.

Program participation requirements will include facility development of an EMS that should identify facility processes, identify potential areas of concern and include development of a monitoring program that will provide early detection of a problem occurring. It is our feeling that if significant

steps are taken to prevent non-compliance, the degree of non-compliance should be minimal and short term.

A goal of the program would be for a potential SNC facility to call in the other direct participants for intervention, control and solution / corrective action implementation.

With stakeholder involvement, we should have the opportunity to recommend or not recommend local publication of a SNC. As long as we are in agreement with the local enforcement entity, the Owatonna Waste Water Treatment Plant, this type of formal review program would appear to be a win-win situation for industry and the city.

The Owatonna Waste Water Treatment Plant will remain the local enforcement entity, will not be an active member of the XLC agreement, but will be a significant stakeholder.

EMS data collection will be available via the internet for those facilities who have that capability. For those who do not, we will attempt to find a solution.

Facility monitoring frequencies will be determined, level of analysis and type of analysis (in-house or certified lab) will be determined as part of the XLC agreement.

**3. Mass balance versus concentration relief:**