

US EPA ARCHIVE DOCUMENT

APPENDIX F

FY 2012 National Water Program Guidance

Work Sharing Between EPA and States Examples and Best Practices

National Water Program Guidance

Appendix F: Some Examples of Work Sharing and Business Process Improvement

	Region	Program	
			I. Standard Setting
I.A			N/A
			II. Technical Assistance/Sharing Expertise
II.D	1	Air/ Water	R1 energy and State Revolving Fund staff are working with the states to reduce energy use at waste water and drinking water treatment plants. Partnering with the states and utilities, plant operators are being trained to develop energy management plans and to implement energy efficiency and renewable energy.
II.F	3	Water	R3 has provided extensive technical assistance to state staff (and to water systems) in implementation of new PWSS regulations (LT2, Stage 2 DBPR, Ground Water Rule), including outreach to more than a thousand small water systems in several states; on-site visits to more than 200 small systems in PA (serving >2 million people) to assist with development of IDSE plans; continuing assistance to systems (esp. in MD and PA) in meeting requirements of LT2 and Stage 2 DBPR; review of system-specific hydraulic models submitted by large systems; development of checklists, files, and protocols for states to use as they assume implementation roles.
II.G	3	Water	R3 provides training and technical support to states for the Area-Wide Optimization Program. Staff work with surface water-based public water systems to achieve filter performance goals that far exceed the regulatory standard, for much enhanced public health protection. States have embraced this approach, and we now are beginning to explore its application to DBP reduction.
II.I	6	Water	Due to state resource shortfalls, the region assists the State of Oklahoma in implementing new drinking water regulations. R6 implementation activities include about 40 training events across the State for Oklahoma public water systems, numerous mailings to over 1,000 impacted public water systems, establishing electronic reporting from laboratories and automated compliance determination systems, phone call assistance to individual public water systems, as well as coordinated enforcement referrals for noncompliant water systems. Monthly calls with Oklahoma Department of Environmental Quality are conducted to collaborate on state and regional activities.
II.J	6	Water	Due to the magnitude of hurricane damage in 2005 and 2008, we augment state resources in Louisiana and Texas in responding to water infrastructure damage. R6 plans for and conducts exercises with state agencies to facilitate coordinated and effective response to water infrastructure emergencies.
II.K	6	Water	Using technical expertise within the Drinking Water Section, R6 hosts and facilitates quarterly Area

			Wide Optimization Program (AWOP) meetings with its states, plus Iowa, focused on optimizing performance of public water systems. Quarterly meetings involve technical training on water treatment and delivery process control strategies, sharing of pilot studies, and field activities conducted at volunteer public water systems in participating AWOP states. Participating AWOP States have not only improved drinking water regulatory compliance through these efforts, but have also improved State staff technical capabilities in providing compliance assistance.
II.L	6	Water	Regions share work with States by writing TMDLs for impaired waters in States where TMDLs are required to meet a consent decree and for waters that cross multiple jurisdictions
II.N	7	Water	Region shares work with States by writing TMDLs, writing NPDES permits, implementating the UIC program, assisting states with technical defensibility of water quality standards, and implementing the biosolids rule.
II.U	8	Water	R8 has assisted the State in writing up to 100 TMDLs per year and currently has approximately 330 under contract to complete by 2012. This assistance helps meet a court ordered deadline (12/31/2012) to have completed TMDLs for waters on the State's 1996 list of impaired waters. Montana DEQ is developing little more than half of the remaining TMDLs and EPA is developing the remainder to meet the order.
II.V	8	Water	R8 Drinking Water Program continues to invest considerable time and resources assisting Montana's Drinking Water Program by providing on-going oversight and on-site technical assistance. R8 Drinking Water staff also conducted early implementation of Drinking Water Rules to assist the State until the Rules were delegated and the State could begin implementation
II.W	8	Water	R8 Wastewater Program shares work with states by providing contract support for writing NPDES permits, providing technical assistance with interpreting federal rules, providing guidance documents for complex program areas such as WET, conducting training, and reviewing draft state policies and rules.
II.X	8	Water	As co-regulators, R8 UIC and the Utah Division of Oil, Gas & Mining UIC Class II programs share data and other technical information to ensure overall consistency in the permitting of Class II salt water disposal wells within Utah's Uintah Basin. This includes the establishment of monitoring requirements to address the uncertain fate and transport of injected fluids within the Bird's Nest Aquifer.
II.Y	8	Water	R8 UIC Program is working in concert with our states (SDDENR, WYDEQ) for Class III uranium in-situ leach recovery (ISL) and Class I/V ISL disposal wells to ensure consistency in implementation approach as much as possible. This includes scientific/data-driven delineation methods for determining geographic extent of exempted aquifers, and decision criteria for how best

			to authorize deep well disposal of ISL-related wastes.
II.D2	9	Water	R9 is required by a consent decree to approve or establish the Klamath TMDLs by December 2010. The Klamath watershed is managed by multiple jurisdictions. Therefore, EPA R9 has been working cooperatively with R10, North Coast Regional Water Quality Control Board, and OR DEQ to complete the Klamath TMDLs. We are running the TMDL development process through the State system first. EPA will only take action if the State fails to establish the TMDL. Since the TMDLs must be approvable by EPA, we have been providing technical, legal, and administrative assistance in developing the TMDLs (e.g., paid for the modeling, met with stakeholders including tribes, reviewed and wrote portions of supporting documents, etc.). We expect the CA State Water Board to hear and approve the TMDLs at their upcoming September 7th hearing so that we can approve it by December 2010. If the State fails to take action on the TMDLs, EPA is prepared to establish the TMDLs by the deadline.
II.F2	9	Water	In FY10, EPA and California's State Water Resources Control Board (SWRCB) finalized a multi-year workplan as part of the 106 grant program which identifies how the two agencies will work more effectively on our Clean Water Act programs (i.e. monitoring, TMDLs, NPDES permits and inspections, pretreatment, and reporting). Senior EPA and SWRCB managers will meet six times a year to discuss state and federal priorities and identify opportunities to work together more collaboratively. In addition, staff from EPA, SWRCB, and the regional boards meet regularly at program specific "roundtables" to discuss issues concerning monitoring, stormwater; and wastewater permitting and enforcement. The roundtables will provide state and federal staff an opportunity to share ideas and flag emerging issues. At a recent <i>Enforcement Roundtable</i> , the SWRCB's Sanitary Sewer Overflow (SSO) Order was discussed. EPA and the SWRCB were able to develop an efficient course of action on the monitoring compliance and enforcing requirements of the Order and the Clean Water Act as they relate to SSOs. The SWRCB and EPA agreed to do joint inspections at key facilities, which would result in more effective enforcement.
II.G2	9	Air Water	Over the past decade, R9 has worked collaboratively with the Nevada Division of Environmental Protection (NDEP) to address mercury emissions from gold mines in Northeastern Nevada. We have combined our technical, financial and regulatory/policy resources. R9 provided financial resources for NDEP and University of Nevada, Reno (UNR) to efficiently quantify and characterize the transport and deposition of mercury. We also provided technical support to the study with our Regional mobile mercury monitoring laboratory. R9 supported policy development through the creation of a Voluntary Mercury Emission Reduction Program which led to NDEP's Mercury Control Program. We also brought NDEP and OAQPS together to develop a meaningful and

			practical proposed Maximum Achievable Control Technology (MACT) standard for Gold Mines.
II.H2	10	Water	Due to budget cuts at Washington Department of Ecology, the regional NPDES Puget Sound compliance officer has worked closely with Ecology’s compliance officer to develop inspection lists for the lower Duwamish that not only meet EPA’s goal of finding non-compliance, but directly assists Ecology by visiting facilities where Ecology is unsure whether permit coverage is necessary.
II.I2	10	Water	R10 assists states with the more complex TMDLs, including those in interstate watersheds. A specific example is EPA doing the technical modeling for Washington on the Spokane TMDL and providing effluent trading expertise in the implementation of that TMDL.
II.J2	10	Water	R10 and HQ Office of Science and Technology are assisting the Oregon Department of Environmental Quality in the development of tighter toxics water quality criteria to reflect actual fish consumption rates. We have provided facilitation support, regulatory and technical expertise.
	All	Water	Regional Dredging Teams (RDTs) have been established in each EPA coastal Region as well as the Great Lakes Region. RDTs partner with federal and state agencies to improve dredged material management by fostering communication and planning, providing a forum for issue resolution, and increasing public education and community involvement at local and regional levels.
III. Enforcement and Compliance Assurance (Permitting & Inspections)			
III.A	1	Water	EPA’s lead Water inspector and lead Water enforcement attorney for CT routinely work with CT on compliance/enforcement issues and have regularly attended the CT DEP’s monthly water management enforcement meetings for at least 15 years. In that forum, EPA and the DEP discuss cases under development and agree on who will take the lead on specific matters. For example, CT lacks good information-gathering authority, so sometimes in a state-lead case, EPA will assist by issuing a section 308 Clean Water Act information-gathering letter to help the state develop the case.
III.B	1	Water	EPA’s lead Water inspector and lead Water enforcement attorney for MA have forged an agreement with MA regarding enforcement/compliance issues in towns along the Mystic River (which runs through Boston suburbs and Boston). Pursuant to this agreement, EPA has the lead in enforcement actions against some of the towns, while the state has the lead in others. EPA and MA have divided penalties in settlements depending on the share of work performed on the specific case.
III.G2	2	Water	Region and NJDEP have a partnership agreement outlining responsibilities pertaining to the Stage 2 Disinfectants/Disinfection By-products Rule and the Long Term 2 Enhanced Surface Water Treatment Rule prior to the time NJDEP obtains formal primacy. The agreement specifies the responsible parties (the state, EPA, or both) for tasks required for rule implementation. Among the tasks addressed are identification of applicable public water supply systems, training, and

			enforcement.
III.H	2	Water	The Watershed Enforcement Coordination Committee (WECC) process for the New York City water supply watershed is coordinated through an EPA-approved MOU between NYSDEC and NYCDEP. WECC addresses compliance, enforcement, sampling, inspections, and construction upgrades at watershed wastewater facilities, and also addresses construction storm water. EPA participates in quarterly meetings to provide oversight and may share in follow-up actions as agreed by the parties.
III.I	2	Water	Each year EPA and New York State develop an inspection work plan which formalizes our collaborative effort to workshare the inspection needs in the state and delineate responsibilities for any necessary enforcement follow up. Furthermore, through our quarterly Significant Non Compliance Action Program (SNAP), we have regular communication and quarterly face-to-face meetings to track facilities in SNC and ensure timely and appropriate enforcement.
III.K	3	Water	Before States have been granted primary enforcement authority, EPA has retained primacy and has undertaken many compliance assistance and enforcement actions for newer PWSS regulations (including new Arsenic MCL, LT2, Stage 2 DBPR, and now Ground Water Rule), including enforcement of “early implementation” requirements for LT2 and Stage 2, which will assure systems are set to achieve new monitoring and compliance targets for these regulations. Enforcement actions have been coordinated with States.
III.L	3	Water	R3 has issued §1431 Emergency Actions in support of state efforts involving unregulated contaminants, complex scenarios, or contamination issues crossing state lines. We have had numerous PFOA cases and phased emergency orders; actions have been coordinated with other regions and states beyond R3 as the extent of knowledge of risks and occurrence develops.
III.M	3	Waste	In FY07, the District of Columbia completed a major reorganization that created the new DC Department of the Environment (DDOE). To give DC the opportunity to focus on priority issues associated with the creation of that Department, EPA agreed to take on the bulk of DC’s UST inspection and enforcement follow-up in FY07. Since that time, we have continued to engage in worksharing with DDOE in the UST inspection/enforcement program. DDOE has taken on a greater role in this with each passing year, as their Department has matured. In FY10, the split of inspection/enforcement work was roughly 50/50 between DDOE and EPA.
III.N	3	Multi-Media	The Port of Huntington Collaborative Tri-State Initiative is a collaborative geographic initiative involving R3, 4, and 5, and West Virginia, Kentucky, and Ohio. These three regions and states, along with EPA’s National Enforcement Investigation Center (NEIC) and the United States Coast Guard, have been working with ports and port-associated industries to improve their environmental

			performance at the Port of Huntington. EPA’s regional offices have worked with the states to develop inspection targets and conduct inspections at facilities in the Port of Huntington. Specifically, the West Virginia Department of Environmental Protection has participated in inspections with R3 and is addressing two of the 11 facilities found to be in non-compliance.
III.S	4	Various media	Write or co-write permits -- Write difficult permits, e.g., for complex industrial facilities, CWA Section 316 (a)(b)-heating/cooling industry, assist with writing MS4 permits
III.T	5	Water	R5 is working with the States to secure referrals for federal Safe Drinking Water Act enforcement where states lack the resources to address.
III.U	5		Assisting states with reviews of requests for general permit coverage for sand and gravel operations and have advised states of eligibility.
III.Z	8	Water	CAFO Inspections as a temporary measure to address a state resource issue (and assist EPA implementation of national enforcement initiative).
III.A2	8	Water	NPDES Majors Inspections in a state due to the state’s failure to conduct adequate full compliance evaluations.
III.B2	8	Water	Stormwater Inspections in a state as a result of inadequate state inspections and enforcement follow-up.
III.C2	8	Water	Stormwater Inspections in another state as a capacity building effort (reviewing new state process).
III.D2	8	Water	State NPDES Discharge Monitoring Report (DMR) quality assurance review due to lack of state resources to conduct review.
III.E2	8	Water	Public Drinking Water System Enforcement in multiple states due to state performance issues (failure to take enforcement) and lack of resources.
III.K2	10	Various Media	All R10 state programs (RCRA, Air, NPDES, FIFRA, UST, UIC) continue their practice of referring enforcement to us when they do not have the legal or staff capacity to take on.
III.L2	HQ OECA OW Reg- ions	Permit Enf	The Clean Water Action Plan requires further Agency-wide collaborative efforts between OECA, the Office of Water, EPA regions, states and tribes to strengthen water quality assessment, monitoring, permitting, and enforcement, and to create an information network vital to all stakeholders. For example, EPA and state senior management will annually include water quality standards, permitting and enforcement in planning discussions about appropriate goals, performance expectations, permitting and enforcement program improvements (identified in program reviews), inspection and enforcement targeting, roles and responsibilities, work sharing and the avoidance of duplication of effort. As part of the Clean Water Action Plan, EPA will review with each state how best to target the resources we jointly have, so we make sure in the near term that we are addressing the most serious water pollution violations.

III.Q2		Enforcement	Across media, regions take the enforcement lead on sites that States refer to us due to complexity or difficulties by State to bring to conclusion.
III.R2		Enforcement	States have assisted the Regions by way of receiving competitive grant funds to conduct PCB inspections for a non-delegable PCB program. The State conducts the inspections and EPA takes the enforcement action. States take the lead on PCB cleanups where they are involved in cleaning up other contaminants at a clean- up site.
IV. Monitoring			
IV.A	1	Water	The Region is conducting field sampling and laboratory analysis of metals to support the Massachusetts Department of Environmental Protection’s probabilistic survey of Wadeable streams. Regional staff are collecting water samples three times at 36 sites, and the Region’s chemistry lab is analyzing the samples. This effort will assist the state in assessing the overall health of its streams.
IV.B	1	Water	The Region and ORD’s Atlantic Ecology Division jointly are supporting Rhode Island Department of Environmental Management (RIDEM) by conducting the field sampling for the water and sediment quality components of the National Coastal Condition Assessment (NCCA) during the summer of 2010. This effort involves collecting water and sediment samples at seventeen stations along the Rhode Island coast. The funding that typically would go to an EPA contractor to perform this work (approximately \$60,000) will instead be used to provide contract support to RIDEM for its biomonitoring program.
IV.C	1	Water	The Region is assisting Rhode Island Department of Environmental Management by (1) conducting microbial tracking at Warwick Beach as part of an ongoing storm water project, (2) conducting a dissolved oxygen (DO) survey on the Lower Woonasquatucket River using a combination of continuous monitoring instrumentation and instantaneous field measurements, and (3) conducting aquatic toxicity testing for impacts from aircraft de-icing chemicals on Buckeye Brook.
IV.D	1	Water	The R1 is assisting Maine Department of Environmental Protection by (1) collecting and analyzing samples for the characterization of sediment toxics for four impaired streams (Long Creek, Red Brook, Brown Brook, Mill Stream) in Maine, and (2) conducting a flow measurement dye study on the Sandy River and Wilson Stream to support development of a TMDL.
IV.E	1	Water	The R1 is assisting New Hampshire Department of Environmental Services by (1) conducting a sediment oxygen demand (SOD) study and conducting bacteria analysis of 80+ samples as part of an extensive study of the Merrimack River for TMDL development, (2) providing boat and sampling support to conduct fecal coliform monitoring of shellfish beds, primarily in the Great Bay Estuary and some other areas of the seacoast, and (3) conducting a multi-day dye injection study in the Piscataqua River in support of outfall relocation and permit development for wastewater

			treatment facilities, as well as delineation of shellfish closure areas.
IV.F	1	Water	The R1 is assisting Connecticut Department of Environmental Protection by conducting aquatic toxicity testing for a river in support of the development of a TMDL.
IV.G	1	Water	The R1 is assisting Vermont Department of Environmental Conservation by conducting buffer width determinations and littoral habitat measurements in support of a lake habitat assessment project.
IV.I	2	Water	The R2 has provided funding, technical expertise, as well as vessel and personnel support for sample collection to the New Jersey Department of Environmental Protection (NJDEP) to enable them to develop biological indicators for ocean and estuarine portions of NJ. This effort will enable NJ to assess and report the condition of their water resources to meet requirements of the Clean Water Act.
IV.K	8	Water	The R8 Montana Office assisted in field work, data assessment and impairment determinations on a number of stream segments.
		Water	The Office of Water is providing the services of the OSV Bold to EPA Regions, working cooperatively with their states, for high priority ocean monitoring and assessment. Activities include designation and management of dredged material ocean disposal sites that are necessary to keep ports viable, development of certain TMDLs, development of water quality criteria for nutrients, and seafloor mapping in preparation for offshore development (i.e., renewable energy facilities).
V. Planning & Priority Setting			
V.B	3	Various Media	During a February, 2007 PPA meeting, Virginia Department of Environmental Quality (VADEQ) introduced a new idea for targeting inspection commitments that needed more flexibility than is allowed for in specific EPA policy documents in the Air, Water and RCRA programs. They call it a Risk Based Inspection Strategy (RBS). The RBS is a three year pilot intended to use risk based targeting measures that would drive the inspections schedules in VADEQ's Air Compliance, Water Compliance, and RCRA Subtitle C and D programs. The RBS reflects negotiated exemptions from national policy. The RBS is a pilot program comprised of five elements designed to identify those facilities that pose the greatest potential for environmental impact. The targeting measures include: Compliance History – less than two deficiencies or warning letters in the last 2 years; Environmental Sensitivity – is the facility located in areas of particular environmental or public health concern; Multi-Media Application – potential for more than one program to be evaluated at the facility; Agency Exposure – Agency has an obligation to legislative mandates and sector initiatives; Environmental Excellence Program Participation – participating in Agency voluntary

			program. The vehicle implementing this pilot program is the Performance Partnership Agreement between the two Agencies which began in Fiscal Year 2009. This ground breaking pilot allows VADEQ to redirect resources that will enhance their compliance monitoring program.
V.D	8	Water	R8 Drinking Water Program management and staff have and will continue to provide assistance to the Montana Drinking Water Program’s priority setting process. The Montana Drinking Water Program continues to struggle with funding and resources, thus necessitating continuous planning and priority setting to most effectively utilize their limited resources and staff.
VI. Data Management & Information Systems			
VI.A	7	Water	R7 performs data entry for States for the bi-annual reporting system and other time critical actions such as reporting as a result of the CAFO exemption rule.
VI.B	8	Water	R8 Drinking Water Program staff assists Montana’s Drinking Water Program to understand and utilize their SDWIS/State database.
VI.C	8	Waste	R8 UIC Program provides technical assistance to States to facilitate electronic reporting of UIC performance data to EPA’s new national UIC database.
VII. Training			
VII.A	3	Various Media	R3 provides a grant to the Interstate Oil and Gas Compact Commission to provide training to “mom and pop” oil well operators.
VII.C	7	Various Media	R7 conducted training across programs such as water, air, UST, and RCRA.
VII.E	8	Water	R8 Drinking Water staff provides on-site training and assistance to the State’s Drinking Water Rule Managers as they input information into the SDWIS data system, and manage data.
VII.F	8	Water	R8 Wastewater Program is conducting training in each state for local planners on decentralized wastewater systems (e.g. septic systems). These training sessions were developed in concert with states, tribes, and local environmental agencies, in order to better focus discussions on concerns specific to each state.
VII.J	10	EJ	On request, R10 provides EJ training to States.
VII.K	OECA	Enforcement Compliance	EPA’s National Enforcement Training Institute (NETI) provides training to federal, state, local and tribal lawyers, inspectors, civil and criminal investigators and technical experts on topics which support the enforcement of and compliance with the nation’s environmental laws; this includes technical training provided by EPA’s program offices and state and private associations. NETI promotes a balanced training approach using traditional classroom training, distance learning tools such as computer-based training and cooperative agreements with other organizations (e.g., environmental enforcement associations) to reach a broad audience. NETI offers cost-effective

			training through online technologies, web-based courses and recorded webinars. NETI Online (www.netionline.com) is a training database that provides access to NETI courses, training products, online classrooms and email updates and is free to all international, federal, state, local and tribal government environment enforcement personnel. In FY 2008, more than 50% of the students trained by OECA, its grantees and the EPA Regions were state and local enforcement personnel.
VII.L	OECA	Enforcement	The Office of Criminal Enforcement's Criminal Investigation Division provides environmental crime training to State and local law enforcement and regulatory personnel. To cite one recent example, in May 2010, 28 law enforcement and regulatory personnel from the state of California completed the Advanced Environmental Crimes Training Program in San Luis Obispo, CA. The program was presented in conjunction with the California District Attorney's Association.
VIII. Regulation Development			
VIII.A	OECA	Compliance	EPA has responsibility to ensure that the Clean Water Act's (CWA) National Pollutant Discharge Elimination System (NPDES) program is effectively and consistently implemented across the country. EPA is developing the NPDES Electronic Reporting Rule; this would reduce the reporting burden on the states and create a more accurate picture of the regulated universe thereby facilitating work sharing for the NPDES program between EPA and the States. The rule would identify the essential information that EPA needs to receive electronically, primarily from NPDES permittees with some data required from NPDES agencies (NPDES-authorized States, territories, and tribes) to manage the national NPDES permitting and enforcement program. Through this regulation, EPA seeks to ensure that such facility-specific information would be readily available, accurate, timely and nationally consistent for the facilities that are regulated by the NPDES program. In the past, EPA primarily obtained this information from the Permit Compliance System (PCS). However, the evolution of the NPDES program has created an increasing need to better reflect a more complete picture of the NPDES program and the diverse universe of regulated sources. Information technology has advanced significantly so that PCS no longer meets EPA's national needs to manage the full scope of the NPDES program or the needs of individual states that use PCS to implement and enforce the NPDES program. A notice of proposed rulemaking is scheduled for April 2011 with final action approximately a year later.
VIII.C	8	Water	R8 Water Programs (Drinking Water, Groundwater, Wastewater) provide assistance to all R8 states during regulatory development/revision. Our assistance includes programmatic review of draft regulations to ensure that proposed state regulations are at least as stringent as Federal regulations.
VIII.D	8	Water	R8 Wastewater staff worked closely and collaboratively with the Colorado Department of Public Health and Environment from 2008-2009 as they revised their National Pollutant Discharge

			Elimination System regulations (Colorado Regulation # 61). This effort involved numerous face to face meetings early in the process to ensure that draft regulations would comport with the Federal Regulations. EPA also participated in stakeholder activities associated with Colorado’s regulatory process.
VIII.E	8	Water	R8 Wastewater Program is working with states to ensure equivalency with the Federal 2008 CAFO rule.
VIII.F	8	Water	The R8 Montana Office provided legal support for review of State permit regulations and statute compliance with delegation authority.
VIII.G	8	Water	R8 UIC technical project officers have and will continue assisting State UIC programs (e.g., WY DEQ) in development of their own geo-sequestration rules to ensure protection of underground sources of drinking water and alignment with new Class VI injection well federal minimum regulatory requirements.
IX. Analytical Support			
IX.A	1	Water	R8’s laboratory occasionally provides analyses of samples for perchlorate in support of states that cannot perform the analysis. These analyses have allowed states to trace the source of perchlorate contamination in drinking water supplies and have provided a second line of evidence in investigations of possible tampering with drinking water samples (perchlorate is formed during breakdown of bleach).
IX.B	4	Water	The R4 lab supported two states by running chlorophyll and Algal Growth Potential tests for their surface water monitoring programs. This support runs concurrently with our own water quality studies that generate the same types of analytical requests.
IX.C	4 7	Water	Lab staff conducts water quality studies and biological assessments for the States as requested through our annual planning process with the Water Protection Division. These studies are typically conducted for the TMDL program. Some of these studies directly support state needs for data collection with model development (QUAL 2 and WASP). During these studies we often take advantage of the opportunity to train the state staffs in hydrologic and oxygen dynamics measurements (production/respiration, sediment oxygen demand, and re-aeration). EPA contractors sometimes used to provide analytical support.
IX.D	5	Contracts Water	The Water Division (WD) continues to support TMDL development within the states via federal contract. Using increased TMDL funding received over the last four years; the WD has developed TMDLs using EPA contractors and then sends the draft products to the states for finalizing. FY2009 funding supported eight new projects across each of the six states. With FY2010 Great Lakes Restoration Initiative (GLRI) funding, available funding to support state TMDL development

			efforts will triple.
IX.E	6	Contracts Water	The Water Quality Protection Division continues to support TMDL development within the states via federal contract. Using increased TMDL funding received from EPA HQ over the last four years, the WQPD has developed TMDLs needed to meet federal consent decree requirements in 3 of 5 states using EPA contractors. For FY2009, funding supported the development of TMDLs for 50 impaired waters in R6, as well as TMDL development for waters that shared or crossed multiple jurisdictions. In addition, these resources have been used to conduct field sampling to assist the States in assessing waters impaired for both toxicity and sedimentation.
IX.F	6	Various Media	A cooperative arrangement has been devised between the R6 Laboratory and the local TCEQ laboratory to perform certain wet chemistry testing for the Houston Lab in exchange for testing equipment and some technical assistance. Prior to 1990, the R6 Laboratory and TCEQ environmental laboratory resided in the same facility. This original arrangement allowed the TCEQ laboratory to perform all classical wet chemistry parameters for the R6 EPA Laboratory. In 1990 when the R6 Laboratory moved into a new facility, the TCEQ Laboratory moved into a new facility in the Houston greater metropolitan area. The relationship has continued through a revocable license agreement and the use of a hotshot delivery service to ship samples across town to TCEQ's present facility. This arrangement has allowed the R6 Laboratory to focus their resources on providing the remainder of the critical services the Region needs (which is the bulk of services requested) while utilizing the great economies of scale that the TCEQ laboratory has for providing wet chemistry testing. TCEQ performs thousands of wet chemistry tests each year, and the small number of samples sent to them by EPA only amount to about 3-4% of their total workload. This makes it much more efficient for them to provide this diverse testing than for the R6 Laboratory to gear up to provide all of these services (17 different methods).
IX.I	8	Water	R8 assists the states (Colorado, Utah, South Dakota) with the monitoring of fish tissue for mercury by performing the analyses, reviewing quality assurance plans, and consulting on data interpretation. R8 takes the lead for this work due to state year-to-year budget constraints and direct human health considerations.
IX.J	8	Water	R8 assists the states (Wyoming) with the monitoring of drinking water in emergency situations for regulated and unregulated compounds by performing the analyses, reviewing quality assurance plans, and consulting on data interpretation. R8 takes the lead for this work due to state year-to-year budget constraints and direct human health considerations.
IX.K	8	Water	R8 assists the states (Wyoming, Colorado) with the monitoring of groundwater for regulated and unregulated compounds with respect to hydraulic fracturing and natural gas production by

			performing the analyses, reviewing quality assurance plans, and consulting on data interpretation. The region takes the lead for this work due to state year-to-year budget constraints and direct human health considerations.
IX.L	10	Water	R10 Laboratory provides support to the Idaho Department of Environmental Quality and the Coeur d'Alene Tribe, who are partners on the Coeur d'Alene Lake Management Plan. In 2009, R10 conducted about 1,100 analyses of water samples for various metals and general chemistry parameters
X. Resource Management			
X.A	1	Water	R1 and the Rhode Island Department of Environmental Management developed an addendum for the FY10 Performance Partnership Agreement to address RI DEM's staffing and program deficiencies in the TMDL, nonpoint source, and monitoring programs. EPA awarded a contract using about \$91,000 of our TMDL funds to complete large-scale, bacteria TMDLs. In addition, DEM has asked EPA to redirect \$150,000 of its Performance Partnership Grant (PPG) funds to EPA to hire a contractor to complete 1-3 nonpoint source watershed plans. Lastly, DEM requested that EPA redirect \$250,000 from its PPG to give to New England Interstate Water Pollution Control Commission to hire two temporary employees who will work at RI DEM in the nonpoint source and monitoring programs.
X.B	3	Various Media	DC staff co-located in R3 laboratory.
X.D		Personnel	Regions have successfully utilized STAG funds to hire SEE employees, once approved by a State(s), to support state-specific program work. This approach is useful when a state has available grant funds to perform additional activities, but an FTE cap prohibits them from hiring additional personnel. (Air monitoring and RCRA corrective action are examples.)
X.E	5	Contracts Water	Through contractor support from HQ and through GLRI discretionary funds, significant assistance in criteria development will be provided to multiple states on several chemicals/water quality parameters e.g. DO, temperature, nitrate, nitrite, ammonia, boron, manganese, fluoride, sulfates and toxicity test methods development such as hyalella, snails, mussels.
X.H	7	Personnel	State requested region to provide a senior manager on detail or IPA to assist state senior managers at with budget, policy, and strategic planning efforts. The region detailed a branch chief for 120 days. She has served in an advisory capacity sharing information between EPA and the State to ensure effective communication, assist with strategic planning, and advise the State on key budgetary issues related to the EPA grants.
X.K	10	Various	The Washington State Department of Ecology and R10 have a space sharing agreement that allows

		Media	the State to occupy laboratory space at the R10 Laboratory. The agreement benefits the State by providing a state-of-the-art facility at a very reasonable cost. Both organizations benefit from having their bench-level scientists share methods and expertise as they tackle important common issues, like the R10's two large aquatic ecosystems (Puget Sound and the Columbia River).
X.L	10	Various Media	Where skill sets match, we have tried to utilize state expertise to fill vacancies with temporary IPAs from states to EPA, to ameliorate state budget short falls.
XI. Voluntary Programs			
XI.F	7	Water	Develop partnerships with States to work with water utilities to help reduce energy and greenhouse gases. Pilot effort in R7 worked with 12 communities.
XII. Policy Development			
XII.A	1	Air	R1 assisted each of the 6 New England states in development of their climate change action plans and is working with them on development of their climate adaptation plans
XIII. Emergency Response			
XIII.A	7	Waste	State often responds to small abandoned drum sites (due to close proximity of field offices), and secures the drums and materials. Region then arranges for disposal of the materials.
XIII. B	10	Superfund	California State Parks was given funding to clean up a historic site (Bodie State Park) but did not have the expertise, experience or readily available contract resources to conduct a safe clean up. They knew that EPA's removal program has vast experience doing cleanups of this nature and an excellent track record. We reached an agreement with the state that they would provide funding and EPA would oversee the clean up.
XIV. Science & Research			
XIV.B	6	Water	R6 staff and regional contractors have conducted both water quality modeling and TMDL development training for states necessary to build the states' capacity to develop TMDLS.
XIV.C	7	Water	R7 conducts modeling/provides modeling technical support for state-written TMDLS.
XV. Business Process Improvement			
XV.B	7	Water	The Lean Kaizen process has been applied in the area of water quality standards, NPDES permits, and enforcement. In all areas we are working with the states to improve processes and be more efficient.
XV.C	8	Water	The Montana DEQ used the Kaizen process to prioritize NPDES permitting work in its backlog reduction plan. The process helped them develop a multi-year plan which should ensure significant reduction in backlogged permits.