

Davison, Jenny

From: Davison, Jenny
Sent: Thursday, July 17, 2014 4:04 PM
To: Davison, Jenny
Subject: RE: Minnesota Straight-Pipe Septics Meeting with MPCA/EPA

- Also when we last talked we had discussed the 2013 LGU Annual Report (due in June every year). Can you please email a copy of this report along to us? (2013 Report complete in draft form-next couple weeks).
- Questions we'd like to discuss in our call (Date TBD) include:
 - 1) Statutes require LGUs to report non-compliant straight pipes that discharge to waters of the US to the MPCA. How will MPCA get this message out to LGUs and ensure that it is being done? (*Perhaps, MPCA would keep an inventory of all of SSTs even if they are addressed by the LGUs and that MPCA should include them in their reporting numbers every year?)- (86 LGU's of the 11,560). **Statute-requires them to report. NON issued. (straight pipe reports by LGU?) .7% straight pipe. 99.3% compliance with NPDES requirements. 11,500 (8960) vs 75 (recorded data-vs estimated). Might actually exist. 2600 using the same statistically possible even lower.**

Actively with counties to come up with an action plan.
 - 2) How will the MPCA facilitate with inventory, inspections and enforcement of straight pipes in areas that LGUs don't implement a program, don't report, or have low reporting numbers? (A List of these communities is included in the MCEA's September 2013 response, as well as our recommended actions in the Original Petition Response. **Some things to consider when we discuss this question include a whether MPCA has considered moving forward to help some of those communities that have no/low reporting frequencies based on the size of LGU, proximity to impaired watersheds for fecal/e.coli, etc.?) An example:
 - 3) i) coordinator, ii) county incentive program, iii) watershed for impaired-Wilken and Shitago out of a TMDL). (incentive program) 4 counties withholding state funding until they improve their ordinance. Hire someone to work with unsewered areas, identified places that have 5 or more homes in half a mile, continuous improvement process-priority list, coordinator. 1) inspections in extra areas. 2) Electronic list of known systems in your county. If you develop an implementation plan than you'd get extra \$\$\$\$. If you implement the plan 4) point of sale or required a permit for any permit issues in the county than more incentive \$\$\$. Know where the SSTs are?

-inventory citizen resistors (was a inspect-bait and switch-result and people to come on property of basis-tried for 4 years and law suits-successful and unsuccessful). How can their staff get out and get these done. A lot of \$\$ to do the inspections.
 - 4) While it is not required by state statutes as a "trigger" for inspection, does MPCA have any obligation to address straight pipes from older homes that do not fall under new/replacement construction/point of sale systems? Does MPCA have any plans to address legacy systems that would not otherwise fall under surveillance, inspection and enforcement in the state statutes? How does MPCA ensure that these types of unpermitted straight pipes don't exist, or, if they do exist how are they being eliminated? Why don't statutes include "triggers" for old homes that don't fall under point of sale/reconstruction triggers?

- 4) In MCEA's letter (attached below), they have suggested several low-cost options for a comprehensive inventory and inspection efforts. They suggested a discussion with EPA and MPCA. While not required by EPA, we would be happy to facilitate such a discussion if you think it is appropriate. **Caveat-different than the one last year. Haven't changed the position. Anyone does work (exceeds the carrying capacity of MN).**

- 5) Can you provide a list of the counties that plan to use the 2014/2015 funds outlined in Aaron Jensen's June 16 email and a brief description of what types of actions they will be taking? Could any of the funds provided be used to conduct a comprehensive survey as described in MCEA's correspondence? Or does the state think there are better ways to use the funds that would provide better environmental benefits than conducting an inventory **(please describe?) 9every county, category, each category) incentive grant).**

These are questions we'd like to walk through with the state to get a better understanding of the program as it is currently implemented, and to help us understand the progress that the state has made since our original response last year. Thank you for all the info you have provided thus far and we look forward to talking with you soon.