



2017 CGMC Accomplishments on Wastewater

1. Increased Wastewater Funding & Funding Policy Changes

The Legislature appropriated more than \$130 million in funding for grant and loan programs for wastewater treatment facilities. It also increased the grant funding limits for these programs.

2. Prevented EPA/MPCA from Imposing Excessively Restrictive Permit Limits

As a result of the CGMC's efforts, the Environmental Protection Agency (EPA) agreed to withdraw an illegal and overly restrictive phosphorous mandate it had attempted to impose on the state of Minnesota. This illegal federal mandate was not based on law, but on a federal guidance document that only applied to certain toxic pollutants in the Lake Superior Basin and specifically exempted phosphorus. If this mandate had been implemented, it would have required Greater Minnesota cities to needlessly expend hundreds of millions of dollars.

3. Passed Legislation Requiring Use of Recent Data

The Legislature passed legislation that requires the Minnesota Pollution Control Agency (MPCA) to use recent data that takes into consideration water quality improvements made as a result of municipal investments when evaluating lakes and rivers for potential impairments.

4. Improved MPCA's Peer Review Process

On July 14, MPCA Commissioner John Linc Stine signed a directive requiring the MPCA to integrate external and transparent scientific peer review requirements in the water quality standards development process. This proposal is similar to legislation proposed by the CGMC, but it is an internal policy change and not formal legislation or rule, and falls short of the formal requirements sought by the CGMC. However, it is a clear and positive step toward ensuring that the MPCA's water quality standards are based on sound external peer-reviewed science. With sustained efforts by the CGMC, this directive could be improved and formalized into law in the future.

5. Passed Legislation Requiring More Time and Transparency on Permits

The Legislature passed legislation that gives cities more time to evaluate wastewater permits to ensure they are technically sound and reasonable. It also gives cities more time to evaluate the Impaired Waters List.

6. Proposed Changes to Use of Guidance Documents

The CGMC has raised concerns about the MPCA's misuse of guidance documents to establish unadopted rules that impose more restrictive requirements than allowed by law. The MPCA now proposes to develop guidance for implementing standards during the rulemaking process to give cities advanced notice of implementation issues and then formalize that guidance in rule so that it cannot be changed without a public rulemaking process. The CGMC supports these efforts, but we have to monitor the MPCA carefully to ensure it implements this proposal.

7. Transparency Regarding Implementation

The MPCA has a history of calculating permits that are more restrictive than best practices and sound science require. The MPCA now proposes including the methods by which it will calculate permit limits in rule so that cities can comment on the front-end in rulemaking and to ensure that the MPCA cannot change these methods without going through rulemaking.

8. Legislative Water Commission

The Legislative Water Commission announced that it will focus on an "in-depth look at the regulatory and cost issues associated with wastewater treatment." Meetings are on-going.