



**Minnesota
Pollution
Control
Agency**

Public
Information
Office

Related Information:

Impaired Waters

Background Paper available on line at www.pca.state.mn.us/newscenter/background.html

Minnesota's **Impaired Waters** list available at www.pca.state.mn.us/water/tmdl/index.html#tmdl

View the list of **TMDLs Underway** in Minnesota at www.pca.state.mn.us/water/tmdl/index.html

Background on: Total Maximum Daily Loads

General Public: gp5-13, January 2006

Introduction

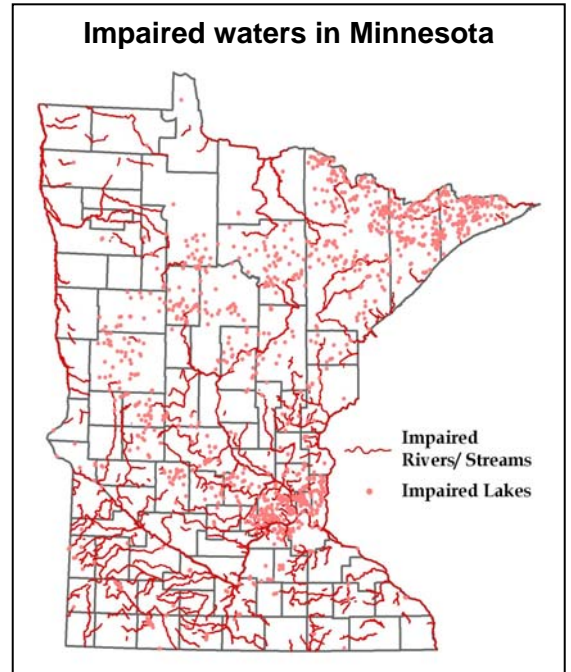
A water body is “impaired” or polluted if it fails to meet one or more of the federal Clean Water Act’s water-quality standards. Federal standards exist for basic pollutants such as sediment, bacteria, nutrients and mercury. The Clean Water Act requires the Minnesota Pollution Control Agency to identify and restore impaired waters.

Minnesota’s Impaired Waters list — updated every two years — identifies assessed waters that do not meet water quality standards. The 2006 list, currently in draft form, includes 2,274 impairments on 1,304 waters in Minnesota. Listed waters include 1,008 lakes and 296 rivers and creeks, many with multiple impairments. The 2006 list remains in draft form until approved by the U.S. Environmental Protection Agency (EPA). Assessments are complete on 10 percent of Minnesota’s stream miles and 16 percent of the state’s lakes. The list will expand as assessments continue throughout the state.

What is a TMDL?

The primary tool for addressing impaired waters is a pollution reduction plan called a Total Maximum Daily Load, or TMDL. A TMDL is the maximum amount of a pollutant a water body can receive without violating water quality standards. The TMDL process identifies all sources of the pollutant and determines how much each source must reduce its contribution in order to meet the quality standard. The sum of all contributions must be less than the maximum daily load. The source reduction strategies form the basis of an implementation plan. Implementation begins once the EPA approves a completed TMDL.

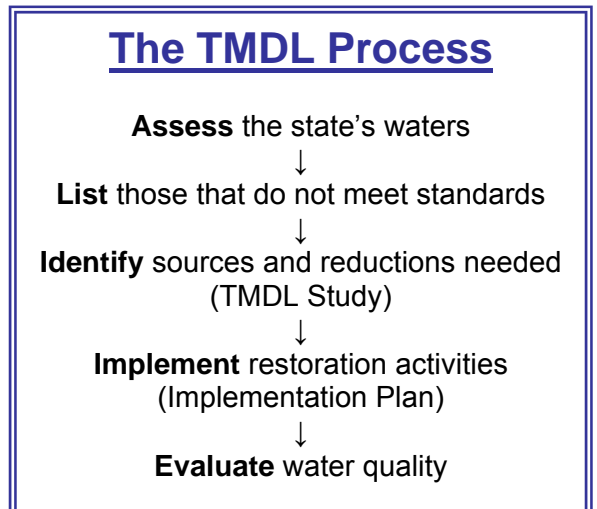
The Clean Water Act requires a completed TMDL for each water quality violation



identified on a state’s Impaired Waters list. Lakes or river reaches with multiple impairments require multiple TMDLs.

What is the process for completing TMDLs?

States must develop a TMDL within 15 years of listing a specific impairment. Developing a TMDL requires an average of four years.





The process for completing a TMDL study is complex and varies significantly from project to project. Some of the many variables include

- Number of pollutant sources
- Type of pollutant and size of the watershed
- Amount of existing data
- Relationship of one impairment to others that may exist in the same or nearby water bodies
- Extent of stakeholder involvement
- Availability of necessary resources

Who is responsible for doing TMDLs?

The Minnesota Pollution Control Agency (MPCA) is ultimately responsible for completing and submitting TMDLs to the EPA. However, stakeholders play a critical role in the development and implementation of TMDLs. In addition, scientific and technical experts provide valuable information and insight. In many cases, consultants assist with data collection, modeling and development of draft reports.

Through contracts with the MPCA, local governments and watershed organizations will likely lead over two-thirds of Minnesota's TMDLs. The MPCA will direct the remaining projects. The contracts cover staffing, equipment, lab costs, and other project expenses. Nearly 95 percent of all the state's TMDL funding passes through the MPCA to local-governments and contractors. The MPCA provides oversight, technical assistance, and training to ensure regulatory and scientific requirements are met. The MPCA submits final TMDLs for EPA approval.

What happens after the TMDL is complete?

After a TMDL is written, a detailed implementation plan is developed to meet the TMDL's pollutant load allocation and achieve the needed reductions to restore water quality. Depending on the severity and scale of the impairment, restoration may require 10-20 years and millions of dollars.

What is the current TMDL workload?

The MPCA's current TMDL workload is organized into about 290 projects. At current funding levels, the MPCA

anticipates that the federal deadlines for completing TMDLs will be missed, the backlog of projects will grow, and restoration efforts will be delayed.

Concern over resource needs for impaired waters led to development of the Clean Water Legacy Act. This proposed legislation has been under consideration by Minnesota state lawmakers for the past several legislative sessions. In 2005, the bill was widely supported by a coalition of business, agricultural, local government and environmental organizations, but it failed to pass due to a lack of legislative agreement on funding sources. Legislative consideration of the bill will continue in the 2006 session.

What are the consequences of not completing TMDLs?

The Clean Water Act prohibits new or expanded discharge to an impaired water, if the discharge would "cause or contribute to the violation of water quality standards." Until a TMDL is completed, there can be no new or expanded discharge affecting the impairment. Once the study is complete, all proposed discharges must meet the requirements of the TMDL.

If TMDLs do not move ahead, communities and businesses may find themselves unable to expand. The resulting constraints on economic development and growth could be considerable. In addition, if impairments are not addressed, many prized lakes and rivers remain polluted, a detriment to the quality of life in Minnesota.

For more information

For more information on TMDLs, contact Faye Sleeper, 651-297-3365 or faye.sleeper@pca.state.mn.us

TMDL information is also available on the Web at www.pca.state.mn.us/water/tmdl/index.html

Guidance documents for issuing wastewater discharge permits affecting impaired waters are available under the Permits section on the Web page at www.pca.state.mn.us/water/wastewater.html