



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JUL 12 1985

OFFICE OF
WATER

MEMORANDUM

SUBJECT: Regional Commitments for the Underground Injection Control Measures in the Strategic Planning and Management System (SPMS) and the Office of Water's Evaluation Guide -- Underground Injection Control Program Guidance #41

FROM: *Victor J. Kimm*
Victor J. Kimm, Director
Office of Drinking Water (WH-550)

TO: Regional Water Division Directors
Regional Water Supply Branch Chiefs
Regions I - X

By now, you should have received the July 1 Memorandum from the Acting Assistant Administrator for Water which defines the process and outlines the schedule for negotiating water program commitments for FY 1986 measures to be included in the Strategic Planning and Management System (SPMS)

The Deputy Administrator has set August 6th as the date by which the Regions must submit Regional commitments (targets) to the appropriate headquarters program office. In order to assist you in this requirement, I am attaching a simplified commitment form for the UIC measures. The Underground Injection Control Branch of the State Programs Division will aggregate the commitments, as appropriate, to meet the requirements of SPMS.

In addition to the FY 1986 Agency's Operating Guidance, the FY 1986 Office of Water Accountability System and the Midyear Evaluation Guide, the following documents should also be reviewed before you prepare your 1986 SPMS commitment:

- (1) Guidance for FY 1986 UIC Enforcement Agreements dated June 8, 1985;
- (2) Guidance for FY 1986 Performance Based Grants dated July 12, 1985;
- (3) FY 1986 Regional Workload Model (C-220 and C-306) dated March 14, 1985; and
- (4) Memorandum on "UIC Workload Model Ground Rules" dated March 21, 1985.

MAJOR CHANGES FROM 1985 SPMS

There are several major changes in the FY 1986 process:

1. All primacy States will be required to provide the same quarterly performance report as the D.I. States. States with approved 1425 programs may use the more complicated annual report form (EPA Form 7520-1,2,3,4) to report the quarterly performance at their own discretion.
2. Permit determination commitments will be based on the total number of both existing and new wells. Regions are responsible for fully utilizing the allocated FY 1986 FTEs to perform permit determinations in accordance with the priority orders set in the FY 86 C-220 workload model. The FY 86 SPMS divides the permit determination targets into two major groups, Class I wells and the remaining classes. It requires, however, that Regions report individually the number of permit determinations made for each well class and for both existing and new wells on a quarterly basis.

It should be noted that the FY 1986 UIC workload model allocated 59.1 workyears for permit determinations based on Regional estimates. The Regional allotments will be readjusted if your commitments differ from the estimates. The Comptroller's office has chosen this model as the Agency's pilot project to link the resource allocations with performance outputs. The ground rules on the permit commitments and resource allocations are explained in the Memorandum dated March 21, 1985, from Paul Baltay to the Regional Water Supply Branch Chiefs.

3. Compliance will be monitored in two separate items. The fixed base compliance tracks the compliance and enforcement activities on a fixed group of violators identified in the fixed base universe. The fixed base universe of wells in violation is defined as those wells showing violations at the end of June 30th, 1985.

The dynamic base compliance tracks the new violators and enforcement activities that occurred in each quarter.

These two compliance items are only required for the major injection wells (Class I and IV) in 1986. We will report both of these items based on data extracted from the quarterly non-compliance reports (QNCR). Headquarters will computerize the QNCR and prepare a summarized report to meet the SPMS requirement. Regions need only forward QNCRS to headquarters on a quarterly basis.

4. Field inspections will be a commitment item for 1986 and will be tracked on a quarterly basis.

5. All primacy State quarterly reports will lag by 3 months to provide sufficient time for the collection and analysis of the data submitted. States should submit reports to Regions within 30 days from the close of each quarter; the Regions should submit these reports to the headquarters program office within 30 days after they receive the State reports (or within 60 days after the close of the quarter). This will provide headquarters 30 days to analyze the data and prepare the Office of Water's report. All reports for D.I. States are required immediately at the closing of each quarter.

1986 MEASURES AND TARGETS

1. There are five major categories of measures for both primacy States and direct implementation States in the UIC program for FY 1986 which require pre-negotiated commitments. These include: permit determinations, Class II well record reviews, Class II mechanical integrity testing, compliance tracking and field inspections. In addition to establishing performance targets on all these items, the fixed base compliance requires establishing a universe against which the annual commitment is made.

In order to achieve national uniformity, I suggest that you make your commitments based on the available FY 1986 resources that were allocated to your Region and identified in the FY 1986 Regional UIC workload model. Out of the 108.5 FTEs and \$3 million grant funds allotted for direct implementation, we identified 83.8 FTEs and \$2.27 million in funds linked directly with the SPMS. This is equivalent to a total resource of 112.2 workyears. The following table identifies the workyears (FTEs & \$) that were allotted to each Region with SPMS related program elements. A suggested list of outputs to match the resource allocations is provided in Attachment A.

FY 1986 REGIONAL RESOURCES (Wys) TO SPMS
FOR DIRECT IMPLEMENTATION PROGRAM

REGION	WEIGHT (ASE)	PERMIT DETMN	FILE REVIEW	MIT	FIELD INSP	COMP/ ENF	TOTAL
I	0.00	0.0	0.0	0.0	0.0	0.0	0.0
II	2.51	3.5	2.0	2.0	2.4	2.2	12.1
III	1.94	4.2	1.5	1.5	1.8	1.7	10.7
IV	2.56	8.6	2.0	2.0	2.4	2.3	17.3
V	3.42	23.5	2.7	2.7	3.2	3.0	35.1
VI	1.16	8.2	0.9	0.9	1.1	1.0	12.1
VII	0.48	0.1	0.4	0.4	0.5	0.4	1.8
VIII	1.17	4.5	0.9	0.9	1.1	1.0	8.4

IX	2.36	5.4	1.9	1.9	2.2	2.1	13.5
X	0.02	1.1	0.0	0.0	0.0	0.0	1.1
TOTAL	15.62	59.2	12.3	12.3	14.7	13.7	112.1*

- * 59.2 FTEs from C220 & C306 for permitting
24.6 FTEs from C220 & C306 for other activities
75% of the \$3 million from UIC grants are converted to
28.5 workyears at 1 WY = \$80,000

DEFINITIONS AND COMMITMENTS

The following provides instructions for completing the "1986 planning target" form. One form should be used for each quarter with each new quarter showing a cumulative number. Please have these forms completed and returned to the UIC Branch by August 7.

1. Permit determinations for Class I wells: in the column under DW-2, identify, by State (both primacy and D.I. States), the total number of permit (new and existing) determinations (issued or denied) for Class I wells.
2. Permit determinations for other classes of wells: in the columns under DW-3, identify, by State (both primacy and D.I. States), the total number of permit (new and existing) determinations (issued or denied) for (1) Class II wells, (2) Class III wells and (3) Class V wells if applicable. At your discretion, you may write the number of wells in parenthesis if the well number is larger than the permit number. This will provide a count against the number of wells in the FURS data base in the event that the permit number differs from the well number. Although the planning form provides three columns for you to fill in the numbers for each well class, you may, however, choose to enter one lump sum for all the three classes as required by SPMS.

The following table summarizes the permit determination numbers for D.I. States provided by your staffs early in February when the C-220 workload model was developed. These numbers are being used as the base for the 59.1 FTEs allocated for permitting activities and is being monitored in the Comptroller's Office as one of the Agency's pilot projects linking the resource allocations with the performance outputs. In accordance with the ground rule outlined in the Memorandum date March 21, 1985, from Paul Baltay, Your FTE allotment may be adjusted in the event that your 1986 commitment changes from the estimates.

ESTIMATED 1986 PERMIT ACTIVITY UNDER SPMS
INCLUDING BOTH EXISTING AND NEW PERMITS

REGION	CLASS I		CLASS II		CLASS III		CLASS V	TOTAL
	EX.	NEW	EX.	NEW	EX.	NEW	-	-
I	0	0	0	0	0	0	0	0
II	6	0	0	4	5	0	2	17
III	0	0	50	12	0	0	0	62
IV	0	0	54	68	0	0	3	125
V	17	5	75	100	17	1	4	219
VI	1	0	0	115	0	0	2	118
VII	0	0	0	0	0	0	1	1
VIII	0	0	34	30	0	0	1	65
IX	2	10	0	4	0	2	4	22
X	0	3	0	0	0	0	1	4
TOTAL	26	18	213	333	22	3	18	633

3. Class II well record review: In the column under DW-4, identify by State (both primacy and D.I.), the number of Class II wells whose file records will be reviewed in accordance with the 1425 program guidance. For multiple wells in a single field under an area permit or project, report the total number of wells that are covered in the same well file.

4. Class II mechanical integrity testing: In the column under DW-5, identify by State (both primacy and D.I.) the total number of wells to be tested for mechanical integrity by the operator according to the State's schedule. The C-220 workload model assumes that each workyear can verify 220 mechanical integrity tests. At least one quarter of the tests performed by the operators should be witnessed.

5. Field inspections: In the column under DW/E-8, identify by State (both primacy and D.I.), the number of wells that will be inspected by States or EPA including all routine, periodic, or follow-up inspections to determine compliance with permit requirements or other program related activities. The C-220 workload model assumes that each workyear can perform 220 field inspections and this assumption should be used as the guide for you to make your commitment. As a general rule, the inspection of Class I wells should be more frequent because of their environmental impact.

6. Fixed base non-compliance: In the column under DW/E-4,

identify by State, (both primacy and D.I.) the number of major wells in violation of permit or rule requirements as of June 30, 1985. Attach all the QNCR reports which identify the name of the violators, the nature of violations and status of compliance. A major well is currently defined as a Class I or Class IV well.

7. Compliance on fixed base violators: In the column under DW/E-5, identify by State (both primacy and D.I.) the number of major wells that will have either compliance or enforcement actions imposed to bring the violator into compliance. The total number in the 4th quarter should be equal to the fixed base showing in DW/E-4 to reflect 100% compliance.

REPORTING

Throughout the year, you will be required to submit progress reports (form attached) for both pre-negotiated SPMS and OW commitments and SPMS and OW activities which do not require a pre-negotiated commitment.* These include:

1. Permit determinations: In columns under DW-2 and DW-3, enter the cumulative number of permits issued or denied by both the primacy and D.I. States and report these numbers separately for existing and new wells for Class I, Class II, Class III and Class V wells.
2. Class II well records reviewed: In the column under DW-4, enter the cumulative number of Class II wells with file records reviewed in both primacy and D.I. States beginning on October 1, 1985.
3. Class II mechanical integrity testing: In the column under DW-5, enter the cumulative number of Class II wells with MITs performed by operators and verified by States or EPA and the number of wells with MITs witnessed by States or EPA for both primacy and D.I. States in your Regions starting from October 1, 1985.
4. Field inspections: In the column under DW/E-8, enter the cumulative number of wells with field inspections conducted by States or EPA for all the States in your Region beginning October 1, 1985. Field inspections include all routine field checks and/or compliance and complaint investigations, construction, monitoring, etc.
5. Compliance: In the column under DW/E-3, enter the cumulative number of Class I and IV wells that are in violation of permit or rule requirements.

* States with approved 1425 programs may use the more complicated annual report from (EPA Form 7520-1,2,3,4) in lieu of this attached form at their discretion.

6. Compliance on the fixed base violation: In the column under DW/E-5, enter the cumulative number of major wells that have returned to physical compliance or are being enforced by either an administrative order (AOs) or State equivalent or civil/criminal referral. This number should accompany the QNCR which identifies the name of the violators, the nature of the violation and the compliance status.
7. Dynamic base violation: In the column under DW/E-6, enter the number of major wells that are found in violation of the permit or rule in the reporting quarter as reported in the QNCR.
8. Dynamic base compliance: In the column under DW/E-7, enter the number of major wells identified in the column of DW/E-6 of the previous quarter that have returned to physical compliance or are being enforced by either an administrative order (AOs) or State equivalent or civil/criminal referral.

For items 5 through 8, the headquarters UIC Branch has developed an ADP program to evaluate the data and assist in preparing the report for the fixed and dynamic base compliance. The Regions are required only to submit the QNCR report to the UIC Branch so that the information can be analyzed and reported in accordance with the SPMS format.

Again, all 1986 planning target forms are due to the Underground Injection Control Branch (Jentai Yang) by August 6. State-by-State data will be aggregated by ODW for SPMS as appropriate. ODW will extract the information from each Regional report and separate the primacy State and D.I. State reports automatically. Quarterly program reports for D.I. States are due on the last day of each quarter. Quarterly progress reports for primacy States are due by November 30, February 28, May 31 and August 30 for the reporting quarter ending September 30, December 31, March 31 and June 30. If you have any questions about this memo, please call Jentai Yang at 382-5542.

Attachments

Attachment A

RECOMMENDED 1986 SFMS TARGET BASED ON C-220
WORKLOAD RESOURCE ALLOTMENT
(FOR D.I. STATES)

REGION	CLASS II FILE RVW	CLASS II MITS	INSPECTIONS
I	0	0	0
II	440	440	528
III	330	330	396
IV	440	440	528
V	594	594	704
VI	198	198	242
VII	88	88	110
VIII	198	198	242
IX	418	418	484
X	0	0	0
TOTAL	2728	2728	3234

UNDERGROUND INJECTION CONTROL
STRATEGIC PLANNING AND MANAGEMENT SYSTEM

QUARTERLY REPORT

REGION _____ REPORTING PERIOD _____ TO _____ 19 _____ MO
 PREPARED BY _____ DW/E8
 PHONE # _____ DW/E5

STATE	DW-2		DW-3				DW-4	DW-5		DW/E8	COMPLIANCE EVALUATION				COMMENTS
	EXISTING	NEW	CLASS I WELLS	CLASS II WELLS	CLASS III WELLS	CLASS V WELLS	CLASS II WELL RECORD REVIEWED	TESTED	MITIGATED	FIELD INSPECTIONS	# MAJOR WELLS IN VIOLATION	# COMPLIANCE OR ENFORCEMENT (FIXED BASE MAJOR WELLS)	# MAJOR WELLS REPORTING NEW VIOLATIONS	# COMPLIANCE OR ENFORCEMENT FOR NEW VIOLATIONS	

CHECK ONE: CUMULATIVE DATA FROM PREVIOUS QUARTER(S) THIS QUARTER ONLY JTY 3/85

Program: Drinking Water

OBJECTIVE	MEASURE	SPMS CODE	FREQUENCY
Identify population affected by persistent violations of drinking water requirements.	Report, by Region, for primacy and non-primacy States, the populations served by community systems with persistent MCL violations and by systems with persistent M/R violations of the microbiological, turbidity, and trihalomethane requirements in FY 1985. (Report separately for each parameter.)	DW-1	Q2
Issue Underground Injection Control (UIC) Permits expeditiously.	Track, by Region, progress against quarterly targets for the number of UIC permit determinations for existing and new Class I well facilities made by EPA and the number made by primacy States. (Report permit determinations for new and existing facilities separately.)	DW-2	Q1,2,3,4
	Track, by Region, progress against quarterly targets for the number of UIC permit determinations for existing and new Class II, III, and V wells (as applicable) made by EPA and the number made by primacy States. (Report permit determinations for new and existing facilities for each well class separately.)	DW-3	Q1,2,3,4
	Track, by Region, progress against quarterly targets for the number of existing UIC Class II permit files reviewed by EPA and the number reviewed by primacy States.	DW-4	Q1,2,3,4
Assure the mechanical integrity of existing wells.	Track, by Region, progress against quarterly targets for the number of mechanical integrity tests of Class II wells performed by EPA and the number performed by primacy States.	DW-5	Q1,2,3,4

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Program: Drinking Water

OBJECTIVE	MEASURE	SPMS CODE	FREQUENCY
Achieve and maintain high levels of compliance in the Public Water Supply Program.	<p><u>COMPLIANCE:</u> Data is lagged one quarter.</p> <p>Track, by Region, for primacy and non-primacy States, the number and percent of community water systems that are persistent violators of microbiological, turbidity, and trihalomethane maximum contaminant levels (MCLs) and the number and percent that are persistent violators of monitoring and reporting (M/R) requirements. (Report separately for each parameter. Microbiological and turbidity to be tracked against targets.)</p>	DW/E-1	Q1,2,3,4
Achieve and maintain high levels of compliance in the UIC Program.	<p><u>INSPECTIONS:</u> Data is lagged two quarters.</p> <p>Track, by Region, progress against quarterly targets for the number of sanitary surveys conducted by EPA and the number conducted by primacy States.</p>	DW/E-2	Q1,2,3,4
Achieve and maintain high levels of compliance in the UIC Program.	<p><u>COMPLIANCE:</u> Data is lagged by one quarter.</p> <p>Track, by Region, for primacy and for direct implementation States, the number and percent of major wells in violation of permit or rule requirements.</p>	DW/E-3	Q1,2,3,4
	<p><u>FIXED BASE:</u> Data is lagged one quarter.</p> <p>Identify, by Region for primacy and for direct implementation States, the name and number of major wells in violation of permit or rule requirements as of 6/30/85.</p>	DW/E-4	10/15/85
	<p>Track, by Region, for primacy and for direct implementation States, progress against quarterly targets for addressing those facilities. A facility may be addressed by returning it to compliance or by taking a formal enforcement action against it.</p>	DW/E-5	Q1,2,3,4

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Program: Drinking Water

OBJECTIVE	MEASURE	SPMS CODE	FREQUENCY
<p>Achieve and maintain high levels of compliance in the UIC Program. (continued)</p>	<p><u>DYNAMIC BASE:</u> Data is lagged one quarter.</p>		
	<p>Identify, by Region, for primacy and for direct implementation States, the number of major wells reporting new violations (exclude fixed base wells).</p>	DW/E-6	Q1,2,3,4
	<p>Track, by Region, for primacy and for direct implementation States, the number of wells identified above that have returned to compliance and the number not yet in compliance but addressed by a formal enforcement action.</p>	DW/E-7	Q1,2,3,4
	<p><u>INSPECTIONS:</u> Data is lagged one quarter.</p>		
	<p>Track, by Region, progress against quarterly targets for the number of field inspections conducted by EPA and the number conducted by primacy States.</p>	DW/E-8	Q1,2,3,4