



What is Ahead for Oregon Stormwater Programs



Annette Liebe
Oregon Department of Environmental Quality
(503) 229-5589



DEQ's Stormwater Permit Program

- Industrial Stormwater Permits
 - **1200-Z**: Industries throughout the state, based on primary SIC codes
 - **1200-A**: Sand & gravel mining operations
 - **1200-COLS**: Industries that discharge to the Columbia Slough
- Construction Stormwater Permits
 - **1200-C**: Construction projects over 1 acre or less than 1 acre that are part of a larger development
 - **1200-CA**: Construction projects by local agencies
- Municipal Separate Storm Sewer System (MS4) Permits
 - Phase I: Populations greater than 100,000
 - Phase II: Populations between 1,500 and 100,000



DEQ Stormwater Program Priorities

- MS4 Phase I
 - Working with the local communities on the upcoming permit renewals
- 1200-Z and 1200-COLS Permits
 - Revising permits based on a settlement agreement
 - Meeting regularly with Industrial Stormwater Advisory Committee
- 1200-C Permit
 - Renewing permit that expires November 2010
 - Incorporating effluent limit guidelines
 - Streamlining application and reporting
- Responding to ongoing, high priority environmental complaints and violations



Phase I Municipal Stormwater Permits 8 permits - 33 co-permittees



MS4 Phase I Permit Renewal Topics & Issues

Permit Requirements for Key Permit Areas Under Consideration:



- Education & Outreach Program Success
- Post-Construction Stormwater Management
- Operation & Maintenance Program for Privately-owned Stormwater Facilities
- Hydromodification Assessment
- Retrofit Strategy



Maximum Extent Practicable (MEP)

Effectiveness – Does the stormwater program & SWMP effectively address stormwater pollutants? (e.g., what is the condition of the receiving water?)

Local Applicability – Are the goals technically feasible? (e.g., local soils, topography, geography, climate, hydrology, etc.)

Program Resources – Are the program elements being implemented given the available resources and program priorities? (e.g., MS4 size, ability to finance, capacity to perform operation & maintenance)



MS4 Phase I Permit Renewal Timeline

Permit Renewal Application & Program Review

- Review matrix developed
- In-depth review of MS4 Phase I programs
- Used as part of the permit renewal discussions



Permit Discussion & Negotiations

- Individual/Group meeting - ongoing

Tentative Public Notice & Hearings

- Portland Metro Area MS4s – Summer '10
- Cities of Eugene and Salem – Fall '10

Permit Issuance in 2010



Industrial Stormwater Permits

- DEQ is revising the 1200-Z and 1200-COLS permits due to settlement agreement with Northwest Environmental Defense Center and Columbia Riverkeeper
- In June 2009 convened an Advisory Committee to provide input on new permit requirements



Industrial Stormwater Permits

- Main focus areas for new permits:
 - New requirements for discharges to impaired waters
 - Developing water quality based benchmarks
 - Expanding monitoring requirements
 - Reducing paperwork and focusing agency's resources on areas of greatest environment concern



Industrial Stormwater Permits

- Discharges to Impaired Waters with TMDLs
 - Compliance with permit will meet TMDL requirements
- Discharges to Impaired Waters without TMDLs
 - Facilities will screen for impairment pollutants (e.g., metals, PCBs, pesticides, bacteria) to determine if present in discharge
 - If present above water quality standards, facilities evaluate source of pollutants and implement BMPs to reduce pollutant concentrations



Industrial Stormwater Permits

- Benchmarks
 - Currently, facilities monitor for 6 pollutants in 1200-Z permit
 - Facilities will also monitor for EPA sector specific benchmarks
 - Developing water quality based benchmarks for copper, lead and zinc
 - Using risk based modeling
 - Evaluating appropriate dilution rate
 - Evaluating if enough data to develop watershed or region specific benchmarks (e.g. Willamette Basin)



Industrial Stormwater Permits

- DEQ is considering additional monitoring requirements:
 - Collect grab composite samples during storm events
 - Improve stormwater data quality
 - Collect a seasonal first flush sample
 - Monitor for additional pollutants that are typically present in industrial stormwater
 - Better characterization of pollutants in discharge





Industrial Stormwater Permits

- Timeline
 - DEQ is extending project timeline one year
 - Final advisory committee meeting in April 2011
 - Public notice and comment of draft permits in May 2011
 - Permits will be issued by August 31, 2011



1200-C Permit Goals

- Renew permit prior to expiration November 30, 2010.
- Streamline the application and reporting processes.
- Incorporate new EPA Effluent Limit Guidelines (20 CFR 450, December 1, 2009).



1200-C Effluent Limit Guidelines

- EPA:
 - Apply to sites that *simultaneously* disturb 20 or more acres (2011), then 10 or more acres (2014).
 - Requires monitoring for turbidity.
 - Defines a site discharge daily average turbidity limit of 280 NTU.

Oregon:

- Apply to 10 or more acres immediately.
- Monitor all discharge points, each day there is discharge.
- Field probe used for measurement.
- Response to high turbidity will be report and corrective action.



1200-C Renewal Schedule

June	Preliminary draft
June	Two meetings with Agents
June-July	Targeted outreach
July	Draft posted for public comment
August	Public hearings
November	Permit finalized



Local Agents

- Local Municipalities implement the Industrial and Construction Stormwater Permits on DEQ's behalf
- Industrial Permits (4 Agents)
 - MS4 communities-Portland, Eugene, CWS
 - Oregon Dept. of Geology and Mineral Industries (1200-A facilities)
- Construction Permits (6 Agents)
 - MS4 communities- CWS, Eugene, Clackamas County, Rogue Valley Services
 - Hermiston, Troutdale