Oregon DEQ Toxic Water Quality Standards Revisions

Public Hearings

Outline of Possible Remarks for ACWA members

1. **Introduction**
   a. Good afternoon, my name is Jerry Brummer and I am the Public Works Superintendent for the City of Prineville. The City of Prineville operates two parallel partially aerated facultative lagoon plants that treat approximately 1,000,000 gallons of influent each day producing a class C effluent. The treatment plant serves a population of approximately 9,000 residing within the city limits. With a current unemployment rate of 19% and one of the highest monthly service rates of $50.99, it is important that any changes to DEQ's toxic water quality standards are well thought out, and do unduly burden our ability to serve our constituents.
2. **Commitment To Toxic Reduction**
   a. The City of Prineville strongly supports efforts to reduce toxics from all sources to Oregon's waterways. To achieve this, we diligently manage and operate our treatment plant to insure that all regulations are met and exceeded.
      - We work with industries to limit the toxics discharged into sewer systems, and require pretreatment programs of all industrial wastes to limit toxins.
      - We operate our treatment plant effectively.
      - We recently implemented a drug take back events (Tell them Captain Boyd's joke)
      - We have developed partnerships with the Crooked River watershed council. (Tell them about the two wetland projects at the wastewater treatment plant.)
      - The City is in the development of its first wastewater master plan.
      - We are also working with a group of area irrigation districts to develop a habitat conservation plan to insure the survival of the recently reintroduced threatened steel head.
      - The City recently adopted an updated Wastewater Facility Plan that directs the City to construct a 280 acre disposal wetland. The city is excited for this project to commence, as it will drastically increase habitat and recreational opportunities while stimulating flows in the lower crooked river with up to 2,000,000 gallons of cool, clean water each day.
   b. The City has also recently completed a large infiltration and inflow reduction program that reduced winter influent rates by 50%
3. **Treatment Technologies To Meet The Proposed Toxic Numbers At The Wastewater Plant Are Not Available**

   Effective and feasible treatment technologies to reduce toxic chemicals such as legacy pesticides, PCBs, or plastizers to the proposed levels do not exist. Before you impose stricter water quality standards, we hope you investigate how this will impact smaller communities such as Prineville. We are trying to do the correct thing, but we need to understand what these new standards will mean to the City on a day to day basis.

4. **Effective Toxic Reduction Must Be Tackled At A Watershed Basis And Involve All Sources Of Pollution**

a. We want to ensure that investments in water quality programs are effective in reducing toxic pollutants. Some toxic chemicals can be tackled by wastewater utilities by changing treatment technologies or reducing dischargers to their sewer system; other pollutants cannot. Chemicals, such as the legacy toxics DDT and PCBs or plasticizers such as bis(2-ethylhexyl) phthalate are found everywhere in the environment, in people, and in wastewater effluent at low levels.
b. DEQ and the Environmental Quality Commission should be incorporating specific standard implementation strategies (likely by the type of pollutant, such as PCBs or legacy pesticides) that are allowed under the Clean Water Act. Adopting the revised standards without accompanying implementation plans will not move the state towards achieving the water quality goals in the revised standards and puts NPDES permit holders at unnecessary legal risk

5. DEQ's Solution Of 'Variances' Must Be Improved

We appreciate DEQ's offer of variances as a compliance tool, especially where that tool incorporates pollution reduction plans as a way to make progress to the degree feasible towards improvement. We have several concerns:

i. The EPA regulations restrict variances to being '*short term and temporary*'. There is nothing 'short term and temporary' about legacy pesticides or very low levels of PCBs or pesticides that are throughout the environment. Even addressing current use toxics will be complicated and may take many years to resolve.

There is nothing 'short term and temporary' about the investment our community has made over many years to build and maintain our community's wastewater collection and treatment infrastructure. Capital investments made to comply with any regulatory requirement have life spans of decades, not the five year cycles proposed for the variances.

ii. There is a substantial amount of paperwork involved in securing a variance. DEQ has estimated that cost as between $8,000 and $44,000. This paperwork exercise would need to be repeated at each permit renewal and is specific to each pollutant of concern, and each permittee. This diverts ratepayer investments from other investments that would have greater water quality benefits. Please understand, our current minimum rate is already $50.99 per month. Renewal or reissuance of variances also have the potential to repeat those costs on the five year permit cycle.

b. The overall scheme that DEQ has developed for variances should be simplified, clearly stated, and efficient. Multi-Sector variances should be allowed outright to accommodate similar situations throughout a Basin or even throughout the state. The obligation to make specific findings regarding endangered species, existing water quality uses, and unacceptable risks to public health should be made by DEQ, not by the variance applicant.

6. DEQ Underestimated Financial Impact

We think DEQ has underestimated the scope of impact on the proposed revisions in terms of:

- The impact on DEQ staff resources and or their ability to conduct other priority activities within their organization,
- The fiscal and workload impact to both permittees and DEQ of moving beyond variances to the development and implementation of watershed-based toxic reduction plans,
- The impact of the proposal on ratepayers, including businesses and industries that discharge to our facilities,
- The number of municipal wastewater permit holders that the proposed revisions will affect and the number of toxics that each of those permittees may be required to address through variances, and
- The cost to water quality permit holders of applying for and maintaining a variance as a compliance tool.

7. Close

An effective water quality toxic reduction program must be a broad initiative, and all sources must be addressed -- it cannot be just focused on water quality permit holders. We are interested in seeing the DEQ's plans for a comprehensive toxic reduction program tied to adoption of more stringent toxic water quality standards.