**Follow Up Items from July 15 Meetings**

**RWG**

*Variances*

* Revise variance language
  + Define “new discharger”
  + Keep “widespread socioeconomic benefit”—can DEQ really assess the economic benefit?
  + Remove “such as a dam removal” from (ii)—could 3 basin rule apply?
  + (1)(b)(A): Change “the standard” to “water quality based effluent limits” or similar
  + (3)(a): *Unless renewed, the permittee must be in compliance with the effluent limitation sufficient to meet the underlying water quality standard or be subject to the terms of a compliance schedule. ~~upon the expiration of the variance.~~*
  + (4)(d): *A proposed pollutant minimization plan and ANY actions to be taken by the permittee that would result in reasonable progress toward meeting the underlying water quality standard. Such actions may include proposed pollutant offsets or trading and/or other proposed pollutant reduction activities, and associated milestones for implementing these measures. Pollutant minimization plans will be tailored to address specific circumstances of each facility.*
* Send changes to RWG

*Toxic Pollutants Reduction Plan*

* Some had issues w/ terminology—mislead public, etc.
* Some members felt it was silly/redundant to have 2 separate provisions, while others were fine with it if ACWA preferred the language.
* DEQ will discuss if there should be a separate provision for this plan or it some hybrid could be developed between the variance provision and this one. Currently, the toxics red. plan would only be applicable to toxics HHC set at a FCR of 175

*Background Pollutant Allowance*

* DEQ will send out newest revision to RWG
* Depending on response, DEQ will determine whether or not to have as an Aug. agenda item

**Non-NPDES**

*Source Control*

* Suggestions by the source control group did not meet the criteria to include in this rulemaking
* Parking Lot: What to do with the proposals—Toxics Reduction Strategy, DEQ to present to EQC, etc.
* Any comments to the issue paper should be sent to Tiffany by 7/26
* Issue paper will be updated to reflect the same format as the NPDES issue paper

*Implementation Ready TMDLs/Div 41 and 42*

* Div. 42—Pg. 7, line 20 in handout: …“**or potential** nonpoint sources”…
  + Problematic for workgroup members—monitoring burden for ODF
  + Can DEQ give an example
* DEQ authority to prescribe BMPs
  + Problematic for some workgroup members
  + If DEQ finds current BMPs not effective, describe how DEQ will determine appropriate BMPs, what will the process be, will they enforce? Develop a simple type of an example timeline for this.
* Div 41—Pg. 4, line 21 in handout: …”the department **will ordinarily** consult with the ODA”…
  + Can DEQ provide an example of when we would not consult with ODA?
  + Water quality criteria language as opposed to standards (I think this was in this same section). Differences in meaning? DEQ will assess which one is most appropriate.