**Introduction**

**NOTE to Non-NPDES Rulemaking Workgroup members: this version is being presented to you at the July 15, 2010, meeting. It is a draft that has not been reviewed by all Source Control Small Group members. There may still be areas of this paper that are incomplete. The purpose of sharing this draft at this time is to give Workgroup members an update of the work of the Small Group.**

The Source Control Small Group was created to craft specific ideas for the Water Quality Standards for Human Health Rulemaking that Publicly Owned Treatment Works (POTWs aka sewage treatment plants) can implement to achieve the new standards for toxic pollutants. The Source Control Small Group is an advisory committee to the non-NPDES Rulemaking Workgroup. DEQ uses two workgroups to provide stakeholders with opportunities to participate in the rulemaking process: the NPDES group, which focuses on the NPDES permit itself and the policies DEQ uses to issue them; and the Non-NPDES group, which focuses on all the other ideas. These groups began meeting in 2009. Prior to the formation of the Source Control Small Group, the issue of expanding the scope of a federal program called Pretreatment was brought up in two different issue papers. These issues papers informed the Small Group’s work.

What is Pretreatment? Pretreatment is a regulatory framework created from the federal Clean Water Act that established the control of discharges of pollutants to POTWs from some industries. EPA requires states to either develop a program for delegating the authority for POTWs to issue permits to industries to the POTWs or EPA can work directly with the POTWs. POTWs that meet certain criteria establish a Pretreatment Program per state and federal law. Oregon has had authority from EPA to administer and oversee the implementation of Pretreatment Programs since 1981. DEQ requires Pretreatment as a condition of the POTWs discharge permit. The DEQ Pretreatment coordinator reviews the documents that a POTW creates for its program. Once approved, the POTW will have authority and resources to issue permits or other control mechanisms to industries that discharge to them. The federal program is focused on controlling discharges from some industrial sources.

What is Source Control? Many POTWs required to have Pretreatment Programs go beyond the federal standards and control discharges from other businesses and provide education to residents. Examples of this kind of activity are working with dentists in the POTWs service area to see that required amalgam separators (amalgam is the metal mixture used to fill cavities and it contains mercury) are properly installed and maintained or collecting pharmaceuticals from residents to prevent them from being flushed down the drain. Because the Small Group’s charge was to look at ideas that go beyond the federal program, we called ourselves the Source Control Small Group.

**Purpose**

The purpose of the Group is to explore ideas about expanding pretreatment-like activites at POTWs and to write an issue paper for the Rulemaking Workgroups (see above) to use in the Water Quality Standards Rulemaking for Human Health Criteria. It is further expected by the Group that this Issue Paper will be read, in whole or in part, by the Environmental Quality Commission (EQC), staff at DEQ and others.

In this paper, the Group will lay out ideas for consideration. Some are ideas for rules, others are voluntary actions, projects and or recommendations to other entities. Those ideas that the Group fully supports will be noted and those ideas that received some support but not full support will also be noted (not included in this draft). DEQ staff participated in and supported the work of the Small Group but DEQ is not taking a position on any of the ideas presented in this paper. In Appendix 1, ideas that were rejected by the Group are listed for reference (not included in this draft). To aid in putting these ideas in the larger context of initiatives happening at DEQ, such the Toxics Reduction Strategy and the implementation of Senate Bill 737 (the P3 list and pollutant minimization plans), the Group has chosen to note where a proposal supports the goals of those initiatives. All of the ideas presented were compared to evaluation criteria created by DEQ to aid in determining if the ideas could be accomplished as part of the human health criteria rulemaking. The DEQ’s evaluation of the Small Group’s ideas against the criteria is included in Appendix 2 of this paper (not included in this draft).

**Background**

Description of the problem: the Water Quality Standards for Human Health will result in lower limits on pollutants in effluent discharged by POTWs. Not only are standards tightened for pollutants that POTWs manage now, but new pollutants are included. The Environmental Quality Commission asked DEQ to look at implementation ideas to achieve the Water Quality Standards. The Source Control Small Group was formed in order to propose ideas for POTWs. In addition to the work of this group to explore ideas specific to implementing the Water Quality Standards, the Group recognizes that emerging contaminates of concern, such as those identified in Senate Bill 737, will also pose challenges to POTWs and POTWs will need to consider what tools they need to use to address those pollutants over time. The Source Control Small Group has noted where an idea proposed in this paper have the potential to be useful in the controlling SB 737 pollutants or could be part of DEQ’s Toxics Reduction Strategy.

Process: The Source Control Small Group was comprised of Nina Bell (Northwest Environmental Advocates), Lauren Goldberg (Columbia Riverkeepers), Duke DeCluke (City of Eugene Pretreatment and Oregon Assoc of Clean Water Agencies (ACWA)), Clayton Brown (Clean Water Services and ACWA), Rick Williams (City of McMinnville and ACWA), Curtis Barton (Water Environment Services and ACWA), Steve Starner(City of Silverton), Rich Garber (Boise Inc and Association of Oregon Industries), Ross Edginton (Eastside Plating), Myron Burr (Siltronics), and was supported by the following DEQ staff Karen Whisler (Senate Bill 737) Annette Liebe (Surface Water Management Section Manager), Scott Latham (Hazardous Waste) and Tiffany Yelton Bram (Pretreatment Coordinator, DEQ). Ralph Lane Jr of Odell Sanitary District participated in few meetings before needing to withdraw. Dan Marlitt (American Linen Service Company) received e-mails about the Group’s meetings. Kathleen Feehan and Ryan Sudbury of the Consolidated Tribes of the Umatilla Indian Reservation, Dave Wilkinson of the Oregon Department of Agriculture and Emily Ackland of the Association of Oregon Counties were updated at points in the process.

The Small Group spent the first meeting determining what kinds of information are needed in order to have a basic understanding of the federal Pretreatment Program and the activities that POTWs currently do that go beyond that program. Subsequent meetings were spent sharing information, brainstorming ideas to propose, refining those ideas and setting the direction for the issue paper. DEQ used a matrix to aid in comparing the ideas to the evaluation criteria the agency provided. The matrix includes a paraphrase of the criteria.

**Ideas Proposed by the Source Control Small Group**

These ideas are grouped into categories: voluntary activities and regulatory changes that would be required. Within those categories, the ideas are further grouped by the issue that they address.

Voluntary activities

Some Group members feel that a DEQ should provide a package of voluntary options for POTWs to select from that helps them build a program at their pace and that fits the needs of their community. These measures are also proposed as voluntary because there are challenges to creating rules that can be done in conjunction with the Water Quality Standards Rulemaking.

Regulatory activities

Some Group members feel that DEQ should require certain activities through rule because the activities can control pollutants that are not currently, reliably measurable in the effluent but may be present and bioaccumulating in the environment.

Recommendations

Some ideas from the Group involve requesting action for others or setting priorities. These were titled recommendations and the Group asks the larger Rulemaking Workgroup and DEQ to pass these to the EQC and DEQ for action.

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| **Voluntary Ideas** | **Regulatory Ideas** |
| Problem addressed: The following are voluntary ideas that would encourage POTWs and municipalities to establish the basic legal authority to control discharges from the businesses that they serve. Without this specific authority, control activities may not be implementable or enforceable. 1. DEQ can encourage POTWs to adopt a Sewer Use Ordinance, selecting from the model SUO prepared by ACWA. POTWs can select the clauses they need to fit their needs. This can be done through providing the ACWA model SUO to all POTWs and including it in the permit application materials for POTWs. This may also be done through presentations and technical assistance visits.
	1. Who would this impact? All POTWs.
	2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Since this is a recommendation, not additional rule language, this recommendation could be included in this rule making without changing the current rulemaking process and timeline.
	3. Does this proposal support other initiatives? Please see response to #1 above.
	4. What level of support does this proposal have from the Group?
	5. This idea partners well with all other ideas as it forms the basis for a POTW to control discharges.
 | Problem addressed: The following are regulatory ideas that would provide POTWs and municipalities with the basic legal authority to control discharges from the businesses that they serve to control pollutants. Without this specific authority, control activities may not be implementable or enforceable. 1) Rule Proposal: “Major municipalities must adopt a sewer use ordinance that contains at least the authorities listed in 40CFR403.8 (f)(1)(i-vii) by (date to be determined). The ordinances would be reviewed and approved by DEQ.” This would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who does it impact? POTWs with a design capacity of 1 million gallons a day or greater. This would include POTWs with current Pretreatment Programs and others.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? The exact rule language for this proposal needs further work. A review of current ordinances would help refine the problem statement and the wording of the proposal. While some stakeholders affected by this proposal were on the Small Group, it was only a small subset of the affected stakeholders. DEQ would need further resources to complete a survey of sewer use ordinances, develop stakeholder involvement and conduct a rulemaking. If rules were created, DEQ would need resources to review and approve the ordinances. The POTWs would need resources to develop the ordinance, complete the ordinance adoption process and implement the ordinance.
3. Does this proposal support other initiatives? A sewer use ordinance that provides authority to control discharges would support actions to control or prohibit discharges to the sewer that contain pollutants on the P3 list, Toxics Reduction Strategy list and other emerging pollutants.
4. What level of support does this proposal have from the Group?
5. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.

2) Rule Proposal: “Non-major municipalities adopt a sewer use ordinance that contains at least the authorities listed in 40CFR403.8 (f)(1) (i-vii) by (date to be determined).” This would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program. 1. Who does this impact? All POTWs with a design capacity of 1 million gallons a day or less.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1. In addition, DEQ and possibly stakeholder would need to determine the universe of non-majors POTWs to address.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with all other ideas presented in this paper as it forms the basic authority to control discharges.

3) Rule Proposal: “All municipalities that contract to have their sewage treated by other municipalities must adopt sewer use ordinances or accept coverage under the ordinance used by the jurisdiction that treats their waste by a date to be determined. The ordinance must contains at least the authorities listed in 40CFR403.8 (f)(1)(i-vii). The ordinances would be reviewed and approved by DEQ.” This would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who does this impact? Any municipality that operates a sewer conveyance system but does not operate a sewage treatment plant. Some communities simply operate the collection systems (pipes and pumps) for sewage and convey it another jurisdiction for treatment. Any municipality currently contracting with a POTW that has a state approved Pretreatment Program must allow that POTW to extend the jurisdiction of its ordinance and Pretreatment Program into the service area covered by the contract. These have to be approved by DEQ’s Pretreatment Coordinator.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.

4) Rule Proposal: “POTWs must adopt a Sewer Use Ordinance, selecting language from the model Sewer Use Ordinance (give reference to the document prepared by ACWA).” This would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who would this impact? As written, all POTWs.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.
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| Problem Addressed: the following ideas encourage the POTWs to expand the legal authority of the POTW to address certain types of business or certain products that contribute pollutants. 1. Encourage POTWs to select from the Local Program Implementation Tools provided by ACWA to develop a source control program that goes beyond the requirements of the federal Pretreatment Program. The POTWs can select the programs that fit their needs. This can be done through providing the ACWA model SUO to all POTWs and including it in the permit application materials for POTWs. This may also be done through presentations and technical assistance visits.
	1. Who would this impact? As written, all POTWs.
	2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Since this is a recommendation, not additional rule language, this recommendation could be included in this rule making without changing the current rulemaking process and timeline.
	3. Does this proposal support other initiatives? Please see response to #1 above.
	4. What level of support does this proposal have from the Group?
	5. This idea partners well with idea #\_\_\_
2. Encourage POTWs to use of a set of best management practices that prevent pollution provided by ACWA. The POTWs can select the best management practices that best fit their needs. This can be done through providing the ACWA model SUO to all POTWs and including it in the permit application materials for POTWs. This may also be done through presentations and technical assistance visits.
	1. Who would this impact? As written, all POTWs.
	2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Since this is a recommendation, not additional rule language, this recommendation could be included in this rule making without changing the current rulemaking process and timeline.
	3. Does this proposal support other initiatives? Please see response to #1 above.
	4. What level of support does this proposal have from the Group?
	5. This idea partners well with idea #\_\_\_
 | Problem Addressed: the following ideas expand the legal authority of the POTW to address certain types of business or certain products that contribute pollutants. 1) Rule Proposal: “Major municipalities to include in their sewer use ordinance, by (date to be determined), the following restrictions:* Local ordinances and education programs to control disposal of pharmaceuticals from sources not required to register under the federal Controlled Substances Act. Non-registrants may include: Coroner’s offices, elementary and secondary schools, long-term care facilities, veterinarians and households.
* Increase regulation of federal pretreatment “categorical discharges” by: (1) regulating pollutants that are unregulated through the federal program; (2) regulating those without EPA-issued limits; (3) evaluate existing limits for categorical dischargers in the following sectors: electroplating, metal finishing, metal molding and casting, coil coating, aluminum forming, copper forming, electrical and electronic components.
* Regulation of industrial discharges not deemed to be “significant” or “categorical” under the federal pretreatment program but which discharge toxics on the following lists: (DEQ would be charged with establish a priority pollutant list and/or priority source list to focus controls on pollutants of greatest concern and/or sources contributing greatest loads. DEQ would update these lists later to expand the program)
* Regulation of commercial facilities such as radiator shops, car washes, hospitals, laundries, and photo processors that are known sources of pollutants.”

This language would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who does this impact? POTWs with a design capacity of 1 million gallons a day or greater. This would include POTWs with current Pretreatment Programs and others.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? This proposal would create new state Pretreatment standards. While some stakeholders affected by this proposal were on the Group, it was only a small subset of the affected stakeholders. DEQ would need further resources to develop a problem statement, develop stakeholder involvement and conduct a rulemaking. If rules were created, DEQ would need resources to review and approve the ordinances. The POTWs would need resources to develop the ordinance, complete the ordinance adoption process and implement the ordinance.
3. Does this proposal support other initiatives? Adding these areas to regulation could control many of the pollutants on the P3 and Toxics Reduction Strategy list.
4. What level of support does this proposal have from the Group?
5. This idea partners well with the rule proposals to have POTWS have a sewer use ordinances.

2) Rule Proposal: “Major municipalities must include bans on products or prohibit activities by local ordinances if a pollutant in the product or generated by the activity causes the following:1. The POTW’s receiving water violates CWA 304(a) criteria, including tissue and sediment levels not just ambient water;
2. The POTW’s effluent contains measurable levels of 304 (a) criteria; or
3. The pollutant in the POTW’s effluent is below quantitation limits.”

This would be a change to Oregon Administrative Rules Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who does this impact? POTWs with a design capacity of 1 million gallons a day or greater. This would include POTWs with current Pretreatment Programs and others.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with ideas to establish a sewer use ordinance

3) Rule Proposal: “POTWs must select from the Local Program Implementation Tools (cite document provided by ACWA) to develop a source control program. The POTWs can select the programs that fit their customer base and pollutants of concern. This would be a change to Oregon Administrative Code Chapter 340, Division 45, section 0065, “Other Requirements”. The intent is to have this apply to all POTWs whether they get a NPDES or WPCF permit and it is not conditioned on the POTW meeting the requirements of a Pretreatment program.1. Who would this impact? As written, all POTWs.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with establishing a sewer use ordinance and other controls on discharges.

4) Rule Proposal: POTWs must adopt and require the use of a set of best management practices for businesses that prevent pollution (cite document provided by ACWA). The POTWs can select the best management practices that best fit the business in their service area. 1. Who would this impact? As written, all POTWs.
2. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
3. Does this proposal support other initiatives? Please see response to #1 above.
4. What level of support does this proposal have from the Group?
5. This idea partners well with establishing a sewer use ordinance and adopting other local controls.
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| Recommendations: The following are ideas recommended by the Source Control Source Group that the Group would like to have forwarded to EQC or DEQ for action by DEQ and others. These recommendations are made where the Group found that more information is needed before proposing rules or voluntary actions and in cases where the legal authority to take action is not part of DEQ’s legal authority.1. Recommendations to the EQC:
	1. Endorse a statewide sewer charge to fund legislative creation of a non-profit group that would provide source control services to smaller municipalities. Services could include developing and revising ordinances, issuing permits to dischargers, conducting inspections and technical assistance visits. Examples of non-profits set up by the legislature to provide services are the Energy Trust of Oregon and the Climate Trust.
		1. Why? Establishing and staffing a Pretreatment Program results in a commitment of time, money and resources that smaller POTWs may not have and requires expertise in inspection, industrial processes and public education.
		2. What is the problem this proposal addresses? Some POTWs may face a greater need for source control activities than their resources can support. Since water is a shared resource, this proposal proposes a shared cost.
		3. Who does this impact? All users of publically owned treatment Works (POTWs).
		4. Does this proposal support other initiatives? Expanding the provision of source control to POTWs without programs will likely lead to the reduction of pollutants from all sectors, thereby decreasing the pollutants not only in the Water Quality Standards but also those on the P3 list and Toxics Reduction Strategy list.
		5. What level of support does this proposal have from the Group?
	2. Ask the EQC to ask the Legislature to authorize state agencies to ban products that are known to be sources of pollutants that cannot be treated at POTWs. Agencies should work together to create the list of products, support and implement the bans.
		1. Why? Some pollutants simply cannot be treated by POTWs and they are used in ways where they are very likely to be discharged to the POTW.
		2. What is the problem this proposal addresses? Bans could prevent pollutants from entering the POTW system when it is known that the POTW cannot treat the pollutant and, in some cases, the pollutant cannot even be detected at the level the criteria have been established.
		3. Who would this impact? State agencies such as DEQ, Dept of AG, etc
		4. Does this proposal support other initiatives? Banning products is one way to target products that contain the P3 pollutants and the Toxics Reduction Strategy list pollutants.
		5. What level of support does this proposal have from the Group?
2. Recommendation to EQC to direct action by DEQ:
	1. When prioritizing the implementation of new rules, DEQ can create an implementation strategy that requires the existing state-approved Pretreatment Programs to do more and go first, while giving POTWS without Pretreatment Programs more time, and possibly, a reduced set of requirements.
		1. Why? The POTWs with currently approved Pretreatment programs serve just over half of Oregon’s population. So changes to those programs impact a significant portion of sewer users. These POTWs are in a better position to expand regulatory programs over sources to demonstrate how to do it and to develop the applicable requirements.
		2. What is the problem this proposal addresses? Lack of experience with source control of dischargers to municipal sewage collection systems.
		3. Who does this impact? DEQ staff and the POTWs with currently approved Pretreatment Programs.
		4. Does this proposal support other initiatives?
		5. What level of support does this proposal have from the Group?
3. Recommended projects for DEQ:
	1. DEQ should work with industrial suppliers and associations that represent industries to make alternative products available to industry, reducing the pollution from specific processes that discharge to the sewer or directly to waters of the state.
		1. Why? Some pollutants simply cannot be treated by POTWs and they are used in ways where they are very likely to be discharged to the POTW. To make sure that industrial processes can continue, alternative products need to be available.
		2. What is the problem this proposal addresses? This proposal would help make alternative products in this market to prevent negative impacts to industries if the products they originally used are controlled to prevent pollution.
		3. Who would this impact? DEQ, industries and industrial supply companies.
		4. Can this recommendation be considered as part of the Water Quality Standards Rulemaking? Since this is a recommendation, not additional rule language, this recommendation could be included in this rule making without changing the current rulemaking process and timeline.
		5. Does this proposal support other initiatives? Yes, it could control pollutants on the P3 list and the Toxics Reduction Strategy
		6. What level of support does this proposal have from the Group?
	2. Have DEQ analyze where the bulk of discharges of toxics are coming from related to sources discharging to POTWs.
		1. Why? Currently, DEQ does not have data that specifically correlates the toxic pollutants in the proposed Water Quality Standards to sources that discharge to POTWs. This makes more specific problem statements and solutions difficult to create.
		2. What is the problem this proposal addresses? Specific data would help DEQ and POTWs be more accurate in determining what types of sources to focus on.
		3. Who would this impact? DEQ
		4. Does this proposal support other initiatives? This could provide data needed for other initiatives.
		5. What level of support does this proposal have from the Group?
	3. Have DEQ fully support its role and responsibility as the Approval Authority and Control Authority under the federal Pretreatment rules. This includes assessing all POTWs to see if they meet the criteria for a Pretreatment Program and managing the discharges from industries when the POTW does not have a Pretreatment Program but the industry is subject to pretreatment standards.
		1. Why? DEQ’s current state program and legal authority allow DEQ to have a bigger presence in Pretreatment than it currently does. The current level of funding and staffing is adequate to meet EPA’s delegation agreement with DEQ, which focuses on regulating the existing Pretreatment POTWS, but doesn’t allow for additional surveying of POTWs and industries on a regular basis to bring new POTWs and industries under regulation.
		2. What is the problem this proposal addresses? Expanding the Pretreatment Program through active review and recruitment of POTWs under the current, existing legal authority.
		3. Who would this impact? DEQ.
		4. Does this proposal support other initiatives? Bringing more POTWs into Pretreatment would give them the basic tools (ordinance, permitting, sampling) to track and control additional pollutants, such as P3 pollutants the Toxics Reduction Strategy list.
		5. What level of support does this proposal have from the Group?
	4. Have DEQ review how landfill leachate is regulated across programs. Provide a summary of this regulation and available information that characterizes the leachate to POTWs and other interested parties. This information can then be used by POTWs for determining how to structure their regulatory controls on the leachate they accept.
		1. Why? Many POTWs accept landfill leachate for currently operating or closed landfills. This leachate is only regulated for certain pollutants, depending upon the permit limits in the POTW’s permit. But landfill leachate has the potential to have a multitude of pollutants in it that are not currently regulated. Further, the landfill itself can cause the pollutants to transform when they mix, are in an anaerobic environment or degrade.
		2. What is the problem this proposal addresses? It is unclear how best to assure that data about landfill leachate is shared between regulatory agencies. It the regulatory picture was clearer, then existing data could be used more efficiently and any missing data could be identified.
		3. Who would this impact? To complete the project, it would impact DEQ. If the data from the project is used, then it would impact POTWs and Landfills that discharge to them.
		4. Does this proposal support other initiatives? P# pollutants and Toxics Reduction Strategy pollutants are very likely found in landfill leachate.
		5. What level of support does this proposal have from the Group?
	5. Have DEQ review how landscaping activities are regulated across programs. Provide a summary of this regulation and available information on the pollutants generated by landscaping activities and the best management practices to avoid pollution to POTWs and other interested parties. This information could be used to provide consistent messages to landscapers.
		1. Why? Landscaping activities can be regulated by different agencies for different reasons, depending upon the size and location of the project.
		2. What is the problem this proposal addresses? If there are impacts to water that goes to a POTW from landscaping activities, the control of that discharge needs to happen in context with other regulation. This project would provide that context.
		3. Who would this impact? To complete the project, it would impact DEQ. If the data from the project is used, then it would impact landscaping activities and POTWs.
		4. Does this proposal support other initiatives? Some pollutants associated with landscaping, such as pesticides, are on the P3 list and the Toxics Reduction Strategy list.
		5. What level of support does this proposal have from the Group?
4. Recommendation to the Association of Oregon Counties: Ask AOC to partner with the POTWs on initiatives that support source control programs. Examples include: supporting product bans, participating in pharmaceutical collections and household hazardous waste collection, sharing resources to provide consistent messages to residents/customers.
	1. Why? POTWs alone can only reach so many of their customers. Partnering with other entities, especially entities like counties who cover large areas and have a role in public health, can help get a consistent and frequent message out to the sewer user.
	2. What is the problem this proposal addresses? This proposal identifies the improvement in messaging when public agencies partner together. Working together extends resources and prevents confusion.
	3. Who would this impact? County governments and POTWs.
	4. Does this proposal support other initiatives?
	5. What level of support does this proposal have from the Group?
5. Recommendation to the Oregon Board of Dentistry: Ask the Board to follow up on the law requiring the installation of amalgam separators and the use of best management practices created by the Oregon Dental Association. The Board of Dentistry has the authority to seek compliance with this law. The request is to determine if there are currently dentists out of compliance with the law.
6. Why? Since 2008, any dentist working with amalgam has contain and properly dispose of any waste containing that amalgam in order to keep the mercury containing waste from entering water. Some POTWs have followed up on compliance with this law and their results show that there may be dentists who are out of compliance.
7. What is the problem this proposal addresses? POTWs are not able to treat mercury so it passes through into the water or the solids.
8. Who would this impact? As written, all POTWs.
9. Does this proposal support other initiatives?
10. What level of support does this proposal have from the Group?
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List of Appendices

 Appendix 1: Rejected ideas

 Appendix 2: DEQ Matrix showing evaluation against criteria

(Appendices were not ready at the time of sending this draft to the Rulemaking Workgroup)