**Introduction**

**NOTE to Non-NPDES Rulemaking Workgroup members: this version is being presented to you at the June 30, 2010, meeting. It is a rough draft that has not been reviewed by all Source Control Small Group members. Further, there are areas of this paper that are still incomplete. The purpose of sharing this draft at this time is give Workgroup members a “snapshot” 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 offshoot of 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 part of the Clean Water Act that seeks to control the discharge of pollutants to POTWs from some industries. EPA requires the states to either develop a program for delegating the authority 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 and to write an issue paper for the Rulemaking Workgroups (see above) to use in the Water Quality Standards Rulemaking for Human Health Criteria[[1]](#endnote-1). 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 projects and some are 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. 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 ??[[2]](#endnote-2), ideas that were rejected by the Group are listed for reference. 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[[3]](#endnote-3) (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 ??[[4]](#endnote-4) of this paper.

**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. . 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 was established to explore expanding controlling the sources of pollutants that come into POTWs.

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. A matrix was used to aid in comparing the ideas to the evaluation criteria. It includes a paraphrase of the criteria.

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

These ideas are presented in the order that they were generated.

1. Rule Proposal: Major municipalities adopt a sewer use ordinance that contains at least the authorities listed in 40CFR403.8 (f)(1)(i-vii) by a 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.
	1. Why? Sewer use ordinances give the POTW the legal authority necessary to control or prohibit discharges to the sewer. Without a sewer use ordinance that sets at least the basic legal authorities required by the federal pretreatment rules, a POTW cannot issue permits, require self monitoring, gain access for sampling and take enforcement action.
	2. What is the problem this proposal addresses? Many POTWs have sewer use ordinances to allow them to set connection fees, inspect connections and conduct maintenance but they may not have the legal authority they need to prohibit or control discharges. There are 52 major municipalities (those with a dry weather design capacity of 1 million gallons a day or greater). There are 23 municipalities with state-approved Pretreatment programs that have ordinances that give them legal authority to control discharges. It is not known if the remaining 29 major POTWs have sewer use ordinances or what those ordinances cover.
	3. 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.
	4. 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.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.
	7. For further information, see
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 a date to be determined. This would be a change to Oregon Administrative Rules Chapter 340, Division 45. The universe of non-major POTWs this rule would apply to needs to be determined.
	1. Why? Please see response to #1 above.
	2. What is the problem this proposal addresses? Please see response to #1 above. We have not yet determined the universe of non-major POTWs subject to this proposal.
	3. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.
	7. For further information, see
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.
	1. Why? Please see response to #1 above.
	2. What is the problem this proposal addresses? Please see response to #1 above. 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.
	3. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with all other ideas presented in this paper as if forms the basic authority to control discharges.
	7. For further information, see
4. Recommendation to EQC: 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. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? No, this is a recommendation for legislative action.
	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?
	6. This idea partners well with ideas #1, 2 and 3.
	7. For further information, see Appendix ??
5. Recommendation to EQC/DEQ: When prioritizing work, DEQ can focus on encouraging the existing state-approved Pretreatment Programs to do more and when new requirements are created, to have those POTWs go first.
	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. 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.
	4. Does this proposal support other initiatives?
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with all other proposed ideas.
	7. For further information, see
6. Rule Proposal: Major municipalities to include in their sewer use ordinance, by a 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.
* Regulate industrial discharges not deemed to be “significant” or “categorical” under the federal pretreatment program but which discharge toxics
	+ Establish 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
* Regulate commercial facilities – e.g., radiator shops, car washes, hospitals, laundries, and photo processors.
	1. Why? This proposal focuses on four areas not covered under the federal Pretreatment Program. These are examples of source control. The sources targeted are not covered under the federal program. Pharmaceuticals are emerging pollutants of concern and many businesses and individuals with pharmaceuticals to dispose of flush them in order to keep them from being abused or to comply with DEA requirements. While options for alternative disposal are being developed, many businesses and individuals still do not have disposal options or regulatory controls on their handling. Categorical industries are only regulated under the federal pretreatment program for a specific suite of pollutants while there may be other pollutants that they also generate. Likewise, industrial dischargers that do not meet the criteria of categorical or significant under the federal pretreatment program are likely sources of toxic pollutant loads which can be regulated. Some commercial businesses, like radiator shops, may generate small quantities of wastewater but the water has high amounts of pollutants, making an effort to control those discharges valuable to the overall reduction in pollution.
	2. What is the problem this proposal addresses? This rule proposal expands Pretreatment Program on four distinct fronts that are sources of both traditional and emerging pollutants.
	3. 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.
	4. 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.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with ideas 1,2, and 3.
	7. For further information, see
1. Rule Proposal: Major municipalities to include non-point source controls by local ordinances (e.g. local bans) if:
	* 1. Receiving water violates CWA 304(a) criteria, including tissue and sediment levels not just ambient water;
		2. Discharge contains measurable levels of 304 (a) criteria; or
		3. Criteria are below quantitation limits.

Note: this idea is not yet complete. The next version of this paper will have more detail.

1. Why? Please see response to #1 above.
2. What is the problem this proposal addresses? Please see response to #1 above.
3. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
4. Does this proposal support other initiatives? Please see response to #1 above.
5. What level of support does this proposal have from the Group?
6. This idea partners well with ideas 1, 2 , 3, 19 and 20
7. For further information, see
8. Rule Proposal: Require 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 would be a change to Oregon Administrative Code Chapter 340, Division 45.
	1. Why? Sewer use ordinances give the POTW the legal authority necessary to control or prohibit discharges to the sewer. Without a sewer use ordinance that sets at least the basic legal authorities required by the federal pretreatment rules, a POTW cannot issue permits, require self monitoring, gain access for sampling and take enforcement action.
	2. What is the problem this proposal addresses? Please see response to #1 above.
	3. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
9. Recommendation to EQC/DEQ: 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.
	1. Why? Sewer use ordinances give the POTW the legal authority necessary to control or prohibit discharges to the sewer. Without a sewer use ordinance that sets at least the basic legal authorities required by the federal pretreatment rules, a POTW cannot issue permits, require self monitoring, gain access for sampling and take enforcement action. This would be a voluntary program to encourage the adoption of ordinances and additional ordinance language to assure that the POTW has the authority it needs.
	2. What is the problem this proposal addresses? Please see response to #1 above.
	3. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
10. Rule Proposal: Require 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 would be a change to Oregon Administrative Code Chapter 340, Division 45.
	1. Why? It takes time and resources to develop effective programs that target specific dischargers. Oregon ACWA has members with experience in creating these kinds of programs. Having other POTWs select from programs packaged by ACWA and tried out by others will reduce the amount of time and resource a POTW would need to expend.
	2. What is the problem this proposal addresses? The federal Pretreatment Program focuses on certain industrial sources. Local programs developed by other Oregon POTWs are focused on commercial businesses, other industries and individuals. (Next version will list specific program elements)
	3. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
11. Recommendation to EQC/DEQ: 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.
	1. Why? It takes time and resources to develop effective programs that target specific dischargers. Oregon ACWA has members with experience in creating these kinds of programs. Having other POTWs select from programs packaged by ACWA and tried out by others will reduce the amount of time and resource a POTW would need to expend.
	2. What is the problem this proposal addresses? The federal Pretreatment Program focuses on certain industrial sources. Local programs developed by other Oregon POTWs are focused on commercial businesses, other industries and individuals.
	3. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
12. Rule Proposal: Require 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.
	1. Why? It takes time and resources to develop effective programs that target specific dischargers. Oregon ACWA has members with experience in creating these kinds of programs. Having other POTWs select from programs packaged by ACWA and tried out by others will reduce the amount of time and resource a POTW would need to expend.
	2. What is the problem this proposal addresses? The federal Pretreatment Program focuses on certain industrial sources. Best Management Practices to prevent pollution are focused on commercial businesses, other industries and individuals.
	3. Can this rule proposal be considered as part of the Water Quality Standards Rulemaking? Please see response to #1.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
13. Recommendation to EQC/DEQ: 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.
	1. Why? It takes time and resources to develop effective programs that target specific dischargers. Oregon ACWA has members with experience in creating these kinds of programs. Having other POTWs select from programs packaged by ACWA and tried out by others will reduce the amount of time and resource a POTW would need to expend.
	2. What is the problem this proposal addresses? The federal Pretreatment Program focuses on certain industrial sources. Best Management Practices to prevent pollution developed by other Oregon POTWs are focused on commercial businesses, other industries and individuals.
	3. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
14. Recommendation to EQC/DEQ: ask the Oregon Board of Dentistry 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.
	1. 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.
	2. What is the problem this proposal addresses? POTWs are not able to treat mercury so it passes through into the water or the solids.
	3. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
15. Recommendation to EQC: 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. 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.
	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?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
16. Recommendation to DEQ: 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. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
17. Recommendation to DEQ: 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. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
18. 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. 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.
	4. Does this proposal support other initiatives? Please see response to #1 above.
	5. What level of support does this proposal have from the Group?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
19. Recommendation to EQC/DEQ: 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. 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.
	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?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
20. Recommended project for DEQ: 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. Can this recommended project 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.
	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?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see
21. Recommended project for DEQ: 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. 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.
	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?
	6. This idea partners well with idea #\_\_\_
	7. For further information, see

Summary of Small Group’s Ideas (we may do an Executive Summary at the front instead)

Outline of fiscal impacts

Appendices

 Rejected ideas

 Matrix showing evaluation against criteria

 Possible details on the specific ideas.

1. Is this the proper name of the rulemaking? [↑](#endnote-ref-1)
2. Number! [↑](#endnote-ref-2)
3. Proper name? [↑](#endnote-ref-3)
4. Number [↑](#endnote-ref-4)