**OREGON’S WATER QUALITY STANDARDS PROJECT**

**Rulemaking Workgroup: Permitting Issues/ Meeting #13**

April 27, 2010, 8:30 – 11:30 **MORNING SESSION**

**Location:** EPA Conference Room 5th Floor

805 SW Broadway, Suite 500
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**Call-in Line: 866-299-3188**

**Access Code: 503-326-5873**

**Goals for Today’s Meeting**

* Decide whether or not DEQ will move forward with a separate rulemaking for As, Fe, and Mn
* Review background pollutant issue paper distributed by DEQ and get input from work group members regarding which tool should be included in this rulemaking to address background pollutants in OR.
* Outline DEQ’s approach on restoration water quality standards

**AGENDA**

**8:15** **Gather and Settle**

**8:30** **Welcome, Introductions & Review Goals for the Day** *(Donna Silverberg)*

* Updates and Announcements *(All)*

**8:45 Separate Rulemaking for As, Fe, and Mn** *(Debra Sturdevant/Subcommittee)*

*Objective: Decide whether or not DEQ will move forward with a separate rulemaking for As, Fe and Mn.*

Materials: Memo: Conditions required for DEQ to consider moving ahead (sent by Debra Sturdevant in an earlier e-mail on 4/14)

1. DEQ will provide a quick overview of their current recommendation
2. Input from the rulemaking workgroup
3. Make decision on whether or not DEQwill move forward with a separate rulemaking for As, Fe, and Mn

**9:15 Review of 3 Tools to Address Background Pollutant Concentrations**

*Objectives:*

*1. Briefly review DEQ’s background pollutant issue paper& recommendation*

*2. Work group members provide input: which of the 3 tools should be included in this rulemaking package to address background pollutants in OR? Why or why not?*

*3. DEQ provide date by which they will announce path forward to workgroup members*

Materials: Background Pollutants Issue Paper (dated 4/20 and sent out with agenda)

DEQ’s Recommendation: DEQ recommends using a de minimus approach to address background pollutants. General permits can be developed under existing permitting regulations. No additional rule language is needed. DEQ analysis indicates that a limited number of non-contact cooling facilities would fit under the currently proposed applicability criteria for a multiple discharger variance (MDV). Given the limited applicability of this tool, DEQ does not see a compelling reason to propose a MDV for non-contact cooling facilities at this time. Is there any specific refinement to this approach that the work group recommends? If so, why?

Process for today:

1. DEQ will summarize purpose, applicability, and policy considerations of each tool. A short opportunity for questions will follow. The discussion for each tool will be limited to 10-15 minutes*.*
* **General Permit** *(Spencer Bohaboy)*
* ***De Minimus*** *(Debra Sturdevant)*
* **Multiple Discharger Variance** *(Andrea Matzke)*
1. Gather workgroup input on which tool should be included in this rulemaking package to address background pollutant concentrations.
2. Summarize thoughts from DEQ, including a statement of when a decision on the path forward will be communicated to work group members.

**10:45 Break**

**11:00 Restoration Water Quality Standards** *(Andrea Matzke)*

*Objective: Outline DEQ’s recommended approach on restoration water quality standards*

Materials: Water Quality Restoration Standards Issue Paper (dated 4/20 and sent out with agenda)

DEQ Recommendation: A specific waterbody has not been identified where restoration standards could be applied as part of this rulemaking; however, the Department is open to pursuing restoration standards, where applicable, under a separate rulemaking.

**11:20** **Next Steps/Wrap-Up**

* Review of decisions
* Review of action items
* Criteria table work group review timeframe
* Establish agenda for May 20th meeting

**11:30 ADJOURN**

**Thank you for your continued commitment to these issues and this process**