Email to WQ Staff

Hi All,

I wanted to let you know that last week, the Oregon Environmental Quality Commission adopted a set of corrections and clarification revisions to the toxics water quality standards. The amendments address EPA’s Jan. 31, 2013 disapproval of several aquatic life toxics criteria, including criteria associated with 11 pesticides and selenium. The rulemaking also reinstates criteria for arsenic and chromium VI, which were inadvertently left off of Table 33B in 2007. In addition, the revisions include other clarifications and minor corrections from past rulemakings. Lastly, DEQ consolidated all the effective aquatic life toxics criteria into one new table (Table 30).

**The amendments become effective state law on April 18, 2014. If they have been approved by EPA, which we expect will be the case, they become effective for federal CWA purposes at that same time. I will notify DEQ staff and post the new Table 30 on the water quality standards website at that time.**

Generally, you will not notice substantive changes in Table 30 from the [toxics tables](http://www.deq.state.or.us/wq/standards/docs/EffectiveALCtables.pdf) that are currently effective. The pesticides were disapproved based on an unclear reading of the frequency and duration components of most of the pesticide criteria. We’ve added a sentence in the introductory paragraph to Table 30 to make this clearer, but the criteria didn’t change. Three additional pesticides—alpha endosulfan, beta endosulfan, and heptachlor epoxide—will also become effective in April. Like most of the other metals, selenium, arsenic, and chromium VI criteria will be expressed as dissolved. Table 20 criteria (now residing in Table 30) for freshwater copper, ammonia, aluminum, and cadmium (acute only)—pollutants also disapproved by EPA—will continue to be effective until the EQC adopts and EPA approves revised criteria.

# For more details on these revisions, please see DEQ’s “Corrections and Clarifications to Toxics Water Quality Standards Rulemaking” web page at: <http://www.deq.state.or.us/wq/standards/StandardsClarification.htm>. You will find the Staff Report as well as the Rule Revisions. There is a clean copy of new Table 30 in the Rule Revisions document that you can refer to. If you have any specific questions, please feel free to contact me.

# This is probably a good time to let you know that I’ll be putting a webinar together in January that will provide an opportunity to learn more about upcoming rulemakings for copper and ammonia. Be on the lookout for a *Save the Date* email from me about this.

# Thanks!