From: ROOT Jenny
To: ROOT Jenny
Subject: FW: Division 12Onsite1-8-2013group.docx
Date: Monday, January 13, 2014 10:34:16 AM

From: WESTBROOK Esther
Sent: Wednesday, April 03, 2013 9:54 AM
To: NOMURA Ranei; KUCINSKI Michael
Cc: CARLOUGH Les
Subject: RE: Division 12Onsite1-8-2013group.docx

Okay, if this has all been discussed already then I am fine with it. I would suggest adding the word "timely" to (o) so that we can capture late submittals.

Esther L. Westbrook, J.D.
Environmental Law Specialist
DEQ Office of Compliance and Enforcement
Tel: 503-229-5374

From: NOMURA Ranei
Sent: Tuesday, April 02, 2013 4:26 PM
To: KUCINSKI Michael; WESTBROOK Esther
Cc: CARLOUGH Les
Subject: RE: Division 12Onsite1-8-2013group.docx

Mike – I have the same recollection of the conversation as you do. Generally, WPCF onsites are even less of a risk than regular WPCF permits due to the types of systems that are permitted so it made sense to lower the classifications.

From: KUCINSKI Michael
Sent: Tuesday, April 02, 2013 3:49 PM
To: WESTBROOK Esther; NOMURA Ranei
Cc: CARLOUGH Les
Subject: RE: Division 12Onsite1-8-2013group.docx

Esther – my responses are below.

Ranei – please add/correct as needed.

Thanks all!

Mike

From: WESTBROOK Esther
Sent: Tuesday, April 02, 2013 2:46 PM
To: KUCINSKI Michael; NOMURA Ranei
Cc: CARLOUGH Les
Subject: RE: Division 12Onsite1-8-2013group.docx

Mike, Ranei,

I've reviewed the suggestions and had some comments/questions about some of the new Class II violations.

1. The same substantive violations in (l) and (m)are Class I violations under the Water Quality classifications (-0055(1)). Was it your intent to downclass the equivalent violations for onsite? **Yes.**
2. The violations in (n) and (m) are duplicative of violations under WQ, except that the language for (o) omits the word "timely."

My main concern is that all of these "new" Class IIs are already covered under WQ violations that encompass both NPDES and WPCF permits, so that adding these under Onsite would cause confusion or inconsistency. Were these added in order to fix issues that previously arose with the classifications, or lack of violations under Onsite specifically? **They were added to fix issues that previously arose with the classifications. We want to completely disassociate the WPCF-OS permits from the rest of the WPCF and NPDES permitting program and move all of the violations from section 055 and put them into section 060 with the rest of the onsite violations. The WPCF-OS permits really don't fit well in the wastewater permitting program.**

I haven't been able to get in touch with Bryan to get his thoughts and relevant history, so please let me know if there is something I am missing or not understanding correctly.

Esther L. Westbrook, J.D.
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Tel: 503-229-5374

From: CARLOUGH Les
Sent: Friday, March 22, 2013 3:53 PM
To: KUCINSKI Michael
Cc: WESTBROOK Esther; NOMURA Ranei
Subject: FW: Division 12Onsite1-8-2013group.docx

Thanks for talking with me today. I spoke with Leah about the proposed change to the P factor and how the idea came up with one small source having an onsite penalty increased because of a stormwater violation at a different site. While we understand the idea, she doesn't want to make that change because it isn't likely to come up very often for onsite, but would be complicated in application for all DEQ's 150 subprograms. I think you said you would be ok if we didn't do that part of the suggestions if we did the rest. I'm forwarding the suggestions to Esther (as the new program contact) to glance at before we give them to Jenny for incorporation into the draft. Thank you for your help with this.

From: KUCINSKI Michael
Sent: Tuesday, January 08, 2013 3:02 PM
To: CARLOUGH Les; SMITH Bryan; NOMURA Ranei

Subject: Division 12Onsite1-8-2013group.docx

Here is what we came up with today.

Thanks all!

Mike