



# Update on Water Quality Permitting

Environmental Quality Commission meeting

Item C

July 16-17, 2020

Justin Green, Water Quality Administrator

# Outline

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1. Permitting Program Overview
2. Administratively Extended Permits Background
3. Third-Party Consultant Recommendations
4. Litigation Settlements
5. Program Results

# Water Quality Permitting Programs

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## **Permit Categories:**

- Individual permits (NPDES and WPCF)
- General permits (NPDES and WPCF)

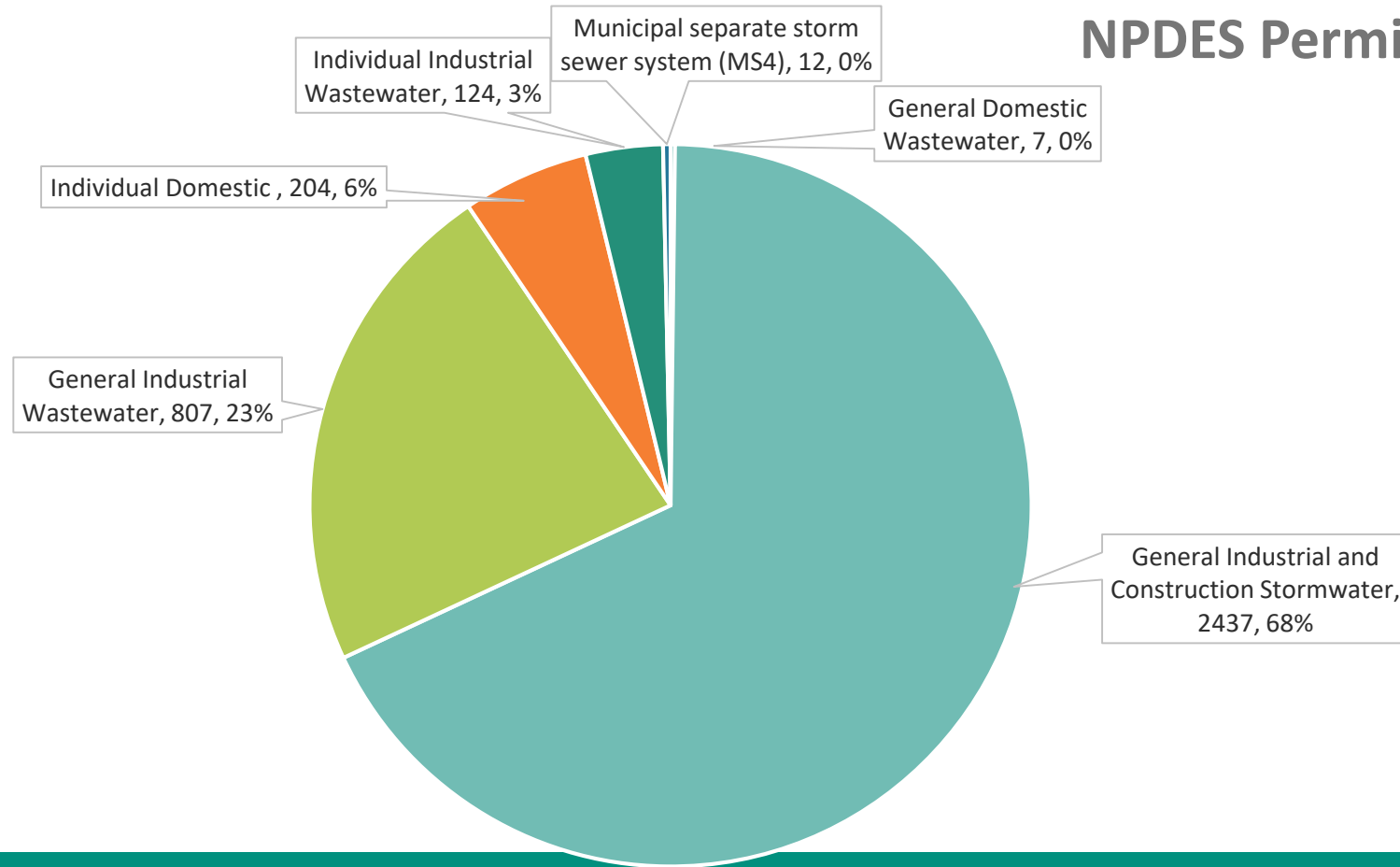
## **Permitted Types:**

- Domestic wastewater (NPDES and WPCF)
- Domestic onsite (WPCF)
- Industrial wastewater (NPDES and WPCF)
- Stormwater (NPDES and WPCF)

# Water Quality Permitting

## Permitting program

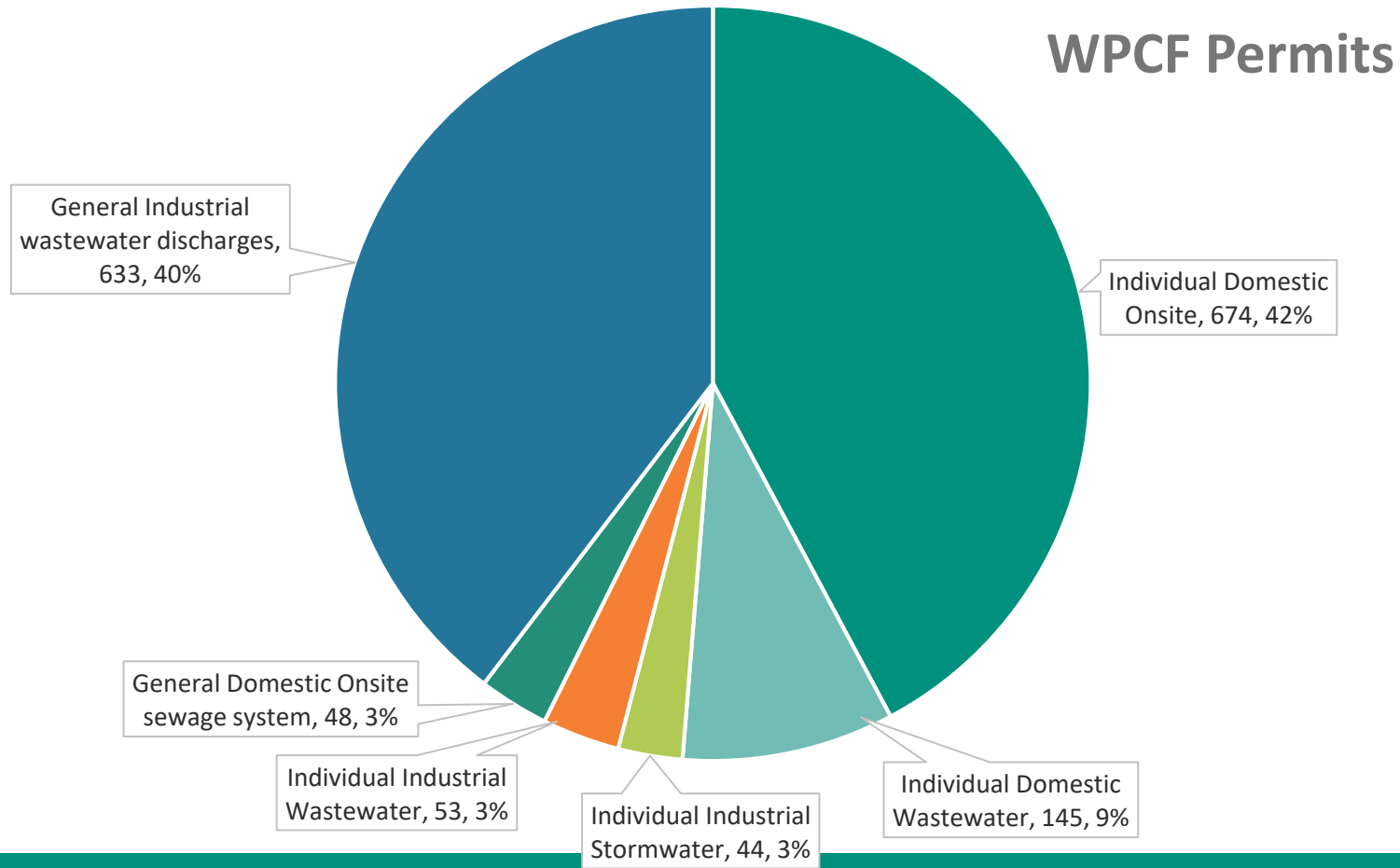
### NPDES Permits



Data as of Mar.27, 2020

# Water Quality Permitting

## Permitting program



Data as of Mar.27, 2020

# WQ Permitting Program

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- Issuance and renewal of permits
- Compliance inspections, report reviews, and complaint response
- Enforcement
- Policy and guidance development
- Stakeholder engagement
- Technical assistance and outreach

# WQ NPDES Permit Backlog

- Coming out of the national recession of the 2000s, Oregon's individual NPDES permit backlog universe was greater than 80 percent
- 2015 Oregon Legislature directed DEQ to hire an independent consultant to evaluate and recommend solutions to improve DEQ NPDES permitting
  - Culminated in 2016 MWH NPDES Permitting Program Review Report

# MWH Report

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1. Leadership - Including organizational structure, managerial style, organizational culture and approaches to stakeholder engagement
2. Community Capacity - The perceived ability of communities and facilities to address changing permit requirements
3. Alignment - Addressing NPDES permitting not within a vacuum but rather by incorporating that complimentary CWA programs (Standards, Water Quality Assessment, and TMDLs)
4. Quality and Efficiency - Utilizing better practices and available tools to more optimally write and issue permits



# MWH Report

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5. Staffing and Workload - A lack of available and dedicate resources to sufficiently address the permitting workload

6. Funding - Budgetary support for the direct and indirect resources needed to fully address the program

7. Progress Reporting - Developing and implementing metrics and measurable expectations, both from an output and outcome perspective

# Progress Report

Telework Permitting Progress (3/16/20-7/2/20) (View Only) |

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## Telework Permitting Progress Report Dashboard



# of Permits Issued  
**15**

EDMS (hours)  
**106.5**

Gap Analysis Project (hours)  
**137**

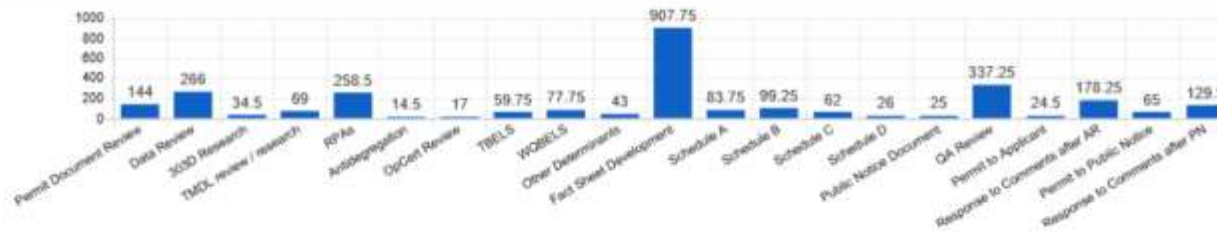
# of General Meetings  
**742**

# of Phone Calls  
**975**

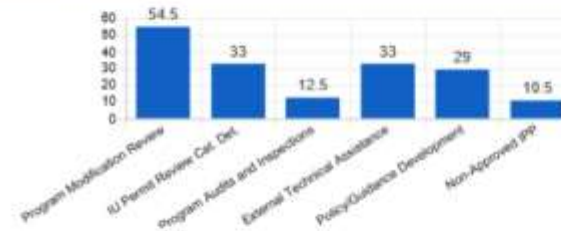
# of Emails Sent  
**13801**

Links to 2020 Permit Issuance Plans  
 NPDES Individual Permits  
 General Permits

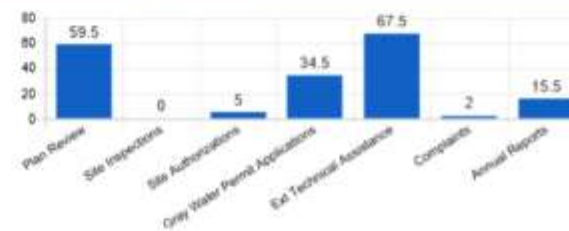
### Permit Development Progress (hours)



### Pretreatment Progress (hours)



### Biosolids/GrayWater Progress (hours)



### SME Progress (hours)



100%



# PG Environmental Report

- PG Environmental works exclusively with federal and state agencies
- Worked closely with permitting program approximately two years after MWH Report
- Developed permits using DEQ processes, including:
  - Application and file review
  - Compilation of data
  - Reasonable potential analysis and effluent limit calculation
  - Permit and fact sheet development
  - Applicant review
  - Etc.

# PG Environmental Report

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1. Modernizing the permit development process
2. Identifying subject matter experts to support challenging permit issues
3. Evaluating the “readiness” of all individual NPDES permits statewide
4. Improving the acquisition and use of data needed for individual NPDES permit development

# PG Environmental Report

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5. Establishing a more robust QA review to ensure permits are developed consistently
6. Implementing a RACI chart (Responsible; Accountable; Consult; Inform) for permitting program decision making process and internal accountability
7. Shifting staff workloads to prioritize NPDES permit development over other activities

# 2018 Permit Backlog Litigation and Settlement

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- DEQ must meet numerous conditions over the course of 10 years
- Several milestones and obligations scheduled during the 10-year settlement period
- Updating 148 of the oldest administratively-extended permits
- Annual and a Five Year Permit Issuance Plan
- Updating templates
- Performing data gap analysis
- Permit writer training

# 2018 Permit Backlog Litigation and Settlement

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- Utilization of subject matter experts
- Implement a quality assurance process
- Publically post issued permits and fact sheets
- Develop annual reports outlining the progress
- To date, DEQ has met all requirements of the settlement

# Permit Backlog Results

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- Permits current
  - 92/331– 28 percent of total
- 2018
  - 34 permits
- 2019
  - 24 permits
- 2020
  - 31 permits to date