
Date: Nov. 12, 2019

To: Environmental Quality Commission

From: Richard Whitman, Director

Subject: Item D: Director's report (Informational)
Nov. 14-15, 2019, EQC meeting

1. Agency Management

1.1 Annual Managers' Conference

DEQ held its annual managers' conference on October 29th and 30th. This conference is one of the principal ways that the agency provides consistent training and direction to the over 100 managers in the organization. Topics this year included:

- Training in change management, with an emphasis on EDMS (see below);
- New tools for onboarding new DEQ employees;
- Diversity, equity and inclusion work at the agency;
- EDMS;
- Remarks from the Director about the Role of Managers in Public Service Today;
- Remarks from EQC Chair Kathleen George; and
- Remarks from Craig Shin, of the Hatfield Center for Public Service at Portland State.

1.2 Environmental Data Management System (EDMS)

DEQ program staff are beginning to spend significant time working through the details of how enfoTech's systems will be conformed to the agency's processes, including how internal DEQ processes will be made more efficient and consistent. In addition, the EDMS team continues to grow, adding two staff in September. The first wave of agency programs will begin using the EDMS software and processes internally in the spring of 2020; external roll-out of the first wave will begin in the fall. Roll-out of the remaining waves is scheduled to occur by June 30, 2021. The EDMS team is working closely with communications staff to develop tools to help staff and the public navigate the new system and processes over the next two years. The timeline graphic, below, shows the recent project milestones. Initial scoping of this project began in 2015. It is an exciting time for the agency to implement such a huge process improvement and help move the agency forward, technologically, to better protect Oregon's environment.



2. Air Quality Division

2.1 2019 wildfire season

After two record-breaking seasons, Oregon saw a much-needed reprieve from wildfire smoke in most areas this summer. In coordination with state and local agencies, DEQ issued only one air quality advisory this year due to wildfire smoke. The advisory was for the area downwind of the Milepost 97 Fire in southwest Oregon, and lasted about a week. In both 2017 and 2018, wildfire smoke inundated many Oregon communities off and on for months, and DEQ issued, and reissued, air quality advisories for much of the state those seasons. Several news media outlets featured stories about the calmer wildfire season in 2019, and DEQ staff were able to provide additional information to people and communities on how to access air quality data online through the agency's Air Quality Index and mobile-friendly OregonAir app.

- DEQ Air Quality Index homepage: <https://oraqi.deq.state.or.us/home/map>

2.2 Air Quality permits now available online

DEQ's Air Quality permitting programs recently developed and published the AQ Permits Online website. The public can now view and download PDF copies of DEQ-issued air permits as well as related documents like review reports and permit modifications. Staff are working to add additional document types, and people can submit a public records request through the agency's online system for any documents not otherwise posted online. As EDMS becomes implemented across all programs, these types of online collections of permits and documents will become the standard for DEQ and allow better access to agency information.

- Air Quality permits online: www.deq.state.or.us/aq/aqpermitsonline/searchfilter.asp.

3. Land Quality Division

3.1 Reduce, Reuse and Recycle Grant Opportunity: Award Announcements on Friday, Dec. 13, 2019

Solicitation for the 2019 Materials Management Grant Program has ended, and 51 organizations from around the state have submitted applications for projects that reduce the environmental impacts of materials. This year, DEQ is prioritizing projects that foster [new partnerships between community-based organizations and environmental organizations in Oregon](#). To qualify, these projects must involve two or more organizations working collaboratively to support their local communities through environmental initiatives. A total of **\$600,000** will be awarded, and DEQ plans to announce the 2019 grantees on Dec. 13, 2019. The Materials Management Grant Program has been active since 1991, and has funded \$9 million in grants to local governments, tribal governments, nonprofit organizations and schools.

3.2 2050 Vision and Framework for Action Update

The Framework for Action- a flexible platform which guides progress for achieving the [2050 Vision for Materials Management in Oregon](#) - is being updated by the Materials Management Program. The Vision was adopted by the Commission in 2012. Progress for the Framework includes a thorough reflection of [program highlights](#) since the 2012 adoption, as well as hosting an external webinar to share accomplishments and gather stakeholder input. Currently the program is defining work areas for the next phase of initiatives. Program staff are available to meet directly with EQC commissioners regarding the updated Framework for Action. DEQ expects to bring the final document to the EQC in spring 2020.

3.3 Oregon receives 2019 State Excellence in Supporting Reuse award from EPA

The DEQ Cleanup program was presented with the EPA 2019 State Excellence in Supporting Reuse Award at the national Association of State and Territorial Solid Waste Management Officials conference in October. EPA noted the program's dedication to supporting communities, local governments, property owners, developers and stakeholders in exploring safe and beneficial reuse possibilities, making staff a vital and proactive partner in protecting human health and the environment. The Reynolds Metals Company, North Ridge Estates, and McCormick and Baxter Creosoting Co. Superfund sites were specifically recognized as examples of collaborative, innovative and effective redevelopment partnerships.

4. Water Quality Division

4.1 Water Quality Division staff gather for H2October

On October 16 and 17, Water Quality staff from all programs and all offices gathered in Troutdale for an all-program conference. Over two days, staff shared information about their programs, success stories and networked with colleagues from across the state. This gathering was the first time in over 10 years that the entire Water Quality Division met together, and

opened new information-sharing opportunities for staff joining the agency and those who have worked at DEQ for many years.

4.2 Willamette Mercury TMDL

DEQ expects to issue the Total Maximum Daily Load (TMDL) for mercury for the Willamette basin later this month. The TMDL must be approved by EPA by the end of the month under a federal court order.

5. Lab

5.1 Water Quality Toxics Basin Reports released for North Coast and Klamath

The DEQ laboratory recently released two water quality toxics basin summary reports, North Coast and Klamath. These reports each cover two years of data collection in the basins and include results from water, tissue and sediment samples. Overall, DEQ measured low levels of toxics in these basins; however, detections of a few compounds occurred at levels above applicable benchmarks. Those compounds were primarily legacy pesticides and copper, iron and arsenic in the North Coast Basin, and diuron, a current-use pesticide, PCBs and arsenic in the Klamath Basin. This year the laboratory's water quality toxics monitoring program began evaluating metals concentrations in water at 60 sites across the state to begin to look at trends in toxic contaminants.

- Water Quality Toxics Monitoring website (reports posted on right side of page):
<https://www.oregon.gov/deq/wq/Pages/WQ-Monitoring-Statewide.aspx>

5.2 Cyanotoxin monitoring results for 2019

This year is the second year that the DEQ laboratory has worked with Oregon Health Authority to monitor cyanotoxins at drinking water facilities that are at risk for impacts from harmful algae blooms. Cyanotoxins can be produced by cyanobacteria, also called blue-green algae, which are common in many Oregon lakes and reservoirs.

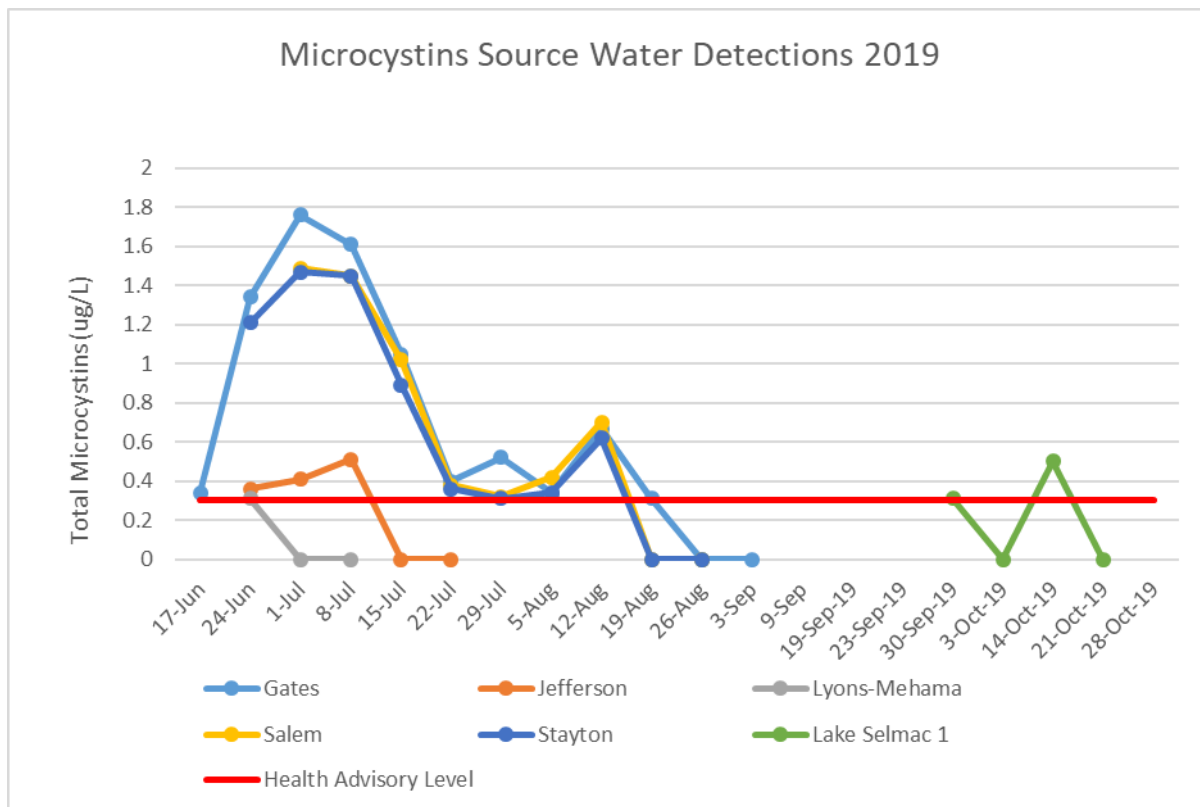
All but one of the sixty facilities monitored this season are west of the Cascade Mountains. They supply drinking water to more than 1.5 million people, or 36 percent of the state's population. This monitoring program implements new state drinking water rules that resulted from cyanotoxins in the Salem drinking water system in May 2018. The City of Salem advised people not to drink the water for approximately a month in the spring of 2018 because of this contamination.

Monitoring in 2019 started May 1 and ended October 31. By the end of the program, the lab will have received 822 samples from 60 facilities and performed 1,644 cyanotoxin analyses with a three-day turnaround time for most samples.

As of the third week in October, we have had 32 detections for cyanotoxins over the health advisory level. Thirty of the detections were at five community drinking water facilities in the

Santiam or North Santiam basins downstream of Detroit Reservoir. Two of the detections were at a campground in the Rogue basin. Detections at the Santiam basin facilities were between June 17 and August 19 and lasted between one and ten weeks. The Rogue basin detections so far span three weeks starting in late September.

One detection was in finished drinking water, the rest being from drinking water intakes, prior to treatment. OHA has not issued any “do not drink” advisories so far this year.



6. Eastern Region

6.1 Link One Potato Solutions (Umatilla County)

Link One Potato Solutions, which recently changed its name from 3D Idapro, has been operating in Stanfield, Umatilla County, since 2016. The facility dehydrates potato scrap slurry to make ingredients for pet food. It employs about 35 people and is an important link in the local and regional potato processing industry supply chain.

DEQ has been in conversations with the facility for several months since it lost its primary option for disposing of the wastewater from its processing facility. The facility has exhausted several temporary management solutions and is in need of a longer-term solution for wastewater

management to allow it to continue operating. It generates about 30,000 gallons of wastewater per day and is currently operating on a short-term, temporary wastewater management plan under a Mutual Agreement and Order with DEQ. DEQ recently approved another short-term application of the wastewater for beneficial use. That authorization allows the facility to apply its wastewater on a nearby wheat field, supplying potassium to those crops.

DEQ is working with the facility to assess protective and permanent wastewater management options that may include onsite pre-treatment, land application, reductions in treatment volumes or sending the wastewater off site for treatment.

6.2 Calico Grassy Mountain Proposed Gold Mine (Malheur County)

Permit application work for the proposed Grassy Mountain Gold Mine project in Malheur County has been suspended since this summer due to a lack of payments by Calico Resources USA to the Department of Geology and Mineral Industries, which manages the consolidated state permitting process for mines that use chemical processes. According to DOGAMI, the project may restart by the end of 2019. Cost-recovery for participating state agencies is required, and is based on forward-looking budgets.

Calico is proposing to construct an underground gold mine, an indoor cyanide processing facility and a tailings storage facility on a site in Malheur County about 22 miles south-southeast of Vale. The site includes both private-patented and public lands managed by the U.S. Bureau of Land Management. The company has stated it intends to develop a feasibility assessment (due summer 2020) and the submittal of a complete consolidated state permit application in parallel.

6.3 OSU Cascades – Reclaiming a landfill for campus expansion (Bend)

Beginning in December, OSU-Cascades will begin waste excavation at the Bend Demolition Landfill, which it recently purchased from Deschutes County. The waste, which is largely wood waste and sawdust from mills, will be screened and blended with clean soil or pumice to create a blended soil with sufficient structural strength to support future buildings. Much of this soil will be placed in the adjacent former Robinson pumice quarry. OSU plans to raise the elevation of the quarry floor by about 40 feet and site new campus buildings in this space. DEQ's Cleanup and Solid Waste programs are overseeing this work to ensure the redevelopment of the sites is protective of human health and the environment.

6.4 Alkali Lake cleanup site (Lake County)

About 40 Lake County residents met with DEQ cleanup staff in Christmas Valley in October to discuss public concerns about the Alkali Lake Chemical Waste Disposal site. DEQ has monitored and maintained the site since the mid-1970s, when the company that transported about 25,000 barrels of herbicide waste to the site, before hazardous waste laws existed, went bankrupt and left the chemical barrels untended.

The Alkali Lake site is in southcentral Oregon, about halfway between Christmas Valley and Lakeview off Highway 395. The barrels are now buried and the area fenced to prevent access. DEQ maintains more than 50 groundwater monitoring wells that show contamination is confined to the site and is not spreading. A risk assessment conducted in 2005 concluded the site is not a significant risk to people or wildlife as long as the current safeguards are maintained. Local concern about the site remains high, and several southern Oregon media outlets have published stories on the site in recent months.

7. Northwest Region

7.1 Harbor of Hope navigation center

In September 2018, DEQ approved a cleanup workplan for a property owned by Prosper Portland to be used temporarily as a location for a facility to provide services to houseless people. Winkler Development Corporation filed a complaint relating to DEQ's approval for the remedial action plan at the Northwest Portland site and Marion County Court granted Oregon DOJ/Oregon DEQ's motion to dismiss the complaint. Subsequently, Winkler Development has filed a second complaint, DOJ/DEQ are currently in the process of discovery in this matter. Legal costs to date have been approximately \$46,000 and are being invoiced to Portland Development Commission, who may pass them through to Harbor of Hope. On Oct. 31, 2019, DEQ completed review of a construction completion report documenting completion of the work described in the 2018 workplan.

7.2 Bradford Island proposed federal Superfund Cleanup

The U.S. Army Corps of Engineers budget for FY 19-20 included no funding for ongoing work at this Columbia River site, adjacent to Bonneville Dam, contaminated with PCBs. Subsequently, the Corps terminated the longstanding voluntary agreement with DEQ that funded DEQ Cleanup Program participation. DEQ recently submitted a joint letter, along with the Yakama Nation and Washington State Department of Ecology to U.S. EPA Region 10, requesting that Bradford Island be listed to the Superfund National Priorities List. If listed, EPA would assume the lead role for cleanup at Bradford Island.

8. Western Region

8.1 North Santiam Sewer Project and the "Three-Basin Rule"

The cities of Detroit, Idanha, Mill City and Gates, with some financial support from Marion County, are working with a consultant to develop a long range master plan for wastewater treatment and disposal. Many years ago, the EQC adopted its "three-basin rule," which prohibits new wastewater discharges into the Clackamas, North Santiam and McKenzie basins. The master plan is expected to include alternatives that could occur only if the EQC approves a change to the three-basin rule, allowing some new discharge (at least to the Santiam).

8.1 Pembina/Jordan Cove Update

Pembina/Jordan Cove has not submitted complete air or water quality applications to DEQ, nor has the company submitted new applications for 401 water quality certifications for the two principal federal permits for the project from the Federal Energy Regulatory Commission (FERC) or the U.S. Army Corps of Engineers. DEQ has heard, indirectly, that Pembina may file new 401 applications in mid-January 2020.

In the meantime, FERC is expected to issue its final Environmental Impact Statement within the next week.

Jordan Cove is waiting for local land use processes to be finished in Douglas and Jackson Counties. Jordan Cove anticipates land use processes to be completed by early 2020. It is unclear if there will be appeals on the local land use processes that would delay Jordan Cove's time line.

DEQ's 401 Water Quality Certification Program has met several times with Jordan Cove project staff over the past few months. The purpose of these meetings is to discuss the level of analysis needed in a 401 Water Quality Certification application. DEQ has asked but not received a schedule from Jordan Cove when DEQ will be receiving the required applications from them.