

State of Oregon  
Department of Environmental Quality

Memorandum

**Date:** Dec. 31, 2014  
**To:** Environmental Quality Commission  
**From:** Dick Pedersen, Director  
**Subject:** Agenda item G, Informational item: Director's report  
Jan. 7-8, 2015, EQC meeting

**Clean Air Act 111(d) program updates**

DEQ continues to work with state, regional, and national stakeholders to track EPA's progress developing federal Clean Air Act Section 111(d) regulation for reducing CO<sub>2</sub> pollution from existing coal and natural gas power plants. EPA is reviewing the 1.6 million comments it received on the proposal issued last summer and will determine the changes to make for the final rule. EPA expects to publish a final rule in June. While states await the final rule, DEQ is working with stakeholders to identify possible compliance approaches for Oregon. Once EPA publishes the final rule, states will be required to adopt plans that include measures for achieving the necessary CO<sub>2</sub> emission reductions. DEQ will be the lead agency developing Oregon's plan, which will need to be approved by EQC. DEQ will continue to brief the commission on EPA's development of the federal rule and subsequently on the development of Oregon's state plan.

**Portland Harbor update**

At the request of Representative Blumenauer, DEQ recently provided an update to elected officials regarding Source Control efforts in Portland Harbor. The November 24 meeting included Governor Kitzhaber and some of his staff, several legislators, EPA and DEQ. DEQ provided a summary of the agency's priorities and a presentation highlighting cleanup accomplishments, current and future priorities and a summary of conclusions for the potential recontamination of the Portland Harbor study area. DEQ's Source Control Summary Report was completed and transmitted to EPA November 21. A copy of the presentation slides is also available on the project webpage.

**Riverbend Landfill**

Waste Management has submitted an application to Yamhill County to expand Riverbend Landfill in McMinnville. The county's consideration of the proposal will take several months, starting with a public hearing in December. If approved by the county, DEQ would then review the application and consider if the expansion meets all applicable environmental rules. The use and proposed expansion of Riverbend Landfill remains a controversy.

**Keizer/North Salem solvent plume update**

For several years, DEQ and EPA have worked together evaluating, mitigating and removing sources of a chlorinated solvent plume in Keizer and North Salem. Recently, EPA considered listing the project on the National Priorities List as a Superfund site.

DEQ provided EPA a three-year action plan for investigation and mitigation efforts led by the state. EPA approved the action plan in November and will defer the decision to list until 2017. The deferral will allow the state and local partners to continue their work on this project and maintain local control and state oversight of the mitigation efforts.

### **Shellfish concerns in Coos Bay and Yaquina Bay**

Shellfish contamination is a major concern for many of Oregon's coastal communities, and an ongoing environmental challenge. There are several active cleanup and restoration projects in Coos Bay and Yaquina Bay and the Clam Diggers Association has recently suggested the state take a more active and expansive role in testing shellfish safety for recreational clam diggers. DEQ has not taken any specific action related to the concerns, but is working to maintain open dialogue with the Clam Diggers Association and other people concerned about fish and shellfish safety.

DEQ, as the state regulatory agency with oversight for environmental cleanups, does have a role in ensuring activities do not harm local environmental resources and associated activities, including commercial and recreational fishing and clam digging. The Oregon Department of Fish and Wildlife oversees the licensing of fishers, and the Department of Health issues advisories related to the consumption of fish or mollusks based on the presence of environmental toxins and other environmental data. These types of issues and multi-agency environmental concerns are an example of the ongoing need for DEQ, and all state agencies, to ensure adequate inter-agency communication happens at the staff level and Oregonians are given accurate information in the appropriate methods to stay healthy and enjoy their environment.