State of Oregon
Department of Environmental Quality

Proposed Trigger Level Rule

340-045-0100

(1) Definitions. In addition to the definitions in ORS 468B.138, the following definitions apply for purposes of this rule:

(a) "Persistent Pollutants" are those pollutants listed in Column 2 of Table A.
(b) "Permittee" means a municipality in possession of a National Pollutant Discharge Elimination System or water pollution control facility permit issued under ORS 468B.050 for a sewage treatment facility that has a dry weather design flow capacity of one million gallons per day or more.
(c) "Trigger level" is the concentration of a persistent pollutant in permitted effluent that necessitates the preparation of a persistent pollutant reduction plan under ORS 468B.140.

(2) Trigger levels.

(a) Trigger levels for persistent pollutants are set out in Table A.
(b) Trigger levels are based on the maximum contaminant level or treatment techniques established under U.S. Environmental Protection Agency National Primary Drinking Water regulations as of the date of the enactment of ORS 468B.138 to 468B.144. For other persistent pollutants the trigger levels are selected from national or international government documents or the peer-reviewed scientific literature, or both.
(c) Trigger levels are not standards of quality and purity for the waters of this state for the purposes of ORS 468B.048 or Clean Water Act Section 313. A trigger level may not be applied, used, or otherwise construed as a numeric or narrative water quality standard in Oregon.
(d) Subject to written approval by the Department, permittees will measure the concentration of persistent pollutants in their effluent, compare the results of these measurements to the trigger levels, determine whether or not any persistent pollutants exceeds its trigger level, and document this determination in a report to the Department.
(e) The Department will review this report and either approve or reject the determination that a persistent pollutant has or has not exceeded its trigger level. If the Department rejects the reported determination, the Department will issue its own determination and that determination will be binding on the permittee.
(f) The Department will require the permittee to prepare a written persistent pollutant reduction plan for all persistent pollutants that exceed their trigger level.

Stat. Auth.: ORS 468.020 and 468B.141.
Stats. Implemented: ORS 468B.138 through ORS 468B.144.
Hist.: New Rule; no historical reference or context.

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PROPOSED TRIGGER LEVELS

Table A. PROPOSED TRIGGER LEVELS FOR PRIORITY PERSISTENT POLLUTANTS

CASRN	Chemical Name	Trigger Level (µg/L)	Origination
120-12-7	Anthracene	0.01	proposed
7440-38-2	*Arsenic Compounds [dissolved]*	10	MCL
56-55-3	Benz(a)anthracene	0.02	proposed
50-32-8	*Benzo(a)pyrene*	0.2	MCL
205-99-2	Benzo(b)fluoranthene	0.5	proposed
191-24-2	Benzo(g,h,i)perylene	2	proposed
207-08-9	Benzo(k)fluoranthene	0.002	proposed
98-07-7	Benzotrichloride [trichloromethylbenzene]	0.03	proposed
82657-04-3	Bifenthrin	10	proposed
56-35-9	Bis (tributyltin) oxide [TBTO, hexabutyldistannoxane]	0.008	proposed
7440-43-9	*Cadmium Compounds [dissolved]*	5	MCL
5103-71-9	*Chlordane, cis-*	2	MCL
5103-74-2	*Chlordane, trans-*	2	MCL
143-50-0	Chlordecone [Kepone]	0.5	proposed
2921-88-2	Chlorpyrifos [Lorsban, Dursban]	0.02	proposed
57-88-5	Cholesterol	0.003	proposed
218-01-9	Chrysene [benzo(a)phenanthrene]	2	Proposed
360-68-9	Coprostanol	0.002	proposed
541-02-6	Cyclopentasiloxane, decamethyl- [D5]	2	proposed
556-67-2	Cyclotetrasiloxane, octamethyl- [D4]	5.5	proposed
72-54-8	DDD, 4,4'-	0.1	proposed
72-55-9	DDE, 4,4'-	0.1	proposed
50-29-3	DDT, 4,4'-	0.001	proposed
434-90-2	Decafluorobiphenyl	0.9	proposed
52918-63-5	Deltamethrin [decamethrin]	0.0004	proposed
333-41-5	Diazinon	0.2	proposed
53-70-3	Dibenz(a,h)anthracene	0.04	proposed
115-32-2	Dicofol	6	proposed
60-57-1	Dieldrin	0.002	proposed
56-53-1	Diethylstilbestrol	10	proposed
88-85-7	*Dinoseb*	7	MCL
1746-01-6	*Dioxins/furans [as 2,3,7,8-TCDD TEQ]*	3×10^{-5}	MCL
1031-07-8	Endosulfan sulfate	0.1	proposed
72-20-8	*Endrin*	2	MCL
66230-04-4	Esfenvalerate	0.02	proposed
13356-08-6	Fenbutatin-oxide	0.5	proposed
120068-37-3	Fipronil	20	proposed
206-44-0	Fluoranthene [Benzo(j,k)fluorine]	0.04	proposed
1222-05-5	Galaxolide [HHCB]	29	proposed

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CASRN	Chemical Name	Trigger Level (µg/L)	Origination
76-44-8	*Heptachlor*	0.4	MCL
1024-57-3	*Heptachlor epoxide*	0.2	MCL
32241-08-0	Heptachloronaphthalene	0.02	proposed
25637-99-4	Hexabromocyclodecane [HBCD]	0.001	proposed
118-74-1	*Hexachlorobenzene [HCB]*	1	MCL
319-84-6	Hexachlorocyclohexane, alpha-	0.006	proposed
319-85-7	Hexachlorocyclohexane, beta-	0.04	proposed
58-89-9	*Hexachlorocyclohexane, gamma- [Lindane]*	0.2	MCL
1335-87-1	Hexachloronaphthalene	0.07	proposed
70-30-4	Hexachlorophene	2	proposed
193-39-5	Indeno(1,2,3-cd)pyrene	0.5	proposed
465-73-6	Isodrin	0.6	proposed
91465-08-6	Lambda-cyhalothrin	40	proposed
7439-92-1	*Lead Compounds [dissolved]*	15	MCL
330-55-2	Linuron	0.09	proposed
7439-97-6 22967-92-6	*Mercury* Methylmercury	2 0.004	MCL proposed
832-69-9	Methylphenanthrene, 1-	0.7	proposed
2381-21-7	Methylpyrene, 1-	1	proposed
2385-85-5	Mirex	0.001	proposed
15323-35-0	Musk indane	0.5	proposed
81-14-1	Musk ketone	30	proposed
145-39-1	Musk tibetene	0.2	proposed
81-15-2	Musk xylene	100	proposed
88671-89-0	Myclobutanil	200	proposed
5103-73-1	Nonachlor, cis-	0.04	proposed
39765-80-5	Nonachlor, trans-	0.04	proposed
29082-74-4	Octachlorostyrene	0.2	proposed
27304-13-8	Oxychlordane, single isomer	0.4	proposed
42874-03-3	Oxyfluorfen	1	proposed
5436-43-1	PBDE-047 [2,2',4,4'-Tetrabromodiphenyl ether]	0.7	proposed
60348-60-9	PBDE-099 [2,2',4,4',5-Pentabromodiphenyl ether]	0.7	proposed
189084-64-8	PBDE-100 [2,2',4,4',6-Pentabromodiphenyl ether]	0.7	proposed
68631-49-2	PBDE-153 [2,2',4,4',5,5'-hexabromodiphenyl ether]	1	proposed
1163-19-5	PBDE-209 [decabromodiphenyl ether]	50	proposed
7012-37-5	*PCB-028 [2,4,4'-trichlorobiphenyl]*	0.5	MCL
35693-99-3	*PCB-052 [2,2',5,5'-tetrachlorobiphenyl]*	0.5	MCL
32598-13-3	*PCB-077 [3,3',4,4'-tetrachlorobiphenyl]*	0.5	MCL
70362-50-4	*PCB-081 [3,4,4',5-tetrachlorobiphenyl]*	0.5	MCL
37680-73-2	*PCB-101 [2,2',4,5,5'-pentachlorobiphenyl]*	0.5	MCL
32598-14-4	*PCB-105 [2,3,3',4,4'-pentachlorobiphenyl]*	0.5	MCL
74472-37-0	*PCB-114 [2,3,4,4',5-pentachlorobiphenyl]*	0.5	MCL

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CASRN	Chemical Name	Trigger Level (µg/L)	Origination
31508-00-6	*PCB-118 [2,3',4,4',5-pentachlorobiphenyl]*	0.5	MCL
65510-44-3	*PCB-123 [2',3,4,4',5-pentachlorobiphenyl]*	0.5	MCL
57465-28-8	*PCB-126 [3,3',4,4',5-pentachlorobiphenyl]*	0.5	MCL
35065-28-2	*PCB-138 [2,2',3,4,4',5'-hexachlorobiphenyl]*	0.5	MCL
35065-27-1	*PCB-153 [2,2',4,4',5,5'-hexachlorobiphenyl]*	0.5	MCL
38380-08-4	*PCB-156 [2,3,3',4,4',5-hexachlorobiphenyl]*	0.5	MCL
69782-90-7	*PCB-157 [2,3,3',4,4',5'-hexachlorobiphenyl]*	0.5	MCL
52663-72-6	*PCB-167 [2,3',4,4',5,5'-hexachlorobiphenyl]*	0.5	MCL
32774-16-6	*PCB-169 [3,3',4,4',5,5'-hexachlorobiphenyl]*	0.5	MCL
35065-29-3	*PCB-180 [2,2',3,4,4',5,5'-heptachlorobiphenyl]*	0.5	MCL
39635-31-9	*PCB-189 [2,3,3',4,4',5,5'-heptachlorobiphenyl]*	0.5	MCL
40487-42-1	Pendimethalin	6	proposed
1825-21-4	Pentachloroanisole [2,3,4,5,6-Pentachloroanisole]	2	proposed
608-93-5	Pentachlorobenzene	6	proposed
1321-64-8	Pentachloronaphthalene	0.2	proposed
82-68-8	Pentachloronitrobenzene	20	proposed
375-85-9	Perfluoroheptanoic acid [PFHpA]	10	proposed
375-95-1	Perfluorononanoic acid [PFNA]	0.04	proposed
754-91-6	Perfluorooctane sulfonamide [PFOSA]	0.0007	proposed
1763-23-1	Perfluorooctane sulfonic acid [PFOS]	20	proposed
335-67-1	Perfluorooctanoic acid [PFOA]	0.5	proposed
85-01-8	Phenanthrene	0.4	proposed
2062-78-4	Pimozide	0.2	proposed
67747-09-5	Prochloraz	2	proposed
129-00-0	Pyrene	0.03	proposed
80214-83-1	Roxithromycin	710	proposed
7782-49-2	*Selenium Compounds [total]*	50	MCL
83-45-4	Sitostanol, beta- [Stigmastanol]	1	proposed
83-46-5	Sitosterol, beta-	1	proposed
92-94-4	Terphenyl, p-	0.3	proposed
79-94-7	Tetrabromobisphenol A [TBBPA]	0.2	proposed
1335-88-2	Tetrachloronaphthalene	0.7	proposed
1321-65-9	Trichloronaphthalene	2	proposed
95-95-4	Trichlorophenol, 2,4,5-	20	proposed
88-06-2	Trichlorophenol, 2,4,6-	2	proposed
3380-34-5	Triclosan [2,4,4'-trichloro-2'-hydroxydiphenyl ether]	34	proposed
1582-09-8	Trifluralin	0.2	proposed
732-26-3	Tris-(1,1-dimethylethyl)phenol, 2,4,6- [Alkofen B]	0.2	proposed