

Oregon DEQ Three Basin Rule Advisory Committee Introductions and Ground Rules Review Water Quality Standards Program

July 14, 2025
Salem Public Works Operations Center and Virtual Zoom Meeting

Zoom Meeting Logistics



Trina Mayberry – DEQ Admin. and Technical Support



“Raise hand” to be recognized for questions or comments



Feel free to post questions into the chat and we will respond



If you are listening on the phone:

Press *9 To raise your hand

Press *6 Unmute/Mute your line



Today's meeting will be recorded

Agenda

1 p.m.	Introductions and Ground Rules (Kaegan Scully-Engelmeyer, DEQ facilitator)
1:15 p.m.	Draft Rule Language and Decision Matrix (Aron Borok, DEQ rulemaking lead)
2:00 p.m.	Break (15 min)
2:15 p.m.	Draft Fiscal Impact Statement (Aron Borok, DEQ rulemaking lead)
3:45 p.m.	Wrap Up and Next Steps
4 p.m.	Adjourn

Meeting Ground Rules – Hybrid meeting

- “Primary” committee members are active in discussions.
- Raise hand or virtual hand to speak.
- Stay focused on the specific agenda topics.
- Be respectful of each other - let others speak without interrupting.
- Virtual attendees
 - Please mute your line when not speaking.
 - Limit background noise.

Committee Members	Government Advisors
City of Salem	Oregon Department of Agriculture
City of Sandy	Oregon Department of Fish and Wildlife
Oregon Association of Clean Water Agencies	Oregon Department of Water Resources
Clackamas River Basin Council	Oregon Health Authority
Clackamas Water Providers	U.S. Environmental Protection Agency
Oregon Onsite Wastewater Association	
Confederated Tribes of Grand Ronde	
Eugene Water and Electric Board	
Lane County	
Marion County	
Willamette Riverkeeper (NEDC)	
Oregon Association of Water Utilities	
Oregon Business and Industry	

Rules Advisory Committee for Three Basin Rule Revision

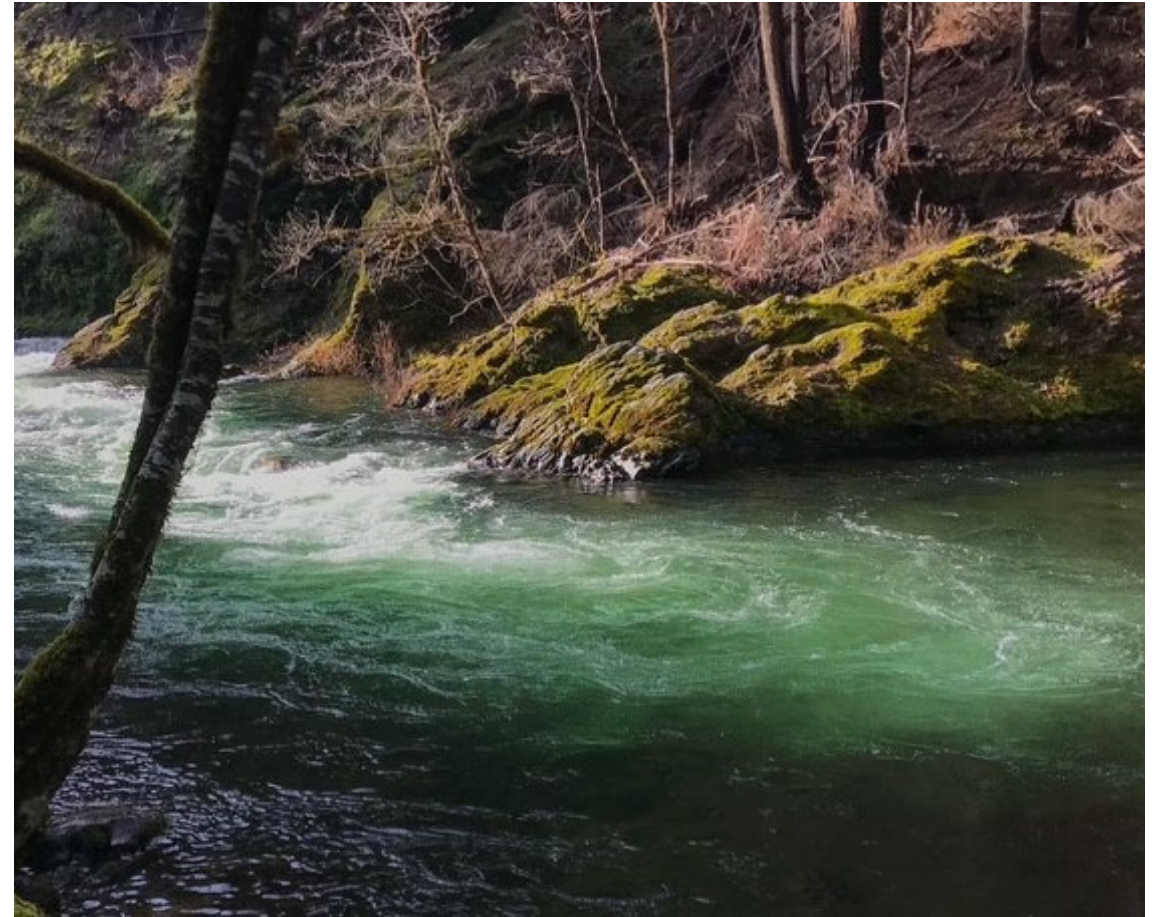
Agenda Item #2: Rule Language and Decision Matrix
Water Quality Standards

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Draft rule language

- Allow DEQ to issue NPDES permits, ONLY for functional equivalent discharges
- No direct discharge for new facilities; no change for existing NPDES permits



Draft rule language

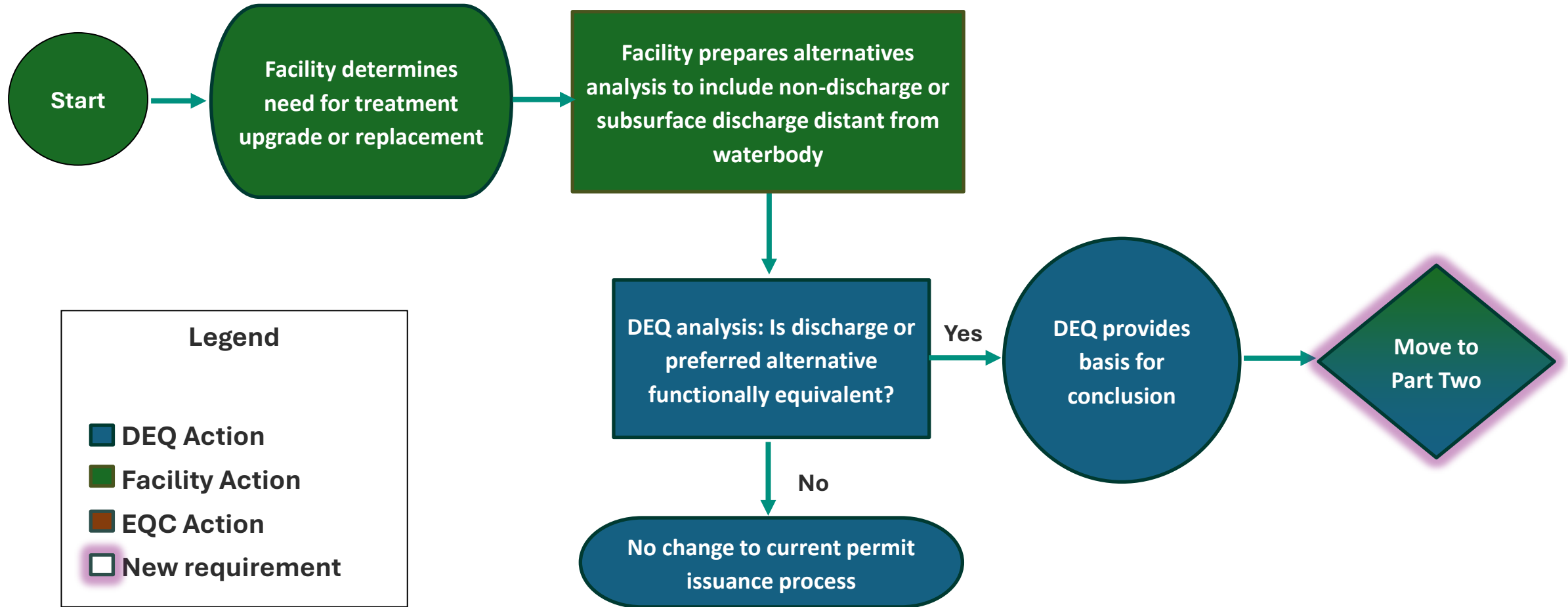
If DEQ determines that the operation of a new or existing domestic sewage treatment facility is likely to result in the functional equivalent of a direct discharge, DEQ may issue a new NPDES permit for that discharge, provided:

- The permit includes necessary conditions to comply with groundwater quality protection rules in OAR chapter 340 division 030; and
- The discharge will result in no measurable lowering of water quality, unless the facility demonstrates and the Commission approves that the action is necessary to accommodate important economic or social development.

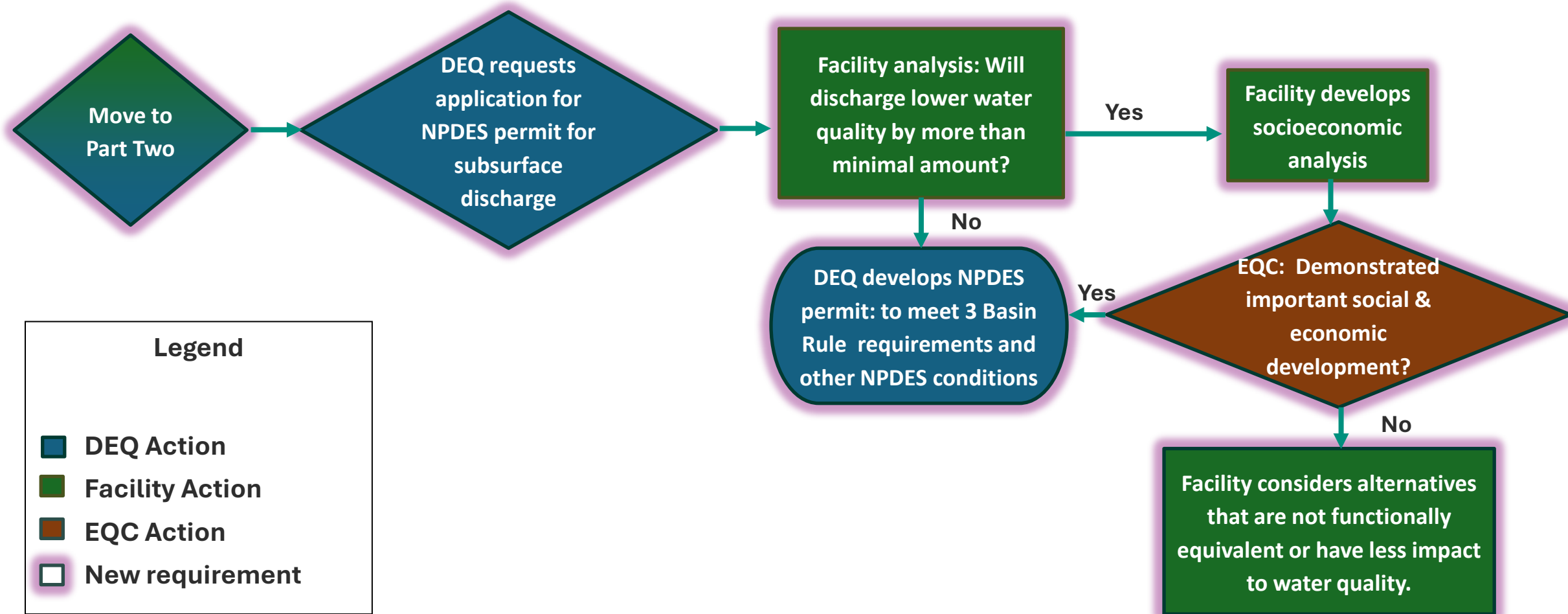
Draft rule language

- “No measurable lowering of water quality” means:
 - For temperature, insignificant temperature increases authorized under OAR 340-041-0028(11) and (12).
 - For dissolved oxygen, up to 0.1 mg/l decrease in dissolved oxygen from the upstream end of a stream reach to the downstream end of the reach so long as there are no adverse effects on aquatic life.
 - For other pollutants, use of no more than 1.0% of assimilative capacity per discharge and no more than 2.5% of assimilative capacity cumulatively for multiple discharges.

Decision Matrix (Part One)



Decision Matrix (Part Two)



Questions and discussion



Rules Advisory Committee for Three Basin Rule Revision

Agenda Item #3: Fiscal Impact Statement

Water Quality Standards

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Fiscal impact requirements (ORS 183.335)

- Identify fiscal impacts on
 - state agencies
 - local governments
 - businesses, including cost of compliance on small businesses

Advisory committee role (ORS 183.333)

- Will the draft rule have a fiscal impact?
- What is the extent of that impact?
- Will there be a significant adverse impact on small business?
 - If so, what can be done to reduce that impact?

Overview of impact

- Create a path to obtain NPDES permits if discharge is functional equivalent.
- Without amendments:
 - No financially or technically feasible option to discharge or
 - More expensive option



Potential impact to local gov't and businesses

- Non-functional equivalent options more expensive than NPDES permit, or infeasible.
- Allows development with no measurable lowering of water quality.



Cost of compliance for local gov't and business

- Increased sampling, up to \$96,000 - \$120,000 per year.
- Higher NPDES permit fees.
- Groundwater modeling and surface water sampling during permit development.



Potential impact to DEQ

- Increased time for NPDES permit issuance compared to WPCF permit.
 - Water-quality based effluent limits.
 - Hydrogeology expertise.



Onsite revisions



- Reduces time for issuing permits by not requiring EQC action for repairing or replacing existing systems.

Advisory committee role (Reminder)

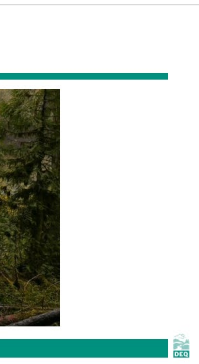
- Will the draft rule have a fiscal impact?
- What is the extent of that impact?
- Will there be a significant adverse impact on small business?
 - If so, what can be done to reduce that impact.
- **Provide your feedback by July 21**

Timeline

- Mid-August to Sept: public notice and comment period.
- November: EQC action item.



Thank you!



Title VI and alternative formats

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