

# Request for Comments

## Proposed Issuance of 2401 and 2402 WPCF General Permits for Graywater Reuse and Disposal Systems



State of Oregon  
Department of  
Environmental  
Quality

The purpose of this notice is to invite you to provide written and oral comments on the Oregon Department of Environmental Quality's proposed issuance of the 2401 and 2402 Water Pollution Control Facilities (WPCF) general permits for graywater reuse and disposal systems.

### DEQ's role:

DEQ is responsible for protecting and enhancing Oregon's water and air quality, for cleaning up spills and releases of hazardous materials, and for managing the proper disposal of hazardous and solid wastes. One way DEQ does this is by requiring permits for certain activities. DEQ issues general permits to regulate certain categories of minor discharge sources or activities where individual permits are not necessary to adequately protect public health or the environment.

### Invitation to comment:

The public may submit comments on the 2401 and 2402 WPCF General Permits for graywater reuse and disposal systems by 5 p.m., Monday, March 12, 2012.

### Hearing details

Oral comments may be provided during a public hearing on the proposed permits.

**Date:** Wednesday, March 7, 2012

### Time:

Information session: 3 p.m.

Hearing: 3:30 p.m.

*Persons interested in providing oral comment should arrive by 3:30 p.m.*

### Locations:

DEQ Bend office  
475 NE Bellevue Dr., Suite 110  
Bend, OR 97701

DEQ Eugene office  
McKenzie Room  
165 East 7th Ave., Suite 100  
Eugene, OR 97401

DEQ Headquarters  
10<sup>th</sup> Floor, EQC A

811 SW Sixth Ave.  
Portland, OR 97210

DEQ Medford office  
221 Stewart Ave., Suite 201  
Medford, OR 97501

Persons providing comment in Bend, Eugene and Medford will do so via a teleconference. All comments will be recorded.

### Written comments due:

Written comments due: 5 p.m., Monday, March 12, 2012.

### Where can I send my comments?

#### Postal mail:

Ron Doughten  
DEQ Water Quality Division  
811 SW Sixth Ave  
Portland, OR 97204

**Fax:** 503-229-6037

**Email:** [graywater@deq.state.or.us](mailto:graywater@deq.state.or.us)

### Where can I get technical information?

Ron Doughten  
DEQ Water Quality Division  
811 SW Sixth Ave.  
Portland, OR 97204

**Phone:** 503-229-5472

**Email:** [doughten.ron@deq.state.or.us](mailto:doughten.ron@deq.state.or.us)

### Where can I get background information?

You can review electronic versions of the proposed permit, fact sheet and permit application at the following DEQ web page:  
<http://www.deq.state.or.us/wq/reuse/graywater.htm>

Paper copies of the proposed general permit and fact sheet will also be available at the nearest DEQ office.

DEQ Bend  
475 NE Bellevue Dr.,  
Suite 110  
Bend, OR 97701

DEQ Eugene  
165 E Seventh Ave.,  
Suite 100  
Eugene, OR 97401

### Water Quality Division

811 SW Sixth Avenue  
Portland, OR 97210  
Phone: 503-229-5472  
800-452-4011  
Fax: 503-229-6037  
Contact: Ron Doughten  
E-mail:  
[doughten.ron@deq.state.or.us](mailto:doughten.ron@deq.state.or.us)

[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

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Please include your full name, e-mail address and mailing address so that we can purge you from our print mailing list, thus saving trees and taxpayer dollars.

Notice Issued: 02/06/12  
By: R. Doughten

DEQ Medford  
221 Stewart Ave., Suite  
201  
Medford, OR 97501

DEQ Pendleton  
700 SE Emigrant, #330  
Pendleton, OR 97801

DEQ Portland  
811 SW Sixth Ave.  
Portland, OR 97204

DEQ Salem  
750 Front St. NE,  
Suite 120  
Salem, OR 97301-1039

### **What is proposed?**

DEQ proposes to issue two new WPCF general permits for graywater reuse and disposal systems, and is inviting public comment on the proposals. During the comment period the public is invited to make comments related to specific conditions within the proposed permits.

**2401 WPCF general permit for Tier 1 graywater reuse and disposal systems.** The 2401 WPCF general permit will be available for single-family residences and duplexes that generate less than 300 gallons per day of Type 1 graywater and use it solely for subsurface irrigation of landscape plants or compost. Type 1 graywater is untreated or has passed through a physical process such as a filter or screen. A person will fill out the permit application, pay \$90 (\$50 new-permit application fee and \$40 annual fee), and agree to follow the permit's conditions. If the system owner submits an annual report on operation and maintenance activities to DEQ, the \$40 annual fee will be waived most years. An annual report form will be available on DEQ's website to simply reporting.

**2402 WPCF general permit for Tier 2 graywater reuse and disposal systems.** This general permit will be available for any structure that generates less than 1,200 gallons of Type 1 or Type 2 graywater per day. Type 2 graywater has passed through a physical treatment process as well as a chemical or biological process, such as a wetland, to reduce the concentrations of solids and organic materials present in graywater. A person will fill out a new-permit application, pay \$584 (\$534 new-application fee and \$50 annual fee), and submit required documentation to DEQ for review. DEQ will review the documentation and notify the applicant if coverage under the Tier 2 permit is granted.

### **Permit expiration**

Oregon law allows DEQ to issue WPCF general permits for a period of five to 10 years. Based on recommendations of an external citizen advisory committee, upon issuance, these permits will be effective for five years, expiring on March 31, 2017.

### **Who is affected by this permit?**

These are statewide general permits that apply to current and future graywater reuse and disposal systems.

### **Who might have an interest?**

Oregon law requires any person interested in reusing graywater for beneficial purposes, such as irrigation, to obtain a graywater reuse and disposal system permit to construct, install or operate a graywater reuse and disposal system.

### **How do graywater reuse and disposal systems affect water quality?**

By definition, graywater is wastewater originating from showers, baths, bathroom sinks, kitchen sinks and laundries. Although graywater is less degraded than combined household wastewater, it typically contains significant concentrations of biodegradable organic material, total suspended solids, salts, bacteria, and common household chemicals, including but are not limited to surfactants, detergents, bleaches, dyes, fragrances, flavorings, preservatives, pesticides, pharmaceuticals and personal care products.

Chemicals and microorganisms present in graywater have the potential to contaminate groundwater and surface water.

### **What legal requirements apply?**

Oregon Revised Statute (ORS) 454.610 directs DEQ to issue permits for graywater reuse and disposal systems. Oregon Administrative Rules (OAR) Chapter 340 Division 53 describe the requirements for permitting graywater reuse and disposal systems.

### **How does DEQ determine what requirements go in the permit?**

The 2401 and 2402 general permits contain requirements for graywater reuse and disposal systems under OAR Chapter 340, Division 053, Graywater Reuse and Disposal Systems.

All applicable regulations must be contained in the permit, including the appropriate recordkeeping, monitoring and reporting requirements, to ensure compliance with these rules.

### **What are the known health effects or environmental impacts of graywater reuse?**

Because graywater is undisinfected and may contain pathogenic organisms, graywater is a potential source for the transmission of illness. Chemicals and microorganisms present in



graywater have the potential to contaminate groundwater and surface water.

### **How are the permitted substances measured?**

Under the 2401 permit, graywater can only be used for subsurface irrigation and no graywater monitoring is required. Persons using a performance-based treatment system under the 2402 permit must monitor biochemical oxygen demand and total suspended solids at least once per year to demonstrate graywater has been stabilized prior to reuse.

### **Compliance history:**

These are new permits and no compliance history is available.

### **What are the special conditions of these permits?**

The permittee is required to:

- develop and maintain a written system design plan;
- complete and maintain a record of a graywater irrigation site evaluation;
- maintain a written operation and maintenance manual;
- install a graywater system meeting specific construction standards; and
- notify DEQ of physical changes to the graywater reuse and disposal system that would make it ineligible for coverage under the general permits.

### **What other DEQ permits are required?**

A graywater reuse and disposal system must be connected to a sanitary sewer or a functioning onsite wastewater treatment system (i.e., septic system) approved under OAR 340-071.

### **What happens next?**

DEQ considers and responds to all comments received. DEQ may modify provisions in the proposed permits, but the permit writers can only modify conditions of the permit in accordance with the rules and statutes under the authority of DEQ. Participation in the rulemaking or the legislative process is the only way to change the rules or statutes. Ultimately, if a facility meets all legal requirements, DEQ will issue the WPCF general permits.

### **Accessibility information**

DEQ is committed to accommodating people with disabilities. Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications & Outreach (503) 229-5696, Portland, or call toll-free in Oregon at 800- 452-4011; fax to 503-229-6762; or e-mail to [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).

People with hearing impairments may call 711.

