State of Oregon
Department of
Environmental
Quality

Draft Concept *(8/25/09)*

DEQ Agency-wide Toxics Reduction Strategy

BACKGROUND AND PURPOSE:

Toxic chemicals and pollutants pose risks to both human health and ecological life. Preventing the adverse impacts of toxics is a major focus of DEQ's Air, Water and Land Quality Programs. In addition, many toxic pollutants transfer readily from one environmental media to another. Therefore, a comprehensive, agency-wide approach to developing and implementing toxics reduction actions is the most effective and efficient way of addressing the problem of toxics in the environment.

GOAL STATEMENT:

Use a comprehensive, integrated, cross-media approach to reduce the greatest risks to human health and ecological life from toxic pollutants in Oregon's environment.

OBJECTIVES:

1. Optimize agency resources by focusing on the highest priority pollutants in a coordinated way.
2. Implement actions that reduce toxic pollutants at the source, to the extent possible.
3. Establish partnerships with other agencies and organizations in implementing the Strategy to increase the effective use of public and private resources.
4. Use environmental outcome metrics to measure the effectiveness of Strategy implementation where feasible.

PROCESS FOR DEVELOPING STRATEGY:

A DEQ cross-media team has been formed to develop a draft Toxics Reduction Strategy. Team members will represent their programs, including regional staff. As each major task of the draft Strategy is completed, the summary will be shared with DEQ managers and the Agency's Executive Management Team (EMT). The EMT and managers will provide input on the draft components of the Strategy, and the EMT will be asked to approve of, and commit to implementing, the Strategy when it's complete. In addition, an external stakeholder group will provide assistance in developing the draft Strategy and provide input on each major component of the Strategy. The final draft Strategy will be presented to the Environmental Quality Commission for approval. Currently, the goal is to complete the draft Strategy by February, 2010.

Draft Scope of Work
DEQ Agency-wide Toxics Reduction Strategy

TASK I: IDENTIFY HIGH PRIORITY TOXIC CHEMICALS AND POLLUTANTS

- A "Base List" will be developed by identifying toxics designated as priorities by DEQ's Air, Land and Water Quality Divisions, or through other inter-agency processes
- Initial Focus List based on those toxics that are a priority for multiple programs and divisions within DEQ → minimum of 3 programs and 2 divisions
- Additional toxics will be added to Focus List based on an evaluation of existing Oregon data, including the following data sources
    - Occurrence in Oregon's environment, as shown by monitoring data
    - Releases in Oregon, as indicated by Toxic Release Inventory (TRI) data
    - Generation of hazardous wastes in Oregon that contain the toxic constituent
    - On-site use or storage of toxic constituent (e.g., State Fire Marshal Right-to-Know data)
    - Known uses of a toxic chemical, or products containing the chemical, in Oregon

  This data, as well as information about the toxicity, persistence, bioaccumulative characterstics, and exposure pathways will be assessed to determine which additional toxics will be added to the Focus List. A methodology for conducting these evaluations will be established.
- A subset of the toxics on Base List for which very little, or no, Oregon data exists will be placed into a "Data Needs" list. Once data is generated on these toxics, they will be evaluated according to the methodology referenced above.
- Establish a process for evaluating and adding new toxics to the Focus List over time

TASK 2: IDENTIFY SOURCES AND PATHWAYS

- Identify original sources of high priority toxics
    - **DEQ Source Drinking Water Assessment**
    - Permit and regulatory databases
    - Toxic Release Inventory
    - Pesticide Use Reporting System and ODA pesticide registration information
    - Air emissions inventory data
    - Studies and other literature on pollution sources for specific toxics
    - Environmental modeling information
- Overview of pathways of environmental contamination and exposure to human and ecological life
    - Oregon studies on releases and loadings of pollutants into the environment (Cleanup investigations, TMDLs)
    - Environmental modeling information
    - Literature on pathways of toxics released into the environment
- Public input on pathways and sources of environmental releases and exposure will be solicited

TASK 3: IDENTIFY AND PRIORITIZE CURRENT STRATEGIES FOR TOXIC REDUCTION

- Identify toxics reduction programs and activities of state agencies, local governments, and non-governmental organizations.
- Review programs and activities to determine how they address high priority toxics, and determine whether there are quantitative measurement metrics.
- Using sources and pathways information, quantitative measurement data, and qualitative analyses, evaluate the effectiveness of current programs and activities in addressing high-priority toxic chemicals and pollutants:
    - Review current regulatory programs for their effectiveness in reducing priority toxics, based : DEQ Air and Water Quality point source permits, environmental cleanup activities, non-point pollution regulations, hazardous and solid waste regulatory activities, and rules/permits administered by other agencies
    - Review and evaluate voluntary and incentive-based programs for their effectiveness in reducing priority toxics

TASK 4: IDENTIFY NEW TOXICS REDUCTION OPPORTUNITIES

- Work with stakeholders to identify new toxics reduction opportunities, or modifications of existing activities, that address the gaps in current programs for high-priority chemicals
    - Focus on all opportunities, regardless of the lead implementing agency(s).
    - Look for "upstream" source reduction actions when feasible
    - Find opportunities to leverage public and private resources to optimize efficiency and effectiveness
- Determine whether there are existing legal authorities to implement new reduction opportunities, and any changes in legal authorities that may be necessary.

TASK 5: DEVELOP AN IMPLEMENTATION AND COMMUNICATION PLAN

- Timelines for completing recommended short and long-term actions
- Implementation mechanisms will be described for each of the recommended toxics reduction actions, and will include the identification of the appropriate lead implementing agency. However, detailed implementation plans will be developed for only those actions for which DEQ will have lead responsibility.
- Some reduction strategies will be tailored for a class of toxics, rather than single chemicals (e.g., legacy organochlorine pesticides, brominated flame retardants, combustion by-products, etc.)
- Methods for measuring the implementation effectiveness of each recommended toxics reduction action will be proposed.
- The estimated costs associated with the recommended reduction actions will be provided, along with possible funding mechanism (e.g., resource shifting within an agency, pollution "offset" investments by regulated entities, new funding sources, etc.)
- A communication plan will be developed for the implementation of the Strategy
- Annual reporting process to update EQC and public on progress in implementing strategy and measuring success
- Public input on recommended toxics reduction actions will be solicited.

TASK 6: CONDUCT PUBLIC OUTREACH AND FINALIZE STRATEGY

- Conduct public outreach on draft Strategy, including web distribution of materials and public information meetings.
- Review and evaluate public input on the draft strategy.
- Develop Final Draft Strategy based on public input.
- Present Final Draft Strategy to the EQC for approval.

TASK 7: IMPLEMENT STRATEGY AND MEASURE EFFECTIVENESS

- Establish internal DEQ Strategy implementation team to guide implementation of recommended strategies.