

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Relationship to Federal Requirements

Clean Water State Revolving Fund - Use of Federal Funds

Answers to the following questions identify how the proposed rulemaking relates to federal requirements and the justification for differing from, or adding to, federal requirements. This statement is required by OAR 340-011-0029(1).

1. Is the proposed rulemaking different from, or in addition to, applicable federal requirements? If so, what are the differences or additions?

The Department of Environmental Quality's Clean Water State Revolving Fund (CWSRF) loan program is administered in Oregon under the federal Clean Water State Revolving Fund program authorized by title VI of the Clean Water Act. This rulemaking amends the Department's CWSRF program to address federal provisions included with a recent congressional appropriation. The proposed amendments are not different from or in addition to requirements of the Clean Water Act or other federal regulations.

If adopted, the proposed amendments will provide eligible borrowers with additional subsidization. This subsidization will be provided in the form of principal forgiveness. Additionally, a funding reserve for green projects will be established in an amount equal to 20% of the program's annual capitalization grant. Actual loan awards depend on the availability of program funds and funding priorities as established in rule.

2. If the proposal differs from, or is in addition to, applicable federal requirements, explain the reasons for the difference or addition (including as appropriate, the public health, environmental, scientific, economic, technological, administrative or other reasons).

The proposed amendments are not different from, or in addition to the Clean Water Act or other federal regulations.

3. If the proposal differs from, or is in addition to, applicable federal requirements, did DEQ consider alternatives to the difference or addition? If so, describe the alternatives and the reason(s) they were not pursued.

The Department considered the alternatives available within the congressional appropriations for providing additional subsidization, but no alternatives from outside those provided by the appropriation were considered.