

State of Oregon

Department of Environmental Quality

Industrial Stormwater Advisory Committee Meeting 10- July 20, 2010

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Subject: Watershed Permits

Background:

At the 7th Advisory Committee meeting in February 2010, DEQ discussed the option of developing watershed specific general permits as a tool to implement new requirements for discharges to impaired waters. DEQ is still considering this option and has refined the approach.

Watershed Permit Approach

- DEQ would issue industrial stormwater general permits for each watershed by August 31, 2011 (deadline established by settlement agreement). Each watershed permit would have its own issuance/expiration date. The permit issuance and expiration dates would be staggered over a three year period. DEQ would also issue a permit that would apply immediately to any new sources. These permits would be subject to public notice and comment.
- The watershed permits would be “generic” permits where the conditions would all be the same, except DEQ may develop watershed specific requirements in the following areas:
 - Discharge to impaired waters
 - DEQ will identify the impairment pollutants facilities will monitor if they discharge to impaired waters needing TMDLs.
 - DEQ may also identify additional requirements that facilities will meet (e.g., monitoring or additional BMPs) to support watershed planning and future TMDL development.¹
 - Benchmarks for copper, lead and zinc. As part of developing new water quality based benchmarks for these metals, DEQ is evaluating whether there is enough high quality ambient data to develop watershed specific benchmarks (e.g., Willamette basin).
- DEQ would address any watershed specific requirements in the permit assignment letters. When DEQ regional offices are assigning facilities coverage under the watershed permits, they will determine if the watershed specific requirements described above are necessary. These requirements would be described in the draft permit assignment letters, which would be subject to public notice and comment along with the facilities’ Stormwater Pollution Control Plans.
- DEQ would stagger granting facilities coverage under these watershed permits over a three year period.² This will smooth workload by staggering the receipt of Stormwater Pollution Control Plans, Discharge Monitoring Reports and other permit documents.

¹ DEQ has evaluated our current TMDLs and determined that compliance with the permit will meet the WLAs in the TMDLs, except certain 1200-COLS facilities will meet additional requirements to ensure compliance with the WLAs for BOD and TSS in the Columbia Slough TMDL.

² This approach would apply *only* to existing facilities renewing their coverage under the new permits, who have administratively extended their permit coverage under the existing permits. New facilities can not begin operating

Goals:

- Tool to implement new requirements for discharges to impaired waters.
- Allow DEQ to stagger permit issuance and expiration, and streamline workload.
- Begin to move stormwater permitting onto DEQ's watershed cycle for permit issuance.
- Water quality staff in the regional office may work together to determine if there any additional requirements that are necessary to address water quality concerns related to watershed planning/TMDL development for a specific watershed.

Next Steps:

- Regional managers are working on prioritizing permit issuance within the various watershed basins over a three year period.
- DEQ is having additional discussion on determining which facilities will conduct the impairment pollutant monitoring for impaired waters needing TMDLs. The impairment pollutant monitoring adds a level of complexity to the monitoring requirements because there are different pollutants that apply to different waterbodies or segments of a specific waterbody (e.g., Willamette River that flows through Portland is listed for 11 pollutants and in Eugene for 6 pollutants).

until they receive permit coverage under the new permits. DEQ will develop a generic watershed permit that the new facilities can apply for in a timing manner.