



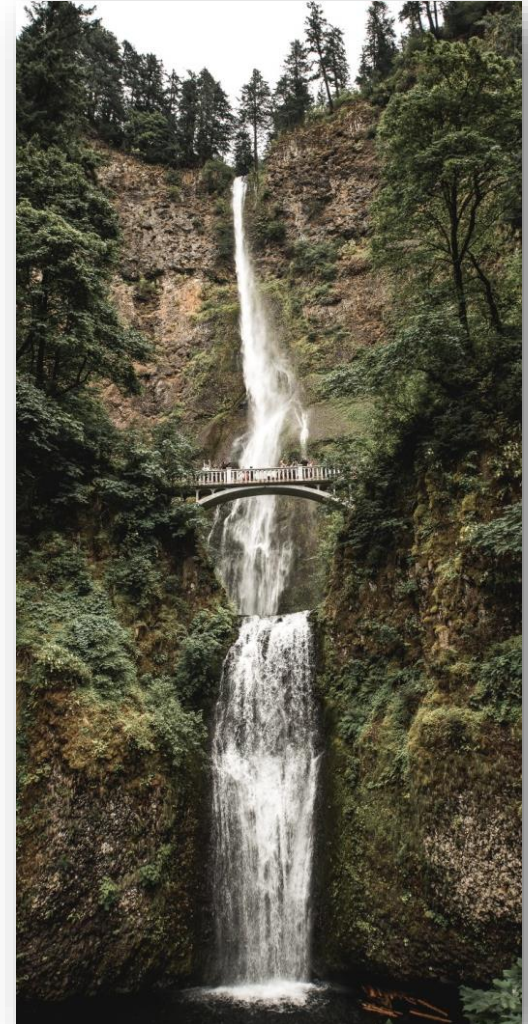
DEQ Water Quality Permitting: *Backlog History and Recent Program Improvements*

House Energy &
Environment Committee
April 21, 2021

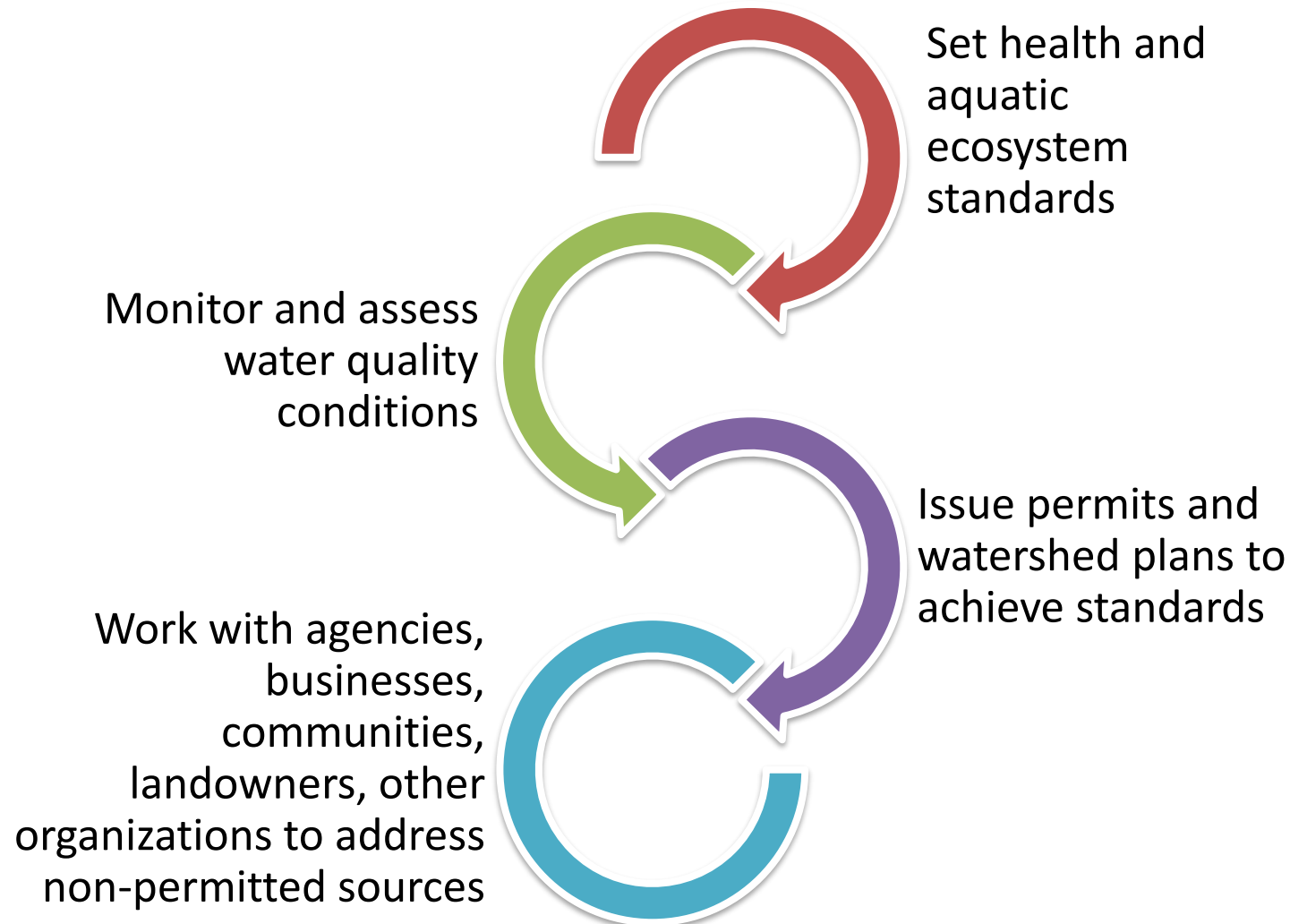
Justin Green, WQ Division
Administrator
Geoff Rabinowitz, WQ Permitting
Program Manager

Briefing Outline

1. WQ Program Basics: Clean Water Act Framework
2. Snapshot of DEQ's wastewater permitting responsibilities
3. NPDES Permit Development
4. Backlog History
5. Current Status
6. Next Steps



Clean Water Act Framework



Water Quality Permitting Programs

(NPDES and WPCF)

Permitted Types:

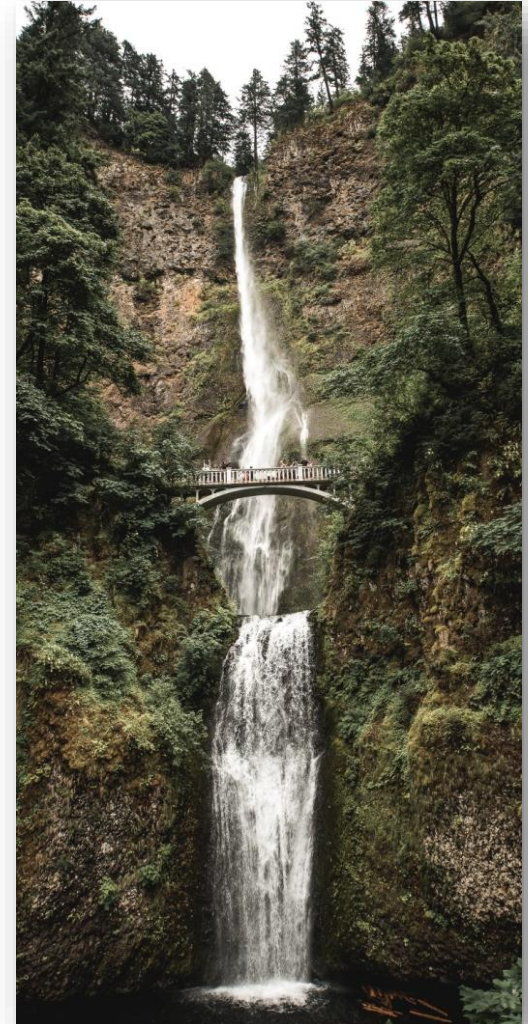
- Domestic wastewater
- Domestic onsite (WPCF only)
- Industrial wastewater
- Stormwater

Permit Categories:

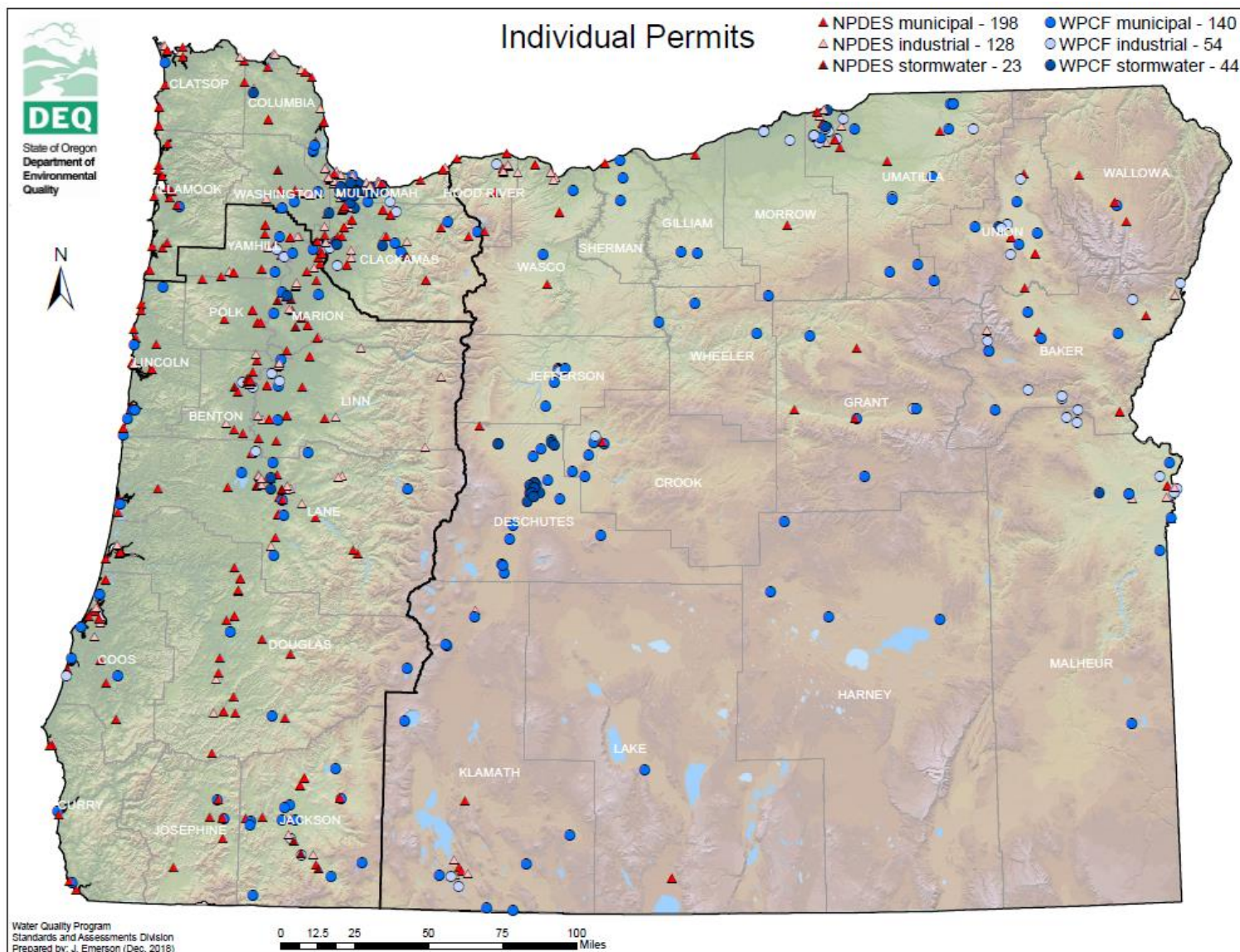
- Individual permits
- General permits

Permit Duration:

- NPDES - 5 Years
- WPCF (State/non-NPDES permits) -10 Years



Water Quality Permit Universe

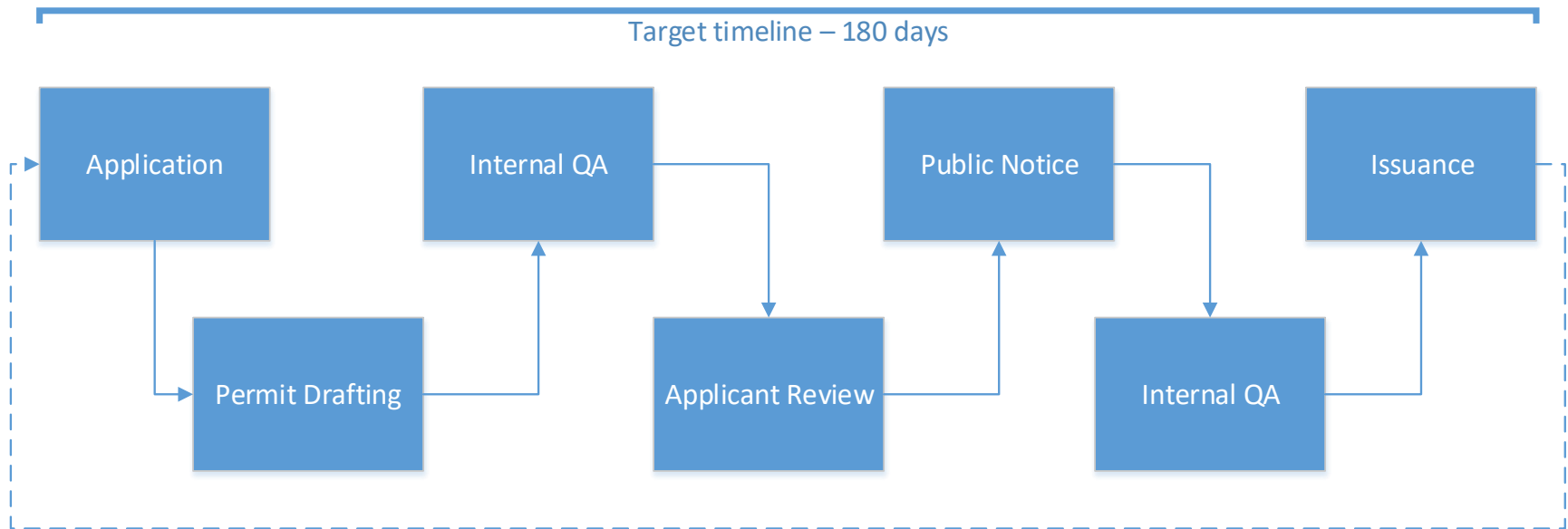


Permits for Individual Facilities

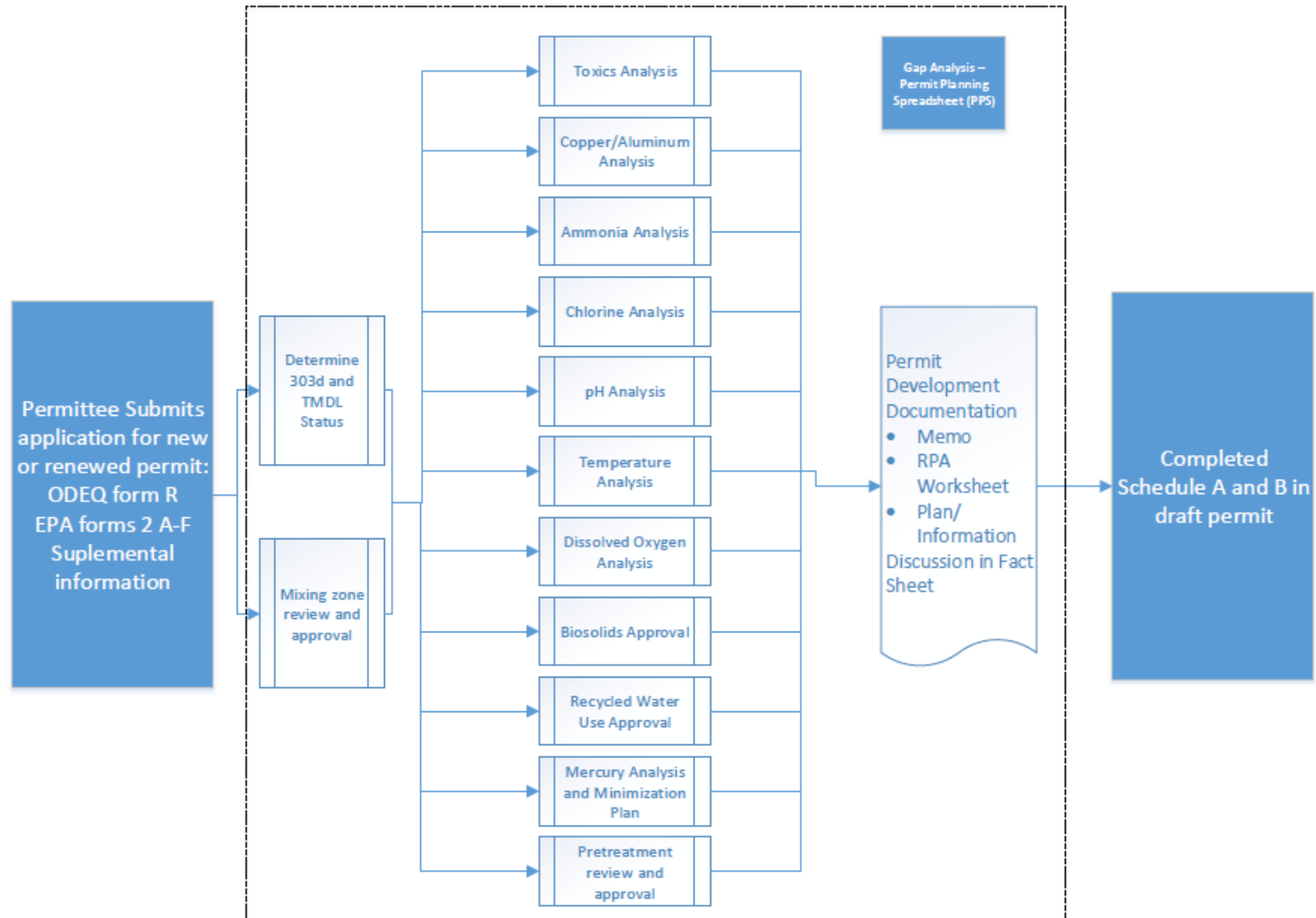
- Consider facility treatment process
- Account for receiving water quality
- Anticipate changes or growth plans
- Establish monitoring requirements
- Compliance reporting



Permits Development Process



Permit Drafting

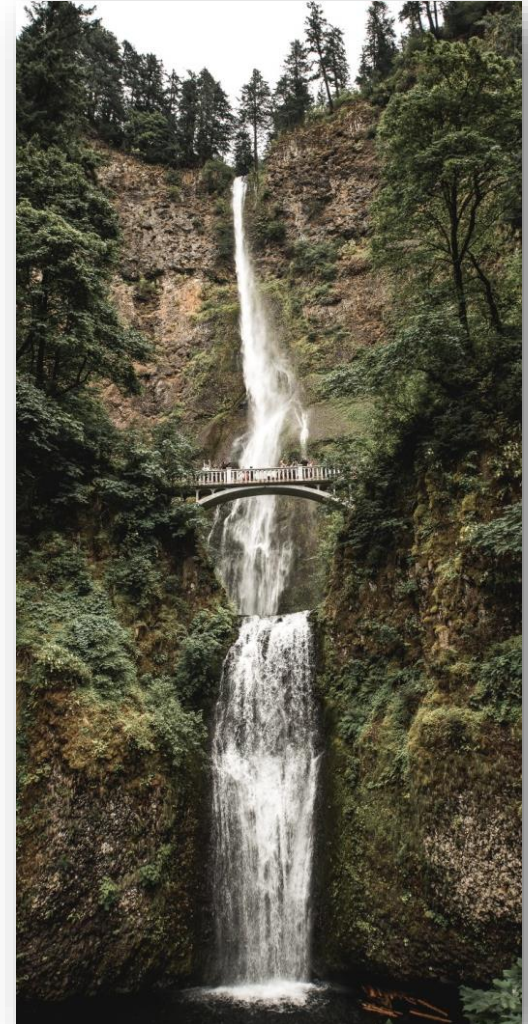


NPDES Backlog

- Oregon's backlog of administratively continued WQ permits (individual NPDES) had grown to more than 80 percent
- Program structure making coordination and decision making difficult, growing complexity of permitting work, program capacity and resources
- 2015 Oregon Legislature directed DEQ to hire an independent consultant to evaluate and recommend solutions to improve DEQ NPDES permitting
 - Culminated in 2016 MWH NPDES Permitting Program Review Report

Consultant Recommendations

- Centralize decision making for permits
- Improve data management for permit issuance
- Improve permitting integration with standards, TMDLs
- Reallocate staff to emphasize issuing timely, legal permits (reassign other responsibilities)
- Improve accountability and transparency



Backlog Litigation Settlement (2018)

- DEQ must meet numerous conditions and milestones over the course of 10 year settlement period
- Updating 148 of the oldest administratively-extended permits
- Annual and a Five Year Permit Issuance Plan
- Updating templates
- Performing data gap analysis
- Permit writer training

Contractors as a WQ permitting resource

- PG Environmental works exclusively with federal and state agencies
- Worked closely with permitting program approximately two years after MWH Report
- Developed permits using existing DEQ processes

Recommendations:

- Modernizing the permit development process
- Identify and use subject matter experts
- Readiness assessment of permits
- Obtain and utilize better data
- More robust QA process
- Improve decision making process
- Prioritize NPDES permit development over other activities

* ORS 468.073 Provides DEQ with a receipts authority

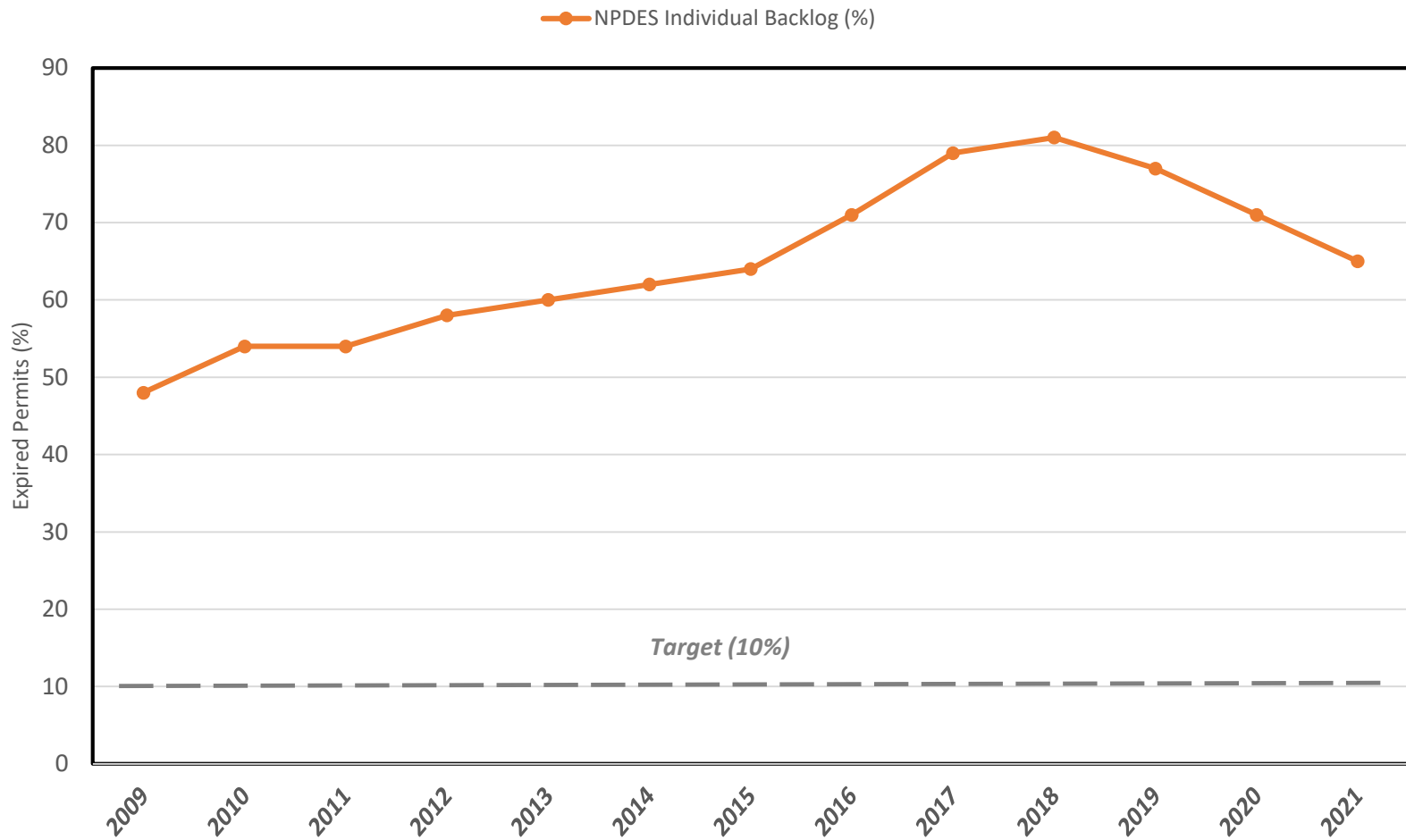
Process Improvements

- Team of 8 – Dedicated Permit Writers*
 - Stakeholder engagement continues to be a focus for permit development
- Streamlined decision making
- Permit writers use front loaded internal technical support (SME)
- All permits (issuance, renewal, and modifications) go through internal QA prior to stakeholder involvement
- Set Priority--“Issue Permits” Top down communication



Current Status

Oregon WQ Permitting Backlog: Individual NPDES Permits



Monitoring Progress

URLs to Issuance Plans

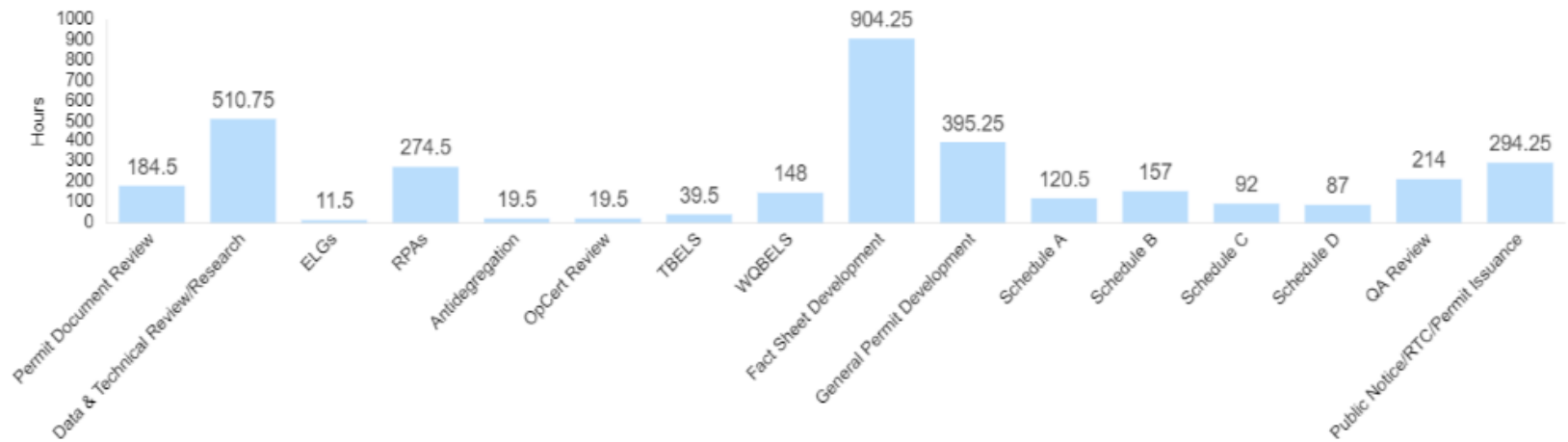
- 2020 General Permit Issuance Plan
- 2021 NPDES Individual Permit Issuance Plan

2021 WQ Permitting Progress Report Dashboard

Permits Issued	Other Permit Actions	Phone Calls (#)	Emails Sent (#)	Public Record Requests (#)	EDMS (# of hours)
14	4	1081.5	12278	4	15



Permit Development



Status of Authorized Resources

- New Resources 2019-2021 LAB
- Delayed fee increases
 - Recruitment on hold for 4 new permitting positions
- 2019-21 GF Rebalance
 - 5.5 FTE held vacant and/or work shifts
- Cross Program



Moving Forward

- [Permit Issuance Plans](#)
- 2020 Annual Report on Oregon's Water Quality NPDES Permit Program
 - <https://www.oregon.gov/deq/FilterDocs/WQ-NPDESAnnualReport2020.pdf>
- Stakeholder Engagement
- WPCF Planning
- Compliance Program Refinement
- State Revolving Fund
- Your DEQ Online
 - Statewide effort to upgrade and streamline the way we accept, process, and share information at DEQ.
 - <https://www.oregon.gov/deq/Permits/Pages/Your-DEQ-Online.aspx>

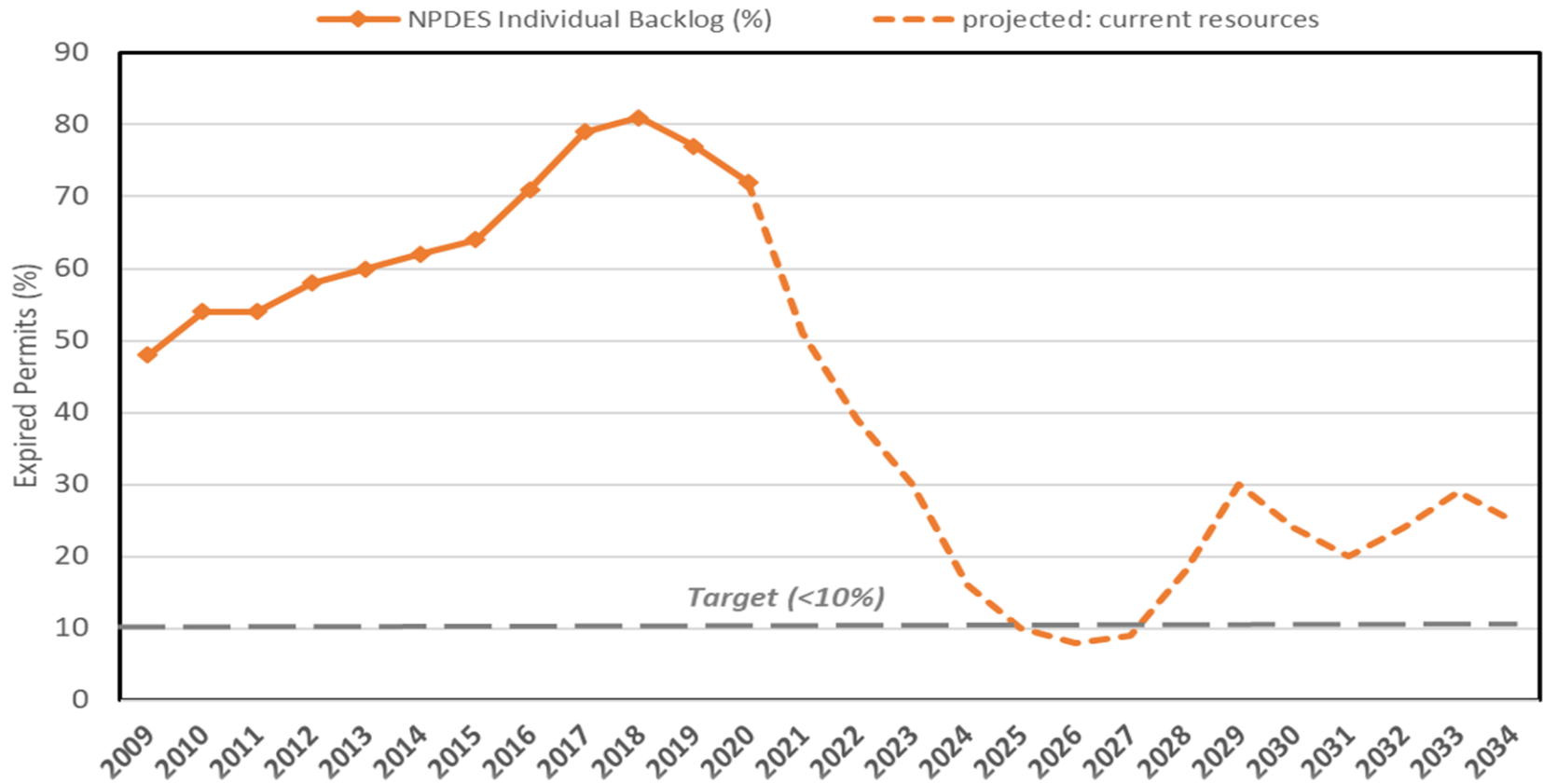
Moving Forward

General Permit 5-Year Issuance Plan

Permit	Name	Permit Type	Planned Calendar Year of Issuance	Planned FY of Issuance
1500-A	Petroleum Hydrocarbons Contamination	NPDES	2021	2021
2300-A	Pesticide General Permit	NPDES	2021	2022
100-J	Cooling Water/Heat Pumps	NPDES	2022	2022
600	Off-Stream Placer Mining	WPCF	2022	2022
1700-A	Vehicle and Equipment Washwater	NPDES	2022	2022
200-J	Filter Backwash	NPDES	2022	2023
500-J	Boiler Blowdown	NPDES	2022	2023
1700-B	Vehicle and Equipment Washwater	WPCF	2022	2023
300-J	Hatchery	NPDES	2023	2023
400-J	Log Pond	NPDES	2023	2023
2200-J	Floating Homes: Domestic Wastewater	NPDES	2023	2023
1500-B	Land Application of Petroleum Hydrocarbon Contamination	WPCF	2023	2024
2501	Industrial Reuse Water	WPCF	2023	2024
1300	ODOT Snow Accumulation	NPDES	2024	2024
1900-J	Geothermal	NPDES	2024	2024
700-PM	Suction Dredge Mining	NPDES	2025	2025
900-J	Seafood processing	NPDES	2025	2025
2000-J	Irrigation System General Permit	NPDES	2025	2025

Moving Forward

Oregon WQ Permitting Backlog: Individual NPDES Permits



Questions?

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