

2021 Water Quality NPDES Permitting Update: By the Numbers



State of Oregon
Department of
Environmental
Quality

Water Quality Permitting and Program Development

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DEQ is a leader in restoring, maintaining, and enhancing the quality of Oregon's air, land, and water.

DEQ's Water Quality Program's mission is to protect, restore, and improve Oregon's water quality. Protecting Oregon's rivers, lakes, streams, and groundwater quality keeps these waters safe for a multitude of beneficial uses, such as drinking water, protecting fish and other aquatic organisms, recreation, the ability to consume fish safely and irrigation. In part, DEQ fulfills its mission by regulating sewage treatment systems and industrial and stormwater discharges.

In 2021, DEQ continued working remotely due to COVID-19, and through process improvements and implementation policy shifts, the Water Quality program was able to increase its effort to renew and issue permits that are protective, defensible, and implementable.

Total Number of Permits

Number of NPDES Permits/ Permit Registrants*	Eastern Region	Northwest Region	Western Region	Headquar ters	Statewide
Individual wastewater permits - major	12	24	30	0	66
Individual wastewater permits - minor	44	68	129	0	241
General wastewater permit registrants	70	79	202	13	364
Construction stormwater permits	166	491	555	0	1,212
Industrial stormwater permits	42	521	482	0	1,045
Municipal stormwater permits	1	7	23	0	31
Total	335	1,190	1,421	13	2,959

*Numbers as of December 31, 2021, except for Construction and Industrial stormwater which are as of February 7, 2022.

Permit Actions

During federal fiscal year 2021 (October 2020 – September 2021), DEQ completed 59 permit actions and issued three additional general permits. This compares to 44 permit actions in 2020, 23 permit actions in 2019, 32 permit actions in 2018 and four permit actions in 2017.

Individual Permitting Highlights:

- City of Medford: Renewed permit which includes focused attention on reducing the discharge of nutrients.
- Collins Products: Renewed and updated the facilities permit to include indirect discharges as required by the recent Supreme Court case: County of Maui v. Hawaii Wildlife Fund.
- Municipal Separate Storm Sewer System permits: Renewal of seven individual MS4 permits.

General Permitting Highlights:

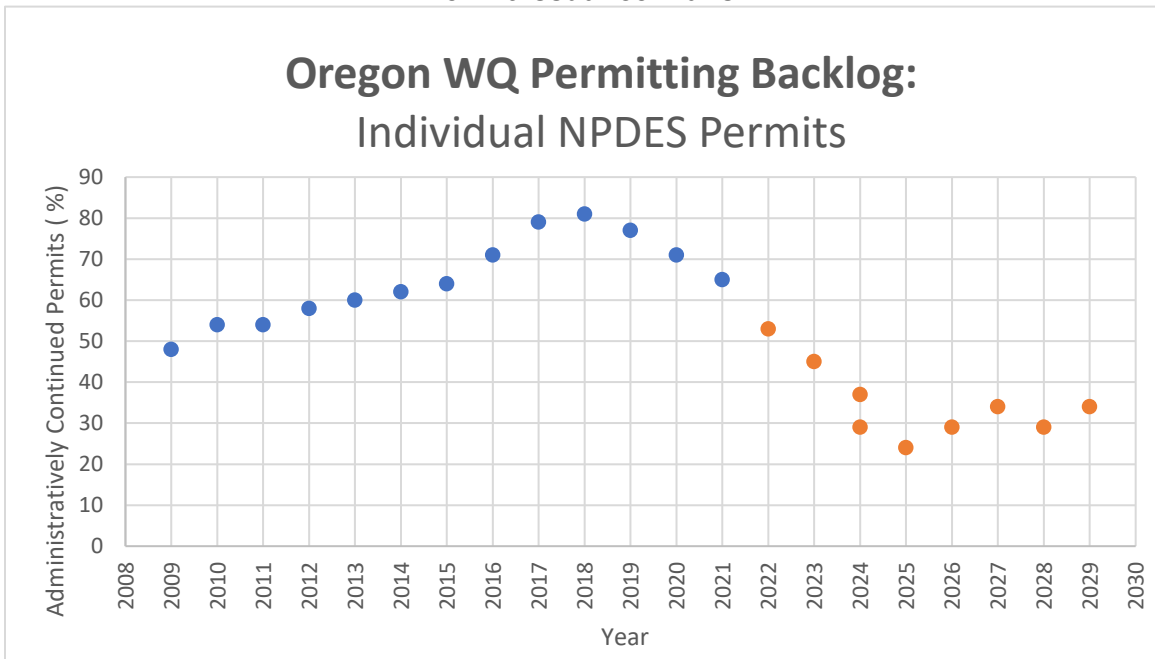
In 2021, three general permits were renewed/issued:

- Petroleum hydrocarbon cleanup (1500A)
- Industrial stormwater (1200-Z)
- Construction stormwater (1200-CN)

In 2022, DEQ plans to renew the following general permits:

- Non-contact cooling water (100J)
- Pesticide application (2300A)
- Off-stream Placer Mining (600)
- Confined Animal Feeding Operation, which is issued jointly with the Oregon Department of Agriculture.
- Vehicle and Equipment Wash water (1700A)
- Construction Stormwater general permit for public entities (1200-CA)

Permit Issuance Plans:



DEQ regulates discharge of pollutants to waterways by issuing federal National Pollutant Discharge Elimination System (NPDES) permits to point source discharges of wastewater and stormwater. Under the federal NPDES permit program, permits are issued for a maximum of a five-year term. However, as of December 2021 approximately 65 percent of NPDES permits in Oregon have not been renewed on time. These out-of-date permits and their associated requirements remain in effect but may not contain conditions that reflect updated standards and water quality conditions.

DEQ’s [Water Quality NPDES Individual Permit Issuance Plan for FFY 2022](#) and the [Water Quality NPDES Individual Five-year Issuance Plan for 2022-2026](#) can be found on the DEQ Water Quality permitting webpage. DEQ also developed a [Five-Year General Permit Issuance Plan](#) in 2021.

Inspections

Permit Type			2019	2020	2021
Wastewater	NPDES	Individual	56	22	30
		General	1	0	0
Stormwater	NPDES	Individual	0	2	0
		General	132	108	71
Total # of Inspections			189	132	101
Total # of Permits			N/A	3025	2959

Note: Totals include all site visit types and exclude 401 certifications, UIC rule authorized discharges, and onsite permits. Numbers are for each calendar year.

Discharge Monitoring Reports

Number of DMRs Submitted Annually	Eastern Region	Northwest Region	Western Region	Statewide
NPDES individual permit DMRs (via NetDMR)	1,129	2,246	2,852	6,227
NPDES general permits DMR review (via paper)	126	515	1,073	1,714
NPDES general permits DMR review (via YDO)	30	165	308	503

Note: Totals include DEQ-administered permits/permit registrants only. Numbers are through December 31, 2021.

Non-Formal Enforcement

Permit Type			2019				2020				2021			
			Penalty	Warning Letter	Warning Letter with Option to Correct	2019 Total	Penalty	Warning Letter	Warning Letter with Option to Correct	2020 Total	Penalty	Warning Letter	Warning Letter with Option to Correct	2021 Total
Wastewater	NPDES	Individual	19	24	9	52	19	44	13	76	30	74	17	121
		General	5	1	3	9	0	2	1	3	2	0	0	2
Stormwater	NPDES	Individual	0	0	1	1	0	0	0	0	0	0	0	0
		General	33	42	86	186	21	18	68	114	9	11	26	46
Total			57	67	99	248	40	64	82	193	41	85	43	169

Note: Totals include enforcement actions issued between Jan. 1, 2019, and Dec. 31, 2021, for NPDES and WPCF permits and permit registrants and exclude enforcements related to onsite wastewater treatment systems and unpermitted facilities.

Formal Enforcement

ACES Program	2019		2020		2021	
	# of FEAs	Total Assessed Penalty Amount	# of FEAs	Total Assessed Penalty Amount	# of FEAs	Total Assessed Penalty Amount
WQ Permitting	24	\$233,751	33	\$151,168	39	\$463,631
Stormwater	90	\$1,464,630	68	\$1,258,137	56	\$682,800
Total	114	\$1,698,381	101	\$1,409,305	95	\$1,146,431

Note: Formal enforcement actions are notice of civil penalty assessment and order, upfront mutual agreement and final order, and expedited enforcement offer. Stormwater data includes formal enforcement actions (including expedited enforcement orders) issued by the Office of Compliance and Enforcement for violations referred by DEQ regional offices and DEQ’s agents. It does not include the expedited enforcement orders issued by DEQ regional staff. Total assessed penalty amount means the civil penalty assessed at the time the formal enforcement is issued. It does not reflect the amount of civil penalty agreed upon after settlement or the amount actually paid.

Omitted from this table are formal enforcement actions for other water quality related Agency-wide Compliance and Enforcement System programs, including WQ non-permitted source, WQ Onsite, and WQ Section 401

Significant Non-Complier Reduction in Oregon

Over the past two years DEQ and EPA have worked together to address permitted facilities that trigger the significant non-complier designation for non-compliance. Since that time, the number of such designated facilities has declined due to improved data and better engagement with facilities:

