

Water Quality Permitting Program Evaluation

Submitted to:

Oregon Legislative Assembly

By: Dick Pedersen, Director

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Environmental
Quality

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



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Executive Summary

The 2015 Oregon Legislature directed DEQ to hire an outside consultant for evaluating the Water Quality permitting program and making recommendations on improving the quality and timeliness of permits. DEQ engaged the program Blue Ribbon Committee for their input, proceeded with the procurement process, and released the Request for Proposal for contractor bids on November 11, 2015. DEQ plans to evaluate the proposals and select a contractor by February 2016. This work authorized by the Legislature should be completed by September 2016, and DEQ will provide an updated report to the Legislature in December 2016.

1. Introduction

The 2015 Oregon Legislature, due to concerns with a backlog in renewing water quality permits, directed DEQ to hire an outside consultant for evaluating the Water Quality permitting program and making recommendations on improving the quality and timeliness of National Pollutant Discharge Elimination System (NPDES) permits. The consultant is required to have the knowledge and skills needed to conduct an evaluation of the program and make recommendations towards meeting associated program metrics developed by an existing Blue Ribbon Committee. Those metrics include the percent of permits being current, the number of inspections, monthly report reviews, and assignment of general permit coverage, or any agreed upon replacement metrics.

This report provides an update on DEQ's progress in procuring a contractor to conduct the work. The complete budget note authorizing DEQ to hire a consultant and report to the Legislature on its progress is attached in Appendix 1.

2. Permitting Improvements Request for Proposal

In May 2015, DEQ assembled a project team and began work on procuring a contractor. DEQ requested support from the Division of Administrative Services Procurement Services in developing the Request for Proposal. DEQ met three times with members of the Water Quality Program's Blue Ribbon Committee to gain their insights on a draft scope of work for the RFP, and made improvements to the scope based on their input. Members of the Blue Ribbon Committee participating in review of the RFP signed a confidentiality statement for that phase of the project. The Blue Ribbon Committee will continue to be involved. They will have the opportunity to provide information to the contractor and evaluate the contractor's recommendations.

The RFP scope of work includes researching past reports regarding the NPDES Permitting Program, engaging stakeholders to get their input on program challenges and areas for improvement, evaluation of the program, and presentation of recommendations. The RFP also

requires contractor submittal of a plan for DEQ implementation of the recommendations. DAS released the RFP to the public on November 11, 2015 by posting on ORPIN.

3. Contracting Schedule

DAS and DEQ held a pre-proposal conference with potential contractors on December 4, 2015 to explain the RFP and answer questions. Proposals from potential contractors are due to DAS by December 30, 2015. DEQ plans to evaluate the proposals and select a contractor by February 2016. The work should be completed by September 2016. DEQ will update the Legislature in December 2016 on the contract, recommendations, and program progress.

Appendix 1 – Water Quality Permitting Budget Note

2015 Legislative Session, Joint Committee on Ways and Means, Subcommittee on Natural Resources

Budget Note:

Water Quality Permitting

The Subcommittee expressed concerns with the backlog in renewing water quality permits and directed the Department of Environmental Quality (DEQ) to undertake a review of its permitting program. To achieve this, the Department is directed to hire an outside consultant with the knowledge and skills needed to conduct an evaluation of the program and the ability to make recommendations. These recommendations will focus on improving the quality and timeliness of water quality permits issued under the NPDES program and meeting the associated metrics developed by the Blue Ribbon Committee in its 2004 report (percent of permits being current, inspections, DMR reviews and assignment of general permit coverage) or any agreed upon replacement metrics. DEQ will report to the appropriate legislative committee on or before December 2015 and again by December 2016 on progress toward completing the evaluation, meeting the program metrics and implementing recommendations that come out of the consulting work. DEQ will work with the Blue Ribbon Committee on implementing these recommendations for meeting programs goals and will provide the Blue Ribbon Committee with periodic updates on progress being made to improve the program.