

Water Quality Program Improvement: Permit Readiness Review



State of Oregon
Department of
Environmental
Quality

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Background

The Oregon Department of Environmental Quality's Permit Readiness Review is an internal project to assess all administratively extended individual National Pollutant Discharge Elimination System permits and determine how readily a permit could be issued.

Approach

DEQ is reviewing all permits that have been administratively extended. Using a checklist, DEQ assesses 48 factors in three readiness categories:

1. Application and data readiness
2. Regulatory readiness, such as new standards, Total Maximum Daily Loads, discharges to impaired waters
3. Community readiness (stakeholder and community capacity to provide required permit data and technical information)

Each factor is scored, based on available information. DEQ uses a formula to weight each of the scores and calculate a final "Readiness Score" which is a semi-quantitative numeric value that accounts for the completeness and complexity of each permitted wastewater discharge.

Application Readiness

DEQ reviews the permit application in 29 areas and determines if additional technical data or information will be required from the permit holder before the permit can be developed and issued. If additional actions are required, DEQ estimates how long it will take to complete each action. An action with a short time frame to complete receives a low score; an action with a long time frame receives a high score.

Regulatory Readiness

DEQ reviews each discharge in 11 areas to identify any regulatory challenges to issuing the permit. Regulatory areas assessed include, but are not limited to: discharges to impaired waters, implementation of new water quality standards, on-going enforcement actions, coordination with other state or federal agencies, and need for complex compliance strategies. If a regulatory challenge is identified, DEQ estimates the complexity of the issues as well as the level of internal technical assistance that will be required to resolve the issue. A regulatory challenge with

minor complexity receives a low score; an extremely complex regulatory challenge requiring effort by a senior permit writer receives a high score.



Community/Discharger Readiness

DEQ reviews each discharger for eight factors and makes a qualitative assessment as to the ability of a discharger to meet permit conditions. This assessment is based on knowledge of regional permit writers and compliance officers as well as general information about a community. For example, if a treatment facility has not been upgraded in 30-40 years and may be unable to meet current discharge limits, DEQ would identify the need for the permit holder to upgrade or take other significant actions, which would result in a higher score. Community readiness is the most subjective area assessed during the readiness reviews.

Permit Issuance Priorities

The project includes a number of deliverables, including:

1. A semi-quantitative ranking of all administratively extended permits based assessment of the completeness and complexity of the permit
2. A Permit Issuance Plan for Federal Fiscal Year 2018 (Oct. 2017-Sept. 2018) that identifies permits to be issued in near term. The Permit Issuance Plan will be based on the semi-quantitative ranking of permits and accounting for additional priorities or factors specific to individual permits
3. A documented procedure for a detailed assessment (or gap analysis) for incoming permit applications as well as administratively extended permits

scheduled for issuance on the permit issuance plan

Before a permit is scheduled to be developed and issued, DEQ will complete a more precise and detailed analysis on the permit application, available data and information, regulatory factors, and community capacity. DEQ will use the more detailed analysis to request additional data and information from the permit holders as well as assist with more complex compliance strategies, and provide information on DEQ's Clean Water State Revolving Fund program where upgrades to publically owned facilities may be necessary.

Technical and policy issues

The readiness tool also identifies key regulatory factors, such as implementation of new water quality standards or new TMDLs that can delay development and issuance of an individual National Pollutant Discharge Elimination System permit. DEQ intends to use the outcome of the Permit Readiness Review project to identify and prioritize regulatory and policy issues for resolution.

Additional information

Additional information on DEQ's efforts can be found at:

<http://www.oregon.gov/deq/wq/wqpermits/Pages/WQ-Permitting-Program-Review.aspx>

Alternative formats

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.