

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY

Relationship to Federal Requirements

**Revised Water Quality Standards for Human Health Toxic Pollutants and Revised
Water Quality Standards Implementation Policies**

Answers to the following questions identify how the proposed rulemaking relates to federal requirements and the justification for differing from, or adding to, federal requirements. This statement is required by OAR 340-011-0029(1).

1. Is the proposed rulemaking different from, or in addition to, applicable federal requirements? If so, what are the differences or additions?

No, this proposed rulemaking is not different from or in addition to applicable federal requirements. The federal Clean Water Act requires states to adopt water quality standards to protect beneficial uses of the nation's waters. The standards must be based on substantial evidence. DEQ must submit the proposed standards to EPA for approval if they are adopted by EQC. DEQ has concluded that the proposed standards revisions meet federal requirements. DEQ has worked with EPA through the development of the proposed rules and we expect that EPA will approve the new and revised rules.

States must develop Total Maximum Daily Loads, or TMDLs, for waterbodies that do not meet applicable water quality standards that have been listed on the state's list of impaired waters developed under section 303(d) of the Clean Water Act. Nonpoint sources can be a significant source for some pollutants in some waterbodies. In those areas, nonpoint source load reductions would be needed to meet the TMDL loading capacity and the associated water quality standard. Therefore, nonpoint source implementation to meet the TMDL load allocations is needed to have reasonable assurance that the TMDL, when fully implemented, would lead to water quality standards attainment. Therefore, these proposed rule changes are not different than, or in addition to applicable federal requirements and any reasonable assurance needed to meet TMDL load allocations.

2. If the proposal differs from, or is in addition to, applicable federal requirements, explain the reasons for the difference or addition (including as appropriate, the public health, environmental, scientific, economic, technological, administrative or other reasons).

Not applicable

3. If the proposal differs from, or is in addition to, applicable federal requirements, did DEQ consider alternatives to the difference or addition? If so, describe the alternatives and the reason(s) they were not pursued.

Not applicable