

**Water Quality Standards Rule Making Work Group
and Non-NPDES Source Work Group**

**Summary of 2009-2011 Meetings:
Dates, Organizations Represented and Topics**

Organizational Acronyms

Association of Clean Water Agencies – ACWA
Association of Oregon Industries – AOI
Confederated Tribes of the Umatilla Indian Reservation – CTUIR
Columbia Riverkeepers – CR
Clean Water Services – CWS
Oregon Department of Environmental Quality – DEQ
Oregon Environmental Quality Commission – EQC
Industrial Dischargers – ID
League of Oregon Cities – LOC
Natural Resources Conservation Service – NRCS
Northwest Environmental Advocates – NWEA
Northwest Environmental Defense Center – NEDC
Northwest Pulp and Paper Association – NWPPA
Oregon Department of Agriculture – ODA
Oregon Department of Forestry – ODF
Oregon Dairy Farmers Association – ODFA
Oregon Environmental Council – OEC
Oregon Farm Bureau – OFB
Oregon Forest Industries Council -- OFIC
Oregonians for Food and Shelter – OFS
Oregon Small Woodlands Association – OSWA
US Environmental Protection Agency – EPA

Working Groups:

Rulemaking Work Group – RWG (NPDES issues)
Non-NPDES Work Group – Non-NPDES (Non-point source issues)

The following information was compiled by the facilitation team based on review of meeting agendas, meeting summary notes and meeting sign-in sheets. It is intended to record the dates, topics and organizations represented in the presentations and discussions about DEQ's water quality standards and related rules:

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

<p>RWG Meeting Date: 1/14/09</p> <p>Attendees Representing: ACWA, CR, ID, LOC, NWEA, NWPPA</p> <p>CTUIR, EPA, DEQ, ODA, ODF</p>	<p>Agenda/Discussion Topics:</p> <ul style="list-style-type: none"> • Workgroup Membership and Purpose • EPA Review and Approval Authorities • Workgroup Administration / Scope of the Rulemaking • Overview of Water Quality Standards and Approach for Arsenic Review • Overview of Permitting Provisions
<p>RWG Meeting Date: 2/09/09</p> <p>Attendees Representing: ACWA, AOI, CR, ID, LOC, NEDC, NWEA, NWPPA</p> <p>CTUIR, EPA, DEQ, Grande Ronde Tribe, ODA, ODF</p>	<p>Agenda/Discussion Topics:</p> <ul style="list-style-type: none"> • Update on Rulemaking Project Plan and Timeline • DEQ’s Statewide Toxics Reduction Strategy • Senate Bill 737 • Making Connections Outside the NPDES Program • Overview of Revised Human Health Criteria
<p>RWG Meeting Date: 3/2/09</p> <p>Attendees Representing: ACWA, AOI, CR, ID, LOC, NEDC, NWEA, NWPPA</p> <p>CTUIR, EPA, EQC, DEQ, ODA, ODF</p>	<p>Agenda/Discussion Topics:</p> <ul style="list-style-type: none"> • Clarification of the EQC Directive • How to Tie the Rule to the Broader Toxics Reduction Strategy • Potential Approaches for Revising the Arsenic Criteria • NPDES Implementation – Background Pollutants and Intake Credits
<p>RWG Meeting Date: 4/22/09</p> <p>Attendees Representing: ACWA, AOI, CR, ID, LOC, NEDC, NWEA, NWPPA</p> <p>CTUIR, DEQ, EPA, ODA, ODF</p>	<p>Agenda/Discussion Topics:</p> <ul style="list-style-type: none"> • Arsenic Criteria Revision • Background Pollutants Discussion
<p>RWG Meeting Date: 6/4/09</p> <p>Attendees Representing: ACWA, AOI, ID, LOC, NEDC, NWEA, NWPPA</p> <p>CTUIR, EPA, DEQ, ODA, ODF</p>	<p>Agenda/Discussion Topics:</p> <ul style="list-style-type: none"> • Iron Discussion • Arsenic Discussion • Background Pollutants Discussion

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

RWG Meeting Date: 7/13/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, EPA, DEQ, ODA	<ul style="list-style-type: none"> • Review of Project/Task Timeline • Multi-Media Sources Discussion • Manganese Discussion • Arsenic / Anthropogenic Sources Criteria • NPDES Permit Implementation Approaches • Variances Discussion
RWG Meeting Date: 8/6/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, EPA, DEQ, ODA	<ul style="list-style-type: none"> • DEQ’s Recommended Interim Permitting Approach for Arsenic • Arsenic Anthropogenic Sources Provision • Variances Discussion • NPDES Implementation Issues
RWG Meeting Date: 9/15/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, EPA, DEQ, ODA	<ul style="list-style-type: none"> • Rulemaking Process Review/Updates • Arsenic Anthropogenic Sources Criterion • Framework for Implementation Issues • Draft Proposed Revisions to Variance Rule • Process Discussion with Neil Mullane
RWG Meeting Date: 10/19/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, DEQ, EPA, ODA	<ul style="list-style-type: none"> • NPDES Implementation Tools / Gaps • Variances Scenarios • Wrapping Up/Looking Ahead
Non-NPDES Meeting Date: 11/18/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA, OFB, OFIC, OFS, OSA, Roseburg Forest Products	Non-NPDES Source Issues: <ul style="list-style-type: none"> • Context/Charge/Scope and Expected Outcomes • Status of Non-Point Source Toxics Reduction • DEQ’s Authority for Non-NPDES Sources • Information Needs for Future Meetings

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

CTUIR, EPA, EQC, DEQ, ODA, ODF	
RWG Meeting Date: 12/9/09	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, City of Portland, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, EPA, DEQ, ODA, ODF	<ul style="list-style-type: none"> • Intake Credit Rule • Background Pollutants • Human Health Compliance Schedule • Variances White Paper • Timeline Updates • Implementation Tools Table
RWG Meeting Date: 1/29/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, City of Portland, CR, ID, LOC, NEDC, NWEA, NWPPA CTUIR, DEQ, EPA, ODA	<ul style="list-style-type: none"> • Rulemaking Process Review / Process Ahead • Variances • Implementation Tools
Non-NPDES Meeting Date: 2/4/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NEDC, NWEA, NWPPA, OEC, OFB, OFIC, OFS, OSWA, Roseburg Forest Products CTUIR, DEQ, EPA, EQC, ODA, ODF	Non-NPDES Source Issues: <ul style="list-style-type: none"> • Review Charge/Scope and Rulemaking Timeline • Overview of Potential Non-NPDES Policy and Rule Concepts
RWG Conference Call Date: 2/16/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, ID, LOC, NWEA, NWPPA CTUIR, DEQ, EPA, ODA	<ul style="list-style-type: none"> • Implementation Tools – New Ideas
RWG Meeting Date: 2/23/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, CR, ID, NEDC, NWEA, NWPPA	<ul style="list-style-type: none"> • Pollutant Specific General Permit • Restoration Standards • Delayed Implementation

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

CTUIR, DEQ, EPA, EQC	<ul style="list-style-type: none"> • De Minimus Approach • Offsets
Non-NPDES Meeting Date: 3/31/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, CWS, CR, ID, LOC, NWEA, NWPPA, OEC, OFB, OFIC, OFS, Roseburg Forest Products CTUIR, EPA, EQC, DEQ, ODA	Non-NPDES Source Issues: <ul style="list-style-type: none"> • Future Direction for DEQ and Rulemaking Process • Current Federal/State Pretreatment Programs • Overview of Sediment and Toxics • Implementation-ready TMDLs
RWG Meeting Date: 4/27/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, CR, ID, NWEA, LOC, NWPPA CTUIR, DEQ, EPA, EQC, ODA	<ul style="list-style-type: none"> • Separate Rulemaking for Arsenic, Iron and Manganese • Review of Three Tools to Address Background Pollutant Concentrations • Restoration WQ Standards
Non-NPDES Meeting Date: 4/27/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, CR, ID, LOC, NWEA, NWPPA, ODFA, OEC, OFB CTUIR, DEQ, EPA, EQC, ODA, ODF	Non-NPDES Source Issues: <ul style="list-style-type: none"> • Finalize Scope of Non-NPDES Action Items / Review of Scoping Evaluation and Background Information • Sediment and Toxics • Antidegradation Implementation for Non-Point Sources
RWG Meeting Date: 5/20/10	Agenda/Discussion Topics:
Attendees Representing: ACWA, AOI, CR, NWEA, LOC, NWPPA CTUIR, DEQ, EPA, EQC	<ul style="list-style-type: none"> • Variances: Aquatic Life Eligibility, Duration, Existing Use Protection, Applicability of Non-Point Source Best Management Plans, Variances for New Facilities • NPDES Compliance through Pollution Prevention Proposal

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

<p align="center">Non-NPDES Meeting Date: 5/20/10</p>	<p align="center">Agenda/Discussion Topics:</p>
<p>Attendees Representing: ACWA, AOI, CR, LOC, NWEA, NWPPA</p> <p>CTUIR, DEQ, EPA, EQC, ODA, ODF</p>	<p>Non-NPDES Source Issues:</p> <ul style="list-style-type: none"> • Summary of DEQ’s Interactions with ODA and ODF • Antidegradation Implementation for Non-Point Sources • Implementation-Ready TMDL’s • Division 41 Draft Proposed Rule Changes
<p align="center">Non-NPDES Meeting Date:6/30/10</p>	<p align="center">Agenda/Discussion Topics:</p>
<p>Attendees Representing: AOC, ACWA, CWS, NWEA, NWPPA, ODFA, OEC, OFB, OFIC, OFS</p> <p>CTUIR, DEQ, EPA, ODA, ODF</p>	<p>Non-NPDES Source Issues:</p> <ul style="list-style-type: none"> • Proposed Rule Revisions • Sediment and Toxics • Implementation-Ready TMDLs • Pre-Treatment Update
<p align="center">RWG Meeting Date: 7/15/10</p>	<p align="center">Agenda/Discussion Topics:</p>
<p>Attendees Representing: AOI, CWS, CR, ID, NRCS, NWEA, NWPPA, ODFA, OFB, OFIC, Oregon House of Representatives</p> <p>CTUIR, DEQ, EPA, EQC, ODA</p>	<p>Non-NPDES Source Issues:</p> <ul style="list-style-type: none"> • Source Control Small Group Update • Implementation-Ready TMDLs <ul style="list-style-type: none"> ○ Ag Water Quality Program Toxics Reduction and the Relation to Implementation-Ready TMDLs ○ Maintaining Oregon’s Forest Land Base – Forest Practices Act role in the conservation of forest values on non-federal forestlands • Revisit Division 41 and 42 Proposed Rule Changes
<p align="center">Joint RWG & Non-NPDES Meeting Date: 8/17/10</p>	<p align="center">Agenda/Discussion Topics:</p>
<p>Attendees Representing: AOC, AOI, City of Portland, NWEA, NWPPC, ODFA, OFB, OFIC, OFS, OSPA</p> <p>CTUIR, DEQ, EPA, EQC, ODA, ODF</p>	<p>Non-NPDES Source Issues:</p> <ul style="list-style-type: none"> • Process Schedule Announcements • Division 41 and 42 Revisions • TMDL Implementation • Mixed Media • Minority Reports • Decision Tree for TMDLs • Fiscal and Economic Impact of Toxics

Oregon’s Water Quality Standards Rulemaking Effort—Facilitator Report on the Process Attachment _____

	<p>Rulemaking</p> <ul style="list-style-type: none"> • Non-NPDES Expectations for Fiscal Analysis
RWG Meeting Date: 8/17/10	Agenda/Discussion Topics:
<p>Attendees Representing: AOI, City of Portland, CR, ID, NWPPA</p> <p>CTUIR, DEQ, EPA</p>	<ul style="list-style-type: none"> • DEQ’s Approach to Fiscal and Economic Impact • Update on Background Pollutant Allowance
RWG and Non-NPDES Meeting Date: 10/4/10	Agenda/Discussion Topics:
<p>Attendees Representing: ACWA, AOI, CWS, CR, ID, LOC, NWEA, NWPPA, Orchard View Farms, ODFA, OEC, OFB, OFIC, OSPA</p> <p>CTUIR, DEQ, EPA, ODA</p>	<ul style="list-style-type: none"> • Division 41 and 42: Changes and Authority • 3-Government ‘State of the Process’ • Fiscal and Economic Impact of Proposed Rulemaking on Non-NPDES Sources • Fiscal and Economic Impact of Proposed Rulemaking on NPDES Permittees • Background Pollutant Allowance Update
RWG Meeting Date: 10/14/10	Agenda/Discussion Topics:
<p>Attendees Representing: ACWA/CWS, ID, NWEA, NWPPA</p> <p>CTUIR, DEQ, EPA</p>	<ul style="list-style-type: none"> • Restatement of Background pollutant issue/concerns and how the group has sought to address these concerns • EPA’s Current Thinking Regarding Background Pollutant Allowance Provision as Currently Proposed • Overview and Discussion of Potential Options for a Defensible Solution/Preferred Path Forward
Joint Non-NPDES & RWG Meeting Date: 12/2/10	Agenda/Discussion Topics:
<p>Attendees Representing: ACWA, AOI, CSW, ID, ODFA, OFB, OFIC, OSPA, NWWPA, XX on phone</p> <p>CTUIR, DEQ, EPA, EQC, ODA</p>	<ul style="list-style-type: none"> • High Level Overview of the Proposed Rule • Schedule: <ul style="list-style-type: none"> ○ General ○ Internal Management Directives ○ Variance seminars ○ Other activities ○ Arsenic criteria revisions ○ Arsenic schedule

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Variance Workshop Meeting Date: 1/26/11	Agenda/Discussion Topics:
100+ attendees; see sign in sheet	<ul style="list-style-type: none">• Variances 101: Overview• Examples from Wisconsin and EPA Region 5 (Great Lakes States)• Internal Management Directive Guidance• Making Variances Work in Oregon: Small Group Exercise• Next Steps