Willamette Basin Mercury TMDL Advisory Committee Meeting

Point Source Implementation Options Water Quality Management Plan

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BLM Springfield Inter-Agency Office

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DEQ
State of Oregon
Department of
Environmental
Quality

Introduction

- I will be talking about a series of regulatory tools that the department is in the process of developing to address compliance with mercury requirements. Everything is subject to change
- I'll discuss the process where a facility would be evaluated using these tools at the end of the presentation.
- The tool slides are organized by
  - What is involved
  - Effluent Limits
  - Who is affected
  - Regulatory basis or guidance
- Questions: Please ask any short, clarifying questions as we go but hold the more complex ones for the end.

1. Consideration of Intake Pollutants in Determining Reasonable Potential

- Hg Mass in* > Hg Mass out &
- Hg Conc. in* > Hg Conc. out
- = No Reasonable Potential

- No Effluent Limit

- Applies to all facilities

- **OAR 340-045-0105**
- *Measured at "Finished Water"

1.a Consideration of Intake Pollutants in Determining Reasonable Potential

- Hg Mass in > Hg Mass out &
- Hg Conc. in < Hg Conc. out
- = No Reasonable Potential

- No Effluent Limit

- Applies to all facilities

- **OAR 340-045-0105:** "…if increased conc. does not cause or contribute to an excursion above a water quality standard"
- EPA 2010, **Guidance for Implementing the January 2001 Methylmercury Water Quality Criterion** (p. 114)

2. Update WLA Calculations

- Replace individual WLAs and TMDL limits based on default values
- Methodology to calculate a site specific WLA and limit

  - Adjusted Numeric Effluent Limit

    - Applies to all facilities

    - Calculation formula to be included in the TMDL

3. Consideration of Intake Pollutants in Establishing Water Quality Based Effluent Limits

- Compliance with Effluent Limit is determined factoring in the concentration of mercury in the Finished Water

  - Effluent Limit + Intake Credit = Compliance Limit
  - Adjusted Effluent Limit + Intake Credit = Compliance Limit

  - Applies to all facilities

- **OAR 340-045-0105**

4. Small Facility Evaluations

- < 1 MGD Flow Rate
- No known Hg sources

- Narrative Effluent Limit: Measure performance at influent

- Applied to Minor Domestic Facilities

- Will be described in the TMDL

4.a Small Facility Evaluations

- < 1 MGD Flow Rate
- Known Hg sources (i.e. large industry)

- Narrative Effluent Limit: Measure performance at influent
- Pretreatment Program for Source

- Applied to Minor Domestic Facilities

- Will be described in the TMDL

4.b Small Facility Evaluations

- < 1 MGD Flow Rate
- Narrative Effluent Limit: Measure performance at discharge
- Applied to Minor Industrial Facilities
- Will be described in the TMDL

5. Pollutant Offset

- City identifies a pollutant offset opportunity
- Applies for DEQ approval

- Effluent Limit + Offset Credit = Compliance Limit

- Applied to Major Facilities

- Described in permit: i.e. EPA Permit, West Boise 2016

6. Individual Variance

- Short term exemption from water quality standard
- Permittee applies to the DEQ for a variance using one of six justifications
- Approved by DEQ and EPA, and signed by Director

- Minimum of a Pollutant Reduction Plan
- Permittees will normally have a numeric effluent limit based on Level Currently Achievable or economic analysis

- Applied to Minor Domestic Facilities

- **OAR 340-041-059**
- IMD: https://www.oregon.gov/deq/Filtered%20Library/IMDVariance.pdf

6.a Individual Variance + Water Quality Trading Plan

- For toxic pollutants must be done in conjunction with a variance
- Allow entities regulated under the Clean Water Act to meet pollution control requirements through water quality trading.

- Variance Limits + Water quality trading plan

- Applied to Major Domestic Facilities

- **OAR 340-039-0001**
- IMD: https://www.oregon.gov/deq/wq/wqpermits/Pages/Trading.aspx.oregon.gov/deq/Filtered%20Library/IMDVariance.pdf

7. Multiple Discharger Variance

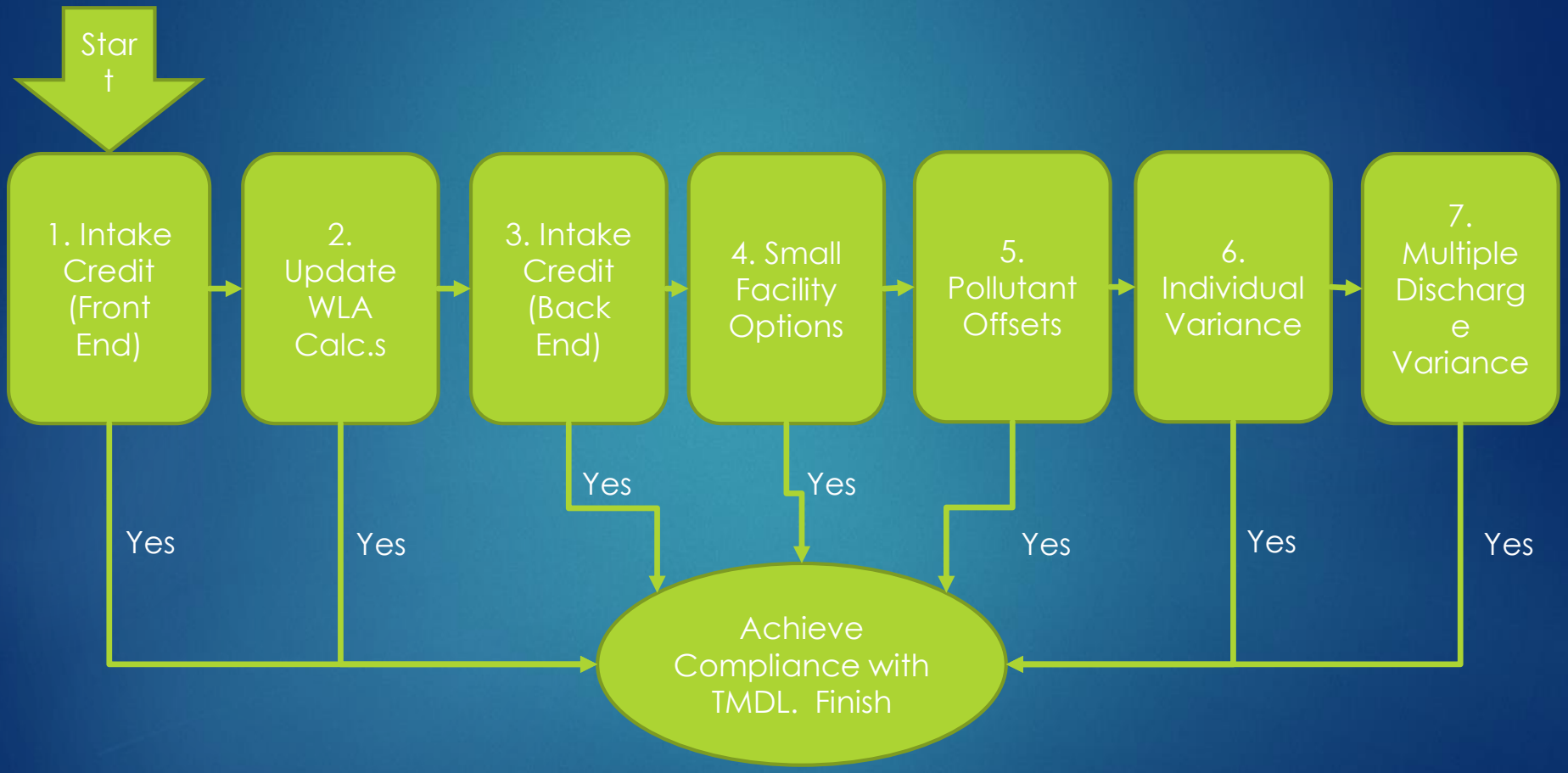
- A variance that applies to more than one discharger who cannot meet limits for certain standards, rather than issuing one variance per permit holder
- Specific to Willamette Basin
- Must be approved through a rule making effort with the EQC

- TBD in the development process
- Minimum of Narrative Effluent Limit for MMP
- Most likely will have a numeric Effluent Limit Equal to Level Currently Achievable

- Applied to All Facilities

- IMD: https://www.oregon.gov/deq/Filtered%20Library/IMDVariance.pdf

Implementation Option Determination Process



Final Thoughts

- General Permits: DEQ will address the General Permits individually as they are renewed using these or other regulatory tools.
- Storm Water Permits: DEQ is evaluating how these regulatory tools or others may apply to point-source discharges of stormwater

Questions?

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