

To: DEQ Water Quality Staff

Date: August 01, 2011

From:

Neil Mullane



Administrator, Water Quality Division

Subject:

Reasonable Potential Analysis for Toxics Pollutants  
Internal Management Directive, Version 3.0

This memorandum transmits Version 3.0 of the Reasonable Potential Analysis for Toxic Pollutants Internal Management Directive (RPA IMD) and is effective immediately. Version 3.0 replaces the previously effective RPA IMD (Version 1.0) issued in September of 2005. The RPA IMD issued in December of 2006 (Version 2.0) was withdrawn shortly after its issuance.

The purposes of the RPA IMD are to provide guidance for Department of Environmental Quality staff in determining whether an individual point source discharge contains toxic *pollutants of concern* that might cause an exceedance of the water quality standard in the receiving water body, and how to calculate effluent limits.

The RPA IMD was revised to incorporate the following elements:

- a procedure to consistently determine all state and federal monitoring requirements for the characterization of discharges and receiving waters
- guidance for the selection of appropriate analytical methods and quantitation limits, and interpretation of resulting data in the reasonable potential analysis, and effluent limit calculation when necessary
- a new permit development timeline designed to identify potential environmental issues early in the process so that treatment, reduction or compliance alternative options can be explored, developed and approved within the permit term
- provisions for implementation of recently adopted (June 16<sup>th</sup>, 2011) rule changes that includes revised water quality criteria, implementation tools (intake credits) and compliance alternative options (site-specific background pollutant criteria and variances)
- revised and updated spreadsheet tools for the modeling of potential water quality impacts, determination of reasonable potential to exceed water quality criteria and calculation of water quality-based effluent limits
- integration of the RPA IMD and spreadsheet tools to promote the documentation of crucial permit development decisions, automated record keeping, and process transparency
- guidance to ensure that recently adopted water quality criteria or identified water quality limited waterbodies are addressed in the permit development process

To ensure the consistency of permits statewide and focus the department's limited resources into permit development, all DEQ personnel are directed to closely adhere to the



RPA IMD and the procedures for performing reasonable potential analysis and calculation of effluent limits. Although the guidance offers some alternatives in the permit development process, it is anticipated that there will be permit scenarios that were not envisioned in the guidance. In these instances, the permit writer should contact the Surface Water Management Section for technical assistance (Spencer Bohaboy at 503-229-5415) and any alternatives not described in the RPA IMD would need to be approved by the Water Quality Administrator with the rationale documented in the Permit Evaluation Report.

Regional training on the revised RPA IMD has been recently completed, and periodic training updates will be conducted at the Permit Writers Workshops and sectional staff meetings.

It is anticipated that within the next six month, EPA Region X will approve the recently adopted water quality criteria and compliance alternative options. At this time, the RPA IMD will undergo a minor revision (Version 3.1) to address the rule changes. Any editorial comments or suggestions should be forwarded to Spencer Bohaboy for review and inclusion in the upcoming revision.

The RPA IMD revision was conducted by a panel of permit writers and staff including Spencer Bohaboy, Lyle Christensen, Steve Schnurbusch, and Heidi Williams. Significant contributors and reviewers included Jim Billings, Robert Burkhart, Annette Liebe, Mary Pfauth, Mark Hamlin, Jane Hickman, and Mer Wiren. I would like to recognize these individuals and thank them for their hard work and diligent attention to this process.

Cc: Water Quality Managers  
Regional Administrators  
Stake holders of the Compliance Settlement Agreement

