

# Water Quality Standards

## Variance Duration - overview

December 10, 2018

Willow Lake Water Pollution Control Facility in  
Salem, Oregon

# Topics

- Federal and state duration requirements
- Other state MDV duration
- Considerations

# OR State Rules vs. Federal Rule

- Oregon: Term of the permit.
  - Propose changing to be consistent with federal rule
- Federal:
  - As long as necessary to achieve HAC
  - Can be longer than 5 years
  - Must be re-evaluated every 5 years

# Specifying duration of variance

- State, in its application, must demonstrate that the duration is only as long as needed to achieve HAC.
- State must describe pollution control activities needed to achieve highest attainable *interim* condition.
- If it will take time to achieve a WQBEL based on the highest attainable effluent condition, a compliance schedule may be needed.

# Other states

- Michigan mercury MDV – 5 years (2015-2019), based on a reapplication.
- Minnesota general variance policy – 5 years with re-application at least 1 year before expiration.
- Kansas ammonia MDV – 20 years to show downward population trend

# Considerations

- Duration provides time to
  - Evaluate success of MMP implementation.
  - Evaluate success of controls from other sources (NPS, stormwater)
- Periodic re-evaluation of technology

# Questions and Discussion

