



State of Oregon
Department of
Environmental
Quality



**Oregon Department of Environmental Quality
and U.S. EPA Region 10
Performance Partnership Agreement**

July 1, 2024, to June 30, 2026

Performance Partnership Agreement Between the Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency – Region 10

We are pleased to sign the Performance Partnership Agreement between Oregon DEQ and EPA.

DEQ and EPA have a joint commitment to ensure the success of this PPA. Collaborative approaches to addressing environmental issues ensure efficient and focused use of resources and are essential to achieve environmental results. DEQ and EPA's partnership reflects an agreement to align and focus resources on priority work, and to make difficult choices about what work will not get done due to cuts in program funding and staffing.

Working in partnership to achieve our environmental goals and making decisions regarding how best to employ our resources within the context of funding uncertainties, requires timely communication and collaboration. During this PPA the agencies' leadership will meet periodically to check in on our progress, identify issues and enhance our partnership.

Date: 06/18/2024

Signed: Casey D. Sixkiller
Casey D. Sixkiller (Jun 18, 2024 08:19 PDT)

Casey Sixkiller, Regional Administrator
U.S. EPA - Region 10

Date: 06/07/2024

Signed: Leah FELDON
Leah FELDON (Jun 7, 2024 08:34 PDT)

Leah Feldon, Director
Oregon Department of Environmental Quality

TABLE OF CONTENTS

PURPOSE AND SCOPE	1
STRATEGIC PRIORITIES	1
EPA’S STRATEGIC PRIORITIES	2
OREGON DEQ’S STRATEGIC PRIORITIES	4
OVERVIEW OF EPA’S AND OREGON DEQ’S JOINT OBJECTIVES	8
PERFORMANCE EVALUATION	9
MODIFYING THE AGREEMENT	9
AIR QUALITY PROGRAM	A-1
HAZARDOUS WASTE PROGRAM	B-1
WATER QUALITY PROGRAM	C-1
SCIENTIFIC INTEGRITY	D-1
ENVIRONMENTAL JUSTICE	E-1

PERFORMANCE PARTNERSHIP AGREEMENT

PURPOSE AND SCOPE

This Performance Partnership Agreement describes how the Oregon Department of Environmental Quality, and the U.S. EPA Region 10 will work together to protect the environment and environmental public health in Oregon during the period from July 1, 2024, through June 30, 2026.

The PPA is an agreement documenting the commitments of EPA and DEQ regarding implementation of federally-delegated or authorized environmental programs and is part of a wider effort called the National Environmental Performance Partnership System, an agreement between EPA and the Environmental Council of States. The goal of NEPPS, and of PPAs, is to promote flexibility, accountability, and innovation in state/federal agreements regarding implementation of federal environmental programs authorized or delegated to states for operation. PPAs are intended to enhance protection of the environment by focusing attention on overall environmental protection goals and the actual results of efforts to achieve these goals, not on government programs and the number of actions taken.

EPA and the states, through ECOS, are working together to reaffirm the NEPPS principles of *joint* planning and priority setting processes and providing flexibility to allocate scarce resources to address the highest environmental and public health priorities, particularly in light of continued declining federal revenues. The NEPPS model being utilized by EPA and the states is one of co-governance, embracing and redefining the collaborative relationship between states and EPA, promoting allocation of resources to address state and regional priorities, and encouraging the use of best practices and innovative strategies to maximize environmental results.

The PPA appendices contain program-specific work plans for Air Quality, Hazardous Waste, and Water Quality programs describing the joint priority work to be accomplished during the period of this agreement.

This PPA also serves as the work plan for the Performance Partnership Grant. A PPG allows for a number of grants to be combined into one flexible grant package. This reduces administrative burden and enhances efficiency by consolidating several grants into one and allows states the flexibility to direct resources to the highest environmental and public health priorities, while maintaining an agreed upon level of effort to support all programs addressed by the PPA.

Grants from the following program authorities are included in this agreement and are combined in the PPG:

- Clean Air Act, Section 105
- Clean Water Act, Section 319 (partial grant)
- CWA, Section 106
- Resource Conservation and Recovery Act, Section 3011
- Safe Drinking Water Act – Underground Injection Control, Section 1443(b)(1)
- Multipurpose Grant, FY 2016 Consolidated Appropriations Act (Public Law 114-113)

STRATEGIC PRIORITIES

EPA and DEQ staff members were guided in these PPA negotiations by their respective program guidance, strategic plans and priorities, and other agreements. DEQ's strategic priorities and EPA's national goals for 2024-2026 share similar objectives that achieve the requirements of CAA, CWA, SDWA and RCRA with limited resources. DEQ and EPA will continue to improve collaboration and integration of strategic planning efforts that have shared objectives, including resources, to achieve the highest overall environmental health benefits for Oregon.

EPA's Strategic Priorities

The U.S. Environmental Protection Agency Strategic Plan for Fiscal Year 2024-2026 captures national goals and describes priorities, strategies and expectations (<https://www.epa.gov/planandbudget/strategicplan>) with an overarching focus on four principles (1) follow the science; (2) follow the law; (3) be transparent; and (4) advance justice and equity. The FY 2022-2026 EPA Strategic Plan emphasizes embedding climate and environmental justice strategic goals in all EPA work. The four cross-agency strategies to achieve the FY2022-2026 strategic goals and objectives are: (1) ensure scientific integrity and science-based decisions; (2) consider the health of children at all life stages and other vulnerable populations; (3) advance EPA's organizational excellence and workforce equity; and (4) strengthen tribal, state, and local partnerships and enhance engagement. These cross-agency strategies sharply refocus EPA in its role of supporting states as the primary implementers of environmental programs. This will be achieved by streamlining programs and processes, reducing duplication of effort, providing greater transparency, and listening opportunities, and enabling EPA to focus on its core mission work.

The plan identifies the measurable environmental and human health outcomes the public can expect and describes how EPA intends to achieve those results. The plan represents a commitment to core values of science, equity, transparency, and the rule of law in managing environmental programs.

The Strategic Plan identifies seven overarching goals and related sub-objectives:

- Goal 1 - Tackle the Climate Crisis.
 - Objective 1.1 – Reduce emissions that cause climate change.
 - Objective 1.2 – Accelerate resilience and adaptation to climate change impacts.
 - Objective 1.3 – Advance international and subnational climate efforts.
- Goal 2 - Take Decisive Action to Advance Environmental Justice and Civil Rights.
 - Objective 2.1 – Promote environmental justice and civil rights at the federal, tribal, state, and local levels.
 - Objective 2.2 – Embed environmental justice and civil rights into EPA's programs, policies, and activities.
 - Objective 2.3 – Strengthen civil rights enforcement in communities with environmental justice concerns.
- Goal 3 - Enforce Environmental Laws and Ensure Compliance.
 - Objective 3.1 – Hold environmental violators and responsible parties accountable.
 - Objective 3.2 – Detect violations and promote compliance.
 -
- Goal 4 – Ensure Clean and Healthy Air for All Communities.
 - Objective 4.1 – Improve air quality and reduce localized pollution and health impacts.
 - Objective 4.2 – Reduce exposure to radiation and improve indoor air.
- Goal 5 – Ensure Clean and Safe Water for All Communities.
 - Objective 5.1 – Ensure safe drinking water and reliable water infrastructure.
 - Objective 5.2 – Protect and restore waterbodies and watersheds.
- Goal 6 – Safeguard and Revitalize Communities.
 - Objective 6.1 – Clean up and restore land for productive uses and healthy communities.
 - Objective 6.2 – Reduce waste and prevent environmental contamination.
 - Objective 6.3 – Prepare and respond to environmental emergencies.
- Goal 7 – Ensure Safety of Chemicals for People and the Environment.
 - Objective 7.1 – Ensure Chemical and Pesticide Safety.
 - Objective 7.2 – Promote Pollution Prevention.

Measuring Performance

EPA's senior managers will use EPA's Strategic Plan routinely as a management tool to guide the Agency's path forward, tracking progress, and assessing and addressing risks and challenges that could potentially interfere with EPA's ability to accomplish its goals. The seven strategic goals established in the Plan are supported by strategic objectives and long-term performance goals¹ focused on advancing human health and environmental results over the next four years. These longer-term performance goals are supported by annual measures included in the annual performance plans and budgets that EPA submits to Congress. The strategies and strategic measures in this Plan highlight key areas in which the Agency will make the most dramatic changes over the next five years and are not intended to address all ongoing programs. The annual performance plans and budgets, and supporting annual and operational measures, address a broader range of EPA's work.

The Plan also includes EPA's Agency Priority Goals, a component of the Administration's performance management framework which supports improvement in near-term outcomes related to the Strategic Plan. More information on the Agency's APGs is available at [Performance.gov](https://www.epa.gov/performance).

Compliance and Enforcement

Enforcing environmental laws is an integral part of [EPA's Strategic Plan](#) to protect human health and the environment. EPA core enforcement work includes taking civil and criminal enforcement actions to improve compliance with our nation's environmental laws in partnership with states and federally-recognized Indian tribes.

EPA initiates civil enforcement actions to protect human health and the environment by taking legal action to bring polluters into compliance with the law. EPA also investigates and assists in the criminal prosecution of deliberate or egregious violations of environmental laws or regulations and any associated violation of the U.S. criminal code.

EPA civil enforcement actions may lead to settlement agreements, civil penalties, injunctive relief, or supplemental environmental projects. Criminal investigations may lead to penalties and/or incarceration.

EPA ensures consistent implementation and oversight of federal environmental laws and policies across states and in Indian country in order to provide equal environmental benefits to the public and a level playing field for the regulated community. EPA's oversight responsibility includes working to improve state performance by building upon existing practices and effective working relationships.

In addition to EPA's core enforcement work, EPA has six [National Enforcement and Compliance Initiatives](https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives) (<https://www.epa.gov/enforcement/national-enforcement-and-compliance-initiatives>) for FY 2024-2027 that focus enforcement and compliance resources on the most serious environmental violations.

One of EPA's top priorities is to strengthen enforcement in communities with environmental justice concerns. EPA enforcement goals to advance environmental justice include increasing the number of inspections in overburdened communities; resolving environmental noncompliance through remedies with tangible benefits for the community; and increasing community engagement and outreach.

EPA is committed to using enforcement to help address the climate crisis. EPA enforcement strives to target inspections of facilities in climate vulnerable areas; reduce greenhouse gas emission through enforcement actions and settlements; and incorporate climate resiliency conditions into enforcement settlements.

¹ Long-term performance goals are the measurable results the Agency is working to achieve over the life of the Plan and are supported by data quality records (DQRs), which provide details such as methods of measurement and other contextual information such as baselines. DQRs can be found at <https://www.epa.gov/planandbudget/fy-2022-2026-data-quality-records>.

Oregon DEQ's Strategic Priorities

DEQ's mission is to be a leader in restoring, maintaining, and enhancing the quality of Oregon's air, land, and water. The agency's vision is to work collaboratively with all Oregonians for a healthy and sustainable environment. EPA and DEQ partner in a collaborative and shared learning relationship to ensure alignment between EPA's strategic goals and Oregon's state specific goals. Like EPA, DEQ's priorities have a strong focus on climate mitigation, environmental justice, and public health.

DEQ's strategic goals guide the agency's actions to protect human health and the environment.

Key goals:

- Set and implement environmental standards that are protective of all Oregonians and the air, water, and land resources that we all depend on.
- Work with all partners to meet environmental standards in ways that are efficient, effective, and fair, and that recognize historic burdens that have been placed on environmental justice communities.
- Engage the public, including environmental justice communities, in decision-making concerning Oregon's environment.
- Establish and maintain Oregon as a leader in reducing greenhouse gas emissions to sustainable levels and do this in ways that position Oregon's economy to benefit from a clean energy future.
- Develop and sustain a diverse, outcome-oriented workforce and culture that values and practices equity and inclusion in how we work.
- Provide transparency to the public and regulated communities about environmental conditions in Oregon, and how Oregon DEQ makes decisions and carries out its responsibilities.

Reducing Greenhouse Gas Emissions

Increasing levels of greenhouse gases in our atmosphere are the leading threat to Oregon's public health and the environment. Scientists predict that the scale and frequency of climate change impacts in Oregon will continue to grow throughout this century, damaging our economy, endangering public health, and destroying natural and cultural resources. Oregon has the capability and hence the responsibility to demonstrate specific steps that state governments can take to reduce greenhouse gas emissions and begin to bend the trajectory of climate change back. In December of 2021, the EQC adopted rules establishing Oregon's Climate Protection Program. The CPP rules required reductions of greenhouse gas emissions from transportation fuels and from natural gas and propane of at least 50 percent by 2035 and by 90 percent by 2050. The CPP also regulates greenhouse gas emissions from the largest industrial sources in the state through a best available technology approach. The CPP was invalidated by the Oregon Court of Appeals based on a failure to notice those rules in a specific manner. DEQ is initiating a rulemaking process to re-establish a climate program in place of the invalidated CPP rules.

Additionally, DEQ administers Oregon's low-carbon fuel standard, follows California's clean car standards, enforces the most stringent limits on landfill methane emissions in the nation, oversees incentives for clean vehicles that have helped make Oregon a national leader in EV adoption, and implements a variety of other programs to reduce GHG emissions.

Addressing Environmental Justice

Environmental justice is integral to DEQ's mission to protect the public health of all people and the environment that we depend on. Federal and state mandates guide DEQ's work to integrate environmental justice into its programs. DEQ adopted a policy on environmental justice in 1997 and is embarking on an update of that policy in connection with a significant expansion of how environmental justice will be

incorporated into all program areas, including both regulatory and non-regulatory actions, program implementation and policy development (rulemaking, legislative proposals, and internal management directives), and budget development and execution.

Title VI of the Federal 1964 Civil Rights Act and Federal Executive Order 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), Executive Order 13985 (Advancing Racial Equity and Support for Underserved Communities Through the Federal Government), and Executive Order 14008 (Tackling the Climate Crisis at Home and Abroad) enable and authorize EPA's commitment to Civil Rights and Environmental Justice. Additionally, Oregon's Environmental Justice law (Oregon Revised Statutes 182.535-182.550) enacted in 2008, requires state agencies to consider environmental justice when determining whether and how to act, providing greater public participation opportunities to all people affected by decisions, and creating an agencywide environmental justice coordinator role to support this work. These requirements were recently strengthened with House Bill 4077 (2022), expanding some elements of Oregon's environmental justice laws, and establishing the development of a new, Oregon-specific mapping tool for vulnerable communities.

Appendix D describes Environmental Justice-focused work that DEQ accomplished during the period covered by the 2022-2024 PPA, and the work forecasted for 2024-2026.

Improving Water Quality

Clean water is critical to Oregon's environment, community public health, tribal nations' interests and to our economy. Protecting Oregon's rivers, lakes, streams, territorial sea, and groundwater quality keeps the state's waters safe for people, fish, and other uses. DEQ works with federal, state, tribal, local, and business partners on the overall water quality and ecosystem protection efforts. This includes both innovative and efficient grey and green wastewater infrastructure, and implementation of clean water plans.

Improving Air Quality

Meeting National Ambient Air Quality Standards and reducing exposure to toxic air pollution are key elements of DEQ's work to protect public health. DEQ works closely with communities where air quality health standards are not met, or in danger of not being met, to develop strategies, plans and programs to reduce emissions and ultimately bring those communities into attainment with federal standards. DEQ also works to reduce air toxics from specific sources such as vehicles, diesel engines, woodstoves, and industrial and commercial operations. DEQ also works to improve visibility in protected areas by developing and implementing strategies to reduce and prevent pollution from industrial, commercial, motor vehicle and household sources.

Improving Land Quality and Managing Materials Responsibly

DEQ's land quality programs work to reduce solid waste and require cleanup of historic pollution to ensure people are not exposed to unhealthy concentrations of hazardous substances in the air or in the soil. This work also reduces runoff of harmful chemicals to our rivers and streams and protects against contamination of drinking water supplies. DEQ also works proactively with many partners to make our use of materials more sustainable. Oregon is implementing a long-term plan, Materials Management in Oregon: 2050 Vision and Framework for Action that describes a future where Oregonians produce and use materials responsibly, conserving resources, and protecting the environment. To achieve the 2050 Vision, DEQ performs foundational research, develops policies and regulations, engages in collaborations and partnerships, and develops education and information for its partners to use.

Tribal Government Relations

Oregon DEQ partners with the nine federally-recognized tribes in Oregon on air quality, water quality and land quality issues, as well as tribal nations in neighboring states that have interests in Oregon. DEQ works

with tribes on a government-to-government basis to understand and address tribal interests related to DEQ's environmental initiatives, policy and program development, and proposed legislation. DEQ partners with tribal nations to increase our collective ability to protect and enhance Oregon's environment and public health.

DEQ works with federally recognized tribal governments and communicates formally through in-person meetings, correspondence via letters and emails, as well as informally through phone conversations and coordination meetings. DEQ's internal tribal relations activities are focused on improving consultation and communication between agency and tribal leadership and staff, as well as providing training to DEQ employees on tribal government, sovereignty, and issues of interest to tribal nations.

DEQ adopted a Tribal Government-to-Government Relations Program in 1996 following Governor Kitzhaber's signing of Executive Order 96-30. In 2001, the Oregon Legislature approved Senate Bill 770, which codified the executive order.

DEQ implements the directives of SB 770 through our tribal relations policy. The policy reflects DEQ's commitment to strong inter-governmental relations between the agency and tribes. Measures include:

- Maintaining a Tribal Liaison function in the Director's Office
- Providing orientation, periodic training, and educational opportunities to staff on tribal sovereignty and related issues
- Institutionalizing the consideration of tribal interests and issues in planning and decision-making activities
- Encouraging day-to-day working relationships between agency staff and tribal environmental staff.
- Providing focused engagement with tribal nations on major policy initiatives.

DEQ's Tribal Liaison meets regularly with tribal nations and participates in tribal-state workgroups focused on natural resource management and protection of tribal cultural resources. DEQ's Tribal Liaison also facilitates leadership-level meetings between tribal and agency officials, provides tribal relations training to DEQ employees and other groups, and advises DEQ managers and staff on opportunities for strengthening relationships with tribal nations.

The US Environmental Protection Agency is an important participant in government-to-government relations between DEQ and the tribal governments. The US government has a federal trust responsibility to federally recognized Tribes. EPA directly implements the federal environmental laws EPA administers (e.g., the Clean Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act) in Indian country. Tribes may also seek delegated authority from EPA to implement certain federal regulations in Indian Country. Tribes may also have their own environmental laws and programs. In these circumstances, tribal nations and DEQ may co-manage resources in a collaborative fashion. DEQ participates in a partnership with EPA and tribal governments in carrying out their respective responsibilities for protecting and enhancing Oregon's environmental resources.

DEQ developed Cultural Resources Protection Guidance, a resource for agency staff and the regulated community, that describes federal and state cultural protection laws.

Compliance and Enforcement

DEQ enforces the law and holds violators accountable by taking enforcement actions that assess civil penalties and impose corrective actions. After identifying violations through records review, complaint response and compliance inspections DEQ determines the appropriate enforcement response according to its rules and enforcement guidance directives. DEQ's enforcement directives balance agency resources and focus enforcement efforts on the critical environmental compliance issues. Formal enforcement is essential to Performance Partnership Agreement

DEQ's regulatory mission because it deters future violations, promotes fairness, maintains a level playing field for those that do comply, and advances a healthier environmental outcome.

DEQ implements a Supplemental Environmental Project policy in the settlement of formal enforcement actions, allowing violators to pay for an environmentally beneficial project in lieu of civil penalties. DEQ recognizes that a SEP may be a critical remedy for a community harmed by a violator's excessive pollution. DEQ endeavors to create opportunities for overburdened communities to participate in the project selection process.

DEQ supplements some of its regulatory programs with clearly defined "technical assistance" and other non-enforcement educational efforts. These efforts help regulated entities – especially small businesses and communities – to better understand regulatory requirements, find cost-effective ways to comply, and improve environmental performance. These supplemental compliance assurance efforts are guided by statute, rule, and agency directive.

DEQ works with many other local, state, and federal agencies, including the Oregon Department of Justice's Environmental and Cultural Resources Enforcement Unit, the Oregon State Police and EPA's Criminal Investigation Division to identify and present possible environmental crimes for prosecution at both the state and federal levels.

Primary responsibilities

EPA and DEQ agree that ***EPA's primary responsibility*** is to ensure compliance with, and enforcement of, federal or federally approved laws and regulations and to ensure that DEQ's administration and enforcement operations are consistent with national enforcement policies. EPA is also responsible for addressing environmental issues in Indian Country in accordance with Indian treaties, statutes, executive orders, and the unique legal relationship between the United States and Indian tribes.

EPA and DEQ agree that ***DEQ's primary responsibility*** is to administer delegated or authorized federal and state environmental laws on a day-to-day basis. DEQ is the primary agency conducting inspections and initiating enforcement to ensure effective compliance through consistent and predictable enforcement.

EPA and DEQ agree that each will follow their statutory and regulatory directives and federal and state policy and guidance to determine the appropriate enforcement response to violations. EPA and DEQ will use their respective penalty regulations and policy in the assessment of civil penalties, including both gravity based and economic benefit portions of civil penalties.

Guiding principles

EPA and DEQ agree to follow these guiding principles when conducting civil and criminal enforcement activity in Oregon.

1. EPA and DEQ agree to establish and maintain a cooperative regulatory approach that will ensure compliance with state and federal pollution control regulations and improve environmental quality in Oregon.
2. EPA and DEQ agree to a collaborative planning process in order to avoid duplication and surprises. EPA will collaborate with the state in setting national and regional initiatives and in planning for the appropriate roles and responsibilities necessary to implement these initiatives.
3. EPA and DEQ agree to engage in a collaborative process and coordinate enforcement and compliance goals, priorities, and activities to maximize the effectiveness of limited resources. Individual programs may have unique enforcement policies that may be found under each program narrative or work plan.
4. EPA and DEQ agree to coordinate when EPA initiates an inspection or enforcement action when requested by DEQ or for other reasons. When EPA initiates an inspection or enforcement action in federally delegated and state administered programs, EPA will, to the extent practicable, inform DEQ and provide an opportunity for DEQ to participate.

5. EPA and DEQ agree to communicate about potential disagreements at the earliest possible time and to resolve conflicts at the lowest appropriate organizational level. If a dispute cannot be resolved at the lowest level, it will be elevated to the next organizational level as soon as possible. If not resolved at that level, the dispute will be referred to each sequentially higher level until resolved. When program priorities differ, the parties will attempt to resolve the differences as soon as possible and ensure that all program objectives are met.
6. EPA and DEQ agree to consider innovative approaches to compliance and enforcement and to look for pollution prevention opportunities when returning sources to compliance in order to further benefit the environment when resolving environmental issues.
7. EPA and DEQ can improve performance through reciprocal capacity sharing in many areas where sharing expertise, knowledge and resources would enhance performance and benefit the environment.
8. EPA and DEQ agree that EPA will assess the adequacy and efficacy of the DEQ enforcement program by completing a State Review Framework report. The most recent SRF report was finalized and delivered to DEQ on April 1, 2020. DEQ has implemented EPA's recommendations for improvements in a timely manner. Program effectiveness will be determined by application of mutually agreed-upon program assessment principles.

OVERVIEW OF EPA'S AND OREGON DEQ'S JOINT OBJECTIVES

DEQ and EPA share the goals of clean air, clean land, clean water, healthy communities, and compliance with environmental laws. This PPA incorporates EPA's national and regional objectives in ways that fit with Oregon's priorities and objectives. Each agency has unique responsibilities to achieve these objectives, with a common outcome of environmental and public health protection. For example, both agencies take a holistic approach to protecting water quality and quantity, preventing pollution, and reducing toxics, and engaging communities and partners in problem-solving strategies to help clean up communities and advance sustainable development. In the 2024-2026 PPA, both EPA and DEQ will share an increased focus on embedding climate and environmental justice strategic goals in all agency work.

EPA's national goals to *Ensure Clean and Healthy Air and Clean and Safe Drinking Water for All Communities, Safeguard and Revitalize Communities, and Ensure Safety of Chemicals for People and the Environment* are overarching themes reflected in the work of both agencies. DEQ's focus on improving water quality, reducing pollution, managing materials responsibly, and integrating climate and environmental justice principles into agency operations provide the foundation to accomplish these goals through innovative and efficient practices with measurable outcomes that support concepts from the Government Performance and Results Act. EPA's priorities of embedding climate and environmental justice strategic goals in all EPA work are included in Oregon DEQ's commitments to ongoing collaboration with EPA and illustrated in greater detail in both the programmatic workplan materials and environmental justice-specific appendix of this agreement. These joint objectives also support EPA's four cross-agency strategies to 1) ensure scientific integrity and science-based decisions; 2) consider the health of children at all life stages and other vulnerable populations; 3) advance EPA's organization excellence and workforce equity; and 4) strengthen tribal, state, and local partnerships. EPA will strengthen the policies and procedures surrounding scientific integrity and the use of science and evidence to inform agency decision making and will reaffirm the agency's commitment to fostering open, objective, and honest investigation of scientific activities, data, and conclusions, and to deliver rigorous scientific research and analysis.

In parallel to EPA's strategies, DEQ's objectives include enhancing interactions and accountability with regulated entities, and the public, through a modernized electronic data management system, better integration of environmental justice and climate justice principles into all regulatory and non-regulatory actions and supporting tribal government relations. Other examples of the agencies' strategic alignment include reducing impacts to frontline communities through programs and regulations that reduce greenhouse gas emissions, address pollution with preventative and upstream approaches, and work across air, land, and water media for overall reductions of toxics in the environment.

Where there are funding uncertainties, creative opportunities may be explored such as work sharing in order to maximize the overall environmental benefits. The attached Air Quality, Hazardous Waste, and Water Quality work plans describe how Oregon DEQ and EPA will collectively work together on specific activities to help achieve the environmental goals outlined in this agreement. The work plans will consider EJ communities and climate protection through agency policy and program priorities. Over the next 24 months, DEQ and EPA will work collaboratively on opportunities to advance innovation, scientific integrity, and cross-program synergies across the Air, Land and Water components of the PPA and PPG. Both agencies will continue to strengthen inter-agency relationships and align and leverage our resources to meet environmental outcomes.

PERFORMANCE EVALUATION

DEQ and EPA have developed agreements regarding the process for conducting joint evaluation of performance. The specific process is included in the attached work plans for each program. The purpose of the joint evaluation process is to discuss:

- Work plan accomplishments
- Effectiveness of work performed
- Existing and potential problem areas
- Suggestions for improvement

MODIFYING THE AGREEMENT

The PPA is intended to be a “living” document. Although DEQ and EPA developed this agreement based upon current and projected information, it is possible that either partner may want to revise the agreement based upon new information or changes that occur during the timeframe of the agreement.

Economic conditions have an impact on DEQ and EPA’s operating budgets. Potential changes in state or federal funding in air, hazardous waste or water programs is one reason modifications to the commitments outlined in this PPA might be required. An example of the implications of potential federal water quality budget reductions to PPA commitments is detailed in the Water Quality Program section of Appendix C. In the event of any major budget reductions that affect the ability to meet outlined commitments in this PPA, EPA and DEQ will work closely to re-negotiate work plans to meet commitments with the available funding. Additionally, re-negotiation of PPA commitments may be required in order to address changes in environmental conditions or priorities. DEQ and EPA expect that, in most instances, negotiating changes will be a fluid process that both agencies can readily agree to, or that changes will be interpreted to be within the scope of the existing agreement. These modifications can be captured through written or verbal side agreements. When major changes are needed, the PPA can be re-opened and re-negotiated under the direction of the DEQ Director and EPA Regional Administrator.

When either agency believes that changes are needed, the agencies will need to reach agreement on the following:

- The level of resources necessary to do the work,
- Any specific disinvestments from existing work that will be required to accomplish this new work, and
- The roles and responsibilities of each agency to support identified projects.

Appendix A: Air Quality Program Component

AIR QUALITY PROGRAM

The goal of DEQ's Air Quality Program, in support of EPA strategic goals, is to ensure Oregon's air is healthy to breathe, to protect important resources such as visibility and ecosystems, and to reduce greenhouse gas emissions that are causing significant adverse changes in our environment and are threatening public health. DEQ uses several measures to determine whether these goals are being met.

Goal 1 of the EPA strategy is to "deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency's core mission." The air division at DEQ is prioritizing climate change and the impacts on overburdened populations. DEQ is committed to reducing greenhouse gases as well as prioritizing environmental justice communities for the reduction of criteria pollutants. These efforts will be accomplished through both programmatic and collaborative work, including quarterly meetings with EPA to inform and improve population-based approaches for improving air quality.

DEQ is implementing a suite of programs to reduce greenhouse gas emissions in Oregon. In the area of greenhouse gas emissions from transportation, DEQ administers Oregon's Clean Fuels Program, which is on track to reduce the carbon intensity of transportation fuels by 37% by 2035. A significant expansion to the program was made in 2022 by the EQC that adopted rules to extend the program an additional 10 years and nearly quadruple the carbon intensity standard by 2035. DEQ also has programs that address transportation climate pollution via programs to require auto manufacturers provide increasing amounts of ZEVs in both light and medium/heavy duty classes. Additionally, DEQ is implementing programs to incent the purchase of ZEVs in each of the vehicle classes.

In December of 2021, the EQC adopted rules establishing Oregon's Climate Protection Program. The CPP rules required reductions of greenhouse gas emissions from transportation fuels and from natural gas and propane of at least 50 percent by 2035 and by 90 percent by 2050. The CPP also regulated greenhouse gas emissions from the largest industrial sources in the state through a best available technology approach. The CPP was invalidated by the Oregon Court of Appeals based on a failure to notice those rules in a specific manner. DEQ is initiating a rulemaking process to re-establish a climate program in place of the invalidated CPP rules.

Also, in 2021 the EQC also adopted the California Air Resources Board's Advanced Clean Trucks rules. The following year, in 2022, the EQC adopted the Advanced Clean Car (ACC-2) rules requiring 100% new ZEV passenger cars and light duty trucks by 2035.

DEQ is administering other programs to reduce greenhouse gas emissions, including "Eco-commute" rule that requires large employers in the Portland metro area to reduce commute trips, stringent landfill methane rules, and strategic plans around reducing food waste and encouraging reduced energy use in the built environment. DEQ's Clean Vehicle Rebate Program provides strong financial incentives for consumers to purchase light-duty zero emission vehicles, making Oregon a leading state in early EV adoption. DEQ is also developing a similar rebate program for medium- and heavy-duty vehicles in the next year.

Criteria pollutants remain a priority for DEQ. Into the late 1990s through early 2000s, all Oregonians lived in areas meeting the National Ambient Air Quality Standards for criteria pollutants, which represents a tremendous improvement from a period of routine violations in the 1980s and early 1990s. In 2006, based on new health information, EPA strengthened the daily standard for fine particles to a level where two Oregon communities - Klamath Falls and Oakridge - were designated nonattainment. In January of 2022, ODEQ submitted to EPA a request to redesignate the Oakridge area to attainment and the associated maintenance plan for both the 2006 PM_{2.5} NAAQS and the 1987 PM₁₀ NAAQS. Both plans project maintenance of their respective standard through 2035. Since the last PPA period DEQ has continued to work with Klamath Falls to implement strategies described in the PM_{2.5} attainment plan.

Appendix A: Air Quality Program Component

Klamath Falls has been meeting the PM_{2.5} standard and DEQ is preparing to submit a re-designation request and associated maintenance plan in 2024.

Overall, DEQ considers the number of nonattainment area designations avoided through early intervention and pollution prevention to be a very important goal and measure.

In addition, the Portland-metropolitan area continues to take proactive steps to ensure compliance with the daily PM_{2.5} standard. DEQ continues to work with Washington and Multnomah Counties to adopt residential wood burning curtailment ordinances and with Washington County to implement a wood stove exchange program.

During this PPA period, DEQ will work with Klamath Falls to develop a PM_{2.5} maintenance plan and redesignation request. DEQ will continue working with communities in Oregon to proactively reduce ambient concentrations of pollutants through local and statewide efforts. DEQ continues to investigate any area that may be close to the potential revised PM_{2.5} NAAQS level.

Over the past few years, Portland-Metro area has shown exceedances of the Ozone NAAQS. -During this PPA period, DEQ will develop and propose strategies to reduce Ozone precursors and consider organizing this effort using EPA's Ozone Advance Plan. DEQ anticipates the development and implementation of these proposals will take several years and control strategies will include statewide and local community-based efforts. DEQ also plans to work with the Washington State Department of Ecology to explore shared approaches to reduce ozone precursors in the Portland Metro area, including Vancouver, Washington.

The number of days when air is unhealthy for (a) sensitive groups, (b) all groups (DEQ Key Performance Measures 9a and 9b)

While most areas are meeting federal air quality standards, there are still numerous individual days when the air is unhealthy to breathe in many communities. DEQ assesses air quality in a key performance measure as the number of days when the air in Oregon communities exceeds federal air quality standards. The measure has two parts: part (a) tracks the number of days that Oregon's air is unhealthy to breathe for sensitive groups, asthmatics, children, and the elderly; and part (b) tracks the number of days Oregon's air is unhealthy to breathe for healthy adults.

DEQ's goal is to eliminate all unhealthy air days in all communities. The number of days when air was unhealthy for sensitive groups only based on the criteria pollutants went down from 137 days (135 from wildfires) in 2021 to 83 days (62 from wildfires) in 2022. This includes data from 29 cities or airsheds across the State. Oregon's number of days when air was unhealthy for all groups or worse in an airshed based on the criteria pollutants went down from 159 days (157 from wildfires) in 2021 to 68 days (66 from wildfires) in 2022. High levels of fine particulate matter in the winter months and wildfires during the summer are primary factors contributing to days of unhealthy air. Communities across Oregon were impacted from wildfires in 2021 and 2022, leading to unusually high concentrations of fine particulate matter. DEQ's most recent annual air quality data report is also available on our [website](#).

Air Toxics Trends in Larger and Smaller Communities (DEQ Key Performance Measures 10a and 10b)

Another of DEQ's key performance measures shows trends in select common air toxics in both representative large and small communities (Portland and LaGrande). DEQ's monitoring for these pollutants reflects regional-scale or metropolitan-scale influences from a broad range of emission sources as they impact the community. Using current peer-reviewed toxicological research, DEQ has established ambient air toxics goals (i.e., ambient benchmark concentrations²) for a variety of airborne toxic chemicals. These represent levels of long-term goals for ambient air. DEQ's key performance measure goal is to reduce monitored levels of five representative toxics: benzene, acetaldehyde, formaldehyde,

Appendix A: Air Quality Program Component

arsenic, and cadmium down to no more than one measurement above the ambient benchmark concentration for each pollutant per year. The three-year rolling average is typically used to track long-term air pollution trends.

Oregon's regional-scale air toxics concentrations are trending lower largely due to the introduction and maintenance of cleaner motor vehicles. More work is needed to measure and reduce all types of air toxics. During the 2017 Legislative Session, DEQ received a \$2.5 million appropriation to establish and operate six air toxics monitoring sites measuring the full NATTS suite. DEQ has since established eight air toxics trends sites and two rotating sites statewide.

In addition to the new air toxics monitoring resources, the 2017 Legislature authorized resources for DEQ to expand the state's network of particulate monitors. DEQ used low-cost sensor technology to develop its own trademarked SensOR™ box, which DEQ deployed at 30 sites statewide. The 2021 Legislature also recently approved resources for an additional 20 SensOR locations. DEQ is co-locating SensORs with Federal Reference Method equipment to establish correlations and document the accuracy of the new equipment, which are linked to the Air Quality Index. This expanded capacity will allow for a more comprehensive and real-time understanding of particulate trends across the state.

Air Quality Program Joint Priorities

DEQ and EPA work together to develop the Performance Partnership Agreement Air Quality Program Work Plan. The objective is to devise a plan that targets Oregon's most important air quality issues within the constraint of limited resources. Through this partnership agreement, both agencies agree to support each other's efforts in the following important work. The Air Division at DEQ embodies Goal 4 of the EPAs' strategic plan to ensure clean and healthy air for all communities.

Priority 1: Meeting National Ambient Air Quality Standards

EPA and DEQ recognize the importance of consistent and open communication and sharing information of mutual interest during the development of a SIP. DEQ and EPA established the SIP Lean MOA outlining key expectations for communication, SIP planning and coordination, and expectations regarding the SIP lean process, particularly early engagement. Both agencies check in frequently.

Fine particulate, PM_{2.5}: As noted earlier, communities around Oregon still violate or are at risk of violating the daily fine particulate matter standard and in February 2024, EPA finalized tightening the annual PM_{2.5} standards which will result in a new round of PM_{2.5} designations and SIP requirements. DEQ also anticipate an increase in the wildfire exceptional events workload during the designations process.

Klamath Falls is officially designated as a fine particulate nonattainment area. DEQ worked with EPA and the local community to develop an attainment plan, which was adopted by the Environmental Quality Commission and submitted to EPA for approval in late 2012.

Through implementing control measures, Klamath Falls has reduced PM_{2.5} levels and attained compliance with the NAAQS. DEQ has begun work with Klamath Falls to develop and submit a maintenance plan. DEQ will prepare the re-designation request for Klamath Falls throughout the 2024-2026 PPA.

In 2021, a \$1.8 million Targeted Airshed Grant was awarded by EPA to DEQ in partnership with Klamath County Public Health and community partners. In 2023, EPA awarded another \$4.5 million in TAG funds to DEQ and Klamath County. Both grants support ongoing efforts to improve air quality and protect community health in Klamath Falls. Funds will be used for woodstove change-outs, home weatherization and fund a study of household heating and woodstove use by the Oregon Institute of Technology.

During the 2017 Legislative Session DEQ received an appropriation to set up and operate thirty new particulate monitoring sites statewide as a supplement to the existing PM_{2.5} network. DEQ developed low-

Appendix A: Air Quality Program Component

cost PM sensors to complete this work. These sensors, trademarked as SensOR™, have been deployed and report data to DEQ's AQI for public information.

DEQ continues to be a partner agency in the implementation of Oregon's Smoke Management plan and sits on the wildfire response committee and prescribed fire team along with the ODF, and OHA for the prevention and response to fires in Oregon. In November 2023, DEQ, EPA Region 10, and partner agencies at the Federal, State, and local level, met in Bend, Oregon, to discuss ways to increase the pace and scale of prescribed fire while also protecting public health from prescribed fire smoke. The agencies agreed to pilot proposed changes in smoke management planning during a surge burn in Bend in early 2024. DEQ expects some changes to the smoke management plan may be needed based on the results of the pilot burn. In addition, DEQ will continue to support collaboration at the regional leadership level on prescribed fire and smoke management.

Woodstove smoke is a major source of fine particulate pollution jeopardizing compliance with the PM_{2.5} NAAQS in Oregon, as well as being a significant source of air toxics. DEQ plans to update Oregon's Heat Smart program to increase effectiveness and streamline implementation. DEQ also plans to evaluate the current woodstove emissions performance and work with partner states on approaches to reduce emissions while EPA considers updates to the wood heater NSPS.

DEQ's nonattainment planning and PM_{2.5}/air toxics prevention work in all our "at risk" communities (e.g., Washington County/Hillsboro, Multnomah County, Prineville, and Burns. Medford, Oakridge, Klamath Falls and Lakeview) focus primarily on the reduction of woodstove smoke. This work reflects partnerships between DEQ and the local communities to fund and implement public education and outreach programs, episodic curtailment during air stagnation events, and stove replacement grants as they become available. DEQ provides annual grants to communities with a history of high concentrations of PM_{2.5} to fund local prevention efforts.

Carbon Monoxide (CO) and PM₁₀: All areas of Oregon follow the federal PM₁₀ and carbon monoxide National Ambient Air Quality Standards. Oregon is in attainment status for all areas. The two remaining CO monitoring sites measure CO concentrations under 1 ppm.

Ozone (O₃): On October 1, 2015, EPA strengthened the NAAQS for ground-level ozone to 70 parts per billion from 75 ppb to protect public health. At the time of designation all communities in Oregon met the new ozone standard. Preliminary data shows that the Portland-Metro area is under the Ozone NAAQS-for calendar years 2020-2023. Other monitored areas within Oregon show increasing or stable ozone trends. During this next performance period, DEQ will work with stakeholders within Oregon to explore statewide and local control options through the Ozone Advance planning model to proactively reduce ozone and ozone precursors.

Lead (Pb): All areas of Oregon are currently designated as unclassifiable or in compliance for the lead standard. DEQ has discontinued all lead monitoring after years of lead concentrations measured below the applicable standard.

Nitrogen dioxide(NO₂): In 2010, EPA revised the NO₂ standard, setting the one-hour NO₂ standard at 100 parts per billion. All areas of Oregon are designated attainment or unclassifiable for NO₂. DEQ also requires 1-hour NO₂ modeling for major modifications and new major sources. DEQ plans to add an additional near-road monitoring site in the Portland-Vancouver metro area that is required to monitor NO₂ as part of EPA's required near-road monitoring program.

Sulfur dioxide (SO₂): The sole SO₂ monitoring location at Oregon's NCORE site measures ambient concentrations below 1 ppb. All areas of Oregon are in compliance with the federal SO₂ NAAQS.

Priority 2: Air Toxics

Appendix A: Air Quality Program Component

DEQ's stationary source air toxics program, Cleaner Air Oregon, continues to assess risk from air toxics emissions for both minor and major permitted sources in the state. These assessments enable DEQ to issue air quality permits with conditions that ensure permitted facilities will meet or exceed state health-based standards. Additionally, this program also continues to collect representative, site-specific emissions information from source testing required as part of the Risk Assessment process – source testing data for air toxics is time and resource intensive and this novel data is now available to be shared with the public. Finally, the program requires all permitted sources in the state to submit a periodic, statewide air toxics emissions inventory, which has expanded the amount of emissions information that DEQ provides to EPA for the National Emissions inventory.

In November of 2021, Oregon's Environmental Quality Commission adopted rules that integrate and update DEQ's air toxics programs. These updates affected both the Cleaner Air Oregon program (addressing permitted stationary sources) and DEQ's Oregon Air Toxics program (which address area sources of air toxics with a geographic approach). These rules integrate lists of toxic air contaminant standards and strengthen the process by which these standards are updated to consider new science and research. Notably, the rules update the role of DEQ's Air Toxics Science Advisory Committee so that it will now advise DEQ and OHA during the periodic update of these standards. The next update is currently under way and is expected to be completed within the 2024-2026

The November 2021 adopted rule updates also made changes to DEQ's Cleaner Air Oregon program rules in Division 245. These changes, based on lessons learned, streamline, and improve implementation, and close potential gaps in the protectiveness of health risk assessments.

DEQ also expects to use a multi-pollutant approach to achieve air toxics co-benefits from efforts to reduce emissions of fine particulate, ozone precursors and greenhouse gases. DEQ continues to implement the NESHAP program to achieve air toxics reductions from point sources, but as noted above, has established a more comprehensive approach for its state industrial permitting program. DEQ incorporates major source NESHAPs into Title V permits and has implemented numerous area source NESHAPs through our Air Contaminant Discharge permitting program. In addition, DEQ continues to lead and support numerous projects to retrofit and replace older high-emitting diesel engines using EPA grant and Volkswagen settlement funds.

Priority 3: Reduce Greenhouse Gas Emissions

DEQ has several important initiatives underway to work on state and federal greenhouse gas reporting and reduction strategies. These include:

Clean Vehicles: In 2006, the Environmental Quality Commission adopted California's emissions standards for light-duty vehicles sold in Oregon to reduce greenhouse gas emissions from new vehicles and increase the availability of zero emission vehicles. Since 2008, auto manufacturers are required to produce increasing percentages of low emission and zero emission vehicles and by 2035, all new passenger vehicles and light-duty trucks must be zero emission. Additionally, recognizing that medium- and heavy-duty vehicles also contribute a significant amount of greenhouse gas emissions and criteria air pollutants, the EQC adopted the Advanced Clean Trucks rule in November 2021 to support the advanced electrification of the medium and heavy-duty vehicle sector. Besides these regulatory programs, DEQ also provides incentives to support the transition to zero emission vehicles for all vehicle sectors. There is DEQ's Clean Vehicle Rebate program for passenger cars and in the next year the creation of a separate rebate program for medium- and heavy-duty vehicles. To support the states zero emission vehicle program goals, DEQ is engaged with other state agencies to further accelerate zero emission vehicle adoption by ensuring adequate charging infrastructure is in place.

Regulation of Landfill Methane Emissions: The Oregon Department of Environmental Quality conducted the Landfill Gas Emissions Reduction 2021 Rulemaking to address the effects of climate change and in partial response to Governor Kate Brown's Executive Order 20-04. The Executive Order

Appendix A: Air Quality Program Component

directs the Environmental Quality Commission and DEQ to take actions necessary to reduce methane gas emissions from landfills.

The adopted rules:

- Align Oregon's landfill gas emission rules with the most stringent requirements of adjacent states and federal government.
- Define regulatory applicability and program requirements.

Reduce methane emissions from landfills: The EQC adopted these rules in October of 2021. DEQ continues to incorporate these rules into applicable landfill permits. The landfill gas rules have been incorporated into five (5) landfill Air Contaminant Discharge Permits that have been issued. In addition, the rules have been added to one (1) landfill Title V that is not yet on public notice and one that is a work in progress.

Greenhouse Gas Reporting: In October 2008 and again in 2010, the commission adopted greenhouse gas reporting rules that require permitted sources, fuel distributors and electricity providers to complete annual reporting. The program now covers over 90 percent of the greenhouse gas emissions in Oregon, including liquid fuel suppliers, natural gas suppliers, electric utilities, and large GHG emitting facilities. The program was amended by EQC in 2019 to establish third party verification requirements on most of the entities required to report into the program. EQC adopted numerous changes to the program rules in 2023 to support implementation of the program and clarify, particularly those parts with implications for how GHG reported data is used under the Climate Protection Program.

Clean Fuels: The Clean Fuels Program requires reductions in the lifecycle greenhouse gas emissions from transportation fuels supplied in Oregon. The program took effect in 2016, and by 2025 will require a 10% overall reduction in transportation fuels. In 2021, EQC adopted rules to improve how the program incentivizes electricity as a low-carbon fuel. In 2022 the EQC expanded the targets to reach 37% overall reduction by 2035.

Climate Protection Program: In 2020 and 2021, DEQ developed rules to establish enforceable and declining limits on greenhouse gas emissions from fossil fuels used in transportation, residential, commercial, and industrial applications. The 2020 legislature approved funding for this work. In December 2023, the Oregon Court of Appeals invalidated the CPP rules based on a failure to have noticed those rules in a specific manner. DEQ has begun the process to reinstate a program in place of the invalidated rules with an intent to have the new program adopted before the end of 2024.

Climate Pollution Reduction Grants: EPA's CPRG program is a 2-phase program to reduce greenhouse gas emissions. EPA Region 10 awarded a \$3M grant to Oregon and a \$1M grant to the Portland MSA in September 2023 under Phase 1 of the program. This first phase provides grants at the State, local, and Tribal level to develop plans to reduce greenhouse gas emissions. The first grant deliverable is the Priority Climate Action Plan, which is due in March 2024. Entities covered by that plan can compete for the \$4.6 billion for grants to implement those plans under phase 2 of the program. DEQ participates in regular EPA CPRG calls.

Together, these initiatives place Oregon at the forefront of subnational efforts to combat climate change. Along with California, Washington, and British Columbia, these west coast states and provinces are setting a strong example for the U.S. and Canada on how our nations can meet global commitments to limit climate change and avoid the very worst effects that are already beginning to manifest across the globe.

Priority 4: Visibility

Oregon's regional haze plan was adopted by the Environmental Quality Commission in June 2009 and the agency submitted a five-year progress report in 2017. The EQC adopted our Round 2 plan in 2022. DEQ

Appendix A: Air Quality Program Component

provided a supplement to the plan in 2023. During this PPA period, DEQ will begin work on our required 5-year update on Round 2 and the development of our Round 3 plan.

Priority 5: Enforcement

DEQ and EPA will work collaboratively to implement EPA's Compliance Advisories and Enforcement Alerts and its National Enforcement and Compliance Initiatives, including mitigating Climate Change and Reducing Air Toxics in Overburdened Communities. EPA's overall national enforcement goals focus on civil and criminal enforcement for violations that threaten communities and the environment, greater compliance, and protection through use of advanced monitoring and information technologies; and strong EPA/State/Tribal partnerships for working together toward shared environmental goals. DEQ and EPA will continue to collaborate on inspection targeting and enforcement actions. DEQ will prioritize identifying and timely enforcement response to High Priority Violations.

Future Opportunities

DEQ has compiled a list of future projects for consideration should additional federal funds become available. Regarding environmental justice and equity, DEQ would like to build community capacity through engagement and educational materials, create a cumulative impact assessment tool, and provide additional community monitoring. EPA will be considering environmental justice in certain SIP actions that have the potential to disproportionately impact communities or where DEQ has addressed environmental justice. DEQ's Air Quality Monitoring group intends to begin more continuous air toxics monitoring, move towards ultrafine particulate measurements, implement more granular meteorological monitoring, implement a volunteer air monitoring program, and perform more environmental justice monitoring, if adequately resourced.

Evaluation Process

To ensure that EPA and DEQ maintain open communications during this PPA, the two agencies agree to check-in every six months and have meetings as needed. In addition, grant update reports will be submitted annually and will be used to determine if a virtual or in-person check-in meeting should be scheduled. At a minimum the update should include the following information:

- A discussion of accomplishments as measured against the work plan commitments.
- A discussion of the cumulative effectiveness of the work performed.
- A discussion of existing and potential problem areas,
- Suggestions for improvement including schedules if possible.

If the joint evaluation process reveals that sufficient progress under the work plan is not being made, EPA and DEQ agree to negotiate a resolution that addresses the issue.

2024-2026 PPA: Oregon DEQ Air Quality Program Work Plan

Appendix A: Air Quality Program Component

Objective 1: Limit public exposure to criteria pollutants by consistently meeting and exceeding NAAQS standards throughout the state. Outcome Measures: <ul style="list-style-type: none"> Monitoring demonstrates continuous improvement in air quality as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index. All communities within DEQ's jurisdiction have been redesignated from nonattainment to attainment with a National Ambient Air Quality Standard. DEQ will establish Advance Plans that include proactive actions needed to avoid nonattainment for communities at risk of violating NAAQS standards. 			Updates & Milestones
Core Work	Manager	Criteria	Updates
Designations for revised NAAQS	DEQ: Michael Orman EPA: Gina Bonifacino	If EPA finalizes revisions to any NAAQS, DEQ will develop and submit designation recommendations to EPA and develop and submit SIPs to fill any related planning requirements such as infrastructure SIP requirements. For the annual PM2.5 standard, designation recommendations are due to EPA in February 2025.	
Advance Plans	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	DEQ will continue to reduce PM emissions, restore healthy air quality, and avoid nonattainment by working with the City of Prineville to implement the community's PM Advance plan.	
Advance Plans	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	As part of the Ozone Advance Plan, DEQ will work with Washington Department of Ecology and EPA to evaluate the potential for regional standards on the VOC content of consumer products, such as architectural coatings and consumer paints. DEQ will also follow a multi-pollutant approach with any new standards.	
Wood Smoke	DEQ: Michael Orman EPA: Gina Bonifacino, John Chi	DEQ continues to support Prineville, Klamath County, Lakeview, Burns, Jackson County, and Josephine County in the implementation of their community-based wood smoke reduction programs.	

Appendix A: Air Quality Program Component

Smoke Management	DEQ: Michael Orman EPA: Gina Bonifacino, Erin McTigue	DEQ will work with EPA and other Federal, State, and Local partners in evaluating the results of the Bend, Oregon, pilot burn and determine if any changes in smoke management policy are necessary.	
Smoke Management	DEQ: Michael Orman EPA: Gina Bonifacino, Erin McTigue,	DEQ will work with Oregon Department of Forestry, local elected officials, US Forest Service, EPA, and others on smoke management program policy, implementation, and communications. DEQ will periodically meet with USFS and ODF to review burn objectives and smoke intrusions.	
Wildfire	DEQ: Michael Orman EPA: Gina Bonifacino, Erin McTigue	DEQ will participate in the annual multi-agency team dedicated to air quality wildfire response. This includes DEQ, Oregon Health Division, US Forest Service, Oregon Dept. of Forestry, local county health agencies and others.	
State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino	DEQ will continue to implement all strategies contained in the PM ₁₀ , carbon monoxide and ozone maintenance area plans, as well as plans for PM _{2.5} nonattainment areas including financial support for local woodstove curtailment programs. DEQ will engage with community leaders as needed to discuss the latest information on PM _{2.5} compliance levels, smoke management, or other air issues. DEQ will discuss with EPA any on-going monitoring needs and priorities in these nonattainment areas as part of our 2020 statewide monitoring strategy.	
State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	DEQ will continue to notify EPA of exceedance events in a timely manner consistent with EPA's Exceptional Events rule and will identify any data to be flagged. DEQ will develop exceptional events demonstrations and submit to EPA for concurrence as needed for the annual PM _{2.5} NAAQS designations.	

Appendix A: Air Quality Program Component

State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	DEQ and EPA will communicate monthly to discuss the status and prioritization of submitted plans and the projected schedule for future submittals.	
State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino	DEQ will develop draft SIP Development schedules for each SIP submittal approximately six months before EPA review is needed. The purpose is to facilitate communication between DEQ and EPA on key milestone dates and to identify potential issues.	
State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	DEQ will continue to coordinate and collaborate during the development of SIPs under the CAA per the joint EPA, DEQ and LRAPA MOA.	
State Implementation Plan	DEQ: Wade Sadler EPA: Gina Bonifacino, Tess Bloom, Claudia Vaupel	DEQ will continue to evaluate necessary rule changes for vehicle inspection that are part of the Portland and Medford ozone maintenance plan.	
State Implementation Plan	DEQ: Michael Orman EPA: Gina Bonifacino, Tess Bloom, Claudia Vaupel	DEQ will conduct and implement a rulemaking in 2024 to address Stage-II vapor recovery for the state.	
Metrics and Data	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	DEQ will work to review the released versions of the 2023 National Emissions Inventory in partnership with EPA and adjust data as needed. The data is used to plan air quality protection measures.	
Metrics and Data	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	DEQ will report to EPA criteria pollutant emissions for Oregon's point sources by December 31, 2023 and 2024. DEQ will track EPA's AERR revisions and plan future advancements accordingly	
Metrics and Data	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	DEQ will continue to fulfill Air Emissions Reporting Rule requirements for the 2023 NEI, including submitting nonpoint tools categories data, point source	

Appendix A: Air Quality Program Component

		data, and reviewing and submitting on-road/non-road MOVES input data files.	
Monitoring	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki, Sarah Waldo, Joey Richardson</p>	DEQ will operate and maintain the monitoring network plan according to 40 CFR Part 58 requirements and EPA approved quality assurance plans. DEQ will propose any modifications to State or Local Air Monitoring Stations for regional approval in their annual network plan or other written communication. DEQ has an active memorandum of understanding with Washington Department of Ecology to share resources to collectively meet minimum monitoring requirements for the Portland-Vancouver-Hillsboro Metropolitan Statistical Area, including a second near-road NO ₂ monitoring site.	
Monitoring	<p>DEQ: Matt Shrensel, Michael Orman</p> <p>EPA: Debra Suzuki, Sarah Waldo, Joey Richardson</p>	DEQ and EPA will meet quarterly to discuss monitoring issues that have planning implications for population-based decisions, enhanced communication, and overall understanding of Oregon's monitoring network.	
Monitoring	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki, Sarah Waldo, Joey Richardson</p>	DEQ will participate in national and regional monitoring quality assurance activities including NPAP for the gaseous criteria pollutants and PEP for PM _{2.5} and PM coarse.	
Monitoring	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki, Sarah Waldo, Will Wallace, Joey Richardson</p>	DEQ will maintain Quality Assurance Project Plans and Standard Operating Procedures for each pollutant it monitors for reporting to EPA.	
Monitoring	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki, Sarah Waldo, Joey Richardson</p>	DEQ will operate a PM _{2.5} monitoring and sampling network in the Willamette Valley during the summer field burning season. Sites in the network include Portland Spangler Road, Salem, Lyons, Silverton, Mill City and Detroit.	

Appendix A: Air Quality Program Component

		The network provides near real-time data to DEQ and the Oregon Department of Agriculture on smoke impacts and weather conditions. Any changes to the network will be made through annual statewide monitoring plan updates.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will operate the nephelometer network for particulate monitoring in cooperation with the US Forest Service. The objective is to measure smoke impacts in areas likely to be impacted by prescribed fire. Sites include Baker City, Bend, Enterprise, John Day, Sisters, Cave Junction, Shady Cove, Burns, Grants Pass, Klamath Falls, and Lakeview. Any changes to the network will be made through annual statewide monitoring plan updates.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will operate a field burning smoke nephelometer to measure particulate in Jefferson County from June through September and operate a field burning smoke nephelometer to measure particulate in Union County during the summer.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will continue to operate the second ozone monitor in the Salem Core Based Statistical Area to meet EPA population-based criteria for the number of monitors.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will submit nephelometer data converted to PM _{2.5} values and ozone values to AIRNow for all nephelometer and ozone sites. Hourly average data is submitted to AIRNow every hour.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will continue to report criteria pollutant ambient air quality data to EPA's Air Quality data system quarterly, submitted within 90 days of the end of the quarter, as required by 40 CFR Part 58. DEQ will certify the annual	

Appendix A: Air Quality Program Component

		SLAMS monitoring data by May 1, each year. DEQ will ensure that the metadata for each site and monitor in AQS is up-to-date and meets the requirements of EPA regulations, guidelines, and policy memos. DEQ will ensure that AQS metadata is consistent with information provided in the DEQ annual monitoring network plan.	
Monitoring	DEQ: Matt Shrensel EPA: Debra Suzuki, Sarah Waldo, Joey Richardson	DEQ will continue to evaluate requirements for source-oriented lead monitoring for point-sources emitting >0.5 tons of Pb per year (tpy). DEQ will work with Cleaner Air Oregon to clarify emissions inventory and permitting information for sources close to 0.5 tpy.	
Ozone Advance	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	During 2024-2025, DEQ will develop proactive efforts for reducing ozone precursors and potentially include them in an Ozone Advance Plan. DEQ will use information from the 2018 Portland-Medford multi pollutant assessment and DEQ's 2016 Hermiston ozone monitoring in the effort	
Maintenance Plans	DEQ: Michael Orman EPA: Gina Bonifacino, Justin Spenillo	DEQ staff will continue to work with Klamath Falls to implement the approved PM _{2.5} attainment plan and ensure continued compliance. DEQ will continue the development of the maintenance plan and will submit this along with a redesignation request by 2024.	
Maintenance Plans	DEQ: Michael Orman, Farrah Fatemi EPA: Gina Bonifacino, Tess Bloom, Claudia Vaupel	DEQ will adopt necessary rule changes for Stage II vapor recovery as a part of the Portland and Medford ozone maintenance plan. DEQ expects to submit these rules to EPA no later than April 2024.	
VIP	DEQ: Wade Sadler EPA: Gina Bonifacino, Tess Bloom	DEQ will evaluate necessary rule changes for vehicle inspection.	

Appendix A: Air Quality Program Component

Biannual Core Work Updates	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki, Sarah Waldo, Will Wallace, Joey Richardson</p>	<p>DEQ will monitor for gaseous criteria pollutants at the NCORE site in SE Portland and the near-roadway NO₂ site in Tualatin. DEQ will also set up the NCORE site as a Photochemical Assessment Monitoring Station to evaluate ozone precursors, including a new shelter, NO_y and true NO₂ analyzers, and other equipment to meet EPA's schedule for PAMS season, beginning active monitoring in June 2024. Depending on final siting location, DEQ may begin work on implementing a second near road monitoring site in the Portland Metro area in 2024.</p>	
<p>Objective 2: Reduce greenhouse gas emissions</p> <p>Outcome Measures:</p> <ul style="list-style-type: none"> By 2035, achieve greenhouse gas emission levels that are 40% below 1990 levels. By 2050, achieve greenhouse gas emission levels that are 90% below 1990 levels. 			Updates & Milestones
Core Work	Manager	Criteria	Updates
GHG Emissions	<p>DEQ: Colin McConnaha</p> <p>EPA: Karl Pepple</p>	DEQ will re-implement the Climate Protection Program in order to reduce greenhouse gas emissions in Oregon from the use of transportation fuels and natural gas and propane. The CPP includes the BAER element for large industrial sources.	
GHG Emissions	<p>DEQ: Colin McConnaha</p> <p>EPA: Karl Pepple</p>	DEQ will continue to implement the Oregon Clean Fuels Program by working with affected parties, market participants and interested stakeholders. DEQ will also continue to make continuous improvements to the program by updating the reporting tools, conducting rulemaking, and collaborating with local, state, regional, national, and international partners.	
GHG Emissions	<p>DEQ: Colin McConnaha</p> <p>EPA: Karl Pepple</p>	DEQ will continue to monitor and participate in collective efforts to characterize and reduce greenhouse gas emissions, including participation with groups such as the Pacific Coast Collaborative, and the Oregon Climate Action	

Appendix A: Air Quality Program Component

		Commission and several of its subcommittees	
GHG Emissions	DEQ: Colin McConnaha EPA: Karl Pepple	DEQ will continue to implement Oregon's greenhouse gas reporting program. Implementation work during this PPA period will include: Assisting sources with GHG reporting: <ul style="list-style-type: none"> – Maintaining an Oregon GHG database to track emissions for permitted facilities; – Reviewing annual reports from Oregon industrial sources emitting over 2500 metric tons of CO₂ equivalent, electricity suppliers and fuel distributors; – Developing the statewide GHG inventory for 2022 in 2024 and the 2023 inventory in 2025; and – Determining compliance with third party verification. 	
Low Emission/Zero Emission Vehicles	DEQ: Rachel Sakata, EPA: Karl Pepple	DEQ will work with Oregon Department of Transportation establish a Memorandum of Agreement on electric vehicle charging. The MOA provides the basis to support infrastructure and other actions needed to grow the use of zero emission vehicles in state	
Low Emission/Zero Emission Vehicles	DEQ: Rachel Sakata, EPA: Karl Pepple	Work with the EQC to maintain identity with California low emission vehicle and zero emission vehicle standards, administer rebate and grant programs to incent the purchase or lease of LD and MHD ZEVs, contract with entities to improve the public awareness of and access to information resources related to electric vehicles, and provide school districts and transit authorities information about options for electrifying their fleets.	
Low Emission/Zero	DEQ: Rachel Sakata,	DEQ will continue to implement the Oregon Low Emission Vehicle/Zero Emission Vehicle	

Appendix A: Air Quality Program Component

Emission Vehicles	EPA: Karl Pepple	Program, including providing technical assistance to light, medium, and heavy-duty vehicle dealers and manufacturers and conducting compliance verification.	
NSR/PSD	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will continue to implement EPA's Tailoring Rule – Step 1 within Oregon's New Source Review /Prevention of Significant Deterioration program for greenhouse gases by reviewing greenhouse gas emissions of facilities that trigger NSR/PSD for a criteria pollutant.	
Transportation	DEQ: Rachel Sakata EPA: Karl Pepple	DEQ will participate in the development and implementation of projects identified in the Statewide Transportation Strategy, known as the Every Mile Counts workplan. The EMC is a collaborative effort between the Oregon Department of Transportation, Oregon Department of Energy, the Department of Land Conservation and Development, and DEQ, focused on reducing greenhouse gas emissions from the transportation sector. The Agencies are implementing the 2023-24 workplan and beginning development of the next workplan for the 2025-2027 timeframe.	
Transportation	DEQ: Michael Orman/Rachel Sakata EPA: Gina Bonifacino, Tess Bloom	DEQ will provide on-going assistance to local, state, and federal agencies on transportation design and development issues, travel modeling consultation, mobile emission estimates and conformity regulations/analysis.	
Objective 3: Protect human health and the environment through ongoing Air Quality improvement strategies. Outcome Measures: <ul style="list-style-type: none"> Monitoring demonstrates continuous improvement in air quality as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index. The National Emissions Inventory results will show a decrease in emissions over time. 			Updates & Milestones
Core Work	Manager	Criteria	Updates

Appendix A: Air Quality Program Component

NESHAP	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will periodically submit a National Emission Standards for Hazardous Air Pollutant delegation request to EPA every two years. The request will generally be for all NESHAPs adopted by EPA and in the CFR published by July 1 of the previous year.	
NESHAP	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will continue to implement the area source NESHAPs program by issuing permits or registrations, performing periodic inspections, and performing outreach and technical assistance to help area sources comply with regulations.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will issue permits that contain limits that are necessary to address source-specific air quality impacts.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman, JR Giska EPA: Karl Pepple, Geoffrey Glass	DEQ continues to issue permits that contain limits that are necessary to address source-specific air quality impacts for major sources. DEQ has begun assessing source-specific air quality impacts of toxic air contaminants under the Cleaner Air Oregon program and is developing a process to address source-specific air quality impacts of non-major sources.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will implement the major NSR air permitting programs as specified in the SIP and state regulations.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will continue to submit major New Source Review/Prevention of Significant Deterioration information to EPA upon receipt/completion including applicability determinations, applications, application completeness/incompleteness letters, updated application information, draft permits (including technical analyses) and final permits (including responses to comments).	
ACDP Permitting &	DEQ: Tim Wollerman	DEQ will send to EPA (via email to Karl Pepple) a quarterly update	.

Appendix A: Air Quality Program Component

New Source Review	EPA: Karl Pepple, Geoffrey Glass	on the status of all known/expected PSD permit actions. DEQ will post all final permits to the web within 10 days after issuance.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman, Jeffrey Stocum EPA: Karl Pepple, Jay McAlpine	DEQ will communicate with the EPA on modeling at the initiation of any major NSR permit project. DEQ will submit modeling protocols for major source projects to EPA within 7 days of receipt. DEQ will use the EPA approved models and methodologies, in accordance with 40 CFR Part 51 Appendix W, for air quality analysis for commercial and industrial source permits or seek the EPA approval of alternative models or methods when applicable. DEQ will send a quarterly update on the status of all known/expected PSD permit actions to EPA via email. DEQ will post all final permits to the web within 10 days after issuance on The Your DEQ Online system.	
ACDP Permitting & New Source Review	DEQ: Jeffrey Stocum EPA: Karl Pepple, Jay McAlpine	DEQ will communicate and work with the EPA to satisfy any and all consultation and modeling approvals required under 40 CFR Part 51 Appendix W, for both minor and major NSR permit projects.	
ACDP Permitting & New Source Review	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will conduct Best Available Control Technology evaluations in a manner consistent with EPA's top-down, five-step procedure and will enter RACT, BACT, and LAER determinations into the clearinghouse database within 30 days of permit issuance.	
Small Business Assistance Program	DEQ: Tim Wollerman; JR Giska EPA: Karl Pepple, Carl Brown	DEQ will run the Small Business Assistance Program. DEQ will provide training and technical assistance to small businesses to help them reduce air emissions and comply with air quality rules. DEQ will also assist smaller businesses with completing triennial inventories of air toxics emissions and performing health-based risk assessment for new businesses that require them.	

Appendix A: Air Quality Program Component

Miscellaneous	<p>DEQ: Wade Sadler</p> <p>EPA: Gina Bonifacino, Tess Bloom</p>	<p>Vehicle Inspection Program:</p> <p>DEQ will submit annual and biennial Vehicle Inspection Program reports in compliance with Title 40, Chapter 1, Part 51, Subpart S, Sec. 51.366 of the Clean Air Act by July of each year. It will contain statistical analysis from data collected from January through December of the previous year.</p>	
Open Burning	<p>DEQ: Michael Orman</p> <p>EPA: Gina Bonifacino, Erin McTigue</p>	<p>DEQ will engage with Oregon Department of Agriculture, elected officials and the public as needed regarding field burning issues.</p>	
Open Burning	<p>DEQ: Michael Orman, Regional Managers</p> <p>EPA: Elly Walters, John Keenan</p>	<p>DEQ will implement the open burning program including complaint management (database, tracking); investigations; inspections; compliance determination and enforcement; issuance of permits for construction, demolition, and land clearing where applicable; outreach and education to the public, cities, counties, and fire departments. DEQ staff will conduct site visits at high priority burning events and those requiring enforcement actions.</p>	
Miscellaneous	<p>DEQ: Rachel Sakata</p> <p>EPA: Gina Bonifacino, John Chi</p>	<p>Employee Commute Options</p> <p>DEQ will operate the Employee Commute Options program in the Portland Air Quality Maintenance Area. Activities include providing assistance to affected employers, reviewing compliance status, documenting, and responding to violations, conducting outreach and education, maintaining rules, and improving the database. Over the next year, DEQ will review the existing program with program participants to identify areas for improvement regarding program implementation.</p>	
Miscellaneous	<p>DEQ: Regional Managers</p>	<p>Tanker Certification:</p>	

Appendix A: Air Quality Program Component

	EPA: Gina Bonifacino, Tess Bloom	<p>DEQ will continue the tanker certification program by providing assistance to gasoline transporters, issuing tanker certifications, and maintaining the database.</p> <p>The program is now in YDO, so the processing is quicker, and our database is much easier to use for ensuring compliance and follow-up with certificate holders.</p>	
Miscellaneous	<p>DEQ: Matt Shrensel</p> <p>EPA: Debra Suzuki</p>	DEQ will implement the Air Pollution Advisory program. In the summer, DEQ will forecast daily and issue ozone pollution advisories in Portland, Salem, and Medford. The rest of the year, DEQ will forecast daily and issue PM _{2.5} pollution advisories statewide.	
Metrics and Reporting	<p>DEQ: Tim Wollerman</p> <p>EPA: Karl Pepple, Geoffrey Glass</p>	<p>DEQ will continue to implement the Title V permitting program as specified in the approved Part 70 program and in state regulations. DEQ will electronically (through EPS or email) submit Title V-related information to EPA within 7 days of availability: applicability determinations, Title V permit applications (if not submitted by source directly to EPA), updated permit application information, application incompleteness and completeness determinations, draft permits (including the public notice and statements of basis), proposed permits (including statements of basis and responses to comments) and final permits (including statements of basis). Inform all commenters of the date the proposed permit was submitted to EPA. DEQ will submit semi-annual Title V Operating Permit System reports consistent with the EPA's deadline. DEQ will post all final permits to the web within 10 days after issuance.</p>	.
<p>Objective 4: Limit public exposure to toxic air pollution.</p> <p>Outcome Measures:</p> <ul style="list-style-type: none"> The National Emission Inventory results will show a decrease in emissions over time. 			Updates & Milestones

Appendix A: Air Quality Program Component

<ul style="list-style-type: none"> • Diesel emissions in Oregon will decrease over time. • Oregon will implement state level air toxics permitting in alignment with the Title V permitting program. • DEQ intends to use part of the remaining funds from the 2020-2022 grant cycle to support Air Quality Monitoring functions for NATTS and PAMS. <p>DEQ is committed to working with the EPA and will continue to communicate project status of diesel emissions work and Title V air toxics permitting.</p>			
Core Work	Manager	Criteria	Updates
Air Toxics	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	DEQ will review and Quality Assure EPA's annual AirToxScreen_results released and communicate those findings to Oregon residents.	
Air Toxics	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	In 2024, DEQ will evaluate air toxics emission submittals from 360+ permitted facilities and use submitted production data for 1000+ smaller permitted facilities to calculate estimated 2023 emissions for those sources.	
Air Toxics	DEQ: Matt Shrensel EPA: Karl Pepple, Geoffrey Glass, Sarah Waldo, Joey Richardson	During the PPA period, DEQ will measure ambient air toxics concentrations at existing NATTS sites in Portland and La Grande. DEQ will make results and conclusions of DEQ air toxics monitoring projects publicly available and discuss them with community leaders.	
Air Toxics	DEQ: Matt Shrensel EPA: Sarah Waldo, Joey Richardson	DEQ will continue to participate in the NATTS laboratory Proficiency Testing Program.	
Air Toxics	DEQ: Matt Shrensel EPA: Karl Pepple, Geoffrey Glass, Sarah Waldo, Joey Richardson	DEQ will provide EPA with air toxics data quarterly, submitted within 120 days of the end of the quarter.	
National Emissions Inventory	DEQ: Jeffrey Stocum EPA: Karl Pepple, Geoffrey Glass	DEQ will report to EPA toxics pollutant emissions for Oregon's point sources by December 31 of 2024 and 2025. DEQ will continue to report county level air toxics emission inventory data to EPA as requested as a partner to support	

Appendix A: Air Quality Program Component

		the 2023 National Emissions Inventory submittal process.	
NESHAP	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ will periodically submit a National Emission Standards for Hazardous Air Pollutant delegation request to EPA. The request will generally be for all NESHAPs adopted by EPA and in the C.F.R. published July 1 of the previous year.	
NESHAP	DEQ: Tim Wollerman EPA: Karl Pepple, Elly Walters, John Keenan	DEQ will implement National Emission Standards for Hazardous Air Pollutants rules by incorporating them into air permits, providing technical assistance, conducting inspections, evaluating compliance, and taking enforcement actions when appropriate.	
NESHAP	DEQ: Tim Wollerman EPA: Karl Pepple, Geoffrey Glass	DEQ and EPA will maximize information sharing and explore innovative implementation options for area source NESHAPs.	
Heat Smart	DEQ: Michael Orman EPA: Gina Bonifacino, Claudia Vaupel	DEQ will implement the Heat Smart program, including program improvements, database improvements, customer assistance, compliance assistance, education, and outreach. DEQ will conduct a rulemaking to streamline implementation of the program. DEQ will also evaluate changes to the program to address shortcomings of EPA's implementation of the wood heater NSPS.	
Objective 5: Improve visibility in federal Class I areas. Outcome Measures: <ul style="list-style-type: none"> No worsening of visibility on the clearest days in Crater Lake National Park and Oregon's wilderness areas. Improved visibility on days with degraded air quality in Crater Lake National Park and Oregon's wilderness areas. 			Updates & Milestones DEQ would like to include corrected outcome measures and more information about the areas of visibility to show that all 12 facilities affecting these areas are following through for the next cycle.
Core Work	Manager	Criteria	Updates
Regional Haze	DEQ: Michael Orman	DEQ will track Columbia River Gorge air quality through periodic regional haze updates via ORS 468 & 468A. DEQ remains available to	

Appendix A: Air Quality Program Component

	EPA: Gina Bonifacino, Jeff Hunt	meet as needed with EPA, federal land managers and tribal nations to discuss Gorge air quality issues.	
Regional Haze	DEQ: Michael Orman, Jeffrey Stocum EPA: Gina Bonifacino, Jeff Hunt	DEQ will work with WESTAR/WRAP to evaluate, develop, and submit a 5-year update for our Round 2 Regional Haze plan.	
Regional Haze	DEQ: Matt Shrensel EPA: Gina Bonifacino, Jeff Hunt, Sarah Waldo, Joey Richardson	DEQ will operate the existing visibility monitoring network at Crater Lake, and Mt. Hood.	
Objective 6: Maintain an effective compliance and assurance program that contributes to prevention and reduction of pollution, protection of public health, and meets the national goals set forth in the Clean Air Act Stationary Source Compliance Monitoring Strategy. Outcome Measures: <ul style="list-style-type: none"> • Issues discovered during the State Review Framework process are addressed. • Violations are addressed in accordance with the Timely and Appropriate Enforcement Responses to High Priority Violations. • Meet with the EPA to discuss HPVs/FRVs 			Update & Milestones
Core Work	Manager	Criteria	Updates
Metrics and Reporting	DEQ: Tim Wollerman EPA: Elly Walters, John Keenan, Karl Pepple	DEQ will take steps to address areas for improvement or that need attention relating to the permit backlog identified in the most recent State Review Framework.	
Metrics and Reporting	DEQ: Tim Wollerman EPA: EPA: Elly Walters, John Keenan, Karl Pepple	DEQ will implement its Title V program restoration plan including fee increases, staff recruitment, and training. DEQ will create and implement a new statewide backlog reduction plan and goal. (9/30/2025).	
Metrics and Reporting	DEQ: Tim Wollerman, Kieran O'Donnell EPA: Elly Walters, John Keenan	DEQ and EPA will hold monthly compliance meetings and compliance update conference calls. Discussion topics for the meetings include: <ul style="list-style-type: none"> • work share opportunities; roles and responsibilities; national, regional, and state priorities; 	

Appendix A: Air Quality Program Component

		<ul style="list-style-type: none"> trends in data; changes in national guidance; changes in DEQ compliance and enforcement guidance; joint compliance and enforcement activities; and planned inspection activities (i.e., mentoring, oversight, joint). 	
Metrics and Reporting	DEQ: Tim Wollerman EPA: Elly Walters, John Keenan	<p>ICIS-Air Entries:</p> <p>DEQ will utilize the OpenNode2 for monthly reporting of compliance evaluations, compliance certifications, and stack tests. If necessary, DEQ will upload to ICIS- Air.</p> <p>DEQ will provide data to ICIS-Air in a timely fashion, completing the annual input by the required timeframe.</p> <p>DEQ will enter sources subject to New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants and the applicable subparts into ICIS-Air.</p>	
Metrics and Reporting	DEQ: Tim Wollerman EPA: Elly Walters, John Keenan	DEQ will conduct annual FFY data verification of compliance and enforcement data captured in ECHO and correct data in ICIS-Air as needed. This will be done according to the schedule provided by EPA in anticipation of EPA's annual Data Metric Analysis and EPA's annual release of data to the public through ECHO.	
High Priority Violations and Federally Reportable Violations	DEQ: Tim Wollerman, Kieran O'Donnell EPA Elly Walters, John Keenan	DEQ will resolve violations detected at major sources and SM80s in accordance with the EPA "Timely and Appropriate Enforcement Response to High Priority Violations." DEQ check in frequently to discuss DEQ's identification of and strategy for responding to HPVs.	

Appendix A: Air Quality Program Component

High Priority Violations and Federally Reportable Violations	DEQ: Tim Wollerman EPA: Elly Walters, John Keenan	DEQ will report the Federally Reportable Violations for CAA Stationary Sources and the Minimum Data Requirements for CAA Stationary Source Compliance.	
Compliance and Enforcement	DEQ: Tim Wollerman, Kieran O'Donnell EPA: Elly Walters, John Keenan	DEQ will work with EPA each year to ensure that compliance and enforcement data (annual data set) is accurate in anticipation of the annual public compliance and enforcement data release through EPA's website, Enforcement and Compliance History Online.	
SRF	DEQ: Tim Wollerman EPA: Elly Walters, John Keenan	DEQ will continue to participate in the implementation (e.g., file availability, coordination) of the State Review Framework review every three years.	
Inspections	DEQ: Tim Wollerman, Regional Managers EPA: Elly Walters, John Keenan	DEQ's Air Quality program staff will continue to inspect air permitted gasoline dispensing facilities required to have stage II controls. DEQ Tanks program staff will inspect air permitted GDFs not required to have stage II controls while performing their tank inspections.	
Wood Smoke	DEQ: Jeffrey Stocum EPA: Karl Pepple, John Chi, Geoffrey Glass	DEQ will use IRA grant money to conduct a home heating survey in 2024, through a partnership with Oregon State University, to inform emission inventory calculations for home heating devices and residential outdoor burning. The data may become even more useful pending finalization to the AERR.	

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Hazardous Waste Program

Oregon Department of Environmental Quality, authorized by the Environmental Protection Agency, is responsible for administering the [Resource Conservation and Recovery Act](#) in Oregon. This includes activities outlined in the agreement, which is partly funded through the EPA's consolidated Performance Partnership Grant.

This Performance Partnership Agreement, along with associated programmatic work plans, explains the goals, sub-goals, objectives, programs, activities, deliverables, and measures of progress to address federal-state environmental programs under ODEQ's jurisdiction. The PPG plays a crucial role in implementing the agreement, and the work plans detail commitments agreed upon by ODEQ and the EPA.

In accordance with [EPA Order 5700.7A1](#), program offices are directed to ensure that work plans include well-defined outputs and outcomes, specifically addressing:

- Components to be funded under the grant in each work plan.
- Commitments for each work plan component and the timeframe for their completion.
- A performance evaluation process and reporting schedule in accordance with [40 CFR 35.115](#).
 - The roles and responsibilities of both the recipient and EPA in fulfilling the work plan commitments.

This agreement incorporates the following documents by reference:

- ODEQ and the EPA 2017 Memorandum of Agreement, which includes the 2011 RCRA Data Management Agreement and the 2021 Addendum for Your DEQ Online;
- 2000 Corrective Action Communication Strategy; and
- 2011 EPA/ODEQ Hazardous Waste Program Issue Resolution Process.

Implementing RCRA requires strategic use of resources for maximum environmental benefit. This hazardous waste Performance Partnership Agreement highlights opportunities to efficiently promote shared priorities between ODEQ and the EPA, as well as opportunities to collaboratively address emerging issues.

Specifically, this PPA aligns with:

- ODEQ's commitment to implementing initiatives ensuring the safe management and reduction of hazardous waste and toxic chemicals. The focus is on continuous improvement and innovation for enhanced efficiency and significant environmental gains.
- The EPA's [Strategic Plan for Fiscal Years 2022-2026](#), highlighting key goals such as Goal 1: Tackle the Climate Crisis; Goal 2: Taking decisive action to advance environmental justice and civil rights; Goal 3: Enforcing environmental law and ensuring compliance; Goal 6: Safeguarding and revitalizing communities; and Goal 7: Ensuring the safety of chemicals for both people and the environment.

This collaborative effort promotes compliance and emphasizes advancing environmental justice and climate change considerations. Moreover, it underscores the commitment to ensuring scientific integrity and making science-based decisions. This reinforces the importance of a robust scientific foundation in shaping environmental policies and actions.

ODEQ and the EPA revised and approved the latest Memorandum of Agreement on November 30, 2017, to align with state program adjustments associated with the annual state grant work program, or PPA. ODEQ and the EPA will discuss adjustments to the MOA during this PPA cycle to maintain consistency across all Region 10 states.

In 2013, the ODEQ Hazardous Waste program adopted a strategic plan with a vision of leading Oregon to protect human health and the environment by reducing the generation and ensuring the safe management of

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

hazardous waste and toxic chemicals. The Hazardous Waste program updated the strategic plan July 2023, making minor changes, and plans to conduct a more robust strategic plan in the near future.

The ODEQ Hazardous Waste Program will achieve its vision in four ways:

1. Continuously improving the program by engaging staff through:
 - a. Fostering science-based decision making to devise innovative solutions for program priorities;
 - b. Measuring performance and outcomes; and
 - c. Celebrating accomplishments in achieving core work and program priorities.
2. Integrating diversity, equity, and inclusion along with environmental justice into program work.
3. Collaborating across media on local, statewide, regional, and national initiatives aimed at addressing the climate crisis and advancing environmental justice, leveraging partnerships to maximize impact and promote coordinated responses.
4. Reducing hazardous waste and toxic chemicals while ensuring safe management of wastes, with a focus on minimizing environmental harm and contributing to climate resilience through sustainable waste management practices.

The ODEQ Hazardous Waste program will work towards these goals in this PPA through the following three priorities:

1. Hazardous waste initiatives
2. Safe management and reduction of hazardous waste and toxics
3. Hazardous waste improvement and innovations

Each of these three priorities is discussed in greater detail below.

Priority 1: Hazardous Waste Initiatives

The ODEQ Hazardous Waste program's comprehensive compliance strategy underscores the importance of fostering collaborative partnerships with Oregon businesses, communities, governmental agencies, and other ODEQ programs to achieve meaningful environmental outcomes.

Enhanced Notifier Engagement

The implementation of the new ODEQ Hazardous Waste program facility compliance assistance "welcome wagon" initiative represents a proactive approach by field staff to foster positive relationships with new notifiers. This non-regulatory strategy aims to go beyond traditional compliance technical assistance by focusing on education and relationship-building. By establishing connections with new notifiers, field staff lay the groundwork for a cooperative and transparent working relationship.

This initiative aligns with the broader goals of environmental justice and tackling the climate crisis. Through education and collaboration, ODEQ seeks to ensure that generators are well-informed, thereby increasing compliance. The emphasis on reducing the use of toxic chemicals, water, and energy underscores a commitment to sustainable practices that benefit both the environment and surrounding communities, promoting resilience to climate-related risks. The "welcome wagon" initiative serves as a catalyst for positive change, fostering a culture of environmental responsibility and cooperation between ODEQ and hazardous waste generators.

Equitable Outreach

In a dedicated effort to enhance accessibility, inclusivity, and environmental justice, ODEQ designed the following initiatives to bridge gaps, promote awareness, and foster compliance in diverse communities.

- Translation of guidance documents, fact sheets, and web content into Oregon's four most widely spoken languages other than English: Spanish, Chinese, Vietnamese, and Russian, to ensure additional accessibility and inclusivity.
- Collaboration with the [Oregon Health Authority](#) to educate retail vape shops and schools on their obligations under the [Pharmaceutical Rule](#), promoting compliance and protection of human health and the environment.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

- Revamped [RCRA Basics training sessions](#) offered in-person and on-demand via recorded sessions available on DEQ's Hazardous Waste program [website](#). This initiative enhances awareness of compliance by aligning with principles of accessibility and environmental justice.

Priority 2: Safe Management and Reduction of Hazardous Waste and Toxics

The safe management and reduction of hazardous waste and toxics are indispensable elements of the ODEQ Hazardous Waste program that align with principles of environmental justice, climate resilience, and science-based decision-making. By prioritizing the safe handling and reduction of hazardous waste, the program ensures that vulnerable communities, often disproportionately affected by environmental hazards, are protected from potential adverse impacts. Additionally, incorporating science-based decision-making guarantees that strategies for waste management and reduction are grounded in data, enhancing the program's effectiveness. ODEQ achieves this priority primarily through its permitting and inspections of hazardous waste facilities.

Compliance Monitoring Inspections

The ODEQ Hazardous Waste program directs its compliance inspection efforts mainly towards large quantity generators, small quantity generators, treatment storage and disposal facilities, high-priority complaints, and non-notifiers. Due to limited resources, transporters and used oil generators are inspected on an "as-needed" basis, for example, in response to complaints or as part of a generator enforcement investigation.

As part of our commitment, ODEQ pledges to conduct inspections on a minimum of 20 percent of large quantity generators annually, with the overarching objective of inspecting 100 percent of the large quantity generator universe, including the pharmaceutical reverse distributor universe, every five years, in accordance with the EPA [RCRA core program](#) compliance monitoring requirements. To identify inspection sites, ODEQ will utilize two primary sources:

1. The most recent state [annual generator report data](#), which, in alternate years, corresponds to the information utilized for the national [Biennial Report](#) of hazardous waste generation and management.
2. The most up-to-date information on large quantity generators available in ODEQ's [Your DEQ Online](#) reporting system.

The specific inspections slated for implementation are detailed in the accompanying work plan, providing a clear roadmap for our inspection activities.

ODEQ recognizes the crucial role of enforcement actions in deterring future violations, ensuring violators do not obtain a competitive advantage through non-compliance, and fulfilling ODEQ's obligation to the EPA and the public to enforce the law. To fulfill these objectives, ODEQ endeavors to issue timely and appropriate enforcement responses to violations, including formal enforcement actions assessing civil penalties and requiring corrective actions. In addition, ODEQ will designate a facility as a [Significant Non-Complier](#) if it meets any of the qualifying factors outlined in the [SNC policy](#):

- Violation where there is actual exposure or substantial likelihood of exposure to people or the environment from hazardous waste;
- Violation through flagrant or willful action;
- Violation by a chronic or recalcitrant violator; or
- Violation that constituted a substantial deviation from a permit, order, or environmental regulation.

ODEQ's Office of Compliance and Enforcement staff also assesses the SNC checklist during the later stages of the process when evaluating compliance with orders. If any of the factors become applicable at a later stage of the case, facilities will be designated as a SNC, as deemed appropriate.

RCRAInfo

ODEQ transfers all related data to compliance, monitoring, and enforcement (CM&E), and handler information via [Virtual Exchange Services](#) to [RCRAInfo](#) from the recently implemented YDO enterprise data management system. This automated translation occurs every week for handler data and every 30 days

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

for CM&E data to maintain up-to-date compliance information for generators. In the event of the EPA's software updates, ongoing coordination between the EPA and the state ensures that translations remain current per our 2011 RCRA Data Management Agreement. ODEQ permit staff actively update EPA's RCRAInfo system manually for corrective action, permitting and financial assurance, when applicable.

Technical Assistance

ODEQ is committed to providing comprehensive technical assistance in support of hazardous waste compliance to businesses and organizations across Oregon. This commitment translates into various forms of support, including site visits, educational workshops, and support for initiatives of the Hazardous Waste [Technical Assistance program](#), as detailed in ODEQ's Internal Management Directive titled "[Using Immunity from Enforcement in the Hazardous Waste Technical Assistance Program](#)." Our efforts are dedicated to bolstering compliance, with an emphasis on the Hazardous Waste Initiatives highlighted in that section.

Permitted Facilities

According to the Statutory/Program-specific Activities section in the [FY 2023-2024 Office of Enforcement and Compliance Assurance National Program Manager Guidance](#) (Aug 19, 2022, Section B.6.5. p. 34), RCRA requires minimum inspection frequencies for treatment, storage, and disposal facilities annually for TSDFs operated by federal/state/local governments, and biennially for non-governmental TSDFs. The inspections required under these RCRA commitments are on-site Compliance Evaluation Inspections. To meet the TSDF inspection requirement, a CEI and a Financial Record Review of the facility's financial assurance documentation must be completed in the same federal fiscal year.

The EPA [RCRA core program Compliance Monitoring Strategy](#) allows states to conduct Focused Compliance Inspections in lieu of CEIs at TSDFs if the states have written approval from their Region and the TSDF meets the established requirements as identified in the CMS Appendix.

ODEQ and the EPA's specific permitting activities are outlined in the work plan that follows this narrative and within the current Memorandum of Agreement Between the State of Oregon and the U.S. EPA Region 10. The strategic objective for permitting activities is to, "prevent releases and safely manage hazardous waste by updating approved controls by renewing permits and other actions at Treatment, Storage and Disposal Facilities".

Corrective Action Activities

Most components of [corrective action](#) are managed under ODEQ's [Environmental Cleanup program](#), as specified in the latest federal authorization, are tracked and reported to the EPA by the ODEQ [Hazardous Waste Permit program](#). ODEQ and the EPA's specific corrective action activities are outlined in the work plan that follows this narrative and within the current Memorandum of Agreement. Both agencies will update the corrective action program agreements as needed per applicable agreements, including the 2017 Memorandum of Agreement and Corrective Action Communications Strategy Agreement.

Priority 3. Hazardous Waste Improvement and Innovations

Continuous improvement and innovation play pivotal roles in enhancing the effectiveness and adaptability of the RCRA Hazardous Waste program. In the ever-evolving landscape of environmental regulations, embracing a culture of continuous improvement allows the program to stay abreast of emerging challenges and opportunities. By fostering innovation, the program can identify and implement more efficient processes, advanced technologies, and streamlined approaches to hazardous waste management. This commitment to continuous improvement ensures that the program remains responsive to changing environmental dynamics, evolving industry practices, and emerging scientific insights. It also enables the program to proactively address new and complex environmental issues, ultimately contributing to the program's ability to achieve its core objectives of protecting human health and the environment.

Rules and Authorization

In 2021, ODEQ completed adoption of most federal regulations established through July 30, 2020. Simultaneously, the agency implemented statutory changes to integrate non-federal regulations, such as Performance Partnership Agreement July 1, 2024, to June 30, 2026

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

increases in hazardous waste disposal fees. In November 2022, ODEQ adopted a modified version of the revised [Definition of Solid Waste](#). ODEQ, in partnership with the EPA Region 10, has begun work on the next [authorization](#) revision application. This forthcoming application will encompass all federal rules adopted by ODEQ in 2021 and 2022.

Joint Agreements on Agency Communication and Coordination

ODEQ and the EPA have established agreements on information sharing, communication, and reporting. During the term of this agreement, the agencies will begin a review of these agreements, and either reaffirm, update, or delete them as appropriate. ODEQ and the EPA will consider updates to the appendices of the 2017 Memorandum of Agreement Between the State of Oregon and the U.S. EPA Region 10 dated November 30, 2017, the 2000 Corrective Action Communication Strategy, and the 2011 the EPA and ODEQ Hazardous Waste Program Issue Resolution document during the terms of this agreement to ensure that documents are up-to-date and compatible. ODEQ and the EPA will also consider updates, as needed, to as this Performance Partnership Agreement during the term of this agreement.

The agencies will maintain quarterly meetings to exchange updates on progress, coordinate work plans, and address any issues. Disputes will follow the communication channels outlined in the 2011 the EPA/ODEQ Hazardous Waste Program Issue Resolution Process.

By June 30, 2025, ODEQ and the EPA will review progress and negotiate potential adjustments in resource allocation to align with priority activities for the subsequent year. Both agencies commit to modifying the work plan in response to changes in priority tasks or the inclusion of new responsibilities, such as the EPA's enforcement priorities. The achievements outlined in this agreement will be summarized in quarterly reports shared throughout the agreement's duration.

Future Opportunities

The escalating global demand for materials and products is exerting considerable effects on Oregon residents, businesses, communities, and the environment. Recognizing the need to conserve resources and acknowledging the environmental constraints on increased consumption, Oregon law underscores the importance of responsible resource management.

While Oregon is renowned for its leadership in resource conservation through recycling and waste management, the focus on managing discards has inherent limitations in addressing the comprehensive impacts of materials and the associated challenges for both Oregonians and the environment. The ODEQ Hazardous Waste Program is committed to state policy and programs that achieve optimal environmental outcomes through forthcoming initiatives, including:

1. Grant-funded projects for technical assistance, training, outreach, education, regulatory integration, data collection, and research on emerging contaminants.
2. The exploration of innovative responses and the formulation of statewide policies for environmental justice and climate change. This involves utilizing data analysis and geographic information systems to inform the development and implementation of strategies that uphold scientific integrity and ensure science-based decisions.

The aim is to proactively address environmental justice and climate resilience issues, fostering a comprehensive and informed approach to the challenges posed by materials and their impacts in Oregon.

Environmental Justice and Climate Change

Throughout this agreement, the agencies will strive to integrate Environmental Justice and equity, as well as climate change considerations into RCRA hazardous waste work, including inspections, permits and corrective action cleanups. In support of these efforts, the EPA is developing Environmental Justice and Climate Change implementation guidance for integrating EJ and Climate Change considerations into authorized state hazardous waste programs across the country. This guidance will include actions to integrate environmental justice and climate change considerations into state hazardous waste workplans and annual

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

grant reporting. The EPA will discuss this guidance with ODEQ and work to integrate this guidance, as appropriate, into the Hazardous Waste program work plan and related annual reporting.

ODEQ additionally seeks to strengthen its environmental justice capacity and adopt a proactive approach by combining awareness of potential environmental justice issues, opportunities to improve environmental outcomes, and strategies to mitigate negative impacts in the event of catastrophic events exacerbated by climate change. Utilizing the [EPA EJ Toolkit](#) and assessing [Supplemental Environmental Projects](#), the goal is to address EJ concerns during RCRA enforcement actions, thereby promoting fairness, inclusivity, and resilience in environmental practices as part of broader efforts to address the climate crisis.

Total ODEQ FTE for this component: 5.5. Resources budgeted biannually: \$1,876, 893 (includes EPA \$1,407,670 plus state match \$469,223). Please refer to attached Performance Partnership Grant budget narrative for additional detail about FTE and resources.

Note: The PPA is based on the state fiscal year from July 1 – June 30. Program measures are based on the federal fiscal year of October 1 – September 30.

HAZARDOUS WASTE PROGRAM WORK PLAN

ODEQ HW Priority 1, Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights, Goal 7: Ensure Safety of Chemicals for People and the Environment & EPA Goal 1: Tackle the Climate Crisis			
ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
RCRA Grant (STAG Funding)	Financial assistance to help implement environmental programs	Continuous	Direct the EPA grant funds to priority environmental problems or program needs.
Implement ODEQ Toxics Reduction Strategy	Coordinate pollution prevention efforts on toxics reduction	Continuous	Integrate Strategy into program project priorities and consider the Strategy when planning new projects.
ODEQ HW Priority 2, Goal 3: Enforce Environmental Laws and Ensure Compliance & EPA Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable			
ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
Conduct large quantity generator inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	Conduct LQG inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions. Coordinate specific sites and dates with ODEQ.	Continuous	ODEQ will inspect 20 percent of the LQG universe, and the pharmaceutical reverse distributor universe, based on 2023 BRS data in each year of the PPA. Both agencies will coordinate what inspections the EPA will conduct by September 30 of each year. Report compliance data to the EPA by October 14 (translating 1 week ahead) of each year and complete RCRAInfo data verification process.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

ODEQ HW Priority 2, Goal 3: Enforce Environmental Laws and Ensure Compliance; EPA Objective 3.1: Hold Environmental Violators and Responsible Parties Accountable; & EPA Objective 3.2: Detect Violations and Promote Compliance			
ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
Conduct treatment, storage and disposal facility inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	Conduct TSDF inspections per OECA National Program Manager Guidance (http://www2.epa.gov/planandbudget/national-program-manager-guidance). Other inspections to address priority areas and take necessary enforcement actions will be coordinated with ODEQ.	Continuous	Inspect 50% of operating TSDF annually. Inspect federal facilities annually. Coordinate which inspections the EPA will conduct by September 30 of each year, consistent with Annual Commitment System targets. Complete financial record reviews in conjunction with non-federal facility CEIs. Report to the EPA by October 14 of each year and complete RCRAInfo data verification process.
Inspect small quantity generators.	Inspect SQGs to address priority areas and issues and take necessary enforcement actions. Coordinate specific sites and dates with ODEQ.	Continuous	Measure total SQGs inspected, and percentage inspected using 2023 SQG universe. Coordinate which inspections the EPA will conduct by September 30 of each year.
Inspect very small quantity generators.	Inspect VSQGs to address priority areas and issues and take necessary enforcement actions. Coordinate specific sites and dates with ODEQ.	Continuous	Inspect VSQGs, including those that may be non-notifiers. Coordinate which inspections the EPA will conduct by September 30 of each year.
Inspect non-notifiers.	Inspect non-notifiers to address priority areas and issues and take necessary enforcement actions. Coordinate specific sites and dates with ODEQ.	Continuous	Inspect non-notifiers when identified. Coordinate which inspections the EPA will conduct by September 30 of each year.
Inspect high priority complaints. Complaint response may include a desk investigation to clarify the issues and improve the efficiency of site visits.	Provide technical assistance as appropriate, if requested.	Continuous	Total number of hazardous waste complaints, total number of site visits due to hazardous waste complaints and percentage of site visits due to a hazardous waste complaint.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Ensure SNC designations are made appropriately, and data is updated according to the SNC policy.	Discuss SNC designations and enforcement strategy.	Quarterly	Track and review total number of active and inactive SNCs, including those with a repeat SNC designation.
Complete data verification and provide file information for the State Review Framework Round 5 process.	Conduct Oregon Round 5 SRF reviews of the state RCRA enforcement program, following Round 5 Headquarters guidance issued in December 2023 (https://echo.epa.gov/help/state-review-framework/documentation).	Final report out to the EPA to be completed by TBD	OECA NPM measure SRF 01. Oregon will continue to monitor and implement agreed upon improvements from previous SRFs.

ODEQ HW Priority 2, Goal 3: Enforce Environmental Laws and Ensure Compliance & EPA Objective 3.2: Detect Violations and Promote Compliance

ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
Evaluate all financial assurance submittals made to ODEQ each year.	Follow-up to non-compliance in consultation with ODEQ, note financial assurance is included with TSD inspections.	Annually when facilities submit assurances.	Compliance determinations and appropriate enforcement.
Lockheed Martin – Evaluate cleanup complete criteria and ready for anticipated use.	Provide technical assistance for Ready for Anticipated Use, if requested.	TBD	GPRA Measure: Number of RCRA facilities with corrective action performance standards attained and the site is ready for anticipated use. RCRAInfo: CA800, CA900, CA999.
Permapost –Develop and issue permit renewal.	Provide technical assistance, if requested.	TBD	Prevent releases at hazardous waste management facilities with updated permit controls.
Evanite – Develop and issue permit renewal.	Provide technical assistance, if requested.	2024 TBD	Prevent releases at hazardous waste management facilities with updated permit controls.

ODEQ HW Priority 2, Goal 3: Enforce Environmental Laws and Ensure Compliance & EPA Objective 3.2: Detect Violations and Promote Compliance

ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
Chemical Waste Management of the Northwest – Develop and issue a permit modification and continue work on renewal of permit.	Timely review and comments on permit modifications. Discuss key changes in permit conditions with ODEQ. Timely review of draft permit conditions.	Permit renewal 2024 (<i>Per the EPA, a target, but not held to this.</i>)	Prevent releases at hazardous waste management facilities with updated permit controls.
Umatilla Chemical Storage Depot Determine if facility can be certified as clean closed and corrective action is complete with controls. Evaluate effectiveness and sustainability of institutional controls and modify as necessary to ensure protectiveness and enforceability. If satisfactory, then modify permit to remove hazardous waste management units and solid waste management units.	Timely review and comment on permit modifications including effectiveness and enforceability of controls.	TBD for closing permitted units and removal from the permit. TBD Corrective Action Closure under CERCLA	Prevent releases at hazardous waste management facilities with updated controls.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

ODEQ HW Priority 2, Goal 6: Safeguard and Revitalize Communities & EPA Objective 6.1: Clean Up and Restore Land for Productive Uses and Healthy Communities			
ODEQ HW Activities	EPA Activities	Timeframe	Program Measures
Univar Portland (VWR) – Technical coordination as needed.	EPA-lead to oversee facility construction of the modified remedy.	TBD due to the EPA staffing workload	Increase the number of RCRA facilities where the site is ready for anticipated use CA800.
Evraz – Evaluate cleanup complete criteria.	Provide technical assistance, if requested.	TBD	GPRA Measure: Number of RCRA facilities with corrective action performance standards attained and the site is ready for anticipated use. RCRAInfo: CA800, CA900, CA999.
Boeing of Portland – Evaluate cleanup complete criteria and ready for anticipated use.	Provide technical assistance for Ready for Anticipated Use, if requested.	TBD	New GPRA Measure: Number of RCRA facilities with corrective action performance standards attained and the site is ready for anticipated use. RCRAInfo: CA800, CA900 and CA999.

ODEQ HW Priority 3, Goal 3: Enforce Environmental Laws and Ensure Compliance & EPA Objectives 3.2: Detect Violations and Promote Compliance			
ODEQ HW Activities	EPA Activities	Target Date	Program Measures
RCRAInfo data analysis and update.	Provide data technical assistance, if requested.	Continuous	Prevent releases at hazardous waste management facilities with updated controls.
Use the National Virtual Exchange Service to translate data to RCRAInfo.	Ensure VES technical assistance is available to execute this project.	Continuous	Secure Internet- and standards-based way to support electronic data reporting, sharing, and integrating regulatory environmental data.
Translate Your DEQ Online data into RCRAInfo and directly enter any core data not available in YDO.	Provide technical assistance, if requested	Monthly	All the EPA measures are pulled from RCRAInfo.

ODEQ HW Priority 3, Goal 3: Enforce Environmental Laws and Ensure Compliance & EPA Objectives 3.2: Detect Violations and Promote Compliance			
ODEQ HW Activities	EPA Activities	Target Date	Program Measures
Review joint agreements on agency communication and coordination.	Continue to review and collaborate with ODEQ on joint agency communication and coordination agreements.	TBD: MOA Appendix Updates and July 2024-2026 Performance Partnership Agreement	All agreements reaffirmed, updated, or deleted, except for the MOA which can be modified, but never deleted.
Expedited Enforcement Offers Program.	Cross-reference to the authorized program description.	Continuous	Implemented EEO program statewide.
Develop and submit the two federal rule adoptions - 2021 and	Review and approve.	2024	Coordinate with the EPA to review those federal rules subsequently promulgated by

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

2022 - for one Authorization revision application.			the EPA and adopted by ODEQ.
e-Manifest communication to promote regulated community understanding and registry.	Manage new e-Manifest system, with continuous user and stakeholder engagement.	Continuous	e-Manifest communication to promote regulated community understanding and registry.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

WATER QUALITY PROGRAM

The Water Quality Program's mission is to protect and improve Oregon's water quality. Protecting and improving the quality of Oregon's rivers, streams, lakes, estuaries, and groundwater keeps these waters safe for multiple beneficial uses such as drinking water, fish and aquatic wildlife habitat, recreation, and irrigation. This is accomplished by developing and implementing water quality standards and clean water plans, regulating wastewater treatment systems, stormwater, and industrial dischargers, collecting, and evaluating water quality data, providing grants and technical assistance to reduce nonpoint pollution sources, and providing below market rate loans and technical assistance to communities to construct or improve infrastructure that advances water quality objectives. The availability of clean and healthy water is critical to Oregon's environment and economy.

During the 2022-2024 PPA/PPG term (7/1/2022-6/30/2024), DEQ's Water Quality Program made significant advances in several areas, including, but not limited to, the following:

Data management: DEQ has made significant progress toward upgrading and streamlining the way we accept, process and share information at DEQ. This is an important and exciting upgrade to the way DEQ does business now, from internal processes, interactions with permittees and agents and with the public. DEQ's new Environmental Data Management System, called 'Your DEQ Online', provides an easy and intuitive online system for connecting to DEQ. Our goals for 'Your DEQ Online' are to meet state and federal electronic reporting standards; to make DEQ's services more accessible to our stakeholders and the public; to save applicants time and resources on application submissions; to streamline DEQ processes and reduce the ongoing costs of collecting and maintaining data; to provide faster turnaround time for issuing licenses/certifications/permits; and to improve transparency and management of publicly available data and information. Stormwater and UIC permits and Section 401 water quality certifications were the first water quality programs areas to begin using the system in late 2021. Licensing and certifications for Sewage Disposal Service Providers and Wastewater Operators began using the system in late 2022/early 2023. DEQ's complaint program began using the system in late 2023. The remaining water quality programs are scheduled to begin using the system in late 2024 and include WPCF Onsite Permitting, NPDES and WPCF General Permitting, and NPDES and WPCF Individual Permitting. DEQ anticipates some delays in service could occur as program staff conduct testing of the system, perform quality assurance reviews of migrated and compiled data in the system, and support deployment of and initial use of the system by permittees. In addition, these changes may impact the timeframes of some of the DEQ commitments in the 2022-2024 PPA in program areas actively engaged in development and implementation of the new system.

Assessments: DEQ has made significant progress on improving processes necessary to support a comprehensive and functional assessment program that meets federal requirements, informs DEQ's water quality programs, and provides essential data and information to interested parties and the public. DEQ submitted the 2022 Integrated Report to the EPA for approval in May 2022 and obtained the EPA's full approval on September 1, 2022. In order to meet the Clean Water Act's biennial deadlines, DEQ started the 2024 Integrated Report process in early 2022 as it was completing the 2022 Integrated Report. DEQ released its draft 2024 Integrated Report Assessment Methodology for public comment in January 2023 and plans to release the draft 2024 Integrated Report for public comment in April 2024. In 2023, DEQ initiated the 2026 Integrated Report process by conducting a prioritization of assessment methodology updates.

Water Quality Standards: DEQ made significant progress implementing the Triennial Review Workplan for 2021-2024. DEQ updated the state's designated beneficial uses for aquatic life across the state. This included updating the use subcategories associated with the temperature standard that were originally designated in 2003. It also included designating the aquatic life use subcategories for dissolved oxygen for the first time in administrative rule. These rule amendments were adopted by the Environmental Quality Commission in November 2023. These updates required that DEQ complete a Use

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Attainability Analysis that was more complex and time consuming than anticipated. DEQ evaluated an Outstanding Resource Water petition for the Metolius River and the EQC denied the petition because it did not provide sufficient detail to show the reasons for and potential effects of the proposed rule amendments. As a follow up, DEQ developed a ORW nomination procedure, which would include the ORW designation projects in the triennial workplan. DEQ has initiated a rulemaking to adopt three new 304(a) aquatic life criteria and to revise three additional aquatic life criteria for toxics substances. DEQ also began to develop procedures to apply the narrative toxics criterion, beginning with an assessment methodology to evaluate pesticides that do not have numeric water quality criteria. DEQ also completed Aluminum application procedures and assessment methodology and updated the state's Variance Internal Management Directive.

Permitting: Based on the 2016 program audit conducted by an outside consultant, DEQ continues to implement many of the recommendations including continuous process improvements. Further, the program has refined an internal Quality Assurance process and updated the individual permit and fact sheet templates. DEQ completed the one-year and five-year permit issuance plans which list the individual and general permits DEQ intends to issue during those time periods. DEQ will continue to engage EPA and external partners and stakeholders during the 2024-2026 PPA/PPG term to enlist their assistance in further refining the permitting program. EPA completed a Permit Quality Review of the NPDES program in 2020 and can be viewed here: <https://www.epa.gov/system/files/documents/2022-05/Oregon%20PQR%202020.pdf>. The NPDES PQR is an evaluation of a select set of NPDES permits to determine whether permits are developed in a manner consistent with applicable requirements established in the CWA and NPDES regulations. Through this review mechanism, EPA promotes national consistency, and identifies successes in implementation of the NPDES program as well as opportunities for improvement in the development of NPDES permits.

Compliance and Enforcement

Compliance assurance and enforcement are key elements of DEQ's NPDES program. EPA and DEQ collaborate on compliance and enforcement activities and coordinate with permitting to maximize the limited NPDES resources especially while facing important decisions on priorities for needed program improvements.

Compliance inspections and audits are conducted according to EPA's NPDES Compliance Inspection Manual and targeted in accordance with EPA's Compliance Monitoring Strategy as specified in the PPA. DEQ and EPA collaborate on inspection targeting. DEQ also performs compliance inspections while responding to complaints warranting site visits and other permitted sources based on the likelihood of important environmental outcome and other criteria. Sources with compliance schedules in permits or corrective action schedules in mutual agreement and final orders are also prioritized.

Enforcement priorities for water are guided by EPA's Compliance Advisories and Enforcement Alerts, the National Enforcement Goals, the National Enforcement and Compliance Initiatives, and the national Clean Water Act Action Plan, as well as other DEQ and EPA priorities. EPA's overall national enforcement goals focus on civil and criminal enforcement for violations that threaten communities and the environment; greater compliance and protection through use of advanced monitoring and information technologies; and strong EPA/State/Tribal partnerships for working together toward shared environmental goals. DEQ's enforcement guidance directives focus the agency's enforcement resources on the most important violations and ensure statewide consistency. DEQ's formal enforcement actions require corrective actions and assess civil penalties according to Division 12 of the Oregon Administrative Rules. The formal enforcement actions deter future violations, promote fairness, and generate beneficial environmental outcomes.

EPA implemented a National Compliance Initiative in 2019 with states to improve Significant Non-Compliance Rates for NPDES permitted facilities nationwide with a goal to reduce the national SNC rate to 10.1% by end of federal fiscal year 2022 (September 30, 2022). In partnership with the states, EPA met its

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

SNC rate reduction goal, reducing the percent of individual NPDES permittees in SNC to below 10% by FY 2022, and elected not to continue the SNC NCI in the new NECIs for fiscal year 2024. In addition, Oregon's SNC rate has remained below 4% over the last approximately five years. However, EPA continues to coordinate closely with DEQ to implement this initiative to reduce levels of SNC in Oregon, particularly SNCs from effluent limit violations. EPA and DEQ meet at least quarterly to discuss facilities in SNC. In addition, DEQ and EPA may pursue civil enforcement jointly for the most egregious violators.

Water Quality Program Joint Priorities for 2024-2026

DEQ and EPA worked together to develop the Performance Partnership Agreement Water Quality Program Work Plan. These shared objectives target Oregon's most important water quality issues within the constraint of limited resources and in support of EPA's 2022-2026 Strategic goals including Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights; Goal 3: Enforce Environmental Laws and Ensure Compliance; and Goal 5: Ensure Clean and Safe Water for All Communities. Through this partnership agreement, in addition to the core work areas highlighted below, both agencies have agreed to support each other's efforts in the following important cross-cutting areas of work.

Funding Opportunities to Enhance Water Quality Outcomes and Infrastructure

The Bipartisan Infrastructure Law represents a monumental, once-in-a-generation, opportunity to invest in water-related projects. DEQ and EPA coordination on implementation of supplemental CWSRF funding represents an opportunity to address shared goals of supporting underserved communities and climate resilience while achieving water quality improvements. The agencies will also work together to identify and coordinate on other funding opportunities with the objective of funding areas of greatest need, avoiding overlap, leveraging various funding streams, and identifying opportunities for efficiency and partnership.

Advancing Water Quality Strategies to address Nutrients

DEQ and EPA will evaluate opportunities to leverage state 604(b) funding increases associated with federal Bipartisan Infrastructure Law monies to make program progress related to nutrient reduction strategies within the water quality program. In coordination with EPA, DEQ is developing a workplan to develop a nutrient strategy that identifies priority actions and includes actions that assist the TMDL and permitting programs on implementation, including consideration of nutrient trading within the strategy's scope.

Enhanced Community Engagement

Consistent with commitments described in Appendix D, Environment Justice Actions, DEQ will pursue activities and partnerships to advance environmental justice and civil rights, including enhancing community engagement and partnerships throughout the water quality program's various processes and actions.

Future Opportunities

In the event that additional state or federal funds become available, DEQ - in coordination with EPA - has identified various project areas for potential future work emphasis. Continued improvement of coordination between the state agencies, governor's office, and local entities, including historically marginalized groups, to identify opportunities to enhance groundwater protection across Oregon. Other opportunities include addressing environmental justice and equity objectives by building community capacity for engagement and outreach, which could be enhanced with grant or other funding to support community representative participation in program advisory forums.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Evaluation Process

To ensure that EPA and DEQ maintain open communications during this PPA, the two agencies agree to check-in every six months and have meetings as needed. In addition, grant update reports will be submitted every twelve months and will be used to determine if a check-in meeting or teleconference should be scheduled. At a minimum the update will include the following information:

- A discussion of accomplishments as measured against the work plan commitments.
- A discussion of the cumulative effectiveness of the work performed.
- A discussion of existing and potential problem areas.
- Suggestions for improvement including schedules if possible.

If the joint evaluation process reveals that sufficient progress under the work plan is not being made EPA and DEQ agree to negotiate a resolution that addresses the issue.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

WATER QUALITY PROGRAM WORK PLAN

This workplan includes a description of key water quality program elements and associated environmental outcomes. The following tables number DEQ's and EPA's commitments, with outputs and timeframes. The table indicates whether the outputs are supported by funding from the PPG, and whether there is an associated Program Activity Measure. PAMs address activities to be implemented by EPA Headquarters, EPA Regional Offices, or by States/Tribes that administer national programs. They are the basis for monitoring progress in implementing programs to accomplish the environmental improvements described in the EPA's [FFY 2022-2026 strategic plan](#).

The EPA National Water Program Guidance also provides overarching national goals, priorities, and performance measures aimed at making significant progress toward protecting human health and improving water quality. This national program guidance is augmented by the National Program Manager Guidance for enforcement activities in all media. Both documents are relevant for the implementation of CWA programs delegated to the State of Oregon and are available at <https://www.epa.gov/planandbudget/national-program-guidances-npgs>.

Over the next 2 years, EPA will work with states, Tribes, territories, and local communities to better safeguard human health; maintain, restore, and improve water quality; and make US water systems sustainable and secure, supporting new technology and innovation wherever possible. EPA Region 10 strives to integrate state and regional priorities with EPA's national strategic planning objectives.

Element 1: Water Quality Standards and Assessments

DEQ contact: Connie Dou

EPA contact: Becky Garnett

Establishing water quality standards for waters in Oregon is at the core of DEQ's water quality activities. Standards include beneficial uses of water, such as drinking water supply, fish, and aquatic life, contact recreation, etc., and the water quality criteria needed to protect those uses. The Water Quality Program then acts to protect and restore water quality by implementing those standards in our water quality programs, including assessment, TMDLs, and permitting. DEQ evaluates whether Oregon's water quality standards are being met through the development of the biennial Integrated Report, which includes the section 303(d) list of impaired waters and the section 305(b) report describing the status of Oregon's surface water quality. The staff who work on these program areas perform the following activities:

- Conduct triennial standards reviews to establish and update scientifically based water quality standards and related policies.
- Develop and maintain procedures and guidance to regional and headquarters staff on the application of water quality standards in various water programs.
- Identify waterbodies not meeting water quality standards and develop biennial Integrated Reports.

Environmental Outcome: Adoption and implementation of appropriate water quality standards will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by monitoring and other environmental data. It is important that the water quality standards are up to date based on the best available information so that DEQ applies the correct water quality standards in Clean Water Act programs including NPDES permitting, TMDL and 401 certification programs to protect Oregon waters.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.1	Conduct rulemaking to update Oregon’s aquatic life toxics criteria including 1) acrolein, 2) carbaryl, 3) diazinon, 4) tributyltin, 5) cadmium and 6) aluminum.	Provide timely guidance, review, and action. Assist DEQ in meeting federal requirements. Keep DEQ informed on the ESA consultation process.	Rule amendments proposed to the EQC for adoption and submitted to EPA. Implementation Procedure Document.	Q3 2024	Partial	
1.2	Work with EPA as needed to provide additional information and clarification during their ESA consultation and review of the revised beneficial use subcategories for temperature and dissolved oxygen. Request participation as an “applicant” in the ESA consultation process.	Review and consult under ESA section 7 on revised use designations. Timely 303(c) action. Assist DEQ in meeting federal requirements.	Action on temperature and DO use subcategory designation updates and clarifications.	Q4 2024	Partial	
1.3	Establish a procedure and database to track additional information on “active spawning areas” used by resident trout for purposes of applying the DO spawning criteria. As resources allow, work with ODFW to establish a procedure to fill data gaps on resident trout spawning locations.	Identify potential opportunities for funding to support fish and habitat survey to fill the data gaps for “active spawning areas” used by resident trout.	Database to track the active spawning areas used by resident trout.	Q4 2024	Not currently	
1.4	Adopt variance(s) for temperature and other pollutants if supporting data and documentation is provided and the conclusions meet state and federal requirements.	Provide timely guidance review and action. Provide technical assistance to DEQ to meet federal requirements, as needed.	Project planning and variance development as requested.	Ongoing	Partial	
1.5	Review and update Oregon’s procedures to apply the narrative toxics criterion. Consider use of published benchmark values.	Provide technical assistance as needed.	Procedures document and assessment methodology.	Ongoing with anticipated completion Q1 2025	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.6	Develop application procedures for Oregon narrative excessive algal growth criterion together with the chlorophyll-a action value. Consider pH and DO criteria and HABs advisories in developing narrative application procedures and prioritizing nutrient work. These procedures will allow DEQ to evaluate and address water quality and beneficial use impacts that occur from anthropogenic nutrient loading.	Provide technical assistance as needed.	Narrative algal growth criterion application procedures and assessment methodology.	Q1 2024 – Q4 2025	Partial	
1.7	Conduct 2025 – 2027 Triennial Review of water quality standards and develop Workplan, including soliciting public comment and holding a public hearing to receive input on projects and priorities. As part of the Triennial Review process, DEQ will include an evaluation of selenium aquatic life criteria and its implementation procedures in the draft 2024 Triennial Review workplan published for public comment. Oregon will work with EPA to develop acceptable selenium implementation methods before initiating rulemaking.	Input on DEQ standards work priorities.	Report and Standards Program Workplan for Jan. 2025 to Dec. 2027.	Q1 2024 – Q4 2024	Partial	
1.8	Integrate the new assessment methodologies for ocean acidification and marine dissolved oxygen into the 2024 Integrated Report. This will include reporting on the assessment of changing ocean conditions using narrative biocriteria and marine dissolved oxygen water quality standards.	Guidance, technical assistance, and review of draft findings	Assessment methodology and assessment for ocean acidification and marine dissolved oxygen	Q2 2024	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

1.9	<p>Revise and update assessment methodologies for submittal of 2026 Integrated Report</p> <p>Expand the use of fish tissue data in the WQ assessment.</p> <p>Update Oregon's biocriteria assessment methodology and procedure for freshwater including updating reference screening protocols, updating the PREDATOR model with more current data and reference information, include a multimetric index, model individual metrics for possible supporting lines of evidence and align assessment benchmarks with ecological response.</p>	<p>Input from EPA regarding applicable federal requirements and priorities.</p> <p>Technical assistance as needed.</p>	2026 Assessment Methodology	Work through 2024 with final draft out Q1 2025	Partial	
-----	--	--	-----------------------------	--	---------	--

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.10	Hold Call for Data for 2026 Integrated Report	Input regarding relevant sources of data	Compilation of data for 2026 IR	Q1 2025	Partial	
1.11	Complete DEQ's 2024 Integrated Report and submit to EPA	Timely input and action on 2024 Integrated Report	Final approved 2024 Integrated Report	Q2 2024	Partial	
1.12	DEQ's 2024 Integrated Report and 303(d) list will be submitted into EPA's ATTAINS data system.	EPA will continue to communicate information about ATTAINS and the Water Quality Framework and will provide technical assistance as DEQ prepares to load data into ATTAINS.	2024 Integrated Report and associated reporting data.	Ongoing DEQ work with EPA ATTAINS and Water Quality Framework design team. Final submittal by Q1 2024	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 2: TMDLS - Total Maximum Daily Loads and Water Quality Management Plans

DEQ contact: Steve Mrazik

EPA contact: Jenny Wu

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies included on DEQ's 303(d) list of water quality limited waterbodies (Category 5 in the Integrated Report). TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial, and surface runoff sources, including natural background, which can enter the river or stream without exceeding water quality standards, and (by extension) what reductions need to occur from current levels of pollution in order for water quality standards to be met. These allocations are required for waterbodies that have been identified as exceeding one or more water quality standards.

DEQ develops TMDLs on a basin, subbasin, or watershed scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). These TMDLs address all sources of pollutants when determining allocations of loading for the pollutants being addressed by the TMDL. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling, as well as consideration of where load and waste load reductions are possible. Staff in the program conduct all facets of work in collecting, analyzing, and presenting results. Staff also perform public and stakeholder outreach and engagement to ensure input when decisions are being made. The combination of community engagement and development provides for the transition from development of loading capacity and allocations to implementation in permits for point sources and implementation plans for nonpoint sources.

TMDL Wasteload Allocations are implemented through NPDES and WPCF permits for point source discharges, and Load Allocations are implemented through DEQ's Water Quality Management Plan and individual TMDL Implementation Plans for nonpoint sources, by designated management agencies and other responsible entities. DEQ implements TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate wasteload allocations into revised permits.
- Working with the U.S. Department of Agriculture, USDA Natural Resources Conservation Service, the Oregon Department of Agriculture, and local organizations to develop and carry out plans to implement the TMDL load allocations on agricultural lands and wherever agricultural activities occur. This work includes but is not limited to regulatory measures under Oregon's Agricultural Water Quality Management Program and development of implementation plans by ODA, BLM and USFS, among others.
- Working with the Oregon Department of Forestry to develop and carry out plans to implement the TMDL load allocations on state and private forestlands. This work includes, but is not limited to, regulatory measures under the Oregon Forest Practices Act, other long range management plans and TMDL-specific implementation plans.
- Assisting local governments in developing TMDL Implementation Plans for urban areas.
- Working with the U.S. Forest Service, Bureau of Land Management and other federal agencies on developing TMDL-specific implementation plans for lands under their jurisdiction. These may draw from water quality restoration plans and Forest Plans and Rangeland Management Plans, which DEQ also advises on updating.
- Working with all Designated Management Agencies and other responsible entities on TMDL implementation planning; timelines; milestones for pollutant reduction targets and strategies to reduce pollutants such as sediment, temperature, nutrients, and bacteria; which may include developing surrogate measures that make it possible to monitor progress in achieving load allocations.
- Working with EPA on nutrient allocations when phosphorous or nitrogen are identified in a TMDL as the pollutant causing or contributing to the impairment.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Under many circumstances, TMDL Implementation Plans for improved water quality rely on cooperation among landowners and land managers within a river basin. Local watershed councils, Soil and Water Conservation Districts or other organizations serve as community-based coordination points for these efforts. Agencies and municipalities with jurisdiction over nonpoint sources of pollution and sources not covered by permits may be required to submit TMDL implementation plans to DEQ for approval. These plans describe actions that will be taken to reduce their contribution to water quality problems.

In September 2022 EPA, with input from the states, updated the long-term vision for assessment, restoration, and protection under the Clean Water Act Section 303(d) Program (for 2022-2032). DEQ is participating in developing a Prioritization Framework described in the updated vision, which is due April 1, 2024. The updated vision requests biennial reporting on metrics for the Prioritization Strategy

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses and meeting water quality standards in Oregon's waterbodies and water quality improvements, as measured by water quality data and other environmental data and measures in TMDLs, WQMPs and TMDL implementation plans.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
2.1	<p>Develop TMDLs and WQMPs in accordance with 303(d) list schedule.</p> <p>Provide IPs on EPA-developed temperature TMDLs.</p> <p>Provide technical, policy and public involvement support to EPA on the Umpqua temperature TMDL.</p>	<p>Provide technical assistance, comments, and information on TMDLs.</p> <p>Review and provide decisions on TMDLs.</p> <p>Provide technical support for the development of the Snake River – Hells Canyon mercury TMDL (In progress).</p> <p>Provide technical support for DEQ's development and establishing the WQMP for EPA's established Columbia River temperature TMDL.</p> <p>Develop and issue Umpqua temperature TMDL.</p>	<p>DEQ Issuance of TMDLs for the:</p> <ul style="list-style-type: none"> • Powder Burnt Subbasins: bacteria • Coquille Subbasin: bacteria; DO, pH, and temperature • Willamette and Sandy Subbasins: temperature • Umpqua, and Mainstem Willamette River and major tributaries: temperature • John Day Basin and Umpqua River Basin: temperature 	<ul style="list-style-type: none"> • Q1 2024 • Q4 2024 • Q3 2024 • By court ordered deadline • By court ordered deadline 	Partial	WQ-8b

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> Snake River-Hells Canyon: mercury WQMP development and issuance for EPA's Columbia River temperature TMDL 	<ul style="list-style-type: none"> By court ordered deadline Q4 2024 		
2.2	Include robust Reasonable Assurance documentation in the TMDL and WQMP to implement issued TMDLs, including (where appropriate) adoption of surrogate measures.		Complete and assure implementation of implementation plans for issued TMDLs that guide management practices, and pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Partial	
2.3	<p>Provide framework for ensuring implementation of TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed or are being completed, including load allocations where applicable.</p> <p>Work with watershed councils, local, state, and federal government agencies, and other RPs/DMA's to develop appropriate management practices and plans for controlling pollutants.</p> <p>Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas.</p> <p>Work with watershed councils, local, state, and federal government agencies, and other</p>	<p>Pursue participation in review of grant applications for NRCS/Farm Services Agency water quality programs such as EQIP.</p> <p>Work with DEQ to engage the Corps of Engineers and other federal agencies and convene multi-state collaborations on TMDL implementation.</p> <p>Review and provide input to DEQ on implementation plans developed in response to issued TMDL/WQMPs</p>	<p>Completed TMDL, WQMP and implementation plans that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.</p> <p>Implementation plans that meet load allocations or management measures identified in the TMDL/WQMP.</p> <p>Implementation reporting by RPs/DMA's as required in the TMDL/WQMP and 5-year review of TMDL</p>	Ongoing	Partial	WQ-10

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	<p>RPs/DMA's to develop implementation plans that contain appropriate management practices and milestones for meeting TMDL allocations.</p> <p>Work with USDA agencies to leverage Farm Bill and OWEB resources to implement priority best management practices in critical areas.</p> <p>a) Review and take action on TMDL implementation plans that are received.</p> <p>b) Review for sufficiency, comment on, or take other appropriate action on submitted TMDL implementation plan annual reports.</p> <p>c) Notify each DMA or responsible person of the TMDL and WQMP requirements and follow up with appropriate action (e.g., technical assistance, warning letter, or enforcement notice).</p> <p>d) Work with watershed councils, local governments, DMA's, and USDA agencies to leverage Farm Bill funds, and OWEB to implement appropriate management strategies to reduce pollutant loading and meet TMDL allocations.</p>		<p>implementation by DEQ. WQ Status & Trend tool as one method for evaluating DMA implementation.</p> <p>a) DMA's or responsible persons have submitted TMDL implementation plans to DEQ and DEQ receives, reviews, and takes action on TMDL implementation plans within 12 months of receipt.</p> <p>b) DMA's or responsible persons have submitted TMDL implementation plans annual reports to DEQ and DEQ takes action on them.</p> <p>c) DEQ has notified DMA's or responsible persons of the TMDL and WQMP requirement or implemented any appropriate actions</p> <p>d) Using available information DEQ summarizes in the nonpoint source annual report the count or</p>			

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			amount of management strategies that have been completed in each subbasin in Oregon.			
2.4	Work with EPA on 303(d) Vision tasks and timelines for prioritization, assessment, protection, alternatives, engagement, and integration.	Review and provide input to DEQ on TMDL Program planning documents. Assist DEQ on data input for 303(d) Vision commitments.	Incorporate the components of EPA's 303(d) TMDL Vision into the TMDL Program planning documents and SOPs.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 3: Underground Injection Control

DEQ contacts: Benjamin Benninghoff

EPA contacts: Ryan Gross

The Underground Injection Control program protects drinking water sources and aquifers by providing oversight on the use of injection systems (dry wells, sumps, large onsite wastewater treatment systems, geothermal, Aquifer Storage and Recovery, remediation injection, etc.) that discharge to the subsurface and may endanger groundwater quality. Federal regulation requires DEQ to keep an updated inventory of all injection wells and report them to the EPA annually. In Oregon, most injection systems are associated with stormwater discharge, large onsite wastewater, aquifer remediation, and industrial process/wastewater. Injection systems must obtain approval from DEQ to operate under Authorization by Rule, a UIC-WPCF permit, or must be formally closed. DEQ staff review and approve applications of a variety of injection system types, provide technical assistance to private and public injection well owners, and work closely with municipalities in their development of stormwater management plans related to injection systems. As a delegated program under the Safe Drinking Water Act, injection systems are subject to EPA enforcement.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards exceedances, which will contribute to water quality improvements as measured by water quality monitoring and other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.1	Continue administration of UIC program by providing Authorization by Rule site reviews, developing, and issuing PCF permits, assigning coverage to permit applicants under the WPCF general permit, and closures.	EPA will provide enforcement and compliance assistance as requested by and in close coordination with DEQ. EPA may provide input on WPCF permit conditions related to consistency with minimum federal requirements and ongoing SPA revisions in section 3.3.	Wells inventoried and registered per year; Authorization by Rule determination process (e.g., requesting additional information, providing clarification on application issues, retrofits) will occur as needed. Issue area wide UIC- WPCF permits as appropriate.	Ongoing	Partial	SDW-8, SDW-7b
3.2	Provide technical assistance to consultants, cities, municipalities and other public and private UIC owners.	EPA will provide inspector training opportunities; provide training/outreach to municipalities and other public and private UIC owners, as requested.	Technical assistance will include meetings with municipalities and other private and public UIC owners.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.3	Develop and refine a project plan, with deliverables and timelines, to address EPA identified UIC re-delegation issues. Deliverables may include rulemaking to address EPA issues which will commence after all identified issues are worked through and the rulemaking plan is approved by DEQ's Director.	EPA will review and provide timely comments on the project plan and on proposed rule revisions, if necessary. EPA will facilitate the scheduling of meetings with EPA HQ on technical and legal issues, as necessary.	A project plan identifying tasks, timelines, and deliverables.	Initial plan complete. Pending agreement with EPA.	Partial	
3.4	Provide UIC program approval package to EPA for redelegation from EPA to DEQ for program primacy.	EPA will review program delegation package in a timely manner.	Program approval package submitted to EPA includes and addresses the required program elements addressing program revisions for redelegation that results in program redelegation.	Ongoing. Pending agreement with EPA and timing to work through issues and rulemaking. The rulemaking will likely span PPA cycles once it commences.	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

3.5	Prioritize inspection and compliance activities for UICs identified as high-environmental risk.	EPA will provide technical assistance to DEQ as needed.	Follow identified compliance and enforcement procedures for all inspections and conduct a minimum of 10 inspections per year.	Ongoing	Partial	
3.6	Respond to complaints associated with discharges to UIC's in Oregon		Follow identified compliance and enforcement procedures associated with complaints regarding unauthorized discharges into UICs throughout Oregon.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.7	Implementation of “Your DEQ Online,” an electronic online system that will manage all aspects of DEQ’s UIC program including applications, renewals, tracking, reporting, electronic payments and more.		Implementation and ongoing support of “Your DEQOnline” for all 46,000 plus UIC’s registered in Oregon.	Ongoing	Partial	
3.8	As UIC resources are available, support development of Class VI wells in Oregon by providing technical assistance to Class VI project proponents if requested. Identify process and determine if Oregon will take formal action to submit state Class VI primacy application. If there is a decision to submit an application, initiate efforts to develop program and complete application.	Support development of Class VI wells in Oregon by evaluating permit applications and assisting state primacy application development.	Technical assistance to Class VI permit applicants.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 4: Groundwater Program

DEQ contact: Ann Farris and Karen Williams

EPA contact: Ryan Gross and Mat Martinson

The Groundwater Quality Protection Act of 1989 provides the framework for comprehensive groundwater management and protection in Oregon. This Act and the federal Safe Drinking Water Act establish the critical elements for enhancing and protecting Oregon's groundwater resource for its many beneficial uses. Over ninety percent of Oregon's available freshwater is stored beneath the earth's surface as groundwater. Approximately 70 percent of Oregon's people depend on groundwater for their daily water needs via private, public, and industrial water wells.

Oregon has three sensitive groundwater quality areas called "Groundwater Management Areas"; one is located in the Lower Umatilla Basin, one in Northern Malheur County and the other in the Southern Willamette Valley. Protection efforts in these management areas involve the implementation of voluntary groundwater action plans to address degraded water quality, impaired beneficial uses, and potential risk to public health from nonpoint source groundwater pollution. In addition to these three areas, DEQ, in partnership with sister agencies, evaluates groundwater quality statewide to proactively identify areas of concern and work to avoid any further groundwater management areas. Since 2015, DEQ has implemented statewide groundwater monitoring by prioritizing high risk geographic areas. DEQ also provides technical assistance to communities and watershed councils engaged in groundwater pollution prevention efforts.

Environmental Outcome: Groundwater protection efforts will help to prevent the degradation of Oregon's groundwater resources and maintain or improve the quality of groundwater resources, as measured through the various groundwater monitoring efforts DEQ conducts around the state.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
4.1	<p>Work extensively with the Lower Umatilla Basin Groundwater Management Area committee to implement the Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that prevent and reduce nitrate contamination in groundwater.</p> <p>Regularly collaborate with Oregon Department of Agriculture, Oregon Water Resources Department, and Oregon Health Authority to collectively address the increasing groundwater nitrate concentration trends in the LUBGWMA.</p>	EPA will provide technical support as needed.	<p><u>Coordination</u></p> <ul style="list-style-type: none"> - Meet with local stakeholders, Groundwater Management Committee, Tribal Governments, local agencies, and environmental justice communities to coordinate Action Plan activities. - Meet monthly with sister agencies to share data and other information to collaboratively enhance groundwater protection in the management area, 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Provide technical support. - Support research that evaluates the effectiveness of different strategies to lower the nitrate concentrations in the groundwater or otherwise provides a better understanding for solving the water quality issue in the basin. <p><u>Education and Outreach</u></p> <ul style="list-style-type: none"> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at “outdoor schools” and farm fairs. This includes working with other state and local agencies to reach out to environmental justice communities in ways that are accessible to them. This may involve making information available in other languages and providing interpreters at outreach events. - Maintain GWMA website. <p><u>Monitoring and Data Analysis</u></p> <ul style="list-style-type: none"> - Monitor groundwater quality at 33 domestic and 			

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			irrigation wells quarterly to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis for entire GWMA (including food processor sites) - Evaluate success of implemented activities in coordination with sister agencies, local organizations, and the committee. - Support efforts to have a shared data portal for the area that allows all interested parties to have access to relevant water quality information			
4.2	Implement the Northern Malheur County Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, environmental justice communities, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness. <u>Education and Outreach</u> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMP. This includes	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<p>working with other state and local agencies to reach out to environmental justice communities in ways that are accessible to them. This may involve making information available in other languages and providing interpreters at outreach events.</p> <p><u>Monitoring and Data Analysis</u></p> <ul style="list-style-type: none"> - Monitor groundwater quality at 36 domestic and irrigation wells once annually to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis. - Evaluate success of BMP awareness and implementation. 			
4.3	Implement the Southern Willamette Valley Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<p><u>Coordination</u></p> <ul style="list-style-type: none"> - Facilitate information sharing and coordinate initiatives of local stakeholders, environmental justice communities, Groundwater Management Committee, and local agencies with implementation of Action Plan activities. - Provide technical support. 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Research BMPs and their effectiveness. <u>Education and Outreach</u> <ul style="list-style-type: none"> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs. - This includes working with other state and local agencies to reach out to environmental justice communities in ways that are accessible to them. This may involve making information available in other languages and providing interpreters at outreach events. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> <ul style="list-style-type: none"> - Monitor groundwater quality at 27 locations to evaluate impacts and effectiveness of Action Plan. - Evaluate success of BMP awareness and implementation. 			
4.4	DEQ prioritizes geographic areas based on known or suspect contaminant sources, soil and land use characteristics and aquifer sensitivity as well as other internal and external monitoring objectives. DEQ has implemented monitoring in seven		<u>Monitoring and Data Collection</u> <ul style="list-style-type: none"> - Monitoring at approximately 50 wells (combination of domestic wells and monitoring 	Ongoing	No	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	basins and intends to complete an eighth basin and then focus on reporting during the 24 -26 PPA period.		<p>wells) in a geographically targeted area of Oregon outside of the GWMA's.</p> <ul style="list-style-type: none"> - Nitrates, arsenic, and targeted analytes based on known or suspected risk factors. 			
4.5	Complete federal and state groundwater reporting requirements.		<ul style="list-style-type: none"> - Biennial Report to the legislature. - Groundwater component of 305(b) report. 	Ongoing	Partial	
4.6	Participate in EPA-sponsored annual groundwater meetings and conferences as workload and resources allow.	EPA will provide timely notice and organization of meetings.	Meeting attendance and participation	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Rebecca Bodnar, Benjamin Benninghoff, Theresa Burcsu

EPA contact: Erin Seyfried and Mat Martinson

Industrial and Domestic Wastewater Permitting (Rebecca Bodnar) and Stormwater Permitting (Benjamin Benninghoff)

DEQ's wastewater management program regulates and minimizes adverse impacts of pollution on Oregon's waters from point sources of pollution. The term "point source" generally refers to wastewater discharged into water or onto land through a pipe or a discernible channel. These point sources operate under the terms of a federal National Pollutant Discharge Elimination System, or a state Water Pollution Control Facilities wastewater discharge permit issued by DEQ.

DEQ has had authority for NPDES permit issuance since 1974. As a delegated program, DEQ's NPDES permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation of the water quality program and is essential to the continued receipt of federal program funds. To effectively protect water quality, DEQ must carry out four activities:

- Issue discharge permits that adequately evaluate and limit pollutant discharges to meet water quality standards or approved variances.
- Periodically inspect facilities and review regular monitoring results.
- Update and maintain EPA's ICIS database with timely and accurate permit and permit related data (DMRs, Compliance Schedules, Inspections, etc.).
- Take prompt and appropriate enforcement actions when violations occur.

DEQ administers over 4,500 water quality permits, approximately 65% of which are NPDES individual and general permits, and 35% of which are WPCF permits designed to protect groundwater resources. Achievement of permit program objectives requires targeted and effective implementation and integration of water quality standards, TMDLs, and state-led programs for non-surface water discharges. Program staff require up-to-date tools and training to consistently develop and issue high quality permits statewide and ensure effective permit implementation. Targeted program implementation is based on source-specific and watershed-specific priorities.

Wastewater and stormwater program workload continues to expand in scope and DEQ will continue to implement current aquatic life and human health criteria as individual NPDES permits are issued or renewed. DEQ will more broadly use permit-specific compliance strategies such as compliance schedule, variances, and water quality trading to achieve water quality goals of individual discharges while complying with NPDES requirements.

Pretreatment Program- Rebecca Bodnar

Pretreatment regulations establish responsibilities and standards to control pollutants from industrial users that discharge wastewater to a collection system and publicly owned treatment works. Toxic pollutants and other contaminants may pass through or interfere with wastewater treatment processes or may contaminate sewage sludge. The POTW acts as the control authority for these sources and monitors the wastewater they discharge to determine whether they are in compliance with pretreatment standards and requirements. DEQ oversees each of the 27 facilities in Oregon with a formal pretreatment program and provides assistance to smaller facilities that are not required to have a formal pretreatment program but take additional measures to protect the collection system and treatment works and the environment.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Biosolids Program– Rebecca Bodnar

Biosolids are wastewater solids that have undergone sufficient treatment to make them safe for land application. These wastewater residuals are desirable fertilizers and soil conditioners. DEQ works with domestic wastewater treatment facilities to assure proper stabilization, application, management, and monitoring of solids on sites used to improve soil tilth and to grow a variety of crops. Biosolids applications are controlled by detailed site authorization letters that together with biosolids management plans, are linked directly to the Water Quality permits of wastewater treatment facilities. DEQ is developing a general statewide biosolids permit to enable wastewater facilities with administratively extended permits to make changes and advancements in their biosolids program. DEQ is also pursuing funding for a study to assess the effects of PFAS in land-applied biosolids across Oregon while closely following EPA's risk assessment and evaluating potential changes to our biosolids program.

Water Reuse– Rebecca Bodnar

DEQ staff work with municipal and industrial wastewater facilities to permit the recycling of treated wastewater effluent and provide technical assistance to those facilities interested in the practice of reuse. Water reuse is an alternative for municipalities and industrial wastewater dischargers managing their treated wastewater. Water reuse provides these entities with options that may be more economical and/or environmentally sound than surface water discharge, and that can be an additional source of non-potable water. Most water reuse occurs through land application to crops and golf courses, and there is increasing interest in reuse of treated effluent for industrial and commercial applications. DEQ is currently reevaluating our rules, policies, and program implementation to incorporate aspects of EPA's Water Reuse Action Plan and expand beneficial water reuse in the state. DEQ works with the Oregon Health Authority, Water Resources Department and Department of Fish and Wildlife in implementing this program.

401 Water Quality Certification–Theresa Burcsu

Section 401 of the federal Clean Water Act requires that any federal license or permit to conduct an activity that may result in a discharge to waters of the U.S. receive certification from DEQ that the activity complies with state water quality requirements and standards before the activity is allowed. In order to provide a certification, DEQ reviews project applications that may result in such a discharge to ensure that the activity that would be authorized will also meet state water quality requirements. The federal licensing of hydroelectric projects and dredge and fill permitting are among the programs that typically require a 401-water quality certification from DEQ as a condition of the license or permit.

For dredge and fill projects, DEQ issues approximately 150 individual WQCs per biennia that contain conditions that provide protective measures for water quality and beneficial uses. DEQ also issues programmatic WQCs that cover groups of activities with protective conditions to provide a streamlined approach to the regulatory process.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that point source discharges, dredge and fill activities and the recertification of hydroelectric projects do not result in water quality standards violations and will contribute to water quality improvements as required by TMDLs and other aspects of DEQ's work to implement the Clean Water Act.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.1	<p>Continue to issue and reissue NPDES and permits. There are approximately 562 individual permittees in Oregon, including 73 NPDES majors (incl. MS4 stormwater), 243 NPDES minors, and 242 WPCF.</p> <p>Continue to improve the NPDES permit issuance rate during this agreement period in order to reduce the backlog of expired permits and move towards EPA's national target for NPDES programs of no more than 10% of permits that are administratively extended.</p> <p>Migrate the NPDES and WPCF permitting process to Your DEQ Online which is a web-based portal for permit processing, communication, and fee submittal.</p>	<p>Review DEQ NPDES permits which contain compliance schedules. EPA review of these permits will occur prior to public notice.</p> <p>Review permits during the public notice process and proposed final permits consistent with the Memorandum of Agreement. EPA's goal is to screen all Oregon permits and determine whether a review of the permit and fact sheet is warranted. The decision to conduct a review is based on permit conditions including major/minor designation and whether significant or unique permit conditions are addressed by the permit.</p> <p>Continue to coordinate with DEQ on permit review selection and frequency.</p> <p>EPA's oversight coordinator for permit oversight are: Erin Seyfried, Bilin Basu, Abbigail Conner</p>	<p>Develop and issue a permit issuance plan each year that identifies specific NPDES permits intended to be reissued during the upcoming year.</p> <p>Transmit the issuance plan to EPA annually.</p> <p>Implement the plan to improve permit issuance rate and reduce backlog of administratively extended NPDES permits to 50%.</p> <p>NPDES and WPCF permitting are live in YDO</p>	<p>Ongoing</p> <p>Permit issuance plans issued October each year</p> <p>Backlog reduced to 50% or less by Q3 2024</p> <p>NPDES and WPCF permits live in YDO by Q1 2025</p>	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.2	Continue to improve permit and fact sheet quality through consistent use of templates as well as providing permit-specific technical analysis and justification for permit conditions, including identification of pollutants of concerns, correct RPA, and effluent limits.	Provide technical assistance, review and comment on permit language and justification in permit administrative records.	Update permit templates, as necessary. Standardized procedures for permit quality review.	Ongoing	Partial	
5.3	DEQ will continue to improve the consistency of permits, fact sheets, permit records through improved data acquisition, management, and analyses	Provide technical assistance, review, and comment on draft policies, guidance, and procedures. Assist with training and guidance of NPDES permit writers on federal regulations. Participate in at least one permit writers training.	Clear progress on development of key program improvement efforts including clarity on permit development process, updates to policies, IMDs, and procedures.	Ongoing	Partial	
5.4	Develop procedures, where needed, to ensure implementation of new/revised water quality standards.	Technical Assistance; EPA timely review and comment on draft policies and guidance.	Implementation plans for new or revised water quality standards.	Ongoing	Partial	
5.5	Continue to implement state-wide permit policies, guidance, and tools to make the permits program more consistent, effective, and efficient. This includes identifying and developing back-up experts on various permit subjects such as mixing zones and reasonable potential analysis to improve permit quality and consistency. Continue to respond to recommendations resulting from the 2016 third party review of the NPDES permit program.	Technical Assistance; EPA timely review and comment on draft policies and guidance; and other program support as needed.	Revise permit templates and guidance as necessary to reflect program developments. Continue to develop and implement training curriculum. Conduct permit writer's workshops. Develop fee rulemakings.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.6	Implement State stormwater program, including construction, industrial, and municipal stormwater	EPA will support use of EPA Contractor, PG Environmental, to assist with stormwater permit development.	<ul style="list-style-type: none"> - Renew the Phase II general permit. - Implement general MS4, construction and industrial stormwater permits for phase one and two MS4 communities. - Renew the 1200-C construction stormwater general permit - Renew the 1200-A industrial stormwater permits. - Work with local government agencies to assist DEQ in program implementation. 	Dec 2024 Ongoing December 2025 Winter 2025/26 Ongoing	Partial	
5.7	Implement a program for water reuse activities.	EPA will provide TA timely program support as needed.	Issue water reuse permits consistent with state requirements.	Ongoing	Partial	
5.8	Implement a program for biosolids/sewage sludge reuse activities.	EPA will provide TA; timely program support as needed.	Issue biosolids/sewage sludge reuse permits consistent with state requirements.	Ongoing	Partial	
5.9	Implement the Pretreatment Program.	EPA will provide TA; timely program support as needed.	<ul style="list-style-type: none"> - Oversee development of new programs as necessary - Provide technical assistance and categorical determinations 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			- Compliance metrics of program audits and inspections, IU inspections, and annual report reviews are given in element 6.3.			

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 6: Compliance Assurance and Enforcement and Data Management

DEQ contact: Deb Mailander and Kieran O'Donnell

EPA contact: Jeff Kenknight/Dino Marshalonis

Compliance assurance and enforcement are key elements of the NPDES permitting program. DEQ and EPA will collaborate to implement Clean Water Act Action Plan implementation policies in Oregon. DEQ will continue to improve permit compliance reporting and public accountability through improvements in electronic reporting system and automated compliance evaluations. DEQ and EPA will coordinate NPDES permitting, compliance and enforcement activities to efficiently achieve program priorities and desired outcomes.

Compliance is assured primarily by targeted facility inspections and monthly Discharge Monitoring Report reviews in between inspections. Until DEQ develops its own compliance inspection procedures for NPDES permits, DEQ will continue to follow the current EPA NPDES Compliance Inspection Manual see <https://www.epa.gov/compliance/compliance-inspection-manual-national-pollutant-discharge-elimination-system>. DEQ also responds to complaints and performs technical assistance when warranted. EPA's Compliance Monitoring Strategy policy specifies the minimum inspection targets and occurrence frequency. CMS policy requires annual inspection planning and end-of-year inspection performance reporting via EPA's CMS form.

Enforcement is a deterrent to noncompliance and the means for correcting violations. DEQ issues enforcement responses of varying severity in accordance with the Enforcement Guidance for Field Staff. This guidance document is an internal management directive that helps DEQ appropriately allocate enforcement resources and achieve a consistent and fair statewide enforcement program. The Enforcement Guidance for Field Staff may be found at <https://www.oregon.gov/deq/Filtered%20Library/enforcementpol.pdf>.

DEQ's enforcement response varies, according to the Enforcement Guidance for Field Staff, depending on the classification of the violation and the permittee's past enforcement history. Some programs may issue an Expedited Enforcement Offer, which offers the responsible party to settle the violations for a reduced penalty. However, the EEO is not an agency order and is therefore not appealable or negotiable. If the Respondent does not accept the EEO, DEQ will initiate formal enforcement by issuing an order in contested case. DEQ's formal enforcement actions assess civil penalties and require corrective actions to achieve compliance. Finally, according to Appendix A of the Enforcement Guidance for Field Staff, (IMD on Water Quality Mutual Agreement and Orders), DEQ may offer to resolve ongoing and anticipated future violations in exchange for a set of enforceable commitments through an upfront Mutual Agreement and Final Order. MAOs may also include civil penalties, stipulated penalties, corrective action schedules, and interim limits. All MAOs will have a final, date certain, termination date. Upon request by EPA, DEQ will prepare an annual enforcement report with issued and closed formal enforcement action cases to assess enforcement performance.

DEQ will work with EPA to implement EPA's new National Enforcement and Compliance Initiatives, and its Compliance Advisories and Enforcement Alerts. DEQ will continue to work with EPA to address Significant Non-Compliance by meeting quarterly. In addition, DEQ and EPA will continue to collaborate on specific enforcement actions and may elect to pursue joint civil actions against the most egregious violators.

EPA evaluates the NPDES program by the State Review Framework process with the annual SRF data verification metrics from the Integrated Compliance Information System for NPDES permits and a review of state databases and files every four years. DEQ will collaborate with EPA on making recommended improvements to the NPDES program based on findings and recommendations of the SRF report.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.1	Conduct compliance assistance and compliance assurance activities as appropriate (see additional detail below).	TA and support as needed.	<ul style="list-style-type: none"> - TA provided to permittees. - DMRs from individual permittees reviewed. 	Ongoing	Partial	
6.2	<p>Respond to significant public complaints.</p> <p>Note: DEQ often performs a compliance inspection for complaints warranting a site visit.</p>	TA and support as needed.	<ul style="list-style-type: none"> - Prompt response to complaints that involve potential significant threats to public health and the environment. - Investigate spills. - Issue and complete enforcement actions as warranted. 	Ongoing	Partial	
6.3	<p>Continue the inspection program of major and minor facilities. DEQ will implement the Clean Water Act Compliance Monitoring Strategy to ensure adequate inspection coverage, as resources allow.</p> <p>Notes:</p> <p>(1) Until DEQ agents are integrated into reporting through Your DEQ Online or YDO (formerly EDMS), DEQ will not consider DEQ agent administered permits for CMS targeting (i.e., construction and industrial stormwater general permits, individual and general CAFO permits, etc.).</p> <p>(2) On the CMS report form, EPA's CMS national goal specifies "Traditional non- major" that are minor individual permits. DEQ</p>	<p>As resources allow, EPA may schedule joint and/or oversight inspections with DEQ.</p> <p>EPA may plan to do a number of industrial stormwater inspections in Oregon.</p>	<ul style="list-style-type: none"> - DEQ will conduct inspections at major facilities every other year. Major facilities that qualify for offsite desk audits via Alternate CMS plan will also require on-site comprehensive inspections per CMS once each five-year permit cycle. - DEQ will conduct inspections at non-major facilities once every five years. - DEQ will target additional NPDES compliance efforts in targeted watersheds and environmental outcomes or NPDES compliance history. 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	<p>does not plan inspections at industrial general permits other than stormwater, CAFO (agent only), Pesticide, and Vessel (no DEQ permit) general permits as given on the CMS form.</p> <p>(3) EPA's CMS national goal is "inspect as needed," so DEQ will at least respond to credible complaints against any of the registrants with NPDES 2300A general permit for pesticides.</p> <p>(4) DEQ may perform sanitary sewer inspections as part of a POTW/sewage treatment plant inspection. Per CMS national goal, DEQ targets at least 5% of the sanitary sewer system universe annually or more frequently to evaluate recurring Sanitary Sewer Overflows (or Combined Sewer Overflows).</p>		<p>Stormwater:</p> <ul style="list-style-type: none"> - Inspect at least 10% of industrial stormwater facilities per year. - Inspect at least 10% of construction sites 5 acres or larger per year - Inspect at least 5% of construction sites less than 5 acres per year. - Conduct compliance activities (review all annual reports and conduct at minimum five inspections per year) for Phase I permittees and Phase II MS4 permit registrants. <p>Pretreatment:</p> <ul style="list-style-type: none"> - DEQ will audit three approved active pretreatment programs each year. - During each audit an oversight inspection will be conducted of at least two Industrial Users to the POTW. - DEQ will conduct a minimum of one Pretreatment Compliance Inspection based on annual report results per year (conduct a PCI IF the annual reports show a need for a follow up 			

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			inspection. If there are no issues found in the annual reports, then no inspections will be needed).			
6.4	Use the NPDES Compliance Monitoring Strategy Plan and End of Year Report provided by EPA. The annual CMS plan for the upcoming federal fiscal year must be submitted to EPA annually by the target date of each year. The CMS End of Year report of the former federal fiscal year must be submitted annually by the target date of each year.	Provide draft NPDES Annual CMS Plan and End of Year Report template.	<p>Alternate CMS plan</p> <p>Annual CMS plan</p> <p>Annual CMS EOY report</p>	<p>Annually by August 15</p> <p>Annually by September 15</p> <p>Annually by December 15</p>		
6.5	Pursue timely and appropriate enforcement actions, prioritizing the most egregious or repeated violations and addressing Significant Non-Compliance.	EPA collaborates with states on routine national webinars, teleconferences, and symposiums to implement this policy to develop measures to reduce SNC. EPA and DEQ will continue to conduct quarterly calls on SNC reduction in Oregon.	Formal enforcement actions taken pursuant to state law and DEQ policy.	Ongoing	Partial	
6.6	Upon request, send to EPA all final formal enforcement actions issued and/or closed in the previous federal fiscal year for all NPDES major and minor facilities.		This annual report shall be submitted to EPA by the target date of each year following the federal fiscal year. The report shall be formatted to include Case Name, EPA Class, NPDES Permit Number, Case Number, Action Type, Issued Date, Penalty Assessed, Final Penalty Paid, Compliance Complete	Upon Request	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			Date, and Case Closed Date.			
6.7	Work with EPA to update EPA/DEQ agreements, as needed.	Work with DEQ to update EPA/DEQ agreements, as needed.	EPA/DEQ agreements related to NPDES will be reviewed to determine if revisions are needed. Agreements include the 2010 NPDES MOA. EPA will coordinate internally amongst permitting and compliance groups. DEQ will coordinate internally across DEQ regions, as appropriate. Updated agreements, as needed	Annually by October 31 of each year	Partial	
6.8	Participate in quarterly planning/coordination calls with EPA-SWES.	EPA-Surface Water Enforcement Section will participate in quarterly planning/ coordination calls with DEQ.	Coordination of inspection and enforcement work and improved work-sharing, as needed	Ongoing	Partial	
6.9	Meet annually with EPA-NPDES Permitting and Enforcement Sections to discuss priorities, performance expectations, updates on issues and activities, inspection and enforcement targets, and opportunities for integrating work between EPA and DEQ.	Meet annually with DEQ to discuss priorities, performance expectations, updates on issues and activities, inspection and enforcement targets, and opportunities for integrating work between DEQ and EPA.	Annual integrated work planning session.	Annually by October 31 of each year	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.10	Per EPA-OECA protocol, DEQ will complete the annual review and data verification of DEQ-generated compliance and enforcement data in ECHO from ICIS-NPDES data. DEQ will supplement with state data any gaps in ECHO results of ICIS-NPDES data used for the annual SRF Data Metric Analysis.	Use ECHO data for an annual SRF Data Metric Analysis. EPA will consider state data that supplements gaps in the ECHO data.	Verified Data and assessment of SRF metrics based on verified data.	February of each year for verified data.	Partial	
6.11	Work with EPA to implement the EPA National Enforcement and Compliance Initiatives, including the initiative to increase compliance with Drinking Water Standards	Work with DEQ, other state agencies, Tribes, local governments, and regulated communities to ensure delivery of safe drinking water to communities.	Work with EPA to implement this policy with measures as developed. Enhanced enforcement of state water quality permit conditions designed to protect sources of drinking water, including ground water.	NECI for Fiscal Years 2024-2027	Partial	
6.12	Implement the NPDES Electronic Reporting rule (eRule) depending on the declared Initial Recipient status.	Provide assistance to DEQ and Oregon permittees for implementation of eRule.	DEQ will continue to have individual permittees use EPA's NetDMR, but DEQ's general permit registrants will submit DMRs to Your DEQ Online for Group 3 data in Phase 1 and applicable data groups in Phase 2. DEQ will collaborate with EPA and its agents to implement sharing of Group 1 data for Phase 1 and reports for Groups 2 through 10 using Your DEQ Online.	DEQ will implement the eRule in collaboration with EPA on an agreed schedule.		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.13	Continue to execute sustainable processes to maintain accurate data transfers from State data systems to ICIS.	EPA R10 will support and assist with acquiring funding from EPA HQ.	Continued complete and timely data transfers to ICIS through manual entry and batch upload routines and EPA's ICIS interface screens.	As scheduled by EPA	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 7: WQ Monitoring, Data Analysis and Management

DEQ contact: Karen Williams

EPA contact: Lisa Kusnierz (Regional Monitoring Coordinator), Jenny Wu (Watersheds Section), Becky Garnett (Standards and Assessment Section), and Ashley Zanolli (106 Coordinator)

Water quality monitoring and assessment provides the foundation for effective water quality management as well as the basis for tracking violations. Water quality monitoring programs provide information on the status and trends of water quality in Oregon and identify the causes of impairment. Monitoring is conducted to determine if water quality supports beneficial uses, to understand if standards are being met and to identify new water quality problems. Waterbodies that do not meet water quality standards are placed on the 303(d) list and will have TMDLs developed for them. In order to develop TMDLs, studies must be conducted to determine the sources and loads of pollutants affecting the water body and how those vary over time and space. DEQ is engaged in several other types of monitoring studies and efforts, including the following:

- Studies to determine the relationship between water quality, habitat conditions and biological condition.
- Studies to determine threats to human and ecological health from toxic compounds.
- Studies to identify threats to groundwater.
- Technical support and assimilation of partner data.

Laboratory Environmental Assessment Division also collects water samples and analyzes the results to support other DEQ programs that respond to inquiries from the public. In addition, the laboratory serves as a technical and quality assurance resource to the ORELAP (Oregon Environmental Laboratory Accreditation Program) which is administered by OHA. DEQ lab and water quality division staff also work with other agencies to monitor Oregon's progress under the Oregon Plan for Salmon and Watersheds and provides equipment and technical support to watershed councils for water quality monitoring.

Water quality monitoring is necessary to understand how well Oregon is protecting the uses of its water. DEQ monitors water quality by collecting water quality samples, and then performing chemical analysis and statistical analysis of the resulting data. The Water Quality Program is responsible for monitoring and assessing Oregon's 52,000 miles of rivers, 400,000 acres of lakes, 56,000 acres of tidal wetlands, 360 miles of coastal ocean and 206 square miles of estuaries, harbors, and bays. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies. However, all data must first be reviewed to ensure proper quality control protocols were used.

In addition, water quality data management is an integral element for the operation of the Water Quality Program. There are a variety of data management systems used by various subprograms in the Water Quality Program including the NPDES, TMDL, NPS, and Monitoring subprograms, as well as the LEAD.

Environmental Outcome: Effective management and analysis of water quality data provides a means for tracking and assessing the effectiveness of water quality protection and improvement efforts, supporting an adaptive management approach that will result in water quality improvements as measured through water quality monitoring and the other environmental data.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
7.1	Ambient Monitoring Network -DEQ will continue to monitor approximately 130 ambient water quality station 6 times annually throughout Oregon. These stations provide status and trends data for understanding water quality.	Technical assistance; consultation	<ul style="list-style-type: none"> - Continue entering data into the AWQMS repository. - The Oregon Water Quality Index will continue to be updated annually. Annual reports will be prepared on water quality trends and indicators. - Data will be used to support the 303(d) assessment process and 305(b) report. 	Ongoing	Partial	
7.2	Collect water quality data to support TMDL development and to interpret implementation effectiveness. As resources allow, develop methods for establishing continuous monitoring stations with telemetric capability.	Technical assistance support	TMDLs developed on schedule and supported by adequate data. Data to interpret TMDL implementation effectiveness available where needed.	Ongoing	Partial	
7.3	Establish and document updated thresholds for chemical, habitat and biological stressor metrics statewide using newly selected reference sites.	Technical assistance support	<ul style="list-style-type: none"> - Calculated in-stream metrics for habitat/chemistry at all biomonitoring stations where data exists. - Revised thresholds for chemical and habitat stressors and biological metrics statewide - Documented process for establishing thresholds for stressors 	Q3 2024	Yes	
7.4	Improve biocriteria assessment methodology for integrated report using updated RIVPACs model, Biological Condition Gradient, and Index of Biological Integrity.	Technical assistance; consultation	Scientifically defensible models for assessing impairment. Assessment methodology peer reviewed and finalized.	Ongoing	Yes	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
7.5	Implement process to identify the most likely cause(s) of biological impairments, integrate into routine workflows within the Water Quality Program, and identify resource needs.	Technical assistance; consultation	Support DEQ team to implement methodology for biocriteria stressor identification.	Ongoing	Partial	
7.6	Migrate historic “habitat metrics” into AWQMS and work with EPA to migrate new habitat metrics into WQX	Technical assistance; consultation	Publicly accessible EPA habitat metrics for use in assessments.	Q1 2025	Partial	
7.7	DEQ will collaborate with EPA, as resources allow, on EPA monitoring projects conducted in Oregon.	EPA will keep DEQ informed about their monitoring activities in Oregon and share data as it becomes available		Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 8: Management of Nonpoint Sources of Pollution

DEQ contact: Steve Mrazik

EPA contact: Jenny Wu

Section 319 of the federal Clean Water Act requires states to have nonpoint source management programs based on assessments of the amounts and origins of NPS pollution in the state. The Coastal Zone Act Reauthorization Amendments require development of additional management measures for NPS within the coastal zone.

Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, urban areas, forestry operations, on-site disposal, farms, and construction sites. This type of pollution is understood to be the largest source of water quality impairment in Oregon, as well as the rest of the United States. Historically, DEQ was able to provide close to \$1 million in 319 grant funds per year to local organizations for nonpoint source projects such as public education and watershed restoration. However, since 2015 DEQ's 319 grant funds have been reduced by EPA because EPA and NOAA determined that Oregon had not submitted a fully approvable Coastal Nonpoint Program under the Coastal Zone Act Reauthorization Amendments. The 2023 319 grant was reduced by \$537,800 and DEQ expects a similar level of reduction is possible in future years. DEQ's NPS program continues to fund the following activities:

- Characterization of NPS problems/concerns.
- Assessment to support and determine effectiveness of BMP's and DMA NPS programs.
- Coordination between DEQ and NPS stakeholders.
- Liaison staff to work with other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS aspects of TMDLs; and
- Public education on NPS pollution.

Other areas of work include working with the Oregon Department of Agriculture in the implementation of the Agriculture Water Quality Management Program, with biennial reviews of ODA's area plans and rules, and ongoing work with the Oregon Department of Forestry concerning the sufficiency of that agency's programs to meet water quality standards and TMDLs. Basin coordinators and HQ staff analyze existing water quality data and provide a summary of the analysis to ODA and Local Advisory Committees for biennial reviews. DEQ compares water quality data to water quality standards and TMDL allocations and analyzes the water quality data for trends. The purpose of DEQ participation is to ensure that updated water quality information is considered during biennial reviews and potential rule revisions. Basin coordinators and HQ staff will also be involved in the design and application of ODA's and ODF's effectiveness monitoring of water quality improvement measures. When ODA and ODF are in the planning stages to develop effectiveness monitoring studies to evaluate how well plans and rules are meeting TMDL load allocations, DEQ will assist in the formulation of the goals and objectives (the questions to be answered) of the monitoring study. The purpose of DEQ's participation is to ensure that the studies are focused on outcomes that are directly related to water quality standards and TMDL load allocation targets and to ensure that the data collected, and the analysis proposed is sufficient to answer these questions.

Environmental Outcome: Active management and control of nonpoint sources of pollution will reduce the amount of nonpoint source pollution getting into Oregon's waterways, resulting in water quality improvements as measured by water quality data and measures in WQMPs and TMDL implementation plans.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.1	Based on available funding, distribute 319 funds as pass-through grants (sub-grants) to implement priority watershed-based plans or alternative plans.	Target Oregon's priority watersheds for funding. Provide technical support and review of 9-Key element watershed-based plans and alternative plans.	Based on available funding, solicit, and select projects.	Q2 2025 and Q2 2026	Yes	
8.2	Implement an approach where 319 grant funded DEQ NPS staff time is used to implement TMDLs, WQMPs, IPs that have been determined to be Watershed Based Plans.	Provide technical support and review of 9-Key element watershed based plans and alternative plans.	DEQ tracks and reports the number of 319 grant funded staff time devoted to tasks that are eligible for funding using EPA Section 319(h) watershed project funds and implements a watershed based plan or alternative plan.	Ongoing	Yes	
8.3	Complete an annual nonpoint source report that describes the progress in implementing the State's nonpoint source management program plan.	Review and take final action on annual report	NPS Annual Report.	Q2 2025 and Q2 2026	Yes	
8.4	Begin planning/coordination process and work towards updating NPS Plan in accordance with revised National NPS Guidelines for next 5 year cycle (plan implementation during 2027-2031).	Begin planning/coordination process and work towards updating NPS Plan in accordance with revised National NPS Guidelines for next 5 year cycle (plan implementation during 2027-2031).	Updated NPS Plan (2027-2031)	Draft issued for public comment by June 30, 2026 Submitted to EPA by November 30, 2026	Yes	
8.5	Determine with EPA available NPS Success Stories documenting either water quality progress or attainment of water standards.	Provide assistance in development of NPS Success Stories.	NPS Success Stories or evaluation of potential success stories following completion of the Integrated Report.	Q3 2024 and Q3 2025	Yes	SP-12 WQ-10

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.6	Enter GRTS 319 mandated elements to 319 project tracking data by national deadlines, including load reductions as available.	Provide technical assistance for GRTS-related function.	Data reflecting progress and status of 319 implementation for appropriate projects are in GRTS.	End of Quarter 1 (2024 and 2025) load reduction, other GRTS data (National GRTS reporting deadlines)	Yes	WQ-9a WQ-9b WQ-9c
8.7	Implement an approach to ensure a watershed-based plan or acceptable alternative plan, as presented in EPA's 319 grant guidelines, has been completed in a geographical area prior to funding on-the-ground projects with Section 319 dollars. The approach will in part rely on TMDLs, WQMP, TMDL implementation plans, and other plans.	Review, with assistance from DEQ, the Watershed Based Plans and take action on proposed alternative plans as presented in EPA's 319 grant guidelines.	Watershed Basin Plan or alternative plan checklists for specific watershed areas and pollutants describing how TMDLs, WQMPS, and other planning documents meet the required elements described in EPA's 319 grant guidelines.	January 2025 and January 2026	Yes	
8.8	Implement relevant aspects of the Agency Toxics Reduction Strategy.		Implement a toxics reduction strategy that incorporates air, land, and water. This effort includes the Pesticide Stewardship Partnerships, Pesticide Collection Events, and other priority activities.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.9	Review ODA's area plan and rules and advises ODA of any changes or additions necessary to achieve water quality standards and meet TMDL agricultural load allocations.	Technical assistance and consultation	DEQ has submitted to ODA written comments and recommendation of any changes or additions to area plans and rules during the biennial review process.	Ongoing	Partial	
8.10	Work towards completing a submittal to address deficiencies in the Coastal Zone Act Reauthorization Amendments Coastal Nonpoint Pollution Control Plan additional management measures for forestry identified by EPA and NOAA.	Review and provide input on draft(s) forestry submittal. Continue to coordinate closely with DEQ and other agency partners as this process continues.	Completed forestry submittal	On-going, target completion by Q2-Q3 of 2024 (calendar year)		
	Provide input, as needed, to EPA/NOAA team updating and evaluating interim management measures under CZARA using the workplan/schedule drafted by EPA/NOAA.	EPA/NOAA will update and evaluate interim management measures, as needed.	Completed evaluation of interim management measures under CZARA.	On-going, target completion Q4 of 2024 - Q2 of 2025 (calendar year).		
	Support EPA/NOAA as needed during decision rationale development	EPA/NOAA develop decision rationale	Pending state's completion of workplan tasks drafted by EPA/NOAA, federal team completes decision document.	By Q2 of 2026 (calendar year)		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 9: Source Water Protection

DEQ contacts: Connie Dou

EPA contacts: Karen Burgess and Michelle Tucker

The Safe Drinking Water Act Amendments of 1996 provided resources to states to focus more attention on the source areas for public water systems instead of solely relying upon treatment to achieve clean drinking water. Approximately 75% of Oregon's citizens get their drinking water from public water systems. To address the assessment requirements of the SDWA, the Oregon Health Authority, teamed up with the Department of Environmental Quality. The two agencies have established an Interagency Agreement to coordinate their ongoing work.

The two agencies have worked closely since 1998 to share the responsibilities of implementing the program. DEQ's role in that work includes computer database/GIS system maintenance, contamination source inventories, surface water delineations, and susceptibility analyses. DEQ provides technical assistance to public water systems and communities to develop and implement drinking water protection actions. Source water protection is accomplished through the implementation of the Clean Water Act. DEQ works to reduce pollutants in source waters through various point and nonpoint source control programs so that the source waters meet CWA standards.

DEQ's source water protection work is reported to EPA Region 10 in OHA's annual reports. These annual reports are completed in conjunction with the OHA and include an accounting of the total population and public water systems that implement new source water protection strategies every year. Source Water Protection activities that address non-point sources of pollution are included in the NPS Plan and reported annually in DEQ's NPS report to EPA.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 10: Clean Water State Revolving Fund Program

DEQ contacts: Deb Mailander

EPA contacts: David Carcia

The Clean Water State Revolving Fund program established in 1987 provides low interest-rate loans to water quality infrastructure projects such as upgrading sanitary sewers. Over the years, the program also started funding more nonpoint source projects (e.g., stream restoration) and estuary projects in designated estuaries (e.g., Tillamook). The programs are run by the states and Puerto Rico. Congress provides funding to all CWSRF programs through the EPA capitalization grants, which require 20 percent matching funds for the so-called Base program. The Bipartisan Infrastructure Law of 2021 provides substantial supplemental funding authority over five years (2022-2026). BIL Supplemental funds require 49% additional subsidy that does not require repayment. BIL supplemental funds prioritize funding for distressed communities, especially those that have experienced environmental justice challenges. Another category of BIL funding is dedicated to so-called Emerging Contaminants or BIL EC (such as 6PPD-q and PFAS). BIL EC funds are not required to be repaid and must be provided as 100 percent additional subsidy, which the Oregon CWSRF provides as principal forgiveness. Annual SRF loan repayments are “revolved” to finance future projects. This better positions state SRFs to sustain this water quality project funding. Oregon’s CWSRF program awarded an average of \$59 million for loans (SFY20-SFY22). DEQ raises about \$10-20 million in match bonds as needed, which usually covers two to three years of state match requirements. Oregon CWSRF provides below-market rate loans and bond purchase agreements with a variety of terms, offering communities more financing choices to plan, design and construct water quality improvement and protection projects. Through 2023, DEQ has provided loans to 230 communities statewide totaling more than \$1.54 billion.

Eligible Oregon CWSRF loan recipients include public agencies defined in Oregon Revised Statutes 468.423 including cities, counties, sanitary districts, soil and water conservation districts, irrigation districts, school districts, and various special districts. As of July 2019, a new law (Senate Bill 884) allows Oregon to lend to non-profit Community Development Financial Institutions, certified by the US Department of Treasury, for the specific purpose of funding repairs or replacement of individual homeowner septic systems or connection to sewer. DEQ rules now allow eligible CDFIs to utilize CWSRF funds to finance private septic tank projects.

DEQ distributes CWSRF loans across the state to fund a variety of projects from small communities to larger municipalities. In recent years, DEQ loans have served more small community projects. During the most recent state fiscal year 2023, 66 percent of CWSRF loan activity was for small communities with populations of 10,000 or less. Larger DEQ CWSRF financing helps meet wastewater treatment needs for municipalities including discharge permitting and surface water quality obligations. These water quality standards are required under the Clean Water Act to protect beneficial uses such as recreation, fish habitat, boating, irrigation and drinking water protection. While continuing to serve municipal wastewater needs, the CWSRF program also provides funding and incentives to address nonpoint water pollution and is integrating sustainable approaches to water quality improvement and protection. The program continues to increase funding for nonpoint source and wider range of CWSRF eligible projects including septic tank solutions, irrigation modernization projects, stormwater mitigation, brownfields, land fill, estuary, and land acquisition for watershed protection projects. In 2023, the State of Oregon amended the Oregon Revised Statutes definition of public agency to include water districts as eligible borrowers under CWSRF, which allows the program to finance more nonpoint source and drinking water protection projects. CWSRF is also financing projects that address emerging contaminants with new Bipartisan Infrastructure Law Emerging Contaminants funding including two stormwater projects and a Water Pollution Control Facility Plan to address emerging contaminants in SFY 2024.

A top priority for the Oregon CWSRF program 2024-2026 is Bipartisan Infrastructure Law implementation. In 2023, the program completed a rulemaking to address new requirements and priorities for BIL implementation including increasing principal forgiveness, updating affordability criteria with environmental justice metrics, project ranking and scoring and a new Intended Use Plan. The program will provide more principal forgiveness based on new affordability criteria with environmental justice metrics including economically distressed communities, communities with high unemployment, water pollution and health burdened communities, small and very small communities. CWSRF will also provide principal forgiveness for communities with ratepayer hardship programs, water efficiency, energy efficiency, stormwater, and sustainable planning, design and construction projects per the Clean Water Act and Oregon Administrative Rules. The program increased limits for principal forgiveness up to \$2,000,000 or 50% of a loan for design and construction projects and 100% or up to

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

\$100,000 for planning loans. Oregon CWSRF developed a new Intended Use Plan to meet requirements for three EPA capitalization grants including annual base, BIL supplemental and BIL emerging contaminants cap grants. The program was awarded a total of \$29,635,000 between these three cap grants in September 2023—the most the program has received from EPA at one time since inception of the program. The current Intended Use Plan SFY 2024 includes 39 applications for projects requesting a total of \$153,396,741 from the fund.

Oregon CWSRF coordinates with EPA region 10 staff to target technical assistance and DEQ plans to increase capacity to provide technical assistance for communities 2024 – 2026. The program coordinates with other programs to leverage funding including the new EPA Sewer Overflow and Stormwater Reuse Municipal Grants program administered by Oregon DEQ and funding under the American Rescue Plan Act for wastewater and septic tank projects in Oregon. Oregon CWSRF is also procuring a software system to improve efficiency, security, and implementation of the program for borrowers and staff in 2024. These program enhancements will help increase demand and access to funding for water quality and infrastructure projects in Oregon.

EPA oversees any CWSRF program implemented by a state. EPA also provides technical assistance to ensure overall CWSRF program consistency with federal regulations, while acknowledging the uniqueness of each state's program needs. EPA accounts for the requirements of the Clean Water Act, federal regulations and the EPA CWSRF program guidance whenever considering requests for flexibility, depending on their specific circumstances. DEQ and EPA Region 10 maintain an Operating Agreement that stipulates the practices, procedures and expectations that remain the same from year to year. While SRF implementation is delegated to the state, EPA will coordinate with DEQ SRF as practicable in support of Oregon's program. For example, DEQ provides EPA with an SRF Intended Use Plan up to three times per year and provides an annual report to EPA on the financial and programmatic accomplishments during the state fiscal year. DEQ reports on environmental outcomes in EPA's Office of Water State Revolving Fund database, combining environmental benefits system (aka CBR) and aggregate financial (aka EPA's National Information Management System) into one reporting function. These reports inform the EPA's annual review, technical assistance, and advice to the state SRF program.

APPENDIX D: SCIENTIFIC INTEGRITY

SCIENTIFIC INTEGRITY

As stated in the 2022-2026 EPA Strategic Plan, Cross-Agency Strategy 1, EPA is committed to restoring the public's trust in government through scientific integrity and science-based decision making. Over the next two years, EPA will strengthen the policies and procedures surrounding scientific integrity and the use of science and evidence to inform agency decision making and will reaffirm the agency's commitment to fostering open, objective, and honest investigation of scientific activities, data, and conclusions, and to deliver rigorous scientific research and analysis.

EPA and DEQ will work to integrate the following scientific integrity objectives through the implementation of this PPA:

- Scientific integrity will be highly visible within the EPA and DEQ partnership.
- All responsible for protecting Oregon's land, air and water will embrace and model scientific integrity.
- Robust mechanisms will ensure objectivity, clarity, and reproducibility, to protect and maintain a shared culture of scientific integrity as we carry out actions under this PPA.

DEQ commitment	EPA commitment	Contacts	Output
Quarterly meetings for information exchange to discuss scientific integrity and quality assurance.	Quarterly meetings for information exchange to discuss scientific integrity and quality assurance.	DEQ: Lori Pillsbury, Administrator Laboratory and Environmental Assessment Division	Improved information sharing and understanding to protect and maintain culture of scientific integrity.
Maintain a robust quality assurance system for programs under this PPA	Provide review and guidance on this system	EPA: Michael Szerlog, Director Laboratory Services and Applied Science Division	High quality outcomes to embrace and model scientific integrity.
Sharing of scientific integrity trainings and policies as they relate to work under this PPA.	Sharing of scientific integrity trainings and policies as they relate to work under this PPA.		Partnership and consistency leading to making scientific integrity highly visible

APPENDIX E: ENVIRONMENTAL JUSTICE

ENVIRONMENTAL JUSTICE

Oregon DEQ, along with the U.S. Environmental Protection Agency, is committed to taking decisive action to advance environmental justice and civil rights within the state of Oregon¹. The EPA defines Environmental Justice as the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education, or income with respect to the development, implementation and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local and tribal environmental programs, and policies. Meaningful involvement requires:

- Potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment or health.
- The public's contribution can influence the agency's decision.
- The concerns of all participants involved are considered in the decision-making process.
- The decision-makers seek out and facilitate the involvement of those potentially affected.

Environmental justice is achieved when everyone enjoys the same degree of protection from environmental and health hazards and equal access to the decision-making process for a healthy environment to live, work, learn and play in.

DEQ is committed to the principles of environmental justice and to ensuring that the agency's actions address the interests and needs of Oregon's communities, particularly those who are overburdened by pollution, such as those referred to in Oregon's 2022 HB 4077. We aim to use regulatory tools and systems provided by State and federal laws, such as permitting, cleanup, policy and planning, outreach and education, and compliance and enforcement to ensure that all people in Oregon have access to clean water, clean air, and pollution free environments.

In 2024-26, Oregon DEQ will continue many of its established activities and partnerships for environmental justice and begin other, new activities to further the progress of environmental justice in Oregon. Oregon DEQ will fulfill the tasks and objectives outlined in this document in alignment with federal and state objectives to reduce, or eliminate, disproportionate impacts² from environmental policy decisions in Oregon, and to ensure that all people have meaningful opportunities for engagement in Oregon DEQ's environmental policy decisions that affect where they live, work, learn, practice spirituality and play³. Relevant laws, policy directives and frameworks upon which Oregon DEQ bases its environmental justice work are outlined below; however, the table is not a comprehensive documentation of state and federal legal authorities. Oregon DEQ acknowledges that new federal or state-specific laws and policy directives may supersede or be used in addition to the named documents over the course of this 2024-26 Performance Partnership Agreement. Oregon DEQ recognizes that the commitments made in this appendix are the start of our commitment to environmental justice and civil rights. Oregon DEQ will ensure environmental justice is a consideration in all practical applications and that these efforts are coordinated, collaborative, and in support of equitable outcomes for all of Oregon's residents.

APPENDIX E: ENVIRONMENTAL JUSTICE

Federal laws, documents, and frameworks	Oregon-specific laws, documents, and frameworks
Executive Order 12898 (1994) and revisions (2021)	Oregon Environmental Justice Laws (ORS 182.538-550)
U.S. Civil Rights Act, Title VI (1968, and revisions since)	Executive Order 20-04 (2020)
Justice40 (2021)	State of Oregon 10 Strategies for Equity in State Government (2021)
EPA 2022-26 Strategic Plan, Goal 2)	2021 Oregon Legislation: House Bill 2353 ; House Bill 2165 ; House Bill 2167
Executive Order 14096 (2023)	Oregon DEQ Strategic Plan (in development, 2024)
Executive Order 13985	State Agency Strategic Planning and Diversity, Equity, and Inclusion Plan
Executive Order 14091	2022 Oregon Legislation: House Bill 4077

Enhance community partnerships and engagement

- DEQ’s newly established Office of Equity will support the department’s Environmental Justice Work Group activities related to mapping community partnerships, developing a resource library to support the department in conducting meaningful involvement, and preparing comprehensive EJ guidance for DEQ staff and managers.
- DEQ will lead the development of statewide best practices and procedures for community engagement on Environmental Justice Issues, as directed in HB 4077 (2022).
- Ensure that public comment opportunities provide a meaningful opportunity for community engagement and demonstrable methods by which a community or individual has equitable access to the process and outcome of agency decision-making practices.
 - Ensure that all public documents meet or exceed the State of Oregon requirements and best practices for plain language.
 - Ensure that Oregon DEQ staff are aware of and accessing translation/interpretation services in accordance with Oregon DEQ’s Limited English Proficiency and language access plans.
 - Ensure that methods and venues of notice provided for opportunities to comment are issued in languages and formats accessible to those most potentially affected by the proposed changes or decisions.
 - Look for ways to provide opportunities for capacity building to communities with EJ concerns to support their ability to meaningfully engage and provide comments and feedback.
- Whenever practicable, establish state-community partnerships for the development and implementation of site-specific projects, including but not limited to grant-funded research and project opportunities.

Multi-jurisdictional collaboration

APPENDIX E: ENVIRONMENTAL JUSTICE

- Continued participation on a monthly call/work session with representatives of EPA Region 10, Washington, Idaho and Alaska environmental regulatory agencies and invited guests
- Continued participation in the monthly Environmental Council of States' Environmental Justice Workgroup, comprised of representatives of state environmental regulatory agencies.
- DEQ will continue to lead the development of a state-specific EJ mapping tool by providing project management resources and serving as the lead agency on environmental burden data.
- DEQ will coordinate with the Oregon Environmental Justice Council, the Office of the Governor, and other state Natural Resource agencies on environmental justice issues facing Oregon communities.

Training for Oregon DEQ staff

- Identify approaches to introduce new agency staff to the principles of environmental justice and resources that support integration of those principles in their work (agency EJ webpage, introduction to the EJ Working Group, etc.)
- Make available introductory EJ training and tool-specific training on-demand to all staff through the agency's online training system.
 - Newest released versions of EJSCREEN and the Climate and Economic Justice Screening Tool are the intended tools for this training; however, Oregon DEQ may integrate additional tools, developed at the state or federal level, as they become available.
- Training in cultural competency and understanding implicit bias for all DEQ employees, on-demand through the agency's online training system.

Programmatic integration of environmental justice

- Continued quarterly updates from assigned DEQ staff, verbal and written, and annual written reports to the Oregon Environmental Justice Council regarding Oregon DEQ's implementation of Oregon EJ statutes and policy direction.
 - A copy of this annual report will also be provided directly to EPA's Region 10 Environmental Justice Division by the EJC coordinator.
- Establish and implement EJ analysis and criteria as part of the Oregon DEQ rulemaking process and notifications.
- Implement newly updated DEQ [policy on Supplemental Environmental Projects](#), to enhance community participation in the project selection process. Specifically, DEQ will use the leverage of large civil penalties in overburdened communities to advance community participation in the SEP selection process. In addition, DEQ will hold SEP listening sessions, at least annually, to engage the public in the policy, and DEQ will update its pre-application process and online SEP resources.
- Establish and determine implementation of guidelines for diversifying DEQ's advisory committees and workgroups, including, but not limited to, participants representing environmental justice issues and community-based organizations.

APPENDIX E: ENVIRONMENTAL JUSTICE

- - Guidelines may include revisions to requirements for participation to ensure equitable access for all people, assessment and updates to methods and venues of recruitment for committee members, research and establishment of best practices and procedures for compensation when a member is not otherwise paid for their involvement with the committee, and other actions to ensure Oregon DEQ's committees and workgroups better reflect the communities which bear disproportionate environmental burdens.

Develop a comprehensive Title VI compliance program

- Consistent with the requirements of Title VI of the U.S. Civil Rights Act, Goal 2 of the 2022-26 EPA Strategic Plan, and the EPA Title VI toolkit⁴, Oregon DEQ will develop a comprehensive Title VI program.
 - Identify an ombudsperson or other point of contact for Title VI complaints.
 - Establish and maintain an external webpage for Title VI informational, including process documents and procedural information on how any person can make a Title VI complaint.
 - Conduct a program review to ensure that all Oregon DEQ programs are fulfilling their Title VI obligations for non-discrimination in decision-making, awarding grants, permit review/actions and policy implementation.

Improve language access plans and processes

- Consistent with the requirements of Title VI of the U.S. Civil Rights Act and related federal guidance, finalize an Oregon DEQ Limited English Proficiency implementation plan with measurable outcomes to address the identified needs of LEP populations and provide guidance for agency staff.
 - This implementation plan will include training for Oregon DEQ staff on LEP requirements and associated policies, procedures, and best practices.
- Develop and implement procedures for the procurement of written translation, verbal interpretation and ASL interpretation services.
 - Provide guidance to Oregon DEQ staff on when translation or interpretation services must be procured and best practices for offering services beyond legal requirements.
 - Provide guidance to Oregon DEQ staff on the procurement process steps for required or discretionary translation or interpretation services.
- Update Oregon DEQ's website, fact sheets and other relevant public documents to include standardized statements, in multiple languages, on how to access agency information in non-English languages.

Develop an Oregon-specific mapping tool

- In collaboration with other state agencies and government partners, DEQ will develop a technical mapping tool, similar to EPA's EJSCREEN, for Oregon-specific environmental justice data collection and tracking.
 - Development of this new tool is expected to be complete by September 15, 2025

APPENDIX E: ENVIRONMENTAL JUSTICE

- While the Oregon-specific mapping tool is being developed, Oregon DEQ will utilize EPA's EJ Screen and the Climate and Environmental Justice Screening Tool to conduct analysis and help determine locations and potential impacts to communities with environmental justice concerns.

New resources

- Seek dedicated federal funding, through standard federal grant processes and EJ-specific opportunities, to provide additional staff resources, funding for community-based engagement and project work centered on environmental justice issues and communities with EJ concerns.
 - Oregon DEQ may participate in grant proposals as the primary agency, or in partnership with other State of Oregon agencies or governmental entities working in communities across the state.
- During the 2023 legislative session DEQ received authority for two new EJ positions: an Environmental Justice Coordinator and Environmental Justice manager. The positions will be authorized to hire in 2024. During the 2024-26 PPA DEQ will focus on hiring and onboarding these positions. In the course of developing workplans for the new positions DEQ will prioritize commitments in this agreement and direction provided by the Oregon legislature.

Oregon DEQ will undertake these, and other, EJ-related activities to the extent that resources, including staff, are available.

In 2020-22, DEQ continued many of its established environmental justice activities and partnerships, and began other, new, activities to further the progress of environmental justice in Oregon. The items below are tasks accomplished during the period covered by the 2022-2024 EPA/Oregon DEQ Performance Partnership Agreement, and those that remain ongoing.

Accountability

- Quarterly updates, by oral or written summary, and annual written reports to the Oregon Environmental Justice Council (ongoing)
- As directed by Governor Brown's Executive Order 20-04 related to climate change and greenhouse gas emissions reduction, provided an interim report to the Governor's Office in May 2020 on DEQ's plan to implement the Order, including plans to meaningfully engage communities and individuals disproportionately impacted by climate change.

Partnerships

- Collaborated and engaged with EPA Region 10 and the states of Washington, Idaho, and Alaska through a monthly conference call for EJ issues (ongoing)
- Participated on EPA's Western States Environmental Justice quarterly meetings (ongoing)
- Collaborated through regular communication and information-sharing with other Oregon state agencies working with communities and individuals encountering environmental justice issues (ongoing)
- Partnered with other state agencies and their respective boards or commissions to fulfill the environmental justice and equity directives of Executive Order 20-04 (ongoing)

APPENDIX E: ENVIRONMENTAL JUSTICE

Training

- Provided individual and group trainings on EJSCREEN to all staff, typically at section or division meetings or in 1:1 sessions, on an as-requested basis (ongoing)
- Provided in-depth environmental justice and EJSCREEN trainings, in-person and by webinar, made available to all staff at least once per year (ongoing)
- Developed a 30-minute Introduction to Environmental Justice training available to all new Oregon DEQ employees as part of the agency's New Employee Orientation protocol.

Improvements to language access

- Worked with the Oregon Department of Administrative Services and DEQ Procurement staff to finalize state price agreements for written translation and interpretation service contracts, which are available for all state agencies to access for these services.

Incorporate EJ into agency activities, other than monitoring and permitting

- Inclusion of EJ considerations and expertise in designing the policy development process for work to reduce greenhouse gas emissions in Oregon.
- Established and implemented the use of EJ criteria as part of the agency process for prioritizing the backlog of cleanup sites in the Northwest Region Leaking Underground Storage Tanks Program
- Incorporated EJ-specific provisions and elements of Executive Order 20-04 into the Clean Fuels Program, including enhancements to the fleet electrification credit-generating process.
- Strengthened food waste prevention and recovery goals as outlined in Executive Order 20-04 and began development of revised community-based engagement and programs to accomplish these goals.
- Included an EJ prioritization methodology in the development of the 2018-2028 Oregon Regional Haze Plan and Program.
- Established the Oregon Clean Vehicle Rebate Program and the Charge Ahead Rebate specifically designed to provide additional rebates to low- and moderate-income people in Oregon who lease or purchase an electric vehicle.
 - This program was also expanded, with greater rebate amounts available to low- and moderate-income people through the Charge Ahead Program on Jan. 1, 2022, following legislative action in the 2021 Oregon Legislative Session.
- Established a staff-led Environmental Justice Workgroup for information sharing, technical review, and policy coordination across agency programs.

Incorporate EJ into agency monitoring and permitting decisions

- Implemented the Cleaner Air Oregon Program's prioritization process, guiding what facilities are brought into the new regulatory program's assessment process, and tracking how the EJ factors influence overall facility prioritization.

APPENDIX E: ENVIRONMENTAL JUSTICE

- Implemented the Oregon Climate Protection Program, a sector-based cap-and-reduce-style program for greenhouse gas emissions, per Executive Order 20-04.
- Implemented new regulations for methane emission reductions at landfills, per Executive Order 20-04.