

Willamette Basin Mercury TMDL Advisory Committee Meeting

Point Source Implementation Options Water Quality Management Plan

August 22, 2018

BLM Springfield Inter-Agency Office

Introduction

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

1. Consideration of Intake Pollutants in Determining Reasonable Potential

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

❖ No Effluent Limit

○ Applies to all facilities

▶ **OAR 340-045-0105**

▶ *Measured at “Finished Water”

1.a Consideration of Intake Pollutants in Determining Reasonable Potential

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

❖ No Effluent Limit

○ Applies to all facilities

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

2. Update WLA Calculations

- ❑ Replace individual WLAs and TMDL limits based on default values
- ❑ Methodology to calculate a site specific WLA and limit
- ❖ Adjusted Numeric Effluent Limit
 - Applies to all facilities
 - ▶ Calculation formula to be included in the TMDL

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

- Compliance with Effluent Limit is determined factoring in the concentration of mercury in the Finished Water
- ❖ Effluent Limit + Intake Credit = Compliance Limit
- ❖ Adjusted Effluent Limit + Intake Credit = Compliance Limit
- Applies to all facilities
- ▶ **OAR 340-045-0105**

4. Small Facility Evaluations

- ❑ < 1 MGD Flow Rate
- ❑ No known Hg sources
- ❖ Narrative Effluent Limit: Measure performance at influent
 - Applied to Minor Domestic Facilities
 - ▶ Will be described in the TMDL

4.a Small Facility Evaluations

- ❑ < 1 MGD Flow Rate
- ❑ **Known** Hg sources (i.e. large industry)
- ❖ Narrative Effluent Limit: Measure performance at influent
- ❖ **Pretreatment Program for Source**
 - Applied to Minor Domestic Facilities
- ▶ Will be described in the TMDL

4.b Small Facility Evaluations

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

5. Pollutant Offset

- ❑ City identifies a pollutant offset opportunity
- ❑ Applies for DEQ approval
- ❖ Effluent Limit + Offset Credit = Compliance Limit
- Applied to Major Facilities
- ▶ Described in permit: i.e. EPA Permit, West Boise 2016

6. Individual Variance

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

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

- Applied to Minor Domestic Facilities

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

6.a Individual Variance + Water Quality Trading Plan

- ❑ For toxic pollutants must be done in conjunction with a variance
- ❑ Allow entities regulated under the Clean Water Act to meet pollution control requirements through water quality trading.
- ❖ Variance Limits + Water quality trading plan
 - Applied to Major Domestic Facilities
- ▶ **OAR 340-039-0001**
- ▶ IMD:
<https://www.oregon.gov/deq/wq/wqpermits/Pages/Trading.aspx.oregon.gov/deq/Filtered%20Library/IMDVariance.pdf>

7. Multiple Discharger Variance

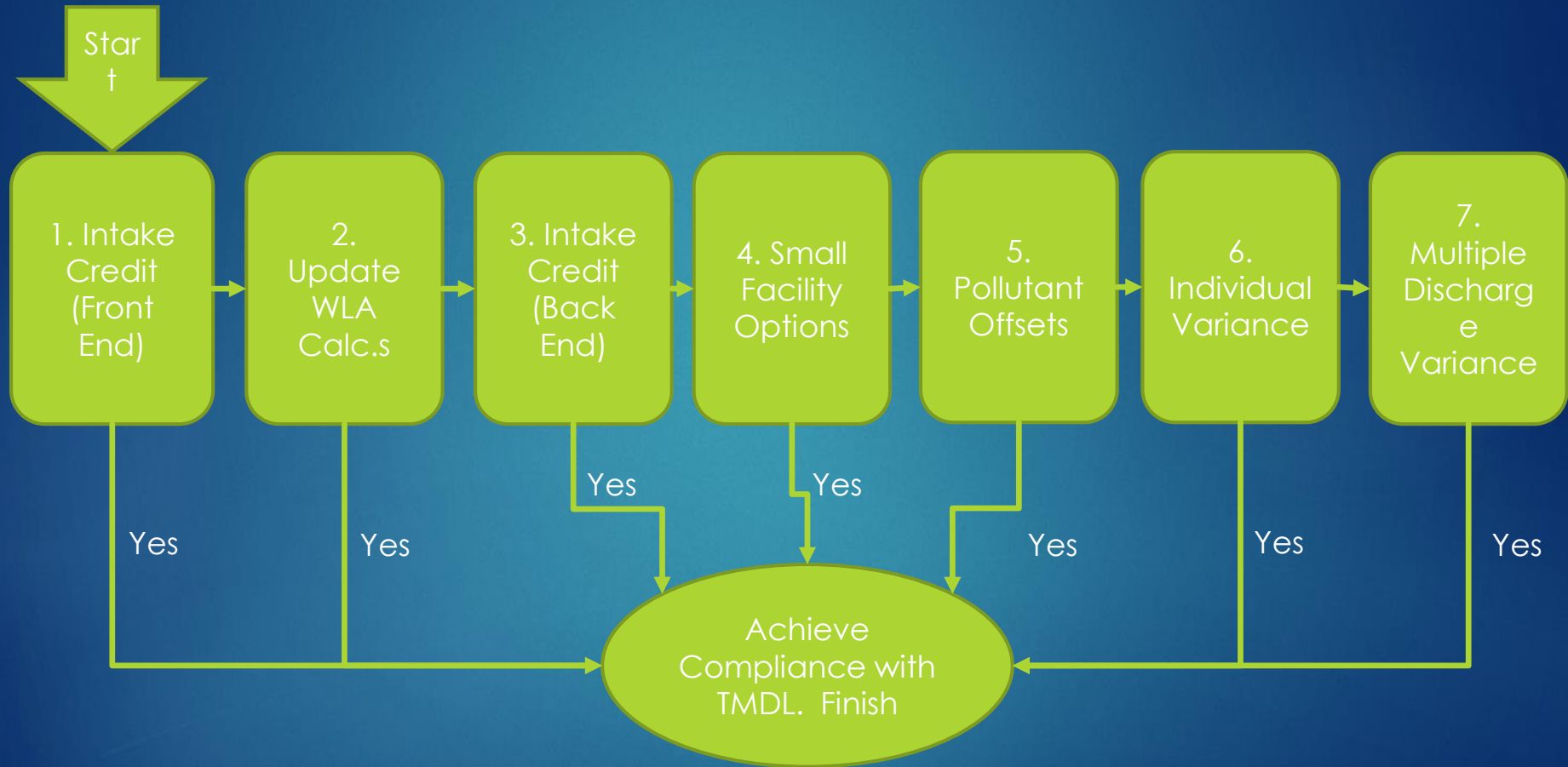
- ❑ A variance that applies to more than one discharger who cannot meet limits for certain standards, rather than issuing one variance per permit holder
- ❑ Specific to Willamette Basin
- ❑ Must be approved through a rule making effort with the EQC

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

- Applied to All Facilities

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

Implementation Option Determination Process



Final Thoughts

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

Questions?

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