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Background Brief on...

Water Quality

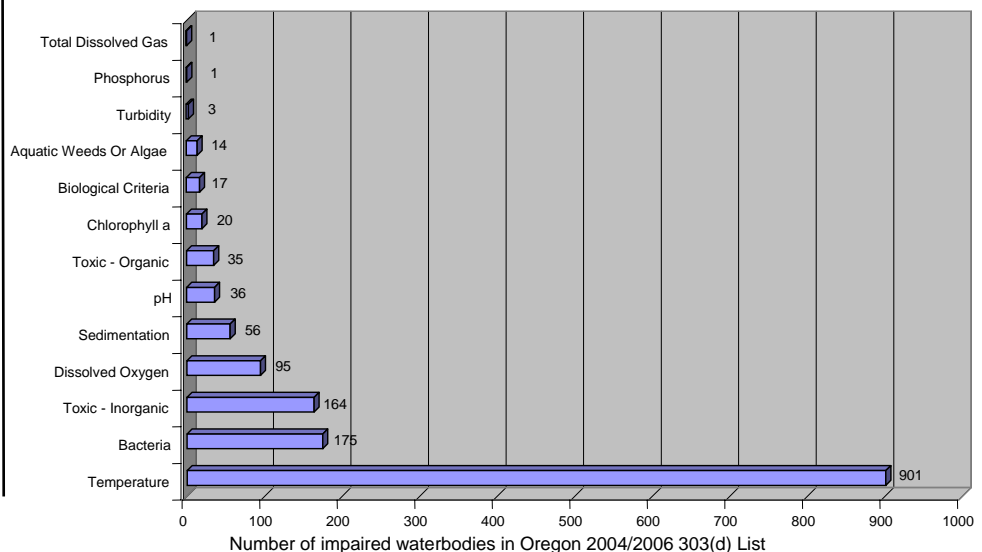
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Background

The federal Environmental Protection Agency (**EPA**) delegated authority to the Oregon Department of Environmental Quality (**DEQ**) to operate the federal Clean Water Act (**CWA**) in Oregon. EPA has oversight authority over how DEQ carries out the CWA. EPA also has separate enforcement authority under the CWA. DEQ is responsible for protecting Oregon's rivers, lakes, streams and ground water to keep these waters safe for a wide range of uses, such as drinking water, recreation, fish habitat, aquatic life, and irrigation. DEQ's Water Quality Program accomplishes this by:

- Developing clean water standards for Oregon's waters.
- Monitoring water quality with regular sampling of more than 50 rivers and streams in the 18 designated river basins found in Oregon.
- Regulating sewage treatment systems and industrial dischargers through permits that set limits on pollutants discharged.
- Developing and implementing clean water plans ("Total Maximum Daily Loads" or **TMDLs**) for rivers and streams that fail to meet clean water standards.
- Inspecting septic system installations and working with local agencies to streamline this process.
- Helping public drinking water systems implement plans to protect drinking water.
- Offering low cost loans to public agencies and grants to different entities to help fund improvements to water quality.
- Providing grants and technical assistance to reduce pollution from surface water runoff (also called "nonpoint source" pollution).

Types of water pollution in Oregon



Clean Water Standards – Clean water standards are the foundation of DEQ’s water quality program. Standards establish water quality goals by designating beneficial uses for each water body and setting criteria to protect those uses. Beneficial uses include public water supply, fish and aquatic life, recreation, irrigation and more.

303(d) list – Section 303(d) of the Clean Water Act requires states to develop a list of water bodies that do not meet the State’s clean water standards. DEQ uses existing scientific data from a variety of sources to assess water quality and determine which water bodies should be listed. Once a list is developed, DEQ must prioritize the list and submit it to the Environmental Protection Agency (EPA) for approval. DEQ submitted a 2004/2006 Section 303(d) list to EPA in May 2006 and is waiting for approval. A total of 1,117 of approximately 37,600 water bodies in Oregon (3%), are on the list for at least one pollutant.

Total Maximum Daily Loads (TMDLs) – Once a waterbody is placed on the 303(d) list, the CWA requires states to develop a plan to meet clean water standards. This plan is called a TMDL. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background that can enter waterways without violating clean water standards.

Implementing a TMDL often includes revising industrial and municipal wastewater permits to incorporate revised permit limits. On agricultural land, implementation plans are developed through the Oregon Department of Agriculture’s SB1010 process. On state and private forestlands, the Department of Forestry has the lead in providing water quality protection through the Forest Practices Act and long range management plans. In urban areas, local governments take the lead in developing TMDL implementation plans. The U.S. Forest Service and the Bureau of Land Management are responsible for developing water quality restoration plans for lands under their jurisdiction.

Under most 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 will serve as community-based coordination points for these united efforts. TMDL implementation plans describe actions that will be taken to reduce pollution.

Industrial and Domestic Wastewater Permitting – 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 (**NPDES**) or state Water Pollution Control Facilities (**WPCF**) wastewater discharge permit issued by DEQ. DEQ currently manages about 4,650 water quality permits including 4,200 federal NPDES permits and 450 WPCF permits. Point sources requiring an NPDES permit include wastewater treatment plants, various industries such as pulp and paper plants and food processors, as well as municipal stormwater systems for Oregon’s larger urban areas.

Recent Legislation

Senate Bill 45 (2005) was based on the Blue Ribbon Committee’s recommendations, which was convened to assist DEQ in identifying improvements to the wastewater program. SB 45 allows DEQ to issue general permits by order rather than more resource-intensive rulemaking, requires annual performance reports to Oregon’s Legislature, and allows for up to three percent annual permit fee increases to help address inflation.

Senate Bill 42 (2005) clarified state law to allow 20 years for repayment to the Clean Water State Revolving Loan Fund (SRF) after project completion, which now matches federal regulation. The Clean Water State Revolving Loan Fund program provides low-cost loans for the planning, design and construction of projects that address water pollution. Loan terms are written in such a way to allow for the most favorable terms available under the federal SRF program.

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