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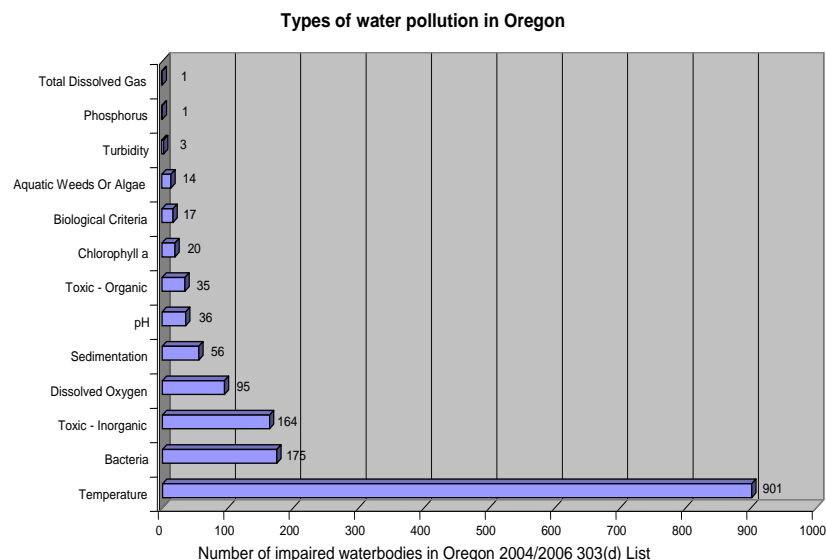
Background Brief on ...

Water Quality

The federal Environmental Protection Agency (**EPA**) has delegated authority to the Oregon Department of Environmental Quality (**DEQ**) to operate the federal Clean Water Act (**CWA**) in Oregon. The EPA has oversight authority over how DEQ carries out the Act. The 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 18 designated river basins 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 do not meet clean water standards
- Inspecting septic system installations and working with local agencies to ensure consistency around the state
- 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)

Clean Water Standards – Clean water standards are the foundation of the 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 CWA 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 EPA for approval. DEQ’s 2004/2006 Section 303(d) list was approved by EPA in March 2007. A total of 1,117 of approximately 37,600 water bodies in Oregon (three percent) are on the list for at least one pollutant.

Total Maximum Daily Loads – 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, which 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 lands, implementation plans are developed through the Oregon Department of Agriculture’s Senate Bill 1010 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 serve as community-based coordination points for these united efforts. TMDL implementation plans describe actions that will be taken to reduce pollution.

Industrial/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 lands 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 over 5,000 water quality permits, including over 4,700 federal NPDES permits

and more than 500 WPCF permits. Point sources requiring a 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

Priority Persistent Pollutants – A priority persistent pollutant is a substance that is toxic and either persists in the environment or accumulates in the tissues of humans, fish, wildlife or plants. In 2007 the Legislature enacted Senate Bill 737 which required DEQ to compile a prioritized list of persistent pollutants to guide DEQ's pollution prevention efforts. DEQ's list of persistent pollutants includes 118 pollutants that met this definition. In June 2010, DEQ submitted a report to Legislature identifying sources of the pollutants on the list and opportunities to reduce their discharge. The Act also requires Oregon's 52 large municipal wastewater treatment plants to develop persistent pollutant reduction plans by July 2011 for any priority persistent pollutants found in effluent above established "trigger levels."

Graywater – Under Oregon law, graywater means shower and bath wastewater, bathroom sink water, kitchen sink wastewater, and laundry wastewater; graywater is not toilet or garbage wastes. Although graywater can be contaminated with organic matter, suspended solids, or potentially pathogenic microorganisms, if it is collected and handled appropriately it can be safely reused for flushing toilets as well as irrigating certain trees and plants. Reuse of graywater reduces the demand on other sources of water, such as potable water, surface water, and groundwater. In 2009 the Legislature enacted House Bill 2080 which legalized the use of graywater for beneficial uses. House Bill 2080 requires the Environmental Quality Commission adopt rules for graywater permitting. DEQ expects that the rulemaking process will take approximately two years.

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