Water Quality Standards and Assessment

Proposed Variance Term for the Willamette Mercury MDV

Presentation to Willamette Basin Mercury MDV Advisory Committee
January 24, 2019
DEQ Headquarters, Portland, OR

DEQ State of Oregon Department of Environmental Quality

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OR State Rules vs. Federal Rule

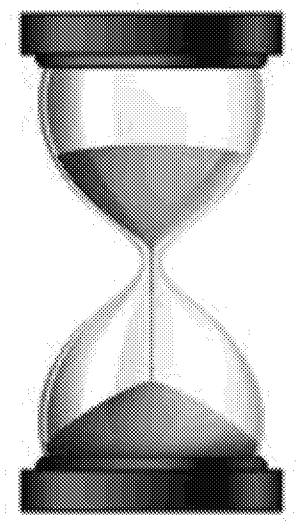
- Oregon: Term of the permit.
  - Propose changing to be consistent with federal rule
- Federal:
  - As long as necessary to achieve HAC
  - Can be longer than 5 years
  - Must be re-evaluated every 5 years

Specifying duration of variance

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

Proposed term

- 20 years
- HAC will be re-evaluated every 5 years, including an opportunity for public comment, consistent with federal rules.



Rationale for 20 year term

- Time for point sources to plan, implement and evaluate the results of their MMP.
- Acknowledge different levels of MMP development at different facilities.
- Evaluate effectiveness of MMP in reducing influent and effluent mercury concentrations.
- Expect the criterion to remain unattainable for at least 20 years, most likely longer

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What happens after 20 years?

- Standard likely unattainable 20 years.
- Options:
  - Renew MDV
  - Develop waterbody MDV
  - Site-specific criterion/UAA
  - Treatment advances

Questions and discussion

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.