

Water Quality Standards rule making

- Brief outline of Rule
- Governors proposal
- Risks/concerns
- Path forward

Water Quality Standards rule making

- Proposed changes to WAC 173-201A, Water Quality Standards for Surface Waters of the State embedding Human Health Criteria (HHC) for toxic compounds into the standards.
- Toxic compound list attached, includes PCBs, mercury, arsenic, pesticides, metals...
- Proposals driven by EPA mandates for all States to implement updates to toxic rules
- Rule would apply to all dischargers to Surface Waters of the State, including Public and Private discharges for sewer and stormwater
- Impacts will be community specific depending on the make up of discharge and the water body you are discharging to.

Water Quality Standards rule making

- Governors proposal/draft rule
 - Embed HHC rules in WAC 173-201A by changing formula in water quality standards including fish consumption, cancer risk and other variable parameters. (discussion of DEIS alternatives)
 - Implementation tools for NPDES permits include intake credits, compliance schedules and variances.
 - Implement State authority to remove toxic chemicals at source. Currently part of legislative agenda.
- AWC's position – see attachment

Water Quality Standards rule making

- Risks associated with supporting Governors package:
 - Requested legislation to manage toxic materials at source is not passed or Environmental/Tribal sue/appeal package as not restrictive enough
 - EPA rejects current rule making effort and takes lead for implementation
- Risks associated with not supporting Governors package:
 - Governor/Ecology come back with more restrictive rule package and/or EPA intervenes with Federal rule.
- Oregon adoption 3 years ago
 - Included same fish consumption amount and more conservative cancer risk assumption
 - Describe cost impacts to municipal dischargers they have experienced, if any

Water Quality Standards rule making

- Local discussion
 - Meet with Camas business stakeholders to inform them of the process and gather concerns/comments
 - Complete a preliminary discharge assessment for the Camas WWTP as it relates to the Toxic Chemical list.
 - Draft recommended comments for Council consideration as part of the rule making testimony and legislative process.
 - Consider working with Discovery Clean Water Alliance to evaluate regional impacts as details of the process emerge.

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- Timeline
 - Draft rule published
 - Feb 2 Workshop presentation
 - Feb 10 meet with Camas stakeholder group to provide information and feedback
 - Feb 17th update Council
 - Rule making Public Hearings March, 2015 throughout the State
 - Staff recommended comments March 16 council meeting
 - Submit comments by March 23rd, 2015 on draft rule
 - Track legislative action and rule making. Engage with regional partners. Update Council

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- Questions?