

American Water Resources Association
2009 ANNUAL WATER RESOURCES CONFERENCE
November 9-12, 2009
Seattle, WA

Monday, Nov. 9

10:30 AM – 12:00 Noon

SESSION 4: Developing Programs and Policies to Reduce Toxics in Oregon Waters

Revising Clean Water Act Human Health Criteria Based on Local Fish Consumption Rates - Debra Sturdevant, Oregon Department of Environmental Quality, Portland, OR

In the fall of 2008, the Oregon Environmental Quality Commission directed the Department of Environmental Quality (DEQ) to revise Oregon's human health criteria based on a new and greatly increase fish consumption rate. In addition, the Commission asked DEQ to propose policies for implementing the new criteria in an environmentally meaningful and cost effective manner, and to propose rules or strategies to reduce toxic substances from non-point sources and other sources not permitted under the Clean Water Act. This special session includes 4 topics tied together by the overarching concern of how the State can most effectively and efficient control and reduce the toxic substances that end up in our waters and that may adversely affect human health or aquatic life. DEQ is in the process of revising its water quality standards for toxics based on a fish consumption rate of 175 grams per day, by far the highest fish consumption rate proposed by any State. The review of the fish consumption rate was requested by Native American peoples in Oregon who have a tradition of eating large amounts of fish, and was conducted as a collaborative effort with the Confederated Tribes of the Umatilla Indian Reservation and the Environmental Protection Agency. The presentation will cover how we got here, the major technical and policy considerations in choosing a fish consumption rate as the basis for water quality standards, the process the state is using to revise it's water quality standards, and what this means for Oregon (and possibly others) in the future.

Addressing Priority Persistent Pollutants in Oregon Waters – Implementing a New State Law – Cheryl Grabham, Oregon Department of Environmental Quality, Portland, OR

The 2007 Oregon Legislature passed Senate Bill 737, which requires the Oregon Department of Environmental Quality (DEQ) to consult with all interested parties by June 1, 2009 to develop a list of priority persistent pollutants (the "P3 list") that have a documented effect on human health, wildlife and aquatic life. By June 1, 2010, DEQ must issue a final report to the Legislature about the sources of priority persistent pollutants "from existing data" and identify source reduction and control methods that can reduce discharges. SB 737 also requires Oregon's 52 largest municipal wastewater treatment plants to develop plans by July 1, 2011 for reducing priority persistent pollutants through pollution prevention and toxics reduction. The municipalities or districts are required to develop toxics reduction plans for any of the pollutants on the "P3 list" that are present in the treatment plant discharge at levels greater than the Maximum Contaminant Level established under the Safe Drinking Water Act or a trigger level established by DEQ. Many of the pollutants on DEQ's "P3 list" have not been regulated under the federal water programs (i.e., Safe Drinking Water Act or Clean Water Act) to date. In some cases, data for identifying levels of concern for the pollutants are limited. The speaker will explain how DEQ has approached this unique task, talk about the challenges it has encountered along the way, as well as those yet to come, and explain what the "P3 list" means for Oregon.

Oregon's Cross-Media Toxics Reduction Strategy - Kevin Masterson, Oregon Department of Environmental Quality, Portland, OR

By early 2010, the Oregon Department of Environmental Quality plans to complete its draft integrated, cross-media Toxics Reduction Strategy that will establish a tiered list of priority toxic pollutants and propose a set of measureable actions to reduce the release and impacts of those pollutants to Oregon's environment. This presentation will provide an overview of the agency's priority pollutants, the identified

sources and pathways for those pollutants, an assessment of current efforts to address the priority pollutants, and a description of some of the more innovative toxics reduction actions proposed by the Strategy. The Strategy will be informed by the on-going and new toxics initiatives within DEQ, including the new priority persistent water pollutant program, Portland Air Toxics Solutions, the revised state Water Quality Toxics Criteria, as well as the efforts of other partner agencies and organizations in Oregon.

Willamette Basin, Oregon: Mercury TMDL Phase Two - Agnes Lut, Oregon Department of Environmental Quality, Portland, OR

In 2006 Oregon submitted the Phase 1 mercury TMDL for the Willamette Basin. ODEQ's Phase 1 analysis suggests that a 27 percent reduction in the total mercury load is needed to reduce mercury in fish tissue to a safe level. This corresponds to the elimination or removal of 37.5 kg of total mercury per year. ODEQ's preliminary analysis indicates that the majority of the mercury in the Willamette River comes from non-point sources such as the erosion of native soils containing mercury and the runoff of atmospherically-deposited mercury from urban, agricultural and forested landscapes. The work planned for the Phase 2 of this mercury TMDL will enable a more precise accounting of natural background and the loads associated with each of the source categories considered in the Phase 1 analysis. Phase 2 will consider controlling mercury loading and factors affecting methylation rates within the river system.