



State of Oregon
Department of
Environmental
Quality

Oregon Department of Environmental Quality
and U.S. EPA Region 10
Performance Partnership Agreement
July 1, 2020, to June 30, 2022



Performance Partnership Agreement Between the Oregon Department of Environmental Quality and the U.S. Environmental Protection Agency – Region 10

We are pleased to sign the Performance Partnership Agreement between Oregon DEQ and EPA.

DEQ and EPA have a joint commitment to ensure success of this PPA. Collaborative approaches to addressing environmental issues ensure efficient and focused use of resources and are essential to achieve environmental results. DEQ and EPA's partnership reflects an agreement to align and focus resources on priority work, and to make difficult choices about what work will not get done due to cuts in program funding and staffing.

Working in partnership to achieve our environmental goals and making decisions regarding how best to employ our resources within the context of funding uncertainties, requires timely communication and collaboration. During this PPA the agencies' leadership will meet periodically to check in on our progress, identify issues and enhance our partnership.

Date: June 10, 2020

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Chris Hladick, Regional Administrator
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Date: June 3, 2020


Signed: 
Richard Whitman, Director
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TABLE OF CONTENTS

PURPOSE AND SCOPE	1
STRATEGIC PRIORITIES	1
EPA'S STRATEGIC PRIORITIES	2
OREGON DEQ'S STRATEGIC PRIORITIES	3
OVERVIEW OF EPA'S AND OREGON DEQ'S JOINT OBJECTIVES	8
PERFORMANCE EVALUATION	9
MODIFYING THE AGREEMENT	9
AIR QUALITY PROGRAM	A-1
HAZARDOUS WASTE PROGRAM	B-1
WATER QUALITY PROGRAM.....	C-1
ENVIRONMENTAL JUSTICE	D-1

PERFORMANCE PARTNERSHIP AGREEMENT

PURPOSE AND SCOPE

This Performance Partnership Agreement (PPA) describes how the Oregon Department of Environmental Quality and the U.S. EPA Region 10 will work together to protect Oregon's environment during the state fiscal years 2021 and 2022 from July 1, 2020, through June 30, 2022.

The PPA is an agreement documenting the commitments of EPA and DEQ regarding implementation of federally-delegated or authorized environmental programs, and is part of a wider effort called the National Environmental Performance Partnership System (NEPPS), an agreement between EPA and the Environmental Council of States (ECOS). The goal of NEPPS, and of PPAs, is to promote flexibility, accountability, and innovation in state/federal agreements regarding implementation of federal environmental programs authorized or delegated to states for operation. PPAs are intended to enhance protection of the environment by focusing attention on overall environmental protection goals and the actual results of efforts to achieve these goals, not on government programs and the number of actions taken.

EPA and the states, through ECOS, are working together to reaffirm the NEPPS principles of *joint* planning and priority setting processes, and providing flexibility to allocate scarce resources to address the highest environmental and public health priorities, particularly in light of continued declining federal revenues. The NEPPS model being utilized by EPA and the states is one of co-governance, embracing and redefining the collaborative relationship between states and EPA, promoting allocation of resources to address state and regional priorities, and encouraging the use of best practices and innovative strategies to maximize environmental results.

The PPA appendices contain program-specific work plans for Air Quality, Hazardous Waste, and Water Quality programs describing the joint priority work to be accomplished during state fiscal years 2021 and 2022.

This PPA also serves as the work plan for the Performance Partnership Grant covering state fiscal years 2021 and 2022. A PPG allows for a number of grants to be combined into one flexible grant package. This reduces administrative burden and enhances efficiency by consolidating several grants into one and allows states the flexibility to direct resources to the highest environmental and public health priorities, while maintaining an agreed upon level of effort to support all programs addressed by the PPA.

Grants from the following program authorities are included in this agreement and are combined in the PPG:

- Clean Air Act, Section 105
- Clean Water Act, Section 319 (partial grant)
- Clean Water Act, Section 106
- Resource Conservation and Recovery Act, Section 3011
- Safe Drinking Water Act – Underground Injection Control, Section 1443(b)(1)
- Multipurpose Grant, FY 2016 Consolidated Appropriations Act (Public Law 114-113)

STRATEGIC PRIORITIES

EPA and DEQ staff members were guided in these PPA negotiations by their respective program guidance, strategic plans and priorities, and other agreements. DEQ's strategic priorities and EPA's national goals for 2020-2022 share similar objectives that achieve the requirements of CAA, CWA, SDWA and RCRA with limited resources. DEQ and EPA will continue to improve collaboration and integration of strategic planning efforts that have shared objectives, including resources, to achieve the highest overall environmental benefits specific to Oregon.

EPA's Strategic Priorities

The U.S. Environmental Protection Agency (EPA) Strategic Plan for fiscal year (FY) 2018-2022 captures national goals and describes priorities, strategies and expectations (<https://www.epa.gov/planandbudget/strategicplan>) with an overarching focus on (1) providing a cleaner, healthier environment; (2) providing more effective partnerships with other governments; and (3) providing greater certainty, compliance, and effectiveness. The FY 2018-2022 EPA Strategic Plan sharply refocuses EPA on its role of supporting the primary implementers of environmental programs – states and federally-recognized Indian tribes – by streamlining programs and processes, reducing duplication of effort, providing greater transparency and listening opportunities, and enabling the Agency to focus on its core mission work. Process, the rule of law, and cooperative federalism are necessary for an efficient and effective Agency to provide tangible and real environmental results to the American people.

The plan identifies the measurable environmental and human health outcomes the public can expect and describes how EPA intends to achieve those results. The plan represents a commitment to core values of science, transparency, and the rule of law in managing environmental programs.

The plan identifies three overarching goals and related sub-objectives:

- Goal 1 - A Cleaner, Healthier Environment: Deliver a cleaner, safer, and healthier environment for all Americans and future generations by carrying out the Agency's core mission.
 - Objective 1.1 – Improve Air Quality
 - Objective 1.2 – Provide for Clean and Safe Water
 - Objective 1.3 – Revitalize Land and Prevent Contamination
 - Objective 1.4 – Ensure Safety of Chemicals in the Marketplace
- Goal 2 - More Effective Partnerships: Provide certainty to states, localities, tribal nations, and the regulated community in carrying out shared responsibilities and communicating results to all Americans.
 - Objective 2.1 – Enhance Shared Accountability
 - Objective 2.2 – Increase Transparency and Public Participation
- Goal 3 - Greater Certainty, Compliance, and Effectiveness: Increase certainty, compliance, and effectiveness by applying the rule of law to achieve more efficient and effective agency operations, service delivery, and regulatory relief.
 - Objective 3.1 – Compliance with the Law
 - Objective 3.2 – Create Consistency and Certainty
 - Objective 3.3 – Prioritize Robust Science
 - Objective 3.4 – Streamline and Modernize
 - Objective 3.5 – Improve Efficiency and Effectiveness

Measuring Performance

EPA's senior managers will use this Plan routinely as a management tool to guide the Agency's path forward, tracking progress, and assessing and addressing risks and challenges that could potentially interfere with EPA's ability to accomplish its goals. The three strategic goals established in the Plan are supported by strategic objectives and long-term performance goals¹ focused on advancing human health and environmental results over the next five years. These longer-term performance goals are supported by annual measures included in the annual performance plans and budgets that EPA submits to Congress. The strategies and strategic measures in this Plan highlight key areas in which the Agency will make the most

¹ Long-term performance goals are the measurable results the Agency is working to achieve over the life of the Plan and are supported by data quality records (DQRs), which provide details such as methods of measurement and other contextual information such as baselines. DQRs can be found at <https://www.epa.gov/planandbudget/results>.

dramatic changes over the next five years and are not intended to address all ongoing programs. The annual performance plans and budgets, and supporting annual and operational measures, address a broader range of EPA's work.

The plan also includes EPA's Agency Priority Goals (APGs), a component of the Administration's performance management framework which supports improvement in near-term outcomes related to the Strategic Plan. More information on the Agency's APGs is available at [Performance.gov](https://www.epa.gov/performance).

Compliance and Enforcement

EPA's overall national enforcement goals focus on civil and criminal enforcement for violations that threaten communities and the environment; greater compliance and protection through use of advanced monitoring and information technologies; and strong EPA/State/Tribal partnerships for working together toward shared environmental goals. Enforcing environmental laws is an integral part of [EPA's Strategic Plan](#) to protect human health and the environment. In federal fiscal year 2019, EPA introduced the modified implementation of the National Enforcement Initiative (NEI) to the [National Compliance Initiatives](#) or NCI (<https://www.epa.gov/enforcement/national-compliance-initiatives>). [EPA's NCI](#) for FY 2020-FY 2023 for Air, Hazardous Chemicals, and Water aims to focus enforcement and compliance resources on the most serious environmental violations by developing and implementing national program priorities.

EPA works to ensure compliance with environmental requirements and, when warranted, civil or criminal enforcement action.

One of EPA's top priorities is to expand the conversation on work for environmental justice. EPA is integrating EJ into enforcement and compliance planning and program implementation, case targeting and development of remedies to benefit overburdened communities.

EPA initiates civil enforcement actions to protect human health and the environment by taking legal action to bring polluters into compliance with the law. EPA also investigates and assists in the criminal prosecution of deliberate or egregious violations of environmental laws or regulations and any associated violation of the U.S. criminal code.

EPA civil enforcement actions may lead to settlement agreements, civil penalties, injunctive relief or supplemental environmental projects. Criminal investigations may lead to penalties and/or incarceration.

EPA ensures consistent implementation and oversight of federal environmental laws and policies across states in order to provide equal environmental benefits to the public and a level playing field for the regulated community. EPA's oversight responsibility includes working to improve state performance by building upon existing practices and effective working relationships.

Oregon DEQ's Strategic Priorities

DEQ's mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water. The agency's vision is to work collaboratively with all Oregonians for a healthy and sustainable environment.

DEQ's strategic goals guide the agency's actions to ensure that overall quality of life, from human health to the state's economy, is supported by a beautiful, healthy and productive environment.

There are six key goals:

- Increase the quality of Oregon's air, water and land resources to protect public health and the environment.

- Efficiently and responsibly meet environmental standards and emerging needs
- Sustain a diverse, outcome-oriented workforce and culture
- Provide ready access to information and services
- Develop and maintain effective business practices
- Engage tribes, environmental justice communities and the public in decision making concerning Oregon's environment.

Some highlights of DEQ's programmatic and organizational efforts are outlined below to help illustrate these goals.

Improving Water Quality

The availability of clean water is critical to Oregon's environment, residents and economy. Protecting Oregon's rivers, lakes, streams, territorial sea and groundwater quality keeps the state's waters safe for beneficial uses, including drinking water, fish habitat, recreation and irrigation. DEQ works with state, local and federal partners on the overall water quality, quantity and ecosystem protection efforts; with local communities to provide innovative and efficient grey and green wastewater infrastructure, and with a wide range of partners to support and encourage the implementation of clean water plans.

Reducing Greenhouse Gas Emissions

Greenhouse gas emissions are the leading threat to Oregon's environment. Scientists predict climate change will continue to disrupt Oregon's economy, endanger public health, and destroy natural resources and the environment if proactive measures are not taken. Toward that end, Oregon's Governor has issued an Executive Order (No. 20-04) that calls for the State of Oregon to reduce its GHG emissions at least 45 percent below 1990 emission levels by 2035 and by 80 percent below 1990 levels by 2050. As part of a statewide approach to achieving these goals, DEQ is developing programs to reduce emissions from large stationary sources, transportation fuels, natural gas, and landfills among other programs.

Improving Air Quality

Meeting National Ambient Air Quality Standards and reducing exposure to toxic air pollution are key elements of DEQ's work to protect public health. DEQ works closely with communities where air quality health standards are not met to develop strategies, plans and programs to reduce emissions and ultimately bring those communities into attainment with federal standards. DEQ works to reduce air toxics from specific sources such as vehicles, diesel engines, woodstoves and industrial sources. DEQ also works with state, local and federal partners to reduce emissions of greenhouse gases and to improve visibility in scenic areas by developing and implementing strategies to reduce and prevent pollution from industrial, commercial, motor vehicle and household sources.

Managing Materials Responsibly

Significant environmental, economic and social problems are directly related to how materials are produced and used. DEQ is implementing a long-term plan, *Materials Management in Oregon: 2050 Vision and Framework for Action* that describes a future where Oregonians produce and use materials responsibly, conserving resources, protecting the environment, and living well. It presents a comprehensive and holistic view, identifying both environmental impacts across the full life cycle of materials, and specific actions that can be taken to reduce those impacts. To achieve the *2050 Vision*, DEQ performs foundational research, develops policies and regulations, engages in collaborations and partnerships, and develops education and information for its partners to use.

Reducing Pollution

DEQ implements an agency-wide Toxics Reduction Strategy integrating toxics reduction work within DEQ. The strategy makes efficient use of agency resources by focusing on the highest-priority toxic chemicals, implementing actions to reduce toxics at their source, establishing partnerships with other agencies and organizations to increase effective use of public and private resources, and using environmental outcome statistics to measure the effectiveness of strategy implementation. The strategy will also evaluate potential gaps in toxics assessment, regulatory and non-regulatory programs.

Supporting DEQ Infrastructure

To support its strategic goals, DEQ's Environmental Data Management System (<https://www.oregon.gov/deq/Permits/Pages/Your-DEQ-Online.aspx>) is replacing many of the agency's business systems, providing a common platform for most programs and updating business processes.

By July 2021, twenty-three of DEQ's air, land, and water programs will move on to the EDMS platform, including permit submittal, fee submittal and other payments, permit processing, reporting, inspections, enforcement, complaints, and public records. Our goals are to streamline our processes, make them more accessible to our stakeholders and the public and, ultimately, make it easier to work with DEQ. We will also be better able to meet our partnership agreements with EPA and other stakeholders, and ultimately better serve the people and businesses of Oregon.

During the transition to EDMS, DEQ will continue to use existing systems. The work to develop and implement new business processes for each of these 23 programs likely will impact other work in the agency. Ultimately, however, we expect significant improvements in efficiency and effectiveness as a result of EDMS.

Encouraging Sustainability

DEQ continues to implement its sustainability plan, in alignment with outcome-based management principles and direction from the Oregon Sustainability Board. This plan encourages practices that result in clean air, water and land that support socially and economically healthy communities under a framework of sustainability. During 2020-22, the Sustainability Team will focus on continued improvements to internal operations and processes, integration of sustainability objectives in agency planning processes and ongoing engagement with other agencies and entities for state-level coordination on sustainability activities.

Environmental Justice

Oregon DEQ is committed to the principles of Environmental Justice and strives to ensure that the agency's actions address the interests of all Oregon communities, including minority, low-income, rural and other traditionally underrepresented communities. DEQ's environmental justice efforts are guided by state and federal laws.

Federal laws include Title VI of the [1964 Civil Rights Act](#) and [Federal Executive Order 12898](#).

With implementation of Oregon's Environmental Justice law ([Oregon Revised Statutes 182.535-182.550](#)) in January 2008, Oregon DEQ and other state agencies became subject to new environmental justice requirements. The law requires agencies to consider environmental justice when determining whether and how to act, providing greater public participation to all people affected by decisions, and creating a citizen advocate position to support this work.

Appendix D describes EJ-focused work that DEQ accomplished during the period covered by the 2018-20 PPA and the ongoing and new commitments for 2020-22.

Tribal Government Relations

Oregon DEQ consults and coordinates with the nine federally recognized tribal nations in Oregon on air quality, water quality and land quality issues. DEQ works with tribes on a government-to-government basis to understand and address tribal interests related to DEQ's environmental initiatives, policy and program development, and proposed legislation. DEQ partners with tribal nations to increase our collective ability to protect and enhance Oregon's environment and people's health.

DEQ's internal tribal relations activities are focused on improving consultation and communication between agency and tribal managers and staff, as well as providing training to DEQ employees on tribal government, sovereignty and issues of interest to tribal nations.

DEQ developed a Tribal Government-to-Government Relations Program in 1996 following Governor Kitzhaber's signing of [Executive Order \(EO\) 96-30](#). In 2001, the Oregon Legislature approved [Senate Bill 770](#) which codified the executive order.

DEQ implements the directives of SB 770 through our [tribal relations policy](#). The Statement expresses DEQ's commitment to strong inter-governmental relations between the agency and the nine tribes. Measures include:

- Maintaining a Tribal Liaison function in the Director's Office
- Providing orientation, periodic training and educational opportunities to staff on tribal sovereignty and related issues
- Institutionalizing the consideration of tribal interests and issues in planning and decision-making activities
- Encouraging familiar day-to-day working relationships between agency staff and tribal environmental staff.

DEQ's Tribal Liaison meets regularly with tribal nations and participates in tribal-state workgroups focused on natural resource management and protection of tribal cultural resources. DEQ's Tribal Liaison also facilitates leadership-level meetings between tribal and agency officials, provides tribal relations training to DEQ employees and other groups, and advises DEQ managers and staff on opportunities for strengthening relationships with tribal nations. Annalisa Bhatia serves as DEQ's Tribal Liaison, and she can be reached at 503-229-6800.

The US Environmental Protection Agency (EPA) is an important participant in government-to-government relations between DEQ and the tribal governments. EPA has a federal trust responsibility to protect and restore the lands and environmental treaty resources (on-and-off reservation) of Indian Tribes. Regulation of federal environmental laws on tribal lands is also the responsibility of EPA. However, tribes may seek direct delegation authority from EPA to carry out federal regulations on tribal lands. Tribes may also have their own tribal environmental regulations, stemming from their own inherent authority. DEQ participates in a partnership with EPA and tribal governments in carrying out their respective responsibilities for protecting and enhancing Oregon's environmental resources.

DEQ developed [Cultural Resources Protection Guidance](#), a resource for agency staff and the regulated community, that describes federal and state cultural protection laws.

Compliance and Enforcement

DEQ considers compliance monitoring, compliance assistance and enforcement critical to its regulatory mission and is committed to continued investment in these activities as part of an integrated strategy for the core programs. DEQ identifies violations through self-monitoring reports, compliance inspections and

complaint response. DEQ initiates formal enforcement for compliance orders and penalties as appropriate under its rules and directives. Such a strategy allows the state to focus on important environmental and compliance issues, deter those who might violate, maintain a level playing field for the majority who do comply, and promote a healthier environment.

DEQ supplements some of its regulatory programs with “technical assistance” and other non-enforcement educational efforts. These efforts help regulated entities – especially small businesses and communities – to better understand regulatory requirements, find cost-effective ways to comply, and improve environmental performance through the use of pollution prevention, environmental management practices, and innovative technologies.

DEQ works with many other local, state and federal agencies, including the Oregon Department of Justice’s Environmental and Cultural Resources Enforcement Unit, the Oregon State Police and EPA’s Criminal Investigation Division to identify, investigate, and present possible environmental crimes for prosecution at both the state and federal levels.

Primary responsibilities

EPA and DEQ agree that **EPA’s primary responsibility** is to ensure compliance with, and enforcement of, federal or federally approved regulations and to ensure that DEQ’s administration and enforcement operations are consistent with national timely and appropriateness policies. EPA is also responsible for addressing environmental issues in Indian Country in accordance with Indian treaties, statutes, executive orders, and historic relations between the United States and Indian tribes.

EPA and DEQ agree that **DEQ’s primary responsibility** is to administer delegated or authorized federal and state regulations on a day-to-day basis. DEQ is the primary agency conducting inspections and initiating enforcement under Oregon laws and policies to ensure adequate deterrence to noncompliance through consistent and predictable enforcement.

DEQ and EPA agree that each will follow their statutory and regulatory directives and federal and state policy and guidance to determine the appropriate enforcement response to violations. DEQ and EPA will use their respective penalty regulations and policy in determining penalty amounts for both economic benefit and gravity.

Guiding principles

EPA and DEQ agree to follow these guiding principles when conducting civil and criminal enforcement activity in Oregon.

1. EPA and DEQ agree to establish and maintain a cooperative regulatory approach that will ensure compliance with state and federal pollution control regulations and improve environmental quality in Oregon.
2. EPA and DEQ agree to a collaborative planning process in order to avoid duplication and surprises. EPA will collaborate with the state in setting national and regional initiatives and in planning for the appropriate roles and responsibilities necessary to implement these initiatives.
3. DEQ and EPA agree to engage in a collaborative process and coordinate enforcement and compliance goals, priorities, and activities to maximize the effectiveness of limited resources. Individual programs may have unique enforcement policy that may be found under each program narrative or work plan.
4. EPA and DEQ agree to coordinate when EPA initiates an inspection or enforcement action when requested by DEQ or for other reasons. When EPA initiates an inspection or enforcement action in federally delegated and state administered programs, EPA will, to the extent possible, inform DEQ and provide an opportunity for DEQ to participate.
5. EPA and DEQ agree to communicate about potential disagreements at the earliest possible time and to resolve conflicts at the lowest appropriate organizational level. If a dispute cannot be

resolved at the lowest level it will be elevated to the next organizational level as soon as possible. If not resolved at that level, the dispute will be referred to each sequentially higher level until resolved. When program priorities differ, the parties will attempt to resolve the differences as soon as possible and ensure that all program objectives are met

6. EPA and DEQ agree to consider innovative approaches to compliance and enforcement and to look for pollution prevention opportunities when returning sources to compliance in order to further benefit the environment when resolving environmental issues.
7. EPA and DEQ can improve performance through reciprocal capacity sharing in many areas where sharing expertise, knowledge and resources would enhance performance and benefit the environment.
8. EPA and DEQ agree that EPA will assess the adequacy and efficacy of the DEQ enforcement program by completing a State Review Framework (SRF) report. The most recent SRF report was finalized and delivered to DEQ on April 1, 2020. Recommendations for improvements will be implemented by the due dates specified in the report. Program effectiveness will be determined by application of mutually agreed-upon program assessment principles.

OVERVIEW OF EPA'S AND OREGON DEQ'S JOINT OBJECTIVES

DEQ and EPA share the goals of clean air, clean land, clean water, healthy communities and compliance with environmental laws. This PPA incorporates EPA's national and regional objectives in ways that fit with Oregon's priorities and objectives. Each agency has unique responsibilities to achieve these objectives, with a common outcome of environmental and public health protection. For example, both agencies take a holistic approach to protecting water quality and quantity, preventing pollution and reducing toxics, and engaging communities and partners in problem-solving strategies to help clean up communities and advance sustainable development.

EPA's national goal to *Provide a Cleaner, Healthier Environment* by improving air quality, providing clean and safe water, revitalizing land and preventing contamination, and ensuring the safety of chemicals in the marketplace provides an overarching theme that is reflected in the work of both agencies. DEQ's focus on improving water quality, reducing pollution, managing materials responsibly, and integrating sustainability and environmental justice principles into agency operations provide the foundation to accomplish these goals through innovative and efficient practices with measurable outcomes that support concepts from the Government Performance and Results Act. These outcomes will be further enabled by DEQ's transition to a modernized electronic data management system. EPA's priorities of building more effective partnerships are included in Oregon DEQ's commitments to ongoing collaboration with EPA, enhancing stakeholder interactions and accountability through a modernized electronic data management system, and supporting tribal government relations. Other examples of the agencies' strategic alignment include pollution prevention and toxics reduction efforts.

Where there are funding uncertainties, creative opportunities may be explored such as work share in order to maximize the overall environmental benefits. The attached Air Quality, Hazardous Waste, and Water Quality work plans describe how Oregon DEQ and EPA will collectively work together on specific activities to help achieve the environmental goals outlined in this agreement. Over the next 18 months, DEQ and EPA will designate agency contacts to identify opportunities to advance innovation and cross-program synergies across the Air, Land and Water components of the PPA and PPG. We will continue to strive to find ways to strengthen our inter-agency relationships and align and leverage our resources to meet environmental outcomes.

PERFORMANCE EVALUATION

DEQ and EPA have developed agreements regarding the process for conducting joint evaluation of performance. The specific process is included in the attached work plans for each program. The purpose of the joint evaluation process is to discuss:

- Work plan accomplishments
- Effectiveness of work performed
- Existing and potential problem areas
- Suggestions for improvement

MODIFYING THE AGREEMENT

The PPA is intended to be a “living” document. Although DEQ and EPA developed this agreement based upon current and projected information, it is possible that either partner may want to revise the agreement based upon new information or changes that occur during the timeframe of the agreement.

Economic conditions have an impact on DEQ and EPA’s operating budgets. Potential changes in state or federal funding in air, hazardous waste or water programs is one reason modifications to the commitments outlined in this PPA might be required. An example of the implications of potential federal water quality budget reductions to PPA commitments is detailed in the Water Quality Program section of Appendix C. In the event of any major budget reductions that affect the ability to meet outlined commitments in this PPA, EPA and DEQ will work closely to re-negotiate work plans to meet commitments with the available funding. Additionally, re-negotiation of PPA commitments may be required in order to address changes in environmental conditions or priorities. DEQ and EPA expect that, in most instances, negotiating changes will be a fluid process that both agencies can readily agree to, or that changes will be interpreted to be within the scope of the existing agreement. These modifications can be captured through written or verbal side agreements. When major changes are needed, the PPA can be re-opened and re-negotiated under the direction of the DEQ Director and EPA Regional Administrator.

When either agency believes that changes are needed, the agencies will need to reach agreement on the following:

- The level of resources necessary to do the work,
- Any specific disinvestments from existing work that will be required to accomplish this new work, and
- The roles and responsibilities of each agency to support identified projects.

Appendix A: Air Quality Program Component

AIR QUALITY PROGRAM

The goal of DEQ's Air Quality Program is to ensure Oregon's air is healthy to breathe, to protect important resources such as visibility and ecosystems, and to reduce greenhouse gas emissions that are causing significant adverse changes in our environmental and are threatening public health. DEQ uses several measures to determine whether these goals are being met.

Percent of communities within DEQ's jurisdiction that have been redesignated from nonattainment to attainment with a National Ambient Air Quality Standard. DEQ also considers the number of nonattainment area designations avoided through early intervention and pollution prevention to be a very important goal and measure

In the late 1990's through early 2000's, all Oregonians lived in areas meeting the National Ambient Air Quality Standards for criteria pollutants, which represents a tremendous improvement from a period of routine violations in the 1980s and early 1990s. However, in 2006, based on new health information, EPA tightened the daily standard for fine particles to a level where two Oregon communities - Klamath Falls and Oakridge - were designated nonattainment. Two additional communities - Lakeview and Prineville - were later found to violate the new PM_{2.5} standard but have not been formally designated nonattainment by EPA. DEQ, EPA and the community have worked in partnership to develop PM_{2.5} reduction plans (PM Advance Plans) that bring the areas back into compliance with the NAAQS with the goal of avoiding the need for a formal nonattainment designation.

Since the last PPA period DEQ has worked with Klamath Falls to implement strategies described in the attainment plan and thus far that community has been meeting the standard. DEQ has worked with the community of Lakeview to implement a PM Advance Plan, assemble annual updates and facilitate meteorology training for local staff to improve the accuracy of wood stove advisories. Most recently, DEQ and the Lakeview Air Quality Committee met to conduct a post-winter season analysis and to plan for program improvements. Like Lakeview, the City of Prineville has violated the daily PM_{2.5} standard in recent years but has not been formally designated nonattainment. DEQ has worked with Prineville to develop a PM Advance Plan and prepare annual updates.

Notably, the Portland-metropolitan area continues to take proactive steps to ensure compliance with the daily PM_{2.5} standard. Over the course of the last PPA period DEQ worked with Washington and Multnomah Counties to adopt residential wood burning curtailment ordinances and with Washington County to begin implementing a wood stove exchange program.

During this PPA period, DEQ will work with Klamath Falls to develop a PM_{2.5} maintenance plan and redesignation request. DEQ will continue to oversee the implementation of the Lakeview and Prineville PM Advance Plans, and will continue working with the cities of, Burns, and Portland metropolitan area communities on measures to reduce PM_{2.5} levels and prevent violations of the NAAQS. The Lane Regional Air Protection Agency has responsibility for attainment planning in Oakridge, which is in Lane County. DEQ is working with LRAPA and EPA on the development and submittal of an Oakridge PM_{2.5} and PM₁₀ maintenance plan and redesignation request. All communities in Oregon are in compliance with other criteria pollutant NAAQS.

In 2017, the Portland-Metro area exceeded the Ozone NAAQS. 2018 also showed ozone levels above the standard. While we are currently awaiting results for 2019, the trend is of concern and DEQ has identified the need to take proactive action, similar to our history with PM, to prevent nonattainment. During this PPA period, DEQ will begin work on developing an Ozone Advance Plan for the state. DEQ anticipates the development and implementation of this plan to take several years and for control strategies to include both

Appendix A: Air Quality Program Component

statewide and local community-based efforts. DEQ also plans to work with Washington State Department of Ecology to explore shared approaches to reduce ozone precursors.

The number of days when air is unhealthy for (a) sensitive groups, (b) all groups (DEQ Key Performance Measures 9a and 9b)

While most communities are meeting federal air quality standards, which are based on repeated high levels of pollution over several years, there are still numerous individual days when the air is unhealthy to breathe in many communities. One of the key performance measures that DEQ uses to gauge air quality is the number of days when the air in Oregon communities exceeds federal air quality standards. The measure has two parts: part (a) tracks the number of days that Oregon's air is unhealthy to breathe for sensitive groups, asthmatics, children, and the elderly; and part (b) tracks the number of days Oregon's air is unhealthy to breathe for healthy adults.

DEQ's goal is to eliminate all unhealthy air days in all communities. The number of days when air was unhealthy for sensitive groups only based on the criteria pollutants went down from 191 (144 from wildfires) days in 2017 to 154 (133 from wildfires) in 2018. This includes data from 29 cities or air sheds across the state. Oregon's number of days when air was unhealthy for all groups or worse in an air shed based on the criteria pollutants went down from 177 (171 from wildfires) days in 2017 to 166 (165 from wildfires) in 2018. High levels of fine particulate matter in the winter months and wildfires during the summer are primary factors contributing to days of unhealthy air. Communities across Oregon were impacted from wildfires in 2018, leading to unusually high concentrations of fine particulate matter. DEQ's most recent annual air quality data report is also available on our website:

<https://www.oregon.gov/deq/FilterDocs/2018AQAnnualReport.pdf>

Air Toxics Trends in Larger and Smaller Communities (DEQ Key Performance Measures 10a and 10b)

Another of DEQ's key performance measures shows trends in select "bellwether" air toxics in both representative large and small communities (Portland and LaGrande). DEQ's monitoring for these pollutants reflects "regional scale" or "metropolitan scale" influences from a broad range of emission sources as they impact the community. Using current peer-reviewed toxicological research, DEQ has established ambient air toxics goals (i.e. ambient benchmark concentrations²) for a variety of airborne toxic chemicals. These levels represent levels of long-term goals for ambient air. DEQ's KPM goal is to reduce monitored levels of these five representative toxics: benzene, acetaldehyde, formaldehyde, arsenic and cadmium down to no more than one time above the ambient benchmark concentration for each pollutant by 2020. The three-year rolling average is typically used to track long-term air pollution trends.

Overall, DEQ sees improving trends in these bellwether regional-scale air toxics, and others, in communities across Oregon, largely due to the introduction and maintenance of cleaner motor vehicles. This suggests some good news overall for air toxics reduction and lower public health risk. However, more work is needed across the board to measure and reduce all types of air toxics. During the 2017 Legislative Session DEQ received a \$2.5 million appropriation to setup and operate six full-spectrum air toxics monitoring sites. DEQ has since established seven air toxics trends sites in Medford, Bend, two in Eugene, and three in the Portland-Metro area, providing for a much-expanded toxics dataset. Additionally, smaller communities will be addressed through annual rotating air toxics stations, which DEQ is currently setting up in Corvallis, Albany, and Lebanon.

² The benchmarks serve as clean air goals not regulatory standards, and are based on very protective concentrations at which sensitive members of the population would experience a negligible increase in risk of additional cancers or other health effects. Multiple year averages produce a more accurate measure of trends because unusual events in any single year could produce unrepresentative results.

Appendix A: Air Quality Program Component

In addition to the new air toxics monitoring resources, the Legislature authorized resources for DEQ to expand the state's network of particulate monitors. DEQ has used low-cost sensor technology to develop its own trademark Sensor box, which DEQ staff are deploying at over 30 sites statewide. DEQ is co-locating SensORs with Federal Reference Method (FRM) equipment to establish correlations and document the accuracy of the new equipment, which are linked to the Air Quality Index. This expanded capacity will allow for a more comprehensive and real-time understanding of particulate trends across the state.

Market Based Approaches to Greenhouse Gas Reduction: In 2020 Oregon's Governor Kate Brown issued Executive Order No. 20-04 directing state agencies to take actions to reduce and regulate greenhouse gas emissions. This Executive Order establishes science based GHG emissions reduction goals that are calibrated so that Oregon will do its part to meet global emissions reductions needed to keep our climate from warming more than 1.5 degrees Celcius (2.7 degrees Fahrenheit). As an interim measure, the order directs actions to reduce GHG emissions in Oregon by at least 45 percent below 1990 emissions levels by 2035. The order directs further actions between 2035 and 2050 to reduce emissions by at least 80 percent below 1990 emissions levels by 2050. Specifically, this Order directs the Environmental Quality Commission and DEQ to do the following:

- A. Extend and Expand Oregon's Clean Fuel Standards. Pursuant to its authority under ORS 468A.265 et seq. and other applicable laws, the EQC and DEQ shall take actions necessary to amend the low carbon fuel standards, and the schedule to phase in implementation of those standards, with the goal of reducing the average amount of GHG emissions per unit of fuel energy by 20 percent below 2015 levels by 2030, and 25 percent below 2015 levels by 2035.
- B. Clean Fuel Credits for Electrification. The EQC and DEQ are directed to advance methods accelerating the generation and aggregation of clean fuels credits by utilities that can advance the transportation electrification goals set forth in Senate Bill 1044 (2019).
- C. Sector-specific GHG Cap and Reduce Program. Pursuant to its authority under ORS 468A.005 et seq. and other applicable laws, the EQC and DEQ shall take actions necessary to:
 - 1) Cap and reduce GHG emissions from large stationary sources of GHG emissions, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order;
 - 2) Cap and reduce GHG emissions from transportation fuels, including gasoline and diesel fuel, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order; and
 - 3) Cap and reduce GHG emissions from all other liquid and gaseous fuels, including natural gas, consistent with the science-based emissions reduction goals set forth in paragraph 2 of this Executive Order.
- D. Regulation of Landfill Methane Emissions. The EQC and DEQ shall take actions necessary to reduce methane gas emissions from landfills, as defined in ORS 459.005(14), that are aligned with the most stringent standards and requirements for reducing methane gas emissions from landfills adopted among the states having a boundary with Oregon.
- E. Reduction of Food Waste. The EQC and DEQ are directed to take actions necessary to prevent and recover food waste, with the goal of reducing food waste by 50 percent by 2030, to reduce GHG emissions resulting from such waste, including but not limited to engaging with states and other jurisdictions, industry, food retailers, and brand manufacturers to develop and implement strategies to prevent and recover food waste.
- F. Timeline and Implementation.
 - 1) No later than May 15, 2020, DEQ shall submit a report to the Governor regarding an estimated timeline for rulemaking necessary for implementing the directives of paragraph 4(A)-(B) and paragraph 4(D)-(E), above.
 - 2) DEQ shall submit a preliminary report to the Governor by May 15, 2020, regarding program options to cap and reduce emissions from large stationary sources, transportation fuels, and other liquid and gaseous fuels that can commence no later than January 1, 2022. A final report shall be due by June 30, 2020.

Appendix A: Air Quality Program Component

- 3) Reports submitted pursuant to paragraph 4 of this Executive Order also should detail DEQ's plans to engage impacted communities during the rulemaking process, in a manner consistent with ORS chapter 183.

Air Quality Program Joint Priorities

DEQ and EPA worked together to develop the Performance Partnership Agreement Air Quality Program Work Plan. The objective was to come up with a plan that targets Oregon's most important air quality issues within the constraint of limited resources. Through this partnership agreement, both agencies have agreed to support each other's efforts in the following important work.

Priority 1: Meeting National Ambient Air Quality Standards

EPA and DEQ recognize the importance of consistent and open communication and sharing of information of mutual interest during the development of a SIP. The two Agencies will establish a joint agreement (SIP Lean MOA) to outline key expectations for communication, SIP planning and coordination, and expectations regarding the SIP lean process, particularly early engagement. Both Agencies plan to check-in regularly moving forward and discuss how the SIP Lean/ early engagement is going.

Fine particulate, PM_{2.5}: As noted earlier, communities around Oregon still violate or are at risk of violating the daily fine particulate matter standard. Klamath Falls is officially designated as a fine particulate nonattainment area. DEQ worked with EPA and the local community to develop an attainment plan, which was adopted by the Environmental Quality Commission and submitted to EPA for approval in late 2012. Through implementing the control measures in the attainment plan, Klamath Falls has reduced PM_{2.5} levels and attained compliance with the NAAQS. During this PPA period, DEQ will work with Klamath Falls to develop and submit a maintenance plan. During the 2017 Legislative Session DEQ received an appropriation to set up and operate thirty new particulate monitoring sites statewide as a supplement to the existing PM_{2.5} network. DEQ is developing the use of low-cost PM sensors to complete this work.

While not yet designated as nonattainment areas, Lakeview and Prineville have historically violated the fine particulate standard in recent years. Both communities participate in the PM Advance program and DEQ will continue to work with these communities to closely track air quality trends and implement measures to reduce wood smoke. Recently DEQ has focused on ensuring local communities have access to the meteorology training and resources necessary to operate effective advisory programs. Several other Oregon communities, including Eugene-Springfield, Hillsboro, Burns and Medford are potentially at risk of exceeding and/or violating fine particulate standards. DEQ is actively working in Lakeview, Prineville, Burns, Medford and Hillsboro on prevention measures to reduce pollution, ensure compliance and avoid the need for a nonattainment designation.

In 2017 and 2018, DEQ partnered with the Oregon Department of Forestry (ODF) to staff Oregon's Smoke Management Review Committee to develop updates to Oregon's Smoke Management Plan. ORS 477.552 notes that the Smoke Management Plan, which is administered by ODF is designed to achieve two goals; "to improve the management of prescribed burning as a forest management and protection practice; and to minimize emissions from prescribed burning consistent with the air quality objectives of the federal Clean Air Act..." Changes to the plan were approved by the Environmental Quality Commission and State Forestry Board in the fall of 2018.

Woodstove smoke is a major source of fine particulate pollution jeopardizing compliance with the PM_{2.5} NAAQS in Oregon, as well as being a significant source of air toxics. DEQ is engaged in several wood smoke reduction initiatives:

- As required by House Bill 3068 (2015) DEQ convened a 15-member wood smoke work group to inform the study and provide recommendations for legislation or budget requests. The study group

Appendix A: Air Quality Program Component

met from mid-2015 through the summer of 2016. DEQ developed a report and recommendations based on the workgroup deliberations and presented the report to the legislature in the fall of 2016. In 2017 the Oregon Legislature appropriated \$250,000 in one-time money to DEQ to support local efforts. The agency used the appropriation to award grants to eight local communities; City of Oakridge, City of Pendleton, Washington County, Harney County, Klamath Falls Public Health Department, City of LaGrande, Lane Regional Air Protection Agency and the City of Prineville. DEQ will work this PPA period to support the implementation of the funded projects and anticipates using the success stories to advocate for additional and ongoing funding.

- DEQ continues to implement the Heat Smart program statewide. This program includes general public education on clean woodstove use, prohibitions on the sale of noncertified woodstoves and residential scale wood-fired boilers in Oregon, as well as provisions authorized by the 2009 Oregon legislature requiring removal of old, noncertified woodstoves from homes when they are sold.
- DEQ's nonattainment planning and PM_{2.5}/air toxics prevention work in all our "at risk" communities (e.g. Washington County/Hillsboro, Multnomah County, Prineville, and Burns. Medford, Oakridge, Klamath Falls and Lakeview) focus primarily on the reduction of woodstove smoke. This work reflects partnerships between DEQ and the local communities to fund and implement public education and outreach programs, episodic curtailment during air stagnation events, and stove replacement grants as they become available.

The 2019 Oregon Legislature appropriated \$500,000 to DEQ for disbursement to local communities for woodstove smoke reduction projects. DEQ awarded Klamath County with \$300,000 to change-out woodstoves with electric heat pumps in the Klamath Falls area. DEQ also awarded \$25,000 to Lakeview, Prineville, Pendleton, Multnomah County, Harney County, La Grande and LRAPA for the implementation of smaller scale emissions reduction projects.

Carbon Monoxide, PM_{2.5} and PM₁₀: All areas of Oregon follow the federal PM₁₀ and the carbon monoxide National Ambient Air Quality Standards. DEQ will prepare and submit the required 10-year maintenance update plans for PM₁₀ for Klamath Falls and Medford. DEQ will continue to collaborate with EPA and Lane Regional Air Protection Agency on the implementation of its Oakridge PM_{2.5} attainment plan and the development the PM_{2.5} and PM₁₀ maintenance plans.

Ozone: On October 1, 2015 EPA strengthened the NAAQS for ground-level ozone to 70 parts per billion (ppb) from 75 ppb to protect public health. At the time of designation all communities in Oregon met the new ozone standard; however, recent data are showing a concerning trend for metropolitan areas. The Portland-Metro area violated the Ozone NAAQS in 2017 and 2018. Other metro areas within Oregon are showing increasing or flatlined ozone trends. During this next performance period, DEQ will work with stakeholders within Oregon to explore statewide and local control options through the Ozone Advance planning model to proactively reduce ozone and ozone precursors. DEQ will also continue to work with EPA and Washington Department of Ecology to explore issues of interstate ozone transport in the Hermiston area.

Lead: All areas of Oregon are currently designated as unclassifiable or in compliance for the lead standard based on available monitoring data. DEQ continues to operate a lead monitor at our NCORE site in Portland.

Nitrogen dioxide, NO₂: In 2010, EPA revised the NO₂ standard, setting the one-hour NO₂ standard at 100 parts per billion. All areas of Oregon are designated attainment or unclassifiable for NO₂. DEQ has worked to implement new NO₂ ambient monitoring requirements. DEQ also requires 1-hour NO₂ modeling for major modifications and new major sources. Not surprisingly, data show that NO₂ levels near a major roadway are higher than what would be typically found farther away in a neighborhood; but data throughout most of Oregon show levels are far below the national ambient air quality health standard. DEQ will continue to implement monitoring requirements and track ambient concentrations.

Appendix A: Air Quality Program Component

Sulfur dioxide, SO₂ All areas of Oregon are in compliance with the federal SO₂ NAAQS.

Priority 2: Air Toxics

DEQ's air toxics program continues to expand and evolve. During the last PPA period DEQ partnered with the U.S. Forest Service and EPA to conduct monitoring projects in Portland. This work resulted in important findings about the presence of previously unknown industrial emissions of air toxics, the public's exposure to these emissions, and the gaps that exist in the federal permitting program related to air toxics. These findings resulted in the development and implementation of a new state program to reduce the emissions of certain toxic pollutants from regulated sources during the last PPA period. During that time, the Oregon State Legislature passed laws establishing a health-based industrial air toxics regulatory program, called Cleaner Air Oregon. The Environmental Quality Commission adopted rules for the Cleaner Air Oregon program in November 2018, which close the regulatory gaps left after the implementation of federal air toxics regulations. Cleaner Air Oregon is a state health risk-based air toxics regulatory program that adds requirements to DEQ's existing air permitting framework. The agency has begun implementing the rules on a set of priority existing facilities. In addition, all new facilities seeking air quality permits must complete an air toxics risk assessment as part of the permitting process (exceptions exist for small businesses).

In 2016 the legislature authorized general funds for the creation of six new air toxics positions. Additionally, the 2018 Legislature authorized additional funding, and 11 new fee-funded positions to complete the rule development and begin implementing the rules. The legislature also set certain parameters on a future program and directed the agency to develop a "pilot program" for assessing and in certain cases, regulating industrial emissions based on the cumulative risk posed by multiple sources.

As part of Oregon's existing air toxics program, Oregon's Environmental Quality Commission adopted revised Ambient Benchmark Concentrations for 51 toxic air pollutants in 2006. In May of 2018, the commission added benchmarks for n-propyl bromide, phosgene, and styrene and revised 23 existing benchmarks. These benchmarks allow DEQ to assess public health risks from air toxics at an airshed level, and to identify high priority geographic areas and source categories for emission reduction work. These benchmarks also informed regulatory standards for the industrial air toxics work mentioned previously.

DEQ also expects to use a multi-pollutant approach to achieve air toxics co-benefits from efforts to reduce emissions of fine particulate, ozone precursors and greenhouse gases. DEQ continues to implement the NEHSAP program to achieve air toxics reductions from point sources, but as noted above, has established a more comprehensive approach for its state industrial permitting program. DEQ incorporates major source NESHAPs into Title V permits and has implemented numerous area source NESHAPs through our Air Contaminant Discharge permitting program. In addition, DEQ continues to lead and support numerous projects to retrofit and replace older high-emitting diesel engines using EPA grant and Volkswagen settlement funds.

Priority 3: Reduce Greenhouse Gas Emissions

DEQ has several important initiatives underway to work on state and federal greenhouse gas reporting and reduction strategies. These include:

Clean Cars: In 2006, the Environmental Quality Commission adopted California's emissions standards for vehicles sold in Oregon to reduce greenhouse gas emissions from new vehicles and increase the availability of zero emission vehicles. DEQ began implementation of the Oregon Low Emission Vehicle Program in January 2008. To support the OR-LEV program goals, DEQ is also engaged with other state agencies to accelerate zero emission vehicle adoption in Oregon. Among other programs for this purpose, DEQ also administers the state's Clean Vehicle rebate program.

Appendix A: Air Quality Program Component

Greenhouse Gas Reporting: In October 2008 and again in 2010, the commission adopted greenhouse gas reporting rules that require permitted sources, fuel distributors and electricity providers to complete annual reporting. The program now covers over 90 percent of the greenhouse gas emissions in Oregon, as well as emissions from out-of-state electricity generation. DEQ is currently expanding the reporting to include collection of product output data to provide quality assurance for emissions data, and to make reporting more efficient.

Clean Fuels: In 2009, the Oregon Legislature authorized the clean fuels program (Low Carbon Fuel Standards) through adoption of House Bill 2186. Following extensive outreach, DEQ proposed and the Environmental Quality Commission adopted the first phase “reporting rules” for the Clean Fuels program. In 2013, DEQ began registering fuel importers and collected data on the types and carbon intensities of fuels being imported into Oregon. The 2015 Oregon legislature removed the statutory sunset and the Environmental Quality Commission adopted rules fully authorizing the Clean Fuels program. In 2017 the Commission adopted additional cost containment measures required by statute to assure the program remains feasible. During this PPA period the agency will continue to operate the program. The EQC is expected to consider extending this program beyond 2025 and increasing the level of reductions in the carbon intensity of fuels in 2021.

Cap and Reduce Programs: In 2020 and 2021, DEQ will develop proposed rules to limit greenhouse gas emissions from large stationary sources, transportation fuel suppliers, and other fuel suppliers. These proposals will be considered by the EQC in late 2021. The 2020 legislature approved funding for this work. Further details on this work will become available in May of 2020.

Priority 4: Visibility

Oregon’s regional haze plan was adopted by the Environmental Quality Commission in June 2009 and the agency submitted a five-year progress report in 2017. During this PPA period, DEQ will undergo the next round of 10-year planning for the Regional Haze Program. DEQ has requested 30 facilities within Oregon to complete a Four Factor Analysis of controls and will review the potential for additional controls to be implemented for other source sectors. DEQ will be submitting a SIP to EPA for the Regional Haze Update no later than July 2021.

Priority 5: Enforcement

DEQ and EPA will work collaboratively to implement EPA’s National Enforcement Goals and National Enforcement Initiatives. EPA’s overall national enforcement goals focus on civil and criminal enforcement for violations that threaten communities and the environment; greater compliance and protection through use of advanced monitoring and information technologies; and strong EPA/State/Tribal partnerships for working together toward shared environmental goals.

EPA Support for DEQ Programs

EPA and Oregon work together to meet clean air goals cost-effectively by employing a variety of regulatory and voluntary approaches and programs. DEQ develops emission inventories, operates an EPA approved air monitoring network and writes the state implementation plans necessary to lay the foundation for improving and maintaining air quality in Oregon. EPA primarily assists DEQ by providing financial assistance, guidance and new regulations. EPA also implements programs in Oregon that reduce pollution from a variety of sources such as trucks, buses, power plants and dry cleaners. In addition, EPA is charged with protecting air quality in Indian Country in Oregon.

EPA stands ready to facilitate DEQ’s success in implementing the requirements of the Clean Air Act in Oregon. In order to meet the objectives and outcomes identified in the attached work plan EPA will work

Appendix A: Air Quality Program Component

closely with DEQ to develop, implement and support programs necessary to maintain healthy air quality in Oregon.

Some of the work EPA will do to facilitate successful implementation of the Clean Air Act in Oregon includes:

- Work closely with DEQ to develop and revise plans necessary to address air quality in new nonattainment areas and existing attainment areas in Oregon.
- Update DEQ on any new analyses of community, state, or regional air quality including risks associated with public health and the environment.
- Take final action on redesignation requests within 18 months and expedite action when feasible upon request from DEQ.
- Coordinate with DEQ on designating new nonattainment areas following a revision to any federal air quality standard.
- Update DEQ on any new EPA Region 10 strategies for reducing emissions.
- Issue delegation notices for New Source Performance Standards within three months of receiving a delegation request from DEQ.
- Partner with DEQ to develop implementation strategies for NSPS and National Emissions Standards for Hazardous Air Pollutant programs.
- Process NESHAP delegation requests within three months after they are received.
- Support Oregon's efforts to implement the Clean Diesel Initiative.
- Consult with DEQ on applicability determinations, compliance determinations, and other case-by-case issues where EPA needs to make final decisions.
- Complete applicability determinations in a timely fashion.
- Provide Aerometric Information Retrieval System support and training.
- Assist DEQ with database needs for interfacing with ICIS-Air when that system becomes operational.
- Partner with DEQ to develop future Oregon regional haze plan updates. Taking timely action on regional haze plan approvals.
- Inform DEQ about national plans for enforcement program oversight.
- Conduct compliance assurance and enforcement activities in support of EPA's National Clean Air Act compliance priorities (i.e. Prevention of Significant Deterioration/New Source Review and Air Toxics).
- Consider significant resource challenges faced by DEQ and strive to streamline requirements and focus on environmental outcomes to the extent possible consistent with laws and national guidance.
- Work with DEQ to establish protocols for infrastructure SIPs that are consistent with the environmental risks associated with each pollutant, and to the extent possible work within the Infrastructure SIP model template already created and agreed to by DEQ and EPA Region 10.
- Work with DEQ to agree on mutually acceptable protocols for technical analysis supporting nonattainment area planning, infrastructure SIPs, NAAQS compliance demonstrations, and other projects as needed.
- Provide guidance and comments to DEQ as early as possible during development of attainment plans and other SIP submittals.
- Collaborate with DEQ on any air quality assessment projects initiated by EPA, including coordinating and collaborating with DEQ on any related communications strategy.
- Coordinate field activities to complement, rather than duplicate, efforts whenever possible.
- Continue to look for ways to reduce the workload on states for exceptional events documentation.
- Coordinating with DEQ to develop and improve community engagement related to shared Environmental Justice priorities.

Appendix A: Air Quality Program Component

Evaluation Process

To ensure that EPA and DEQ maintain open communications during this PPA, the two agencies agree to check-in every six months and have meetings as needed. In addition, grant update reports will be submitted every six months and will be used to determine if a check meeting or teleconference should be scheduled. At a minimum the update should include the following information:

- A discussion of accomplishments as measured against the work plan commitments.
- A discussion of the cumulative effectiveness of the work performed.
- A discussion of existing and potential problem areas,
- Suggestions for improvement including schedules if possible.

If the joint evaluation process reveals that sufficient progress under the work plan is not being made EPA and DEQ agree to negotiate a resolution that addresses the issue.

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

2020-2022 PPA: Air Quality Program Work Plan

Objective 1: Limit public exposure to criteria pollutants by consistently meeting and exceeding national ambient air quality standards throughout the state.

Outcome Measures

- Monitoring demonstrates continuous improvement in air quality as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index.
- All communities within DEQ’s jurisdiction have been redesignated from nonattainment to attainment with a National Ambient Air Quality Standard (NAAQS).
- Communities at risk of violating national ambient air quality standards take proactive actions needed to avoid nonattainment.

Outputs	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>1) During the next PPA cycle, DEQ will undertake an Ozone Advance planning effort to identify and implement proactive efforts for reducing ozone precursors. DEQ will use information from the 2018 Portland-Medford multi pollutant assessment in 2018 and DEQ’s 2016 Hermiston ozone monitoring in the Ozone Advance planning effort.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi D</p> <p>2) DEQ will continue to reduce PM emissions, restore healthy air quality, and avoid nonattainment by working with the City of Prineville to implement the community’s PM Advance plan.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi D</p> <p>3) DEQ will continue to reduce emissions, restore healthy air quality, and avoid nonattainment by working with the City of Lakeview to implement the community’s PM Advance Plan.</p>
	<p>DEQ Contact: Michael Orman and Matt Hoffman EPA Contact: Gina Bonifacino/Christi D</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

<p>4) DEQ will continue to monitor PM_{2.5} concentrations in the Portland-Metro region and coordinate with local authorities to ensure controls are being implemented and enforced. DEQ will meet with Washington, Multnomah, and Clackamas County representatives on a bi-annual basis to review trends, best practices, areas for improving existing programs, and the exploration of new programs.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi D</p>
<p>5) DEQ staff will continue to work with Klamath Falls to implement the approved PM_{2.5} attainment plan and ensure continued compliance with standards. DEQ will continue the development of Klamath Falls PM_{2.5} maintenance plan and will submit a redesignation request and maintenance plan by summer 2021.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi D</p>
<p>6) In 2020, DEQ staff will begin work on our 10-year update for the Medford PM₁₀ maintenance plan. DEQ anticipates submitting a plan to EPA in 2022. DEQ will complete a SIP development in 2020 for EPA's review.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi D</p>
<p>7) DEQ will continue to collaborate with EPA and Lane Regional Air Protection Agency on the implementation of its Oakridge PM_{2.5} attainment planned the development the PM_{2.5} and PM₁₀ maintenance plans.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/ Karl Pepple</p>
<p>8) DEQ will begin the development of an Ozone Advance Plan to address the rising levels of ozone and ozone precursors in the state. This work will include statewide and local control strategies and will involve stakeholder outreach and engagement in the development and implementation of potential controls. DEQ will keep EPA informed of the process and anticipate plan submittal date.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/ Karl Pepple</p>
<p>9) As part of the Ozone Advance Plan, DEQ will work with Washington Department of Ecology and EPA to evaluate the potential for regional standards on the VOC content of consumer products, such as architectural coatings and consumer paints. DEQ will also follow- a multi-pollutant approach with any new standards.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/ Randall Ruddick</p> <p>10) DEQ will fund seven communities to develop community response plans for prescribed fire smoke impacts. These plans are focused on communications at the community level about prescribed fires and are an element of the recently updated Smoke Management Plan. DEQ will also fund one project at the community level that focuses on mitigating the impacts of prescribed fire smoke on their community. Plans will be implemented by June 2021. DEQ will develop a summary of planning activities</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>11) DEQ will fund seven community-based wood smoke reduction projects and one larger woodstove change-out program with a completion date of winter 2020. DEQ will also do a qualitative analysis of the projects' emission reductions which will inform next steps and will be shared with regional partners.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>12) DEQ will fund six community-based wood smoke reduction programs to support ongoing implementation activities through June 2021. DEQ will also complete a qualitative analysis of the emission reductions from implementation activities which will inform next steps and will be shared with regional partners.</p>
	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>13) DEQ continues to track the EPA E-Enterprise initiative through participation on Environmental Council of States (ECOS) committees. The goal of the initiative is to develop a streamlined approach to facility reporting and data collection.</p>
<p>Core Work</p>	<p>DEQ Contact: Michael Orman/Tom Roick EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>1) DEQ will continue to implement all strategies contained in the PM₁₀, carbon monoxide and ozone maintenance area plans, as well as plans for PM_{2.5} nonattainment areas including financial support for local woodstove curtailment programs. DEQ will engage with community leaders as needed to discuss the latest information on PM_{2.5} compliance levels, smoke management, or other air issues. DEQ will discuss with EPA any on-going monitoring needs and priorities in these nonattainment areas as part of our 2020 statewide monitoring strategy.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

<p>DEQ Contact: Michael Orman/Mike Skorpuka EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>2) In 2021 DEQ will evaluate necessary rule changes for vehicle inspection and Stage-II vapor recovery that are part of the Portland and Medford ozone maintenance plan.</p>
<p>DEQ Contact: Michael Orman/Tom Roick EPA Contact: Gina Bonifacino/ Claudia Vaupel</p> <p>3) DEQ will continue to notify EPA of exceedance events, in a timely manner consistent with EPA’s Exceptional Events rule and will identify any data to be flagged.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Debra Suzuki/Mike McGowan</p> <p>4) DEQ will work with Oregon Department of Forestry, local elected officials, US Forest Service, EPA and others on smoke management program policy, implementation, and communications. DEQ will periodically meet with USFS and ODF to review burn objectives and smoke intrusions.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Debra Suzuki/Mike McGowan</p> <p>5) DEQ will participate in the annual multi-agency team dedicated to air quality wildfire response. The team includes DEQ, Oregon Health Division, US Forest Service, Oregon Department of Forestry, local county health agencies and others.</p>
<p>DEQ Contact: Emil Hnidey EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>6) DEQ will coordinate with EPA on prioritizing State Implementation Plan review and approvals and setting priorities for the coming year. EPA and DEQ will communicate at least once a year (fall) to discuss the status of submitted plans and the projected schedule for future submittals.</p>
<p>DEQ Contact: Emil Hnidey EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>7) DEQ will develop draft SIP Development Schedules for each SIP submittal approximately six months before EPA review is needed. The purpose of the SDS is to facilitate communication between DEQ and EPA on key milestone dates and to identify potential issues needing resolution.. EPA and DEQ will discuss the SIP Lean Toolkit (Dec. 6, 2019) and determine what early engagement processes they will agree to employ.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Mahbubul Islam/Nicole Briggs/Jay McAlpine</p> <p>8) DEQ will contribute staff time to the Northwest Regional Modeling Consortium (NRMC) and NW-AIRQUEST for the continued development and application of emissions data and air quality models, including the Air Indicator Report for Public Awareness and Community Tracking (AIRPACT) model and EPA MOVES, to support ozone and particulate matter forecasting models for use by the regional partnership. Staff will participate in NW-AIRQUEST workgroups, participate in quarterly NRMC and NW-AIRQUEST conference calls, and attend the annual NW-AIRQUEST membership meeting.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris Hall</p> <p>9) DEQ will operate and maintain the monitoring network plan according to 40 CFR part 58 requirements and EPA approved Quality Assurance plans. DEQ will consult with EPA on network changes in the annual network plan.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Mahbubul Islam/Chris Hall</p> <p>10) DEQ will participate in national and regional monitoring quality assurance activities including NPAP for the gaseous criteria pollutants and PEP for PM_{2.5} and PM coarse.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Mahbubul Islam/Chris Hall</p> <p>11) DEQ will maintain Quality Assurance Project Plans for each pollutant it monitors for reporting to EPA.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/Mike McGowan</p> <p>12) DEQ will operate a PM_{2.5} monitoring and sampling network in the Willamette Valley during the summer field burning season. Sites in the network include Portland Spangler Road, Salem, Lyons, Silverton, Mill City and Detroit. The network provides near real-time data to DEQ and the Oregon Department of Agriculture on smoke impacts and weather conditions. Any changes to the network will be made through annual statewide monitoring plan updates.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/Mike McGowan</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>13) DEQ will operate the nephelometer network for particulate monitoring in cooperation with the US Forest Service and BLM. The objective is to measure smoke impacts in areas likely to be impacted by prescribed fire. Sites include Baker City, Enterprise, John Day, Sisters, Cave Junction, Provolt, Shady Cove, Roseburg, Burns, Grants Pass, Klamath Falls, and Lakeview. Any changes to the network will be made through annual statewide monitoring plan updates.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris H</p> <p>14) DEQ will monitor for gaseous criteria pollutants at the NCORE site in SE Portland and the near-roadway NO₂ site in Tualatin. DEQ will also set up the NCORE site as a Photochemical Assessment Monitoring Station (PAMS) to evaluate ozone precursors, including a new shelter, NOy and true NO₂ analyzers, and other equipment to meet EPA’s schedule for 2021 startup.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/Mike McGowan</p> <p>15) DEQ will operate a field burning smoke nephelometer to measure particulate in Jefferson County from June through September and operate a field burning smoke nephelometer to measure particulate in Union County during the summer.</p>
	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>16) To prepare the 2017 National Emissions Inventory information for future EPA modeling efforts, DEQ will work to review the released versions of the 2017 NEI in partnership with EPA staff and adjust the data as needed. This national modeling data is used to plan air quality protection measures.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris Hall</p> <p>17) DEQ will add a second ozone monitor to the Salem Core Based Statistical Area to meet EPA population based criteria for the number of monitors.</p>
<p>Reporting</p>	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris Hall</p> <p>1) DEQ will submit nephelometer data converted to PM_{2.5} values and ozone values to AIRNow for all nephelometer and ozone sites. Hourly average data is submitted to AIRNow every hour.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris Hall</p> <p>2) DEQ will report criteria pollutant ambient air quality data to EPA’s Air Quality data system quarterly, submitted within 90 days of the end of the quarter, as required by 40 CFR Part 58.</p> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>3) DEQ will report to EPA criteria pollutant emissions for Oregon’s point sources by December 31 of 2020 and 2021.</p> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>4) DEQ will continue to fulfill Air Emissions Reporting Rule requirements for the 2020 National Emissions Inventory, including submitting nonpoint tools categories data, submitting point source data, and reviewing and submitting on road/nonroad MOVES input data files.</p>
<p>Objective 2: Reduce greenhouse gas emissions</p>	
<p><u>OUTCOME MEASURES</u></p> <ul style="list-style-type: none"> • By 2020, achieve greenhouse gas emission levels that are 10 percent below 1990 levels. • By 2050, achieve greenhouse gas emission levels that are at least 75 percent below 1990 levels. 	
<p>Outputs</p>	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Peple</p> <p>1) DEQ will continue to implement the Oregon Clean Fuels Program by working with affected parties, market participants and interested stakeholders. DEQ will also continue to make continuous improvements to the program by updating the reporting tools, conducting rulemaking and collaborating with local, state, regional, national and international partners.</p> <p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Peple</p> <p>2) DEQ will work with Oregon Department of Transportation and other states that have opted into the California Clean Cars Program to implement a Memorandum of Agreement (MOA) between the states on electric vehicles. The MOA provides the basis for a multi-state work plan to support infrastructure and others actions needed to grow the use of zero emission vehicles in each state.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>3) Work with the EQC to maintain identicality with California low emission vehicle standards, participate in a multi-agency workgroup to improve the public awareness of and access to information resources related to electric vehicles, and provide school districts and transit authorities information about options for electrifying their fleets.</p>
<p>Core Work</p>	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>1) DEQ will continue to monitor and participate in collective efforts to characterize and reduce greenhouse gas emissions, including participation with groups such as the Pacific Coast Collaborative, and the Oregon Global Warming Commission and several of its subcommittees.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>2) DEQ will continue to implement the Oregon Low Emission Vehicle Program, including providing technical assistance to auto mobile dealers and conducting compliance verification.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Debra Suzuki/Mike McGowan</p> <p>3) DEQ will work with ODOE, ODF, the Governor’s Office and other agencies to increase coordination regarding Oregon biomass policy. DEQ will also track the Federal Forest Lands Advisory Committee and other relevant groups.</p>
	<p>DEQ Contact: Jaclyn Palermo EPA Contact: Kelly McFadden/Doug Hardesty</p> <p>4) DEQ will continue to implement EPA’s Tailoring Rule – Step 1 within Oregon’s New Source Review (NSR) /Prevention of Significant Deterioration (PSD) program for greenhouse gases by reviewing greenhouse gas emissions of facilities that trigger NSR/PSD for a criteria pollutant.</p>
	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>5) DEQ will continue to implement Oregon’s greenhouse gas (GHG) reporting program. Implementation work during this PPA period will include:</p> <ul style="list-style-type: none"> • Assisting sources with GHG reporting; • Maintaining an Oregon GHG database to track emissions for permitted facilities; • Reviewing annual reports from Oregon industrial sources emitting over 2500 metric tons of CO₂ equivalent, electricity suppliers and fuel distributors; and • Developing the statewide GHG inventory for 2018 in 2020 and the 2019 inventory in 2021. • Moving the online reporting process into the new environmental data management system
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>6) DEQ will work to develop proposed programs to limit greenhouse gas emissions from large stationary sources, transportation fuels, and other fuel use in Oregon.</p>
<p>Objective 3: Protect human health and the environment through ongoing Air Quality improvement strategies.</p>	
<p><u>OUTCOME MEASURES</u></p> <ul style="list-style-type: none"> • Monitoring demonstrates continuous improvement in air quality as measured by a decline in the number of days when air quality is considered unhealthy for sensitive groups or unhealthy for all groups, as recorded by the Air Quality Index. • The National Emissions Inventory results will show a decrease in emissions over time. 	
<p>Outputs</p>	<p>DEQ Contact: Jaclyn Palermo EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>1) DEQ will periodically submit a National Emission Standards for Hazardous Air Pollutant delegation request to EPA every two years. The request will generally be for all NESHAPs adopted by EPA and in the CFR published July 1 of the previous year.</p> <hr/> <p>DEQ Contact: Jaclyn Palermo EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>2) DEQ will continue to implement the area source National Emission Standards for Hazardous Air Pollutants (NESHAPs) program, by issuing permits or registration and performing periodic inspections. DEQ will also perform outreach and technical assistance to help area sources comply with the regulations.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

Core Work	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/ Doug Hardesty</p> <p>1) DEQ will continue to implement the Title V permitting program as specified in the approved Part 70 program and in state regulations. DEQ will electronically (through EPS or email) submit Title V-related information to EPA within 7 days of availability: applicability determinations, Title V permit applications (if not submitted by source directly to EPA), updated permit application information, application incompleteness and completeness determinations, draft permits (including the public notice and statements of basis), proposed permits (including statements of basis and responses to comments) and final permits (including statements of basis). Inform all commenters of the date the proposed permit was submitted to EPA. DEQ will submit semi-annual Title V Operating Permit System (TOPS) reports consistent with the EPA's deadline. DEQ will post all final permits to the web within 10 days after issuance.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/ Doug Hardesty</p> <p>2) DEQ will continue to implement the Air Contaminant Discharge Permit Program.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Doug Hardesty</p> <p>3) DEQ will continue to run the Small Business Assistance Program. DEQ will provide training and technical assistance to small businesses to help them reduce air emissions and comply with air quality rules. DEQ will also provide assistance to smaller businesses to assist them with completing triennial inventories of air toxics emissions and performing health-based risk assessment for new business that require them.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Mahbubul Islam/Nicole Briggs</p> <p>4) DEQ will implement the Air Pollution Advisory program. In the summer, DEQ will forecast daily and issue ozone pollution advisories in Portland, Salem and Medford. The rest of the year, DEQ will forecast daily and issue PM_{2.5} pollution advisories statewide.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>5) DEQ will operate the Employee Commute Options program in the Portland Air Quality Maintenance Area. Activities include: provide assistance to affected employers, review compliance status, document and respond to violations, conduct outreach and education, maintain rules and improve the database.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

<p>DEQ Contact: Matt Hoffman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>6) DEQ will operate the tanker certification program by providing assistance to gasoline transporters, issuing tanker certifications and maintaining the database.</p>
<p>DEQ Contact: Jeffrey Stocum EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>7) DEQ will provide on-going assistance to local, state, and federal agencies on transportation issues, travel modeling consultation, mobile emission estimates and conformity regulations/analysis.</p>
<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>8) DEQ will participate in the development and implementation of projects identified in the Sustainable Transportation Strategy. The STS is a collaborative effort between the Oregon Department of Transportation, Oregon Department of Energy, the Department of Land Conservation and Development, and DEQ, focused on reducing criteria, air toxics, and greenhouse gas emissions from the transportation sector. Planning will occur in 2020 on potential projects and project development and implementation will span over the next several years.</p>
<p>DEQ Contact: Mike Skorupka EPA Contact: Gina Bonifacino/Karl Pepple</p> <p>9) DEQ will operate the Vehicle Inspection Program in the Portland and Medford areas. This includes Clean Air Stations, self-service, remote OBD, fleets and dealership testing. DEQ will submit annual and biennial Vehicle Inspection Program reports in compliance with Title 40, Chapter 1, Part 51, Subpart S, Sec. 51.366 of the Clean Air Act. DEQ will submit this report by July of each year and it will contain statistical analysis from data collected from January through December of the previous year.</p>
<p>DEQ Contact: Regional Managers/Michael Orman EPA Contact: Katie McClintock</p> <p>10) DEQ will implement the open burning program including: complaint management (database, tracking); investigations; inspections; compliance determination and enforcement; issuance of permits for construction, demolition and land clearing where applicable; outreach and education to the public, cities, counties and fire departments. DEQ staff will conduct site visits at high priority burning events and those requiring enforcement actions.</p>
<p>DEQ Contact: Mark Bailey</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>EPA Contact: Katie McClintock/Kelly McFadden</p> <p>11) DEQ will provide air quality regulatory oversight (permitting, report review, technical assistance, and inspections) for the Calico Mine project located in Malheur County, Oregon.</p> <hr/> <p>DEQ Contact: Michael Orman EPA Contact: Debra Suzuki/Mike McGowan</p> <p>12) DEQ will engage with Oregon Department of Agriculture, elected officials and the public as needed regarding field burning issues.</p> <hr/> <p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Doug Hardesty</p> <p>13) DEQ will issue permits that contain limits that are necessary to address source-specific air quality impacts.</p>
<p>Reporting</p>	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Doug Hardesty/Jay McAlpine</p> <p>1) DEQ will implement the major NSR air permitting programs as specified in the SIP and state regulations. DEQ will continue to submit major New Source Review/Prevention of Significant Deterioration information to EPA upon receipt/completion including applicability determinations, applications, application completeness/incompleteness letters, updated application information, draft permits (including technical analyses) and final permits (including responses to comments). DEQ will send to EPA (via email to Kelly McFadden and Doug Hardesty) a quarterly update on the status of all known/expected PSD permit actions. DEQ will post all final permits to the web within 10 days after issuance.</p> <p>2) DEQ will communicate with the EPA on modeling at the initiation of any major NSR permit project. DEQ will submit modeling protocols for major source projects to EPA within 7 days of receipt. DEQ will use the EPA approved models and methodologies, in accordance with 40 CFR Part 51 Appendix W, for air quality analysis for commercial and industrial source permits or seek the EPA approval of alternative models or methods when applicable.</p> <p>3) DEQ will communicate and work with the EPA to satisfy any and all consultation and modeling approvals required under 40 CFR Part 51 Appendix W, for both minor and major NSR permit projects.</p> <hr/> <p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Doug Hardesty</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>4) DEQ will conduct Best Available Control Technology evaluations in a manner consistent with EPA’s top-down, five-step procedure and will enter RACT/BACT/LAER determinations into the clearinghouse database within 30 days of permit issuance.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina B/Karl Pepple</p> <p>5) DEQ’s Air Quality program staff will continue to inspect air permitted gasoline dispensing facilities (GDF) required to have stage II controls. DEQ Tanks program staff will inspect air permitted GDFs not required to have stage II controls while performing their tank inspections.</p>
<p>Objective 4: Limit public exposure to toxic air pollution.</p>	
<p><u>OUTCOME MEASURES</u></p> <ul style="list-style-type: none"> • The National Emission Inventory results will show a decrease in emissions over time. • Diesel emissions in Oregon will decrease over time. • Oregon will implement state level air toxics permitting in alignment with the Title V permitting program. 	
<p>Outputs</p>	<p>DEQ is committed to working with the EPA and will continue to communicate project status of the Cleaner Air Oregon Program.</p> <hr/> <p>DEQ Contact: Michael Orman EPA Contact: Kelly McFadden/Karl Pepple</p> <p>1) In 2020-2022, DEQ will evaluate options for new diesel reduction strategies and will participate in work groups studying statutory changes to reduce diesel emissions. DEQ will conduct work in accordance with grant obligations for the Oregon Community Scale Air Toxics grant. DEQ will also continue to pursue clean diesel grant opportunities as they arise by assisting local governments, school districts and businesses to replace old dirty diesel equipment.</p> <hr/> <p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/Karl Pepple</p> <p>2) DEQ will administer the EPA Community-Scale Air Toxics Ambient Monitoring grant, which will focus on researching diesel related sources of air toxics.</p> <hr/> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>3) DEQ will review and Quality Assure EPA’s 2017 National Air Toxics Assessment release and communicate those findings to Oregon residents.</p> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Karl Pepple/Nicole Briggs</p> <p>4) DEQ will conduct a health impact analysis using the EPA BENMAP tool to help inform stakeholders and the state legislature on the health and economic effects of diesel particulate pollution.</p>
<p>Core Work</p>	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>1) DEQ will periodically submit a National Emission Standards for Hazardous Air Pollutant delegation request to EPA. The request will generally be for all NESHAPs adopted by EPA and in the CFR published July 1 of the previous year.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden</p> <p>2) DEQ will continue to implement National Emission Standards for Hazardous Air Pollutants rules by incorporating them into air permits, providing technical assistance, conducting inspections, evaluating compliance and taking enforcement actions when appropriate.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>3) DEQ and EPA will maximize information sharing and explore innovative implementation options for area source NESHAPs.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Kelly McFadden/Geoffrey Glass/ Chris Hall</p> <p>4) During the PPA period, DEQ will measure ambient air toxics concentrations at existing air toxics monitoring sites. DEQ will make results and conclusions of DEQ air toxics monitoring projects publicly available and discuss them with community leaders.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>5) DEQ will implement the asbestos program, including licensing contractors, conducting outreach and education, and inspecting abatement projects. A database will be maintained that contains information about notifications, projects, inspections, compliance and enforcement, certifications, and accreditations.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Christi Duboiski</p> <p>6) DEQ will implement the Heat Smart program, including program improvements, database improvements, customer assistance, compliance assistance, education and outreach. DEQ will incorporate the recently updated New Source Performance Standards requirements into rule.</p> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>7) DEQ will evaluate air toxics emission submittals from 360+ permitted facilities and use submitted production data for 1000+ smaller permitted facilities to calculate estimated emissions for those sources.</p> <p>DEQ Contact: Tom Roick EPA Contact: Mahbubul Islam/Chris Hall</p> <p>8) DEQ will continue to participate in the NATTS laboratory Proficiency Testing (PT) Program.</p>
<p>Reporting</p>	<p>DEQ Contact: Tom Roick EPA Contact: Kelly McFadden/Geoffrey Glass/ Chris Hall</p> <p>1) DEQ will provide EPA with air toxics data quarterly, submitted within 120 days of the end of the quarter.</p> <p>DEQ Contact: Jeffrey Stocum EPA Contact: Kelly McFadden/Geoffrey Glass</p> <p>2) DEQ will report to EPA toxics pollutant emissions for Oregon’s point sources by December 31 of 2020 and 2021. DEQ will continue to report county level air toxics emission inventory data to EPA as requested as a partner to support the 2020 National Emissions Inventory submittal process.</p>
<p>Objective 5: Improve visibility in federal Class I Areas</p>	
<p><u>OUTCOME MEASURE</u></p> <ul style="list-style-type: none"> • No worsening of visibility on the clearest days in Crater Lake National Park and Oregon’s wilderness areas. • Improved visibility on days with degraded air quality in Crater Lake National Park and Oregon’s wilderness areas. 	

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

Outputs	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Gina Bonifacino/Jeff Hunt</p> <p>By Fall 2020 the Western Regional Air Partnership (WRAP), which is supported by DEQ, will produce the 2028 visibility impact assessment.</p>
Core Work	<p>DEQ Contact: Jeffrey Stocum EPA Contact: Gina Bonifacino/Jeff Hunt</p> <p>1) DEQ will support the WESTAR/WRAP regional haze 2020-2021 workplan with funding, in-kind assistance and participation on the Regional Haze Planning Workgroup and relevant sub-workgroups, WRAP Board, and WESTAR Council to facilitate the preparation of emissions and modeling data needed for the 2021 Regional Haze submittal.</p>
	<p>DEQ Contact: Michael Orman EPA Contact: Gina Bonifacino/Jeff Hunt</p> <p>2) DEQ will track Columbia River Gorge air quality through periodic regional haze updates. DEQ remains available to meet as needed with EPA, federal land managers and tribal nations to discuss Gorge air quality issues.</p>
	<p>DEQ Contact: Tom Roick EPA Contact: Debra Suzuki/ Chris Hall /Jeff Hunt</p> <p>3) DEQ will continue to operate the existing visibility monitoring network at Crater Lake, and Mt. Hood.</p>
Reporting	<p>DEQ Contact: Jaclyn Palermo EPA Contact: Debra Suzuki/Gina Bonifacino/Christi Duboiski</p> <p>1) DEQ will report our progress on the outputs and core work described above to EPA in our semi-annual PPA progress reports and during our monthly coordination calls as appropriate.</p>
<p>Objective 6: Maintain an effective compliance assurance program that contributes to prevention and reduction of pollution and protection of public health and meets the national goals set forth in the Clean Air Act Stationary Source Compliance Monitoring Strategy.</p>	
<p>OUTCOME MEASURES</p> <ul style="list-style-type: none"> • Issues discovered during the State Review Framework process are addressed. • Violations are addressed in accordance with the Timely and Appropriate Enforcement Responses to High Priority Violations. 	

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

Outputs	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock/Kelly McFadden</p> <p>1) DEQ will take steps to address areas for improvement or that need attention relating to the permit backlog identified in the most recent State Review Framework.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>2) DEQ and EPA will continue to hold compliance meetings and compliance update conference calls. Discussion topics for the meetings include: work share opportunities; roles and responsibilities; national, regional and state priorities; trends in data; changes in national guidance; changes in DEQ compliance and enforcement guidance; joint compliance and enforcement activities and planned inspection activities (i.e. mentoring, oversight, joint).</p>
Core Work	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>1) DEQ and EPA will participate in quarterly conference calls to discuss high priority violations, as well as policy and strategy issues.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>2) DEQ will resolve violations detected at major sources and SM80s in accordance with the EPA “Timely and Appropriate Enforcement Response to High Priority Violations.”</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>3) DEQ will work with EPA each year to ensure that compliance and enforcement data (annual data set) is accurate in anticipation of the annual public compliance and enforcement data release through EPA’s website, Enforcement and Compliance History Online.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>4) DEQ will continue to participate in the implementation (e.g., file availability, coordination) of the State Review Framework review. The review is conducted every 3 years. The most recent review was completed April 1, 2020. will be conducted in 2018.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

Reporting	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>1) DEQ will utilize the OpenNode for monthly reporting of compliance evaluations, compliance certifications, and stack tests. If necessary, DEQ will upload to ICIS-Air.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>2) DEQ will provide a quarterly update on the status of high priority violations.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>3) DEQ will provide data to ICIS-Air in a timely fashion, completing the annual input by the required timeframe.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>4) DEQ will continue to enter sources subject to New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants and the applicable subparts into ICIS-Air.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>5) DEQ will report the Federally reportable violations for CAA Stationary Sources and the Minimum Data Requirements (MDR's) for CAA Stationary Source Compliance.</p>
	<p>DEQ Contact: Jaelyn Palermo EPA Contact: Katie McClintock</p> <p>6) DEQ will conduct annual FFY data verification of compliance and enforcement data captured in ECHO and correct data in AFS, if needed. This will be done according to the schedule provided by EPA in anticipation of EPA's annual Data Metric Analysis and EPA's annual release of data to the public through ECHO.</p>

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Hazardous Waste Program

The Oregon Department of Environmental Quality is authorized by EPA to administer the Resource Conservation and Recovery Act (RCRA) in Oregon, including the activities addressed in this agreement. The activities are funded in part through EPA's consolidated "Performance Partnership" grant (PPG). The Performance Partnership Agreement (PPA), together with work plans set forth the goals, sub-goals, objectives, programs, activities, deliverables and measures of progress to address the full range of cooperative federal-state environmental programs under DEQ's jurisdiction. The PPG is key for implementing the Agreement, and the work plans document commitments as agreed by DEQ and EPA. EPA Order 5700.7 directs program offices to ensure work plans contain well-defined outputs and outcomes, specifically:

- The work plan components to be funded under the grant;
- The work plan commitments for each work plan component and a time frame for their accomplishment;
- A performance evaluation process and reporting schedule in accordance with 40 CFR 35.115; and
- The roles and responsibilities of the recipient and EPA in carrying out the work plan commitments.

In a time of diminishing resources, leveraging limited resources to maximize environmental gains is essential. This hazardous waste work plan highlights priorities DEQ and EPA commit to through partnership and a collective interest in supporting and engaging in compliance and beyond compliance efforts. This PPA work aligns well with:

- DEQ's priorities to use initiatives to ensure safe management and reduction of hazardous waste and toxic chemicals, and to continuously improve and innovate to achieve greater efficiencies and environmental gains; and
- EPA's Strategic Plan Goal 1, Provide Clean Air, Land, and Water, and Ensure Chemical Safety and Goal 3, Rule of Law and Process.

DEQ and EPA modified and signed a new Memorandum of Agreement dated November 30, 2017 to ensure consistency with State program modifications in connection with the annual State grant work program or PPA.

In 2013, the Hazardous Waste program adopted a strategic plan with a vision of leading Oregon to protect human health and the environment by reducing the generation and ensuring the safe management of hazardous waste and toxic chemicals. The Hazardous Waste program updated the strategic plan July 2019, and will achieve its vision in three ways:

1. Continuously improving the program by engaging staff in developing innovative solutions to accomplish program priorities; measuring performance and outcomes; and celebrating staff accomplishments in achieving core work and program priorities;
2. Collaborating across media on statewide and regional initiatives; and
3. Ensuring reduction of hazardous waste and toxic chemicals while increasing safe management of wastes through technical assistance, compliance, permitting and enforcement activities.

The Oregon Hazardous Waste program will work towards these goals in this PPA through the following three priorities:

- A. Hazardous Waste Initiatives
- B. Safe Management and Reduction of Hazardous Waste and Toxics
- C. Hazardous Waste Improvement and Innovations

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Priority 1: Hazardous Waste Initiatives

The Hazardous Waste program's integrated compliance strategy emphasizes the value of forming collaborative partnerships with Oregon businesses, communities, governmental agencies and other programs within DEQ to produce environmental results. Strategic initiatives, such as sector- and geographic-focused projects, are examples of those partnerships.

DEQ received several EPA-awarded Pollution Prevention (P2) Grants. The recent grant supports DEQ's agency-wide Integrated Toxics Reduction Strategy and Oregon's 2050 Vision and Framework for Action. These efforts help reduce or prevent the toxic chemicals being used in, and wastes generated by, Oregon manufacturing processes. DEQ's Toxics priorities include: reducing toxic chemicals and waste; improving industry processes to prevent pollution at the source; and enabling industry leaders to implement green chemistry innovation. Through a cross-media approach, DEQ will link toxics reduction challenges with real world, practical solutions. The grant directly supports pollution prevention and green chemistry projects that include research, collaboration and training of businesses and educators to find and promote safer chemical alternatives.

The funding also supports the Oregon Sustainability Applied Experience, an award-winning, statewide pollution prevention internship program. DEQ collaborates with many state agencies, non-profits, associations, universities, businesses and others to achieve this work, and will work on other initiatives as time allows.

Priority 2: Safe Management and Reduction of Hazardous Waste and Toxics

DEQ achieves this priority in many ways, but primarily through its:

Compliance Inspections

The program focuses compliance inspection efforts primarily on large quantity generators, small quantity generators, treatment storage and disposal facilities (TSDFs), high priority complaints, and non-notifiers.

As part of this commitment, DEQ will inspect a minimum of 20 percent of large quantity generators per year with a goal of inspecting 100 percent of the large quantity generator universe every five years, per EPA RCRA Core Program requirements. When determining the inspections, DEQ will select sites from: 1) the most recent state annual generator report data available, which in alternate years is the same data used for the national Biennial Report of hazardous waste generation and management; and 2) the most current large quantity generators as shown in DEQ's HazWaste.Net reporting system.

DEQ acknowledges the importance of enforcement actions for significant non-compliers (SNC) to deter non-compliance in the regulated community, and continues to implement a strong enforcement program for this purpose. A facility will receive a DEQ SNC designation if any one of the SNC policy qualifying factors exists:

- Violation where there is actual exposure or substantial likelihood of exposure to people or the environment from hazardous waste;
- Violation through flagrant or willful action;
- Violation by a chronic violator; or
- Violation that constituted a substantial deviation from a permit, order, or environmental regulation.

DEQ's Office of Compliance and Enforcement staff also review the SNC checklist later in the process when determining compliance with orders so facilities where one of the factors becomes applicable at a later stage of the case will receive a SNC designation as appropriate.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Technical Assistance

DEQ will continue to provide hazardous waste compliance technical assistance to businesses and organizations in Oregon. This work will involve site visits, educational workshops, and supporting initiatives of the Hazardous Waste Technical Assistance Program. This work will continue to focus on program priorities, including the priority projects highlighted in the Hazardous Waste Initiatives section. DEQ also provides non-compliance technical assistance as mentioned above under the EPA P2 grant.

Permitted Facilities

According to the *Statutory and Regulatory Requirements* section in the FY2018-2019 Office of Enforcement and Compliance Assurance (OECA) National Program Manager (NPM) Guidance (September 29, 2017, Appendix A p.4), RCRA requires minimum inspection frequencies for treatment, storage, and disposal facilities (TSDF) - annually for TSDFs operated by state/local governments, and biennially for non-governmental TSDFs. RCRA01 and RCRA01.s apply to TSDFs owned or operated by non-governmental entities, and to TSDFs owned but not operated by state/local/tribal governments. RCRA03 applies to TSDFs operated by state/local/tribal governments. The inspections performed under these RCRA commitments should generally be Compliance Evaluation Inspections (CEIs). In order to meet the TSDF inspection requirement, a CEI and a Financial Record Review (FRR) of the facility's financial assurance documentation must be completed in the same federal fiscal year.

The RCRA core program Compliance Monitoring Strategy (CMS) allows states to conduct Focused Compliance Inspections (FCIs) in lieu of CEIs at TSDFs if the states have approval from their Region and the TSDF meets the established requirements (i.e. has been inspected at least two times and has no significant noncompliance).

DEQ and EPA's specific permitting activities are outlined in the work plan that follows this narrative. The strategic objective for permitting activities is to, "prevent releases and safely manage hazardous waste by updating approved controls by renewing permits and other actions at Treatment, Storage and Disposal Facilities." As described in the 2017 Memorandum of Agreement, DEQ will give EPA the opportunity to comment on new permits, permit renewals, and permit modifications: a) before completeness determination; b) prior to public notice; and, c) during public notice within 30 days from receipt by EPA office or as otherwise negotiated. The state will consider EPA comments made on permit applications, permit modification requests, and draft permits.

Corrective Action Activities

Under DEQ's One Cleanup Program, most components of corrective action are managed under the Cleanup program as tracked and reported to EPA by the Hazardous Waste Program. DEQ and EPA's specific corrective action activities are outlined in the work plan that follows this narrative. Both agencies will update the corrective action program agreements as per the Joint Agreements section.

RCRAInfo

DEQ regularly translates all compliance, monitoring and enforcement (CM&E) data through the Exchange Network Node into RCRAInfo. The data translates automatically every 30 days to ensure generators' compliance is current. In the event of EPA software updates, coordination will continue between EPA and state to ensure translations remain current. As DEQ transitions to the new Environmental Data Management System (EDMS), there will be a period of six to nine months late 2020 and early 2021 when translations to RCRAInfo will be interrupted. DEQ will continue to work closely with EPA throughout this process to supply EPA with required information. In addition, DEQ plans to dual enter data so translation will continue into RCRAInfo as necessary during the EDMS transition.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Priority 3. Hazardous Waste Improvement and Innovations

EPA State Review Framework (SRF)

EPA Region 10 and DEQ conducted the quadrennial review of the RCRA compliance and enforcement program in the previous PPA period. The SRF process is based on a solid foundation of quality data, ensures states get credit for their activities, and the public receives accurate information via the Enforcement and Compliance History Online (ECHO) and other public websites. EPA and DEQ completed the SRF4 review and report on April 1, 2020. DEQ will implement the agreed upon recommendations in the final report.

Rules and Authorization

DEQ's last major adoption of federal rules in 2017 covered most rules promulgated through June 30, 2015. DEQ completed rulemaking in 2019 that included non-federal regulations for hazardous waste and permitting fee increases. In addition, DEQ submitted a draft authorization revision application for those federal regulations the state adopted in 2015 and 2017 in coordination with EPA. DEQ will also identify and update any programmatic changes to the federally-approved Program Description in preparation for the authorization revision application submittal. DEQ's last federal authorization program revision became effective on January 7, 2010.

Joint Agreements on Agency Communication and Coordination

DEQ and EPA have established agreements on information sharing, communication, and reporting. During the term of this agreement, the agencies will begin a review of these agreements, and either reaffirm, update or delete them as appropriate. DEQ and EPA will begin updating the *Corrective Action Communication Strategy* dated October 2000. The two agencies recently updated the *DEQ/EPA Memorandum of Agreement* dated November 30, 2017, in anticipation of the proposed update to the authorized state program regulations.

The agencies will continue to hold quarterly meetings to share progress, plan work efforts, and resolve issues. Disputes will be elevated through the lines of communication described in the EPA/DEQ Hazardous Waste Program *Issue Resolution Process*.

By June 30, 2021, DEQ and EPA will check on progress and negotiate any shifts in resources to reflect priority activities for the following year. The agencies agree to modify the work plan based on shifts in priority work or the addition of new work such as EPA's enforcement priorities, and to accommodate changes to the Hazardous Waste Program budget that may occur. At the end of the agreement, each agency will provide a report summarizing key accomplishments during the duration of the agreement.

The agreement incorporates by reference the following specific agreements:

RCRA Data Management Agreement – 12/15/2011 with 2017 Addendum for “ACES” database change

DEQ/EPA Memorandum of Agreement – 11/30/2017

Corrective Action Communication Strategy – 10/2000

Issue Resolution Process – 5/5/2011

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

HAZARDOUS WASTE PROGRAM WORK PLAN

EPA Strategic Plan Goal 1: Cleaner, Healthier Environment, and Goal 2: More Effective Partnerships & Goal 3: Greater Certainty, Compliance, and Effectiveness

Total DEQ FTE for this component: 5.5. Resources budgeted biennially: \$1,775,243 (includes EPA \$1,331,432 (\$674,145) plus State \$443,811)
Please refer to attached PPG budget narrative for additional detail about FTE and resources.

Note: The PPA is based on the state fiscal year timeframe from July 1-June 30.
However, the program measures are based on the federal fiscal year of October 1-September 30.

DEQ HW Priority 1, Goal 2: More Effective Partnership & EPA Objective 1.4: Ensure Safety of Chemicals in the Marketplace

DEQ HW Activities	EPA Activities	Timeframe	Program Measures
RCRA Grant (STAG Funding).	Financial assistance to help implement environmental programs	Continuous	Direct EPA grant funds to priority environmental problems or program needs.
Implement the DEQ Toxics Reduction Strategy.	Coordinate pollution prevention efforts on toxics reduction	Continuous	Integrate Strategy into program project priorities, and consider the Strategy when planning new projects.

DEQ HW Priority 2, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objective 3.1: Compliance with the Law

DEQ HW Activities	EPA Activities	Timeframe	Program Measures
Conduct large quantity generator inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	Conduct LQG inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions. Coordinate specific sites and dates with DEQ.	Continuous	DEQ will inspect 20 percent of the LQG universe, based on 2019 BRS data in each year of the PPA. Both agencies will coordinate what inspections EPA will conduct by September 30 of each year. Report compliance data to EPA by October 14 (translating 1 week ahead) of each year and complete RCRAInfo data verification process.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority 2, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objective 3.1: Compliance with the Law			
DEQ HW Activities	EPA Activities	Timeframe	Program Measures
Conduct treatment, storage and disposal facility inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	May conduct TSDF inspections per OECA National Program Manager Guidance (http://www2.epa.gov/planandbudget/national-program-manager-guidances). Other inspections to address priority areas and take necessary enforcement actions will be coordinated with DEQ.	Continuous	Inspect 50% of operating TSDF annually. Inspect federal facilities annually. Coordinate which inspections EPA will conduct by September 30 of each year, consistent with annual commitment. May complete financial record reviews in conjunction with non-federal facility CEIs. Report to EPA by October 14 of each year and complete RCRAInfo data verification process.
Inspect small quantity generators.	Inspect SQGs to address priority areas and issues and take necessary enforcement actions. Coordinate specific sites and dates with DEQ.	Continuous	Measure total SQGs inspected and percentage inspected using 2017 SQG universe. Coordinate which inspections EPA will conduct by September 30 of each year.
Inspect very small quantity generators.	Inspect VSQGs to address priority areas and issues, and take necessary enforcement actions. Coordinate specific sites and dates with DEQ.	Continuous	Inspect VSQGs, including those that may be non-notifiers. Coordinate which inspections EPA will conduct by September 30 of each year.
Inspect non-notifiers.	Inspect non-notifiers to address priority areas and issues, and take necessary enforcement actions. Coordinate specific sites and dates with DEQ.	Continuous	Inspect non-notifiers when identified. Coordinate which inspections EPA will conduct by September 30 of each year.
Inspect high priority complaints. Complaint response may include a desk investigation to clarify the issues and improve the efficiency of site visits.	Provide technical assistance as appropriate, if requested.	Continuous	Total number of hazardous waste complaints, total number of site visits due to hazardous waste complaints and percentage of site visits due to a hazardous waste complaint.
Ensure SNC designations are made appropriately and data is updated according to the SNC policy.	Discuss SNC designations.	Quarterly	Track and review total number of active and inactive SNCs, including those with a repeat SNC designation.
Complete data verification and agreed upon improvements for the State Review Framework 4 process.	Oregon Round 4 SRF reviews resulted in specific agreed upon improvements of the state RCRA enforcement program, following Round 4 Headquarters guidance issued in December 2019	Implement agreed on improvements before Oregon Round 5 SRF reviews begin.	OECA NPM measure SRF 01. Oregon will continue to monitor and implement agreed upon improvements from previous SRFs.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority 2, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objective 3.1: Compliance with the Law			
DEQ HW Activities	EPA Activities	Timeframe	Program Measures
	and available on the ECHO SRF page (www.echo.epa.gov , login required).		

DEQ HW Priority 2, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objective 3.4: Streamline and Modernize Permitting			
DEQ HW Activities	EPA Activities	Timeframe	Program Measures
Evaluate all financial assurance submittals made to DEQ each year.	Follow-up to non-compliance in consultation with DEQ, note financial assurance is included with TSD inspections in Goal 1.	Annually when facilities submit assurances.	Compliance determinations and appropriate enforcement.
Lockheed Martin – Issue permit modifications and develop a renewal permit.	Review permit revisions and submit comments on the draft permit and five year CERCLA review following the detailed RCRA/CERCLA plan.	Sept 30, 2020 <i>(FY20 Permit Renewal GPRA commitment. Per EPA, a target, as may not meet timeline)</i>	Prevent releases at hazardous waste management facilities with updated controls.
Tektronix – Clean up complete (900) and develop and issue a permit modification.	If interested, timely review of draft Class 2 or 3 permit modification.	TBD	Prevent releases at hazardous waste management facilities with updated controls.
Permapost –Develop and issue permit renewal.	Provide technical assistance, if requested.	Sept 30, 2020 <i>(FY20 Permit Renewal GPRA commitment)</i>	Prevent releases at hazardous waste management facilities with updated permit controls.
Umatilla Chemical Storage Depot Determine if facility can be certified as clean closed and corrective action is complete with controls. Evaluate effectiveness and sustainability of institutional controls and modify as necessary to ensure protectiveness and enforceability. If satisfactory, then modify permit to remove hazardous waste management units (HWMUs) and solid waste management units (SWMUs).	Timely review and comment on permit modifications including effectiveness and enforceability of controls.	June 2020 for closing permitted units and removal from the permit. TBD Corrective Action Closure under CERCLA	Prevent releases at hazardous waste management facilities with updated controls.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority 2, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objective 3.4: Streamline and Modernize Permitting			
DEQ HW Activities	EPA Activities	Timeframe	Program Measures
Chemical Waste Management of the Northwest – Develop and issue a permit modification and continue work on renewal of permit.	Timely review and comments on permit modifications. Discuss key changes in permit conditions with DEQ. Timely review of draft permit conditions.	Modification: Jul 2020 Permit renewal Dec 2021 <i>(Per EPA, a target, but not held to this.)</i>	Prevent releases at hazardous waste management facilities with updated permit controls.

DEQ HW Priority 2, Goal 1: Cleaner, Healthier Environment & EPA Objective 1.3: Revitalize Land and Prevent Contamination			
DEQ HW Activities	EPA Activities	Timeframe	Program Measures
Univar Portland (VWR) – Technical coordination as needed.	EPA-lead to oversee facility construction of the modified remedy.	TBD due to EPA staffing workload	Increase the number of RCRA facilities where the site is ready for anticipated use CA800.
Evraz – Evaluate cleanup complete criteria.	Provide technical assistance, if requested.	TBD	New GPRA Measure: Number of RCRA facilities with corrective action performance standards attained and the site is ready for anticipated use. RCRAInfo: CA800, CA900, CA999.
Boeing – Evaluate cleanup complete criteria and ready for anticipated use.	Provide technical assistance for Ready for Anticipated Use, if requested.	TBD	New GPRA Measure: Number of RCRA facilities with corrective action performance standards attained and the site is ready for anticipated use. RCRAInfo: CA800, CA900 and CA999.
Identify Oregon’s 2020 GPRA Baseline sites that achieved CA725YE HHEI and CA550 RCC (20 of 22) & eligible/appropriate for CA800YE RAU measure.	Review and approve.	September 30, 2020	Coordinate with EPA to review eligible corrective action sites for appropriate RAU determination.

DEQ HW Priority 3, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objectives 3.2 Create Consistency and Certainty, 3.5 Improve Efficiency and Effectiveness			
DEQ HW Activities	EPA Activities	Target Date	Program Measures
RCRAInfo data analysis and update.	Provide data analysis technical assistance, if requested.	Continuous	Prevent releases at hazardous waste management facilities with updated controls.
Use the National Environmental Information Exchange Network (EN) to translate data to RCRAInfo.	Ensure EN technical assistance is available to execute this project.	Continuous	Secure Internet- and standards-based way to support electronic data reporting, sharing, and integrating regulatory environmental data.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

Translate ACES data into RCRAInfo and enter directly any core data not available in ACES.	Provide technical assistance, if requested, as the agency transitions to a new database late 2020.	Monthly	All EPA measures are pulled from RCRAInfo.
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DEQ HW Priority 3, Goal 3: Greater Certainty, Compliance, and Effectiveness & EPA Objectives 3.2: Create Consistency and Certainty, 3.5 Improve Efficiency and Effectiveness

DEQ HW Activities	EPA Activities	Target Date	Program Measures
Review 2 joint agreements on agency communication and coordination.	Continue to review and collaborate with DEQ on joint agency communication and coordination agreements.	TBD: Corrective Action Communication Strategy and Performance Partnership Agreement June 2020	All agreements reaffirmed, updated or deleted, with the exception of the MOA which can be modified, but never deleted.
Expedited Enforcement Offers (EEOs) Program.	Cross-reference to the authorized program description.	Continuous	Implemented EEO program statewide.
Develop and submit the two rulemakings 2015 and 2017 for one authorization revision application.	Review and approve.	Early 2020	Coordinate with EPA to review those federal rules subsequently promulgated by EPA and adopted by DEQ. Identify and update any programmatic changes to the federally-approved Program Description in preparation for submittal.
e-Manifest communication to promote regulated community understanding and registry upon implementation. Participation in EPA's regional workgroup.	Develop, implement and manage new e-manifest system, with continuous user and stakeholder engagement.	Continuous	e-Manifest communication to promote regulated community understanding and registry upon implementation. Participation in EPA's regional workgroup.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

WATER QUALITY PROGRAM

The Water Quality Program's mission is to protect and improve Oregon's water quality. Protecting and improving the quality of Oregon's rivers, streams, lakes, estuaries and groundwater keeps these waters safe for multiple beneficial uses such as drinking water, fish and aquatic wildlife habitat, recreation and irrigation. This is accomplished by developing and implementing water quality standards and clean water plans, regulating wastewater treatment systems and industrial dischargers, collecting and evaluating water quality data, providing grants and technical assistance to reduce nonpoint pollution sources, and providing below market rate loans to communities to prevent or mitigate water pollution. The availability of clean and healthy water is critical to Oregon's environment and economy.

During the 2018-2020 PPA/PPG term, DEQ's Water Quality Program made significant advances in several areas, including but not limited to the following:

Data management: DEQ has made significant progress toward upgrading and streamlining the way we accept, process and share information at DEQ. This is an important and exciting upgrade to the way we do business now, both internally and with the public. DEQ's new Environmental Data Management System, being referred to as 'Your DEQ Online', will provide an easy and intuitive online system for connecting to DEQ. Our goals for 'Your DEQ Online' are: to meet federal electronic reporting standards; to make our services more accessible to our stakeholders and the public; to save applicants time and resources on application submissions; to streamline DEQ processes and reduce the ongoing costs of collecting and maintaining data; to provide faster turnaround time for issuing licenses/certifications/permits; and, to improve transparency and management of publicly-available environmental data. As we further develop and implement these changes over the next two years, we anticipate some delays in service. In addition, these changes may impact the timeframes of some of the DEQ commitments in the 2020-22 PPA.

Assessments: DEQ has made significant progress on improving its infrastructure and processes necessary to support a comprehensive and functional assessment program that meets federal requirements, informs DEQ's water quality programs and provides essential data and information to the public. DEQ issued its draft 2018/2020 Integrated Report for public comment in September 2019 and accepted comments on the report through January 6, 2020. After completing Response to Comments the agency submitted the report to EPA in April 2020. Work on the 2022 Integrated Report assessment methodology updates have already begun.

Water Quality Standards Triennial Review: DEQ has made progress implementing the Triennial Review Workplan for 2018-2020. A mercury multiple discharge variance was developed and was adopted in January 2020. The Willamette River Cold Water Refuge study was drafted with input from an expert science panel and DEQ submitted the report to NMFS and EPA in March 2020. In addition, DEQ added a rulemaking to designate Waldo Lake and Crater Lake as Outstanding Resource Waters to our workplan in response to a citizen petition. DEQ also provided input to EPA on the federal promulgation of aluminum criteria for Oregon. The work on the aquatic life use update and DO clarification rulemaking projects have been started and the workplan for this project is in development. These priorities include work necessary to support the timely issuance of permits, addressing outstanding commitments with EPA and the federal fisheries services, incorporating new data and information on fish uses into its water quality standards and initiating efforts to evaluate approaches to implementing narrative provisions.

Permitting: Based on the 2016 program audit conducted by an outside consultant, DEQ is implementing many of the recommendations including organizational changes such as having dedicated permit writers. Further, the program has implemented and is refining an internal QA process and updated the individual

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

permit template. The one year and five year permit development list has been developed. The Oregon legislature has approved additional funding for staff and other resources for this effort. However, much work remains. DEQ will continue to engage EPA and external partners and stakeholders during the 2020-2022 PPA/PPG term to enlist their assistance in implementing the report's recommendations, including resolving key policy issues and identifying appropriate mechanisms for meeting technical and financial assistance needs of smaller communities. EPA will be conducting a Permit Quality Review (PQR) of the NPDES program in 2020. The NPDES PQR is an evaluation of a select set of NPDES permits to determine whether permits are developed in a manner consistent with applicable requirements established in the CWA and NPDES regulations. Through this review mechanism, EPA promotes national consistency, and identifies successes in implementation of the NPDES program as well as opportunities for improvement in the development of NPDES permits.

DEQ is engaged in several areas of litigation within its TMDL and permitting programs and anticipates resolution early in the 2020-2022 PPA/PPG term. The outcomes of these legal proceedings may have a significant effect on DEQ's commitments for TMDL, permitting, and related programs and may also affect EPA's commitments. To the degree these litigation outcomes have the potential to require DEQ and/or EPA to undertake significant amounts of new work on court-ordered timelines, DEQ and EPA may need to renegotiate PPA commitments.

Compliance and Enforcement

Compliance assurance and enforcement are key elements of DEQ's NPDES program. EPA and DEQ collaborate on compliance and enforcement activities and coordinate with permitting to maximize the limited NPDES resources especially while facing important decisions on priorities for needed program improvements.

Compliance inspections and audits are conducted according to EPA's NPDES Compliance Inspection Manual and targeted in accordance with EPA's Compliance Monitoring Strategy as specified in the PPA. DEQ also performs compliance inspections while responding to complaints warranting site visits and other permitted sources based on likelihood of important environmental outcome and other criteria. Sources with compliance schedules, mutual agreement and orders, or technical assistance needs are also prioritized.

Enforcement priorities for water are guided by National Enforcement Goals, National Compliance Initiatives, and the national Clean Water Act Action Plan, as well as DEQ and EPA regional priorities. EPA's overall national enforcement goals focus on civil and criminal enforcement for violations that threaten communities and the environment; greater compliance and protection through use of advanced monitoring and information technologies; and strong EPA/State/Tribal partnerships for working together toward shared environmental goals. DEQ's enforcement actions follow Division 12 of Oregon Administrative Rules and DEQ's guidance directives to focus on the most important violations and violators and to ensure statewide consistency.

During this biennial agreement period, DEQ and EPA intend to coordinate closely on compliance and enforcement priorities, needs, and issues. Striking a balance between permit issuance and compliance assurance commitments is necessary to set realistic program expectations and effectively use NPDES resources. With the top priority of permit issuance to reduce the backlog of administratively-extended permits, DEQ will set compliance assurance priorities in light of limited NPDES resources. In addition, EPA and DEQ will work together to develop a plan to implement Phase 2 with the pending December 2020 deadline and further implement Phase 1 of the NPDES Electronic Reporting Rule (eRule). EPA and DEQ will collaborate on implementing the program corrections in the April 2020 State Review Framework report while implementing eRule. Increased coordination will include quarterly check-in calls and an annual planning session. The annual planning session will integrate across both permitting and compliance/enforcement aspects of the NPDES program and will include discussion of priorities, performance expectations, updates on issues and activities, inspection and enforcement targets, and opportunities for integrating work between EPA and DEQ.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

EPA initiated a National Compliance Initiative in 2018 with States to Improve Compliance Rates for NPDES permitted facilities nationwide. EPA continues to coordinate closely with DEQ to design and implement this initiative to reduce levels of Significant Non-Compliance (SNC) in Oregon. EPA and DEQ meet at least once quarterly to discuss facilities in SNC.

Evaluation Process

To insure that EPA and DEQ maintain open communications during this PPA, the two agencies agree to check-in every six months and have meetings as needed. In addition, grant update reports will be submitted every twelve months and will be used to determine if a check-in meeting or teleconference should be scheduled. At a minimum the update should include the following information:

- A discussion of accomplishments as measured against the work plan commitments.
- A discussion of the cumulative effectiveness of the work performed.
- A discussion of existing and potential problem areas.
- Suggestions for improvement including schedules if possible.

If the joint evaluation process reveals that sufficient progress under the work plan is not being made EPA and DEQ agree to negotiate a resolution that addresses the issue.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

WATER QUALITY PROGRAM WORK PLAN

This workplan includes a description of key water quality program elements and associated environmental outcomes. The following tables number DEQ's and EPA's commitments, with outputs and timeframes. The table indicates whether the outputs are supported by the PPG, and whether there is an associated [Program Activity Measure \(PAM\)](#). PAMs address activities to be implemented by EPA Headquarters, EPA Regional Offices, or by States/Tribes that administer national programs. They are the basis for monitoring progress in implementing programs to accomplish the environmental improvements described in the EPA's fiscal year 2018-2022 Strategic Plan.

The EPA National Water Program Guidance also provides overarching national goals, priorities, and performance measures aimed at making significant progress toward protecting human health and improving water quality. This national program guidance is augmented by the National Program Manager Guidance for enforcement activities in all media. Both documents are relevant for the implementation of CWA programs delegated to the State of Oregon and are available at www2.epa.gov/planandbudget.

Over the next 3 years, EPA will work with states, tribes, territories, and local communities to better safeguard human health; maintain, restore, and improve water quality; and make US water systems sustainable and secure, supporting new technology and innovation wherever possible. EPA Region 10 strives to integrate state and regional priorities with EPA's national strategic planning objectives.

Element 1: Water Quality Standards and Assessments

DEQ contact: Connie Dou

EPA contact: Hanh Shaw

Establishing water quality standards for waters in Oregon is at the core of DEQ's water quality activities. Standards include beneficial uses of water, such as drinking, aquatic life, recreation, etc., and the water quality criteria designed to protect those uses. The Water Quality Program then acts to protect and restore water quality by implementing those standards, including evaluating whether Oregon's water quality standards are being met through the development of the biennial Integrated Report, which includes the section 303(d) list of impaired waters and the section 305(b) report describing the status of Oregon's surface water quality. The staff who work on these program areas perform the following activities:

- Conduct triennial standards reviews to establish and update scientifically-based water quality standards and related policies.
- Develop and maintain procedures and guidance to regional and headquarters staff on the application of water quality standards in various water programs.
- Identify waterbodies not meeting water quality standards and develop Integrated Reports.

Staffing levels in the Standards and Assessments subprogram have increased since the previous Performance Partnership Grant cycle. The agency received 2 additional positions in the 2019 Legislative session that were filled in early 2020, bringing the total FTE within the water quality standards program to 4.8 FTE.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Environmental Outcome: Adoption and implementation of appropriate water quality standards will contribute to protection of the beneficial uses of Oregon's waterbodies and water quality improvements as measured by water quality monitoring and other environmental data. In addition, standards work will assist DEQ's efforts to improve the timeliness of our NPDES permit renewals and the completion of approvable TMDLs.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.1	<p>Track, provide input, and comment on EPA's aluminum criteria promulgation for Oregon.</p> <p>Participate in ESA consultation as appropriate.</p> <p>Develop implementation procedures document for the federal aluminum criteria.</p>	<p>Provide DEQ the opportunity for input on the proposed Oregon criteria promulgation.</p> <p>Keep DEQ informed on the ESA consultation process.</p> <p>Work with Oregon on implementation procedures.</p>	<p>Final Oregon aluminum rule.</p> <p>Implementation Procedure Document.</p>	Ongoing through 2020	Partial	
1.2	Conduct water quality standards efforts for temperature, including variance(s) and rulemaking that will consider natural thermal regimes and variability for temperature.	Collaborate on efforts to address the absence of the natural conditions provision.	Project planning and rule development according to project plan. Variance(s) adopted through order or EQC rulemaking, as appropriate.	Ongoing through June 2022	Partial	
1.3	Conduct rulemaking to designate Waldo and Crater Lakes as Outstanding Resource Waters and adopt policies to protect their water quality.	Timely approval.	Rule amendments proposed to the EQC for adoption and submitted to EPA.	November 2020	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.4	Conduct a rulemaking to update Oregon’s aquatic life use designations based on updated data, including clarifying application of resident trout spawning-related standards. In response to the 2015 USFWS Biological Opinion, DEQ will revise bull trout use designations.	Early input and review as rules being drafted.	Revised standards recommended to EQC for adoption and submitted to EPA.	June 2022	Partial	
1.5	Amend Oregon’s rules to clarify the definitions for cool and cold water species related to the dissolved oxygen standard.	Early input and review as rules are drafted.	Revised standards recommended to EQC for adoption and submitted to EPA.	June 2022	Partial	
1.6	Evaluate whether to initiate rulemaking to adopt new aquatic life 304(a) criteria.	Technical assistance and early input as requested.	Determination to initiate rulemaking or prioritize other work.	June 2021	Partial	
1.7	Conduct a triennial review to identify and prioritize the water quality standards projects to be initiated or completed in 2021 through 2024.	Provide input on identified work needs and priorities.	Triennial Review Workplan for 2021 through 2024.	June 2021	Partial	
1.8	Revise and update assessment methodologies for submittal of 2022 Integrated Report	Input from EPA regarding applicable federal requirements and priorities.	2022 Assessment Methodology	Spring 2021	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.9	Hold data call for 2022 Integrated Report	Input regarding relevant sources of data	Compilation of data for 2022 IR	Winter 2020/2021	Partial	
1.10	Completion of DEQ's 2022 Integrated Report and submittal to EPA	Timely input and action on 2022 Integrated Report	Final approved 2022 Integrated Report	April 2022	Partial	
1.11	DEQ's 2022 Integrated Report and 303(d) list will be submitted into EPA's ATTAINS data system.	EPA will continue to communicate information about ATTAINS and the Water Quality Framework and will provide technical assistance as DEQ prepares to load data into ATTAINS.	2022 Integrated Report and associated reporting data.	Ongoing DEQ work with EPA ATTAINS and Water Quality Framework design team. Final submittal by April 2022	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 2 : TMDLS - Total Maximum Daily Loads and Water Quality Management Plans

DEQ contact: Gene Foster

EPA contact: David Croxton

The federal Clean Water Act requires that water pollutant budgets, called TMDLs, be developed for waterbodies listed as Category 5 in the Integrated Report. TMDLs describe the maximum amount of pollutants from municipal, industrial, commercial and surface runoff sources, including natural background, which can enter the river or stream without violating water quality standards, and (by extension) what reductions need to occur from current levels of pollution in order for water quality standards to be met. These allocations are required for waterbodies that have been identified as exceeding one or more water quality standards at some time, and have been included on DEQ's 303(d) list of water quality limited waterbodies (Category 5 in the Integrated Report).

DEQ develops TMDLs on a basin, subbasin, or watershed scale (generally on a 3rd field US Geological Survey Hydrologic Unit Code or smaller). These TMDLs address all sources of pollutants when determining allocations of loading for the pollutants being addressed by the TMDL. These allocations are developed through water quality analysis, statistical analysis, and mathematical modeling, as well as consideration of where load and waste load reductions are possible. Staff in the program conduct all facets of work in collecting, analyzing and presenting results. Staff will also perform public and stakeholder outreach to ensure input when decisions are being made. The combination of outreach and development provides for the transition from development of loading capacity and allocations to implementation in permits and watershed plans.

TMDL Wasteload Allocations are implemented through effluent limits in NPDES and WPCF permits for point source discharges, and Load Allocations are implemented through the Water Quality Management Plan and TMDL Implementation Plans for nonpoint sources and designated management agencies. DEQ implements TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate wasteload allocations into revised permit limits.
- Working with the U.S. Department of Agriculture (USDA Natural Resources Conservation Service (NRCS) , the Oregon Department of Agriculture (ODA), and local organizations to develop and carry out plans to implement the TMDL load allocations on agricultural lands. This work includes, but is not limited to regulatory measures under Oregon's Agricultural Water Quality Management Program.
- Working with the Oregon Department of Forestry (ODF) to develop and carry out plans to implement the TMDL load allocations on state and private forestlands. This work includes, but is not limited to, regulatory measures under the Oregon Forest Practices Act, and can also include other long range management plans.
- Assisting local governments in developing TMDL Implementation Plans for urban areas.
- Working with the U.S. Forest Service, Bureau of Land Management and other federal agencies on developing water quality restoration plans and updating Forest Plans and Rangeland Management Plans for lands under their jurisdiction.
- Working with ODA, ODF, and other Designated Management Agencies (DMA's) on TMDL implementation planning timelines, milestones for pollutant reduction targets and strategies to reduce pollutants, such as sediment, temperature, nutrients and bacteria, including developing surrogate measures that make it possible to monitor progress in achieving load allocations.
- Working with EPA on nutrient allocations when phosphorous or nitrogen are identified in a TMDL as the pollutant causing or contributing to the impairment.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Under many circumstances, TMDL Implementation Plans (IPs) 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. Agencies and municipalities with jurisdiction over sources of nonpoint source pollution and sources not covered by permit are required to submit TMDL implementation plans to DEQ for approval. These plans describe actions that will be taken to reduce their contribution to water quality problems.

EPA, with input from the states, developed a new long term vision for assessment, restoration, and protection under the Clean Water Act Section 303(d) Program that was finalized December 5, 2013. The EPA Vision document includes the components: prioritization, assessment, protection, alternatives, engagement, and integration. The states were asked to develop a plan that is consistent with EPA's 303(d) Vision by December 31, 2014, with updates to the Vision reflected in this Element of the PPG.

Environmental Outcome: Development and implementation of TMDLs will contribute to protection of the beneficial uses and meeting water quality standards in Oregon's waterbodies and water quality improvements as measured by water quality data and other environmental data and measures in TMDLs, WQMPs and TMDL implementation plans.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
2.1	Develop TMDLs and WQMPs in accordance with 303(d) list schedule. Provide IPs, and review and comment on EPA-developed temperature TMDLs.	Provide technical assistance, comments, and information on TMDLs; Review and provide decisions on TMDLs. EPA will be the technical lead for development of the Snake River - Hells Canyon temperature TMDL (In progress) EPA will develop and establish the Columbia River temperature TMDL (In progress)	DEQ Issuance of TMDLs for the: - Coquille Subbasin: bacteria; DO, pH, and temperature - MidCoast Subbasins: <ul style="list-style-type: none"> • Siletz River: DO, Temperature • Upper Yaquina: DO, nutrients, Bacteria • Yachats River: Temperature - Powder Burnt Subbasins: bacteria, DO, pH,	4Q 2020 4Q 2021 4Q 2020 4Q2020 4Q 2021 In Progress	Partial	WQ-8b

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			- Temperature TMDLs that were part of the TMDL litigation: Begin technical analysis per the project plan and charter			
2.2	Include robust Reasonable Assurance documentation in the TMDL and WQMP to implement issued TMDLs, including (where appropriate) adoption of surrogate measures.		Complete and assure implementation of implementation plans for issued TMDLs that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality.	Ongoing	Partial	
2.3	Provide framework for ensuring implementation of TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed or are being completed, including load allocations where applicable. Work with watershed councils, local governments and other DMAs to develop appropriate management practices and plans for controlling pollutants. Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas. Work with watershed councils, local governments, and other DMAs to develop implementation plans that contain appropriate management practices and milestones for meeting TMDL allocations. Work with USDA agencies to leverage Farm Bill and OWEB resources to	Pursue participation in review of grant applications for NRCS/Farm Services Agency water quality programs such as EQIP. Work with DEQ to engage the Corps of Engineers on TMDL implementation. Review and provide input to DEQ on implementation plans developed in response to issued TMDL/WQMPs	Completed TMDL, WQMP and implementation plans that guide management practices, pollutant controls to meet load allocations in TMDLs. Facilitate projects that result in improvements in water quality. Implementation plans that meet load allocations or management measures identified in the TMDL/WQMP. Implementation reporting by DMAs as required in the TMDL/WQMP and 5 year	Ongoing	Partial	WQ-10

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	implement priority best management practices in critical areas.		review of TMDL implementation by DEQ. WQ Status & Trend tool as one method for evaluating DMA implementation.			
2.4	Develop and implement TMDL/WQMP/IP as one of the approaches to address the deficiencies in the CZARA Coastal Nonpoint Control Plan additional management measures for forestry identified by EPA and NOAA (7/28/2015; 7/16/2018) and as described in the Governor's Natural Resource Office letter (2/10/2016).	Review and provide input on source assessment, allocations, reasonable assurance with timelines and milestones, management measures, and adaptive resource management as part of the TMDL, WQMP or IP	Completed TMDL, WQMP, and IP that guide management practices, pollutant controls, timelines and milestones for administrative outputs, and landscape, riparian, and water quality outcomes to achieve TMDL allocations and water quality standards.	At issuance of TMDLs	Partial	
2.5	Work with EPA on 303(d) Vision timelines for prioritization, assessment, protection, alternatives, engagement, and integration.	Review and provide input to DEQ on TMDL Program planning documents. Assist DEQ on data input for 303(d) Vision commitments.	Incorporate the components of EPA's 303(d) TMDL Vision into the TMDL Program planning documents.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

<p>Element 3: Underground Injection Control DEQ contacts: Christine Svetkovich EPA contacts: Karen Burgess and Ryan Gross The Underground Injection Control program protects drinking water sources and aquifers by providing oversight on the use of injection systems (dry wells, sumps, large onsite wastewater treatment systems, geothermal, aquifer storage and recovery (ASR), remediation injection, etc.) that discharge to the subsurface and may endanger groundwater quality. Federal regulation requires DEQ to keep an updated inventory of all injection wells and report them to the EPA annually. In Oregon, the majority of injection systems are associated with stormwater discharge, large onsite wastewater, aquifer remediation, and industrial process/wastewater. Injection systems must obtain approval from DEQ to operate under Authorization by Rule, a UIC-WPCF permit, or must be formally closed. DEQ staff review and approve applications of a variety of injection system types, provide technical assistance to private and public injection well owners, and work closely with municipalities in their development of stormwater management plans related to injection systems. As a delegated program under the Safe Drinking Water Act, injection systems are subject to EPA enforcement.</p>
<p>Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards exceedances, which will contribute to water quality improvements as measured by water quality monitoring and other environmental data.</p>

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.1	Continue administration of UIC program by providing Authorization by Rule site reviews, developing and issuing PCF permits, assigning coverage to permit applicants under the WPCF general permit, and closures.	EPA will provide enforcement and compliance assistance as requested by and in close coordination with DEQ. EPA may provide input on WPCF permit conditions related to consistency with minimum federal requirements and ongoing SPA revisions in section 3.3.	Wells inventoried and registered per year; Authorization by Rule determination process (e.g., requesting additional information, providing clarification on application issues, retrofits) will occur as needed. Issue area wide UIC- WPCF permits as appropriate.	Ongoing	Partial	SDW-8, SDW-7b
3.2	Provide technical assistance to consultants, cities, municipalities and other public and private UIC owners.	EPA will provide inspector training opportunities; provide training/outreach to municipalities and other public and private UIC owners, as requested.	Technical assistance will include meetings with municipalities and other private and public UIC owners.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.3	Develop and refine a project plan, with deliverables and timelines, to address EPA identified UIC re-delegation issues. Deliverables may include rulemaking to address EPA issues which will commence after all identified issues are worked through and the rulemaking plan is approved by DEQ's Director.	EPA will review and provide timely comments on the project plan and on proposed rule revisions, if necessary. EPA will facilitate the scheduling of meetings with EPA HQ on technical and legal issues, as necessary.	A project plan identifying tasks, timelines and deliverables.	Initial plan complete. Pending agreement with EPA. Update plan milestones for 2020-22 PPA cycle.	Partial	
3.4	Provide UIC program approval package to EPA for re-delegation from EPA to DEQ for program primacy.	EPA will review program delegation package in a timely manner.	Program approval package submitted to EPA includes and addresses the required program elements addressing program revisions for re-delegation that results in program re-delegation.	Ongoing. Pending agreement with EPA and timing to work through issues and rulemaking. The rulemaking will likely span PPA cycles once it commences.	Partial	
3.5	Prioritize inspection and compliance activities for UICs identified as high-environmental risk.	EPA will provide technical assistance to DEQ as needed.	Follow identified compliance and enforcement procedures for all inspections and conduct a minimum of 10 inspections per year.	Ongoing.	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.6	Respond to complaints associated with discharges to UIC's in Oregon		Follow identified compliance and enforcement procedures associated with complaints regarding unauthorized discharges into UICs throughout Oregon.	Ongoing	Partial	
3.7	Implementation of "Your DEQ Online," an electronic online system that will manage all aspects of DEQ's UIC program including applications, renewals, tracking, reporting, electronic payments and more.		Development and implementation of "Your DEQ Online" for all 46,000 plus UIC's registered in Oregon.	July 2021	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 4: Groundwater Program
 DEQ contact: David Anderson and Aaron Borisenko
 EPA contact: Karen Burgess and Mat Martinson

The Groundwater Quality Protection Act of 1989 provides the framework for comprehensive groundwater management and protection in Oregon. This Act and the federal Safe Drinking Water Act establish the critical elements for enhancing and protecting Oregon’s groundwater resource for its many beneficial uses. Over ninety percent of Oregon’s available freshwater is stored beneath the earth’s surface as groundwater. Approximately 70 percent of Oregon’s people depend on groundwater for their daily water needs via private, public and industrial water wells.

Oregon focuses most of its groundwater protection activities in three sensitive groundwater areas called “Groundwater Management Areas”; one is located in the Lower Umatilla Basin, one in Northern Malheur County and another in the Southern Willamette Valley. Protection efforts in these management areas involve the implementation of groundwater action plans where the water quality has been degraded, beneficial uses are seriously impaired, and public health may be at risk in part from nonpoint source groundwater pollution. Oregon also implements a statewide groundwater monitoring program in one geographic area each year, and provides technical assistance to communities and watershed councils engaged in groundwater pollution prevention efforts.

Environmental Outcome: Groundwater protection efforts will help to prevent the degradation of Oregon's groundwater resources and maintain or improve the quality of groundwater resources, as measured through the various groundwater monitoring efforts DEQ conducts around the state.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
4.1	Implement the Lower Umatilla Basin Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal, and public water supply activities that will prevent and reduce nitrate contamination in groundwater. Enhance engagement with Oregon Department of Agriculture, wastewater permit holders and the recent and ongoing public-private irrigation water development program, targeting reversal of the increasing groundwater	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Complete update to Action Plan - Provide technical support. - Research BMPs and their effectiveness.	Meet as needed; typically six meetings per year Ongoing Jan 2020 Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	nitrate concentration trend in the LUB GWMA.		<u>Education and Outreach</u> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at “outdoor schools” and farm fairs. - Maintain GWMA website. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 33 domestic and irrigation wells quarterly to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis for entire GWMA (including food processor sites) - Evaluate success of BMP awareness and implementation.	Annually Ongoing Quarterly monitoring. As needed with new data. Every four years		
4.2	Implement the Northern Malheur County Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities.	Meet as needed; typically one meeting per year	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Provide technical support. - Research BMPs and their effectiveness. <u>Education and Outreach</u> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMP. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 36 domestic and irrigation wells once annually to evaluate impacts and effectiveness of Action Plan. - Complete groundwater nitrate trend analysis. - Evaluate success of BMP awareness and implementation. 	<p style="text-align: center;">Ongoing</p> <p style="text-align: center;">Ongoing</p> <p style="text-align: center;">Annually</p> <p style="text-align: center;">Annual monitoring.</p> <p style="text-align: center;">Every four years</p>		
4.3	Implement the Southern Willamette Valley Groundwater Management Area Action Plan by focusing on agricultural, residential, commercial, industrial, municipal and public water supply activities that will prevent and reduce nitrate contamination in groundwater.	EPA will provide technical support as needed.	<u>Coordination</u> <ul style="list-style-type: none"> - Facilitate information sharing and coordinate initiatives of local stakeholders, Groundwater Management Committee, and local agencies with implementation of Action Plan activities. - Provide technical support. 	<p style="text-align: center;">Two SWV GWMA Committee meetings per year</p> <p style="text-align: center;">Ongoing</p>	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Research BMPs and their effectiveness. <u>Education and Outreach</u> Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, - Maintain GWMA website. <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 27 locations to evaluate impacts and effectiveness of Action Plan. - Evaluate success of BMP awareness and implementation. 	<p style="text-align: center;">Ongoing</p> <p style="text-align: center;">Ongoing outreach/education with local stakeholders</p> <p style="text-align: center;">Ongoing</p> <p style="text-align: center;">One - four times per year</p> <p style="text-align: center;">Seventy per biennium</p> <p style="text-align: center;">As scheduled</p>		
4.4	Each year, one geographic area will be identified for groundwater monitoring activities with complete coverage of the state over time. Groundwater monitoring locations and timing will be prioritized to complement other internal and external monitoring objectives.		<u>Monitoring and Data Collection</u> <ul style="list-style-type: none"> - Monitoring at approximately 50 wells (combination of domestic wells and monitoring wells) in a geographically targeted area of Oregon outside of the GWMA's. - Nitrates, arsenic and targeted analytes based on known or suspected risk factors. 	Ongoing	No	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
4.5	Complete federal and state groundwater reporting requirements.		<ul style="list-style-type: none"> - Biennial Report to the legislature. - Groundwater component of 305(b) report. 	<p style="text-align: center;">Ongoing</p> <p style="text-align: center;">As scheduled</p>	Partial	
4.6	Participate in EPA-sponsored annual groundwater meetings and conferences as workload and resources allow.	EPA will provide timely notice and organization of meetings.	Meetings	As scheduled	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Geoff Rabinowitz, Christine Svetkovich, Steve Mrazik

EPA contact: Susan Poulosom

Industrial and Domestic Wastewater Permitting (Geoff Rabinowitz) and Stormwater Permitting (Christine Svetkovich)

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 has had authority for NPDES permit issuance since 1974. As a delegated program, DEQ's NPDES permitting activities are subject to EPA oversight. Effective implementation of the program is required for continued delegation of the water quality program and is essential to the continued receipt of federal program funds. To effectively protect water quality, DEQ must carry out five activities:

- Issue discharge permits that adequately evaluate and limit pollutant discharges to meet water quality standards or approved variances.
- Periodically inspect facilities and review regular monitoring results.
- Update and maintain EPA's ICIS database with timely and accurate permit and permit related data (DMRs, Compliance Schedules, Inspections, etc.).
- Take prompt and appropriate enforcement actions when violations occur.

DEQ currently regulates approximately 4,500 point source discharges, including approximately 3,500 surface water discharges under federal NPDES permits and 1,000 non-surface water discharges under state WPCF permits. Achievement of permit program objectives requires targeted and effective implementation and integration of water quality standards, TMDLs, and state-led programs for non-surface water discharges. Program staff requires up-to-date tools and training to consistently develop and issue high quality permits statewide and ensure effective permit implementation. Targeted program implementation is based on source-specific and watershed-specific priorities.

Wastewater and stormwater program workload continues to expand in scope and DEQ will continue to implement stringent aquatic life and human health criteria as individual NPDES permits are issued or renewed. DEQ will more broadly use permit-specific compliance strategies such as compliance schedule, variances, and water quality trading to achieve water quality goals of individual discharges while complying with NPDES requirements.

Pretreatment Program-Geoff Rabinowitz

Pretreatment regulations establish responsibilities and standards to control pollutants from industrial users that discharge wastewater to a collection system and publically owned treatment works. Toxic pollutants and other contaminants may pass through or interfere with wastewater treatment processes or may contaminate sewage sludge. The POTW acts as the control authority for these sources and monitors the wastewater they discharge to determine whether they are in compliance with pretreatment standards. DEQ oversees each of the 25 facilities in Oregon with a formal pretreatment program and also provides assistance to smaller facilities that are not required to have a pretreatment program but take additional measures to protect the collection system and treatment works and the environment.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Biosolids Program– Geoff Rabinowitz

Biosolids are wastewater solids that have undergone sufficient treatment to make them safe for land application. These wastewater residuals are desirable fertilizers and soil conditioners. DEQ works with domestic wastewater treatment facilities to assure proper stabilization, application, management, and monitoring of solids on sites used to improve soil tilth and to grow a variety of crops. Biosolids applications are controlled by detailed site authorization letters that together with biosolids management plans, are linked directly to the Water Quality permits of wastewater treatment facilities.

Water Reuse– Geoff Rabinowitz

DEQ staff work with municipal and industrial wastewater facilities to permit the recycling of treated wastewater effluent and provide technical assistance to those facilities engaged in the practice of reuse. Water reuse is an alternative for municipalities and industrial wastewater dischargers for managing their treated wastewater. Water reuse provides these entities with options that may be more economical and/or environmentally sound than surface water discharge, and that can be an additional source of non-potable water. Most water reuse occurs through land application to crops and golf courses, and there is increasing interest to reuse treated effluent for industrial and commercial applications. DEQ works with the Oregon Health Authority and Water Resources Department on the permitting of this practice.

401 Water Quality Certification–Steve Mrazik

Section 401 of the federal Clean Water Act requires that any federal license or permit to conduct an activity that may result in a discharge to waters of the U.S. receive certification from DEQ that the activity complies with water quality requirements and standards before the activity is allowed. In order to provide a certification, DEQ reviews project applications that may result in such a discharge to ensure that the activity that would be authorized also will meet water quality requirements. The federal licensing of hydroelectric projects and dredge and fill permitting are among the programs that typically requires a 401 water quality certification from DEQ as a condition of the license or permit.

For dredge and fill projects, DEQ issues approximately 150 individual WQCs per biennia that contain conditions that provide protective measures for water quality and beneficial uses. DEQ also issues programmatic WQCs that cover groups of activities with protective conditions to provide a streamlined approach to the regulatory process.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that point source discharges, dredge and fill activities and the recertification of hydroelectric projects do not result in water quality standards violations and will contribute to water quality improvements as required by TMDLs and other aspects of DEQ's work to implement the Clean Water Act.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.1	<p>Continue to issue and reissue NPDES and permits. There are approximately 588 individual permittees in Oregon, including 74 NPDES majors (incl. MS4 stormwater), 259 NPDES minors, and 242 WPCF.</p> <p>DEQ will continue to improve the NPDES permit issuance rate during this agreement period in order to reduce the backlog of expired permits and move towards EPA’s national target for NPDES programs of no more than 10% of permits that are administratively extended.</p>	<p>EPA will review DEQ NPDES permits which contain compliance schedules. EPA review of these permits will occur prior to public notice.</p> <p>EPA may also review permits during the public notice process and proposed final permits consistent with the Memorandum of Agreement. EPA’s goal is to screen all Oregon permits and determine whether a review of the permit and fact sheet is warranted. The decision to conduct a review is based on permit conditions including major/minor designation and whether significant or unique permit conditions are addressed by the permit. EPA will continue to coordinate with DEQ on permit review selection and frequency.</p> <p>EPA’s oversight coordinator for permit oversight is Bilin Basu.</p>	<p>Develop and issue a permit issuance plan by October 1 of each year that identifies specific NPDES permits intended to be reissued during the upcoming year.</p> <p>Transmit the issuance plan to EPA annually.</p> <p>Develop a plan to improve permit issuance rate and reduce backlog of administratively extended NPDES permits. Expected backlog will be below 60% by October 1, 2022</p>	<p>October 2020</p> <p>Ongoing</p>	<p>Partial</p>	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.2	Continue to improve permit and fact sheet quality through consistent use of templates as well as providing permit-specific technical analysis and justification for permit conditions, including identification of pollutants of concerns, correct RPA, and effluent limits.	Provide technical assistance, review and comment on permit language and justification in permit administrative records.	Update permit templates, as necessary. Standardized procedures for permit quality review.	Ongoing		
5.3	DEQ will continue to improve the consistency of permits, fact sheets, permit records through improved data acquisition and analyses	Provide technical assistance, review, and comment on draft policies, guidance, and procedures. Assist with training and guidance of NPDES permit writers on federal regulations. Participate in at least one permit writers training hosted by DEQ.	Clear progress on development of key program improvement efforts including: clarity on permit development process, updates to policies and procedures, development of a statewide permit manual.	Ongoing On or before June 30, 2022		
5.4	Develop procedures, where needed, to ensure implementation of new/revised water quality standards.	Technical Assistance; EPA timely review and comment on draft policies and guidance.	Implementation plans for new or revised water quality standards.	Ongoing		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.5	<p>Develop state-wide permit policies, guidance and tools to make the permits program more consistent, effective and efficient. This includes identifying and developing experts on various permit subjects such as mixing zones and reasonable potential analysis to improve permit quality and consistency.</p> <p>Continue to respond to recommendations resulting from the 2016 third party review of the NPDES permit program.</p>	<p>Technical Assistance; EPA timely review and comment on draft policies and guidance; and other program support as needed.</p>	<p>Revise permit templates and guidance as necessary to reflect program developments. Continue to develop and implement training curriculum.</p> <p>Conduct permit writer’s workshops.</p> <p>Develop fee rulemakings.</p>	<p>Ongoing</p> <p>As scheduled</p> <p>Ongoing</p> <p>At least annually and as needed.</p>	<p>Partial</p>	
	<p>Participate in Permit Quality Review</p>	<p>Conduct a Permit Quality Review (PQR) of Oregon NPDES Program.</p>	<p>- PQR Report</p>	<p>July 2020</p>		
5.6	<p>Implement State stormwater program, including construction, industrial, and municipal stormwater</p>	<p>EPA will support use of EPA Contractor, PG Environmental, to assist with stormwater permit development.</p>	<ul style="list-style-type: none"> - Renew at least one Phase I permit. - Implement general permit for phase two MS4 communities. - Renew the 1200-C construction stormwater general permit - Renew the 1200-Z industrial stormwater general permit - Renew the 1200-A industrial stormwater permits. 	<p>June 2021</p> <p>Ongoing</p> <p>December 2020</p> <p>March 2021</p> <p>June 2022</p>	<p>Partial</p>	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Renew the 1200-CA permit for public entities that conduct construction activities. - Work with local government agencies to assist DEQ in program implementation. 	<p>June 2021</p> <p>Ongoing</p>		
5.7	DEQ will implement a program for water reuse activities.	EPA will provide TA; timely program support as needed.	Issue water reuse permits consistent with state requirements.	Ongoing	Partial	
5.8	DEQ will implement a program for biosolids/sewage sludge reuse activities.	EPA will provide TA; timely program support as needed.	Issue biosolids/sewage sludge reuse permits consistent with state requirements.	Ongoing	Partial	
5.9	Implement the Pretreatment Program.	EPA will provide TA; timely program support as needed.	<ul style="list-style-type: none"> - Oversee development of new programs as necessary - Provide technical assistance and categorical determinations - Complete 3 audits of pretreatment programs - Complete 2 inspections of significant industrial users with each audit 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 6: Compliance Assurance and Enforcement and Data Management

DEQ contact: Lynn Barlow

EPA contact: Jeff Kenknight/Michele Jencius

Compliance assurance and enforcement are key elements of the NPDES permitting program. DEQ and EPA will collaborate to implement Clean Water Act Action Plan implementation policies in Oregon. DEQ will continue to improve permit compliance reporting and public accountability through improvements in electronic reporting system and automated compliance evaluations. DEQ and EPA will coordinate NPDES permitting, compliance and enforcement activities to efficiently achieve program priorities and desired outcomes.

Compliance is assured primarily by targeted facility inspections and monthly Discharge Monitoring Report (DMR) reviews in between inspections. Until DEQ develops its own compliance inspection procedures for NPDES permits, DEQ will continue to follow the current EPA NPDES Compliance Inspection Manual see <https://www.epa.gov/compliance/compliance-inspection-manual-national-pollutant-discharge-elimination-system>). DEQ also responds to complaints and performs technical assistance when warranted. EPA's Compliance Monitoring Strategy (CMS) policy specifies the minimum inspection targets and occurrence frequency. CMS policy requires annual inspection planning and end-of-year inspection performance reporting via EPA's CMS form.

Enforcement is a deterrent to noncompliance and the means for correcting violations. DEQ issues enforcement responses of varying severity in accordance with the Enforcement Guidance for Field Staff. This guidance document is an internal management directive (IMD) that helps DEQ achieve a consistent and fair statewide enforcement program. The Enforcement Guidance for Field Staff may be found at <https://www.oregon.gov/deq/Filtered%20Library/enforcementpol.pdf>.

DEQ's enforcement response varies, according to the Enforcement Guidance for Field Staff, depending on the classification of the violation and the permittee's past enforcement history. According to the guidance, for select stormwater violations, DEQ may issue an Expedited Enforcement Offer (EEO). The EEO offers to settle the violations for a reduced penalty. However, the EEO is not appealable or negotiable. If the Respondent does not accept the EEO, DEQ will initiate formal enforcement using its normal process. Finally, according to Appendix A of the Enforcement Guidance for Field Staff, (IMD on Water Quality Mutual Agreement and Orders), DEQ may offer to resolve ongoing and anticipated future violations that will require a long term commitment to achieve compliance through an upfront Mutual Agreement and Final Order (MAO). MAOs may also include civil penalties, stipulated penalties, interim limits, and a final date certain termination date. An annual enforcement report with issued and closed formal enforcement action cases is prepared to assess enforcement performance.

DEQ will work with EPA to implement EPA's new National Compliance Initiatives including the Significant Non-Compliance rate reduction goal. In federal fiscal year 2019, EPA introduced the new [National Compliance Initiative](#) (NCI) including the priority of keeping industrial pollutants out of the nation's waters by the Significant Non-Compliance (SNC) NCI.

EPA evaluates the NPDES program by the State Review Framework (SRF) process with the annual SRF data verification metrics from the Integrated Compliance Information System for NPDES permits (ICIS-NPDES) and a review of state databases and files every four years. DEQ will collaborate with EPA on making recommended improvements to the NPDES program based on the findings and recommendations of the SRF report on federal fiscal year 2018 data.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

EPA’s Electronic Reporting Rule (eRule) became effective in October 2015 for regulatory authorities and permitted facilities to share a required minimum set of NPDES data electronically with ICIS-NPDES. DEQ is working with EPA to implement eRule that began in December 2016.

DEQ’s planned implementation of a CROMERR-compliant Environmental Data Management System (EDMS) proposes to require permittees to submit all required NPDES data to DEQ, and DEQ will share the minimum set of NPDES data for eRule with EPA by electronic transfers from EDMS to ICIS-NPDES. DEQ may implement EDMS for NPDES reporting, including phase 2 eRule, prior to December 2020 (otherwise DEQ will seek a waiver to implement phase 2 eRule by December 2023). Until EDMS is implemented and tested, DEQ will continue to use existing systems.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.1	DEQ will conduct compliance assistance and compliance assurance activities as appropriate (see additional detail below).	TA and support as needed.	<ul style="list-style-type: none"> - TA provided to permittees. - DMRs from individual permittees reviewed. 	Ongoing	Partial	
6.2	<p>DEQ will respond to significant public complaints.</p> <p>Note: DEQ often performs a compliance inspection for complaints warranting a site visit.</p>	TA and support as needed.	<ul style="list-style-type: none"> - Prompt response to complaints that involve potential significant threats to public health and the environment. - Investigate spills. - Enforcement actions as warranted. 	Ongoing	Partial	
6.3	<p>DEQ will continue its inspection program of major and minor facilities. DEQ will implement the Clean Water Act Compliance Monitoring Strategy (CMS) to ensure adequate inspection coverage, as resources allow.</p> <p>Notes: (1) Until DEQ agents are integrated into reporting through EDMS, DEQ will not consider DEQ agent administered permits for CMS targeting (i.e., construction and</p>	<p>As resources allow, Region may schedule joint and/or oversight inspections with DEQ.</p> <p>EPA may plan to do five Phase II MS4s and a number of industrial stormwater inspections in Oregon.</p>	<ul style="list-style-type: none"> - DEQ will conduct inspections at major facilities every other year. Major facilities that qualify for offsite desk audits via Alternate CMS plan will also require on-site comprehensive inspections per CMS once each five year permit cycle. 	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	<p>industrial stormwater general permits, individual and general CAFO permits, etc.).</p> <p>(2) On the CMS report form, EPA’s CMS national goal specifies “Traditional non-major” that are minor individual permits. DEQ does not plan inspections at industrial general permits other than stormwater, CAFO (agent only), Pesticide, and Vessel (no DEQ permit) general permits as given on the CMS form.</p> <p>(3) EPA’s CMS national goal is “inspect as needed,” so DEQ will at least respond to credible complaints against any of the registrants with NPDES 2300A general permit for pesticides.</p> <p>(4) DEQ may perform sanitary sewer inspections as part of a POTW/sewage treatment plant inspection. Per CMS national goal, DEQ does not target at least 5% of the sanitary sewer system universe annually or more frequently to evaluate recurring Sanitary Sewer Overflows (or Combined Sewer Overflows).</p>		<ul style="list-style-type: none"> - DEQ will conduct inspections at non-major facilities once every five years. - DEQ will target additional NPDES compliance efforts in targeted watersheds and environmental outcomes or NPDES compliance history. <p>Stormwater:</p> <ul style="list-style-type: none"> - Inspect at least 10% of industrial stormwater facilities per year. - Inspect at least 10% of construction sites 5 acres or larger per year - Inspect at least 5% of construction sites less than 5 acres per year. - Conduct compliance activities (review all annual reports and conduct at minimum five inspections per year) for Phase I permittees and Phase II MS4 permit registrants. 			

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			Pretreatment: - DEQ will audit three approved active pretreatment programs each year. - During each audit an oversight inspection will be conducted of at least two Industrial Users to the POTW. - DEQ will conduct one Pretreatment Compliance Inspections based on annual report results per year.			
6.4	DEQ will use the NPDES Compliance Monitoring Strategy Plan and End of Year Report provided by EPA. The annual CMS plan for the upcoming federal fiscal year must be submitted to EPA annually by the target date of each year. The CMS End of Year report of the former federal fiscal year must be submitted annually by the target date of each year.	Provide draft NPDES Annual CMS Plan and End of Year Report template.	Alternate CMS plan Annual CMS plan Annual CMS EOY report	Annually by August 15 Annually by September 15 Annually by December 15		
6.5	DEQ will pursue timely and appropriate enforcement actions as warranted.	TA and program support as needed.	Formal enforcement actions taken pursuant to state law and rule.	Ongoing	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.6	DEQ will upon request all final formal enforcement actions issued and/or closed in the previous federal fiscal year for all NPDES major and minor facilities		This annual report shall be submitted to EPA by the target date of each year following the federal fiscal year. The report shall be formatted to include Case Name, EPA Class, NPDES Permit Number, Case Number, Action Type, Issued Date, Penalty Assessed, Final Penalty Paid, Compliance Complete Date, and Case Closed Date.	Upon Request	Partial	
6.7	DEQ will work with EPA to update EPA/DEQ agreements, as needed.	EPA will work with DEQ to update EPA/DEQ agreements, as needed.	EPA/DEQ agreements related to NPDES will be reviewed to determine if revisions are needed. Agreements include the 2010 NPDES MOA. EPA will coordinate internally amongst permitting and compliance groups. DEQ will coordinate internally across DEQ regions, as appropriate. Updated agreements, as needed	Annually by October 31 of each year	Partial	
6.8	DEQ will participate in quarterly planning/coordination calls with EPA-SWES.	EPA-Surface Water Enforcement Section will participate in quarterly planning/ coordination calls with DEQ.	Coordination of inspection and enforcement work and improved work-sharing, as needed	Timelines per SRF report	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.9	DEQ will meet annually with EPA-NPDES Permitting and Enforcement Sections to discuss priorities, performance expectations, updates on issues and activities, inspection and enforcement targets, and opportunities for integrating work between EPA and DEQ.	EPA will meet annually with DEQ to discuss priorities, performance expectations, updates on issues and activities, inspection and enforcement targets, and opportunities for integrating work between DEQ and EPA.	Annual integrated work planning session.	Annually by October 31 of each year	Partial	
6.10	Per EPA-OECA protocol, DEQ will complete the annual review and data verification of DEQ-generated compliance and enforcement data in ECHO from ICIS-NPDES data. DEQ will supplement with state data any gaps in ECHO results of ICIS-NPDES data used for the annual SRF Data Metric Analysis.	EPA will use ECHO data for an annual SRF Data Metric Analysis. EPA will consider state data that supplements gaps in the ECHO data.	Verified Data and assessment of SRF metrics based on verified data.	February of each year for verified data.	Partial	
6.11	DEQ will work with EPA to implement the EPA National Compliance Initiatives, including the Significant Non-Compliance rate reduction goal.	EPA collaborates with states on routine national webinars, teleconferences, and symposiums to implement this policy to develop measures to reduce SNC. EPA plans to provide training and tools to reduce SNC to or below the 12% nationwide goal by 2022. Region10 to conduct quarterly calls with DEQ on SNC reduction in Oregon.	Work with EPA to implement this policy with measures as developed.	NCI SNCE rate reduction goal implementation October 2018 through December 2022.	Partial???	
6.12	DEQ will implement the NPDES eReporting rule depending on the declared Initial Recipient status.	EPA will provide assistance to DEQ and Oregon permittees for implementation of eRule.	DEQ will continue to have individual permittees use EPA's NetDMR, but DEQ's general permit registrants will submit DMRs to EDMS	DEQ will implement the eRule in collaboration with EPA on		

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			for Group 3 data in Phase 1 and applicable data groups in Phase 2. DEQ will collaborate with EPA and its agents to implement sharing of Group 1 data for Phase 1 and reports for Groups 2 through 10 using EDMS.	an agreed schedule.		
6.13	DEQ will continue to execute sustainable processes to maintain accurate data transfers from State data systems to ICIS.	EPA R10 will support and assist with acquiring funding from EPA HQ.	Continued complete and timely data transfers to ICIS through batch upload routines and EPA's ICIS interface screens.	As scheduled by EPA	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 7: WQ Monitoring, Data Analysis and Management

DEQ contact: Aaron Borisenko

EPA contact: Dave Croxton, Hanh Shaw, Chris Zell (monitoring) and Ashley Zanolli (106 Coordinator)

Water quality data management is an integral element for the operation of the Water Quality Program. There are a variety of data management systems used by various subprograms in the Water Quality Program including the NPDES, TMDL, NPS, and Monitoring subprograms, as well as the Laboratory Environmental Assessment Division (LEAD).

Water quality monitoring and assessment provides the foundation for effective water quality management as well as the basis for tracking violations. Water quality monitoring programs provide information on the status and trends of water quality in Oregon and identify the causes of impairment. Monitoring is conducted to determine if water quality supports beneficial uses, to understand if standards are being met and to identify new water quality problems. Waterbodies that do not meet water quality standards are placed on the 303(d) list and will have TMDLs developed for them. In order to develop TMDLs, studies must be conducted to determine the sources and loads of pollutants affecting the water body and how those vary over time and space. DEQ is engaged in several other types of monitoring studies and efforts, including the following:

- Studies to determine the relationship between water quality, habitat conditions and biological condition.
- Studies to determine threats to human and ecological health from toxic compounds.
- Studies to identify threats to groundwater.
- Technical support and assimilation of partner data.

LEAD also collects water samples and analyzes the results to support other DEQ programs that respond to inquiries from the public. In addition, the laboratory certifies environmental laboratories in cooperation with ODA and OHA under the National Laboratory Accreditation Program (NELAP). The Laboratory works with other agencies to monitor Oregon's progress under the Oregon Plan for Salmon and Watersheds and provides equipment and technical support to watershed councils for water quality monitoring.

Water quality monitoring is necessary to understand how well Oregon is protecting the uses of its water. DEQ monitors water quality by collecting water quality samples, and then performing chemical analysis and statistical analysis of the resulting data. The Water Quality Program is responsible for monitoring and assessing Oregon's 52,000 miles of rivers, 400,000 acres of lakes, 56,000 acres of tidal wetlands, 360 miles of coastal ocean and 206 square miles of estuaries, harbors and bays. DEQ augments its water quality data by using monitoring data from a wide variety of sources, including watershed councils and federal agencies. However, all data must first be reviewed to ensure proper quality control protocols were used.

Environmental Outcome: Effective management and analysis of water quality data provides a means for tracking and assessing the effectiveness of water quality protection and improvement efforts, supporting an adaptive management approach that will result in water quality improvements as measured through water quality monitoring and the other environmental data.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
7.1	Ambient Monitoring Network -DEQ will continue to monitor approximately 130 ambient water quality station 6 times annually throughout Oregon. These stations provide status and trends data for understanding water quality.	TA; consultation	<ul style="list-style-type: none"> - Continue entering data into the AWQMS repository. - The Oregon Water Quality Index (OWQI) will continue to be updated annually. Annual reports will be prepared on water quality trends and indicators. - Data will be used to support the 303(d) assessment process and 305(b) report. 	Ongoing	Partial	
7.2	Collect water quality data to support TMDL development and to interpret implementation effectiveness.	Technical assistance support	TMDLs developed on schedule and supported by adequate data. Data to interpret TMDL implementation effectiveness available where needed.	Ongoing	Partial	
7.3	Select reference sites east of the Cascade Range in Oregon and establish revised thresholds for chemical and habitat stressors and biological metrics statewide.	Technical assistance support	<ul style="list-style-type: none"> -Develop revised reference screening protocols for sites east of the Cascades. -Peer review new reference sites east of the Cascades. -Calculate in-stream metrics for habitat/chemistry at all biomonitoring stations where data exists. -Develop revised thresholds for chemical and habitat stressors and biological metrics statewide -Document and outline the process of selecting reference sites and establishing thresholds for stressors 	10/1/20	Yes	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
7.4	Reporting of biological, chemical and habitat data at reference and study locations in Western Oregon, at statewide trends sites and in the Deschutes Basin.		Report /reports summarizing findings	10/2021	Yes	
7.5	Migrate raw macroinvertebrate data to AWQMS.		Replaces outdated database with publically accessible online system (AWQMS)	10/1/22	Partial	
7.6	Migrate “habitat metrics” into AWQMS.		Publically accessible EPA habitat metrics for use in assessments.	10/1/22	Partial	
7.7	Collect and ship samples to EPA Manchester lab for Microbial Source Tracking analysis (MST) at Cannon Beach Oregon	MST analysis of 92 samples	Refined understanding of bacterial sources contributing to beach advisories along Cannon Beach.	10/1/21	In-kind	
7.8	Complete development of Water Quality Monitoring Strategy	Review strategy Support strategy implementation	Updated water quality monitoring strategy for Oregon	8/1/2020	In-kind	
7.9	DEQ will collaborate with EPA, as resources allow, on EPA monitoring projects conducted in Oregon.	EPA will keep DEQ informed about their monitoring activities in Oregon and share data as it becomes available	TBD	As scheduled by EPA	Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 8: Management of Nonpoint Sources of Pollution

DEQ contact: Gene Foster

EPA contact: David Croxton

Section 319 of the federal Clean Water Act requires states to have nonpoint source management programs based on assessments of the amounts and origins of NPS pollution in the state. The Coastal Zone Act Reauthorization Amendments require development of additional management measures for NPS within the coastal zone.

Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, urban areas, forestry operations, on-site disposal, farms and construction sites. This type of pollution is understood to be the largest source of water quality impairment in Oregon, as well as the rest of the United States. Historically, DEQ was able to provide close to \$1 million in 319 grant funds per year to local organizations for nonpoint source projects such as public education and watershed restoration. However, since 2015 DEQ's 319 grant funds have been reduced by EPA because EPA and NOAA determined that Oregon had not submitted a fully approvable Coastal Nonpoint Program under the Coastal Zone Act Reauthorization Amendments. The 2017 319 grant was reduced by \$515,600 and DEQ expects a similar level of reduction is possible in future years. DEQ's NPS program continues to fund the following activities:

- Characterization of NPS problems/concerns.
- Assessment to support and determine effectiveness of BMP's and DMA NPS programs.
- Coordination between DEQ and NPS stakeholders.
- Liaison staff to work with other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS aspects of TMDLs; and
- Public education on NPS pollution.

Other areas of work include supporting the Oregon Department of Agriculture (ODA) in the implementation of the Agriculture Water Quality Management Program, with biennial reviews of ODA's area plans and rules, and ongoing work with the Oregon Department of Forestry (ODF) concerning the sufficiency of that agency's programs to meet water quality standards and TMDLs. Basin coordinators and HQ staff analyze existing water quality data and provide a summary of the analysis to ODA and Local Advisory Committees for biennial reviews. DEQ compares water quality data to water quality standards and analyzes the water quality data for trends. The purpose of DEQ participation is to ensure that updated water quality information is considered during biennial reviews. Basin coordinators and HQ staff will also be involved in the design and application of ODA's effectiveness monitoring of area plans. When ODA is in the planning stages to develop effectiveness monitoring studies to evaluate how well area plans and rules are meeting TMDL load allocations, DEQ will assist in the formulation of the goals and objectives (the questions to be answered) of the monitoring study. The purpose of DEQ's participation is to ensure that the study is focused on outcomes that are directly related to load allocation targets and to ensure that the data collected and the analysis proposed is sufficient to answer these questions.

Environmental Outcome: Active management and control of nonpoint sources of pollution will reduce the amount of nonpoint source pollution getting into Oregon's waterways, resulting in water quality improvements as measured by water quality data and measures in WQMPs and TMDL implementation plans.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.1	Distribute 319 grants to fund project proposals to Oregon's priority basins based on TMDL development and implementation, drinking water source areas and GWMA's.	Assist with criteria updates as needed. Target Oregon's priority watersheds for funding. Provide technical support and review of basin plans based on TMDL development and implementation and the 9-Key Elements for watershed based planning.	Solicit and select projects.	May 2020 and May 2021	Yes	
8.2	DEQ implements an approach where 319 grant funded DEQ NPS staff time is used to implement TMDLs, WQMPs, IPs that have been determined to be Watershed Based Plans and that time can be used for leverage exemption from the 50/50 319 Grant Program requirements.	EPA will review and provide input on the DEQ's leveraged exemption approach.	DEQ leveraged exemption approach used for accounting for 319 grant funded DEQ NPS staff time implementing TMDLs and other documents determined to be Watershed based Plans.	2021-2022	Yes	
8.3	Prepare an annual report of NPS program accomplishments.	Review and take final action on annual report	NPS Annual Report.	June 2021 and June 2022	Yes	
8.4	Revise 5 Year non-point source program plan	Review and approve DEQ's revised 5 year NPS Plan.	Five year NPS Plan	June 2020	Yes	
8.5	Determine with EPA available NPS Success Stories documenting either water quality progress or full restoration under PAM.	Provide assistance in development of NPS Success Stories.	NPS Success Stories.	September 2020 and September 2021	Yes	SP-12 WQ-10

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.6	Enter GRTS 319 mandated elements to 319 project tracking data by national deadlines, including load reductions as available.	Provide technical assistance for GRTS-related function.	Data reflecting progress and status of 319 implementation for appropriate projects are in GRTS.	February 2021, February 2022 load reduction, other GRTS data (National GRTS reporting deadlines)	Yes	WQ-9a WQ-9b WQ-9c
8.7	Implement an approach for Watershed Based Plans that in part relies on TMDLs and other basin plans for meeting EPA's Nine Key Element watershed based planning guidance.	EPA will help DEQ with the review of Watershed Based Plans. In addition, EPA will provide technical support and review of Watershed Based Plans based in part on TMDL development and implementation and the nine Key Elements watershed guidance.	Watershed Basin Plan checklists for specific watershed areas describing how TMDLs, WQMPS, and other planning documents meet EPA's nine key elements.	June 2021 and June 2022	Yes	
8.8	Implement relevant aspects of the Agency Toxics Reduction Strategy.		Implement a toxics reduction strategy that incorporates air, land and water. This effort includes the Pesticide Stewardship Partnerships, Pesticide Collection Events, and other priority activities.	Ongoing	Partial	
8.9	DEQ works with ODF on an interagency policy review for water quality management on private forests managed under the Forest Practices Act.	TA and consultation	DEQ and ODF agree to mutually acceptable processes to assess adequacy of FPA rules for achieving water quality standards and TMDL allocations; and for TMDL development.	Ongoing	Yes	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.10	Ag Area Plan & Rule biennial reviews and ODA/DEQ MOA implementation	TA and consultation	Use Water Quality Status & Trend Reports that are used in addition to other information and analysis to review and comment on ODA’s agricultural area rules and plans during their biennial review process.	Ongoing	Partial	
8.11	Review of DMA and other NPS sector implementation for determining status and trends for meeting water quality standards and TMDL allocations.	TA and consultation	Water Quality Status & Trend Reports that are used in addition to other information and analysis to review and comment on DMA: annual reports; implementation plans; and multisector reviews of TMDL and NPS implementation	Ongoing	Partial	

Element 9: Source Water Protection
 DEQ contacts: Gene Foster
 EPA contacts: Karen Burgess and Michelle Tucker

The Safe Drinking Water Act Amendments of 1996 provided resources to states to focus more attention on the source areas for public water systems instead of solely relying upon treatment to achieve clean drinking water. Approximately 75% of Oregon's citizens get their drinking water from public water systems. To address the assessment requirements of the SDWA, the Oregon Health Authority, teamed up with the Department of Environmental Quality. The two agencies have established a Memorandum of Understanding to coordinate their ongoing work.

The two agencies have worked closely since 1998 to share the responsibilities of implementing the program. DEQ’s role in that work includes computer database/GIS system maintenance, contamination source inventories, surface water delineations, and susceptibility analyses. DEQ provides technical assistance to public water systems and communities to develop and implement drinking water protection actions. Source water protection is accomplished through the implementation of Clean Water Act (CWA). DEQ works to reduce pollutants in source waters through various point and nonpoint source control programs so that the source waters meet CWA standards.

DEQ’s source water protection work is reported to EPA Region 10 in its annual reports. These annual reports are completed in conjunction with the OHA and include an accounting of the total population and public water systems that implement new source water protection strategies every year.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 10: Clean Water State Revolving Fund Program

DEQ contacts: Lynn Barlow

EPA contacts: Karen Burgess and David Carcia

CWSRF program established in 1987 provides low interest-rate loans to water quality infrastructure projects such as upgrading sanitary sewers. Over the years, the program also started funding more non-point sources projects (e.g. stream restoration) and estuary projects in designated estuaries (e.g. Tillimook). The programs are run by the states and Puerto Rico. Congress funds all CWSRF programs through the EPA capitalization grants, which require 20 percent matching funds. Because state SRF's receive substantial annual loan repayments, even more water quality projects can be funded. Oregon's SRF program awarded \$66 million for loans (SFY19), of which the capitalization grant and match funds represented approximately \$21 million. The program was designed to grow in this manner as more projects were completed and loans repaid, more funds are available for other communities in need. Oregon SRF provides below-market rate loans and bond purchase agreements with a variety of terms, offering communities more financing choices to plan, design and construct water quality improvement and projection projects. Through 2019, DEQ has provided loans to 191 communities totaling more than \$1.33 billion.

Eligible Oregon SRF loan recipients include cities, counties, sanitary districts, soil and water conservation districts, irrigation districts, school districts, and various special districts. As of July 2019, a new law (Senate Bill 884) allows Oregon to lend to non-profit Community Development Financing Institutions (CDFIs), certified by the US Department of Treasury, for the specific purpose of funding repairs to individual homeowner septic systems. The national CWSRF program has allowed this eligibility for several years and now Oregon can fund these borrowers. DEQ still needs to conduct its administrative rulemaking after which they can start funding CDFI to address septic system repair and replacements in 2021.

DEQ distributes SRF loan awards across the state and aims to fund a variety of projects from small communities to larger municipalities. Since many of the small community projects tend to be lower cost, a majority of the SRF funds tend to be provided to larger municipalities to address wastewater treatment needs, which helps DEQ meet wastewater discharge permitting and surface water quality obligations. These water quality standards are required under the Clean Water Act to protect beneficial uses such as recreation, fish habitat, boating, irrigation and drinking water. While continuing to serve traditional municipal wastewater needs, the CWSRF program also provides funding and incentives to address nonpoint water pollution and is integrating sustainable approaches to water quality improvement and protection.

EPA oversees the state-implemented CWSRF program and provides technical assistance to ensure overall CWSRF program consistency with federal regulations, while acknowledging the uniqueness of each state's program needs. EPA accounts for the requirements of the Clean Water Act, federal regulations and the EPA CWSRF program guidance whenever considering requests for flexibility, depending on their specific circumstances. DEQ and EPA Region 10 maintain an Operating Agreement that stipulates the practices, procedures and expectations that remain the same from year to year. While SRF implementation is delegated to the state, EPA will coordinate with DEQ SRF as practicable in support of Oregon's program. For example, DEQ provides EPA with an SRF intended use plan (IUP) up to three times per year, and also provides an annual report to EPA on the financial and programmatic accomplishments during the state fiscal year. DEQ reports on environmental outcomes in EPA's environmental benefits system (aka CBR) for the CWSRF. DEQ also reports aggregate financial data into the EPA's National Information Management System (NIMS). These reports inform the EPA's annual review of the state SRF program. EPA issues an annual program evaluation report (PER) to document the assessment of critical aspects of state CWSRF programs.

APPENDIX D: ENVIRONMENTAL JUSTICE

ENVIRONMENTAL JUSTICE ACTIONS: 2018-2020

In 2018-20, Oregon DEQ continued its efforts to integrate Environmental Justice into the agency's work in a comprehensive and effective manner. Progress during this period has included:

Partnership

- Collaboration and engagement with EPA Region 10 and the states of Washington, Idaho and Alaska through a monthly conference call to address EJ issues.
- Collaboration, regular communication and information or toolkit sharing with other Oregon state agencies working with communities and individuals encountering environmental justice issues.

Accountability

- Consultation with the Oregon Environmental Justice Task Force on program work, such as the Cleaner Air Oregon Program's outreach and engagement activities
- Quarterly updates to the EJ Task Force, and annual reports to that body, on Oregon DEQ's work to further environmental justice in Oregon's environmental regulatory programs.
- Presentations at the Task Force's request on projects and programs, including the Oregon DEQ and the Oregon Health Authority's collaborative work on PFAS/PFOA contamination concerns

Training

- Maintained an online training for environmental justice that is available to all Oregon DEQ employees
- Provided yearly refresher courses for EPA's EJSCREEN, with on-call trainings available to all employees and an emphasis for training new employees who work in permitting, compliance or community-based positions
- Established the agency's Environmental Justice Coordinator as the primary contact for staff needing technical assistance or training for compliance with Title VI and Limited English Proficiency obligations
- Hosted sessions at several Oregon DEQ offices for staff to watch and participate in a series of webinar trainings presented by EPA in summer 2019.

Improvements to language access

- Took reasonable steps to ensure meaningful access to programs and activities that impact LEP persons, by following the four factors according to [69 Fed. Reg. 3502 \(June 25, 2004\)](#):
 - (1) The number or proportion of LEP persons eligible to be served or likely to be encountered
 - (2) The frequency with which LEP individuals come in contact with or impacted by program/activities
 - (3) The nature and importance of the program, activity, or service provided by the ODEQ to people's lives; and
 - (4) The resources available including costs considerations

Daily agency work, other than monitoring and permitting

- Implemented recommendations in Oregon DEQ's statewide Toxics Reduction Strategy to reduce toxic pollution to Oregon's air, water and land, which may have disproportionate effects on environmental justice communities
- Maintained an intranet site with environmental justice resources for all Oregon DEQ staff to access and update for continuous education and information sharing across project media and geographic regions
- Used EJ considerations, including a review of applications run through EJSCREEN, as part of the "focus points" for the 2019 Materials Management grants

APPENDIX D: ENVIRONMENTAL JUSTICE

Monitoring and permitting decisions

- Incorporated Environmental Justice considerations in the facility prioritization process and formulas DEQ will use when implementing its new industrial source air toxics rules (Cleaner Air Oregon Program)
- Used EJSCREEN to understand what languages other than English were likely spoken and read in a specific geographic area, and using those languages (Spanish and Russian) in addition to English on outreach materials used to solicit voluntary participation in a free well-testing program

In addition to work identified above, Oregon DEQ requested the funding authority for a new staff position to oversee the agency's Environmental Justice and Title VI work. That position, operating as the Oregon DEQ Equity Coordinator, would serve as the primary contact for all staff and external parties regarding issues of environmental justice, equity and Title VI compliance. That request was made as part of the 2019 Oregon Legislative Session; however, DEQ did not receive funding or authority to establish the new position.

ENVIRONMENTAL JUSTICE ACTIONS: 2020-2022

In 2020-22, Oregon DEQ intends to continue many of its established activities and partnerships, as listed above, and begin other, new activities to further the progress of environmental justice in Oregon.

Ongoing partnerships

- Collaboration and engagement with EPA Region 10 and the states of Washington, Idaho and Alaska through a monthly conference call for EJ issues.
- Collaboration, regular communication and information or toolkit sharing with other Oregon state agencies working with communities and individuals encountering environmental justice issues.

Ongoing accountability

- Continued quarterly updates and annual reports to the Oregon Environmental Justice Task Force

Ongoing training

- Provide all Oregon DEQ employees opportunities to access training in cultural competency and understanding implicit cultural bias
- Provide individual and group trainings on EJSCREEN to all staff, typically at section or division meetings or in 1:1 sessions, on an as-requested basis
- Provide in-depth environmental justice and EJSCREEN trainings, in-person and by webinar, made available to all staff at least once per year

Ongoing improvements to language access

- Provide information and technical assistance as needed to communications and procurement staff on how to access state contracts and price agreements for translation and interpretation services

Ongoing incorporation of EJ into agency activities, other than monitoring and permitting

- DEQ's advisory committees and workgroups, including, but not limited to, participants representing environmental justice expertise
- Inclusion of EJ considerations and expertise in designing the policy development process for work on reducing greenhouse gas emissions in Oregon.

Ongoing incorporation of EJ into agency monitoring and permitting decisions

APPENDIX D: ENVIRONMENTAL JUSTICE

- Implementation of the Cleaner Air Oregon Program’s prioritization process, guiding what facilities are brought into the new regulatory program’s assessment process, and tracking how the EJ factors influence overall facility prioritization

New accountability and partnerships

- Establish, through a 2021 Oregon Legislative Session request for funding and authority, a new, full-time position to serve as the Oregon DEQ Equity Coordinator, serving as the primary contact for all staff and external parties on issues of environmental justice, equity and Title VI compliance for the agency
 - *As noted above, Oregon DEQ made this request in the 2019 Oregon Legislative Session but did not receive the funding or authority to create the position at that time.*
- As directed by Governor Brown’s Executive Order 20-04 related to climate change and greenhouse gas emissions reduction, provide an interim report to the Governor’s Office by May 15, 2020, on DEQ’s plan to implement the Order, including its plans to meaningfully engage communities and individuals disproportionately impacted by climate change
- Partner with other state agencies and their respective boards or commissions to fulfill the environmental justice and equity directives of Executive Order 20-04

New training

- Provide a quarterly, 30-minute Introduction to Environmental Justice training to all new Oregon DEQ employees as part of the agency’s New Employee Orientation protocol
- Record an introductory EJ training and an EJSCREEN-specific training to be posted on the agency’s online training system for independent access by any staff person

New improvements to language access

- Update Oregon DEQ’s website and fact sheets to include statements, in appropriate languages, on how to access the information in non-English languages
- Develop a Limited English Proficiency implementation plan with measureable outcomes to address the identified needs of LEP populations and provide guidance for Oregon DEQ.
 - This implementation plan will include training on LEP requirements and associated policies, procedures and best practices

New incorporation of EJ into agency activities, other than monitoring and permitting

- Explore opportunities to focus Supplemental Environmental Project funds resulting from civil penalties for environmental law violations in communities with environmental justice concerns
- Coordinate activities and opportunities for cross-training by the agency’s Environmental Justice Coordinator and members of the internal Oregon DEQ Diversity, Equity and Inclusion Committee.
- Establish and implement the use of EJ criteria as part of the agency process for prioritizing cleanup sites (including new/current, waitlisted and backlog sites)
- Incorporate Governor Brown’s Executive Order 20-04 into the Clean Fuels Program, including enhancements to the fleet electrification credit-generating process
- Implement food waste prevention and recovery goals as outlined in Executive Order 20-04

New incorporation of EJ into agency monitoring and permitting decisions

- Implementation of a sector-based cap-and-reduce-style program for greenhouse gas emissions, per Governor Brown’s Executive Order 20-04
- Implementation of methane emission reductions at landfills, per Executive Order 20-04

APPENDIX D: ENVIRONMENTAL JUSTICE

Oregon DEQ will undertake these, and other, EJ-related activities to the extent that resources, including staff, are available.