

State of Oregon
Department of Environmental Quality

Memorandum

To: DEQ Water Quality Staff **Date:** January 3, 2012

From: Gregory Aldrich *GA*
Administrator, Water Quality Division

Subject: Implementation of Methylmercury Criterion in NPDES
Permit Holders, Revision 1.0

This memorandum transmits Version 1.0 of the Implementation of Methylmercury Criterion in NPDES Permits Internal Management Directive (MeHg IMD) to Oregon Department of Environmental Quality staff. The MeHg IMD is effective immediately, although the procedures for conducting a reasonable potential analysis and establishing effluent limitations will be implemented in a limited number of permits from January through June of 2013¹. Over this period, feedback from staff and interested parties will be accepted and incorporated into a future revision (Version 2.0) of the MeHg IMD.

The Methylmercury (MeHg) criterion was authorized by the Environmental Quality Commission in June of 2011 as part of the general revision of the human health criterion to address both MeHg in the state's waters and national regulatory requirements. This criterion is unique in that it is a "fish-tissue" based criterion rather than a water column based criterion as are all other quality criteria for toxic pollutants. Accordingly, a rather unique implementation process using total mercury as an indicator is used to trigger a facility's need to address MeHg through a mercury minimization plan in-lieu of traditional concentration based effluent limits.

The MeHg IMD contains a background discussion of the environmental concerns associated with MeHg and procedures for determining monitoring requirements for MeHg; determining whether there is reasonable potential of the criterion being exceeded; and establishing effluent limitations. To ensure the consistency of permits statewide and promote efficient use of the department's limited resources, all DEQ personnel are directed to closely adhere to these procedures. From the period from January through June 2013, for permits where total mercury has been detected in the effluent the permit writer should contact the Surface Water Management Section for assistance in implementation of the criterion (Spencer Bohaboy at 503-229-5415).

This IMD will primarily affect major domestic and industrial permit holders, although any minor facilities otherwise required to monitor for total mercury will potentially be affected by this new criterion and subsequent guidance. The potential requirement to develop and implement a Mercury Minimization Plan focuses facilities into the direction of mercury source reduction and on-going monitoring, rather than a traditional treatment-based approach.

¹ Monitoring requirements for total mercury are still in effect.



Development and editorial review of the MeHg IMD was conducted by a panel of regional permit writers and staff reflecting the DEQ Lab and the Watershed Management, Standards and Assessment Sections. I would like to recognize the various staff members and thank them for their hard work and diligent attention to this process.

Cc: Water Quality Managers
Regional Administrators

