

## Wastewater & Stormwater Utility Issues Update

### Special Districts Association of Oregon – February 2013

Some issues of interest to wastewater and stormwater utility board members and managers in Oregon include:

- **Oregon Temperature Standards**

A federal judge has ruled that Oregon's use of background or natural thermal potential in setting temperature standards is not legal under the Clean Water Act. A general discussion of the case is available at [http://www.oregonlive.com/environment/index.ssf/2012/02/judge\\_rejects\\_review\\_of\\_oregon.html](http://www.oregonlive.com/environment/index.ssf/2012/02/judge_rejects_review_of_oregon.html)

A copy of the judge's order is posted at

<http://www.northwestenvironmentaladvocates.org/nweafiles/NWEA%20v.%20EPA%20%28Temperature%20Standard%29%20SJO%202012%2002%2028.pdf>

The numerous parties involved in the case (Northwest Environmental Advocates, Oregon DEQ, EPA, US Fish and Wildlife Service, NOAA Fisheries, NW Pulp and Paper Association, and others) have been in detailed discussions and filing briefs regarding remedies since the Judge's order in February, 2012.

DEQ will not be issuing any NPDES permits with a thermal limit that relies upon the natural thermal potential or TMDLs for temperature at this time.

Utilities may want to conduct a screening analysis to determine if their facility meets the numeric temperature standards at the edge of the mixing zone. If not, utilities should consider if additional dilution could be secured with improvements to the mixing zone or diffusers.

- **Revisions to Oregon Water Quality Standards**

In 2011, Oregon DEQ revised, and EPA approved, Oregon's water quality standards related to human health. Oregon now has the most stringent toxic water quality standards in the nation. These revised water quality standards will now be incorporated into new and renewed National Pollutant Discharge Elimination System Permits (NPDES) for major dischargers – both domestic wastewater treatment and industrial facilities.

Oregon wastewater treatment plants classified as 'majors' should expect additional, more comprehensive sampling and analysis requirements in their DEQ permits and possibly increased consultant costs for completing NPDES permit applications. Wastewater utilities affected by these revised water quality standards will want to be proactive in evaluating if there is a '*reasonable potential*' to exceed the toxic water quality standards and to develop a detailed compliance strategy to resolve the violations. Utilities may also be required to complete and implement a mercury reduction program.

DEQ will be requiring additional mercury testing for many facilities and mercury reduction plans for some facilities when NPDES permits are renewed.

EPA recently disapproved a set of water quality standards related to aquatic life including ammonia, metals and pesticides. It is unclear if DEQ will revise these water quality standards to meet EPA's objections or if DEQ will leave the standards to EPA to revise.

- **Reduce Energy Costs**

Energy costs are huge at wastewater treatment plants. No cost energy audits are available for all Oregon wastewater treatment plants. The attached flyer details the local contacts for securing an energy audit. Wastewater utilities that use an energy audit to focus on O & M practices to implement low cost efficiency measures often save 10 – 15% of their energy bills.

- **Revisions to State Plumbing Code for FOG**

ACWA, Special Districts, and League of Oregon Cities have worked with the Oregon Building Codes Division for the past year to secure improvements to the Plumbing Code for Fats, Oil & Grease in food service establishments. The plumbing code has now been revised to require all sinks in a food service establishment to be connected to a grease removal device, and that the device must be properly sized. Wastewater utilities will want to increase efforts to inform food service establishments of proper operation and maintenance of grease removal devices.

The revised plumbing code for FOG is available at

[http://www.cbs.state.or.us/bcd/notices/Adopted\\_Rules/2012/20121221\\_FOGCodeAmendments\\_pr.pdf](http://www.cbs.state.or.us/bcd/notices/Adopted_Rules/2012/20121221_FOGCodeAmendments_pr.pdf)

- **Drug Take Back – National Take Back set for April 27, 2013**

The next national drug take back event is scheduled for Saturday, April 27, 2013 from 10 am – 2 pm. More about the DEA event is posted at [http://www.deadiversion.usdoj.gov/drug\\_disposal/takeback/](http://www.deadiversion.usdoj.gov/drug_disposal/takeback/)

Fifty-nine (59) Oregon law enforcement agencies now offer permanent collection boxes for unwanted and unused medicines in communities ranging from Astoria to Ashland. An inventory of the participating law enforcement agencies is available on the ACWA web site at [www.oracwa.org](http://www.oracwa.org). If your local law enforcement agency does not have a collection box for unwanted and unused medicines, consider partnering with them to install one. If collection boxes are available, promote its use.

- **Integrated Planning – EPA approach**

EPA has released an Integrated Planning Framework document that outlines how municipal wastewater and stormwater agencies might use an integrated approach to develop overall strategies for meeting Clean Water Act requirements that were prioritized based on benefits to water quality. A copy of the EPA framework is available at <http://cfpub.epa.gov/npdes/integratedplans.cfm>. Oregon ACWA, the National Association of Clean Water Agencies, EPA and others are sponsoring a workshop to learn more about the approach and its benefits to municipal wastewater and stormwater agencies in Portland on April 3, 2013. The workshop is free, but registration is required. More details and registration information is posted on the ACWA web site at <http://www.oracwa.org/n-recentnews.html>

- **Best Practices for Biosolids Management**

ACWA, in collaboration with Oregon DEQ and the Northwest Biosolids Management Association, has set a day-long workshop on proper biosolids management for April 16, 2013 in Eugene. Attend the **Best Practices for Biosolids Management** workshop to learn the latest in scientific updates from key partner such as Oregon State University scientists, DEQ staff, and pro-active Oregon municipalities at the forefront of ensuring proper biosolids management practices. A *save-the-date* workshop flyer with additional information and a registration form is attached. A detailed brochure with a complete agenda will be available in mid-February

*The Oregon Association of Clean Water Agencies is a private, not-for-profit organization of wastewater treatment & stormwater water management utilities and associated professionals. ACWA provides policy coordination, technical assistance, and regulatory advocacy for its 126+ members statewide.*

*More information is available at [www.oracwa.org](http://www.oracwa.org) or by contacting the ACWA office in Portland by phone at 503/236-6722 or by e-mail at [gillaspie@oracwa.org](mailto:gillaspie@oracwa.org)*