

**Talking Points**  
**COVID-19 Implications**  
**EPA's Enforcement and Compliance Requirements**

(4/15/20)

- **At (*your agency name*), our primary goal is protecting public health and the environment.**
  - We operate our facilities to meet these objectives during the COVID-19 pandemic.
  - (***Agency name***) has a long history of safety, protectiveness and meeting some of the most stringent water quality permit requirements in the nation. Our water resource recovery facilities have demonstrated compliance over and over for years on end.
- **We have concerns about staffing shortages affecting monitoring, inspecting and reporting.**
  - Flattening the curve: (***agency name***) has implemented actions to minimize the potential spread of COVID-19 including physical distancing, reassigning and rescheduling staff, and working from home when possible.
  - Planning ahead: We anticipated this change, and have worked to monitor and report on our permit compliance early in the year. We have also worked with our partner jurisdictions to have them report their stormwater permit metrics earlier.
  - (***agency name-if applicable***) provided notice to DEQ that we may not be able to meet all of the **monitoring** requirements in the permit, but will prioritize actions that safeguard public health and the environment. We will:
    - Prioritize monitoring what matters most in terms of public health and environmental protection.
    - Prioritize monitoring to provide critical operational data and demonstrate compliance with permit limits.
    - Deemphasize discretionary monitoring (stream monitoring and research-oriented monitoring).
    - If necessary due to staffing shortages, reduce certain stormwater management activities (cleaning, inspections, etc.)
  - EPA and DEQ have recognized the staffing impacts of the pandemic on entities that provide these essential services. They have defined some flexibility- with the continued goal of protecting public health and the environment.
- **We believe our operations will continue to be safe and protective, even if we are temporarily unable to monitor at this high level during these challenging times.**
  - Oregon DEQ sets our permit requirements for monitoring at a high level, above what is needed to effectively demonstrate that we continue to protect public health. This is done with an abundance of caution and protectiveness.

- We will maintain the required high levels of treatment at our water resource recovery facilities. We have continuous recording devices in place that actively monitor operations and the quality of water we return to the river.
- We will continue to monitor as much as possible to demonstrate our high level of treatment and compliance with stringent state and federal permit limits.
- Our long history of compliance gives us confidence in our protective measures.
- We will continue to manage stormwater as required in our permit.

Only if asked:

**Q: Why did EPA make this change?**

**A:** This was spurred by EPA recognition of potential worker shortages and the need to protect workers and the public with physical distancing and remote work. Reduction in operations staff, onsite and commercial lab availability and inspectors may affect reporting obligations and milestones set forth in permits and other legal agreements.

**Q: Will this permanently change what is allowed in permits?**

**A:** No. These changes are temporary, relate to enforcement and the COVID 19 pandemic and do not change existing permit requirements. EPA expects that entities should make every effort to comply with permit obligations.