



State of Oregon
Department of
Environmental
Quality

Oregon Department of Environmental Quality

and U.S. EPA Region 10 Performance Partnership Agreement

July 1, 2018, to June 30, 2020




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 27, 2018

Signed: 
Chris Hladick, Regional Administrator
U.S. EPA - Region 10

Date: _____

Signed: _____
Richard Whitman, Director
Oregon Department of Environmental Quality

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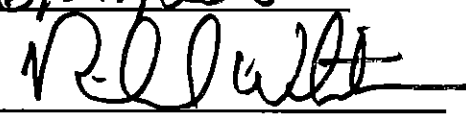
Date: 6/29/2018
Signed: 
Richard Whitman, Director
Oregon Department of Environmental Quality

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PERFORMANCE PARTNERSHIP AGREEMENT

PURPOSE AND SCOPE

This Performance Partnership Agreement 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 2019 and 2020 from July 1, 2018, through June 30, 2020.

The PPA is an agreement documenting the commitments of EPA and DEQ regarding implementation of federally-delegated environmental programs, and is part of a wider effort called the National Environmental Performance Partnership System, an agreement between EPA and the Environmental Council of States. The goal of NEPPS, and of PPAs, is to promote flexibility, accountability, and innovation in state/federal agreements regarding implementation of federal environmental programs 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 discussed 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 describing the joint priority work to be accomplished during state fiscal years 2019 and 2020.

This PPA also serves as the work plan for the Performance Partnership Grant covering state fiscal years 2019 and 2020. 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.

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 2018-2022 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 joint strategic planning efforts, including resources, to achieve the highest overall environmental benefits specific to Oregon.

EPA's Strategic Priorities

The U.S. Environmental Protection Agency (EPA) developed this FY 2018-2022 EPA Strategic Plan (the Plan) to: (1) refocus the Agency back to its core mission; (2) restore power to the states through cooperative federalism; and (3) lead the Agency through improved processes and adhere to the rule of law. 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 tribes¹ – 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 - Core Mission: Deliver real results to provide Americans with clean air, land, and water, and ensure chemical safety.
 - 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 - Cooperative Federalism: Rebalance the power between Washington and the states to create tangible environmental results for the American people.
 - Objective 2.1 – Enhance Shared Accountability
 - Objective 2.2 – Increase Transparency and Public Participation

- Goal 3 - Rule of Law and Process: Administer the law, as Congress intended, to refocus the Agency on its statutory obligations under the law.
 - 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

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 strategic measures focused on advancing human health and environmental results over the next five years. These longer-term strategic measures 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 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 the Agency'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.performance.gov).

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. Since 2010, DEQ has embraced outcome-based management as its business model to reach this vision. Outcome-based management is a system for setting goals for the agency's core (day-to-day) work, and for developing and using performance measures to frequently assess progress in meeting those goals. This system encourages efficient use of resources and improved accountability and transparency to achieve Oregon's environmental goals. The agency has made steady progress since 2010 to implement the system.

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 five themes:

- Efficiently and responsibly meet environmental standards and emerging needs
- Sustain a diverse, outcome-oriented workforce and culture
- Provide easy access to information and services
- Maintain informed and engaged relationships with tribes and Oregon's communities
- Sustain strong, effective internal business practices

Adjustments to these goals may be made over time as DEQ aligns them to its organizational structure. In addition to these priorities, DEQ continues its work to strive for environmental justice, improve tribal government relations and help Oregonians comply with environmental regulations. Some highlights of programmatic and organizational efforts are outlined below to help illustrate these themes.

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 numerous beneficial uses, such as 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, is involved with local communities to protect watersheds and provide innovative and efficient wastewater infrastructure, and continues to work locally to support and encourage the implementation of clean water plans.

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 that violate air quality health standards to develop strategies, plans and programs to reduce emissions and ultimately bring those communities into attainment with federal standards. DEQ works to reduce cancer-causing 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 – and current production and use of materials are not sustainable. DEQ is implementing a long-term plan, *Materials Management in Oregon: 2050 Vision and Framework for Action*. The document 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 work, develops policies and regulations, engages in collaborations and partnerships, and develops education and information for its partners to use.

Reducing Pollution

DEQ has been implementing an agency-wide Toxics Reduction Strategy in 2012, and is nearing completion of an update to this strategy in the first half of 2018. The updated Toxics Reduction Strategy will focus on improving integration of toxics work within DEQ, and to complement and support established toxics reduction activities within the agency's air, water and land quality programs. The strategy makes the most 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 updated strategy will also involve evaluations of potential gaps in toxics assessment, regulatory and non-regulatory programs.

Implementing Outcome-Based Management

The agency has made steady progress since 2010 to implement its outcome-based management system. DEQ completed the Headquarters' reorganization in 2015. This focuses on outcomes and results to encourage efficient use of resources and improved accountability and transparency through measures tracking. DEQ managers and staff hold quarterly reviews to track progress on over 100 measures. This organizational structure reduces programmatic "silos" by encouraging environmental problem-solving through integrated solutions across its air, land and water programs rather than organizing solutions based on individual programs.

Supporting DEQ Infrastructure

To support its agency strategic goals, DEQ is investing in needed infrastructure improvements, especially those tied to technology and document management. Key activities will include efforts to better define business process needs to modernize and enable e-government and e-commerce activities, and implement EPA's e-reporting rules. Modernizing and standardizing DEQ's business infrastructure will enable the agency to provide improved and transparent services to stakeholders and improve business process and practices to better achieve DEQ's mission.

DEQ has many existing systems, most over 10 years old, that do not have the capacity to meet internal and external demands for information sharing. Also, the majority of these systems are at or past the end of their life cycles. In addition to having limited capacity and ongoing maintenance challenges, these systems do not have standardized technology or business processes and collectively have little ability to support e-commerce. Due to these factors, DEQ finds it difficult to meet the data infrastructure and information needs of the public, the regulated community, and state and federal partners.

DEQ's Environmental Data Management System project is intended to replace many of the business systems by providing a common platform and updating business processes. After carefully considering market research and internal limitations, DEQ believes that buying an off-the-shelf product, which is what other state environmental regulatory agencies have done, offers the best path forward. Such systems offer a tested and proven way to efficiently and effectively receive and share environmental information, and modernize with features such as e-commerce and web-based interactions that stakeholders want. 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.

DEQ will do the project in phases, bringing in similar environmental and business functions at the same time:

- Air quality programs
- Land quality programs
- Water quality programs

- Invoicing functions
- Customer portal
- Internal staff portal

Each phase requires DEQ to conduct thorough business analysis and process mapping to migrate business processes from existing systems to the new EDMS environment, as well as deep technical review to determine feasibility of data migration and plans for implementation.

Encouraging Sustainability

DEQ continues to implement its sustainability plan, in alignment with outcome-based management principles. This plan encourages practices that result in clean air, water and land that support socially and economically healthy communities under a framework of sustainability. The agency's Sustainability Team updated its short- and long-term objectives and work plan in early 2018. That work plan identifies a series of projects for the team to manage over the next one to five years, in alignment with overall agency principles, program strategic plans and using the framework of The Natural Step. During 2018-20, the Sustainability Team will focus on improvements to internal operations and processes, integration of sustainability objectives in agency planning processes and ongoing engagement with other agencies 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 Oregon communities, including minority, low-income and other traditionally underrepresented communities, including rural 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 2016-18 PPA and the ongoing and new commitments for 2018-20.

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 institutionalized the executive order into law. Under this law, State agencies are directed to improve their working relationships with the nine federally recognized Tribes in Oregon.

DEQ's official response to the directives of SB 770 is contained in our tribal relations policy. The Statement expresses DEQ's commitment to maximize inter-governmental relations between the agency and the nine tribes. Measures include:

- Maintain a Tribal Liaison responsibility in the Director's Office
- Provide periodic training and educational opportunities to staff on tribal sovereignty and related issues
- Institutionalize the consideration of tribal interests and issues in planning and decision-making activities
- Establish a familiar day-to-day working relationships between agency staff and tribal environmental staff.

DEQ's Tribal Liaison meets regularly with individual 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. Christine Svetkovich serves as DEQ's Tribal Liaison, and she can be reached at 503-229-6991.

The US Environmental Protection Agency (EPA) is also 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 and tribal environmental regulations on tribal lands. 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 the Cultural Resources Protection Guidance, a resource for agency staff and the regulated community that describes the 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. Using its discretion, 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 a multitude of 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.

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. 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.

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 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 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 achieving these objectives, with a common outcome of environmental protection. For example, EPA sometimes focuses protection on national scale concerns while DEQ focuses protection on state or more local scale concerns. Both agencies take a holistic approach to protecting water, including taking measures to ensure 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.

Two of EPA's national goals, *Protecting Human Health and the Environment by Enforcing Laws and Assuring Compliance* and *Cleaning Up Communities and Advancing Sustainable Development*, provide an overarching theme to the work associated with both agencies. DEQ's outcome-based management system and subsequent commitment to encouraging sustainability is intended to 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.

EPA's and Oregon DEQ's remaining objectives are closely aligned. For example, EPA's priorities of *Addressing Climate Change* and *Improving Air Quality* are included in Oregon DEQ's *Improving and Protecting Environmental Quality* and *Reducing Pollution*. Other examples of the agencies' strategic alignment include pollution prevention efforts and controlling pollution sources.

Where there are funding uncertainties, creative opportunities will 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.

DEQ values the flexible and collaborative nature of the PPA. 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 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 future reductions 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, protect valued resources such as visibility and ecosystems, and reduce greenhouse gases. DEQ uses a number of measures to determine how well 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

For a time in the late 1990's through early 2000's, 100 percent of 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. One additional community - Lakeview - was later found to violate the new PM2.5 standard but has yet to be formally designated nonattainment by EPA because DEQ, EPA and the community have worked in partnership to develop a PM2.5 reduction plan that brings the area back into compliance with the NAAQS and avoids the need for a formal nonattainment designation. The City of Prineville has also recently been found to violate PM2.5 standards in the winter. DEQ, EPA and the community have worked in partnership to develop a PM2.5 Advance Plan for that community as well. Periodic severe winter cold and air stagnation events have also put several other communities at risk of violating the lower PM2.5 NAAQS.

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 facilitated a 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. Similar to Lakeview, the City of Prineville has violated the daily PM2.5 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 PM2.5 maintenance plan and redesignation request. DEQ will continue to oversee the implementation of the Lakeview PM Advance Plan, and will continue working with the cities of Prineville, Burns, and Portland metropolitan area communities on measures to reduce PM2.5 levels and prevent violations of the NAAQS. The Lane Regional Air Protection Agency has responsibility for attainment planning in Oakridge, which is located in Lane County. DEQ is working with LRAPA and EPA on the development and submittal of an Oakridge maintenance plan. All communities in Oregon are in compliance with other criteria pollutant NAAQS.

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

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

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 whether Oregon's air is healthy to breathe for sensitive groups, asthmatics, children, and the elderly; and part (b) tracks whether Oregon's air is healthy 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 or worse (based on the criteria pollutants) went down from 144 days in 2015 to six in 2016. This includes data from six cities or air sheds across the state. Oregon's number of days when air was unhealthy for all groups in an air shed based on the criteria pollutants went down from 60 days in 2015 to 1 in 2016. High levels of fine particulate matter in the winter months is a primary factor contributing to days of unhealthy air. Communities across Oregon benefited from a warm and wet winter season in 2016, leading to unusually low concentrations of fine particulate matter. In some parts of Oregon, smoke from wildfire can also lead to unhealthy levels of particulate matter in the air. DEQ's most recent annual air quality data report is also available on our website:

<http://www.oregon.gov/deq/FilterDocs/OrAirQualityAnnualReport2016.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 as a whole. Using current medical studies DEQ has established threshold levels (i.e. air toxic benchmarks¹) for a variety of airborne toxic chemicals that represent levels of acceptable risk to the public. DEQ's KPM goal is to reduce monitored levels of these five representative toxics: benzene, acetaldehyde, formaldehyde, arsenic and cadmium down to one time above the benchmark 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 air toxics in these communities, 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 is actively working to identify the siting location for each monitor and will begin operating these monitors during the 2018-2020 PPA period, providing for a much expanded toxics dataset.

In addition to the new air toxics monitoring resources, the Legislature authorized resources that will allow DEQ to test and eventually deploy an expanded network of lower-cost particulate monitoring equipment. This expanded capacity will allow for a more comprehensive and real-time understanding of particulate trends across the state.

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

¹ 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.

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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

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 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 early 2018, DEQ partnered with the Oregon Department of Forestry (ODF) to staff Oregon's Smoke Management Review Committee to review the effectiveness of and propose 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..." DEQ anticipates proposing changes, with ODF to the Environmental Quality Commission and State Forestry Board in the fall of 2018 and will continue to support the implementation of the plan through the 2018-2020 PPA period. Any changes to Oregon's Smoke Management Plan must be incorporated into our SIP and DEQ is working with EPA to ensure those updates are submitted accordingly.

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 a number of 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 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.

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- 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.

Carbon Monoxide and particulate, PM₁₀: All areas of Oregon are in compliance with the federal PM₁₀ and the carbon monoxide National Ambient Air Quality Standards. Carbon Monoxide and PM₁₀ are no longer at levels of concern, yet there are several legacy requirements (such as monitoring commitments and transportation conformity) that need to be managed through the SIP. Obsolete monitoring commitments are also being addressed through DEQ's annual state air monitoring plan review with EPA. The Portland-metro area's 20-year maintenance period for Carbon Monoxide ended in 2017. DEQ will work in partnership with EPA and local governments to determine transportation conformity requirements moving forward.

Ozone: On October 1, 2015 EPA strengthened the National Ambient Air Quality Standard for ground-level ozone to 70 parts per billion (ppb) from 75 ppb to protect public health. All communities in Oregon are in compliance with the new ozone standard; however, with recent ozone design values in Medford, Portland and Hermiston ranging from 63 to 65 ppb DEQ will need to stay vigilant about increased emissions and ozone. The higher ozone values in Hermiston prompted ongoing conversations between DEQ, EPA and Washington Department of Ecology to explore issues of interstate ozone transport. Ozone levels in the Hermiston area have been decreasing in recent years. DEQ will continue to track ambient concentrations of ozone, in coordination with EPA and the Washington Department of Ecology. Additionally, DEQ will install and begin operating an additional ozone monitor in Salem due to population growth in that community.

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. 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 Oregon show levels are far below the national ambient air quality health standard. DEQ will continue to implement monitoring requirements and track ambient concentrations.

Sulfur dioxide, SO₂ On August 10, 2015, EPA finalized the Data Requirements Rule (DRR) which directed air agencies to characterize sulfur dioxide (SO₂) air quality in areas across the country with sources of SO₂ emissions greater than 2,000 tons per year. DEQ identified air quality modeling as the most appropriate approach to characterize SO₂ emissions from the Portland General Electric Boardman facility. DEQ collaborated closely with EPA and a consultant for PGE on this work and provided a modeling protocol to Region 10 by the DRR deadline, July 1, 2016. The modeling results indicated the NAAQS would not be exceeded and on December 20, 2017 Oregon received the EPA letter designating all areas in Oregon as attainment/unclassifiable.

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Priority 2: Air Toxics

DEQ's air toxics program continues to experience great change. During the last PPA period DEQ partnered with the U.S. Forest Service and EPA to conduct monitoring projects in Portland resulted in important findings about the public's exposure to industrial air toxics and has engendered a great deal of concern and interest in air toxics from the public, neighborhood groups and elected officials. These findings resulted in the development and implementation of rules to reduce the emissions of certain heavy metals from Colored Art Glass Manufacturers during the last PPA period. During the last PPA period DEQ also initiated work on a more comprehensive rulemaking effort to update Oregon's state-level permit rules to address the public health risks of air toxics. DEQ expects to finalize draft rules in this PPA period for a program that would assess risk from industrial air toxics emissions and in some instances require risk reduction. The agency will then begin implementing the rules on a set of priority facilities.

To accomplish this work the 2016 Legislature authorized general funds for the creation of six new air toxics positions. Additionally the 2018 Legislature authorized 11 new fee-funded positions to complete the rule development and begin implementing the rules. The legislature also 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. DEQ will continue to use a portion of the Air Quality multipurpose grant funding from EPA to support industrial air toxics work and the cumulative risk pilot program.

Oregon's Environmental Quality Commission adopted revised health benchmarks 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, and to identify high priority geographic areas and source categories for emission reduction work. These benchmarks also informed regulatory thresholds 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 gasses. DEQ continues to implement the NEHSAP program to achieve air toxics reductions from point sources, but as noted above, is also developing a more comprehensive air toxics component 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 a number of important initiatives underway to work on state and federal greenhouse gas assessment 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. During this PPA period, DEQ will update the ORLEV program rules to incorporate changes made by California. The rule changes will include new provisions addressing sales requirements for electric and other zero emission vehicles. To support the OR-LEV program goals, DEQ is also engaged with other state agencies to implement Oregon Governor Kate brown's Executive Order 17-21 which is designed to accelerate zero emission vehicle adoption in Oregon.

Greenhouse Gas Reporting: In October 2008 and again in 2010, the commission adopted greenhouse gas reporting rules which required industrial air permitted sources, fuel distributors and electricity providers to

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begin annual reporting and now capture over 90 percent of the greenhouse gas emissions in Oregon, as well as emissions from out of state electricity generation. In 2018-20 DEQ will produce statewide GHG inventories for the 2017/18 calendar years to support the mission of the Global Warming Commission and provide data for policy discussions through partnerships with DEQ's Materials Management program and the Oregon Department of Energy. DEQ will also begin an expansion of the existing reporting to include collection of product output data, as well as, provide quality assurance of currently submitted emissions data.

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 and begin implementing these new cost containment mechanisms.

Clean Power Plan: The project is on hold while EPA proposes repeal of the current rule and has signaled intent to replace it with a different type of standard. New timelines and deliverables to be determined.

Market Based Approaches to Greenhouse Gas Reduction: The 2016 Oregon legislature directed DEQ to study and provide information for the 2017 legislative session on how a market-based carbon reduction system would work in Oregon. DEQ led a study and reported to the legislature in 2017 on its findings, which included:

- Cap-and-trade provides a firm limit on GHG emissions
- Cap-and-trade offers a flexible, cost-effective mechanism for reducing GHGs
- Economic effects are likely to be small statewide
- **Economic effects of the program will vary across the state**
- **Effects to businesses exposed to competition outside the state should be mitigated**
- Revenue generated by the program should be used to benefit disadvantaged and rural communities.

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 continue its work with the Western Regional Air Partnership (WRAP) and Western States Air Resources Council (WESTAR) to prepare updated emissions and modeling analyses in preparation for the 2021 Regional Haze Plan.

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

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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.

Funding for this Agreement

DEQ is very concerned about the planned reduction in CAA Section 105 funding for Oregon's air program. Under EPA's allocation formula for distributing CAA Section 105 funding, Oregon's share of the federal allocation would be reduced by approximately 5% per year over the course of eight years for a total reduction in federal funding of about 40%. The first 5% reduction for this PPA period would be a hardship on our program; however, the proposed long term cut will have a severe impact on the air program in Oregon and greatly undermine Oregon's ability to meet basic obligations to ensure clean air in Oregon by meeting federal air quality standards, implementing federal and state regulations, and reducing all forms of air pollution to protect public health and ecosystems.

DEQ will discuss the effect of these planned reductions with EPA Region 10, including what work DEQ may have to eliminate to align with new federal funding levels. Some programs could be returned to EPA, partially cut, or completely eliminated and may include the regional haze program, development of infrastructure SIPs, development of other federal GHG reduction strategies (e.g. a Clean Power Plan) and adoption and implementation of federal NSPS and NESHAPs.

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 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:

- Working closely with DEQ to develop and revise plans necessary to address air quality in new nonattainment areas and existing attainment areas in Oregon.
- Updating DEQ on any new analyses of community, state, or regional air quality including risks associated with public health and the environment.
- Taking final action on redesignation requests within 18 months, and expediting action when feasible upon request from DEQ.
- Coordinating with DEQ on designating new nonattainment areas following a revision to any federal air quality standard.
- Updating DEQ on any new EPA Region 10 strategies for reducing emissions.
- Issuing delegation notices for New Source Performance Standards within three months of receiving a delegation request from DEQ.
- Partnering with DEQ to develop implementation strategies for NSPS and National Emissions Standards for Hazardous Air Pollutant programs.
- Processing NESHAP delegation requests within three months after they are received.
- Supporting Oregon's efforts to implement the Clean Diesel Initiative.
- Consulting with DEQ on applicability determinations, compliance determinations, and other case-by-case issues where EPA needs to make final decisions.
- Completing applicability determinations in a timely fashion.
- Providing Aerometric Information Retrieval System support and training.
- Assisting DEQ with database needs for interfacing with ICIS-Air when that system becomes operational.
- Partnering with DEQ to develop future Oregon regional haze plan updates. Taking timely action on regional haze plan approvals.
- Informing DEQ about national plans for enforcement program oversight.

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- Conducting 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).
- Considering significant resource challenges faced by EPA and DEQ, EPA will strive to streamline requirements and focus on environmental outcomes to the extent possible consistent with laws and national guidance. This includes:
 - Working 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.
 - Working 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.
- Providing guidance and comments to DEQ as early as possible during development of attainment plans and other SIP submittals.
- Collaborating with DEQ on any air quality assessment projects initiated by EPA, including coordinating and collaborating with DEQ on any related communications strategy.
- Coordinating field activities to complement, rather than duplicate, efforts whenever possible.
- EPA will continue to look for ways to reduce the workload on states for exceptional events documentation.

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 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.

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2018 – 2020 PPA: AIR QUALITY PROGRAM WORK PLAN

Objective 1: Limit public exposure to criteria pollutants by consistently meeting and exceeding health-based 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 actions needed to avoid nonattainment.

Outputs

- 1) 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.
- 2) In the 2016-17 timeframe, DEQ started a multi-pollutant assessment study for the Portland and Medford-Ashland metropolitan areas considering current (2014) and future (2024) emission levels of ozone precursors, particulate matter and air toxics. DEQ will finish the Portland-Medford multi pollutant assessment in 2018. The analysis will be used to update Oregon’s Motor Vehicle Inspection and Maintenance program as well as possible changes to other Portland area legacy ozone rules. DEQ will consult with EPA on these changes as part of the rulemaking process.
- 3) In 2018-2020, DEQ will analyze the monitoring data collected from the 2016 study of ozone formation and interstate transport affecting the Hermiston area to better understand the risks of ozone exceedances and the nature of interstate ozone transport in that area.
- 4) DEQ will work with Washington County, the City of Hillsboro and Multnomah County to reduce fine particulate (PM_{2.5}) emissions in the area. This work produces co-benefits for air toxics. The Portland metro area, particularly Hillsboro, has experienced high levels of PM_{2.5} that could potentially cause the area to violate the standard. DEQ will continue to assist Washington County and the City of Hillsboro with technical support regarding the ordinance adoption of a mandatory wood stove curtailment and open burn ban program and implementation of its woodstove changeout program. DEQ will support Multnomah County to implement their program that was adopted by the county in January 2018.
- 5) 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.

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	<p>6) 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 begin the Klamath Falls PM_{2.5} maintenance plan in late 2018/early 2019. A local plan development process will begin in spring 2019, with rulemaking and EPA plan submittal targeted for late 2019 or early 2020.</p> <p>7) DEQ will continue to partner with EPA and Lane Regional Air Protection Agency on the implementation of its updated Oakridge PM_{2.5} attainment plan, and development of work on the PM_{2.5} maintenance plan.</p> <p>8) DEQ and ODF will initiate rulemaking to update Oregon's Smoke Management Program. DEQ is facilitating consultation with EPA regarding the proposed State Implementation Plan (SIP) revision. DEQ is targeting EQC adoption and EPA submittal for September 2018.</p>
	<p>9) DEQ will fund eight community based woodsmoke reduction projects between April 2018 and April 2019. 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>10) 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>
Core Work	<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's 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 on-going monitoring needs and priorities in these nonattainment areas as part of our 2018 statewide monitoring strategy.</p> <p>2) In 2018 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>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>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>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. DEQ will maintain the Memorandum of Understanding with ODF for smoke forecasting services.</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>

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	<p>7) DEQ will develop initial development plans for each SIP submittal approximately six months before EPA review is needed. The development plan will include schedules that will be negotiated with EPA. EPA and DEQ will process all development plans in accordance with the State Implementation Plan Process Improvement Plan, dated April 15, 2013.</p>
	<p>8) DEQ will contribute staff time to NWAIRQUEST 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 the Modeling, Emissions and Exceptional Event workgroups, participate in quarterly conference calls and attend the annual membership meeting.</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>10) DEQ will participate in national and regional monitoring quality assurance activities including audits for ozone.</p>
	<p>11) DEQ will maintain Quality Assurance Project Plans for each pollutant it monitors for reporting to EPA.</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>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>14) DEQ will monitor for gaseous criteria pollutants at the NCORE site in SE Portland and the near-roadway NO₂ site in Tualatin.</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>16) DEQ will develop a Photochemical Assessment Monitoring Station (PAMS) in Portland to evaluate ozone precursors, including a new shelter, a NOy analyzer, and other equipment to meet EPA's schedule for 2019 startup.</p>
	<p>17) To prepare the 2014 National Inventory information for future EPA modeling efforts, DEQ will work to review the released versions of the 2014 NEI in partnership with EPA staff and adjust the data as needed. This national modeling data is used to plan air quality protection measures. DEQ's work will include documenting best practices for preparing and submitting a state-wide emissions inventory.</p>
	<p>18) DEQ will add a second ozone monitor to the Salem Core Based Statistical Area in 2018 in order to meet EPA population based criteria for the number of monitors.</p>

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Reporting	<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> <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>3) DEQ will report to EPA criteria pollutant emissions for Oregon's point sources by December 31 of 2018 and 2019.</p> <p>4) DEQ will continue to fulfill Air Emissions Reporting Rule requirements for the 2017 National Emissions Inventory, including submitting nonpoint tools categories data, submitting point source data, and reviewing and submitting onroad/nonroad MOVES input data files.</p>
Objective 2: Reduce greenhouse gas emissions	
OUTCOME MEASURES	<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.
Outputs	<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>2) In 2018-2020, DEQ will conduct rulemaking for Oregon's Low Emission Vehicle rules to ensure identically with California. The rule changes will revise the low emission vehicle program to reduce GHG emission limits, cut tailpipe emissions, and increase the number of Zero Emission Vehicles sold in Oregon.</p> <p>3) 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> <p>4) In late 2017 Oregon Governor Kate Brown issued Executive Order 17-21 to accelerate the adoption of zero emissions vehicles in Oregon. DEQ will work to implement the directives outlined in this order, some most of which complement existing efforts related to low- and zero-emission vehicles. This includes, but is not limited to: (1) work with the EQC to maintain identically with California low emission vehicle standards, (2) participate in a multi-agency workgroup to improve the public awareness of and access to information resources related to electric vehicles, and (3) provide school districts and transit authorities information about options for electrifying their fleets.</p>

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Core Work	<p>1) DEQ will continue to monitor and participate in some 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>2) DEQ will continue to implement the Oregon Low Emission Vehicle Program, including providing technical assistance to automobile dealers and conducting compliance verification.</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>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>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 2017 in 2018 and the 2018 inventory in 2019. <p>6) At the direction of the 2018 Oregon Legislature, DEQ will work on expanding the Department's existing GHG program to include collection of product output data by convening a group of stakeholders through a public engagement process and investigate new and expanded methods to provide quality assurance of currently submitted emissions data.</p>
Objective 3: Protect human health and the environment through ongoing Air Quality improvement strategies.	
OUTCOME MEASURES	<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.
Outputs	<p>1) DEQ will submit periodic delegation requests for EPA adopted New Source Performance Standards. The request will generally be for standards adopted by EPA and in the CFR published July 1 of the previous year.</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

	<p>3) In 2018, DEQ will develop rule amendments to increase the Title V fees by the consumer price index to cover program costs in 2018 and 2019.</p>
Core Work	<p>1) DEQ will continue to implement the Title V permitting program.</p>
	<p>2) DEQ will continue to implement the Air Contaminant Discharge Permit Program.</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.</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>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>
	<p>6) DEQ will operate the tanker certification program by providing assistance to gasoline transporters, issuing tanker certifications and maintaining the database.</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>8) 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>9) 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. Work also includes prescribed burning response. Due to budget constraints, DEQ staff will only respond to high priority burning events and those requiring enforcement actions.</p>
	<p>10) DEQ will provide air quality regulatory oversight (permitting, report review, technical assistance, and inspections) for DOGAMI's Calico Mine project located in Malheur County, Oregon. As of December 31, 2017, an air quality permit application has not been received by DEQ.</p>
	<p>11) DEQ will engage with Oregon Department of Agriculture, elected officials and the public as needed regarding field burning issues.</p>
	<p>12) DEQ will issue permits that contain limits that are necessary to address source-specific air quality impacts.</p>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

	<p>13) DEQ will implement its internal strategy to address and regulate complaints of nuisance odor conditions using its general rule authority.</p> <p>14) DEQ will implement basic ACDP permits for surface coaters that emit hazardous air pollutants, like some auto body shops.</p>
<p>Reporting</p>	<p>1) DEQ will continue to submit New Source Review/Prevention of Significant Deterioration information to EPA including applications, incomplete application letters, updated application information, technical analysis, draft permits and final permits.</p> <p>2) DEQ will enter RACT/BACT/LAER determinations into the clearinghouse database within 90 days of permit issuance.</p> <p>3) 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>4) DEQ will provide EPA's Air Quality System with data quarterly, submitted within 120 days of the end of the quarter.</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>1) DEQ is committed to working with the EPA and will develop a process to communicate project status updates of the proposed rules regarding a human health risk-based approach to industrial air permitting.</p> <p>2) DEQ will use the Air Quality portion of the multipurpose grant to support the implementation of a human health risk-based air permitting program to reduce toxic air pollution.</p> <p>3) In 2018-2020, 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> <p>4) DEQ will administer the EPA Community-Scale Air Toxics Ambient Monitoring grant, which will focus on researching diesel related sources of air toxics.</p> <p>5) DEQ will review and Quality Assure EPA's 2014 National Air Toxics Assessment release and communicate those findings to Oregon residents.</p> <p>6) 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>

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

Core Work	<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>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>3) DEQ and EPA will maximize information sharing and explore innovative implementation options for area source NESHAPs.</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>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> <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>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>8) DEQ will issue an RFP and contract with a vendor to conduct a statewide survey of the population of diesel powered non-road vehicles and equipment in the effort to provide Oregon specific inputs to the EPA MOVES/Nonroad model and result in an updated diesel equipment emissions inventory to be delivered to the Oregon Legislature's 2019 session.</p> <p>9) Air Quality program staff will participate on the agency's team-toxics, to coordinate an agency wide, multi-media toxics reduction strategy.</p> <p>10) DEQ will continue to participate in the Performance Evaluation Program for air toxics.</p>
Reporting	<p>1) DEQ will provide EPA with air toxics data quarterly, submitted within 120 days of the end of the quarter.</p> <p>2) DEQ will report to EPA toxics pollutant emissions for Oregon's point sources by December 31 of 2018 and 2019. DEQ will continue to report county level air toxics emission inventory data to EPA as requested as a partner to support the 2017 National Emissions Inventory submittal process.</p>

Objective 5: Improve visibility in federal Class I Areas

APPENDIX A: AIR QUALITY PROGRAM COMPONENT

OUTCOME MEASURE

- 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.

Outputs	1) BY Fall 2019 the Western Regional Air Partnership (WRAP), which is supported by DEQ, will produce the initial visibility impact assessment.
Core Work	1) DEQ will support the WESTAR/WRAP regional haze 2018-2019 workplan with funding, in-kind assistance and participation on the Monitoring Analysis and Glide Slope and Emissions Inventory subcommittees, WRAP Board, and WESTAR Council to facilitate the preparation of emissions and modeling data needed for the 2021 Regional Haze submittal. 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. 3) DEQ will continue to operate the existing visibility monitoring network at Crater Lake, and Mt. Hood.
Reporting	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.
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.	
OUTCOME MEASURES	
<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 Response to High Priority Violations. 	
Outputs	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. 2) DEQ and EPA will participate in annual compliance planning meetings. Discussion topics for the meeting will 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).
Core Work	1) DEQ and EPA will participate in quarterly conference calls to discuss high priority violations, as well as policy and strategy issues. 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."

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	<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>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 next review will be conducted in 2018.</p>
Reporting	<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>2) DEQ will provide a quarterly update on the status of high priority violations.</p> <p>3) DEQ will provide data to ICIS-Air in a timely fashion, completing the annual input by the required timeframe.</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>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>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 received delegated authority by EPA to administer the Resource Conservation and Recovery Act (RCRA) activities addressed in this agreement. The activities are funded in part through EPA's consolidated "Performance Partnership" grant. The Performance Partnership Agreement, 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 the Department's jurisdiction. The PPG is key for implementing the Agreement, and the work plans document commitments as agreed by the Department and EPA. USEPA 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 USEPA 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 Performance Partnership Agreement 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 is in the process of updating a new strategic plan. Until complete, the program will continue vision work by:

1. Incorporating outcome based management for continuous program improvement, such as tracking and assessing project management expectations, decision making, project staff workload/budgets, communication; measure performance and outcomes, link agency core work and program projects to staff accomplishments, engage staff in developing innovations and solutions to accomplish the program's vision;
2. Working collaboratively on statewide and regional hazardous waste initiatives to achieve DEQ priorities, contribute to DEQ's toxics strategy, align with DEQ's materials management vision and improve sustainability; and
3. Ensuring reduction of hazardous waste and toxics and safe management of hazardous waste 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 A: 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. An example of a priority initiative for DEQ and the program is the Toxics Reduction Strategy:

While ensuring safe management of hazardous waste is critically important, it is equally important to work with businesses to reduce the use of toxic chemicals. DEQ is currently updating the agency 2012 Toxics Reduction Strategy. Once completed, the Program will integrate specific priority focuses into the hazardous waste program initiatives through inspections, technical assistance and other program activities.

Oregon DEQ was awarded an EPA grant through its Pollution Prevention (P2) Grant program. This grant proposal supports DEQ's agency-wide Toxics Reduction Strategy and builds on a four-year DEQ effort to focus on reducing or preventing acutely harmful toxic chemicals commonly used in Oregon manufacturing processes. DEQ's priorities include: Reducing toxics, climate change gasses 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 connect toxics reduction challenges with real world, practical solutions.

The DEQ proposal will implement pollution prevention and green chemistry related projects that are ready to execute: training Oregon staff and industry on use of green chemistry tools, researching safer alternatives and delivering a Statewide Pollution Prevention Internship. DEQ partners with many state agencies, non-profits, universities and others to bring together technical expertise and outreach capabilities to businesses and communities to complement the coordination and integration of pollution prevention into regulatory environmental programs.

The Hazardous Waste program will work on other initiatives based on a prioritization process. DEQ has developed a program projects tracking tool to identify current and future projects, track progress, and measure outcomes.

Priority B: 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 as 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 the agency's HazWaste.Net reporting system.

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

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

- 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 will revisit the SNC checklist later in the process when determining compliance with orders so facilities that violate one of the factors during the case will receive a SNC designation as appropriate.

Technical Assistance

DEQ will continue to provide hazardous waste and related technical assistance to businesses and organizations in Oregon. This work will involve site visits, educational workshops, and supporting initiatives. This work will continue to focus on program priorities, including the priority projects highlighted in the Hazardous Waste Initiatives section. Technical assistance providers, assisted by headquarters, will continue to implement the Toxics Reduction and Hazardous Waste Reduction Program. This will include continued work with the reporting groups to submit the required notices and implementation summaries. Also, the program will upload additional implementation summaries into the web-based Toxics Use & Hazardous Waste Reduction Clearinghouse.

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 all comments the EPA makes on permit applications, permit modification requests, and draft permits.

Corrective Action Activities

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.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

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.

Priority C. Hazardous Waste Improvement and Innovations

EPA State Review Framework (SRF)

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 completed the SRF3 review and report in 2017, and DEQ is implementing the agreed upon recommendations which include: first person prose, documentation to support cited violations, capture of Significant Non-Compliance evaluation for management review and approval, and revision of DEQ's Hazardous Waste ACES Business Rules to ensure data capture and successful upload to EPA's RCRAInfo database.

Rules and Authorization

DEQ's last major adoption of federal rules covered most rules promulgated through June 30, 2015. DEQ started rulemaking in 2017 to include non-federal regulations for a proposed hazardous waste fee increase. In addition, DEQ will submit an authorization revision application for those federal regulations the state adopted in 2015 and 2017 with 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 a 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 on roles and responsibilities will be elevated through the lines of communication described in the *EPA/DEQ Hazardous Waste Program Issue Resolution Process*.

By June 30, 2019, 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
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: Provide Clean Air, Land, Water, and Ensure Chemical Safety & EPA Strategic Plan Goal 3: Rule of Law and Process

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.

DEQ HW Priority A, Goal 2: Cooperative Federalism & EPA Objective 1.4: Ensure Safety of Chemicals in the Marketplace	
DEQ HW Activities	Commitment Measures
RCRA Grant (STAG Funding)	Direct EPA grant funds to priority environmental problems or program needs
Implement the DEQ Toxics Reduction Strategy.	Integrate Strategy into program project priorities, and consider the Strategy when planning new projects.

DEQ HW Priority B, Goal 3: Rule of Law and Process & EPA Objective 3.1: Compliance with the Law	
DEQ HW Activities	Commitment Measures
Conduct large quantity generator inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	DEQ will inspect 20 percent of the LQG universe, based on 2017 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.
Conduct treatment, storage and disposal facility inspections per national guidance and other inspections to address priority areas and take necessary enforcement actions.	Inspect 50% of operating TSDF annually. Inspect federal facilities annually. Coordinate what inspections EPA will conduct by September 30 of each year, consistent with Annual Commitment System targets. 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.
Inspect small quantity generators.	Measure total SQGs inspected and percentage inspected using 2017 SQG universe.

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DEQ HW Priority B, Goal 3: Rule of Law and Process & EPA Objective 3.1: Compliance with the Law		
DEQ HW Activities	EPA Activities	Commitment Measures
	Timeframe	
	EPA Activities	Commitment Measures
Coordinate specific sites and dates with DEQ.	Coordinate specific sites and dates with DEQ.	Coordinate what 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.	Inspect VSQGs, including those that may be non-notifiers. Coordinate what 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.	Inspect non-notifiers when identified. Coordinate what inspections EPA will conduct by September 30 of each year.
Inspect high priority complaints.	Provide technical assistance as appropriate.	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	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 3 process.	Oregon Round 3 SRF reviews resulted in specific agreed upon improvements of the state RCRA enforcement program, following Round 3 headquarters guidance issued in December 2013 and available on the ECHO SRF page (www.echo.epa.gov , login required).	OECA NPM measure SRF 01.

DEQ HW Priority B, Goal 3: Rule of Law and Process & EPA Objective 3.4: Streamline and Modernize Permitting		
DEQ HW Activities	EPA Activities	Commitment Measures
	Timeframe	
	EPA Activities	Commitment 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.	Compliance determinations and appropriate enforcement.
	Timeframe	
	EPA Activities	Commitment Measures
	Annually when facilities submit assurances.	Compliance determinations and appropriate enforcement.

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority B, Goal 3: Rule of Law and Process & EPA Objective 3.4: Streamline and Modernize Permitting		
DEQ HW Activities	EPA Activities	Commitment Measures
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.	Prevent releases at hazardous waste management facilities with updated controls.
Tektronix – develop and issue a permit modification	If interested, timely review of draft Class 2 or 3 permit modification.	Prevent releases at hazardous waste management facilities with updated 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 HWMUs and SWMUs.	Timely review and comment on permit modifications including effectiveness and enforceability of controls.	Prevent releases at hazardous waste management facilities with updated controls.
Safety Kleen – issue final renewal permit.	Timely review and comments on permit renewal.	Prevent releases at hazardous waste management facilities with updated permit controls.
Chemical Waste Management of the Northwest – develop and issue a renewal permit.	Discuss key changes in permit conditions with DEQ, timely review of draft permit conditions.	Prevent releases at hazardous waste management facilities with updated permit controls.

DEQ HW Priority B, Goal 1: Clean Air Land Water & Chemical Safety & EPA Objective 1.3: Revitalize Land and Prevent Contamination		
DEQ HW Activities	EPA Activities	Commitment Measures
Univar Portland (VWR) – technical coordination as needed.	EPA-lead - oversee facility construction of the modified remedy.	Increase the number of RCRA facilities where the site is ready for anticipated use CA800.
Permapost – complete remedy selection	Technical assistance if requested.	Increase % of RCRA facilities with final remedies constructed CA400. Remedy selected is precursor to construction.
Evraz – evaluate Remedy Constructed criteria	Technical assistance if requested.	Remedy constructed CA550RC.
Boeing – evaluate Work Completed criteria.	Technical assistance for Ready for Anticipated Use if requested.	New GPRA Measure: Number of RCRA facilities with corrective action performance

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority B, Goal 1: Clean Air Land Water & Chemical Safety & EPA Objective 1.3: Revitalize Land and Prevent Contamination			
DEQ HW Activities	EPA Activities	Timeframe	Commitment Measures
Columbia Helicopters -- evaluate Clean Up Complete	Technical assistance for Ready for Anticipated Use and Cleanup Complete if requested.	September 30, 2018	standards attained and the site is ready for anticipated use RCRAInfo: CA800, CA900 and CA999. Cleanup complete CA900 or CA999
Identify Oregon's 2020 GRPA Baseline sites that achieved CA725YE HHEI and CA550 RCC (18 of 22) & eligible/appropriate for CA800YE RAU measure	Review and approve	September 30, 2018	Coordinate with EPA to review eligible corrective action sites for appropriate RAU determination
DEQ HW Priority C, Goal 3: Rule of Law and Process & 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.	Data analysis technical assistance.	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.
Translate ACES data into RCRAInfo and enter directly any core data not available in ACES.	Technical assistance.	Monthly	All EPA measures are pulled from RCRAInfo.
DEQ HW Priority C, Goal 3: Rule of Law and Process & 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.	Corrective Action Communication Strategy – September 30, 2018.	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.
Further develop the Operational Document Review Project.	Review and comment.	Continuous	Created new IMDs. Convert existing policies into IMD template. Centrally locate IMDs and

APPENDIX B: HAZARDOUS WASTE PROGRAM COMPONENT

DEQ HW Priority C, Goal 3: Rule of Law and Process & EPA Objectives 3.2: Create Consistency and Certainty, 3.5 Improve Efficiency and Effectiveness			
DEQ HW Activities	EPA Activities	Target Date	Program Measures
Develop and submit the two rulemakings 2015 and 2017 for one authorization revision application.	Review and approve.	October 2018	fact sheets for use by the public and agency staff. Coordinate with EPA to review those federal rules subsequently promulgated by EPA and adopted by ODEQ.
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	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.

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 Oregon's rivers, streams, lakes, estuaries and groundwater quality 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 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 2016-2018 PPA/PPG term, DEQ's Water Quality Program made significant advances in several areas, including but not limited to the following:

Data management: DEQ launched a new water monitoring data system, the Ambient Water Quality Monitoring System, in July 2017. AWQMS allows DEQ to store and provide easier access to DEQ and partner data for rivers and streams, lakes, estuaries, beaches and groundwater resources throughout Oregon. In addition, AWQMS provides a direct exchange to the Water Quality Exchange network that integrates DEQ water quality data with other publically available data sources, including USEPA and USGS.

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. This work will continue into the 2018-2020 PPA/PPG term.

Water Quality Standards Triennial Review: DEQ recently completed a comprehensive internal and public process to determine the highest priority work it intends to initiate within the next three years. 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: DEQ contracted with an outside consultant in 2016 to conduct a review of the wastewater permitting program and make recommendations for program improvements. The consultant recommended numerous actions and implementation approaches covering a number of different topic areas, including leadership, community capacity, alignment across programs and with federal regulations, quality and efficiency, staffing and workload, program funding, and communications and progress reporting. DEQ and the Oregon Environmental Quality Commission are committed to implementing the recommendations in the report, and consider this a top priority for the agency – one that will require years of focused attention to resolve. Several internal process improvements are underway or completed, and some staff have been redeployed to focus on NPDES individual permit writing. Much work remains. DEQ will continue to engage EPA and external partners and stakeholders during the 2018-2020 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. Outside of this PPA, DEQ and EPA have agreed to use \$75,000 of Oregon's FFY18 Section 106 grant funds to provide associated program support assistance for several NPDES permit program tasks stemming from the 2016 recommendations including: program evaluation, permit writing, permit tool development, identification of future training needs, and guidance development. Contractor

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

support to be performed under this agreement is expected to get underway in spring 2018. This arrangement complements the priorities and outcomes outlined in this PPA and is a further demonstration of the agencies' cooperative working relationship.

DEQ is engaged in several areas of litigation within its TMDL and permitting programs and anticipates resolution early in the 2018-2020 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 must 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 Enforcement 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 expired permit backlog, DEQ will adjust compliance assurance priorities with the 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 December 2016 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.

EPA is initiating a National Compliance Initiative in 2018 with States to Improve Compliance Rates for NPDES permitted facilities nationwide. EPA intends to coordinate closely with DEQ to design and implement this initiative to reduce levels of Significant Non-Compliance (SNC) in Oregon.

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 Strategic Plan.

Element 1: Water Quality Standards and Assessments

DEQ contact: Jennifer Wigal

EPA contact: Hanh Shaw and David Croxton

Establishing water quality standards for waters of the United States 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 been reduced since the previous Performance Partnership Grant cycle. DEQ continues to recruit and fill the Integrated Report positions added in the 2015 Legislative session. However, in 2017, the agency lost one full time NRS4 position from the standards program.

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 TDMIs.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.1	Temperature Cold Water Refuge Plan for the lower 50 miles of the Willamette River. The purpose of the plan is to interpret the narrative CWR criterion and allow for implementation of the criterion through DEQ's CWA authorities.	Assistance and input to DEQ in the development of this plan. Work with DEQ and NMFS on revised timeline.	Draft Willamette Cold Water Refuge Plan Final Plan	November 2018 May 2019	Partial	
1.2	Track, provide input, and comment on EPA's aluminum criteria promulgation for Oregon. Participate in ESA consultation as appropriate	Provide DEQ the opportunity for input on the proposed Oregon criteria promulgation. Keep DEQ informed on the ESA consultation process. Work with Oregon on implementation procedures.	Proposed Oregon aluminum rule. Final Oregon aluminum rule.	Ongoing through 2020	Partial	
1.3	Conduct a review and prepare for rulemaking to revise Oregon's temperature water quality standard in anticipation of TMDL remedy decision and other outstanding needs. Determine how to address natural thermal regimes and variability for temperature.	Collaborate on options for addressing absence of natural conditions provision.	Project planning and rule development according to project plan for temperature standard revision.	Ongoing through 2020	Partial	
1.4	Address water quality standards-related action needs (e.g., variances, site-specific background pollutant allowance, UAAs and/or SSC) arising from implementation of revised human health criteria or the remaining effective portion of Oregon's temperature standard.	EPA will work with DEQ on any variance requests or other WQS-related needs arising from temperature or human health criteria.	Variances and other water quality standards revisions.	Ongoing	Partial	
1.5	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 July	Early input and review as rules being drafted.	Revised standards recommended to EQC for adoption and submitted to EPA.	June 2020	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.6	2015 USFWS Biological Opinion, DEQ will revise bull trout use designations. Amend Oregon's rules to clarify the definitions for cool and cold water species to address inconsistency with definitions used in dissolved oxygen standard.	Early input and review as rules are drafted.	Revised standards recommended to EQC for adoption and submitted to EPA.	June 2020	Partial	
1.7	Issue individual variances for 4 municipal wastewater treatment facilities for the human health methylmercury criterion.	Early input and review as variances are being drafted. Timely review and action on variance.	Issue variances and submit to EPA. Issue permit incorporating variance requirements upon EPA approval.	Submit to EPA January 2019	Partial	
1.8	Develop and conduct a rulemaking to adopt a multiple discharger variance for methylmercury for the Willamette Basin.	Early input and review as variance is being drafted. Timely review and action on variance.	Propose multiple discharger variance rulemaking for mercury to EQC for adoption. Upon adoption, submit to EPA for action.	Submit to EPA June 2019	Partial	
1.9	Evaluate concurrence memo from NMFS regarding the need for an additional numeric temperature criterion for the lower John Day River to protect steelhead smoltification, and work with EPA to determine next steps.	Evaluate concurrence memo from NMFS regarding the need for an additional numeric temperature criterion for the lower John Day River to protect steelhead smoltification, and work with DEQ to determine next steps.	If needed, develop strategy to address smoltification in the lower John Day River.	November 2018	None	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.10	DEQ will update Oregon's 2012 Integrated Report and 303(d) list websites and databases following EPA's approval and final action. DEQ will communicate the final 2012 303(d) list for agency and public use.	EPA will provide DEQ with approval document and final list of additions to Oregon's 2012 303(d) list. EPA will assist DEQ georeferencing 2012 additions and DEQ will update internal database for public access.	Final Oregon 2012 303(d) list	Summer 2018	Partial	
1.11	DEQ will assist EPA to identify relevant data elements and georeferenced Integrated Report information to contribute to EPA's national water quality summaries and performance measure, and 303(d) Vision tracking and analysis.	EPA will extract information from Oregon's databases to populate EPA databases (i.e., ATTAINS) and compile information for national reports and performance measure tracking and analysis.	Oregon approved 2012 Integrated Report and 303(d) list	Ongoing	Partial	
1.12	Implementation of planned Integrated Report Improvements, including: <ul style="list-style-type: none"> Assessment process, methods, and procedure improvements Assessment data system and processing improvements DEQ will implement these improvements to prepare assessment information and compile Oregon's next Integrated Report and 303(d) list.	EPA will provide input on approaches, tools and processes as they are developed by DEQ.	Interim improvement task plans and deliverables as well as projected future incremental improvements.	Draft Assessment: October 2018 Final 303(d) list: July 2019	Partial	
1.13	DEQ's 2018 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	2018 Integrated Report and associated reporting data.	Ongoing DEQ work with EPA ATTAINS and Water Quality Framework design team.	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
1.14	DEQ's 2018 Integrated Report and 303(d) list will include a crosswalk section that addresses discrepancies between past and present listings, based on changes (improvements) to the assessment methodology.	EPA will provide technical support to DEQ in developing the crosswalk as well as implications to reporting into ATTAINS.	Crosswalk section within 2018 Integrated Report.	Submittal July 2019. Ongoing DEQ work with EPA. Submittal July 2019.	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 that do not meet water quality standards. 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. These estimates are required for waterbodies that have been identified as in violation of one or more water quality standards at some time, and have been included on one of DEQ's 303d lists of water quality limited waterbodies.

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. 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 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 staff actively implement TMDLs by:

- Revising industrial and municipal wastewater permits to incorporate wasteload allocations into revised permit limits.
- Working with local communities and the Oregon Department of Agriculture through the Agriculture Water Quality Management Act process to implement the TMDLs effectively on agricultural lands.
- Working with the Oregon Department of Forestry for implementation on state and private forestlands, through the Oregon Forest Practices Act and 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 for lands under their jurisdiction.
- Working with ODA, ODF, and other DMA's on TMDL implementation planning timelines, milestones for pollutant reduction targets and strategies to reduce pollutants, such as sediment, temperature, nutrients and bacteria.

Under most circumstances, TMDL Implementation plans 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 organization-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. 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

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

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 technical assistance, comments, and information on TMDLs; Review and provide decisions on TMDLs. EPA is providing technical support in developing the TMDL, addressing Tribal consultation and responding to public comments on the proposed Klamath Temperature TMDL and the Willamette Basin Mercury TMDL.	<p>Issuance of TMDLs for the:</p> <ul style="list-style-type: none"> - Coquille Basin: bacteria; DO, pH, and temperature (if NTP≤BBNC) - MidCoast Basin: <ul style="list-style-type: none"> • Beaches: Bacteria • Big Elk Creek: Bacteria • Indian Creek: Biocriteria • Salmon River: bacteria • Siletz River: Temperature (if NTP≤BBNC) • Upper Yaquina: Bacteria • Upper Yaquina: DO • Yachats River: Temperature <p>- Powder Burnt Basin: bacteria, DO, pH</p> <p>- Klamath River and Lost River: revision temperature TMDL</p> <p>- Willamette Basin: mercury TMDL_revision</p>	4Q2018 2Q 2019 4Q 2018 3Q 2019 3Q 2019 1Q 2020 4Q 2018 2Q 2019 1Q 2019 4Q 2019 April 2019 April 2019	Partial	WQ-8b

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<p>Begin or continue TMDL development for:</p> <ul style="list-style-type: none"> - Chetco Basin - Sixes Basin - Coos Bay - Upper Deschutes Basin <p>Evaluate and develop potential approaches for the remaining category 5 and 3 listings for the Willamette Basin.</p>	<p>Begin following EPA approval of Coquille TMDL</p> <p>Begin following EPA approval of Powder TMDL</p> <p>In progress</p>		
2.2	Develop TMDL Wasteload Allocations that permit writers can translate into NPDES permits through collaboration with NPDES permit writers.		WLAs that can be translated into permits for each permitted discharge.	Ongoing	Partial	
2.3	Implement issued TMDLs. Work with watershed councils, local governments, and other DMAs to develop appropriate management practices and plans for meeting TMDL allocations. Work with USDA agencies to leverage Farm Bill resources to implement priority best management practices in critical areas.		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	Ongoing	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
2.4	<p>Include robust Reasonable Assurance documentation in the TMDL and WQMP to implement TMDLs for Nonpoint Sources in subbasins where TMDLs/WQMPs have been completed or are being completed. 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.</p>	<p>Pursue participation in review of grant applications for NRCS/Farm Bureau water quality programs such as EQIP. Work with Corps of Engineers on TMDL implementation.</p>	<p>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.</p>	Ongoing	Partial	WQ-10
2.5	<p>Implementation of load allocations or require TMDL implementation plans for all sources assigned load allocations.</p>	<p>Review and provide input to DEQ on implementation plans developed in response to issued TMDL/WQMPs</p>	<p>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 review of TMDL implementation by DEQ.</p>	Ongoing	Partial	
2.6	<p>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) as described in the Governor's Natural Resource Office letter (2/10/2016). Incorporate New Development guidelines and Onsite Sewage Disposal Systems (OSDS)</p>	<p>Review and provide input on source assessment, allocations, reasonable assurance with timelines and milestones, management measures, and</p>	<p>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.</p>	At issuance of TMDLs	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	actions in TMDL/WQMP as described in CZARA management measures.	adaptive resource management as part of the TMDL, WQMP or IP				
2.7	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	

Element 3: Underground Injection Control

DEQ contacts: Christine Svetkovich
EPA contacts: Peter Contreras

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.

Environmental Outcome: These activities help to ensure that adequate controls are in place so that UICs do not result in water quality standards violations, which will contribute to water quality improvements as measured by water quality monitoring and other environmental data.

#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
3.1	Continue administration of UIC program by providing Authorization by Rule site	EPA will provide enforcement and compliance assistance as	Wells inventoried and registered per year; Authorization by Rule determination process (e.g.,	Ongoing	Partial	SDW-8,

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	reviews, developing WPCF permits and closures.	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.	requesting additional information, providing clarification on application issues, retrofits) will occur as needed. Issue area wide UIC- WPCF permits as appropriate.			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	
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 2018 - 20 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	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe issues and rulemaking.	Supported by PPG?	EPA PAM
3.5	Prioritize inspection and compliance activities for UICs identified as high-environmental risk, such as auto-drains.	EPA will provide technical assistance to DEQ as needed.	Closure of high-risk auto-drain UICs identified in DEQ's database by the end of the 2018-20 PPA cycle.	Ongoing.	Partial	
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.		Partial	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Element 4: Groundwater Program

DEQ contact: Ron Doughten and Aaron Borisenko

EPA contact: Marie Jennings

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, targeting two geographic areas a 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 nitrate concentration trend in the LUB GWMA.	EPA will provide technical support as needed.	<p><u>Coordination</u></p> <ul style="list-style-type: none"> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness. <p><u>Education and Outreach</u></p> <ul style="list-style-type: none"> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, including participation at "outdoor schools" and farm fairs. 	<p>Meet as needed; typically six meetings per year</p> <p>Ongoing</p> <p>Ongoing</p> <p>Annually</p> <p>Ongoing</p>	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
			<ul style="list-style-type: none"> - Maintain GWMA website. - <u>Monitoring and Data Analysis</u> - Monitor groundwater quality at 32 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. 	<p>Quarterly monitoring. As needed with new data.</p> <p>Every four years</p>		
4.2	<p>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.</p>	<p>EPA will provide technical support as needed.</p>	<p><u>Coordination</u></p> <ul style="list-style-type: none"> - Meet with local stakeholders, Groundwater Management Committee, and local agencies to coordinate Action Plan activities. - Provide technical support. - Research BMPs and their effectiveness. <p><u>Education and Outreach</u></p> <ul style="list-style-type: none"> - Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMP. <p><u>Monitoring and Data Analysis</u></p> <ul style="list-style-type: none"> - Monitor groundwater quality at 36 domestic and irrigation wells once annually to evaluate impacts and effectiveness of Action Plan. - Complete groundwater 	<p>Meet as needed; typically one meeting per year</p> <p>Ongoing Ongoing</p> <p>Annually</p> <p>Annual monitoring.</p> <p>Every four years</p>	<p>Partial</p>	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
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.	<p>nitrate trend analysis.</p> <ul style="list-style-type: none"> - Evaluate success of BMP awareness and implementation. <p><u>Coordination</u></p> <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. - Research BMPs and their effectiveness. <p><u>Education and Outreach</u></p> <ul style="list-style-type: none"> Organize education and outreach efforts to increase awareness of groundwater vulnerability and BMPs, - Maintain GWMA website. <p><u>Monitoring and Data Analysis</u></p> <ul style="list-style-type: none"> - Monitor groundwater quality at 25 monitoring wells and 15 domestic wells to evaluate impacts and effectiveness of Action Plan. - Evaluate success of BMP awareness and implementation. 	<p>Three - four SWV GWMA Committee meetings per year</p> <p>Ongoing Ongoing</p> <p>Ongoing outreach/education with local stakeholders</p> <p>Ongoing</p> <p>Two - four times per year</p> <p>Seventy per biennium</p> <p>As scheduled</p>	Partial	
4.4	Each year, one geographic area will be identified for groundwater monitoring activities with complete coverage of the		<p><u>Monitoring and Data Collection</u></p> <ul style="list-style-type: none"> - Monitoring at approximately 50 wells (combination of 	Ongoing	No	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	state over time. Groundwater monitoring locations and timing will be prioritized to complement other internal and external monitoring objectives.		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.			
4.5	Complete federal and state groundwater reporting requirements.		- Biennial Report to the legislature. - Groundwater component of 305(b) report.	Ongoing As scheduled	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	

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Element 5: WQ Permitting, Pretreatment and 401 Certifications

DEQ contact: Ron Doughten, Christine Svetkovich, Steve Mrazik

EPA contact: Mike Lidgard

Industrial and Domestic Wastewater Permitting and Stormwater Permitting

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 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 prevent an impact on receiving waters and the beneficial uses of those waters (drinking, swimming, fishing, aquatic habitat, etc.)
- Periodically inspect facilities and review 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-Ron Doughten

Pretreatment regulations establish responsibilities and standards to control pollutants from industrial users that discharge wastewater to a collection system and publicly owned treatment works. Toxic pollutants and other industrial contaminants may pass through or interfere with wastewater treatment processes or may contaminate sewage sludge. The POTW acts as the control authority for these industrial users and monitors the wastewater they discharge to determine whether they are in compliance with the pretreatment standards. DEQ oversees each of the 26 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.

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Biosolids Program—Ron Doughten

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—Ron Doughten

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 potentially industrial wastewater dischargers for managing their treated wastewater. Water reuse provides these stakeholders with options that may be more economical and/or environmentally sound than surface water discharge, and can be an additional source of water for non-drinking water practices. 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 Healthy 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 State 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 proposed project applications to dredge, fill, or otherwise alter a waterway or wetland to ensure that the projects will meet water quality program requirements. The federal relicensing of hydroelectric projects also requires a 401 water quality certification from DEQ as a condition of the operating license of the facility.

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 provides support for EPA reviews of 401 water quality certification program activities related to proposed dredge and fill projects. Additionally, DEQ provides a great deal of technical assistance throughout the permit process. DEQ also issues programmatic type WQCs that cover groups of activities with protective conditions in an effort 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 measured by water quality monitoring and other environmental data.

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#	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), 276 NPDES minors, and 238 WPCF.</p> <p>DEQ will improve the NPDES permit issuance rate during this agreement period in order to reduce the backlog of expired permits. Strive towards EPA's national target to operate a program with less than a 10% backlog rate on a facility basis.</p>	<p>EPA will review DEQ NPDES permits which contain compliance schedules. EPA review of these permits will occur prior to public notice. 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>Develop and implement 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 expired NPDES permits.</p>	<p>October 2018 October 2019</p> <p>Ongoing</p>	<p>Partial</p>	<p>WQ-12 WQ-19a</p>

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
		<p>EPA's designee for reviewing draft permits is Karen Burgess.</p> <p>EPA will support use of EPA Contractor, PG Environmental, to assist with permit development and program improvement efforts.</p>				
5.2	<p>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.</p>	<p>Provide technical assistance, review and comment on permit language and justification in permit administrative records.</p>	<p>Twice-yearly updates of permit templates.</p> <p>Standardized procedures for permit quality review.</p>	Ongoing		
5.3	<p>DEQ will continue to improve the consistency of permits, fact sheets, permit records through improved data acquisition and analyses</p>	<p>Provide technical assistance, review, and comment on draft policies, guidance, and procedures.</p> <p>Assist with training and guidance of NPDES permit writers on federal regulations.</p> <p>Participate in at least one permit writers training hosted by DEQ.</p>	<p>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.</p> <p>NPDES Permit Writer training workshop conducted by EPA and/or EPA's contractor.</p>	Ongoing		On or before June 30, 2020

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.4	Issue "Priority Permits" as identified jointly with EPA at the start of each federal fiscal year.	EPA will work with DEQ staff on identification and tracking of priority permits.	Issue 80% of the priority permits identified during each federal fiscal year cycle, subject to available resources.	Ongoing		
5.5	Respond and implement corrective action plan to address Category 1 finding in EPA PQR report issued in March 2016.	Technical assistance, review, and comment on the proposed corrective actions.	Corrective action plan and implementation schedule.	Ongoing with Action 5.7		
5.6	Implement new or revised water quality standards in the NPDES program, as adopted and approved by the Oregon Environmental Quality Commission and EPA.	Technical Assistance; EPA timely review and comment on draft policies and guidance.	Implementation plans for new or revised water quality standards.	Ongoing		
5.7	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. Respond to recommendations resulting from third party review of the NPDES permit program.	Technical Assistance; EPA timely review and comment on draft policies and guidance; and other program support as needed.	Revise permit templates and guidance as necessary to reflect program developments. Continue to develop and implement training curriculum. Plans and action for implementing recommendations on NPDES program improvement provided by a third party consultant.	Ongoing As scheduled Ongoing	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.8	Implement State stormwater program, including construction, industrial, and municipal stormwater		<ul style="list-style-type: none"> - Renew one Phase I permit. - Issue and implement general permit for phase two MS4 communities. - Renew the 1200-A industrial stormwater permits. - Renew the 1200-CA permit for public entities that conduct construction activities. - Work with local government agencies to assist DEQ in program implementation. 	<p>At least annually and as needed.</p> <p>June 2020</p> <p>June 2019</p> <p>June 2020</p> <p>June 2020</p> <p>Ongoing</p>	Partial	WQ- 13a WQ- 13b WQ-13c
5.9	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	
5.10	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	Ongoing	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
5.11	Implement the Pretreatment Program.	EPA will provide TA; timely program support as needed.	<p>consistent with state requirements.</p> <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	WQ-14a WQ-14b
5.12	DEQ will participate in Government Performance and Results Act reporting.	EPA will provide a list of items to be reported under the NPDES permit program by July 1 of each year along with the due dates for each item.	DEQ will provide information required under the GPRA (resources permitting).	Annually	Partial	PAMs are under GPRA

Element 6: Compliance Assurance and Enforcement and Data Management

DEQ contact: Anita Yap

EPA contact: Jeff Kenknight

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

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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. 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. Additional audits and inspections may be warranted as a result of reviewing the annual MS4 and Pretreatment reports for compliance. CMS policy requires annual inspection planning and end-of-year inspection performance reporting via an CMS form. eEnforcement is a deterrent to noncompliance and the means for correcting violations either immediately by simple corrective action(s) or long-term with a compliance schedule. Enforcement actions follow guidance directives to ensure statewide consistency. An annual enforcement report with open and closed formal enforcement action cases is prepared for enforcement performance.

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 state data bases and a file review audit every four years. DEQ is collaborating with EPA on making substantial changes to the NPDES program as specified in the December 2016 SRF report on federal fiscal year 2014 data and file review.

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 phase 1 of eRule that began in December 2016 and development of eRule phase 2 systems with implementation to begin in December 2020 while addressing corrective measures from the 2016 SRF report. DEQ is pursuing a proprietary Environmental Data Management System (EDMS) where after DEQ successfully petitions EPA to become the Initial Recipient, permittees would submit all required NPDES data to DEQ and DEQ would share the minimum set of NPDES data for eRule with EPA by electronic transfers from state data bases to ICIS-NPDES. DEQ likely will not implement an EDMS prior to the end of the 2018-2020 PPA term.

#	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	DEQ will respond to significant public complaints. Note: DEQ often performs a compliance inspection for complaints warranting a site visit.	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	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
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.</p> <p>Notes:</p> <p>(1) Until the December 2016 State Review Framework (SRF) report corrective measures are implemented, DEQ will not consider DEQ agent administered permits for CMS targeting (i.e., construction and 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 individual permits. DEQ does perform inspections at industrial general permits other than stormwater, MS4, CAFO, Pesticide, and Vessel 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 60</p>	<p>As resources allow, Region may schedule joint and/or oversight inspections with DEQ.</p> <p>EPA plans to do five Phase II MS4s and a number of industrial stormwater inspections in Oregon.</p>	<p>- 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.</p> <p>- DEQ will conduct inspections at non-major facilities once every five years.</p> <p>- DEQ will target additional NPDES compliance efforts in targeted watersheds and environmental outcomes or NPDES compliance history.</p> <p>Stormwater:</p> <ul style="list-style-type: none"> - Inspect 10% of industrial stormwater facilities per year. - Inspect 10% of construction sites 5 acres or larger per year - Inspect 5% of construction sites less than 5 acres per year. - Conduct compliance activities (review annual reports) on Phase I and Phase II MS4 permittees. 	Ongoing	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	<p>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> <p>(5) DEQ's Output of "Conduct compliance activities on Phase I and Phase II MS4 permittees" will continue to mean reviewing all annual MS4 reports at least. DEQ may warrant an audit or inspect MS4s depending on findings from reviewing the annual report. DEQ does not target the MS4 universe of permits to conduct one audit, or off-site desk audit at least once every five years, with onsite audit or inspection at least every seven years per CMS national goal.</p>		<p>Pretreatment:</p> <ul style="list-style-type: none"> - DEQ will audit three approved active pretreatment programs each year. - During each audit an oversight inspection will be conducted of up to two Industrial Users to the POTW. - DEQ will conduct Pretreatment Compliance Inspections based on annual report results. 			
6.4	<p>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</p>	<p>Provide draft NPDES Annual CMS Plan and End of Year Report template.</p>	<p>Alternate CMS plan</p> <p>Annual CMS plan</p> <p>Annual CMS EOY report</p>	<p>Annually by August 15</p> <p>Annually by September 15</p>		

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
	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.			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	
6.6	DEQ will on an annual basis report 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.	Annually by December 15	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.	<ul style="list-style-type: none"> - 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. 	Annually by October 31 of each year	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.8	DEQ will participate in quarterly planning/coordination calls with EPA-NCU.	EPA-NPDES Compliance Unit will participate in quarterly planning/coordination calls with DEQ.	<ul style="list-style-type: none"> - Updated agreements, as needed - Coordination of inspection and enforcement work and improved work-sharing, as needed 	Timelines per SRF report	Partial	
6.9	DEQ, including Regions as appropriate, will meet annually with EPA-NPDES Permitting and Compliance Units 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, including Regions as appropriate, 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	EPA performed an SRF review with FFY2014 data in 2015 and provided a final report in 2016. DEQ will implement the recommendations of the SRF report in the sequence outlined by	EPA will provide review and input to assist DEQ in addressing SRF findings.	Outputs per each relevant SRF finding.	Recommendations to be completed before start of next SRF review to extent practical	Partial	

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#	DEQ Commitment	EPA Commitment	Outputs	Timeframe	Supported by PPG?	EPA PAM
6.12	DEQ in its January 17, 2018 proposal. EPA will perform an SRF review using FFY2018 data in 2019.	EPA will provide draft SRF report in 2019 for DEQ review and comment				
6.13	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 the NPDES eReporting rule depending on the declared Initial Recipient status.	DEQ will implement Phase 1 and Phase 2 of the eReporting rule depending on its responsibilities for the declared Initial Recipient status of applicable data Groups 2 through 10. DEQ will collaborate with EPA and its agents to implement sharing of Group 1 data for Phase 1. Unless DEQ obtains and implements its own CROMERR-compliant EDMS, DEQ will collaborate but rely on EPA to provide training and technical assistance to permittees using EPA's NetDMR for Group 3 data in Phase 1 and NeT for remaining applicable data Groups in Phase 2.	DEQ will implement the NPDES eReporting Rule in collaboration with EPA on an agreed schedule.		
6.14	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	

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Element 7: WQ Data Analysis, Management and Monitoring

DEQ contact: Aaron Borisenko

EPA contact: Jeannine Brown (data) and Chris Zell (monitoring)

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 Program (LEAP).

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, 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.

LEAP 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.

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#	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.	T.A; consultation	<ul style="list-style-type: none"> - Continue entering data into the ELEMENT 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.		TMDLs developed on schedule and supported by adequate data.	Ongoing	Partial	
7.3	Statewide statistical survey of Rivers and Streams		<ul style="list-style-type: none"> - Supplemental field samples collected at an additional 8 rivers and streams for a statistical survey of flow waters in Oregon 	10/01/2019	Yes	
7.4	Select reference sites east of the Cascade Range in Oregon and establish revised thresholds for chemical and habitat stressors and biological metrics statewide .		<ul style="list-style-type: none"> - Complete alignment of existing biomonitoring stations with NHD plus (1:100K) and High Resolution NHD (1:24K) -Associate "Stream Cat" metrics to biomonitoring stations. -Develop revised reference screening protocols for sites east of the Cascades. -Select new reference sites east of the Cascades. -Calculate in-stream metrics for habitat/chemistry at all biomonitoring stations where data exists 	10/1/20	Yes	

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#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
7.5	Reporting of biological, chemical and habitat data at reference and study locations in Western Oregon, at statewide trends sites and in the Deschutes Basin.		-Develop revised thresholds for chemical and habitat stressors and biological metrics statewide -Document outline the process of selecting reference sites and establishing thresholds for stressors Report /reports summarizing findings	10/2018	Yes	
7.6	Identify business requirements for migrating DEQ water quality, biology and habitat data into WQX		Business requirements for migration of water quality, biology and habitat data into WQX/STORET identifies	6/2018	Partial	
7.7	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	

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 required development of additional management measures for NPS within the coastal zone. Nonpoint source pollution comes from numerous diffuse sources such as runoff from roads, 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.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

Federal grants cover the majority of cost for Oregon's NPS program, which protects and restores both surface water and groundwater. 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 staff, which performs the following activities:

- Characterization of NPS problems/concerns.
- Assessment to support and determine effectiveness of BMP programs.
- Best management practices development/implementation.
- Coordination between stakeholders.
- Liaison support staff to other state and federal agencies.
- Restoration activities.
- Development and modeling for NPS TMDLs.
- Development of UAA/SSC as related to NPS activities; and
- Public education.

Another area of work involves supporting ODA in the implementation of the Agriculture Water Quality Management Program and biennial reviews of area plans and rules. 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.

#	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	Solicit and select projects.	May 2019 and May 2020	Yes	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
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.	Elements for watershed based planning. 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 determined to be Watershed based Plans.	2018 - 2020	Yes	
8.3	Prepare an annual report of NPS program accomplishments.	Review and take final action on annual report.	NPS Annual Report.	March 2019 and March 2020	Yes	
8.4	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 2018 and September 2019	Yes	SP-12 WQ-10
8.5	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.	February 2019, February 2020 load reduction, other GRTS data (National GRTS reporting deadlines	Yes	WQ-9a WQ-9b WQ-9c
8.6	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.	Provide technical support and review of Watershed Based Plans based in part on TMDL development and implementation and the nine Key Elements watershed guidance.	Implement for selected 12 digit HUCs, a fact sheet or other document describing how TMDLs, WQMPs, and other planning documents meet EPA's nine key elements.	June 2018-2020	Yes	

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

#	DEQ Commitment	EPA Commitment	Outputs	Target Date	Supported by PPG?	EPA PAM
8.7	Implement 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	
8.8	DEQ works with ODA, ODF and EPA on CZARA Coastal Nonpoint Control Plan.	TA and consultation	Development of an approvable CNPCP	Ongoing	Yes	
8.9	Ag Area Plan & Rule biennial reviews and ODA/DEQ MOA implementation	TA and consultation	Develop 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	

Element 9: Source Water Protection

DEQ contacts: Gene Foster

EPA contacts: Susan Eastman

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.

APPENDIX C: WATER QUALITY PROGRAM COMPONENT

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.

Element 10: Clean Water State Revolving Fund Program

DEQ contacts: Anita Yap

EPA contacts: Marie Jennings

In 1987 Congress established the CWSRF program to replace the Construction Grants program that provided direct grants to communities to complete sewer infrastructure projects. EPA oversees the CWSRF program and each state and Puerto Rico to implement the program. The program makes low-interest funding available to address water quality. Congress continues to appropriate funds to EPA for the purpose of capitalizing the CWSRF program each year. Each state must contribute a minimum matching amount of 20 percent of its federal grant to the program annually.

DEQ administers the CWSRF program in Oregon and provides low-cost loans and bond purchase agreements for the planning, design and construction of a variety of projects that address water quality improvement and protection. Oregon laws allow the use of these funds to public agencies only including cities, counties, sanitary districts, soil and water conservation districts, irrigation districts, school districts, and various special districts. A majority of the funds are provided to cities that address wastewater treatment needs and thus help to meet the state's water quality standards. These standards are necessary 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 source water pollution and is integrating sustainable approaches to water quality improvement and protection. Each type of loan or bond purchase agreement DEQ offers has different financial terms, and is intended to provide communities with choices when financing water quality improvements.

Each year Oregon's program loans approximately \$100 million available statewide for water quality improvements. Oregon's capitalization grant in 2018 will provide approximately \$15 million of the \$200 million available funds. To date, DEQ has provided loans to 191 communities totaling more than \$1.26 billion.

In 2017, DEQ completed administrative rulemaking to provide additional program improvements, including WRRDA items, as well as housekeeping items.

Although EPA oversees the CWSRF program, federal regulations allow states broad flexibility in establishing and implementing their revolving funds. EPA works closely with each state in providing technical assistance and oversight to ensure consistency with federal regulations. DEQ and EPA Region 10 maintain an Operating Agreement governing the administration of the program in Oregon which stipulates the procedures and expectations of the program. EPA's regional Oregon CWSRF coordinator and DEQ's CWSRF program staff work closely together in support of Oregon's program. EPA evaluates Oregon's financial and program procedures each year through a site visit and annual program evaluation report. DEQ provides EPA with an intended use plan for the state's use of its fund up to three times per year, and also provides an annual report to EPA on the program's financial accomplishments during the state fiscal year. DEQ will report on environmental outcomes by completing an environmental benefits evaluation for each project in EPA's environmental benefits system for the CWSRF.

APPENDIX D: ENVIRONMENTAL JUSTICE

ENVIRONMENTAL JUSTICE ACTIONS: 2016-2018

Oregon DEQ made a series of specific commitments, seen below, for Environmental Justice actions and activities in the 2016-2018 Performance Partnership Agreement. Notes and updates about each of the 2016-2018 item are provided as a sub-bullet and italicized.

Partnerships

- Collaborate with EPA and other states to share information about current EJ issues, activities and events applicable to Oregon
 - *Ongoing – Oregon DEQ’s EJ coordinator participates in monthly telephone meetings with EPA Region 10 EJ staff and the state EJ representatives from Alaska, Idaho and Washington for training, professional development and information sharing*
- Coordinate with other state natural resource and health agencies, and local environmental public health agencies to develop and share tools for EJ activities in Oregon, such as a tool to take into account demographic indicators for prioritizing work and sharing environmental public health with communities with environmental justice concerns
 - *Ongoing - Oregon DEQ strengthened its working relationship with the Oregon Health Authority and local health authorities, especially the Multnomah County Health Department, in 2017 and 2018. The agencies continue to collaborate on communications, and share information and lessons-learned on best practices for engagement with people who could be experiencing disproportionate health effects and environmental exposures from pollution*
 - *Ongoing – Oregon DEQ invited several other state natural resource agency representatives to attend the DEQ staff trainings for EJSCREEN, and maintains regular communication with the EJ representatives from other state agencies interacting with the Oregon Environmental Justice Task Force*
- Consult with the Oregon Environmental Justice Task Force for guidance about tools to continue integrating EJ principles and actions into DEQ operations, where applicable
 - *Ongoing – Oregon DEQ maintains an ongoing consultative and reporting relationship with the Oregon EJTF and receives regular feedback and direction from the Oregon EJTF regarding agency programs and activities*
- Participate in, and work with EPA on, any national or regional EJ efforts or initiatives, such as EPA Region 10’s Making a Visible Difference steering committee
 - *Completed – Oregon DEQ staff worked to implement the EPA Region 10 Making a Visible Difference conference in Portland in 2016-17 and continue to work with community-based organizations and project partners identified through their involvement with the conference*
- Coordinate with EPA to develop EJ trainings for specific Oregon DEQ programs
 - *Completed - In partnership with EPA, community based organizers, and the EJTF, completed a series of training about Cleaner Air Oregon in Portland, The Dalles, and Corvallis*
 - *Ongoing – Oregon DEQ works closely with EPA Region 10 and headquarters to develop, refine and improve agency trainings for EJ*
- Consult with state and local environmental public health agencies to incorporate EJ considerations into programs, such as priorities for air toxics site investigation
 - *Completed and ongoing – EJ is incorporated in the draft rules for Cleaner Air Oregon, a new air toxics regulatory program rule making started in April 2016 and*

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is scheduled for final approval and implementation in late 2018. The draft rules use demographic factors, based on income and minority population data, as part of the assessment for potential focus sites/communities

- Collaborate with EPA to identify LEP individuals who need language assistance using data such as EJ Screen, the latest census data, or information from DEQ
 - *Ongoing in an as-needed basis, with need for improvement in 2018-20 PPA*

Outreach

- Diversify Oregon DEQ's advisory committees and workgroups, including, but not limited to, participants representing environmental justice issues
 - *The advisory committee membership solicitation for the Cleaner Air Oregon project included broader community-based announcements in 2016. The resulting committee (2017) had several members representing EJ issues and others from EJ-related advocacy organizations.*
 - *This commitment is continued in the 2018-20 PPA*
- Establish DEQ protocols for culturally appropriate community engagement, taking into account demographic indicators and Limited English Proficiency
 - *Oregon DEQ was unable to formalize protocols for culturally appropriate community engagement during the 2016-18 PPA; however, draft protocols and guidance were created as part of the training provided to staff on the use of EJSCREEN in 2016 and 2017*
 - *This commitment is continued in the 2018-20 PPA*

Tools

- Develop a tool to take into account demographic indicators for prioritizing DEQ's work
 - *Completed and ongoing – Oregon DEQ staff primarily use EJSCREEN for its demographic information, which is taken into account with other data to inform agency decisions*
- Explore opportunities to focus Supplemental Environmental Project funds resulting from civil penalties for environmental law violations in communities with environmental justice concerns
 - *This commitment is continued in the 2018-20 PPA*
- 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 commitment is continued in the 2018-20 PPA*
- Continue to develop an agency implementation and staff training plan, with outcome-based measurements, for using EPA's EJSCREEN when DEQ decisions may affect communities with identified or potential EJ concerns
 - *Completed - Training for EJSCREEN was made available to all DEQ staff across the state in 2017 and 2018, with approximately 20 in-person and web-based trainings provided*
 - *Ongoing – Yearly refresher courses on using EJSCREEN will be available for all staff, with a focus on providing smaller or individual trainings to new staff as they join the agency. As-requested trainings are and will continue to be available to all current and new agency staff*

Accountability

- Consult with the Oregon Environmental Justice Task Force to measure success while developing the Environmental Justice section of the next PPA; review work completed during the previous grant cycle and seek task force input about how to improve moving forward

APPENDIX D: ENVIRONMENTAL JUSTICE

- *Ongoing – This review and engagement will occur for all PPA cycles*
- Reduce localized impacts of air toxics in communities with environmental justice concerns statewide through the Cleaner Air Oregon regulatory reform program
 - *Ongoing – the Cleaner Air Oregon program includes environmental justice considerations; the program's implementation is subject to Oregon Environmental Quality Commission approval in winter 2018*
- Incorporate EJ and cultural competency expectations and understanding implicit cultural bias in Oregon DEQ manager position descriptions and performance management materials
 - *Partially completed – Cultural competency language has been added to some manager position descriptions and performance management materials*
 - *This commitment is continued in the 2018-20 PPA*
- Ensure compliance with Title VI of the Civil Rights Act of 1964. This includes participating in EPA sponsored training and/or guidance to help achieve compliance with Title VI
 - *Ongoing – Oregon DEQ's Human Resources office maintains compliance reviews for Title VI, which will continue in the 2018-20 PPA with enhanced opportunities for additional staffing resource for Title VI training*
- Take 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), at: <http://www.gpo.gov/fdsys/pkg/FR-2004-06-25/pdf/04-14464.pdf>
 - (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
 - *This commitment is continued in the 2018-20 PPA*
- Provide notice to LEP persons that language services are available and that they are free of charge
 - *Ongoing – Oregon DEQ maintains this language on its website and fact sheets*
 - *This commitment is continued in the 2018-20 PPA*

Training

- Maintain an online training for environmental justice that is available to all employees
 - *Completed and ongoing – This training will remain available to all Oregon DEQ employees*
- Strongly encourage all managers and staff whose primary work responsibilities include permitting or field work to complete the online EJ training
 - *Completed – The EJSCREEN trainings were not mandatory; however, they were provided to all Oregon DEQ employees regardless of position and had a dedicated emphasis for field work or permit program staff*
 - *Ongoing – Post-training technical assistance and project-specific consultations are available to all staff*
- Provide all DEQ employees opportunities to access training in cultural competency and understanding implicit cultural bias
 - *Partially completed – Information on cultural competency and implicit bias was made available, without specific training opportunities, to some managers and administrators*
 - *This commitment is continued in the 2018-20 PPA*
- Provide all DEQ employees opportunities to access training about EPA's tool to evaluate demographic indicators for prioritizing work and engaging communities

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- *Completed – This task was integrated into the trainings for EJSCREEN, with EJSCREEN serving as the tool for demographic analysis and supplanting prior DEQ-developed methods*
- Coordinate Technical Assistance/Training needs for Title VI and LEP with EPA
 - *Completed – Participated in a Title VI and LEP training conducted by EPA office of Civil Rights in March 16, 2017 by Director Lillian Dorka*
 - *This commitment is continued in the 2018-20 PPA*
- Provide training to managers and staff regarding LEP policies and procedures
 - *This commitment is continued in the 2018-20 PPA*

ENVIRONMENTAL JUSTICE ACTIONS: 2018-2020

In 2018-20, Oregon DEQ will continue efforts to further the progress of EJ in Oregon. This will include:

Accountability

- Consult with the Oregon Environmental Justice Task Force to measure success while developing the Environmental Justice section of the next PPA; review work completed during the previous grant cycle and seek task force input about how to improve moving forward
- Ensure agency compliance with Title VI of the Civil Rights Act of 1964. This includes participating in EPA sponsored training and/or guidance to help achieve compliance with Title VI

Training

- Maintain an online training for environmental justice that is available to all Oregon DEQ employees
- Provide 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
- Provide all Oregon DEQ employees opportunities to access training in cultural competency and understanding implicit cultural bias
- Coordinate Technical Assistance/Training needs for Title VI and Limited English Proficiency (LEP) with EPA

Improvements to language access

- Develop a Limited English Proficiency (LEP) 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
- Update Oregon DEQ's website and fact sheets to include statements, in appropriate languages, on how to access the information in non-English languages
- Take 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), at: <http://www.gpo.gov/fdsys/pkg/FR-2004-06-25/pdf/04-14464.pdf>
 - (5) the number or proportion of LEP persons eligible to be served or likely to be encountered
 - (6) the frequency with which LEP individuals come in contact with or impacted by program/activities
 - (7) the nature and importance of the program, activity, or service provided by the ODEQ to people's lives; and
 - (8) the resources available including costs considerations

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Incorporating EJ in daily agency work

- Diversify Oregon DEQ's advisory committees and workgroups, including, but not limited to, participants representing environmental justice issues
- Implement 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
- Explore opportunities to focus Supplemental Environmental Project funds resulting from civil penalties for environmental law violations in communities with environmental justice concerns
- Maintain 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

Incorporating EJ into monitoring and permitting decisions

- Use EJSCREEN and other tools or resources in site assessment and prioritization processes for air and water monitors
- Incorporate Environmental Justice considerations in the facility prioritization process DEQ will undertake when implementing its new industrial source air toxics rules

In addition to the projects and work identified above, Oregon DEQ intends to request the position and funding authority for a staff person to work solely on Environmental Justice and Title VI work for the agency. Currently, the work is supported with 0.2 FTE of a policy analyst position in the Director's Office who serves as the agency's EJ coordinator, and the work is implemented through staff across the agency. The increase in staffing resource demonstrates Oregon DEQ's ongoing commitment to environmental justice and an increasing need for additional resources to support enhanced community engagement, better training for agency staff and partners and leadership for EJ in Oregon. If approved by the Oregon Legislature in its 2019 Session, the new position could begin in late 2019 or early 2020; however, these dates are speculative and subject to legislative and administrative actions out of Oregon DEQ's control.