

Oregon Department of Environmental Quality

23-25 Budget Presentation

Agenda

Introduction to DEQ

2023-25 Budget Summary

Agency Priorities

Cross-cutting Work

DEQ Programs and Policy Option Packages





Oregon. There's a lot to protect.

DEQ's mission is to be a leader is restoring, maintaining and enhancing the quality of Oregon's air, land and water

Introduction to DEQ: What We Do



DEQ Carries Out its Mission Working With Others

Federal Laws, Policies and Programs [EPA] Oregon
Laws,
Policies and
Programs
[DEQ]

Tribal & Local Laws, Policies and Programs

Private
Sector
Investments
and
Programs



Progress in Key Areas

Economic Development and Recovery

- Reducing Air and Water Quality Permit Backlogs
- Wildfire Response Smoke monitoring and debris removal

Environmental Justice

- HB 4077 implementation
- Elevating Environmental Justice principles in our work

Climate Protection

- Clean Fuels has reduced GHG emissions, created jobs, with little impact on prices
- Climate Protection Program successfully launches

Science & Information

• Your DEQ Online (EDMS) begins



DEQ Structure





DEQ Programs

Water Quality

Permitting, standards, groundwater protection, clean water loans and grants

Air Quality

Planning, permitting, vehicle inspection, climate, clean transportation grants and rebates

Land Quality

Materials management, cleanup, emergency response

Agency Management

Director's Office, HR, IT, budget, Compliance and Enforcement

Laboratory

Monitoring, assessing and analysis of Oregon's environment



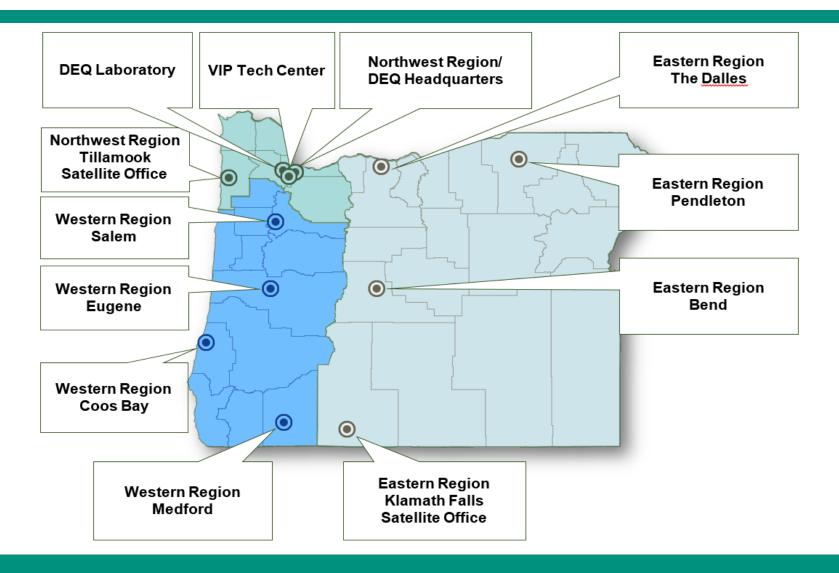
Environmental Quality Commission

- Chair Kathleen George
- Vice-Chair Sam Baraso
- Commissioner Greg Addington
- Commissioner Molly Kile
- Commissioner Amy Schlusser





DEQ in Oregon's Communities





Measuring Performance

KPM 13: Customer Service Satisfaction

- 2022 Target: 95%
- 2022 Performance: 66% average

KPM 14: Regional Solutions Team Satisfaction

- 2022 Target: 90%
- 2022 Performance: 78%

KPM 15: Commission Best Practices

- 2022 Target: 100%
- 2022 Performance: 87%



DEQ Programs by Revenue Source (23-25 GRB)





Program Comparison (21-23 LAB) vs (23-25 GRB)





Reduction Options

Reduction Target (%)	Reduction Target (\$)	Impacts
-5	GF: \$3,339,502 LF: \$322,730	 Reduced groundwater monitoring, clean water plans, integrated water resource strategy implementation harmful algal bloom detection & notification, and IT support for water quality databases Reduced air quality monitoring, eliminate air quality rules coordination, reduce IT support for air quality databases, cut permit writing capacity and eliminate project management support for the Climate Protection Program Reduce DEQ's involvement in Portland Harbor Superfund
-10	GF: \$6,679,005 LF: \$645,440	 Reduced water quality permit writing and inspections capacity, further reductions to clean water plan developments, and reduced oversight of groundwater protection Eliminate air quality monitors for air toxics and wildfire and eliminate grants to local communities for smoke monitoring and response activities Reduced ability to meet COOP obligations under HB 4068 (2022)
-15	GF: \$10,018,507 LF: \$968,160	 In addition to cuts above: Deeper cuts to clean water plan development and implementation, delayed implementation of new water quality permitting database development, and harmful algal bloom detection and notification Eliminate additional air quality monitors, delayed implementation of climate planning and regulatory efforts and cuts the Diesel Emissions Reduction Program Reduced laboratory capacity Deeper cuts to DEQ COOP work required under HB 4068 (2022)



Cross-Cutting Work

- Laboratory
- Compliance and Enforcement
- Environmental Justice
- Reducing Greenhouse Gas Emissions



Collecting Data for Environmental Outcomes

Water Quality

- Status & Trends Monitoring
 - Rivers & streams
 - Macroinvertebrates
 - Federal rotating studies
- Human Health / Vulnerable Communities
 - Beach sampling
 - Statewide Groundwater studies
 - Drinking Water







Air Quality

- Status & Trends Monitoring
 - Toxics
 - Particulate matter
 - Ozone
- Human Health / Vulnerable Communities
 - SensOR expansion
 - Special studies







Collecting Data for Environmental Outcomes



Lake Billy Chinook, July 2020



Sample from Brownlee Reservoir, OR



PFAS extraction

Air Quality Expansion of SensOR network Community science focus Forecast & prediction

September 12, 2020

Water Quality

- Increased HABS monitoring
- Wildfire Response Monitoring
- Developing PFAS capabilities



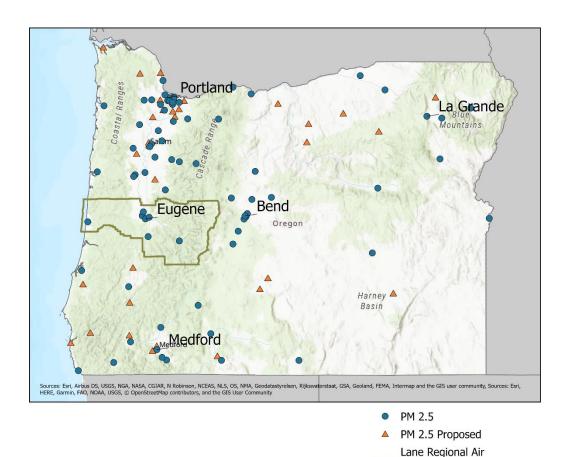


Site: Eugene Hwy 99



Fine Particulate Monitoring Sites

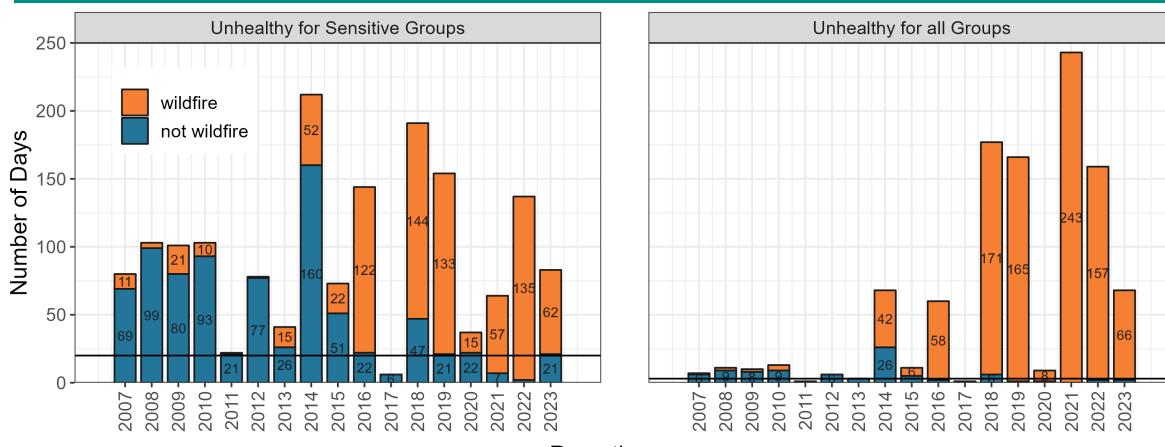
Protection Agency (Lane



- Particulate Matter monitoring
 - Capture wildfire impacts
- SensOR sites included
 - Lower cost DEQ developed equipment
- Expansion of SensOR network
 - Community outreach conducted
 - Proposed sites cover areas unrepresented



KPM 2 – Air Quality Conditions



Reporting year

*2023 reporting year (2022 data) are provisional and for information only



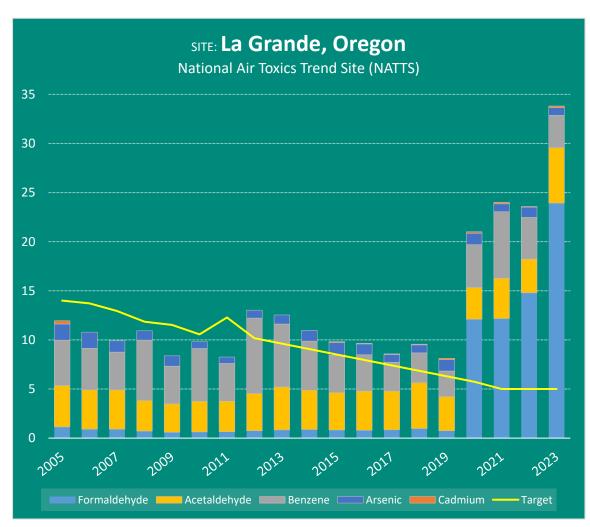
Air Toxics Monitoring Sites

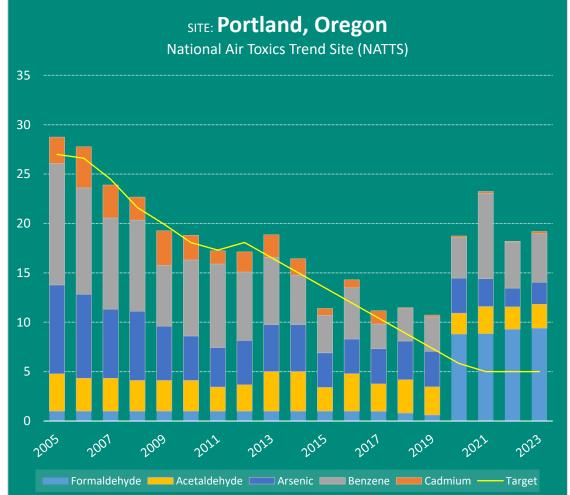


- 2 federally funded sites
 - National Air Toxics Trend Sites (NATTS)
 - Focus on urban vs rural
- 8 state funded sites
 - Prioritized to capture airsheds of concern
 - 2 sites in partnership with LRAPA
- Collect wide range of contaminants



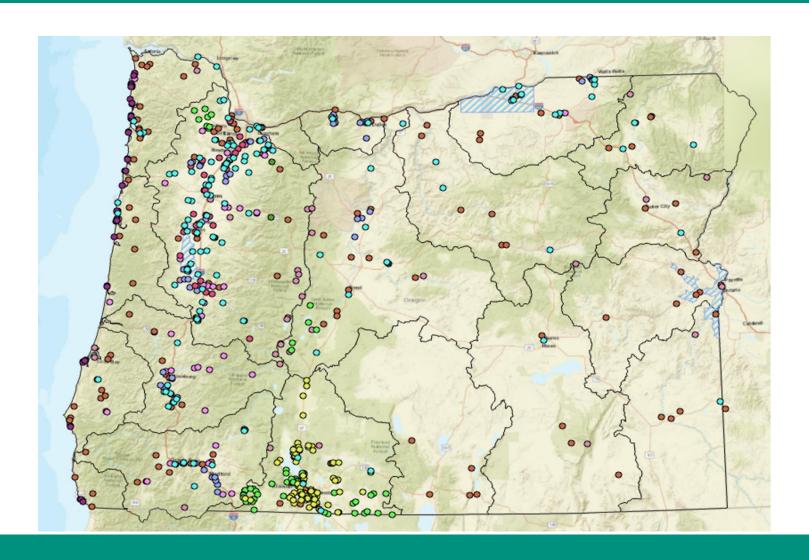
KPM 3 – Air Toxics Trends







Water Quality Monitoring



DEQ Water Quality Monitoring Locations

Monitoring Program

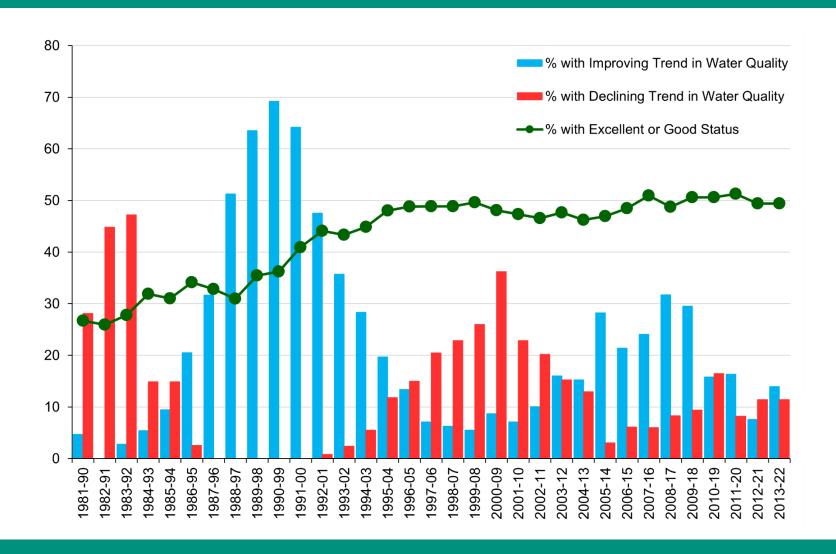
- Ambient Monitoring
- Biomonitoring National Lakes Assessment
- Cannon Beach Microbial Source Tracking
- Drinking Water Cyanotoxin Monitoring
- HABs Innovation
- OHA PFAS Drinking Water Sampling
- Oregon Beach Monitoring Program
- Pesticide Stewardship Partnerships
- Statewide Groundwater
- TMDL
- Toxics Monitoring
- Groundwater Management Areas
- River Basins







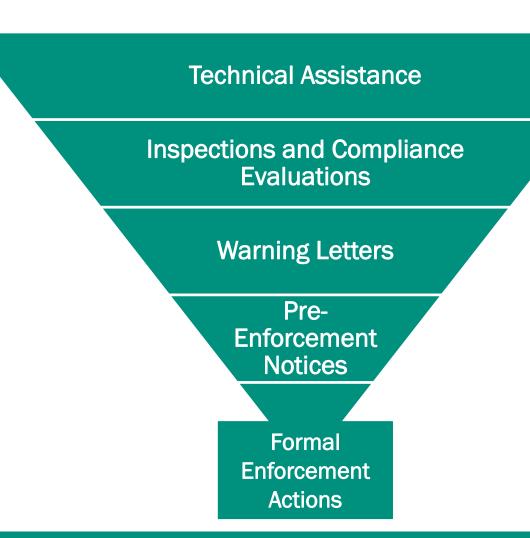
KPM 9 - Water Quality Conditions





Enforcement Policy

- Essential to protect human health and the environment
- DEQ employs a fair and progressive enforcement scheme
- The vast majority of compliance assurance work is upstream





Enforcement Results and Priorities

Getting results that benefit Oregonians

- Enforcement orders require corrective actions that ensure compliance and reduce pollution
- DEQ's SEP policy secured over \$1,000,000 of environmental community investments per year in both 2021 and 2022





Environmental Justice at DEQ

HB 4077 (2022)

- Provide coordination and project management support for Environmental Justice Council
- Statewide EJ mapping tool
 Incorporating EJ principles in DEQ work





POP 140 - Environmental Justice Coordination

This package authorizes additional staff capacity to advance environmental justice work within the agency

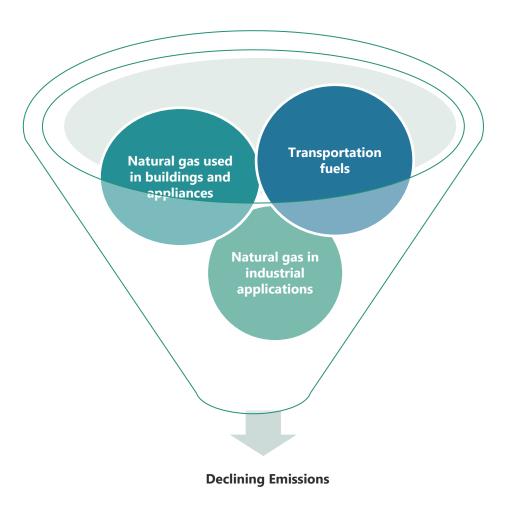
- 2 positions (1.5 FTE after phase-ins)
- \$750,340 General Fund
- Without this package DEQ will struggle to fulfill EJ and Title VI legal mandates, and will not be well positioned to compete for federal Inflation Reduction Act funds, which prioritizes states with well-resourced Environmental Justice initiatives.





Reducing Greenhouse Gas Emissions

- Establishes limits on GHG emissions from fossil fuels in Oregon
- Provide flexibility to regulated entities
- Support communities in the clean energy transition

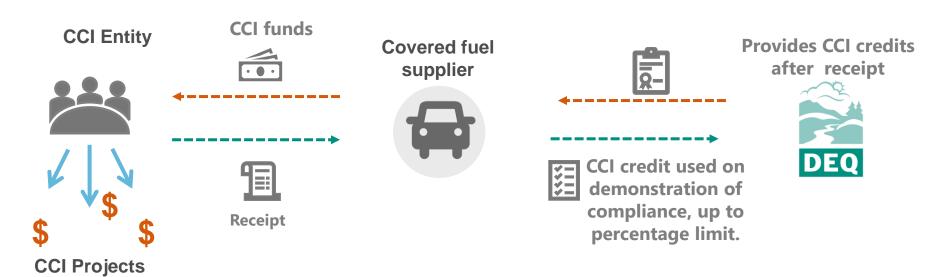


Community Climate Investments

DEQ develops written agreements with non-profit "Community Climate Investment Entities."

Regulated fuel suppliers have option to provide funds to CCI Entities and receive additional compliance instruments

CCI Entities, with **oversight from DEQ and an Equity Advisory Committee**, invest funds to reduce GHG emissions within Environmental Justice communities in Oregon





POP 115 - Community Climate Investments

Provides resources to fully implement and oversee community climate entities and investments

- 4 positions (4.0 FTE)
- \$1,549,039 total funds
 - \$500,000 GF
 - \$1,049,039 OF Limitation
- Authority to collect fees from Community Climate entities
- Approval assures the department has resources to adequately oversee and audit third-party investments







Agency Management Budget Summary: \$45,346,897





Your DEQ Online Project

Modernizing Regulated Service Administration Across DEQ

YDO is an online commercial off the shelf platform for DEQ programs to share information, receive and process forms for regulatory compliance, and accept electronic payments.

10 Programs Launched as of 2023 Q1
Land
- Hazardous Waste
Water
- Industrial & Construction Stormwater
- Underground Injection Control
- 401 Certification
- Onsite Sewage Disposal Services
- Wastewater Operator Certification
Air
- Asbestos Program
- Gasoline Transporter Permits
- Greenhouse Gas Reporting for Electricity

and Natural Gas Suppliers

- Climate Protection Program

14 more Programs Planned for Launch in 2023 – 2024

- Solid Waste Permits
- Underground Storage Tanks
- Environmental Cleanup
- Leaking Underground Storage
 Tanks (LUST)
- Heating Oil Tanks (HOT)
- Tanks Licensing

Water

Land

- WPCF Onsite Certification
- NPDES & WPCF General Permit
- NPDES & WPCF Individual Permits

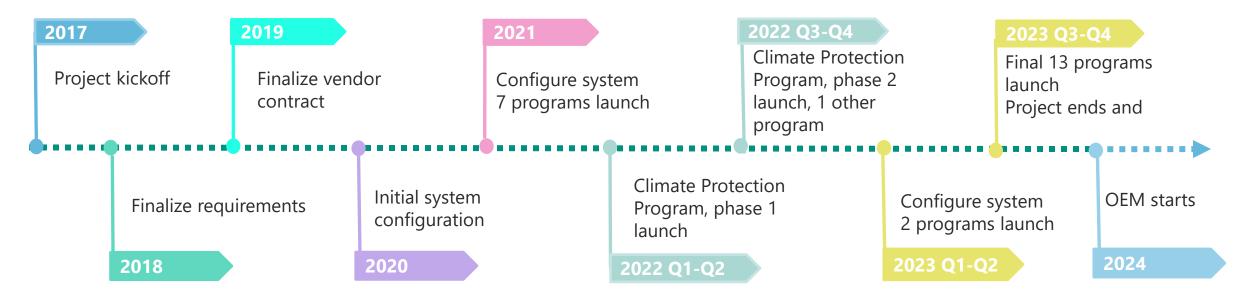
Air

- Greenhouse Gas Reporting for Permitted Sources
- Air Contaminant Discharge
 Permits/Area Source Registration
- Title V Permit Program
- Emissions Inventory Reporting

Agency-wide Service

- Event Reporting (Complaints)

Your DEQ Online Timeline



Dedicated YDO Helpdesk

- Tiered support
- Partner with DEQ Programs
- Detailed user guides and training
- 4.8 out of 5 in Customer Satisfaction

User count as of 2023 Q1

198 DEQ staff accounts

6,000+ external accounts

What people are saying...

"Everyone is surprised how simple the new system is. People aren't doing additional work. It is so nice!" – DEQ Staff member

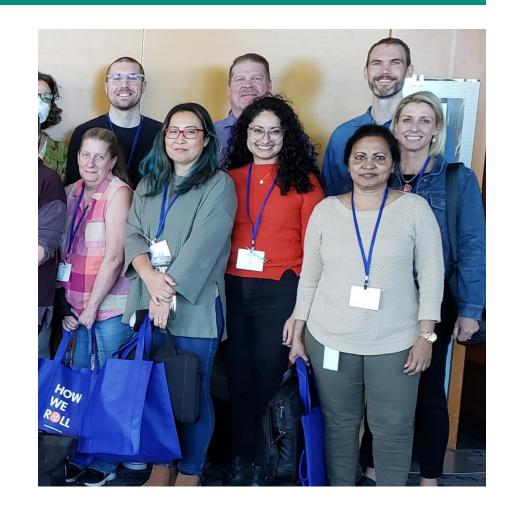
"The system interface is great! Very easy to navigate!" – Regulated Community member



POP 141 – Agency Support Staff

Increases staffing for critical agency support functions

- 12 positions (12.0 FTE)
- \$2,928,638 OF limitation only
- Assures ability to deliver diversity and inclusion activities, human resources, safety program, procurement, finance, and accounting

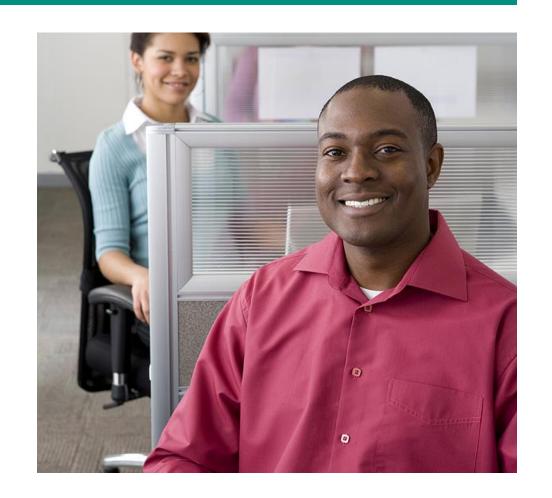




POP 142 - Grant Management and Support

Authorize positions support growing federal grant application and management work

- 2 positions (2.0 FTE)
- \$449,717 OF limitation only
- Package will improve ability to apply for, and manage key federal grants







Land Quality Program Activities

Permitting, Inspections, and Compliance

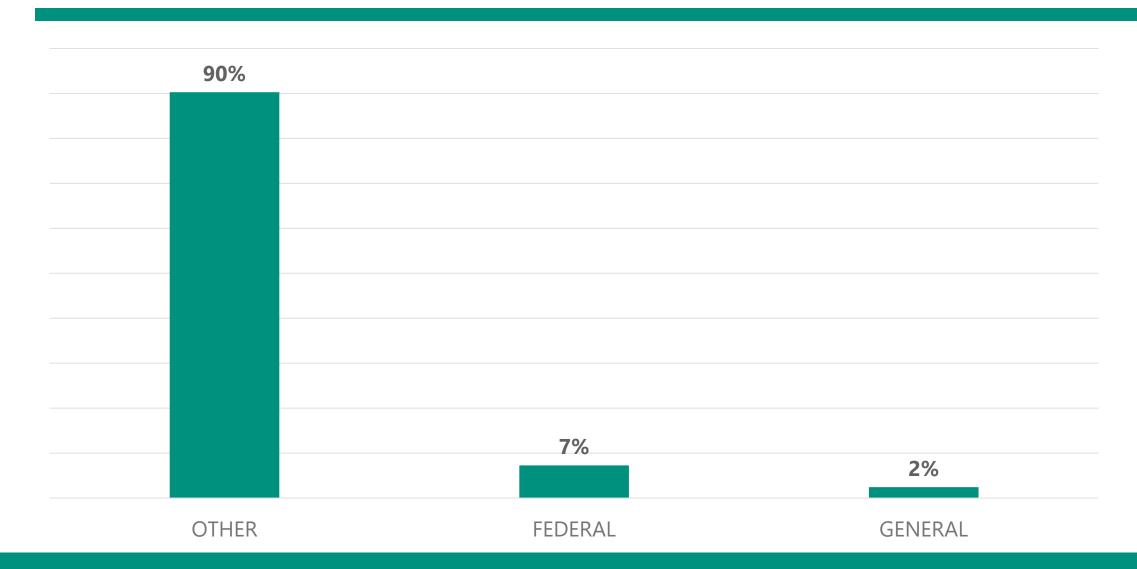
Cleanup and Emergency Spill Response

Waste Prevention and Toxics Reduction



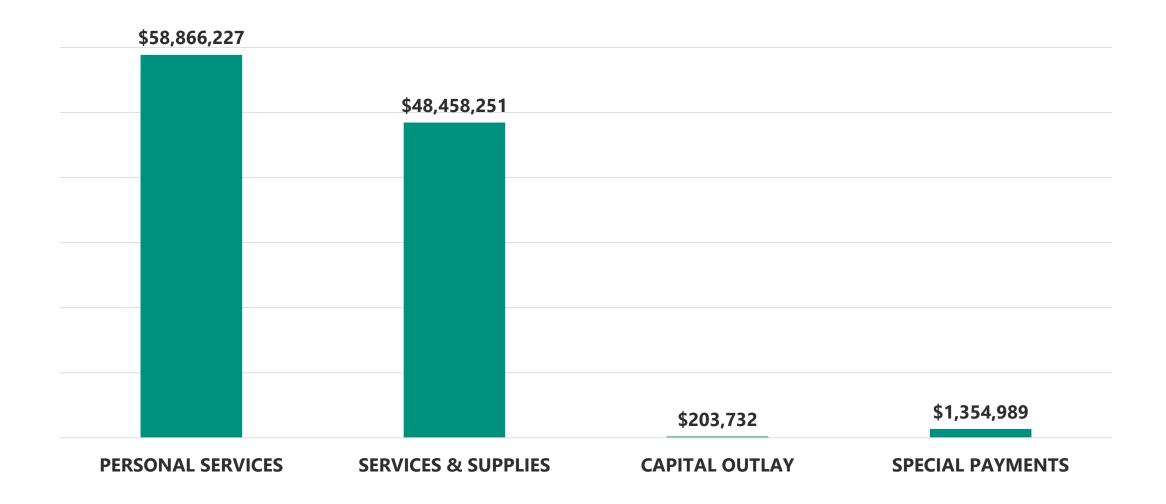


Land Quality 21-23 GRB Summary: \$108,883,199





Land Quality 21-23 GRB Limitation by Category



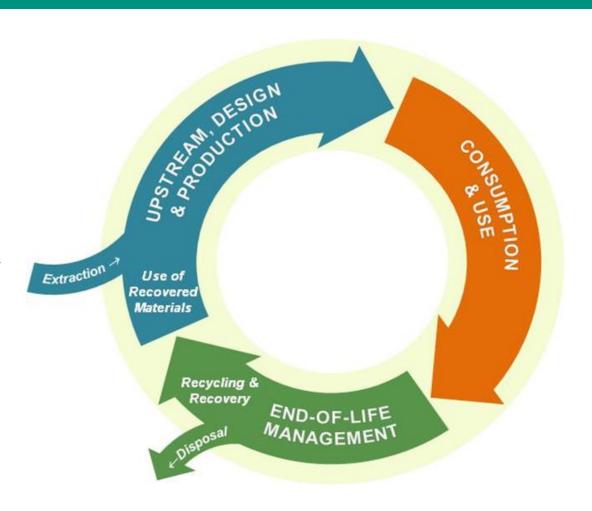


Materials Management

Oregon's 2050 Vision for Materials Management:

Oregonians in 2050 produce and use materials responsibly by:

- Conserving resources
- Protecting the environment
- Enhancing well-being



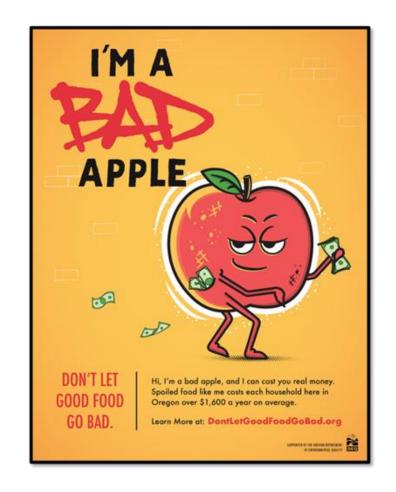
More about Materials Management

Product Stewardship Programs

Solid Waste Management

Data and Measurement

Lifecycle Programs





Plastic Pollution and Recycling Modernization Act SB 582 (2021)

- Updates Oregon's recycling system
- Builds on local community programs
- Requires packaging producers to share responsibility for effective management of their products after use.
- Creates an innovative system that works for everyone.



POP 132 - Modernizing Oregon's Recycling System

Establish positions to fulfill DEQ's oversight role as required in SB 582 (2021)

- Four positions
- \$2.5 million Limitation
- Existing Other Fund Revenue
- Without package DEQ will not be able to fully implement the Recycling Modernization Act





POP 133 - Strengthen Materials Management Program

Staff resources to conduct existing work including food waste prevention and recovery, invoicing, technical assistance and permitting

- Six positions
- \$3.8 million Limitation
- Existing Other Fund Revenue
- Without package 132 DEQ will be limited in ability to achieve outcomes in the 2050 Vision for Materials Management in Oregon





Materials Management Performance (KPM 11-12)

Waste generation	2022 Target: 5,000,000	2022 Performance: 5,960,805
Waste Recovery	2022 Target: 50%	2022 Performance: 42%



Hazardous Waste Program

Reducing hazardous waste generation, and ensuring its safe management







Environmental Cleanup Program



Voluntary Cleanup

Industrial Orphans

Brownfields

Dry Cleaner Program

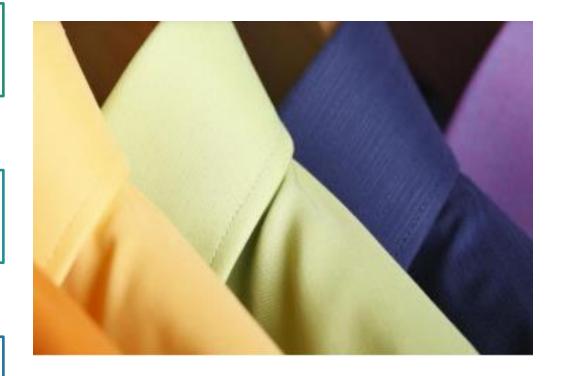


Dry Cleaner Program

Created in 1995

The program is no longer financially viable

HB 3273 Sunsets Program





KPM 10 - Properties with Known Contamination Cleaned Up

Heating Oil Tanks Cleaned up	Target: 90%	2022 Performance: 86.6
Regulated Underground Storage Tanks Cleaned up	Target: 95%	2022 Performance: 90.1%
Hazardous Substance Sites (non-tank) cleaned up	Target: 65%	2022 Performance: 55%



Emergency Response Program



- Oil Spill Contingency Planning
- 24/7 Response & Cleanup
- Emergency Preparedness
- High Hazard Rail Program









Tank Programs

Fuel Tank Seismic Stability Program

Heating Oil Tank Program

Underground Storage Tank Program





Fuel Tank Seismic Stability Program

- SB 1567 (2022 Session)
- Evaluates the vulnerability of fuel tank systems to earthquakes and requires facilities to develop a plan to minimize risk.
 - Assessments
 - Mitigation Plans

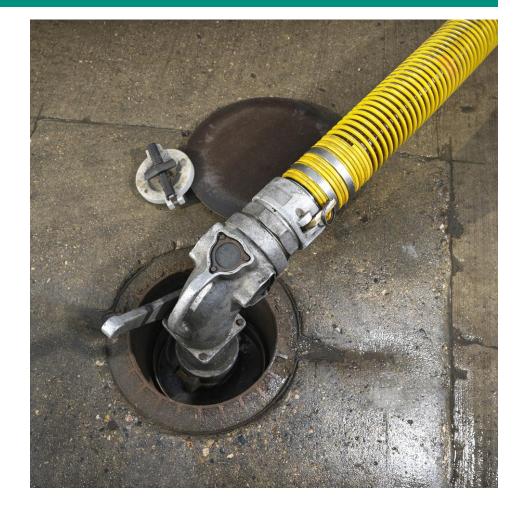




POP 135 -Stabilize Tanks Program

Establish positions to fulfill DEQ's oversight role as required in SB 582 (2021)

- One position
- Existing Other Fund Revenue
- Without package 135 the program will be unable to support staff and regulated community.







Air Quality: What We Do

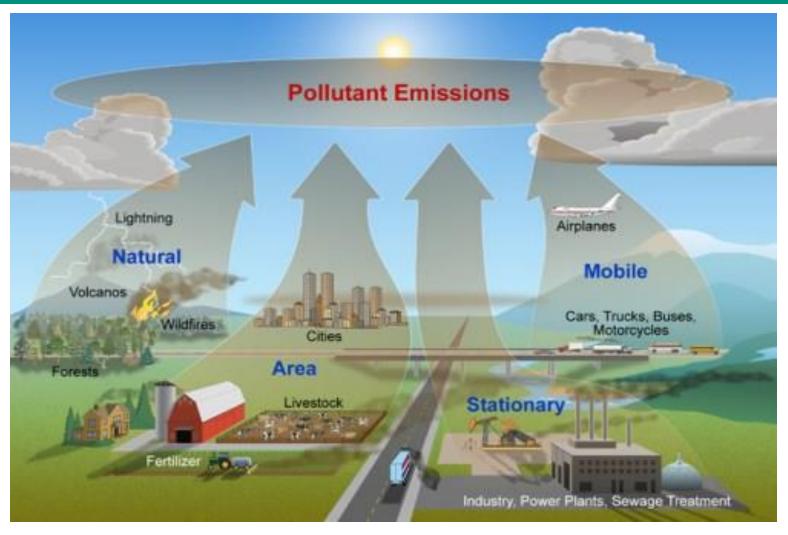
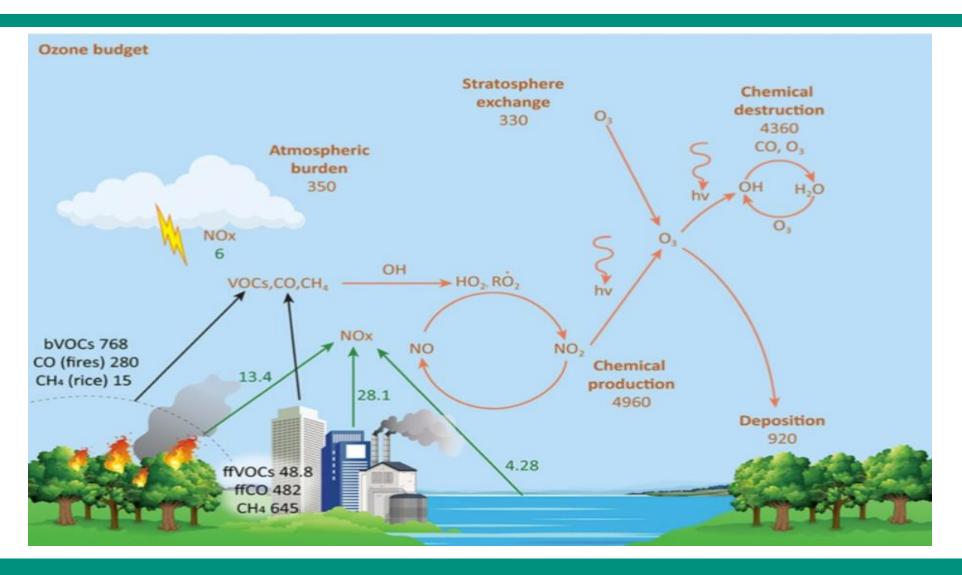


Image credit: National Park Service, 2017

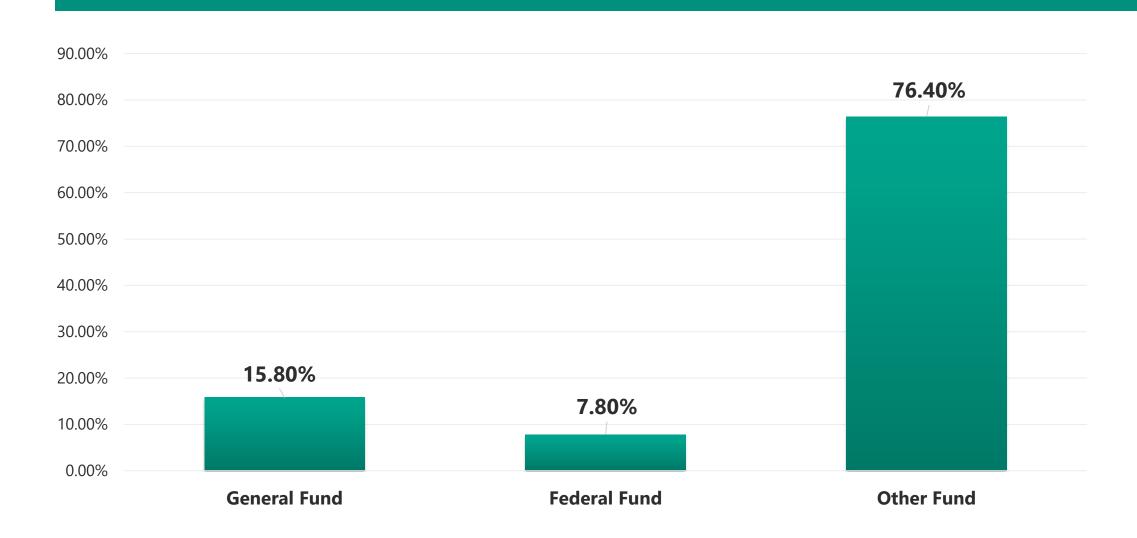


Air Quality is Complex



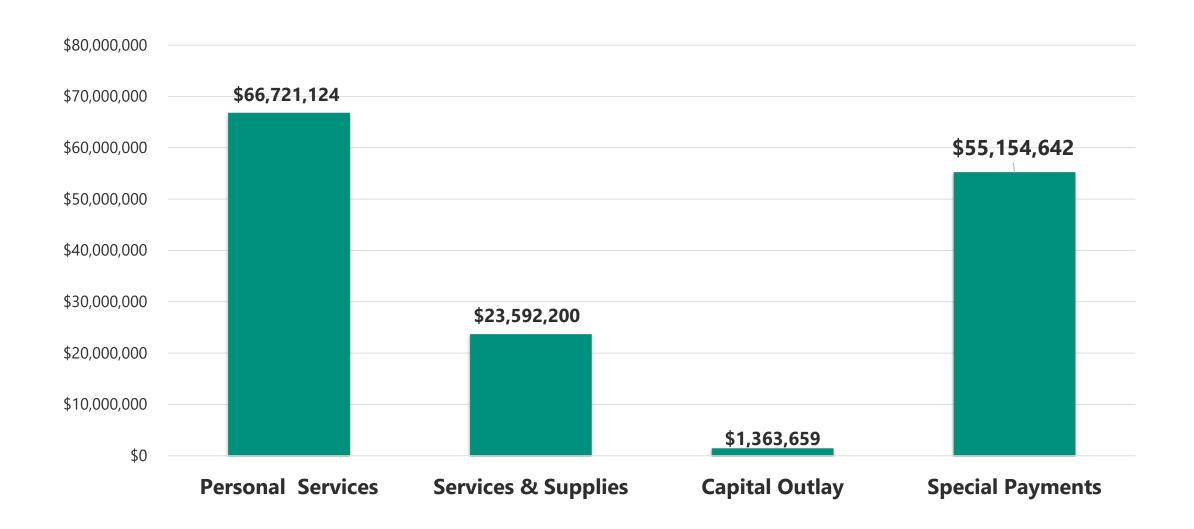


23-25 GRB Air Quality Division – Fund Types





23-25 GRB Air Quality Division – Expenditure Categories





Air Quality Division by the Numbers

Issued 240 new, renewed or modified permits **Issued 710 Notices to Construct** Provided 16,118 EV Rebates totaling \$42,106,500 Disbursed/obligated nearly \$25M to replace or retrofit older diesel engines Issued 595,985 vehicle emissions compliance certificates



Key Programming – Incentive Programs

Clean Diesel Grants

- Supported by Volkswagen Settlement and other Federal Funds
- Incentives retrofit and replacement of older diesel engines

Zero-Emissions Fueling Infrastructure Program

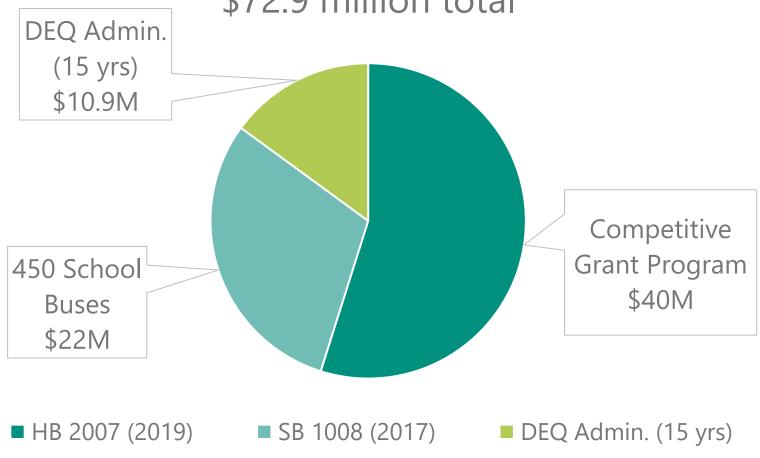
- Established by the Legislature in 2022
- \$15 Million to support planning and installation of M/HD ZEV fueling infrastructure

Clean Vehicle Rebate Program

- Established by the Legislature in 2017
- Supported by New Vehicles Privilege Tax and General Funds

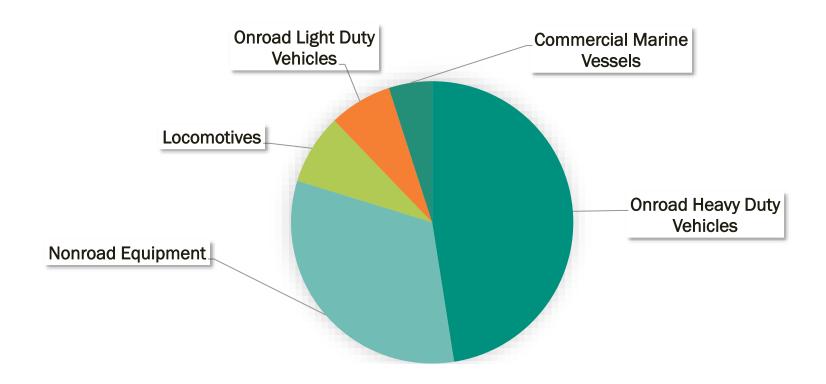


Oregon VW Settlement Revenue Allocations \$72.9 million total





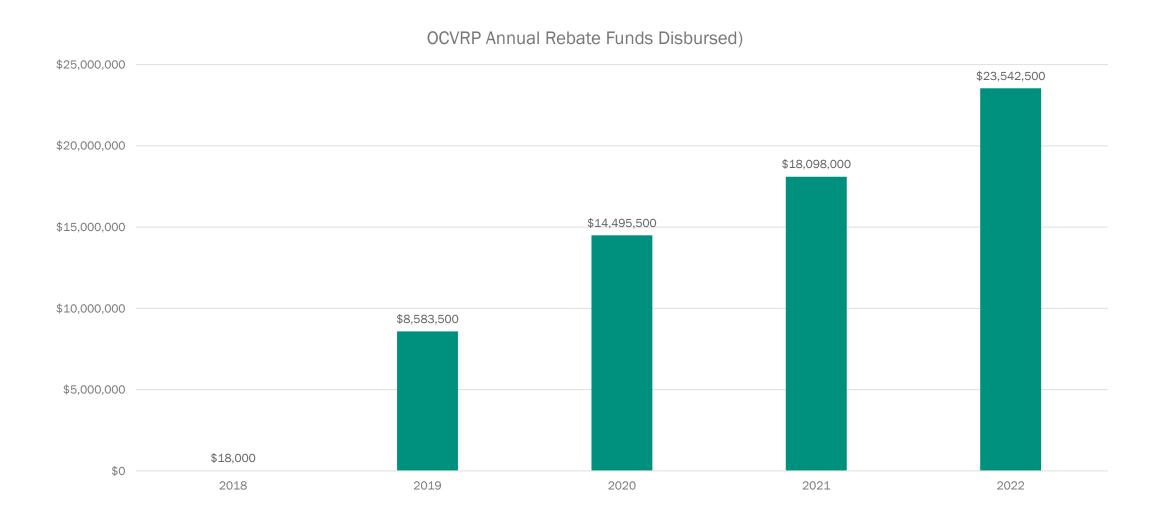
Sources of Diesel Emissions in Oregon





2022: 2,394

EV Rebates - Demand is Outpacing Funding





Key Programming – Vehicle Inspection Program

- Portland and Medford face persistent Ozone challenges
- Program is effective at reducing emissions
- Fast and excellent customer service





Permitting and Inspections

Title V - 102 sources

- Federally delegated program
- Fully fee-funded

Air Contaminant Discharge – 2,400 sources

- Minor source state-level permits
- Funded by fees, general fund and federal funds

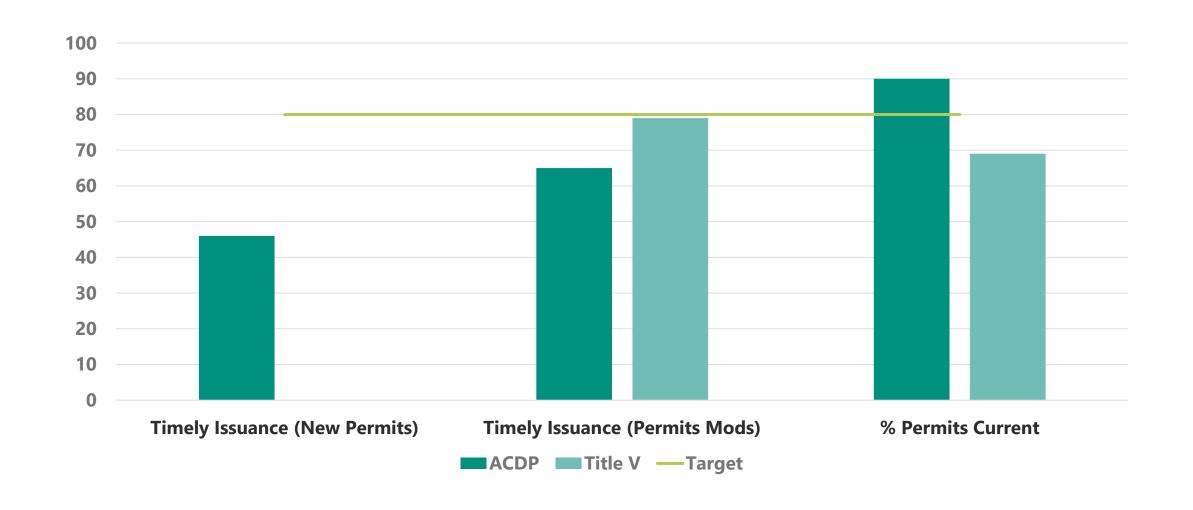
Cleaner Air Oregon

- Air toxics risk assessment and management
- Recently authorized by the legislature SB 1541 (2018)
- Funded by fees and general fund





Air Quality Permitting KPMs





Title V Program

- EPA delegates the administration of the Title V program to Oregon
- Failure to reasonably administer the program can result in revocation of the program
- Federal and state law requires the program is fee-funded
- Federal standards have become increasingly complex



POP 110 – Title: Title V Stabilization

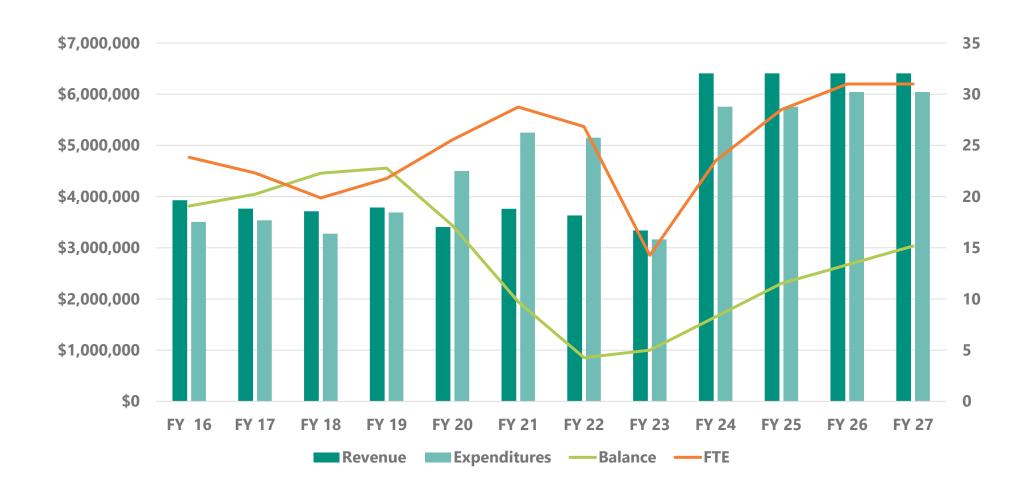
Authorizes a permitting fee increase to maintain current service levels in the Title V permitting program

- Restores 11 FTE
- \$2,874,707 OTH
- Without POP 110 and companion HB 3229, permitting program will be cut by 1/3 reducing services and increasing backlogs





Title V Revenue, Expenditures, and FTE

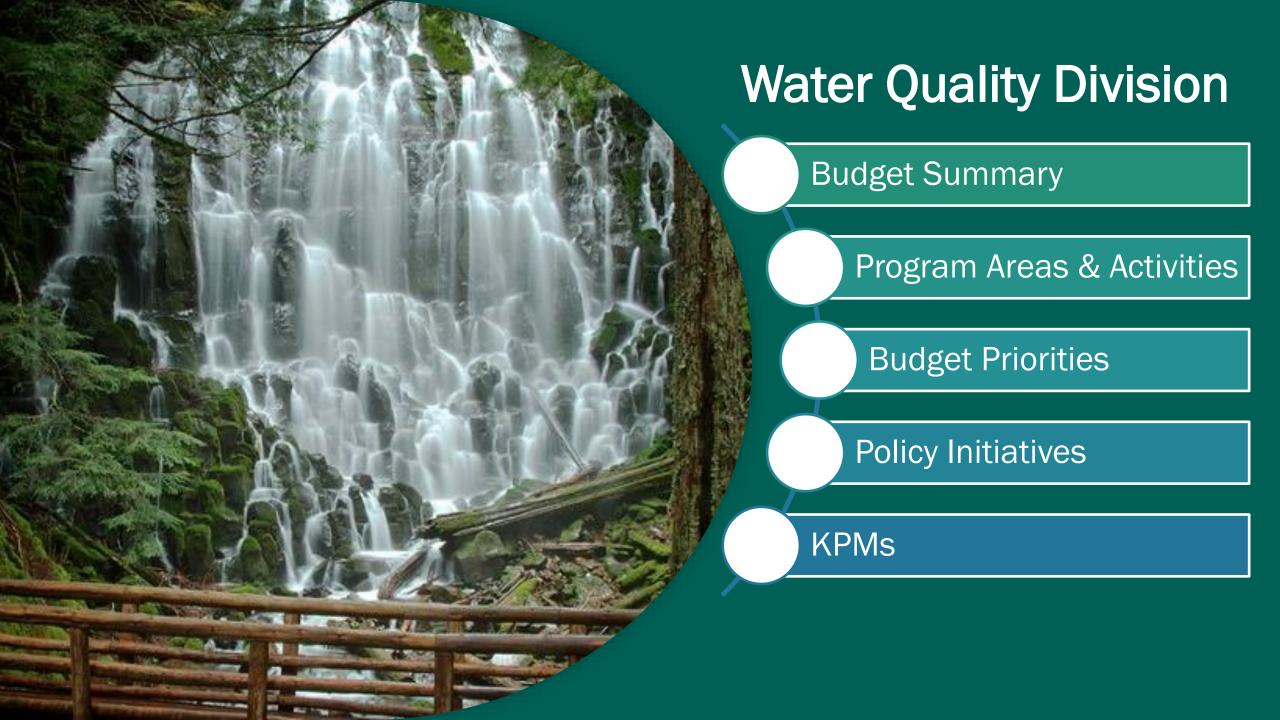




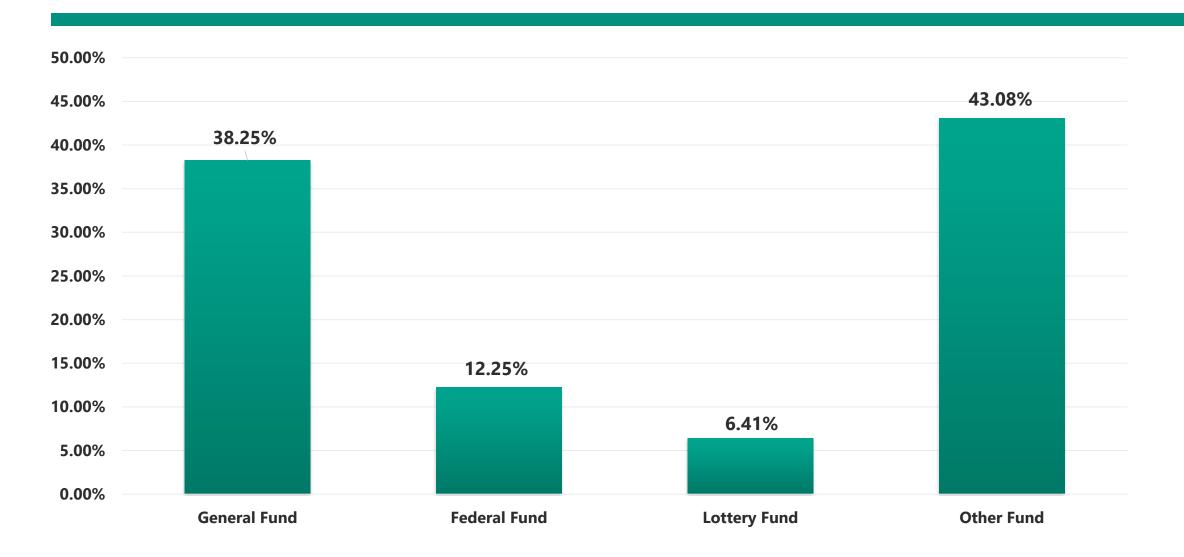
Failure to Maintain Adequate Resources

- Significantly delay processing of permit applications
- Reverse progress on reducing renewal backlog
- Reduce oversight of emissions from regulated facilities
- Reduce technical assistance to permittees
- Eliminate nearly 1/3 of the Title V permitting program



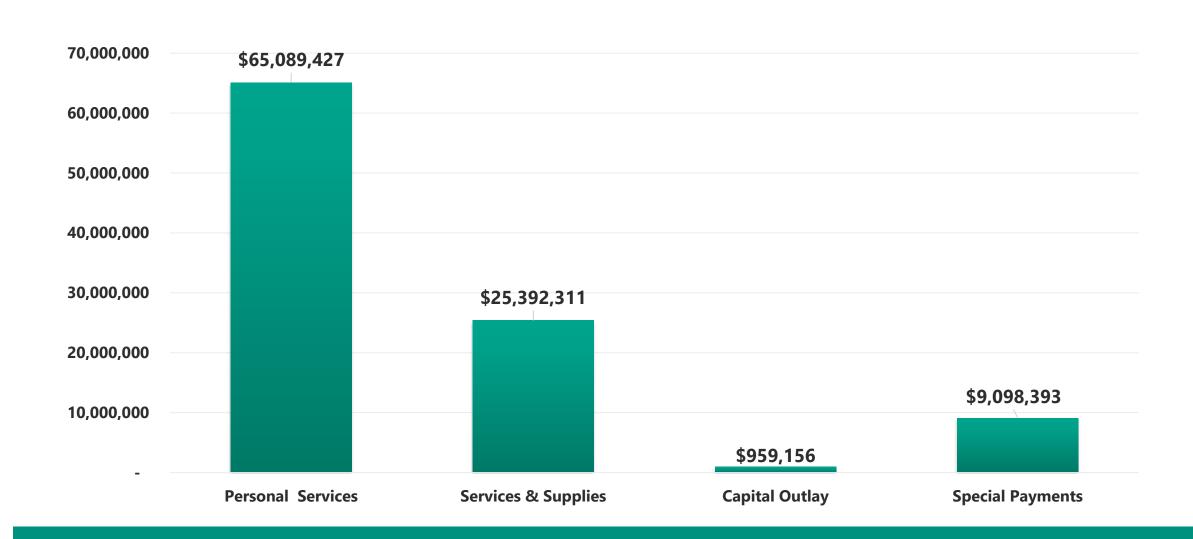


Water Quality 23-25 Budget Summary: \$100,539,287





Water Quality 23-25 GRB Limitation by Category





Water Quality Programs

Examples of DEQ's program work:

- Stormwater construction
- 2. Integrated water resources planning
- Nonpoint source
- 4. NPDES MS4 stormwater
- NPDES industrial wastewater and stormwater
- 6. NPDES municipal wastewater
- Underground injection control stormwater
- TMDL MOS: margin of safety; LA: load allocation; WLA: waste load allocation; NB: natural background
- Recycled water
- Biosolids
- Industrial pretreatment wastewater treatment
- 12. 401 certification
- Sewage and water conveyance
- Beneficial uses
- 15. Water pollution control facilities
- Onsite septic hauling
- Onsite wastewater system permitting and regulation
- 18. Ambient monitoring





Federal Authorities

Federal & State Authorities

State Authorities

Water Quality Standards

Permitting (NPDES)

Monitoring (Surface and Groundwater)

Permitting (WPCF)

Onsite Septic Systems

WQ Assessments (305(b) and 303(d))

401 Certifications (Hydro, Dredge & Fill)

Water Reuse

Wastewater Groundwater
Operator Quality
Certification Management

Clean Water State Revolving Loan Fund

TMDL Development

Biosolids

Division 33 Pesticide
Reviews (water Stewardship rights applications) Partnership

Underground Injection Control

Non-Point Source Plans

Drinking Water
Source
Protection

TMDLs: WQMP & Implementation

Onsite
Repair/Replace
Loans and Grants



Roles and Responsibilities for Clean Water

Department of Environmental Quality



- Adopt standards to protect uses
- Adopt plans to improve quality where standards are not met
- Issue permits (muni, industrial, stormwater, onsite, land application, etc.) to meet technology-based standards, and (where water quality standards are not being met) to meet water quality based standards
- Review and approve plans (forestry, agriculture, counties, districts) to reduce pollution and meet standards
- Monitor status and trends of water quality
- Compliance inspections and enforcement

Department of Agriculture



- Implement Ag WQ Act (1010 rules)
- Implement TMDLs on farm lands
- Regulate pesticide use
- Regulate CAFOs (with DEQ)
- Monitoring, evaluation, compliance and enforcement

Department of Forestry



- Implement Oregon's Forest Practices Act
- Implement TMDLs on forest lands
- Monitoring, evaluation, compliance and enforcement

Watershed Enhancement Board



Local Governments



- Invest in watershed restoration and water quality improvement projects
- Convene interagency monitoring efforts and invest in monitoring
- Fund projects and initiatives that address legacy problems ("uplift")

- Municipal wastewater and stormwater management to comply with DEQ-issued permits
- Implement TMDLs on local roads and urban lands
- Help fund watershed restoration projects and steward water resources through local programs and partnerships.
- Local agents for DEQ for on-site (septic) and some stormwater permits

Federal Clean Water Act Framework

Protect Uses of
Water
(drinking, fishing, swimming)

Monitor and
Evaluate
Conditions

Use Data and
Science to Improve
Conditions

Refine water quality standards Monitor water quality Assess data against water quality standards **Develop Clean Water Plans** (TMDLs)

Point source permits (cities, industries, construction, other)

Nonpoint source programs (agriculture & forestry, other)



Water Quality Standards

Establish standards to protect beneficial uses of surface waters; identify implementation pathways







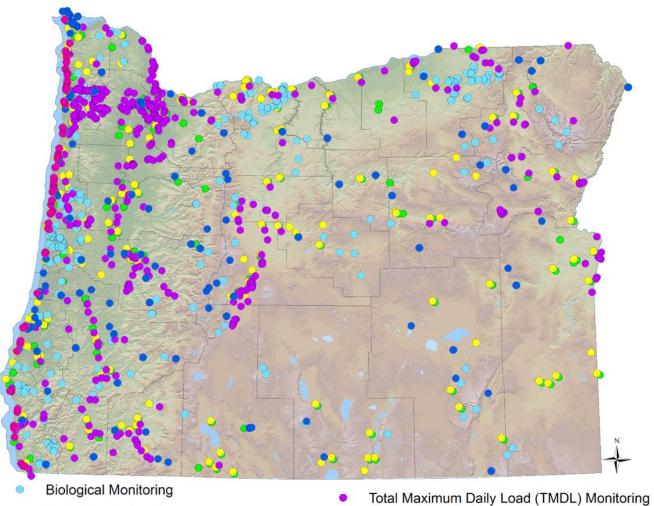


WQ Monitoring

Collecting and Analyzing water samples to support WQ programs, human health and the environment







- **Toxics Monitoring Program**
- Ambient Water Quality Monitoring Network
- National Aquatic Resource Surveys (NARS)
- **Beach Monitoring**

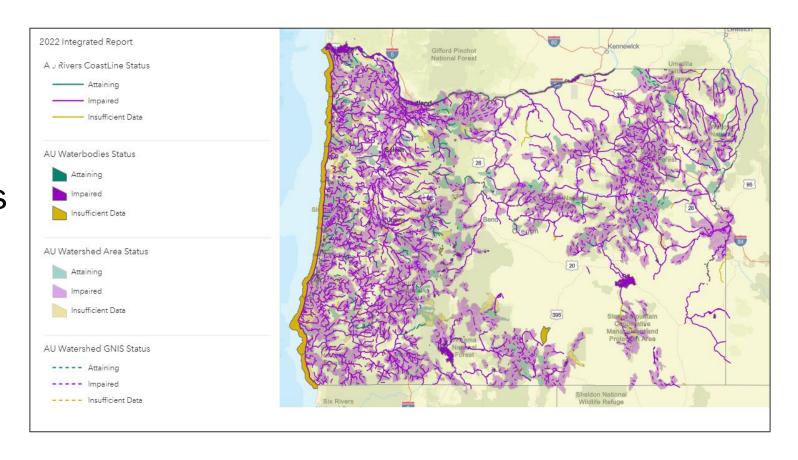
Created by: Lesley Merrick ODEQ 1/12/17



WQ Assessment

- Report on overall condition of Oregon's waters
- Identify water quality impaired/limited waters







Clean Water Plans

Develop TMDLs, water quality management plans and strategies to achieve water quality standards through regulatory and non-regulatory means, including partnerships with ODA, ODF, and other responsible parties.





Permitting, Certifications and Licensing

Permitting of point source facilities statewide

- Federally delegated NPDES Program
- State authorized WPCF Program
- Municipal and Industrial
- Stormwater runoff from cities, construction and industrial sites
- Individual and General

Onsite Septic Systems (Residential and Commercial)

- Implement the residential onsite septic program in 5 counties, evaluating sites and issuing permits
- Manage more than 700 individual permits statewide for large onsite septic systems
- License nearly 700 onsite septic system installers and pumpers

401 Water Quality Certification

- Review and certify that activities authorized by federal licenses and permits meet Oregon water quality standards
- USACE Dredge/Fill activities
- Hydroelectric or Energy Projects



Policy Initiative: HB 3208 authorizes EQC to increase WQ permit fees by up to 3% per year

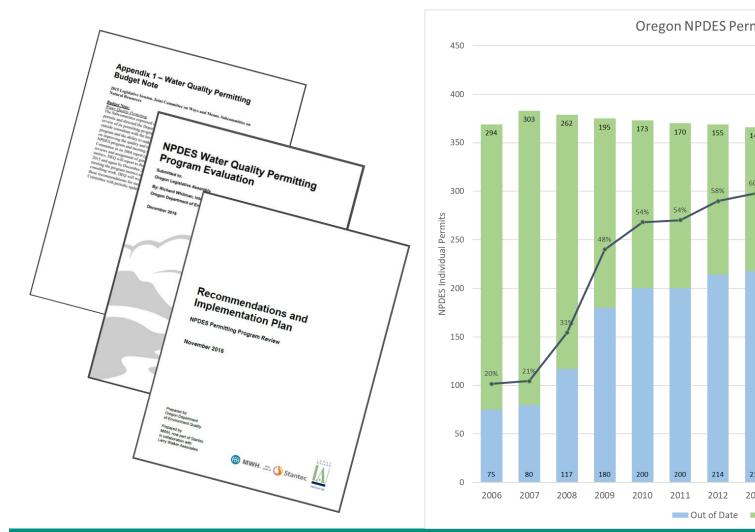


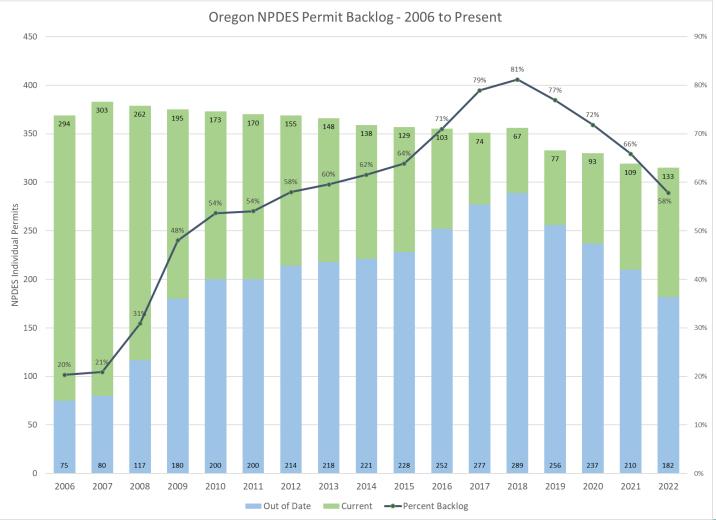
Water Quality KPMs

KPM #7: Percentage of individual wastewater discharge permits issued within 270 days	Target: 50%	2022: 34%
KPM #8: Percent of total wastewater permits that are current	Target: 75%	2022: 62%



WQ Permitting Program - NPDES Improvements

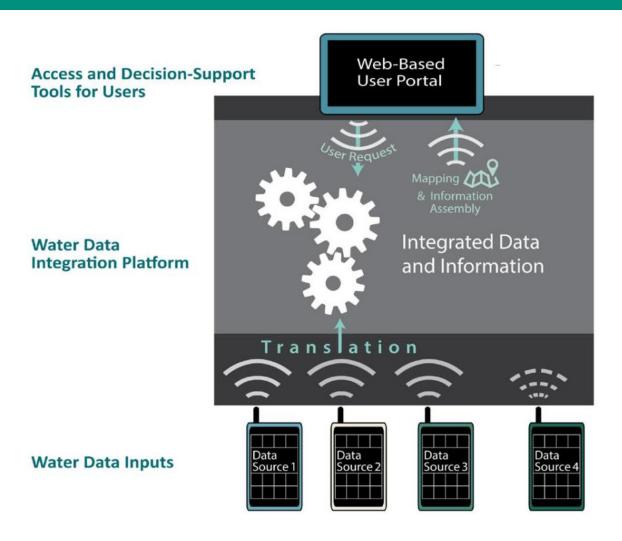






Oregon Water Data Portal - Scoping Project

- HB 5006 (2021) directed \$350,000 contract services funding to DEQ to begin initial scoping and design of a water data framework
- Preliminary Report with recommendations completed Feb 2023.



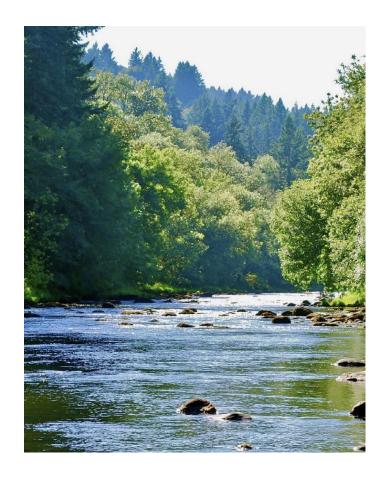


Water Quality Budget Priorities

Protect Drinking Water Sources (POP 126)

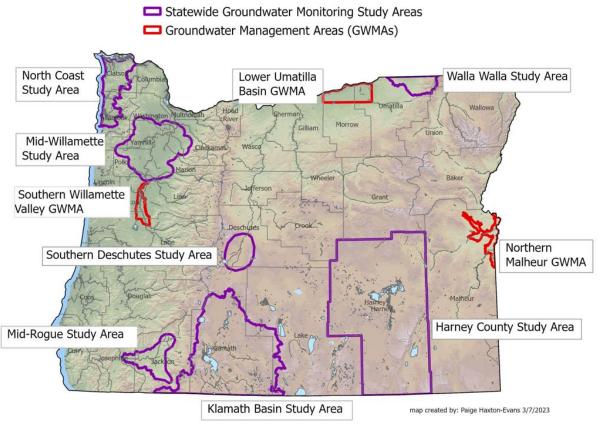
Federal Funding Opportunities (POP 129)

Implement Clean Water State Revolving Fund (POPs 162, 181/191)





Protecting Drinking Water Source Areas – Groundwater Quality



- Prevent groundwater contamination from point and non-point sources of pollution
- Establish GWMA's and local advisory committees (where needed)
- Monitor and assess groundwater quality conditions

Policy Initiative: HB 3207 improves data reporting associated with Domestic Well Testing Act



Protecting Drinking Water Source Areas-Harmful Algae Blooms (cyanoHABs)



- Cyanobacteria may produce toxic blooms that represent a threat to drinking water supplies, as well as humans, pets and livestock.
- Recent investments have improved testing and analytical capacity (particularly for public DW systems).
- Lack dedicated resources for assessing waterbody specific factors and management solutions.



POP 126 - Protect Drinking Water Sources

This package will improve DEQ capacity for protecting drinking water sources, with specific attention to areas experiencing contamination or threats

- 3 positions (2.25 FTE), plus contract services funding
- \$1,063,738 General Fund
- Without package 126 DEQ will continue to have limited capacity to support groundwater protection and HAB management efforts





POP 129 - Effectively Administer Grants and Contracts

This package will provide WQspecific programmatic expertise necessary to implement federal grants

- Two positions (1.8 FTE) GF
- FF/OF Expenditure limitation (\$11,815,524)
- Total Limitation: \$12,352,569
- Without package 129 DEQ would lack staffing and limitation necessary to support existing and new federally funded grant opportunities



Photo credit: EWEB



Clean Water State Revolving Loan Fund (CWSRF)

- Provide low-interest loans for community investments in wastewater treatment and other water quality improvement projects
- Financed over \$100 M in 2021
- Significant BIL supplemental enhancements for 2023-2028

Policy Initiative: HB 3195 expands CWSRF eligibility to all public agencies





POP 181/191-Clean Water State Revolving Fund Implementation

These packages provide nonlimited expenditure and debtservice approval necessary to maintain Oregon's CWSRF program

- No positions/FTE
- \$1,063,738 Other Fund
- Without packages 181/191 DEQ would need to decline approximately \$35 million per in federal grants per year, resulting in less assistance for Oregon communities





