How to Grow Compliance and Enforcement from the Ground Up

A Case Study in Oregon

ASWM September 29, 2020
What You Will Hear Today

- It’s a journey - Be patient
- Have the right staff in place
- Be consistent
- Partnerships
- Outreach
- Compliance mechanisms in Oregon for DEQ
- Challenges

- Planning
- Expectations
- What we’ve seen so far
- Future state

Bonus! *=Lessons learned!
It’s a Journey

- Program had 1-2 staff
- Fee rule discussions = 2007
- Fee rule change = 2012
- Now 4.5 staff
Staffing

- Transition is difficult
- Make sure it’s part of your interview*
- Be prepared for turnover
Be Consistent

• Group trainings
• Everyone interprets things a little differently
• Have a person who reviews for consistency program-wide*
Partnerships

- Internal
- External - Corps, EPA, and other state regulators
- FLA in Oregon
- Local jurisdictions
Training and Outreach

• With a new program, give permitees a heads up*
Compliance mechanisms in OR

- Immunity
- Warning letter
- Enforcement
- EEO

- Very prescriptive guidance
Challenges

• Department Order vs Permit
• Who is the certification written to?
• Are your conditions enforceable?
  – Should vs shall vs must
Challenges

- Formal enforcement takes time
- How to keep your program accountable
Planning

• Yearly meeting to come up with C&E plan. Share with partners.
• Mix of announced and unannounced.
  – Can be helpful to have engineer on site
Planning

• Guidance for staff, checklists, inspection forms*
What do we expect?

- No active discharge
- 401 on site
- All BMPs in place
- Post construction stormwater facility in place as proposed, and functioning
- Turbidity monitoring logs*
- Etc…
What have we seen?
Who must obtain a 401 WQC?

Wetland Program Development Grant

- Training for contractors
- Provide continuing education credits
Questions?

Sara Slater, Statewide Program Coordinator

Sara.Slater@deq.state.or.us

(541) 633-2007