From: "Hodgkiss, Miranda"
To: "Croxton, David" <Croxton.David@epa.gov>
Date: 2/23/2018 9:42:21 AM
Subject: Revised Deschutes briefing

Hi Dave,

Please see the attached briefing for my additions based on our conversation with HQ yesterday. Let me know if you need anything else or have questions!

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EPA REGION 10 OWW TOPIC BRIEFING: Deschutes River TMDL Process Options
DRAFT - INTERNAL and DELIBERATIVE
February 23, 2017

Purpose

This briefing paper serves to outline process options for taking action on the Deschutes River TMDL in Washington. Each option is associated with an approximate time to complete, along with considerations for how the action could impact the TMDL program. (b) (5) [redacted]

Background

Ecology submitted the final Phase 1 Deschutes TMDL to EPA for approval on December 17, 2015. The TMDL addresses 73 Water Quality Limited Segments (WQLS) impaired by five pollutants (temperature, dissolved oxygen [DO], pH, fecal coliform, and fine sediment). On July 17, 2017, Ecology resubmitted the Deschutes TMDL with a letter clarifying new calculations.

On September 6, 2017, Northwest Environmental Advocates ("NWEA") filed a complaint against EPA alleging violation of section 303(d)(2) of the Clean Water Act ("CWA") for failure to act on the Deschutes River TMDL submission. Section 303(d)(2) requires EPA to either approve or disapprove a state's TMDL submission within 30 days of submittal. EPA filed its answer to NWEA's complaint on January 12, 2018. NWEA has indicated that it intends to seek discovery and would like to postpone briefing for six months to provide ample time for the discovery process. Discovery will require extensive resources from R10 programs and ORC. EPA and NWEA will file a joint status report on March 1, 2018.

(b) (5) [redacted]

(b) (5) [redacted]

- [redacted]
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- [redacted]
- [redacted]
- [redacted]
- [redacted]

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(b) (5)

TMDL Review Action Options

*Review actions that can be completed within **30 days***:

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*Review action that can be completed within **45 – 60 days***:

(b)(5)

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(b) (5)

*Review action that can be completed in **60 – 120 days***:

(b)(5)

(b) (5)