Message

From: STURDEVANT Debra [Debra.STURDEVANT@state.or.us]
Sent: 9/26/2019 9:24:45 PM
To: Keating, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bd5fba58ac5e4efd9f96c1f37ebbe199-JKeating]
CC: 'STURDEVANT Debra' [Debra.STURDEVANT@state.or.us]
Subject: RE: follow up re mercury variance

Jim, We were not able to get a call scheduled with EPA until Oct. 15, so I think it would be worth touching base with you on a couple points to think about ahead of that call.

I'm in the office this afternoon, but I realize it's getting late there. I'm out tomorrow, but back in and pretty open on Monday. I hope we can connect at least briefly sometime next week.

Best regards,
Debra

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Water Quality Standards website:
https://www.oregon.gov/deq/wq/Pages/WQ-Standards.aspx

From: STURDEVANT Debra <Debra.STURDEVANT@state.or.us>
Sent: Monday, September 16, 2019 12:42 PM
To: 'Keating, Jim' <Keating.Jim@epa.gov>; STURDEVANT Debra <Debra.STURDEVANT@state.or.us>
Subject: RE: follow up re mercury variance

Ok, thanks for your reply. Our proposed MDV rule and the Variance rule revisions went out for public comment today and the comment period closes Nov. 3. We revised the supporting document in an attempt to address some of EPA's previous comments and concerns. Aron is working with Lindsay to set up a few calls with EPA during the comment period so we can discuss any outstanding issues.

Regards,
Debra

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From: Keating, Jim <Keating.Jim@epa.gov>
Sent: Monday, September 16, 2019 10:27 AM
To: STURDEVANT Debra <Debra.STURDEVANT@state.or.us>
Subject: RE: follow up re mercury variance

I apologize for not getting back to you sooner, and also apologize in advance for not having an answer for you. You raise good questions that we at EPA are still discussing. Thanks for your patience. I'm looking forward to opportunities to discuss further and arrive at a mutually agreeable approach.

From: STURDEVANT Debra <Debra.STURDEVANT@state.or.us>
Sent: Monday, September 09, 2019 7:51 PM
To: Keating, Jim <Keating.Jim@epa.gov>
Cc: STURDEVANT Debra <Debra.STURDEVANT@state.or.us>
Subject: follow up re mercury variance

Hello Jim, I appreciate your thinking about how a variance may work best for mercury. I wanted to clarify one point from today's conversation. When I asked if EPA understood that the 10% aggregate reduction from the TMDL was just the WLA for point sources, I was trying to understand how the HAC would be defined for a waterbody variance. I re-read the rule at 131.14 (b)(1)(ii)(B) (1) and (2). Frankly I am not sure how (B)(2), which is an exact replica of (A)(3), would be determined in the context of a waterbody variance. So if you have further thoughts that were lost on us today, I would appreciate hearing them.
Thanks again,
Debra

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