Oregon
Kate Brown, Governor

Department of Environmental Quality
Agency Headquarters
700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5696
FAX (503) 229-6124
TTY 711

11/30/18

Michael J. Lidgard
NPDES Permits Unit Manager
United States Environmental Protection Agency
Region 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123

Re: Notification of § 401(a)(2) requirements for the following:
Bonneville Project, WA0026778
The Dalles Lock and Dam, WA0026701
The John Day Project, WA0026832
McNary Lock and Dam, WA0026824
Ice Harbor Lock and Dam, WA0026824
Lower Monumental Lock and Dam, WA0026808
Little Goose Lock and Dam, WA0026786
Lower Granite Lock and Dam, WA0026794

Mike

Dear ~~Mr.~~ Lidgard:

The Oregon Department of Environmental Quality (DEQ) received EPA's notice on October 1, 2018 that EPA intends to act on applications for NPDES permits for the above-listed facilities, and that EPA has determined that the activity that would be authorized by these permits may affect the quality of waters of the State of Oregon. Under section 401(a)(2) of the federal Clean Water Act, a downstream state has sixty days after the receipt of such a notification to respond to the permitting agency if it believes the activity authorized may violate the downstream state's water quality standards.

DEQ has reviewed the draft permits provided. DEQ notes that the State of Washington's certification under section 401(a)(1), concerning discharges into the waters of that state is pending. DEQ further notes that EPA is expected to issue a TMDL for the Columbia River for temperature on or before December 17, 2018. As a result of the uncertainty created by these pending actions, DEQ is responding to EPA's notice of applications for NPDES permits for the above-listed by filing this letter as a precautionary objection. DEQ's preference and request is that EPA withdraw the October 1, 2018 notification, and reissue the notification to DEQ on a timeline that allows coordination with the State of Washington's certification under section 401(a)(1). Having both states with waters affected by these permits act on the same timeline is in the best interest of all involved. Please respond as to whether EPA will withdraw the notification to Oregon.

If you have questions concerning this letter do not hesitate to contact Steve Mrazik, DEQ's 401 Program Manager. DEQ would be pleased to discuss any questions or concerns.

Sincerely,

Ron Doughten
Water Quality Permit Program Manager

Steve Mrazik
Water Quality 401 Program Manager

ec: Dan Opalski -EPA
Jennifer Wigal - ODEQ
Ron Doughten - ODEQ