STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
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October 12, 2018

Dan Opalski, Director
Office of Water and Watersheds, EPA Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

Re: Section 401 Certifications for Federal Hydroelectric Generating Facilities on the Columbia and Lower Snake River

Dear Director Opalski:

This letter is in response to your September 19th and 20th letters requesting the Washington State Department of Ecology (Ecology) provide preliminary Clean Water Act (CWA) section 401 certifications of the draft National Pollutant Discharge Elimination System (NPDES) permits for these facilities. Specifically the draft NDPES permits for the four federal hydroelectric facilities located on the lower Columbia River and the four federal hydroelectric facilities located on the lower Snake River. We have received email correspondence but no formal letter on the federal Grand Coulee hydroelectric facility on the Columbia River.

There are a number of concurrent processes underway with regards to the federal hydropower system and this request comes in advance of the completion of those processes. It would be helpful to understand the linkage of these permits to these other processes. We would like to meet with EPA to discuss further. Ideally, we could get more background information and a better understanding of these permits and your schedule.

Your letters requested a response within 30 days. We will require time to complete our review process and provide a section 401 certification decision. Section 401(a)(1) of the Clean Water Act, provides states up to one year to act on a request for section 401 certification This letter is **not** to be considered our decision or a waiver of Washington State's 401 certification authority. If you are unable to accommodate our need for additional time to complete our review process, we will need to deny section 401 certification because we currently do not have sufficient information that will provide reasonable assurance that Washington's water quality standards and other appropriate requirements of state law will be met.

We look forward to discussing this further with you.

Sincerely,

Heather R. Bartlett
Water Quality Program Manager