UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3123

OFFICE OF
WATER AND WATERSHEDS

October 19, 2018

Ms. Heather R. Bartlett
Water Quality Program Manager
Department of Ecology
PO Box 47600
Olympia, Washington 98504-7600

Re: Request for Clean Water Act Section 401 Certification of NPDES Draft Individual Permits for Federal Hydroelectric Generating Facilities on the Columbia River and Lower Snake River in Washington

Dear Ms. Bartlett:

Thank you for your letter of October 12, 2018 responding to the U.S. Environmental Protection Agency's request for Washington Department of Ecology's preliminary draft Clean Water Act (CWA) Section 401 Certifications of NPDES Draft Individual Permits for Hydroelectric Generating Facilities on the Columbia River and Lower Snake River. As you know, the EPA and Ecology have a meeting scheduled on Wednesday, October 24, 2018 to discuss the EPA's request. We look forward to discussing the permit actions as well as the interplay of the NPDES permits and other federal actions occurring on the Columbia River and Lower Snake River. In the meantime, we are clarifying our request for CWA 401 certifications of these permits.

We are requesting CWA 401 certification of the following permits:

Ice Harbor Lock and Dam, NPDES Permit No. WA0026816
Lower Monumental Lock and Dam, NPDES Permit No. WA0026808
Little Goose Lock and Dam, NPDES Permit No. WA0026786
Lower Granite Lock and Dam, NPDES Permit No. WA0026794
Bonneville Project, NPDES Permit No. WA0026778
The Dalles Lock and Dam, NPDES Permit No. WA0026701
John Day Project, NPDES Permit No. WA0026832
McNary Lock and Dam, NPDES Permit No. WA0026824
Grand Coulee Dam, NPDES Permit No. WA0026867

We have enclosed copies of the Draft Permits and Fact Sheets for your use in completing the certifications. We request that your certifications follow the federal regulations governing state certification at 40 CFR §124.53(e). The regulations allow for the State to stipulate more stringent conditions in the permit, if the certifications cite the Clean Water Act or State law references upon which that condition is based. In addition, the regulations require the certification to include statements for each condition of the permit that can be made less stringent without violating requirements of State law.

Final action on these permits cannot be taken until your agency has granted or denied certification under 40 CFR §124.55, or waived its right to certify. Pursuant to 40 CFR §124.53(c)(3), the State will be deemed to have waived its right to certify unless that right is exercised within 60 days of the receipt of the Draft Permits, i.e. by December 18, 2018.

Since these Draft Permits are not intended for review outside of Ecology, we appreciate your discretion in retaining them within the department. If you have any questions, please contact Jenny Wu at 206-553-6328 or 1-800-424-4372 ext. 6328 or wu.Jennifer@epa.gov. We look forward to your CWA 401 certifications and our meeting next week.

Sincerely,

Daniel D. Opalski, Director
Office of Water and Watersheds

Enclosures

[SEQ CHAPTER \h \r 1]cc: Mr. Vince McGowan, Washington Department of Ecology (via email)
Ms. Ellie Ott, Washington Department of Ecology (via email)

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