Columbia River Federal Dam NPDES Permits

Background:

- In 2013, Columbia Riverkeeper filed a complaint against the US Army Corps of Engineers for discharges of oil and grease from Columbia River dams without NPDES permits. In 2014, the parties reached a settlement, including USACE's agreement to submit NPDES permit applications for outfalls with potential pollutant discharges. In January 2017, Columbia Riverkeeper reached the same settlement with the Bureau of Reclamation.
- The USACE and Bureau of Reclamation, in 2015 and 2017 respectively, submitted NPDES applications to EPA, requesting Clean Water Act authorization of point source discharges from the dams.
- The state line between Washington and Oregon is in the middle of the Columbia River, and jurisdiction for NPDES permitting in the river is divided between the two states. Oregon has jurisdiction to issue NPDES permits to federal facilities in Oregon and is writing permits for dam outfalls discharging into Oregon. EPA is the permitting authority for federal facilities in Washington and is writing permits for dam outfalls that discharge into Washington.

Key Points:

- EPA is focusing on these permits as part of our effort to eliminate the backlog of new permit applications that have been pending for more than six months.
- EPA is working closely with federal, state, and tribal partners on the upcoming NPDES permits for the 9 federal dams on the Lower Columbia River (4), Lower Snake River (4), and Grand Coulee Dam (1). Federal partners include the US Army Corps of Engineers, Bureau of Reclamation, NOAA, Bonneville Power Administration, and US Fish and Wildlife Service. State partners include the states of Washington and Oregon. Tribal partners include tribes and tribal organizations with treaty rights or interest in the federal dams.
- The permits will regulate oil and grease discharges and cooling water discharges. EPA is considering preliminary findings from the upcoming Columbia River temperature TMDL and temperature data from the dams in determining permit conditions for temperature.
- EPA plans to go out for public comment on these permits in January or February 2019.

Talking Points:

- We will continue to communicate regularly with the Army Corps of Engineers and the Bureau of Reclamation as development of the permits continue.
- We are working closely with states and tribes as the permits are developed, and they will have the opportunity to provide Clean Water Act certifications that the permits will still allow them to meet the water quality standards established for their respective waters.
- We will also work closely with NOAA and the Fish and Wildlife Service to ensure potential effects to endangered species are adequately addressed.