



May 20, 2014

SUBMITTED ELECTRONICALLY TO: efsec@utc.wa.gov

Energy Facility Site Evaluation Council
Attention: Jim La Spina
P.O. Box 43172
Olympia, Washington 98504-3172

**Re: Supplemental Comments on EFSEC's Proposed NPDES Permit Reissuance for
Energy Northwest's Columbia Generating Station**

Dear Mr. La Spina:

Please accept these supplemental comments from the Northwest Environmental Defense Center, Northwest Environmental Advocates, and Columbia Riverkeeper (collectively, Commenters) concerning recent developments related to the proposed reissuance of the National Pollutant Discharge Elimination System (NPDES) permit, Permit No. WA-002515-1, for Energy Northwest's Columbia Generating Station (CGS), located at 76 N Power Plant Loop, Richland, WA 99354. Commenters are non-profit organizations that represent hundreds of members and are dedicated to protecting public health, the environment, and natural resources. Commenters submitted comments to the Washington Energy Facility Site Evaluation Council (EFSEC) on April 18, 2014 regarding the proposal to reissue Energy Northwest's NPDES permit for the CGS.

We recognize that the official comment period closed on April 18, 2014. Major changes since that time, however, require that EFSEC revise its proposed NPDES permit and such a significant re-analysis warrants a re-opening of the public comment period. On May 19, 2014, the Environmental Protection Agency (EPA) announced it had finalized national standards under section 316(b) of the Clean Water Act (CWA) to protect fish and aquatic life from cooling water intake structures. Section 316(b) requires EPA to ensure that "the location, design, construction, and capacity of cooling water intake structures reflect the best technology available for minimizing adverse environmental impact." 33 U.S.C. § 1326(b); 40 C.F.R. § 401.14. At the time the CGS draft permit was issued for public comment, EFSEC was well aware that EPA's issuance of this rule was imminent. EFSEC may not issue the proposed permit without

addressing this rule nor may EFSEC make a significant re-analysis of the proposed permit without allowing for public comment on a significant issue.

In addition, after the close of the public comment period, on April 29, 2014, the U.S. Geological Survey (USGS) published a number of related studies on high levels of toxic substances in the Columbia River sediments, water, resident fish, and osprey eggs. We attach these studies and recommend them to your attention as relevant to the upstream discharge from the CGS. The studies demonstrate both contamination and markers of stress increasing in a downstream direction and conclude that “our contaminant and biomarker results support the hypothesis that contaminants in the environment both correlate to bioaccumulation and cause genetic and reproduction impacts within the foodweb.” These USGS studies build on the work of “previous studies that have established the presence and concentration of a large suite of persistent contaminants in water and biota of the Columbia River” and their effect on fish health, and fish-eating birds and mammals. One of the studies concluded that wild fish exposed to contaminant mixtures for years show a different response from laboratory studies which evaluate response to individual toxic chemicals for relatively short-term exposures. In particular, the studies showed that sperm health in largescale suckers – quality, quantity, and motility – were negatively affected by various contaminants found in the Lower Columbia. While focused on the largescale suckers, one of the studies concluded that “the reproductive significance to salmonids in the [Lower Columbia River] could be even greater than what is suggested by the results of this study with largescale suckers.”

By submitting these supplemental comments, Commenters intend to focus EFSEC’s attention on certain critical issues that EFSEC must address in the proposed NPDES permit. Commenters request that EFSEC reopen the proposed NPDES permit for public comment to address the new CWA standards applicable to Energy Northwest’s CGS.

Sincerely,

Nina Bell
Executive Director
Northwest Environmental Advocates

Marla Nelson
Legal Fellow
Northwest Environmental Defense Center

Miles Johnson
Clean Water Attorney
Columbia Riverkeeper

Enclosures:

- Attachment 1: USGS 2014 Contaminants Food Web Suckers

- Attachment 2: USGS 2014 Foodweb Transfer
- Attachment 3: USGS 2014 Genes and Contaminants Suckers
- Attachment 4: USGS 2014 Health Suckers
- Attachment 5: USGS 2014 Pharmaceuticals Reconnaissance
- Attachment 6: USGS 2014 Sediment Contamination Patterns
- Attachment 7: USGS 2014 Suckers and Contaminants
- Attachment 8: USGS 2014 Trends Emerging and Legacy