

State of Oregon
Department of Environmental Quality

Memorandum

To: Tualatin Subbasin TMDL File
From: Greg Aldrich, WQ Administrator
Subject: Tualatin Subbasin TMDL Order

Date: August 28, 2012

On August 28, 2012, the Tualatin Subbasin Total Maximum Daily Load (TMDL) was issued as an order by the Oregon Department of Environmental Quality (DEQ). The area covered by this TMDL is the Tualatin Subbasin [4th field Hydrologic Unit Code (HUC) 17090010] and includes the entire 712 square mile area.

This document amends the 2001 Tualatin Subbasin TMDLs to provide waste load allocations for total phosphorus and ammonia at two new discharge locations. Both of the amended allocations allow trading among three waste water treatment plants, and both maintain the same TMDL target loads for total phosphorus and ammonia in the lower Tualatin River; the impaired reach of river targeted by the original Tualatin TMDLs. These TMDL amendments do not replace the Tualatin Subbasin TMDLs issued in 2001, and do not alter any 303(d) listings.

This final Tualatin Subbasin TMDL document, developed under §303(d) of the Clean Water Act (CWA), has been submitted for U.S. Environmental Protection Agency (USEPA) approval. The document, when approved, will be an update to Oregon's Continuing Planning Process per §303(e) of the Clean Water Act. The document includes a revised Water Quality Management Plan (WQMP) as identified in OAR 340-042-0040(4)(I). The WQMP does not need to be approved or disapproved as specified under the terms of the February 1, 2000 Memorandum of Agreement between USEPA and DEQ regarding the implementation of §303(d) of the CWA. Should USEPA modify or disapprove this TMDL, such actions will be made public.

Watershed analyses and draft TMDLs were presented to and discussed with the Tualatin River Watershed Council, a community forum, over the course of a two year during 2009-2011. The public comment period for the draft Tualatin Subbasin TMDL document was conducted from September 24, through December 14, 2011. Copies of the draft TMDL document were made available at DEQ's Northwest Region office in Portland, as well as on-line at the DEQ website and through direct mailings.

A Public hearing was held in Hillsboro, OR on November 16, 2011, and was preceded with an informational presentation and discussion. Recorded oral and formal written comments were received from 17 parties and addressed as part of the formal response to comments process. DEQ has summarized the issues raised, prepared responses and made revisions to the draft TMDL and WQMP.

This memo and the related public notification represent the beginning of the 60-day appeal period on this DEQ action. The Oregon Administrative Rules (OAR) allow for the following:

- (1) Any person who participated in establishing a TMDL, including those who submitted comments and any other person entitled to seek judicial review of an order issuing a TMDL, may request reconsideration by the Director in accordance with OAR 137-004-0080.

- (2) A person may file a petition for judicial review of a final TMDL order as allowed by ORS 183.484.

This TMDL/WQMP and Response to Comments documents can be found at the following website: <http://www.deq.state.or.us/WQ/TMDLs/willamette.htm#t> or can be viewed at the following locations: DEQ Headquarters, 811 SW Sixth Avenue, Portland, OR 97204 or DEQ's Northwest Region Portland Office, 2020 SW Fourth Avenue, Suite 400, Portland, OR 97201. Once USEPA has approved this TMDL, this document will be made available via a CD, electronic file or paper copy.

Should you have any questions about these TMDLs, please contact Avis Newell, 503-229-6018 or Gene Foster, 503-229-5325.

Issued by:



Greg Aldrich
Water Quality Administrator

Date: August 28, 2012

Attachments

