



## Fact Sheet

Prepared by: Surfrider Foundation

April 1st, 2008

### **Recommendations to Meet State and Federal Law: NPDES Wastewater Permit #101409 Georgia Pacific Pulp Mill: Toledo, OR**

On April 1st, 2008, the Newport Chapter of Surfrider Foundation submitted a report to the Oregon Department of Environmental Quality (DEQ) with formal recommendations for strengthening the wastewater permit of the Georgia Pacific Pulp Mill in Toledo. The report (which can be found at [www.surfrider.org/oregon](http://www.surfrider.org/oregon)) is intended to support DEQ's ongoing reconsideration of the Georgia Pacific permit, and bring the agency closer to compliance with state and federal laws that protect water quality.

#### **The Georgia Pacific Pulp and Paper Mill, Toledo, OR**

The Georgia-Pacific pulp and paper mill in Toledo, Oregon was constructed in the mid-1950's. The mill is located along Yaquina Bay at about river mile 12.3. Treated effluent is pumped via two pipelines from the mill through the City of Newport to a single pipeline at Nye Beach. The primary outfall pipe runs 3800 feet offshore from Nye Beach, discharging an average of 11 million gallons of effluent (wastewater) per day into the Pacific Ocean. A second outfall discharges storm overflow into the Yaquina River during extreme storm events.

#### **Georgia Pacific's NPDES Permit Renewal Caused Public Concern**

Georgia Pacific's water quality permit (NPDES permit) expired on July 31, 2001. Although the company timely applied for renewal, DEQ did not issue the renewed permit until July 14, 2006. During the renewal process, many individuals and organizations expressed concerns with the proposed renewal during the public comment process. Nonetheless, DEQ issued the permit without adequately addressing public concerns. Several organizations, including Surfrider Foundation, subsequently filed a Petition for Reconsideration, requesting that the agency reconsider a variety of issues in Georgia Pacific's renewed NPDES permit. DEQ accepted the Petition and is currently in the reconsideration process. After meeting with DEQ in January 2008 to discuss next steps, Surfrider produced this report to address remaining concerns.

#### **The "Petition for Reconsideration" - Filed September 9, 2006**

A Petition for Reconsideration is not a lawsuit, but is a formal administrative request by the groups that Oregon DEQ revise the permit to ensure it is consistent with state and federal legal requirements. Within the past two years, citizens and groups have filed comments and attended a public hearing. While DEQ provided a response to public comments, the permit itself completely fails to address and correct many of the significant questions and problems raised during this public comment period. The Petition was filed on September 9, 2006 and can be requested by emailing

## **The Report: Recommendations to Meet State and Federal Requirements**

The report includes recommendations for enhanced monitoring and improved scientific assessment related to turbidity, bacteria, dissolved oxygen, and mixing zones. Surfrider provides information on additional science-based resources, recommends that DEQ consider other sources of monitoring and background data for the Pacific Ocean near the outfall site, and advocates for specific monitoring and evaluative studies. In total, 11 specific recommendations were developed and provided to DEQ. Some of these recommendations address:

**Establishing a monitoring program** for water, sediments, and organisms adjacent to the ocean discharge to evaluate pollution impacts and compliance with the Clean Water Act.

**Describing recreational uses** in the vicinity of the ocean discharge and assessing the extent to which these may be impacted by degraded water quality.

**Establishing discharge limits on bacteria** without a mixing zone allowance to protect human health and ensure compliance with water quality standards.

**Using available data** on turbidity and low-oxygen hypoxic waters for (i) the permit's water quality evaluations and limits and (ii) determining additional monitoring needs.

**Verifying the ocean 'mixing zone' boundaries** through *in situ* measurements and additional analyses that consider the full range of ocean conditions.

**Conducting Antidegradation Reviews** for the new mixing zones at outfalls 001 and 003 to ensure protection of all existing 'beneficial uses'.

Surfrider Foundation remains committed to providing constructive input to support the reconsideration process. Providing for an NPDES permit that is based on the best science and consistent with state and federal law is in the best interests of public health, sustainable fisheries, and tourism-related economies.

## **Who should I contact for more information?**

### **General Questions**

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### **Legal Questions**

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