

	Necessary Change to comply with Clean Water Act	DEQ Response?	Surfrider Grade/ Assessment	Surfrider Comments
Environmental Monitoring	<ul style="list-style-type: none"> • Monitor sediments and biological communities for accumulation of toxins • Monitor for turbidity, color, temperature, dissolved oxygen • Monitor for bacteria 	Permit will be modified to require GP to conduct comprehensive survey of the aquatic community in the area of the outfall. GP shall submit proposed study plan to DEQ by Aug 7, 2009	B -	<p>a) A start, but DEQ fails to outline any specifics that will ensure statutory compliance</p> <p>b) Requires only short-term study instead of ongoing monitoring</p> <p>c) A peer-reviewed 3rd party or collaborative study would be a scientifically sound way to benefit all parties involved, which we will/could pursue with or w/o the collaboration of GP and DEQ.</p>
Analysis & Modeling	<ul style="list-style-type: none"> • Incorporate field measurements in analyses • Consider hypoxia and “worst case” scenarios • Consider ‘beneficial uses’ (surfing, fishing, etc.) • Consult with wildlife agencies 	DEQ counters that additional assessments, including new RPA, are not needed.	F	<p>a) Fails to consider seasonal hypoxia; DEQ assertion that this does not occur in area of discharge is scientifically false</p> <p>b) Relies on assumptions of worst case (not max discharge)</p> <p>c) No consultation with wildlife agencies</p> <p>D) No consultation with fishing/ crabbing fleet to verify grounds</p> <p>E) Relies upon single 1986 study to assert no bioaccumulation</p> <p>F) Mixing zone vs. plume: DEQ</p>

				failed to address issues relating to aesthetics or impacts to tourism. Equating “plume” to river flow isn’t good science. River has always been there, the pulp mill hasn’t; this is why we have permitting and zoning processes with environmental laws that protect ocean, human health, and all services provided by ocean.
Inappropriate Waste Streams	<ul style="list-style-type: none"> No more landfill leachate from Marion Co. 	Permit will be modified to state that wastes from external sources may not be accepted or discharged under the terms of this permit	A	a) Thank You! However, why no accountability from DEQ for previous discharges of landfill leachate which were NOT provided for under the permit?
Discharge Compliance For Bacteria and Turbidity	<ul style="list-style-type: none"> Determine compliance for turbidity & color Determine compliance for bacteria 	(see Surfrider Comments).	F	a) DEQ rationalizes why they believe color fails to address or rectify their requirements under CWA <ul style="list-style-type: none"> Explanation relied on comparison to color change at mouth of Yaquina River, but the Yaquina River is irrelevant and is not at issue. The mouth of the Yaquina River is not at or immediately near the edge of the mixing zone and is not the

				<p>relevant background comparison. DEQs assertion that the discharge does not violate the narrative criteria based solely on comparison to the Yaquina River is without foundation and bad science.</p> <p>b) Turbidity – Estuary is NOT valid proxy for ocean background</p> <ul style="list-style-type: none">• But comparative ocean averages based on questionable analysis: chose to use estuary turbidity as analogue b/c of comparable salinity – neglected to consider other estuary conditions differing from the oceanic discharge area such as depth, an temperature.• Background turbidity still less than discharge turbidity at edge of mixing zone, and while the average measured turbidity does not exceed 10% threshold it is close enough that there likely are 10%+ increases and there are no exceptions in the criteria for periodic violations <p>c) Bacteria -</p>
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				<ul style="list-style-type: none">• Explanation states “elevated levels of fecal coliform were measured in the plant’s effluent.” DEQ claimed it “determined that there was no reasonable potential to violate the fecal coliform or enterococcus standard” but based this conclusion on testing within the mill, not testing of its discharge in the ocean• Existence of bacteria in the discharge is the issue and if it is present, and not a false positive, then it must be monitored, reported, and DEQ must establish an effluent limit in the permit.
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