



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 155
Seattle, WA 98101-3188

WATER DIVISION

Reply to
Attn of: WD-19-C04

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

Mr. Mathew R. Maxey
Hatchery Manager
Leavenworth National Fish Hatchery
12790 Fish Hatchery Road
Leavenworth, Washington 98826

Re: Minor Modification of NPDES Permit for Leavenworth National Fish Hatchery (Permit No. WA0001902)

Dear Mr. Maxey:

The U.S. Environmental Protection Agency has made a minor modification to the National Pollutant Discharge Elimination System (NPDES) permit referenced above. In a letter dated October 10, 2020, U.S. Fish and Wildlife Service (USFWS) requested a modification to the deadline for Task 2 in the Compliance Schedule set forth in the NPDES permit for the Leavenworth National Fish Hatchery (LNFH). The reason for this request was that the ongoing COVID-19 pandemic caused complications and delays in the hiring process for a contractor, and therefore, the USFWS did not receive any bids for the Task 2 project.

40 CFR 122.63(c) allows for a minor modification to change an interim compliance date in a compliance schedule provided that the new date is not more than 120 days after the date specified in the existing permit and does not interfere with the attainment of the final compliance date. LNFH has requested an extension of 120 days to complete Task 2 because LNFH will need the work to be completed by their own personnel and potentially hire a contractor, and the lack of contractor bids due to COVID-19 for the Task 2 project resulted in a delay in the schedule. Since this new date is not more than 120 days after the date specified in the existing permit and does not change the final compliance date, the permit can be modified. Therefore, Task 2 of the Compliance Schedule is modified to extend the interim compliance date to April 30, 2021. Deadlines for all other tasks remain the same, including the final compliance schedule date. Since this is a minor modification, it can be made without public review and comment procedures set forth in 40 CFR Part 124.

Pages 17 and 18 of the permit affected by this correction are included. Please replace pages 17 and 18 of the permit with the corrected pages. If you have any questions about this minor modification of your permit, please contact Jennifer Wu at (206)553-6328 or via email at Wu.Jennifer@epa.gov.

Sincerely,

/s/ 10/27/2020

Susan Poulson, Manager
NPDES Permitting Section

Enclosure: Pages 17 and 18, modified permit change

cc: Malenna Cappellini, USFWS (via email)
Breean Zimmerman, Washington Department of Ecology (via email)

Table 1. Temperature and Total Phosphorus Schedules of Compliance for Meeting Final Effluent Limitations

Task No.	Task Completion Date	Task Activity
1	18 months after the effective date of the Permit	<p>Phosphorus Source Investigation: The Permittee must investigate the sources, extent, and transport of phosphorus in the hatchery discharges. At a minimum, the investigation must include a determination of the amount of phosphorus introduced to the hatchery operation via the influent and feed (or other sources of phosphorus introduced into hatchery waters) and the amount of phosphorus contained in the discharges. Testing of the discharge must determine the portion of dissolved inorganic phosphorus (filtered sample with analyses for orthophosphate) that is contained in the total phosphorus discharge from the Hatchery. Deliverable:</p> <ol style="list-style-type: none"> 1. The Permittee must submit the findings and recommendations to EPA and Ecology for further actions to reduce total phosphorus concentrations in the Hatchery effluent, by June 1, 2019, 18 months after the effective date of the Permit. The Permittee may submit the findings and recommendations as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_PhosInvest_90408, where YYYY_MM_DD is the date that the Permittee submits the findings and recommendations.
2	Three years and 120 days after the effective date of the Permit, April 30, 2021	<p>Overall Planning Phase/Feasibility study/Alternatives Evaluation:</p> <ol style="list-style-type: none"> A. The Permittee must complete an overall Facility Plan to comply with the final effluent limitations for temperature and total phosphorus, included in Tables 1-3 of this Permit, by the end of this compliance schedule. As part of the Facility Plan, the Permittee must evaluate alternatives to achieve compliance. The Permittee must therefore investigate the feasibility of measures available to the Hatchery to reduce the temperature and mass load of total phosphorus in the discharges. At a minimum, the feasibility of the following measures must be evaluated for achieving compliance with the effluent temperature limits: <ol style="list-style-type: none"> 1) facility improvements and/or adding additional technologies to facility operations; 2) offsets and/or possible trading mechanisms; such as offsite mitigation; 3) shading and riparian restoration; and

Task No.	Task Completion Date	Task Activity
		<p>4) changes in/to sources of Hatchery influent, in addition to any other measures evaluated by the Permittee.</p> <p>At a minimum, the feasibility of the following measures must be evaluated for reducing the mass load of total phosphorus in the effluent:</p> <ol style="list-style-type: none"> 1) investigation of the use of low level phosphorus fish food; 2) evaluation of hatchery raceway cleaning procedures; 3) feasibility of switching to recirculating tank technology/re-use; 4) efficiency and operation of the pollution abatement ponds; and, 5) adding chemical and/or biological treatment technologies to the production line; in addition to any other measures evaluated by the Permittee. <p>B. "Feasibility" is defined to include effectiveness, ability to implement, and cost. All alternative evaluations developed with the Facility Plan should consider short- and long-term aspects of these three (3) factors of feasibility.</p> <p>Readily implementable measures must be designed and constructed as soon as feasible. Measures that are more technically difficult or have more unknowns may need further investigations.</p> <p>Deliverables:</p> <ol style="list-style-type: none"> 1. Permittee must provide a certified Final Facility Plan to the EPA and Ecology, including the findings of the alternatives evaluation, by April 30, 2021, three years and 120 days after the effective date of the Permit. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_Plan_43699, where YYYY_MM_DD is the date that the Permittee submits the written notification. 2. Permittee must submit the final design documents, and/or construction completion reports, to the EPA and Ecology, for any measures selected during this Planning Phase that are determined to be readily implementable. The Permittee may submit written notification as an electronic attachment to NetDMR. The file name of the electronic attachment must be as follows: YYYY_MM_DD_WA0001902_ConstructTask2_90408, where YYYY_MM_DD is the date that the Permittee submits the written notification.