

# **Supplemental Fact Sheet for NPDES Permit WA002515-1**

## **Columbia Generating Station**

**December 21, 2015**

Whole effluent toxicity (WET) testing is a form of biological monitoring to determine if a wastewater discharge will have toxic effects on organisms that are similar to or the same as those in the receiving water. WET testing is used because it is not possible to develop water quality standards for all of the toxic pollutants possibly found in wastewater discharges. WET testing is also the only method available for assessing the toxic interaction of pollutants.

In 2014, three environmental organizations appealed language in the wastewater discharge permit for the Columbia Generating Station (CGS). Among the issues raised was that the permit language allowed CGS to remain in compliance with the permit after failing a whole effluent toxicity test, as long as CGS took certain subsequent measures. The permit required CGS to conduct additional testing to confirm the presence of toxicity and if present, submit a plan to identify the cause of the toxicity and proposed measures to reduce or eliminate it.

In July 2015, the Court of Appeals ruled in a separate case that a single failed WET test, not deemed anomalous by the Department of Ecology, is a violation of the permit. The Court's ruling is narrow and applies only to compliance testing in permits for which there is an acute or chronic WET limit. The CGS permit contains an acute WET limit.

In October 2015, Thurston County Superior Court remanded the CGS permit to EFSEC solely for modification of Permit Condition S13 Acute Toxicity, for consistency with the earlier Court of Appeals ruling.

The Energy Facility Site Evaluation Committee (EFSEC) has revised the Columbia Generating Station permit in response to the Court's ruling. These revisions are discussed in more detail below.

### **Proposed Permit Changes**

EFSEC has modified special condition S13 Acute Toxicity, specifically S13.B and S13.D to explicitly state that a single failed WET test for acute toxicity, not deemed anomalous by EFSEC, results in a violation of the effluent limit for acute toxicity.