



Oregon

Kate Brown, Governor

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March 3, 2021

Sweet Home City Council
3225 Main St.
Sweet Home, OR. 97386

Re: EPA takes final action on *Revised Willamette Basin Mercury Total Maximum Daily Load*

Dear City Council Members:

This letter provides notification that the U.S. Environmental Protection Agency (EPA) released the *Total Maximum Daily Load (TMDL) for Mercury in the Willamette Basin, Oregon* on Feb. 4, 2021. EPA notified DEQ that, "EPA has established this TMDL and is hereby providing it to the State for implementation."

The EPA's TMDL says that the required reasonable assurance of implementation for the TMDL relies on DEQ's Water Quality Management Plan. The WQMP was issued on Nov. 22, 2019 as part of the DEQ *Final Revised Willamette Basin Mercury Total Maximum Daily Load*. You received this letter because DEQ listed the City of Sweet Home as a Designated Management Agency in the WQMP. Therefore, the City of Sweet Home is responsible for implementing strategies to reduce mercury according to requirements identified in the WQMP that are specific to the City of Sweet Home.

DEQ submitted its TMDL and associated documents to EPA for review and action on Nov. 22, 2019. EPA disapproved DEQ's TMDL on Nov. 29, 2019. On Dec. 30, 2019, EPA established the Willamette Basin Mercury TMDL, which was in effect until EPA released the revised TMDL on Feb. 4, 2021. EPA's 2019 TMDL, as revised in Feb. 2021, and DEQ's 2019 TMDL WQMP are in effect and apply to the City of Sweet Home. DEQ's WQMP and additional information can be accessed at: <https://www.oregon.gov/deq/wq/tmdls/Pages/willhgtmdlac2018.aspx>

As a DMA, the City of Sweet Home is required under OAR 340-42-080 to prepare a TMDL implementation plan to incorporate implementation requirements in the WQMP based on several criteria. TMDL implementation plans must be submitted to DEQ for review and approval by September 3, 2022, which is 18 months from the date of this letter. Should the City of Sweet Home fail to submit the plan by this date, this matter may be referred to the Department's Office of Compliance and Enforcement for formal enforcement action, including the assessment of civil penalties and/or a Department Order. Please note that civil penalties can be assessed for each day of violation.

Please contact your basin coordinator, Priscilla Woolverton, to determine what your specific requirements are and to discuss any questions you may have. Your basin coordinator will work closely with you to support your submittal of all TMDL- required documents and reports.

We appreciate the City of Sweet Home involvement in TMDL implementation to reduce mercury in the Willamette Basin in order to protect people who regularly eat fish and shellfish from streams and lakes across the basin.

Sincerely,



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