



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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June 12, 2019

The Honorable Andrew R. Wheeler, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Wheeler:

As you know, the State of Washington has filed litigation against the U.S. Environmental Protection Agency (EPA) for unlawfully revoking our state's water quality standards and human health criteria. I am writing to ask that EPA cease action until the courts have reached a decision to avoid further chaos for Washingtonians and the regulated community that needs permits to discharge waste water.

In my letter to you on May 7, 2019, I noted the federal Clean Water Act (CWA) only allows EPA to amend water quality standards if the state has a proposal pending before it or if existing standards are not sufficient to protect water quality. Despite meeting neither criterion—and despite pleas from the Washington State Department of Ecology and Washington tribes—EPA chose to forge ahead. The Washington State Attorney General also sent notice to you demonstrating that any action to revoke Washington's standards would violate the CWA.

We anticipate the court can resolve this pure legal issue in a relatively quick timeframe. We therefore ask again that EPA refrain from taking any further steps in repealing Washington's standards.

Until we have a court decision, proceeding with a repeal would be inappropriate and further plunge our state's businesses and communities into regulatory limbo. It would also be an inappropriate use of public funds. We hope to obtain a court decision as expeditiously as possible to achieve resolution and certainty in Washington State and ensure compliance with the CWA. I look forward to your response to my request.

Sincerely,

Maia D. Bellon
Director

