

DEQ Public Hearing

NEXT Renewable Fuels

Zoom Webinar | October 8, 2024



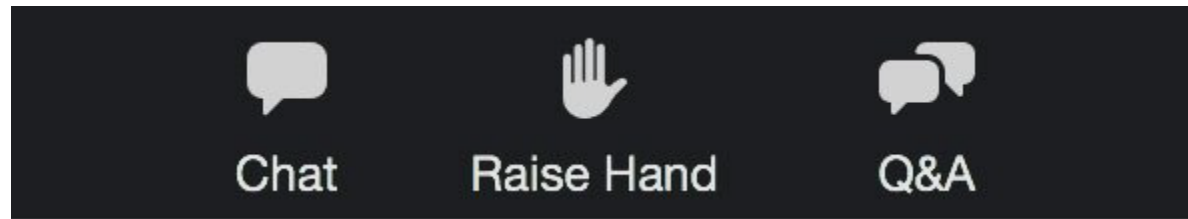
State of Oregon
Department of Environmental Quality

Using Zoom Webinar

- Hear the audio either through your computer or by calling in by phone with the phone number provided upon registration.
- Note that you will not be able to speak unless the host enables your audio and then you unmute.

Asking a Question

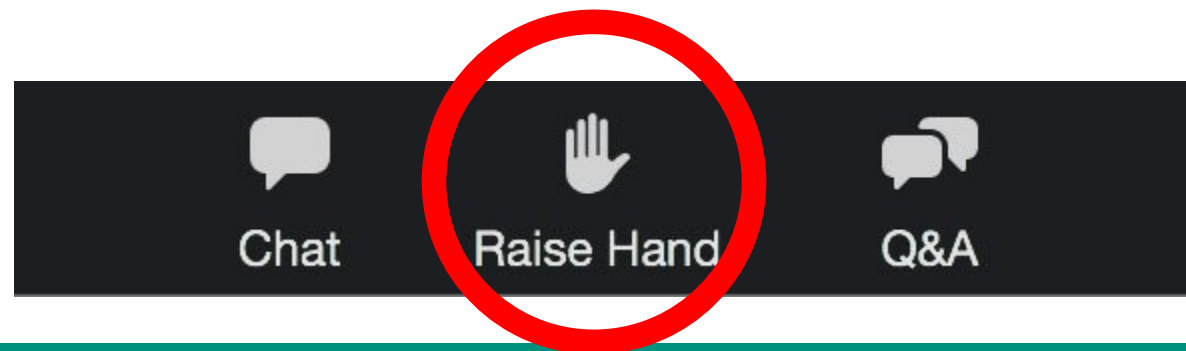
- You should see the following along the bottom of your screen.



- To ask a question: type it into the Q&A or raise your hand and the host will un-mute you. (*9 if you're on the phone)
- Use chat if you're having technical difficulties.

Making a Comment

- During the public hearing portion of the meeting, raise your hand to comment
- We'll call folks in the order their hand was raised
- Remember *9 if you're listening by phone
- State and spell your first and last name



Purpose and Agenda of Today's Meeting

Why are we here

- Provide information about the draft 401 Water Quality Certification for NEXT Renewable Fuels
- Answer questions
- Receive verbal public comment

As always, please speak for yourself and be respectful of others.

Public Comment Period

- Open now through Friday, October 25 at 5 p.m.
- Verbal and written comments given equal weight
 - Can submit written comments online via email at 401PublicComments@deq.oregon.gov or Your DEQ Online, or by mail
 - Go to ordeq.org/next-renewables for more information about how to submit a written comment and to learn more about this proposed project
- DEQ can only consider comments about the draft 401 Water Quality Certification

401 Water Quality Certification

Haley Teach, 401 Program Coordinator



State of Oregon
Department of Environmental Quality



What I'll discuss

Topics

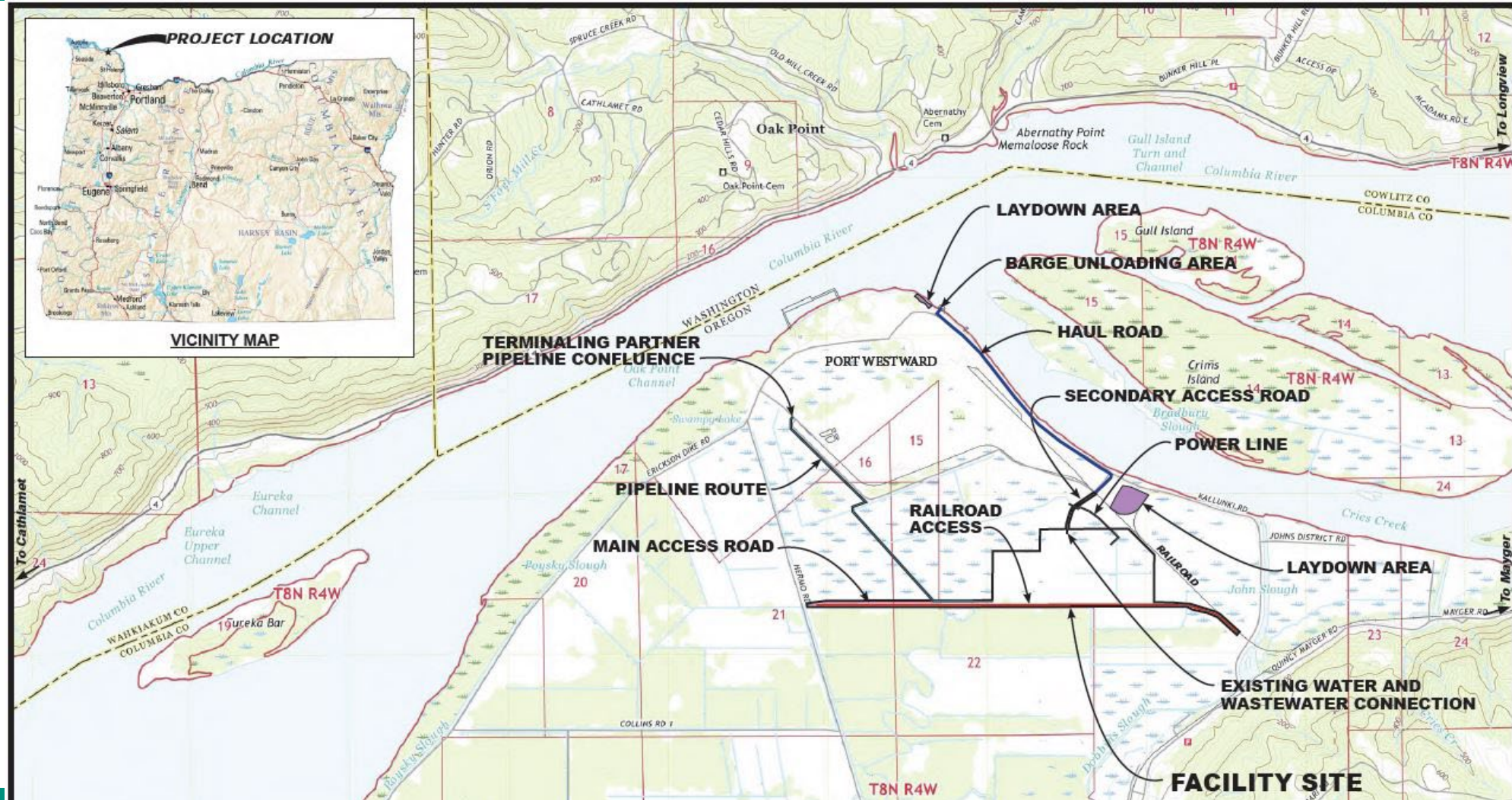
- What is the 401 Water Quality Certification (WQC)?
- Why NEXT is applying for a 401 WQC?
- What the 401 WQC regulates and evaluates?



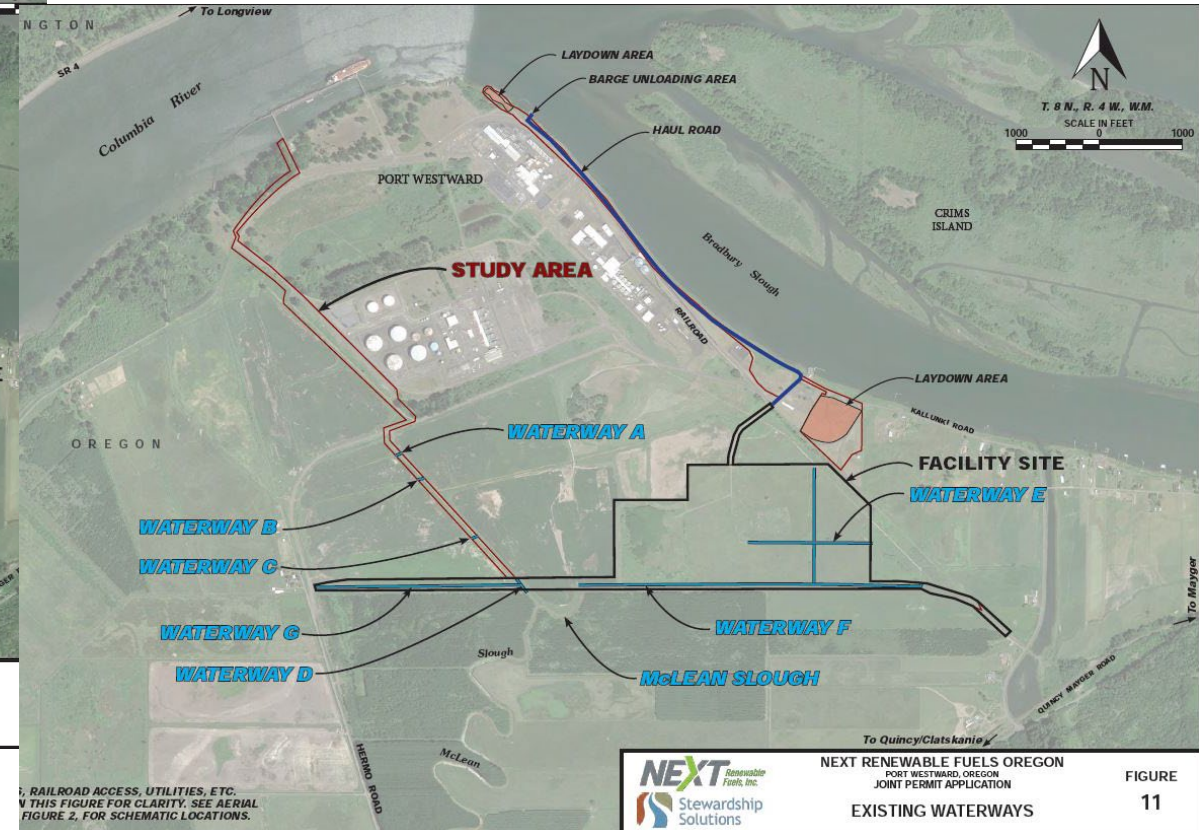
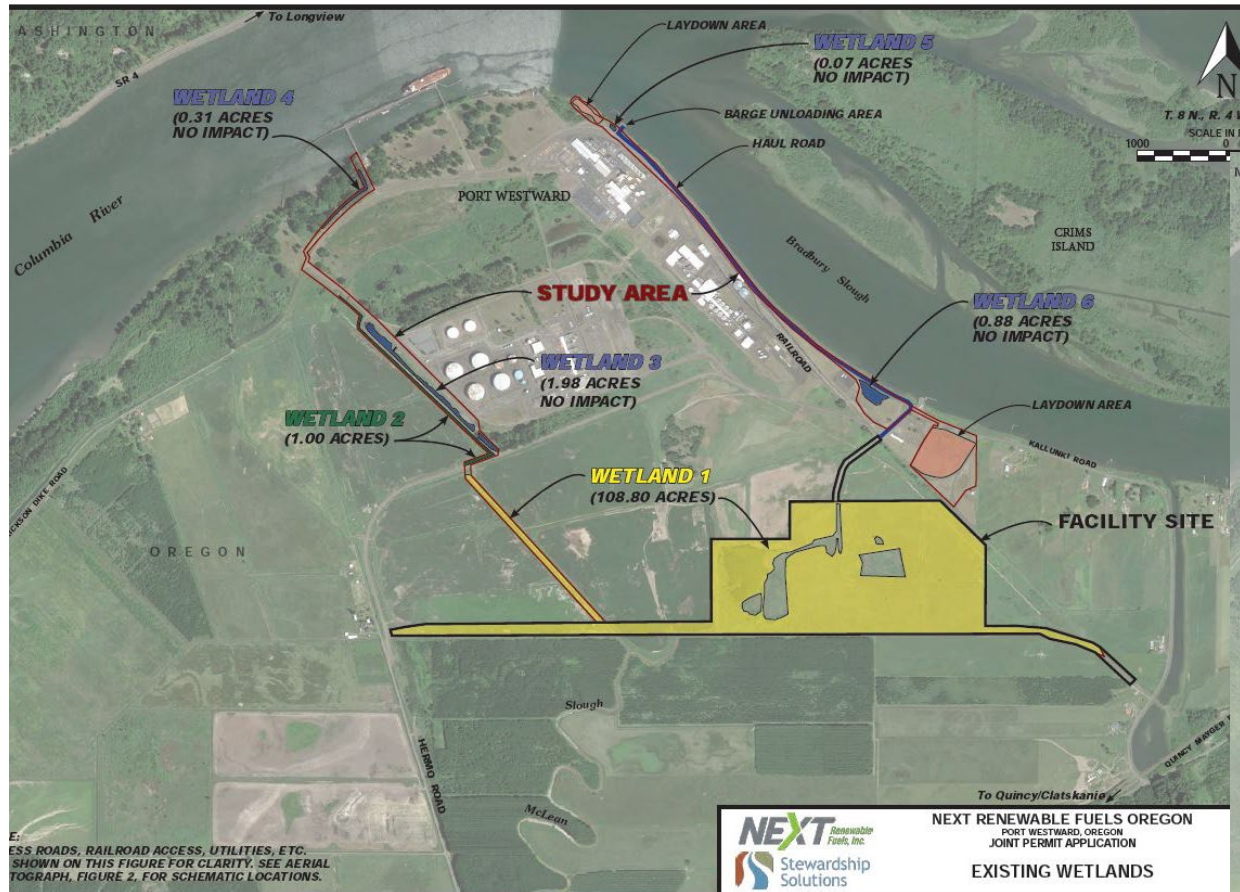
The Proposed Project

- Renewable fuel production using organic waste materials:
 - Vegetable oils
 - Animal fats
- Proposed facility located at the Port of Columbia County's Port Westward Industrial Park in Clatskanie

Proposed NEXT Renewable Fuels Location



Proposed NEXT Renewable Fuels Location





What is a 401 Water Quality Certification?

- A 401 Water Quality Certification (WQC) is required for any federally licensed or permitted activities, that may result in any discharge to navigable waters.
- The 401 WQC is a necessary step of the U.S. Army Corps of Engineers 404 permitting process.
- Allows state to certify that a project meets:
 - Certain Clean Water Act requirements (Sections 301, 302, 303, 306, 307)
 - State water quality standards (OAR 340-41)
 - Other water quality requirements of State law
- The Clean Water Act gives states and authorized Tribes the authority to grant, deny, or waive certification.
 - DEQ can modify or revoke the 401 WQC decision if the project changes.



401 Water Quality Certification

- Projects are evaluated based on potential impacts to:
 - Water quality standards
 - Beneficial uses
 - Antidegradation

- Examples of what DEQ does not have authority over for this 401 WQC review:
 - Rail car routes, quantity, or products transported by rail
 - Vessel use changes
 - Land use



Basis of Review- Water Quality Standards

–Water Quality Criteria

–Beneficial Uses

–Antidegradation

Such as:

- Dissolved Oxygen
- Polychlorinated biphenyls (PCBs)
- DDE (4,4')
- Temperature
- Total Dissolved Gas
- Dioxin (2,3,7,8-TCDD)



Basis of Review- Water Quality Standards

- Water Quality Criteria
- Beneficial Uses
- Antidegradation

Such as:

- Domestic water supply
- Fishing
- Fish and aquatic life



Basis of Review- Water Quality Standards

- Water Quality Criteria
- Beneficial Uses
- Antidegradation

[OAR 340-041-0004](#) is designed to protect water from further degradation from new or increased sources of pollution and protects, maintains, and enhances surface water quality to protect existing beneficial uses.



Proposed Stormwater Management Plan

- Stormwater facility treatment rate: 50% of the 2-year, 24-hour storm event.
- Stormwater from the Main Plant will be covered under the Port of Columbia County's NPDES Permit.
- The remaining areas of the facility generating stormwater will be covered under a NPDES 1200-Z Industrial Stormwater general permit.



Proposed Mitigation Plan

- The proposed project impacts 104.3 acres of wetlands on site.
- The proposed mitigation plan is to enhance 466.3 acres of emergent, shrub, and forested wetland.
- Mitigation has been approved by the Oregon Dept. of State Lands through the State Removal-Fill permit.



Draft 401 WQC Review Status

- Status of NEXT Renewable Fuels Oregon 401 Water Quality Certification review
 - Current application for a 401 WQC submitted in January 2024
 - Previous applications received a denial by DEQ in September 2021 and 2022 for application incompleteness
 - Public comment on draft 401 WQC ends October 25, 2024 at 5 p.m.



Draft 401 WQC Review Status

- Public Engagement History
 - September 7, 2021: Public information meeting
 - November 5 - December 5, 2021: Joint public notice with U.S. Army Corps of Engineers
 - February 8-23, 2022: DEQ re-opened the public notice
 - September 5, 2024: DEQ public notice of draft WQC announced

Additional Contacts by Topic

Topic	Agency	Contact
Mitigation Plan	Oregon Department of State Lands	Heather Dimke Heather.dimke@dsl.oregon.gov
Alternative analysis, draft EIS	U.S. Army Corps of Engineers	Bo Davidson James.E.Davidson2@usace.army.mil
Land use	Port of Columbia County	inquiries@portofcolumbiacounty.org Building@columbiacounty.org
Air quality	Oregon DEQ	https://ordeq.org/next-renewables
Spill response	Oregon DEQ	Scott Smith scott.smith@deq.oregon.gov



Next Steps

- Send written public comments to either:
401PublicComments@deq.oregon.gov, through
[*Your DEQ Online*](#), or by mail
- Public Comment Period Close: October 25 at 5 p.m.
- In response to comments, DEQ may modify the draft 401 WQC

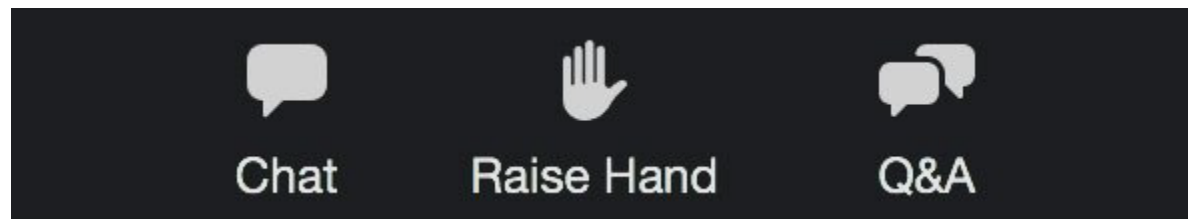
Questions and Answers

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Public Hearing

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Thank you!



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