

NO. 94293-5

SUPREME COURT OF THE STATE OF WASHINGTON

PUGET SOUNDKEEPER ALLIANCE,

Petitioner,

v.

STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY; and
STATE OF WASHINGTON, POLLUTION CONTROL
HEARINGS BOARD,

Respondents.

STATE OF WASHINGTON'S SUPPLEMENTAL AUTHORITY

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Pursuant to RAP 10.8, the State provides this supplemental authority on the issue of whether Method 1668c is a permitted or superceding analytical method under 40 C.F.R. 136, for required monitoring of PCBs under a National Pollutant Discharge Elimination System (NPDES) permit.

82 Fed. Reg. 40836, 40876, 40914 (Aug. 28, 2017)
(modifying the testing procedures approved under the Clean Water Act, and stating: “Method 1668C may be useful for determination of PCBs as individual chlorinated biphenyl congeners” but “at the time of writing of this revision, Methods 1668C and 1699 had not been approved for use at 40 CFR part 136.”).

RESPECTFULLY SUBMITTED this 5th day of September 2017.

ROBERT W. FERGUSON
Attorney General

s/ Anne E. Egeler

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CERTIFICATE OF SERVICE

I certify that I served a copy of the State Of Washington's Supplemental Authority, via electronic mail, upon the following:

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I certify under penalty of under the laws of the State of Washington that the foregoing is true and correct.

DATED this 5th day of September 2017, at Olympia, Washington.

s/ Wendy R Scharber

WENDY R. SCHARBER
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SOLICITOR GENERAL OFFICE

September 05, 2017 - 3:36 PM

Transmittal Information

Filed with Court: Supreme Court
Appellate Court Case Number: 94293-5
Appellate Court Case Title: Puget Soundkeeper Alliance v. State of Washington, Dept. of Ecology, et al.
Superior Court Case Number: 15-2-01575-1

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