

JUL 14 2009

WATER QUALITY PROGRAM

July 13, 2009

Jeff Killelea  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

Subject: Draft Washington State Industrial Storm Water Permit

Dear Mr. Killelea:

I run a small vehicle recycling firm and I strongly object to the new draft Industrial Stormwater General Permit. I strongly believe it will put small firms in our industry out of business.

Our industry's businesses provide, to the state's economy and the state's environment, many necessary benefits like:

- 1 Processing and recycling of over 350,000 end-of-life vehicles in Washington State per year.
- 2 Maximizing the highest waste management option for this waste-stream – re-use.
- 3 Removing hazardous materials like anti-freeze, ozone depleting CFC gases from the air conditioning systems, mercury switches, lead, explosives from the airbags, etc., and managing those wastes properly.
- 4 Recycling over 450,000 tons of used metals so it can be recycled into new metal products
- 5 Collecting millions of dollars per year in sales taxes and paying millions of dollars per year in business taxes to help fund the operations of state government.
- 6 Providing about 1200 jobs in Washington State
- 7 Holding down vehicle repair costs and insurance costs for the citizens of Washington State through the re-use of used vehicle parts

I estimate that if our industry were eliminated it would cost the State of Washington well over \$30 million to \$50 million annually in lost revenues and new costs the state would have to incur to replace the functions we now perform. Plus, there would be a huge loss in the reuse of the waste stream our industry now provides and a huge increase in illegal operations dumping the wastes we now handle in to storm drains and onto the ground that will cause huge environmental problems.

The draft permit is extremely unfriendly to our industry. It is nearly 200 pages of requirements that require us to be both a lawyer and an engineer to understand and comply with. That is totally unreasonable.

The new 14 micrograms per liter limit for copper in Western Washington is unacceptable. That is below the copper in drinking water in many areas of Washington State. If you put us out of business, it will do nothing to reduce copper in rivers, lakes, etc. The copper is coming from vehicles that are being driven. Each time the driver uses the brakes, a little copper is ground off the brake pads and ends up on the street. Imposing this ludicrous

new copper limit on our facilities will destroy our facilities but do nothing to reduce copper in the rivers, lakes, etc. because 99.99999% of the copper is NOT coming from our facilities.

The "visible sheen" benchmark for petroleum is likewise unacceptable. Go to any catch basin on any street or mall parking lot when it rains and you will see a visible sheen on the water running into the catch basins. My business can be put out of business because of a visible sheen, but no one is doing anything about the oil in the stormwater running off streets and parking lots that is a million times the volume of any of my stormwater discharges.

This permit requires me to identify and install best management practices to achieve All Known and Reasonable Treatment Technology (AKART). What the heck does that mean? This means I am going to have to hire some very expensive consultants to tell me what all of this means. Then I'm going to pay \$10,000's a year to install and manage whatever it is I have to do to be in compliance. I cannot afford those kind of costs, and there is no one else in the industry who can, either. What will be the net environmental cost of driving us out of business?

The Independent Business Association has proposed many suggestions that could make this permit work far better for small businesses. Please carefully review those suggestions and put them in this permit if Washington State has any interest in keeping small businesses like ours in business and providing the 1200 jobs our industry has historically provided and continuing to receive the environmental benefits we provide..

The number of vehicle recycling firms in Washington State has been going down for the past 10 years even though the state's population has grown significantly. Most went out of business due to extremely costly government regulations. This draft Permit could finish off the entire industry in Washington State if not greatly changed to make it feasible for our industry to survive.

Respectfully,



Don Phelps  
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Auburn, WA 98092

cc: Governor Gregoire  
Senator Roach  
Representative Roach  
Representative Hurst