



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

May 21, 2007

Reply to
Attn Of: OWW-130

Jim LaSpina
Water Quality Program
Washington Department of Ecology
P.O. Box 47600
Olympia, WA 98504-7600

Re: Review of Department of Ecology's Draft Industrial Stormwater General Permit

Dear Mr. LaSpina:

Thank you for providing EPA the opportunity to review the Department of Ecology's proposed Industrial Stormwater General Permit (ISWGP). As you are aware, EPA is currently in the process of reissuing the Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activities (MSGP), which includes coverage for industrial stormwater discharges from federal facilities and tribal land within the state of Washington. The draft ISWGP appears to be largely consistent with EPA's MSGP. Several of Ecology's proposed permit requirements are derived from EPA's final draft MSGP; as you know, EPA has not yet reissued the final MSGP. In this context, as discussed below we would like to share some observations from our review of the draft ISWGP.

Both EPA and Ecology, and many other states, continue to grapple with the use of the NPDES general permit framework to address stormwater discharges from the myriad of regulated industrial facilities. We applaud Ecology for its commitment to find a "middle path" between the needs for increased water quality protection, site specific stormwater management requirements and administratively efficient permitting. Ecology's intent to review all Stormwater Pollution Prevention Plans, corrective action reports, and other submittals, in addition to conducting regular site inspections and other assistance to permittees, provides Ecology with the unique opportunity to address the various site specific issues and circumstances that may arise for individual facilities as they comply with the ISWGP.

The industrial stormwater monitoring data collected during the previous permit cycle provided substantial insight into the challenges associated with both sampling and

overall management of industrial stormwater runoff from various industries. We support Ecology's choice to continue the requirement that each facility monitor for five "core parameters."

In addition, we support Ecology's proposed addition of total copper to the suite of core sampling parameters based on impacts to aquatic life, and we concur with Ecology's proposal to reduce the benchmark and action levels for total copper from levels contained in the previous ISWGP. As you know, EPA has included both total copper and total zinc as hardness-dependent benchmark parameters for certain industries permitted under the MSGP. We encourage Ecology to continue to work with all stakeholders, including the National Marine Fisheries Service (NMFS) and U.S. Fish and Wildlife Service, to establish the benchmark and action levels in a manner which addresses the water quality and aquatic resource needs of the receiving waters.

In accordance with the Memorandum of Agreement between EPA and NMFS regarding enhanced coordination under the Clean Water Act and Endangered Species Act (February 22, 2001, 66 FR 11202 – 11217), we have enclosed with this letter comments that we received from NMFS regarding their review of Ecology's draft ISWGP. NMFS has provided extensive comments on the MSGP to EPA regarding, among other issues, the benchmark level for total copper, given the recent research of the impacts of copper on juvenile salmonids. We recommend that Ecology continue to consider this information and relevant research in the Pacific Northwest when finalizing its permit.

Thank you for the opportunity to comment. We look forward to continuing our work with you.

Sincerely,



Misha Vakoc, Stormwater Permits Coordinator
NPDES Permits Unit
U.S. EPA Region 10

Enclosures