



# INDEPENDENT BUSINESS ASSOCIATION

April 18, 2007

Jim La Spina  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

Dear Mr. La Spina:

Please consider these comments regarding the proposed new industrial stormwater general permit scheduled to take effect on September 20, 2007. We have two major concerns about the proposed new permit.

First, we believe the new Benchmark and Action Levels for zinc and copper are unreasonably low and will result in wide spread exceedances of the Benchmark Level and Action Levels that result in significant cost increases to those covered by the proposed permit. The proposed levels for the zinc Action Level is 42% lower than under the current permit. The proposed Action Level for copper is 84% lower than for the current permit. In reviewing the data included in the Fact Sheet for the proposed permit, the median levels reported were almost all above the Benchmark Level and many were above the Action Level. The proposed Benchmark and Acton Levels for zinc and copper are unreasonably low, especially as compared to the other Benchmark and Action Levels for other substances. We believe the proposed levels for copper should be raised substantially, by a factor of 3 times minimum. At those levels, they would still be between 40% and 50% of the levels in the current permit.

Second, the economic analysis shows that the cost impacts on small businesses as a percent of sales were between 5 and 9 times higher for smaller businesses as compared to larger businesses in the same industry. Imposing 5 to 9 times more costs on small businesses is clearly unreasonable. We strongly recommend that the Department revise the proposed permit and reduce a number of the requirements on smaller firms to reduce the disproportionate costs imposed on small businesses. The Department could also consider providing greater technical assistance to smaller firms to help offset their costs in doing required analyses and preparing reports.

Thank you for your consideration of these comments.

Sincerely,

Gary Smith  
Executive Director