

**Pierce County****Public Works and Utilities****APR 20 2007**  
**WATER QUALITY PROGRAM****Brian J. Ziegler, P.E.**  
Director

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**Environmental Services**9850 64th Street West  
University Place, Washington 98467-1078  
(253) 798-4050 Fax (253) 798-4637April 18, 2007  
WP54192Mr. Jim LaSpina  
Department of Ecology  
PO Box 47600  
Olympia, WA 98504-7600

RE: Comments on draft Industrial Stormwater General Permit

Dear Mr. LaSpina:

Thank you for the opportunity to comment on the Industrial permit. Pierce County appreciates your dedication in working with local entities to craft a permit that responds to concerns and protects water quality.

Our main concern with this draft is that it calls for permitting of road maintenance shops under this permit. Pierce County has 3 such facilities. This is in conflict with our Municipal Stormwater General permit, which was issued in January 2007. That permit states that these facilities are covered under that permit. This means the industrial permit, happening at a later date, will not apply, and in fact states on page 8, D.5., that facilities covered under and existing individual or general permit are exempt. If you try to make it apply, it will mean that a permit modification will need to be done on the municipal permit to remove the requirement, and we can assure you we will appeal such an action. The Phase 1 entities have a history of compliance with their road maintenance facilities, and additional fees and requirements beyond the scope of the municipal permit are not warranted. Your resources are better spent ensuring compliance of industries, and the newly-permitted Phase 2 entities.

Throughout the document there is reference to "significant amount(s)" or "significant contributor of pollutants". We appreciate that you defined this, but the fact remains these are nebulous and confusing terms. Each pollutant will have a particular point at which it will be "significant". Are these the benchmarks? Who determines when amounts become "significant"? Having both types of evaluation for determining when there is a problem is confusing, and should be streamlined.

On page 29, there is a table of sampling parameters and their benchmarks. Why is oil and grease listed instead of TPH (total petroleum hydrocarbons), which is shown



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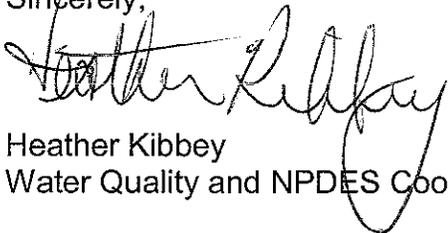
later as an additional? Wouldn't this be a much more applicable test for most industrial sites and parking lots? It is an easier, cheaper test to run as well, and is more applicable when looking at effects in waterbodies.

As with previous industrial permits, we are chagrined that Ecology can permit facilities to discharge pollutants to our MS4, and never even give us notification that this is taking place. I have one industrial permittee in the entire county who has notified me that they have a permit, and who sends me quarterly reports of their sampling. There needs to be a mechanism whereby Ecology notifies the municipality of which industries have permits. Working together would make both of our inspection and enforcement tasks easier.

Where is the point of compliance for discharges in this permit? Is it at the end of the pipe that discharges into the county MS4, or is it at the nearest waterbody? If it is at end of pipe, this will conflict with section S4 in the municipal permit, which states that as soon as we become aware of a discharge causing or contributing to a violation of Water Quality Standards, we must notify Ecology and develop a plan to fix the discharge. Will this apply each time an industry exceeds a benchmark? Are the municipalities immune from discharges by industries into our system as permitted by Ecology? We are very concerned about the potential adversarial relationship that S4 in the municipal permit may set up against the industrial permittees. We already have a good working relationship with our commercial/industrial clients via our inspections program, and we do not want to be required to target them solely because of this problem of dueling permit requirements and administration.

Thank you for your continuing diligence in crafting a better permit. If you have any questions, please call me at 253-798-4664, or email at [hkibbey@co.pierce.wa.us](mailto:hkibbey@co.pierce.wa.us).

Sincerely,



Heather Kibbey  
Water Quality and NPDES Coordination

HK:tr

cc: Clarence Johnson, Water Programs  
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