



DEPARTMENT OF ECOLOGY

APR 23 2007
WATER QUALITY PROGRAM



TO: Jim LaSpina
Department of Ecology
Water Quality program
PO Box 47600
Olympia, WA 98504-7600

FROM: Nicholas D. Heaton
Shasta Beverages
1227 Andover Park East
Tukwila WA 98188

DATE: 13th April 2007

RE: Public comment on proposed storm water permit

As requested at the public workshop and hearing (in which I gave testimony) last week in Seattle, I am writing to add further comment to my testimony.

After careful review of the new proposals presented by Ecology, we would like to submit our comments for four areas of consideration.

- 1) The copper benchmark level
 - a. Currently 63.6 µg/L. 6415 recommended level 23.8 µg/L, planned Ecology level 11.9 µg/L.
 - b. Data from the National Stormwater Quality database (NSQD) puts the median total Copper for industrial areas at 22 µg/L
 - c. Data for our facility shows a range of just below 10 to the low 20's. We have no known copper sources at our site.
 - d. Sources indicate aerial precipitation (dust from brake linings) as a major source of this pollutant. This is not a factor that we have any control over.
 - e. These factors point to a "base" level in the Tukwila area that would exceed the proposed Ecology limits.

We would request that the new permit benchmark level be based on the 6415 proposed levels.

- 2) The zinc benchmark level.
- a. Currently 117 µg/L. 6415 recommended level 142µg/L. Ecology proposed level 109 µg/L.
 - b. The Mill Creek study showed that 65% of companies in the Kent valley could not meet the existing benchmark level of 117 µg/L.
 - c. Data from the National Stormwater Quality database (NSQD) puts the median total Zinc for industrial areas at 210 µg/L.
 - d. The EPA is proposing a level of 120 µg/L. but is also not imposing a BML on sector U (Food and kindred industries), Shasta Beverages would fall under sector U. Both Alaska and Idaho would follow the EPA ruling.
 - e. Oregon has a BML of 600 µg/L.

We would urge Ecology not to lower the BML for Zinc.

- 3) Median average result for triggering action.
- a. Our data points for tests here in the Tukwila area show a very large standard deviation, (78% of the mean value). These data points were gathered over several rain events and do not reflect any change in BMP's. This points towards a high degree of variability and the potential for any one point to exceed the BML is therefore high. By changing the trigger mechanism to the median value. the effect of the natural variability of the data is minimized.
 - b. The composition of rainwater has been documented as being highly variable.
 - c. The coefficient's of variation for both Copper and Zinc in industrial areas (NSQD) are both greater than 2. This shows a high degree of variation in the sample points.
 - d. No benchmark values or action levels should ever be established nor decision making results be based on single sample data.
 - e. Collecting 5 samples (to facilitate the median result) will not impose a hardship on the sampler now that the sampling restrictions have been reduced.

We would urge Ecology to adopt the 6415 proposal for Median average triggering.

- 4) The back dating of the clock for corrective action 3 makes little sense. We already have a one sided view, where facilities that have 8 consecutive clear results for a parameter have to reprove their data. It seems punitive to backdate the level 3 corrective action.

We would urge Ecology not to back date any corrective action levels.

Thank you for your serious and balanced consideration of our input.

Respectfully,



Nicholas D. Heaton.
B.Sc. (Hons) Ecology

Plant Superintendent
Shasta Beverages
Tukwila, WA 98188