



**Snohomish County**  
**Executive's Office**

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April 13, 2007

DEPARTMENT OF ECOLOGY  
3000 Rockefeller Avenue  
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M/S #407

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

APR 23 2007  
WATER QUALITY PROGRAM

Subject Comments on 2/21/07 Public Review Draft NPDES Industrial Stormwater Permit

Dear Mr. La Spina

Thank you for the opportunity to comment on the public review draft NPDES industrial stormwater permit issued on February 21, 2007. We appreciate the time and effort you spent discussing the permit with Snohomish County and other stakeholders through your advisory committee.

As a general comment, we recommend that Ecology delay issuance of this permit until the Pollution Control Hearings Board (PCHB) issues final rulings on the appeal of the NPDES Construction Stormwater Permit. The draft industrial stormwater permit contains a number of requirements that were appealed in the construction stormwater permit, some but not all of which have been ruled upon by the PCHB.

The following pages contain detailed comments on the permit. If you would like to discuss our comments further, please contact Bill Leif at (425) 388-3148.

Sincerely,



Peter Camp  
Executive Director  
Snohomish County Executive's Office

cc: Steven Thomsen, Director, Department of Public Works  
Craig Ladiser, Director, Department of Planning and Development Services  
Karen Kerwin, P.E., Acting Director, Public Works / Surface Water Management  
Bill Leif, P.E., Public Works / Surface Water Management

**Detailed comments on permit**

**S1 - Permit Coverage and Permittees**

**COMMENT #**

Exclude municipal vehicle maintenance shops from coverage under this permit.

Justification: The fact sheet for the permit states that municipal vehicle maintenance shops will be covered by the permit, but the permit does not include such coverage. Jim La Spina of Ecology stated that this decision was still under discussion when the draft permit was issued. Such facilities are already subject to the Phase 1 municipal stormwater permit, and Ecology could use that permit to impose the substantive requirements of the industrial stormwater permit. Therefore, we think that having double permit coverage for these facilities would simply add bureaucracy for both permittees and Ecology.

**S3 – Stormwater Pollution Prevention Plan**

**COMMENT #**

Change S3A3(b) as follows:

A new facility west of the crest of the Cascade Mountains shall apply the minimum technical requirements and BMPs appropriate for its facility as found in the Stormwater Management Manual for Western Washington, 2005 Revision, or equivalent. A new facility east of the crest of the Cascade Mountains shall apply the minimum technical requirements and BMPs appropriate for its facility as found in the Stormwater Management Manual for Eastern Washington most recent published edition of the applicable SWMM, or equivalent.

Justification: The existing language is vague and could refer to documents published after the permit is issued. Permit conditions cannot be predicated on documents or other data that do not exist at the time of permit issuance.

**COMMENT #**

Change S3A3(c) as follows:

~~New facilities, or e~~Existing facilities west of the crest of the Cascade Mountains undergoing significant process change shall apply the minimum technical requirements of the Stormwater Management Manual for Western Washington, 2005 Revision, or equivalent, .appropriate and most current SWMM available before new or expanded operations begin. ~~New facilities, or e~~Existing facilities east of the crest of the Cascade Mountains undergoing significant process change shall apply the minimum technical requirements of the Stormwater Management Manual for Eastern Washington, or equivalent, .appropriate and most current SWMM available before new or expanded operations begin.

Justification: The existing language is vague and could refer to documents published after the permit is issued. Permit conditions cannot be predicated on documents or other data that do not exist at the time of permit issuance. Also, requirements for new facilities are discussed in S3A3(b). For clarity, S3A3(c) should refer only to existing facilities with significant process change.

**COMMENT #**

Change the first sentence of S3A5 as follows:

The Permittee of an existing facility shall update its SWPPP and BMPs in accordance with the Stormwater Management Manual for Western Washington, 2005 Revision, or equivalent, or the Stormwater Management Manual for Eastern Washington, or equivalent, as most recently published edition of the applicable, or equivalent SWMM, if . . .

Justification: The existing language is vague and could refer to documents published after the permit is issued. Permit conditions cannot be predicated on documents or data that do not exist at the time of permit issuance.