

APR 25 2007  
WATER QUALITY PROGRAM

April 20, 2007

Jim LaSpina  
Water Quality Program  
Washington Department of Ecology  
PO Box 47600  
Olympia, WA 98504

**Re: Teck Cominco American Incorporated Comments on Washington Department of Ecology DRAFT Industrial Stormwater General Permit**

Dear Mr. LaSpina:

Teck Cominco American Incorporated (TCAI) comments on the Washington Department of Ecology ("Ecology") February 2007 Draft of the Industrial Stormwater General Permit ("Draft ISWGP") are presented in this letter.

1. This Draft ISWGP is even more complex and lengthy than the current permit as well as significantly reformatted making it very difficult for existing permittees to both follow and evaluate proposed changes. We suggest consistency and clarification to make the comparison and evaluation process easier for permittees.
2. On page 11, Permit Condition S2.A.3.b. makes it unclear for existing facilities whether they are to submit a revised Stormwater Pollution Prevention Plan to Ecology as it is stated that it shall be submitted with application for coverage. Existing facilities have already been permitted and therefore no application for coverage will be submitted.
3. Permit Condition S3.A.4.e is very concerning to TCAI in that we do not believe the burden of informing the public should be the permittees responsibility. Further to this issue, it is unclear in Section S3.A.5 how claiming information as Confidential Business Information will serve any purpose.
4. Permit Condition S5. Benchmarks, Action Levels, and Discharge Limitations; TCAI's main concern with the Draft ISWGP is that benchmark values are treated as effluent limitations. The permit structure and use of permit language demanding actions, supports the view that benchmark values effectively serve as effluent limitations.

**Teck Cominco American Incorporated**

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5. The ISWGP should include an option to directly assess compliance with water quality standards rather than being forced into the Levels Two, Three and Four adaptive management process. The permittee should have an opportunity to assess or demonstrate that "all applicable and appropriate" Best Management Practices (BMPs) are being employed and whether water quality standards are, in fact being achieved.

ICAI appreciates the opportunity to comment on the Ecology February 2007 Draft ISWGP.

Sincerely,

A handwritten signature in cursive script that reads "Kris R. McCaig". The signature is written in black ink and is positioned above the printed name and title.

Kris R. McCaig  
Senior Environmental Coordinator

cc: Kevin Kinsella, Pend Oreille Mine  
David Godlewski, ICAI