

---

Associated Hygienic Products LLC (AHP) appreciates this opportunity to submit comments on Washington Department of Ecology's proposed draft Industrial Stormwater General Permit (draft ISGP).

AHP manufactures disposable baby diapers in Vancouver, Washington. We are a socially responsible company with a dedication to the environment including using chlorine-free materials in our manufacturing process and storing all raw materials, finished products, and waste indoors to reduce exposure of process materials to stormwater discharge.

AHP has discharged stormwater under Washington's Industrial Stormwater General Permit since approximately 2002. AHP takes its permit responsibilities seriously and has taken steps to minimize exposure of rainwater to contaminants at its facility. In fact, AHP has been successful in reducing contaminant levels below benchmark levels on a consistent basis. Nevertheless, Ecology is proposing to add burdensome and unnecessary measures that will increase costs without providing an environmental benefit. AHP submits these comments because of Ecology's failure to credit companies for successful efforts to reduce contaminant levels below Ecology's current and proposed benchmarks. Below, AHP provides comment on three specific provisions of concern and includes a recommendation for modifying the provision:

**1. Section S3.B.3.b.**

*Comment:* Ecology's requirements for updating the SWPPP will necessitate numerous hours of detailed administrative work by AHP personnel and outside lawyers and consultants. A company with a SWPPP that works should not be required to follow the detailed legal and technical requirements proposed by Ecology. AHP has already focused its attention on a successful suite of BMPs that has AHP regularly meeting benchmarks. The proposed permit places additional and unnecessary administrative costs and operational costs on AHP and other small businesses.

Of particular concern is the requirement in section S3.B.3.b.i.3.a. that all permittees "shall vacuum paved surfaces with a vacuum sweeper (or a sweeper with a vacuum attachment) to remove accumulated pollutants a minimum of once per quarter." Vacuum sweeping is a costly process that will have limited to no benefit for the facility. AHP's current BMPs have proven successful in regularly meeting permit benchmarks. AHP expects that it will continue to meet the reduced benchmarks in the proposed draft permit. This requirement is unnecessary and unduly burdensome.

*Recommendation:* Generally, AHP recommends that language exempting parties from additional and unnecessary requirements where current BMPs successfully reduce contaminants below current and proposed benchmarks be included in the permit. Specifically, AHP recommends that Ecology modify section S3.B.3.b. to clarify that a history of regularly meeting the proposed benchmarks is an exception to the requirement:

“No later than July 1, 2010, the Permittee shall include each of the following BMPs in the SWPPP and ensure that they are implemented unless site conditions [OR EXISTING BMPS] render the BMP unnecessary or not possible ... .”

2. Section S3.B.4.

*Comment:* See generally the comment to Section S3.B.3.b., above. Specifically, this section includes a requirement that permittees implement erosion and sediment control BMPs regardless of site conditions. AHP’s facility is partially paved with concrete curb separating the unpaved, grassy lawn area. Rain falling in the lawn infiltrates completely and does not lead to erosion, sedimentation or off-site turbidity. Mandating erosion control and sediment control BMPs without consideration of site conditions is impractical and unnecessary.

*Recommendation:* AHP recommends that language allowing permittees to opt out of erosion and sediment control BMPs where impractical or unnecessary be added to section S3.B.4.:

“The SWPPP shall describe the BMPS necessary to prevent the erosion of soils and other earthen materials (crushed rock/gravel, etc.) and prevent off-site turbidity and sedimentation, [UNLESS SITE CONDITIONS OR EXISTING BMPS RENDER THE BMPS UNNECESSARY OR NOT POSSIBLE].”

3. Section S4.B.6.

*Comment:* AHP has implemented BMPs to meet benchmarks and is near consistent attainment on all parameters. Because AHP’s BMPs have proven successful, AHP intended on suspending sampling. AHP expected to offset costs of BMP implementation with savings achieved by suspending sampling. The proposed permit, however, requires that permittees, such as AHP, who have consistently met the benchmark values proposed in the draft permit, continue sampling for an additional eight quarters, minimum.

*Recommendation:* AHP recommends that quarterly samples from the current permit that meet benchmark values in the final permit be acceptable for meeting the consistent attainment requirements set forth in section S4.B.6. of the proposed draft permit. AHP recommends that Ecology either (i) modify the language in section S4.B.6 as follows:

“~~After the effective date of the permit,~~ [T]he Permittee may suspend sampling for one or more parameters based on consistent attainment of *benchmark* values [CONTAINED IN THIS PERMIT EFFECTIVE JANUARY 1, 2010 REGARDLESS OF WHETHER SAMPLE QUARTERS PREDATE THE EFFECTIVE DATE OF THIS PERMIT.]...”

or, (ii) add a section S4.B.9 that reads:

“WHERE QUARTERLY SAMPLE RESULTS SUBMITTED TO ECOLOGY PRIOR TO THE EFFECTIVE DATE OF THIS PERMIT MEET THE BENCHMARK VALUES CONTAINED IN THIS PERMIT, A PERMITTEE MAY USE THOSE QUARTERLY SAMPLES TO DEMONSTRATE CONSISTENT ATTAINMENT.”

*Conclusion:*

AHP has consistently met ISGP benchmark values, yet rather than ratcheting down administrative or operational requirements, the draft ISPG will increase AHP's operating costs.

AHP's comments submitted herein maintain Ecology's objectives and reduce the obligations on companies that meet the proposed benchmark values. AHP remains dedicated to the environment and protecting water quality in Washington. We appreciate this opportunity for comment. Thank you.

**AHP**

**Associated Hygienic Products LLC**

**801 SE Assembly Ave**

**Vancouver, WA 98661**