

July 15, 2009

Jeff Killelea  
Department of Ecology  
P.O. Box 47600  
Olympia, WA 98504-7600

RE: Draft Industrial Stormwater Permit Comments

Dear Mr. Killelea:

Thank you for the opportunity to provide comments on the proposed revisions to the Industrial Stormwater General Permit (ISGP) posted for public comment on June 3, 2009. Alaska Airlines and Horizon Air operate in eight cities in the State of Washington. As businesses in the Air Transportation sector that will be covered under the proposed permit, we have the concerns described below.

- The draft permit does not discuss the division of responsibilities between lessor and lessee or between lessees in situations where an industrial facility leases property to multiple tenants, such as an airport environment.
- The permit has extensive requirements to install best management practices (BMPs) from Ecology's Stormwater Management Manuals and to achieve *all known available, and reasonable methods of prevention, control, and treatment* (AKART) for stormwater discharges. Are the BMPs in the manuals considered AKART? If not, will Ecology publish an AKART manual? Alaska Airlines and Horizon Air will likely need to seek consulting assistance to determine what constitutes AKART for the Air Transportation industry. Implementing AKART in small, eastern Washington airports may be cost prohibitive. In general, Horizon Air only operates 3-4 flights per day in these areas.
- Action levels have been significantly reduced from the previous permit. The new levels are so strict that it is likely that Horizon Air will need to implement treatment BMPs to meet these new action levels for zinc and turbidity. In a small airfield environment, the source of turbidity is often construction by the airport authority or deposition of dust from ambient air. Zinc is often contributed by the galvanized perimeter fencing required by the FAA. Neither of these potential pollution sources result from Horizon Air or Alaska Airlines industrial activities and cannot be controlled by our businesses as a lessee.

In addition to the general comments above, we have the following comments on specific sections of the draft permit.

1. S1.A.1. Table 1 – Ecology should retain the language in Appendix 1, Section C.8. of the current permit, requiring permit coverage for Transportation Facilities (SIC codes

40XX, 41XX, 42XX, 43XX, 44XX, 45XX and 5171), which have vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Also retain the language in the body of the permit that “only those portions of the facility that are either involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, airport deicing operations or which are otherwise identified under one of the other 11 categories of industrial activities listed in this appendix are associated with industrial activity.” Though this language is provided by reference to 40 CFR 122.26(b)(14)(i-xi) in the glossary definition of *Industrial Activity*, the limitation of permit coverage is difficult to recognize in the permit.

Please clarify the definition of vehicle maintenance provided in the definition of *Industrial Activity* included in the glossary. The definition of maintenance provided includes broad categories, including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication. Mechanical repairs may be performed at numerous locations at many facilities. Aircraft and vehicle maintenance activities may vary from rehabilitation in designated maintenance shops to replacing mechanical or electrical component parts that have no potential to contribute pollutants to stormwater. Some Ecology inspectors have indicated that the area where *any* vehicle maintenance is performed at a facility requires coverage under the ISGP. The perceived intent of the ISGP is to cover maintenance performed outdoors at a maintenance shop that may contribute a significant amount of pollutants. General maintenance performed outside of the vehicle maintenance shop area, while implementing appropriate source and operational control best management practices (BMPs), should not be covered under this definition.

Please clarify whether mobile or fixed fueling alone are operations requiring coverage under the ISGP at sites *without* vehicle maintenance shops. At many sites, only those portions of the site where vehicle maintenance occurs are covered and included in the facility Stormwater Pollution Prevention Plan (SWPPP). Requiring coverage for areas where fueling alone occurs would expand coverage considerably, including marinas and many commercial and general aviation operations. Many mobile fueling activities are covered under Federal Spill Prevention Control and Countermeasures and other regulations. BMPs for proper storage and transfer of fuel are clearly defined in these regulations. Ecology should provide clarification that areas beyond vehicle maintenance shops, where fueling is performed, do not require coverage under the ISGP.

In an airport environment, aircraft are typically fueled, by a mobile fueling company, which conducts all aircraft fueling operations. Horizon Air and Alaska Airlines do not have operational control over the fueler.

2. S1.E.1. – Please clarify which permit conditions apply to discharges to groundwater, including monitoring, inspections, etc. The statement included in S4.B.2.b. that “onsite

discharges to ground (e.g., infiltration, etc.) are not sampled unless specifically required by Ecology (Condition G12)" should be included in this section.

S1.E does not address discharges to ground water only (e.g., passive infiltration) where there is no surface water discharge and when there is no Underground Injection Control Well. Does this permit apply to such conditions?

3. S3.B.1.g. – Does the identification of areas of pollutant contact include materials of construction (roofs, galvanized fences, drainage systems, parking lots, roadways, etc.) that are not associated with specific industrial activities? Guidance in determining if these common materials are defined as "pollution-generating" would be helpful.
4. S3.B.3.b.i.3.b. – States that "all sources of dust shall be identified and prevented from accumulating on hard surfaces at the facility." It will be impossible to prevent dry deposition from ambient air from accumulating on hard surfaces between sweepings. Horizon Air's eastern Washington operations are all located in highly agricultural areas that generate a tremendous amount of dust that is deposited on the airfield. As a permittee, we do not have any means of controlling this source of dust.
5. S3.B.3.b.i.3.c. – Making a permittee in violation of their permit and the Clean Water Act if they forget to close the lid on their dumpster seems inappropriate. A clause should be included to allow dumpsters placed under cover to be exempted from this requirement. Also, permittees may have limited control over dumpsters provided by outside vendors, or in situations where industrial facilities lease parcels from other entities.
6. S3.B.3.b.i.4.b. – All vehicles leak to some degree. Discussion of incidental leakage should be included. At our larger facilities we have numerous pieces of equipment and vehicles present. Inspection of all equipment on a monthly basis could require additional staffing. Who has the responsibility to inspect vehicles owned and operated by service provider?
7. S3.B.3.b.i.5.a. – Does the secondary containment requirement apply to mobile equipment, tanks, and trucks used for fueling? The draft states that "all chemical liquids, fluids and petroleum products, shall be stored ..." This passage is overly general, as 'fluids' may refer to water storage or other innocuous liquids present at industrial facilities. In an airport environment, multiple forms of mobile equipment containing fluids (e.g., potable water, lavatory service, etc) are used to service aircraft. Construction of secondary containment around such equipment would prohibit the safe movement of equipment in and around aircraft.

It would be appropriate to restrict the list of fluids to those that are hazardous. In addition, federal spill prevention, control, and countermeasure plans (SPCC) required under the Clean Water Act do not require containment of 110% of the largest tank.

Rather, the SPCC regulations require containment of the largest tank, plus sufficient capacity for rainfall. These containment requirements should be consistent.

8. S3.B.3.b.i.5.d. – “Storm drains that receive runoff from areas where fueling is conducted shall be blocked, plugged or covered during fueling”. Are permittees required to plug storm drains when performing mobile fueling? Blocking storm drains during fueling of aircraft is both unsafe and impracticable. Foreign objects, such as storm drain mats, can easily be sucked into an aircraft engine causing severe damage to aircraft and potential injury to ground crews and passengers. In addition, many airports have trench drains that extend for hundreds of yards along the length of the aircraft ramp area. Blocking flow to the drain would be nearly impossible.
9. S3.B.3.b.iii.2). – As written, this section would require all permittees to employ oil control devices, even if releases are unlikely. This provision should be applicable only to facilities where treatment BMPs are required.
10. S4.B. – Given the inherent variability in runoff monitoring data, it seems inevitable that most permittees will exceed benchmarks and enter the corrective action phases given enough time. Ecology should reconsider the use of the seasonal median presented in previous draft permit revisions.
11. S4.C. – Ensuring the proper analytical methods should be a laboratory certification requirement.
12. S5.F.2. – Floating debris should be better defined or the requirement removed. As stated, it is a permit violation for anything floating to be discharged.
13. S7.A.2- Beginning in 2012, the permit will require that visual inspections be conducted by a Certified Industrial Stormwater Manager (CISM) or Certified Professional in Stormwater Quality (CPSWQ). Ecology does not define the requirements for certification or how to obtain training to become certified. In the previous draft permit, Ecology planned to provide training. Is this still Ecology’s intent or will all permittees be required to hire a consultant or seek outside certification for employees conducting inspections?
14. S8. General Comments – Ecology has indicated that the corrective actions defined in this section will be triggered by exceedance of ANY benchmark parameter. An example could be envisioned that a facility could exceed benchmark values for four different parameters in four separate quarters triggering a Level 2 response for permittees not listed in Appendix 6. If this is Ecology’s intent, it needs to be clearly stated.
15. S8.D.1.Table 6. – The corrective action deadlines are unrealistic and, in many cases, will be unachievable. Determining the best course of action and implementing solutions within 1.5 months of triggering a Level 1 corrective action will be problematic

for many. Similarly, 4.5 months are allowed from DMR submittal, triggering Level 2 and 3 corrective actions requiring installation of structural or treatment BMPs. This will not be enough time to research, secure funding, design, arrange construction, and install appropriate methods in most cases. Ecology should consider respite or removal of monitoring requirements while Level 2 and 3 activities are performed. Under the current scenario, those currently in a Level 2 or 3 condition could be well on the way to a Level 3 or 4 condition before the results of the Level 2 or 3 efforts can be realized.

- 16.45. S9.A.6.a. – It appears that failure to collect a sample during any quarter is a permit violation unless it was found to be unsafe to collect, runoff only occurred outside of regular business hours, or no runoff was produced. If this is the case, it should be clearly stated in this section.
- 17.46. S10.B. – How should a permittee verify that they have installed all applicable and appropriate BMPs necessary to meet Condition S10.A?

Best Regards,



Carol S. Sim  
Alaska Airlines/Horizon Air  
Manager, Environmental Affairs

cc: Megan Lawrence  
Alaska Airlines/Horizon Air  
Director, Government Affairs

Ken Stevens  
Alaska Airlines/Horizon Air  
Director, Corporate Real Estate and Airport Affairs