



MILLER SHINGLE COMPANY, INC.
P.O. Box 29
Granite Falls, WA 98252

July 14, 2009

Jeff Killelea

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

Subject: Proposed Industrial Stormwater General Permit (ISWGP)

Dear Mr. Killelea:

Thank you for this opportunity to review and comment on the proposed Industrial Stormwater General Permit. We talked about most of the following points at your workshop in Mount Vernon on June 26, 2009. Even though these examples I have outlined are site specific, I am certain that the basic concerns are applicable to many of the 1,200 General Permit stakeholders.

Miller Shingle Co., Inc. (Permit ID # SO3000203D) operates a SIC code 24XX log sorting yard in Snohomish County near the mouth of the Snohomish River.

Our first concern is with the proposed turbidity benchmark (standard) of 25 NTU.

Based on data in your “Industrial Stormwater General Permit – Fact Sheet” dated June 3, 2009, assuming that failing DMRs are somewhat uniformly distributed over the 962 reporting facilities, it appears that over 1/3 of the reporting facilities could find themselves failing to comply with the proposed benchmark (standard). The ultimate cost of meeting this specific proposed benchmark (standard) must have a significant role in setting the proposed benchmark (standard). The new benchmark (standard) should be based on the existing permit’s “action level” of 50 NTU.

While we are working diligently trying to meet the 25 NTU benchmark, we are perplexed that the “receiving waters” could seldom, if ever, meet the proposed standard. That raises the question: Is this proposed benchmark (standard) truly based on good science? With this in mind, Ecology should also consider an optional benchmark (standard) of “5 NTU over the background receiving waters”.

Our second concern is with the proposed requirement for mandatory vacuum sweeping of paved surfaces.

Perhaps you are not aware that pavement cleanup in most log yards is performed weekly, if not daily, and involves truckloads of bark debris. Vacuum sweeping of this type of debris is not practical.

In our case, Miller has already resolved this matter by directing all stormwater run off from the paved portions of our log yard to zero out-fall surface infiltration ponds. That “structural source control BMP” (Best Management Practice) has prevented stormwater out-fall from the most active portion of the log sorting yard. The result is a major improvement in the site’s subsequent DMRs (Discharge Monitoring Reports). The proposed permit should allow for this or similar more comprehensive and superior BMPs to be used in lieu of the proposed mandatory vacuum sweeping.

Our third concern with Ecology's development of the "Appendix 6 –Facilities to Complete Level 2 Corrective Action" list as part of the proposed General Permit.

As outlined above, during the five-year life of the current permit, Miller implemented a major structural BMP that greatly improved the site's stormwater out-fall quality and subsequent DMRs and yet our facility is listed in Appendix 6. As you may recall, others at your Mount Vernon June 26, 2006 workshop fell into this same category. By developing the Appendix 6 list based on DMRs from the entire five-year life of the current permit, Ecology has not taken into account the advances made by many permit stakeholders. We consider this methodology flawed and recommend that it should be abandoned or at least revised to allow permit stakeholders to move down as well as up in their "Corrective Action Level". A "Corrective Action Level" based on the last four (4) quarter's DMRs would far better reflect each site's current condition. That four (4) Quarter up or down scoring approach should apply for the life of the proposed new permit.

Our fourth and final concern with Ecology's proposed General Permit is its lack of focus on identifying facilities that should be included in the General Permit.

In today's competitive market place, the cost of complying with the Industrial Stormwater General Permit puts our facility at a distinct disadvantage to similar facilities that are not in compliance. More effort should be directed at leveling the playing field.

Thank you for your consideration of our concerns regarding the proposed Industrial Stormwater General Permit.

Sincerely,

Brian Abbott
Engineering & Property Manager