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Jeff Killelea
Department of Ecology
PO Box 47600
Olympia, WA 98504-7600
(Sent via email to industrialstormwatercomments@ecy.wa.gov)

Dear Mr. Killelea:

Puget Sound Energy (PSE) appreciates the opportunity to provide the following comments to the Department of Ecology on the June 2009 Public Comment Draft Industrial Stormwater General Permit (ISGP).

Special Condition S3

The draft ISGP in Condition S3.B.3 establishes a new mandatory best management practice (BMP) by stating "The permittee 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." However, the Draft Fact Sheet describes S3.B.3 as having a greater required frequency with "Specified mandatory BMPs, including monthly vacuum sweeping..." PSE seeks to clarify that the intended frequency for sweeping will be no greater than quarterly. Flexibility should be left in the ISGP to determine the adequate frequency of sweeping. Monthly, or even quarterly, vacuum sweeping may be more than is necessary for some facilities to attain benchmark values and to not cause violation of State surface water quality criteria.

Special Condition S4

PSE wishes to express its support for the change in stormwater sampling requirements to allow sampling anytime during stormwater discharge from the facility and for the elimination of the conditions for sampling during the first hour of discharge, after 24 hours of dry weather, and for a storm event of at least 0.1 inches of rainfall in a 24-hour period. The change will be a much needed simplification of the stormwater sampling process.

Special Condition S5

PSE supports the increase in the zinc benchmark from 117 µg/L to 200 µg/L in Western Washington and to 255 µg/L in Eastern Washington. Zinc is a ubiquitous compound at facilities of all types due to its widespread use in common materials (e.g., galvanized fencing, galvanized piping, roofing materials, tire wear), and the zinc benchmark value should therefore reflect reasonable expectations of stormwater dilution as is discussed in Ecology's Draft ISGP Fact Sheet.

PSE also supports the proposed change to eliminate the need to sample copper and lead for most of the industry types and limiting sampling of those metals to select industries. Given the common presence of zinc stated above, it can be an unnecessary cost to monitor for copper and lead based on just two exceedances of the zinc benchmark.

Special Condition S7

Proposed Condition S7.A.1 would require that visual inspections of the facility be conducted and documented in the SWPPP each month. PSE personnel routinely monitor the facility conditions and would act to quickly address any identified pollutant source or inadequate stormwater BMP. However,

the addition to the ISGP of a formal monthly monitoring event and documentation and recordkeeping of those monthly inspections becomes an added administrative task and exposes the Permittee to a greater risk of enforcement action by Ecology or a lawsuit by a third-party environmental group for paperwork issues versus actual water quality issues. PSE requests that formal visual inspections be maintained at the current quarterly frequency plus the annual dry season inspection.

Proposed Condition S7.A.2 would require, beginning January 1, 2012, that visual inspections be conducted by a Certified Industrial Stormwater Manager (CISM), Certified Professional in Stormwater Quality (CPSWQ), or Professional Engineer. Given that the personnel currently responsible for stormwater visual inspections and monitoring do not meet these criteria and that (due to vacations, illness, and other reasons) multiple personnel at each facility may be called upon to conduct the visual inspections, this proposed change would impose a significant added training cost to the Permit holder. PSE requests that the personnel conducting visual inspections continue to receive annual ISGP and SWPPP training, as required by the current permit, but that additional certification type training or licensing not be required.

Special Condition S8

The change in triggering Level 2, Level 3, and now Level 4 Corrective Actions by exceeding benchmark values, rather than by higher "action levels" poses a concern, especially for turbidity. The benchmark for turbidity is proposed to remain at 25 NTU, which is representative of very clear water, and action levels are proposed to be eliminated. Currently, measurements of turbidity above the 25 NTU benchmark but below the 50 NTU action level would trigger a Level 1 response but could not trigger Level 2 or higher responses. That approach seems appropriate given that turbidity values between 25 and 50 NTU are a possible concern worthy of further (e.g., Level 1) examination but in many cases would not come close to causing a violation of State surface water quality standards in the receiving water. If this proposed permit change becomes effective, it could entail costly and onerous Level 2, 3, or 4 Corrective Actions for those facilities with minor benchmark exceedances. PSE appreciates Ecology's efforts to simplify the permit, but Ecology has provided no apparent justification for the decrease in the trigger for the higher level response actions from 50 to 25 NTU. PSE requests that the trigger value for the Level 2 and especially Level 3 and Level 4 Corrective Actions, (whether or not it is called an action level) remain at 50 NTU.

PSE appreciates the Department of Ecology's attention to these comments.

Sincerely,



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