

From: Barnes, Abby (DNR)
Sent: Friday, January 10, 2014 11:22 AM
To: Labib, Foroozan (ECY)
Subject: Draft Washington State Department of Transportation Municipal Stormwater General Permit - Comments

Mr. Foroozan Labib,

Please accept the following as Washington State Department of Natural Resources comments on the Draft Washington State Department of Transportation Municipal Stormwater General Permit.

Thank you

Thank you for allowing the opportunity to comment on the DRAFT Washington State Department of Transportation Municipal Stormwater Permit.

The Department of Natural Resources (DNR) as the steward of the aquatic lands owned by the State of Washington has the obligation to protect state owned aquatic lands. State-owned aquatic lands are managed by DNR for future and current citizens of the state to sustain ecosystems and economic viability and ensure long-term access to aquatic lands and the benefits derived from them.

The DRAFT Washington State Department of Transportation Municipal Stormwater Permit (Permit) was developed to protect the waters and sediment of the state from discharges from municipal separate sewer systems owned or operated by Washington Department of Transportation (WSDOT) in areas covered by the Phase I and Phase II Municipal Stormwater General Permits. The management of stormwater and stormwater outfalls is important for the protection of human health, the environment, and the sustainability and continuing development of aquatic resources.

DNR is pleased with the progress the Permit has achieved and is hopeful it will be successful in adequately protecting aquatic lands. DNR's comments on the Permit are as follows:

S4.F.1 -

WSDOT shall notify Ecology in writing within 30 days of becoming aware, based on credible site-specific information that a discharge from the MS4 owned or operated by WSDOT is causing or contributing to a known or likely violation of Water Quality Standards in the receiving water.

DNR understands that this is a typical time-frame outlined in most Stormwater General Permits, but if a facility is having a problem that is causing violation of Water Quality Standards Ecology should be notified as soon as the site is aware of the issue. There seems to be no benefit in allowing a 30-day time period to lapse prior to notifying Ecology of a violation.

For ongoing or continuing violations, a single written notification to Ecology will fulfill this requirement.

The point of the adaptive management process is to prevent an ongoing violation to occur. It seems that if an ongoing violation is allowed to occur without notification to Ecology then the process is inadequate. For reporting purposes the length of the ongoing violation should be documented.

S7.B.6.a

WSDOT shall sample, analyze, and report the following parameters in sediments, as indicated in order of priority if sufficient volume exists. Chemicals below method detection limits after two years of data analysis may be dropped from the list of parameters.

In addition to the baseline sediment sampling testing required in the above section of the Permit, DNR would like to have WSDOT to perform the full Sediment Management Standards suite once every permit cycle as well. At minimum, sediment should be analyzed for PCB and arsenic at least once in a permit cycle.

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