

Washington State Department of Ecology

General Permit Update March 15, 2012

Aquatic Invasive Species Management NPDES General Permit

Effective date: May 20, 2011. The permit regulates the use of chemicals or control products for the management of aquatic invasive species animals and nonnative invasive marine algae in surface waters of Washington State. This permit will allow for the treatment of early infestations and for small localized projects that may lead to the eradication of the invasive species from each site, or for the containment of the invasive species to one area or site.

Aquatic Mosquito Control NPDES General Permit

Effective date: May 19, 2010. Ecology has covered discharges of larvicides under this permit since 2002. The 2010 Permit continues to cover larvicide use (the larvicides remain the same from 2007), but now also covers the use of adulticides to control vector mosquitoes when human health is at risk. The draft 2010 Permit includes the following adulticides: natural pyrethrins, several pyrethroids (permethrin, resmethrin, sumithrin (d-phenothrin), a synergist (Piperonyl Butoxide), and two organophosphate pesticides for emergency use only (Malathion and Naled).

Aquatic Noxious Weed Control NPDES General Permit

Effective date: February 17, 2012. The general permit covers the indirect discharge of herbicides, adjuvants, and marker dyes into estuaries, marine areas, wetlands, along lake shorelines, rivers, streams, and other wet areas to manage *Spartina* and freshwater noxious weeds in Washington. An indirect discharge occurs when there may be incidental overspray or dripping of a chemical from the treated plants into waters of the state.

Irrigation System Aquatic Weed Control NPDES General Permit

The renewed permit is currently out for public review until March 30, 2012. The permit was last issued in February of 2008 and then modified in March of 2010. The new draft permit includes changes for endothall (Cascade and Teton) and fluridone. The effective use of endothall enables less use of the more toxic acrolein. Ecology intends to reduce the use of acrolein in favor of less toxic alternatives.

Aquatic Plant and Algae Management General Permit

The renewed permit was out for public review from February 1 to March 7, 2012. The permit covers the discharge of products used to control aquatic plants and algae in Washington lakes. The permit also allows treatment of nuisance emergent plants along roadsides and ditch banks.

Japanese Eelgrass Mgt. on Commercial Shellfish Beds General Permit

New permit, public comment period ended March 9. The general permit would regulate the application of the aquatic herbicide imazamox to manage Japanese eelgrass on commercial shellfish beds.

Boatyard General Permit

Effective date: June 1, 2011. The general permit is issued to boatyard industries operating in the State of Washington for the discharge of wastewater resulting from the building and repair of boats 65 feet or less in length. This general permit controls wastewater from pressure washing and stormwater runoff. This is the fourth issuance of this general permit.

Concentrated Animal Feeding Operation General Permit

Permit expired July 21, 2011 and has been extended. Concentrated Animal Feeding Operations (CAFOs) that discharge or propose to discharge to waters of the state are point source polluters and regulated by the National Pollutant Discharge Elimination System (NPDES) permit program. This permit currently covers about 10 operations.

Fresh Fruit Packing General Permit

Effective date: July 2, 2009. This general permit applies to the entire fresh fruit packing industry in the state of Washington except for those that have obtained individual permits from Ecology. Under this general permit, wastewater discharges from permitted facilities are subject to certain Treatment/Disposal Methods (TDMs) and effluent limitations.

Upland Fin-Fish Hatching and Rearing General NPDES Permit

Effective date: August 1, 2010. The permit controls the discharge of pollutants from upland hatcheries into waters of the state.

Vessel General Permit (EPA's)

EPA issued the Vessel General Permit (VGP) in December 2008 in advance of the expiration of the exemption so that ships could continue to legally operate in U.S. waters.

EPA currently has a draft Vessel General Permit (VGP) for reissuance in 2013 covering commercial vessels 79 feet and longer. They have also produced a new Small Vessel General Permit (sVGP) that covers previously exempted commercial vessels less than 79 feet long and fishing vessels. Ecology commented on the draft VGP and sVGP on February 21. EPA is requesting 401 certification of the draft VGP and sVGP. The deadline for certification of the vessel permits is June 30, 2012. Ecology is currently preparing a 401 certification for the VGPs.

Water Treatment Plants

Water treatment plants are those facilities that treat water, ground water or surface water, and produce potable water for public consumption or provide primary treatment and produce "industrial water." A wastewater discharge permit is typically required when the treatment of the raw water results in a discharge of wastewater (e.g., backwash) to surface water. Ecology has issued an NPDES general permit for water treatment plants and eligible facilities are required to apply for coverage. The Water Treatment Plant (WTP) General Permit, issued on June 16, 2004, expired on July 15, 2009. Ecology reissued the general permit, with minor changes on July 15, 2009. The effective date of the permit is September 1, 2009.

Construction Stormwater General Permit

Effective date: January 1, 2011. Construction site operators are required to be covered by a Construction Stormwater General Permit if they are engaged in clearing, grading, and excavating activities that disturb one or more acres and discharge stormwater to surface waters of the state. Smaller sites may also require coverage if they are part of a larger common plan of development that will ultimately disturb one acre or more.

Industrial Stormwater General Permit

Draft modified permit is under public review until March 16. The permit was last issued in October 2009 and is scheduled to expire in January 2015. This permit modification is necessary to address the April 25, 2011 ruling by the Pollution Control Hearings Board,

which requires changes to the sampling and corrective action requirements. Ecology is also proposing to remove the numeric effluent limitations for fecal coliform that apply to approximately 80 facilities discharging to 303(d)-listed impaired waterbodies, and replace them with Best Management Practices.

Municipal Stormwater General Permits

The permits were effective February 16, 2007. Ecology is preparing to reissue the three general NPDES municipal stormwater permits in June 2012.

The Phase I permit regulates discharges from municipal separate storm sewers owned or operated by Clark, King, Pierce and Snohomish Counties, and the cities of Seattle and Tacoma.

The Phase II Municipal Stormwater Permit rule extends the coverage of the National Pollutant Discharge Elimination System (NPDES) program to certain "small" municipal separate stormwater sewer systems (MS4s). Ecology issued two Phase II permits: one for Eastern Washington and one for Western Washington.

NOTE: Ecology is proposing to issue an update to the 2005 Stormwater Management Manual for Western WA along with the new issued permits in June 2012 to support new LID requirements in the permits.

Sand and Gravel General Permit

Effective date: October 1, 2011. The permit regulates discharges of process water, stormwater, and mine dewatering water associated with sand and gravel operations, rock quarries, and similar mining operations, including stockpiles of mined materials. It also covers concrete batch operations and hot mix asphalt operations. The permit was appealed by the Puget SoundKeeper Alliance (PSA). The Washington Aggregates and Concrete Association (WACA) intervened in support of the permit. Ecology and PSA reached a tentative settlement.

WA ST Dept. of Transportation Municipal Stormwater NPDES General Permit

Ecology issued the third permit modification on March 7, 2012. Ecology issued a permit originally to WSDOT on February 4, 2009. A minor modification was made to this permit on May 1, 2009, to correct minor, non-substantive errors found after permit issuance. The permit covers discharges from its municipal separate storm sewer system (MS4). MS4s are conveyances or a system of conveyances including roads with drainage systems, streets, catch basins, ditches, man-made channels, and storm drains.

A second modification added substantive language to the permit as a result of a settlement agreement between the Departments of Ecology and Transportation and Puget Soundkeeper Alliance. Permit sections modified include: S6.C, S7. E.2.d., S8.E., Appendix 7, Stormwater Management Program Plan, Sections 3 and 3.1, 5.4, 6.2, and Appendix 3, Applicable TMDL Requirements.

The second permit modification required Ecology to modify or issue an administrative order establishing new TMDL-related permit requirements for WSDOT at least every eighteen months. The proposed draft modifications make substantive changes to the permit including adding new TMDL-related permit requirements in Appendix 3, making references to the 2011 updated Highway Runoff Manual (HRM) instead of 2008 HRM, and updating the Stormwater Management Program Plan (SMPP) in Appendix 7.