



August 10, 2015

Department of Ecology
Attn: Ms. Amy Moon, Water Quality Program
P.O. Box 47696
Olympia, Washington 98504-7696

Subject: CalPortland comments on Draft Construction Stormwater General Permit.

Dear Ms. Moon,

CalPortland appreciates the opportunity to offer comments and suggestions on the Department of Ecology's Draft Construction Stormwater General Permit published July 1, 2015. CalPortland is submitting the following comments (note all page numbers are referenced to the published red-line version):

1. S1.C.3 - The restriction the Agency is imposing on the use of potable water on jobsites related to chlorination levels is completely unrealistic and unachievable. Potable water from municipal sources contains a residual level of chlorine or ozone to control bacterial growth. The residual level is extremely low and not a concern to water quality. Potable water is most often the only source of water available at jobsites and it is unrealistic to impose significant restrictions on this use of this water. Any runoff of potable water from a jobsite could not possibly have any environmental affect especially considering that this water will mix with other water before entering receiving waters. Such a restriction impedes the ability of contractors to conduct business. The language related to chlorinated potable water should be removed from the permit.
2. S2.A.1.f - The construction stormwater general permit is a NPDES permit that regulates water quality. This permit is not a solid waste permit and Ecology is attempting to regulate solid waste through a water quality permit. The Agency is setting an undefined threshold when requesting information related to soils "contamination" on a jobsite. There is no defined due diligence standard for determining the presence or non-presence of contaminated soil. Furthermore, the Agency is asserting that any contaminant, even if found on de-minis level, constitutes "Contaminated Soil". This section of regulation should be removed.
3. S4.C - Note 6 on the bottom of page 18 - Ecology has established that pH monitoring is required for jobsites where 1000+ yards of concrete will be poured. The language in note 6 indicates that there is no minimum

threshold whereby pH monitoring is triggered when recycled concrete or other cement materials are used on site. There should be a defined de-minimis amount of these materials that are allowed on a jobsite before triggering pH monitoring. This footnote should be revised.

4. S4.D.2 - What does the Agency mean when saying "...until the recycle concrete is fully stabilized..."? Fully stabilized is a nebulous phrase as the chemical reactions which occur between concrete and the atmosphere are slow and never ending. Ecology should re-consider the language in this section as this objective may never be technically achievable.
5. S9.D9.g - The language in this section refers to a permittee managing the pH of water to protect surface and ground water. The CSGP does not regulate ground water discharges and the use of the word Groundwater should be removed in this section. Managing water at an infiltration point is not the same as "Groundwater".
6. S9.D9.h - Concrete washout water is allowed onto the ground in areas that are formed and set to receive concrete paving within a short period of time (1 to 2 days). This is information which the Industry has received directly from Ecology and this should be maintained in the proposed permit. The ability to washout concrete truck chutes is a critical function of jobsites. There are limited options for washing out concrete truck chutes and the option of washing into formed (i.e contained) areas is critical to ensure smooth jobsite operation. Areas which are formed and set to be paved and where a truck washes out receive very little washout water. The small amount of washout water (which has an elevated pH) has no impact on groundwater. CalPortland understands that extended washing out of concrete chutes into the same area would be problematic and this is not the suggestion. CalPortland requests that this provision be re-written to maintain the established protocols for jobsite washout.

Thank you for the opportunity to provide comments on the draft Construction Stormwater General Permit. If you should have any questions please contact met at 206-764-3021.

Sincerely,



Matthew L. Hinck
Environmental Manager, Washington Division