

Highfill, Kelsey (ECY)

From: Hoover, Richard A. [rhoover@cob.org]
Sent: Thursday, June 05, 2014 8:36 AM
To: ECY RE Industrial Stormwater Comments
Cc: Wendling, Pegeen D.
Subject: Comments to draft ISWP

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June 5, 2014

To: Jeff Killelea
c/o Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7696

Submitted to: industrialstormwatercomments@ecy.wa.gov and in formal correspondence mailed at the date above.

From: The City of Bellingham Department of Public Works Operations Division SIC Code Group 4952: Treatment works treating municipal wastewater

Dear Mr. Killelea,

We appreciate the opportunity to submit our comments on the Department of Ecology's (ECY) draft Industrial Stormwater General Permit. We all value the work your agency performs to keep Washington's surface waters clean for all designated uses. We have been sampling and monitoring the stormwater at three locations at the City of Bellingham's Post Point Pollution Control Plant (permit #WAR005561) under ECY industrial stormwater regulation since April 2003, and we are proud of the fact that we have a complete record of sampling and reporting since that time.

Our comments on the draft permit follow, and are in reference to section S6.C.

In section S6.C1. of the draft permit it states: "Permittees discharging to a 303(d) - listed waterbody (Category 5) or a Puget Sound Sediment Cleanup Site shall comply with the applicable sampling requirements and numeric effluent limits in Table 6 ... that correspond to the specific parameter(s) the receiving water is *303(d)-listed* for at the time of permit coverage, or Total Suspended Solids (TSS) if the waterbody is a ***Puget Sound Sediment Cleanup Site***⁶ or impaired (Category 5) for any *sediment* quality parameter at the time of permit coverage." Furthermore, Section S6.C2. states that permittees "discharging to a ***Puget Sound Sediment Cleanup Site***⁷ shall implement additional storm drain line cleaning BMPs, solids sampling, and reporting".

Puget Sound Sediment Cleanup Sites are later defined by section S6.C. footnotes 6&7 as: "**Bellingham Bay**, Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer), Dalco Passage and East Passage, Duwamish Waterway, Eagle Harbor, Elliot Bay, Everett/Port Gardner, Hood Canal (North), Liberty Bay, Port Angeles Harbor, Rosario Strait, Sinclair Inlet, and Thea Foss Waterway."

We believe an oversight by the Department must have been made in failing to distinguish Bellingham Bay with its established EPA-approved Water Quality Assessment for Washington (303d list)^a listing qualifiers. According to the current 303d list, Bellingham Bay is separated into two distinct marine geographic waterbodies/areas (Inner and Outer Bellingham Bay). In addition, according to the ECY Toxics Cleanup Bellingham Bay Demonstration Pilot Program^{b&c}, all marine sediment cleanup sites defined by Washington Administrative Code (WAC) 173-204-520^d are located within the boundaries of Inner Bellingham Bay.

As other waterbodies listed in the draft permit appear to be delineated by geographic area as defined by the current EPA-approved 303d list^a (i.e. Budd Inlet (Inner), Commencement Bay (Inner), Commencement Bay (Outer) and Hood Canal (North)), and all defined sediment cleanup sites within Bellingham Bay fall within the Inner Bellingham Bay delineation, the draft Industrial Stormwater General Permit definition of "Puget Sound Sediment Cleanup Site" found in section S6.C. footnotes 6&7 should be modified to read "Bellingham Bay (Inner)" only.

References:

^a <http://www.ecy.wa.gov/programs/wq/303d/index.html>

^b http://www.ecy.wa.gov/programs/tcp/sites_brochure/blhm_bay/sites/bel_bay_sites.html

^c http://www.ecy.wa.gov/programs/tcp/sites_brochure/blhm_bay/blhm_bay.htm

^d <http://apps.leg.wa.gov/wac/default.aspx?cite=173-204-520>

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