



June 20, 2014

electronic submittal: industrialstormwatercomments@ecy.wa.gov

Mr. Jeff Killelea
Water Quality Program
Washington State Department of Ecology
P.O. Box 47696
Olympia, WA 98504-7696

Subject: Response to public comment period on Washington Public Ports Association of Washington State Marine Terminal AKART and ISGP Corrective Action Guidance Manual for Public Review Draft

Dear Mr. Killelea:

Please accept these comments from the Washington State Department of Natural Resources (DNR) regarding the *Washington Public Ports Association of Washington State (WPPA) Marine Terminal AKART and ISGP Corrective Action Guidance Manual DRAFT* (draft manual). DNR is the manager of over three million acres of state trust lands comprised of forest, range, commercial and agricultural lands and 2.6 million acres of state-owned aquatic lands. DNR is committed to sustainably managing the state's resources, relying on sound science, and making transparent decisions in the public's interest throughout the environmental review process.

DNR understands the complexity of compliance with various NPDES Permits. We appreciate the ongoing effort established by the ports of Washington state to protect the marine and aquatic habitats unique to Washington. The draft manual seems to provide clarification to the adaptive management process that Ecology intends to use for permittees covered under the Industrial Stormwater Water General Permit (ISGP).

Although the draft manual seems to be an appropriate guidance document for determining compliance with goals of Level 1 through Level 3 corrective actions, it is not clear whether this document could be or is intended to be used to identify if AKART has been met. While this document includes a study of technologies and their relative effectiveness, DNR believes that both site specific and cargo specific AKART evaluations are essential due to the variety of site and situational differences in marine terminals statewide. A site specific engineering analysis should be the determining factor for each AKART evaluation. DNR is concerned that the broad application of the BMPs and treatment approaches at a variety of facilities rather than using a facility-specific approach could lead to an increased risk to sediment quality on state-owned aquatic lands. When contamination occurs on state-owned aquatic lands, it becomes the responsibility of the State and citizens to provide cleanup and restoration efforts.



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It is also not clear to DNR how Ecology will use this this document in the review of an AKART analysis. While we believe it could be used to define treatment solutions for individual facilities, could it also be used as an avenue to re-establish benchmarks for stormwater sampling at a specific facility?

It is the ultimate goal of DNR to protect and manage state-owned lands sustainably and to provide for future use by Washington state citizens. DNR appreciates the opportunity to submit comments on the *Washington Public Ports Association of Washington State Marine Terminal AKART and ISGP Corrective Action Guidance Manual*.

Sincerely,

A handwritten signature in black ink, appearing to read "Michal Rechner". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michal Rechner
Assistant Division Manager
Aquatic Resources Division