



January 10, 2008

Lionel Klikoff
Department of Ecology
PO Box 47600
Olympia, WA 98504-7600

RE: Port of Vancouver, USA Comments on the Draft NPDES Industrial Stormwater General Permit

Dear Mr. Klikoff:

The Port of Vancouver, USA (POV) would like to provide comment on the draft NPDES Industrial Stormwater Permit (draft permit). We previously provided comments to Washington State Department of Ecology (Ecology) in a letter dated April 20, 2007 on the initial draft of the permit. The POV takes environmental stewardship seriously, and it is our commitment to strive for programs and policies that allow nature and industry to successfully coexist. We appreciate the opportunity to submit these comments and look forward to hearing your response.

Benchmarks Levels (Section 5)

Upon review of industry-wide stormwater data (provided in the Ecology Fact Sheet document dated November 21, 2007) it is clear that the proposed benchmarks will be very difficult if not impossible for most industries to meet. Based on our experience implementing capital stormwater improvements, the proposed benchmarks will require significant public and private expenditures in capital improvements for many permitted industries. For public entities such as the POV, a portion of the funding for improvements will be paid by the taxpayer. These substantial costs do not guarantee stormwater capital improvements will produce the desired level of effectiveness to achieve compliance with the proposed corrective actions. Furthermore, there are currently no filtering products available that can claim or guarantee to treat stormwater to below the proposed benchmark values for Total Copper and Zinc. This makes it difficult to justify spending money on treatment that once installed may or may not filter to the desired level needed to achieve compliance with the proposed corrective actions.

Recommendation

POV understands the need to sample for copper and zinc, but recommends that Ecology re-evaluate the proposed benchmark levels for Total Copper and Zinc to levels that are obtainable with currently available treatment and filter technology.

Retroactive Dates for Corrective Actions (Section 8)

Retroactively applying the proposed Corrective Actions in the draft permit to current action level status is unrealistic and unjustified. This will place an extreme burden on many industries that have maintained compliance with the current permit. Industries will be required to obtain and submit an Engineering Report at a large cost and with little time to account for the expenditures involved with being immediately placed into a Step B Corrective Action.

Recommendation

If Ecology proceeds with requiring Permittee's to immediately implement the new proposed Corrective Actions, it is recommended that Ecology require Permittee's who are currently in a Level 2 or 3 Response to begin a Step A Corrective Action instead of a Step B Corrective Action. This will give industries the time needed to fully address their facilities operations and BMPs and be in compliance with the new proposed permit, as well as provide time to understand, evaluate, and account for the expenditures involved with beginning a Step B Corrective Action.

The Port of Vancouver appreciates the Department of Ecology's consideration of these comments. If you have any questions, please contact me at my direct line (360) 992-1106.

Sincerely,
PORT OF VANCOUVER, USA

A handwritten signature in blue ink that reads "Matt Graves". The signature is stylized and cursive.

Matt Graves
Environmental Specialist