

October 12, 2005

While WSDOT will not receive coverage under this permit, we wish to submit the following comment regarding how this permit could potentially interact with the WSDOT MS4 permit that Ecology is developing. Thank you for your consideration. If you should have any questions concerning our input please feel free to contact:

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The emergence of a separate WSDOT NPDES municipal stormwater permit will create situations where the coverage areas of the WSDOT permit and the Phase I and II NPDES municipal stormwater general permits geographically overlap. To avoid the possibility of generating confusion over which permit requirements govern in terms of WSDOT's facilities, it will be important to craft permit language in such a way that is clear that the Phase I & II NPDES MS4 general permits do not govern within WSDOT right-of-way and maintenance yards. While we anticipate the language in the WSDOT and the other municipal general permit requirements will be identical or similar in many respects, properly crafted permit language would avoid the potential that municipal ordinances/codes promulgated to meet their MS4 permit obligations would create duplicative (or worse, conflicting) regulatory requirements with WSDOT's MS4 permit.