

April 3, 2014



The Honorable Jay Inslee, Governor
PO Box 40002
Olympia, WA 98504-0002

RE: Washington's Human Health Water Quality Criteria Policy Objectives

Dear Governor Inslee:

Thank you for your efforts to listen to affected stakeholders and for your careful consideration of policies that will lead to a reasonable and balanced water quality standards development process in Washington. All of us can agree that protecting and maintaining a clean environment is important and essential. We believe that with the correct policy choices a balanced approach can be achieved that assures both economic health and public health for the state of Washington.

PCA is excited to be doing business in Washington and our two facilities at Wallula present the company with tremendous potential. These two facilities also provide significant value to the local and state economy – providing 600 family wage jobs, with an annual payroll of \$57 million, spending almost \$50 million with other Washington companies and being the single largest taxpayer in Walla Walla County.

We are encouraged by the state's direction in developing customized solutions addressing PCBs, arsenic and mercury. These pollutants are ubiquitous in the environment and deserve a customized approach to regulation. We encourage the governor to consider best management practice approaches to pollutant reductions, not exclusively a one-size-fits-all approach driven by the water quality standards.

The policy choices being considered for excess cancer risk rate and the fish consumption rate will have significant ramifications for NPDES permit holders. These impacts will be felt as cities, counties and facilities work through renewal of their existing water permits. Establishing human health-based water quality criteria on an incremental excess carcinogen risk level of $10e-6$ is unacceptable. This risk level, coupled with a high fish consumption rate, will result in unattainable criteria, inappropriate 303(d) impaired water listings, insignificant and unmeasurable incremental health benefits, and cause significant economic uncertainty and turmoil.

Acknowledging the state will revise its water quality standards, it is critical that an advanced package of tools be implemented that allow permit holders to achieve success and compliance with an updated water quality rule. The state package must include the following:

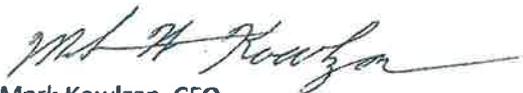
- An incremental excess cancer rate of less than $10e-6$. EPA guidance notes that risk levels between $10e-4$ and $10e-5$ are acceptable risk policy choices and has approved differing risk levels in many states. Per EPA guidance, these risk levels protect all population groups in Washington.

- Robust implementation tools, as shared with Ecology staff, which are comprehensive and provide confidence to the permitted community. These administrative mechanisms need to be co-adopted with revised numeric criteria and approved by EPA as a package.
- Assurance that EPA will approve the state's approach to the three ubiquitous pollutants, PCBs, mercury and arsenic, as detailed in Ecology's November 11 presentation.
- Provide a specific timeline to evaluate and update the state 303(d) listing policy for categorizing water bodies. Adjusting these criteria is necessary to remove redundancy with the human health criteria on fish tissues and will provide necessary flexibility for permittees to implement creative approaches to accomplish toxics reductions more efficiently and at lower cost.

The Clean Water Act and federal regulation specify that states have the authority to design a water quality standards program that best achieves state objectives. We strongly encourage the state of Washington to exercise this discretion to accomplish the health protection mandate while creating a confident and compliant path for long-term economic growth.

Thank you again for your time and attention on this important issue. Please let us know we can help provide any additional resources or answer any questions.

Sincerely,



Mark Kowlzan, CEO
Packaging Corporation of America



Sean Krajnik, Mill Manager
Boise White Paper - Wallula, a Packaging Corporation of America Company



Todd Schadler, President
Association of Western Pulp and Paper Workers, Local 69

cc: The Honorable Patty Murray
The Honorable Maria Cantwell
The Honorable Richard Hastings
The Honorable Cathy McMorris Rodgers
Joby Shimomura, Office of the Governor
Maia Bellon, Department of Ecology
Brian Bonlender, Department of Commerce