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December 16, 2010

Washington Department of Ecology
Surface Water Quality Standards
P.O. Box 47600
Olympia, WA 98504-7600
ATTN: Becca Conklin, Standards Coordinator

Subject: Surface Water Quality Standards Triennial Review

Dear Ms. Conklin:

The City of Burien would like to express our appreciation for the opportunity to provide comments on the Department of Ecology's Triennial Review of the State's Surface Water Quality Standards. We support the use of scientifically based and economically sustainable water quality standards that help us maintain and restore the surface waters of the State including the marine waters of the Puget Sound. With that in mind, we strongly encourage Ecology to include a review of Washington's criteria for toxic chemicals in surface water, specifically the freshwater criterion for copper. The environmental and economic benefits resulting from this review will be substantial for our community and the State.

In 2007[1], the United States Environmental Protection Agency published a revised criterion document for copper which identified the use and implementation of the Biotic Ligand Model as "best available science". To date our State has yet to adopt this criterion and we believe it should for the following reasons:

- Application of the Biotic Ligand Model will result in stormwater treatment facilities designed to reduce copper to a realistic level based on the true toxicity of the runoff relative to the receiving body;
- It is likely that significantly more stormwater will be treated for the amount of funding available to Phase I/II permittees and Industrial Stormwater permittees as the

[1] United States Environmental Protection Agency Office of Water, Aquatic Life Ambient Freshwater Quality Criteria – Copper. 2007 Revision. EPA-822-R-07-001. February 2007. http://water.epa.gov/scitech/swguidance/waterquality/standards/current/upload/2009_04_27_criteria_copper_2007_criteria-full.pdf

level of treatment will no longer be attempting to reduce dissolved metals to levels well below the toxic limits leading to more facilities for the same funds;

- The geographic impact is very large and will immediately affect the approximately 115 Phase I/II permittees in Western Washington, as well as the several hundred permittees under the Industrial stormwater Permit allowing for more treatment per dollar spent;
- As with all municipal entities, funding is extremely constrained and we do not have the resources to over-treat our stormwater nor do we have the ability to come back and do it again at a later date. Use of appropriate water quality standards is vital to our continuing efforts to clean up the Puget Sound and the fresh waters draining to it.

To assist the Department of Ecology in establishing appropriate BLM methods and standards, we request the Department establish a committee of interested parties including state agencies, local municipalities, industry, and subject matter experts in 2011 to discuss how the Biotic Ligand Model can be incorporated into the State of Washington Water Quality Standards.

Thank you for this opportunity to provide comments for the Triennial Review. Should you have any questions on this matter, please contact me at 1-206-248-5516.

Sincerely,

Heungkook Lim, P.E.

Surface Water Management Engineer

Cc: Larry Blanchard, Public Works Director