

**Flat Rolled Products**APR 01 2010
WATER QUALITY PROGRAM**Trentwood Works**

March 30, 2010

Mr. Dustin Bilhimer
Spokane TMDL Dispute Resolution Coordinator
Washington State Department of Ecology
Water Quality Program, Watershed Planning Unit
P.O. Box 47600
Olympia, WA 98504

Dear Mr. Bilhimer,

Kaiser Aluminum Fabricated Products, LLC appreciates the opportunity to submit comments in connection with the dispute resolution process that has been initiated concerning the Spokane River Dissolved Oxygen (DO) TMDL.

Kaiser operates the Trentwood Works in the Spokane Valley and employs approximately 800 people. In addition to its industrial operations, the facility operates its own sanitary waste treatment plant. Kaiser has had an NPDES permit authorizing discharges of treated industrial and sanitary waste water for decades. Over that time, Kaiser has spent significant sums to improve its waste water treatment system in order to protect the quality of the Spokane River.

Kaiser has actively participated in Ecology's process for addressing water quality conditions in the Spokane River for many years. Kaiser was a signatory to the Foundational Concepts for the Spokane River TMDL Managed Implementation Plan and, for the past year and a half, participated in the latest series of agency and stakeholder meetings concerning TMDL development.

Although Kaiser did not request dispute resolution concerning the DO TMDL, Kaiser is keenly interested in the TMDL and the outcome of the dispute resolution process. Kaiser has communicated its views about the TMDL to Ecology on several occasions, both in person and in writing, during the TMDL development process. Kaiser does not agree with every factual conclusion, scientific judgment, or policy decision made by Ecology in this process, but Kaiser does support Ecology's effort to allocate responsibility among all contributors, including point sources, non-point sources and Avista.

Meeting its obligations under the TMDL will not be easy or inexpensive, but Kaiser is committed to doing its fair share to improve Spokane River water quality. To that end, we are conducting pilot tests to determine how to comply with the anticipated waste load allocation provided under the TMDL. Kaiser strongly opposes any effort by

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participants in the dispute resolution process to reduce the size of the total load allocated to point source dischargers, or to reallocate the load in such a way that Kaiser's allocation would be reduced.

Kaiser will have representatives in attendance at the April 5, 2010 dispute resolution meeting, to ensure that Kaiser's position is accurately and fairly represented.

Please feel free to contact me at (509) 927-6554 if you would like additional information.

Sincerely,



Bernard P. Leber, Jr.
Environmental Engineering Manager