



DEPARTMENT OF ECOLOGY

FEB 15 2017

WATER QUALITY PROGRAM

February 9th, 2017

Amy Moon
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

SUBJECT: COMMENTS ON PROPOSED MODIFICATION OF THE NPDES CONSTRUCTION STORMWATER GENERAL PERMIT

The City of Redmond frequently builds projects that require an NPDES Construction Stormwater General Permit. As a local government the City also regulates construction sites, to protect the environment from impacts during construction activity. The City understands that the proposed changes to the Construction Stormwater General Permit are the outcome of a settlement agreement between Washington State Department of Ecology and various appellants involved in Pollution Control Hearing Board Case 15-142. As a local government that enforces clean water regulations on private construction sites, and holds contractors on public projects accountable for protecting the environment during construction, we have the following concerns with the proposed changes.

S1.C.3.i. – The proposed change now includes “uncontaminated or potable water used for dust control.” Washington Department of Ecology and Department of Health published the Reclaimed Water and Reuse Standards in 1997. These Standards identify Class C or better reclaimed water as permissible to use for dust control. Class C or better reclaimed water is not potable, and the City requests clarification if Washington Department of Ecology considers reclaimed water “uncontaminated” and permissible for use to control dust on construction sites under the NPDES Construction Stormwater General Permit.

S9.B.1.f. – The proposed change is unclear when engineering calculations for ponds, treatment systems, and other designed structures are needed. Redmond recommends adding the following underlined text so that the permit condition is clear: “Engineering calculations do not need to be included in the SWPPP for treatment systems that do not require such calculations per the 2012 Stormwater Management Manual for Western Washington as Amended in December 2014 or equivalent Ecology approved manual.” As proposed it’s unclear how a permittee determines when engineering calculations are needed.

S9.D.9.h. – The proposed changes make it acceptable to washout concrete equipment other than truck drums (i.e. concrete shoots, pumper trucks, forms, and concrete handling tools) to the “ground, into storm drains, open ditches, streets, or streams.” The same provision says “concrete spillage or concrete discharge directly to groundwater or waters of the State is prohibited.” This statement seems to further condone concrete washout into groundwater and waters of the State and allows “spillage or concrete discharge” onto the ground, into storm drains, open ditches and streets. Like many local governments, the City of Redmond has an NPDES Municipal Stormwater Permit that prohibits discharge of concrete washout, discharges, or spillage from entering storm drains, ditches and streams. Redmond is proactive in protecting groundwater and waters of the State in our jurisdiction. We recommend that this section be reduced to the first sentence and the last sentence of the section, requiring that concrete washout, discharge or spillage be allowed only in designated concrete washout, discharge, or spillage areas.

We hope you find these comments useful. Please contact me at (425) 556-2741 or gschimek@redmond.gov with any questions.

Respectfully,

Gary Schimek, PE
Redmond Public Works Department, Natural Resources Division Manager

From: [Andy Rheaume](#)
To: [Moon, Amy \(ECY\)](#)
Cc: [Gary Schimek](#)
Subject: FW: CSWGP Draft Modification Comment Clarification
Date: Monday, February 27, 2017 4:11:30 PM

Hello Ms. Moon,

Gary Schimek asked me to respond to your email below about the City of Redmond comments on the draft NPDES Construction Stormwater General Permit.

Yes, as you wrote below we recommend/suggest changing S9.D.9.H to only say: Assure that washout of concrete trucks is performed off-site or in designated concrete washout areas only. Do not wash out to formed areas awaiting LID facilities.

If we could make a change to the first sentence without causing issues with the settlement you are trying to address, we would suggest the first sentence to say: Assure that washout of concrete trucks and concrete handling equipment is performed off-site or in designated concrete washout areas only.

The changes seem to make it permissible to wash concrete handling equipment into storm drains, on streets, etc. and we don't want to allow that locally nor do we want to start allowing it.

If you have additional questions please let me know. Thanks for considering our suggestions.

Andy Rheaume

Watershed Planner | City of Redmond

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From: Gary Schimek
Sent: Friday, February 24, 2017 12:57 PM
To: Andy Rheaume <AJRHEAUME@redmond.gov>
Subject: FW: CSWGP Draft Modification Comment Clarification

Andy – Please review and respond to Amy on my behalf. Thank you.

From: Moon, Amy (ECY) [<mailto:amym461@ECY.WA.GOV>]
Sent: Friday, February 24, 2017 11:49 AM
To: Gary Schimek <gschimek@redmond.gov>
Subject: CSWGP Draft Modification Comment Clarification

Gary-

You submitted a comment regarding S9.D.9.h. of the Construction Stormwater General Permit.

The proposed changes make it acceptable to washout concrete equipment other than truck drums (i.e. concrete shoots, pumper trucks, forms, and concrete handling tools) to the “ground, into storm drains, open ditches, streets, or streams.” The same provision says “concrete spillage or concrete discharge directly to groundwater or waters of the State is prohibited.” This statement seems to further condone concrete washout into groundwater and waters of the State and allows “spillage or concrete discharge” onto the ground, into storm drains, open ditches and streets. Like many local governments, the City of Redmond has an NPDES Municipal Stormwater Permit that prohibits discharge of concrete washout, discharges, or spillage from entering storm drains, ditches and streams. Redmond is proactive in protecting groundwater and waters of the State in our jurisdiction. We recommend that this section be reduced to the first sentence and the last sentence of the section, requiring that concrete washout, discharge or spillage be allowed only in designated concrete washout, discharge, or spillage areas.

Is this the language you are suggesting (first sentence and last sentence)?

Assure that washout of concrete trucks is performed off-site or in designated concrete washout areas only. Do not wash out to formed areas awaiting LID facilities.

Thank you for the clarification.

Amy I. Moon, M.S., PWS, CPESC, CISEC | Construction Stormwater General Permit Writer
| Washington State Department of Ecology | Water Quality | **(360)407-6467** |
amy.moon@ecy.wa.gov

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February 10, 2017

DEPARTMENT OF ECOLOGY

Ms. Amy Moon
Water Quality Program
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

FEB 13 2017

WATER QUALITY PROGRAM

RE: Comments on the Draft Modification of the Construction Stormwater General Permit and Notice of Intent

Dear Ms. Moon:

The Washington State Department of Transportation (WSDOT) appreciates the opportunity to provide comments on the draft modification of the Construction Stormwater General Permit (draft modification) and Notice of Intent (NOI). WSDOT has a strong interest in working with the Washington State Department of Ecology (Ecology) because the Construction Stormwater General Permit (Permit) substantially impacts WSDOT policy and construction operations.

WSDOT would like to provide the following specific comments on the redlined version of the draft modification:

1. Comment: WSDOT recommends adding language to S4.A and/or S5.G to accommodate electronic copies of required site documentation. The language in S5.G “or within reasonable access to the site” can be interpreted to mean that maintaining electronic documentation onsite is an acceptable practice. Maintaining electronic copies onsite also greatly cuts down on paper usage and waste. WSDOT understands comments are only being solicited on the modifications and therefore this may not be the appropriate forum for this comment. However, this comment is loosely related to the modifications proposed in S9.B because the modifications relate to site documentation.
2. Comment: WSDOT supports the change made in S4.D to include recycled concrete in the definition of significant concrete work but recommends that engineered soils also be included in that definition. The basis for excluding engineer soils in the significant concrete work definition is unclear and it seems to add unnecessary complexity to the Permit.
3. Comment: WSDOT recommends clarifying the pH sampling requirements in S4.D.1, 2 and 3 because the “curing period” and “until fully stabilized” descriptions may not be interpreted consistently. As an example of additional clarifying language WSDOT uses to

manage various interpretations, WSDOT's Temporary Erosion and Sediment Control Manual states:

"Once the incorporation of all pH modifying substances is complete in a contributing runoff area, two weeks of naturally compliant discharge samples (runoff is between 6.5–8.5 without needing to be neutralized) is adequate to document compliance."

WSDOT would like to provide the following specific comment on the draft NOI:

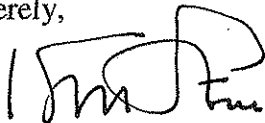
I. Section I. Concrete/Engineered Soils:

Comment: WSDOT recommends changing the two fill-in-the-blank questions to one yes-or-no question to meet the needs of both Ecology inspectors and the permittee (suggested question below). As written, the questions require the applicant to provide specific quantities of concrete materials that will be used over the life of the project, which may be unknown prior to construction. Some uses of concrete material are designed and therefore may be known prior to construction; however, the extent to which recycled concrete and engineered soils will be used on-site are generally unknown prior to and may change during construction. This is a potential concern for WSDOT because G20 requires the Permittee give notice to Ecology of "planned physical alterations, modifications or additions to the permitted construction activity." If these NOI questions remain as is, it is unclear as to when such a G20 notice would be required based on changes to the quantities of concrete materials used versus what was specified in the NOI. The NOI questions seem to introduce unintended consequences that could be avoided because the Permit already requires pH monitoring and sampling based on the usage of pH modifying substances.

Suggested question: Will 1000 cubic yards or more of pH modifying substance (e.g., fresh concrete, recycled concrete, engineered soils) be used over the life of the project?
Yes or No

Thank you for the opportunity to provide input regarding the draft modification and NOI. Please direct questions regarding these comments to Elsa Pond, WSDOT Erosion Control and Total Maximum Daily Load Lead at 360-570-6654 or ponde@wsdot.wa.gov.

Sincerely,



Kenneth M. Stone
Resource Programs Branch Manager
Environmental Services Office

KMS:ep