



Gary Merino Construction Company Inc.

June 24, 2019

Washington State Department of Ecology
Attn: Trevor Porter
P.O. Box 47600
Olympia, Washington 98504-7600

Subject: Gary Merlino comments on The Formal Draft of the Industrial Stormwater General Permit

Dear Mr. Porter,

Gary Merlino Construction Company (GMCC) appreciates the opportunity to provide comments and suggestions on the Department of Ecology's Formal Draft of the Industrial Stormwater Permit dated May 1, 2019. Gary Merlino Construction is submitting the following comments:

Operational Source Control BMPS – Section 3. 2D. : Keep all dumpsters undercover or fit with a storm proof lid that must remain closed when not in use (Page 15). Gary Merlino Construction disagrees that a storm proof lid should be required for all dumpsters. Requiring permittees to add storm proof lids is excessive and unnecessary. As long as the dumpster is large enough to contain all the material inside, welded shut to prevent leaking, and has a lid, it should be considered in compliance. A dumpster that is welded on all sides can store leachable material because there is no chance of the dumpster to leak. Ecology needs to consider the economic impact when potentially making new requirements like this. Costs of purchasing a storm proof lid and the time it takes to installing it could be expensive for smaller companies in our industry.

Also, storm proof lids are not clearly defined anywhere in the permit. Please add a definition that states what exactly a lid needs to be considered a storm proof lid.

Sampling Requirements – Section 4 B.1B. : Permittees shall sample the stormwater discharge from the first fall storm event each year. First fall storm event means the first time on or after September 1st of each year (Page 21). By changing the first storm event to September 1st, Ecology is basically requiring



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sites to take more than one sample during the third period to stay in compliance. Putting the first fall storm event sites will likely take samples in July or August to make sure they have a sample for the third quarter requirement. In the event there is discharging occurring in September, now the site will have to take another sample, rendering the pervious sample taken in July and August a waste of time and expense. Similar to the storm proof lid requirement, Ecology needs to consider the economic impact these potential new requirements have on industrial sites. An additional sample analysis for sites could be an expense some sites cannot afford.

With Ecology changing the first fall date to September 1st from October 1st, what exactly does Ecology gain from this change? If the goal is to sample the first fall storm event, than why does Ecology just change the required first discharge event to the beginning of the third quarter instead of the end? July and August historically are the driest months of the year, and for most sites no discharge events will occur. By changing the sample date to the beginning of the quarter, Ecology will get the first discharge event results and the site permittees will not have to take another sample and burden another analysis expense.

If Ecology cannot change the sample date to the beginning of the third quarter, Gary Merlino asks Ecology to leave the first fall storm event on October 1st. By leaving the sample date at the beginning of the 4th quarter it will eliminate the chance of sites wasting money on samples that will not be required to stay in compliance in the 3rd quarter.

Summary: Gary Merlino Construction appreciates the opportunity to comment on the new industrial stormwater permit. Gary Merlino Construction hopes Ecology will listen to comments explained in this letter and the industry's comments regarding the suggested changes to the permit.

Thank you for the opportunity to provide comments.

Sincerely,



**Gary Merlino
Construction Company, Inc.**

Drew Cratsenberg | Environmental Assistant

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