

July 15, 2024

Lucienne Banning
Washington State Department of Ecology
P.O. Box 47696
Olympia, WA 98504-77696



RE: Comments on the Draft Industrial Stormwater General Permit.

Dear Ms. Banning:

Thank you for giving us the opportunity to comment on Washington Department of Ecology's draft Industrial Stormwater General Permit (ISGP).

As you may know, TSMC Washington is a semiconductor manufacturer based in Camas, WA. We are a wholly owned subsidiary of Taiwan Semiconductor Manufacturing Company, Ltd. (TSMC). As the world's leading foundry semiconductor manufacturer, TSMC and all of its subsidiaries take Environmental Social Governance seriously. We have implemented and maintained ISO 14001 certification for our environmental management system since 2001.

TSMC Washington strongly believes that stormwater pollution is a major threat to our diverse ecosystems and sensitive marine life. With this in mind, we have the following comments regarding the draft ISGP.

- 1.) **S3 §B.1 (f.)** Requires sites to update SWPPP site maps to now include locations of all receiving water (including discharges to ground) in the immediate vicinity of the facility. To evaluate receiving waters from any ground location would require extensive analysis. The requirement would be overly burdensome and have little value as the maps would only be assumptions for where the discharges run once they enter the ground. TSMC Washington suggests removing the inclusion of discharges to ground as the determination of receiving waters is not based on recognized methods.
- 2.) **S3 §B.4 (b.)(i.)(5)(d)** States that training logs must be kept with the SWPPP and made available upon request. Many permittees no longer maintain physical training records and have migrated to digital learning management systems (LMSs). These LMSs allow for larger companies to track training with higher accuracy and to pull reports more dynamically. These types of systems may store data offsite on servers not owned by the companies. TSMC Washington suggests that the language be updated to remove the requirement that training logs must be kept with the SWPPP but keep that they must be made available upon request. This will reduce workload on companies that use online LMSs without impacting Ecology's intent to be able to review training logs during inspections or upon request.

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- 3.) **S4 §B.4 (b.)(i.)(4)(i)** States that any liquid chemical release onsite regardless of size or flowability is considered a spill and must be logged in the spill log. This definition of a spill is too broad and would require additional resources for facilities to simply maintain spill logs. Facilities would need to constantly patrol parking areas, roadways, sidewalks and other areas where spills can occur, caused by persons or vehicles outside their control. This is unnecessary for facilities that have and maintain proper BMPs, such as storm drain inserts, that prevent those spills from impacting stormwater discharges. TSMC Washington suggests that Ecology remove this definition for spills from the permit or update the definition of a spill to be any liquid or chemical release that escapes containment BMPs and impacts stormwater discharges or groundwater discharges.
- 4.) **S4 §B.5 (f.)** Requires laboratory reports to include a sampling narrative. There is no definition or description in the draft permit that clarifies what is a sampling narrative. TSMC Washington suggests Ecology remove this requirement as each facility SWPPP provides sufficient narrative in the sampling plans and laboratories providing results may not be the ones completing the sampling.
- 5.) **S5 §D.1 (b.)** Requires permittees to conduct assessments for each non-stormwater discharge, including several that are conditionally approved, and document these assessments in the SWPPP. For industries that have multiple conditionally approved non-stormwater discharges, this activity is burdensome given that they must identify, locate each source, estimate flow volumes, and characterize potential pollutants that may be present. Facilities will then be required to identify and implement source control BMPs to reduce or eliminate these discharges. Lastly, facilities will then need to evaluate compliance of the discharges. TSMC Washington agrees that identifying and locating sources of conditionally approved non-stormwater discharges is a value-added activity. We disagree that characterizing these discharges is essential as these characterizations could lead to bad information, improper identification/implementation of control BMPs, and inaccurate evaluations for compliance with quality water standards given flows and pollutants are not based on measurable data.

TSMC Washington suggest removing this section in its entirety since S3 §B.1 of the draft permit already requires facilities to identify all conditionally approved non-stormwater discharges along with our suggestions to follow. We also suggest removing the requirement to estimate flows and pollutants given their variability and the fact that they are not based on measurable data. Lastly, we suggest removing the requirements to identify and implement source control BMPs, and to evaluate compliance with state water quality standards since the data facilities will use are not quality data.

Thank you for your consideration. Please contact me if there are any follow-up questions.

Sincerely,

A handwritten signature in blue ink that reads "Sally Hurst". The signature is written in a cursive, flowing style.

Sally Hurst
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