



## TRIDENT SEAFOODS CORPORATION

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VIA Public Comment Form Online

July 15, 2024

Washington State Department  
of Ecology

RE: Industrial Stormwater Draft General Permit – Formal Comment Period

To Whom It May Concern,

The following are Trident Seafoods comments on the 2025 ISPG Draft;

1. Condition S4.B.5.g requires that laboratory reports shall be retained on site for Ecology review and the Permittee must ensure the list of information is included in the laboratory reports. One of the items is 'g. Sampling Narrative' however there is no definition of Sampling Narrative in the definitions section of the permit or Appendix 2. Please provide a definition of what Ecology means by Sampling Narrative.

In reviewing laboratory analysis reports, a Case Narrative is provided by the laboratory which will state the conditions of the sample when it was received; whether the sample meets the required test method specification for the analysis to be performed; or whether there were quality assurance issues during lab analysis or data flags. The Case Narrative may also have definitions for qualifiers that may appear on the analytical sample reports section of the report. Is the Sampling Narrative only referring to the conditions of the sample received by the laboratory or does it mean something else?

2. Condition S3.B.4.b.i.4.i, which requires a spill log for any petroleum or chemical spill, regardless of size is considered a spill that must be logged and addressed for the Spill Prevention and Emergency Cleanup Plan (SPECP); What does Ecology define as any liquid chemical? Do chemicals ranging from spilled coffee or liquid food products to chewing tobacco also need to be logged? What is the unit of measure for these liquid chemicals that must be logged when amounts observed are in drops or drips? Liquid chemical spills should be limited to industrial chemicals and practicable reportable amounts. Requiring every drip of liquid chemical or petroleum to be logged is excessive and impractical.

3. Condition S4.B. Sample Timing and Frequency. Concerning the first fall storm event on or after September 1<sup>st</sup> of each year, where a permittee is required to sample stormwater discharge. If a permitted facility has achieved Consistent Attainment for stormwater effluent parameters assigned at the facility, the facility may suspend sampling, as stated in Section 4.B.7, except for the annual sample to be taken in the 4<sup>th</sup> quarter, “report only” requirements, oil sheen, or numeric effluent limits based on federal Effluent Limitation Guidelines (Condition S5) or Section 303(d) of the Clean Water Act (Condition S6).

It would help clarify the permit if either Condition S4.B.9 was referenced in condition S4.B.1.b or that it is stated the first fall storm event only applies to pollutant parameters mentioned in Condition S4.B.9. after reduced monitoring based upon consistent attainment of benchmark values.

4. Condition S3.B.4.b.i.5, where it is stated SWPPP training for all employee and contractors/vendors who have duties in areas of industrial activities subject to the permit.

It is unclear and undefined what specific “duties in the areas of industrial activities” requires SWPPP training. Requiring contractors/vendors that have duties in areas of industrial activities but are only visiting a permitted facility for brief periods of time such as food vendors and delivery drivers should be excluded from needing SWPPP training at a facility without needing an employee trained on the SWPPP supervising the activity at all times.

Training and knowledge about a permitted facility SWPPP for facility personnel and contractors/vendors with duties in specific areas of industrial activity that could impact stormwater discharges subject to the permit is achievable and a broader exemption for contractors and vendors visiting a site for limited time periods that won’t impact stormwater discharges would be more appropriate. Requiring SWPPP training within 30 days of hire is extremely burdensome. Completing initial SWPPP training within 90 days is more practicable.

5. Condition S4.b.i.7, Regarding S108 in the SWMMWW where it is stated that responsible parties for all real properties must examine plumbing systems to identify any illicit discharges or connections on the property including methods such as smoke test, flow test, dye test or CCTV inspections. Is the intent of this BMP requirement to only conduct an investigation if documentation is unclear or if illicit discharge or connection is suspected? Trident would also like clarification regarding what are sufficient means for documenting that no illicit connection exists.

6. Condition S8 Corrective Actions.

This is a significantly consequential interpretation of the corrective action requirements that are parameter specific at a facility but not outfall-specific and there is no mention of this distinction in either the permit or the fact sheet, only in the ISGP FAQ July 2018.

Question 64

With multiple discharge locations (separate outfalls or even separate water bodies), can I be at different Corrective Action levels by exceeding different benchmarks for the separate drainage areas of my site?

Answer 64

No, corrective actions are “parameter-specific”, but not “outfall-specific.” Example: if a facility exceeds the zinc benchmark at outfall 1 during the 1<sup>st</sup> quarter, exceeds the zinc benchmark at outfall 2 during the 2<sup>nd</sup> quarter, and then exceed the zinc benchmark at outfall 3 during the 3<sup>rd</sup> quarter; they are required to complete a Level 3 corrective action for the entire facility.

In addition to the lack of clarity in the permit, there are situations where a corrective action may be necessary and appropriate in an area of a facility where there has been a demonstrated exceedance of a benchmark, but blanket application of the corrective action level to all potential sources of the pollutant in question may be requiring businesses to apply more resources than are required to solve the problem.

For example, a hypothetical facility triggers a Level Two corrective action for zinc stemming from deteriorating galvanized roofing material on a small shed. Runoff from the shed roof flows untreated to an outfall where it is not feasible to install treatment. Elsewhere on the property, the main building’s roof contains galvanized equipment in good condition, and runoff from this roof flows into a treatment system, where no zinc benchmark exceedances have been observed. In this circumstance, the Level Two corrective action, per Ecology’s guidance, would involve not only implementing the logical corrective action for the shed roof (replacing or coating the roof), but would also require physical source control of potential, but not demonstrated, zinc pollutants in the remainder of the facility – e.g. the galvanized equipment for which runoff is already adequately treated on the main building’s roof. While it is certainly a virtuous thing to control sources of pollutants, the facility has already invested in costly and effective treatment system, presumably after concluding that it is the most economically and operationally practical approach to compliance in that area.

Rather than de facto considering corrective actions to be site wide, Trident suggests allowing a qualitative corrective action to close out process which would incorporate demonstration of pre-existing physical controls or treatment of other pollutant sources along with analytical results showing that a site has adequately addressed the pollutant sources that triggered the Corrective Action requirement upon completion of the installed corrective action. Does S8.C.b and c allow a permittee to submit a justification for not installation of a structural BMP when other pollutant sources are adequately addressed with the Modification of Coverage Form?

In the current ISGP, if a parameter benchmark exceedance triggers a level 2 corrective action in a calendar year with 2 quarters of exceedances and then exceeds the parameter benchmark again in the same calendar year, it triggers a level 3 corrective action even before there is an opportunity to

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implement a level 2 corrective action. Does S8.C.e allow a facility to proceed with a level 2 corrective action only, even if there are additional benchmark exceedances for the rest of the calendar year and during the following calendar year until the August 31 deadline or a time extension or waiver is submitted and approved by the Department without triggering a level 3 corrective action?

If you have any questions or need any more information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Shawn D." with a stylized flourish at the end.

Shawn Stokes  
Regulatory Affairs Director  
Trident Seafoods Corporation