

Washington Maritime Federation



July 15, 2024

Lucienne Banning
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

RE: WMF Comments on Draft 2025 Industrial Stormwater General Permit (ISGP)

Dear Ms. Banning,

On behalf of the Washington Maritime Federation (WMF), I am writing to provide comment on the Department of Ecology's (Ecology) Draft 2025 ISGP. WMF is a statewide organization representing all sectors of our state's maritime industry. Amongst the many vital contributions of our industry to our state, we provide for efficient movement of goods between our communities and from our shores to destinations across the globe. From this lens, we share the strong concerns voiced about the Draft 2025 ISGP by WMF members, including the Pacific Merchant Shipping Association (PMSA) and the Port of Seattle (the Port) who have submitted comments on the action, specifically on the addition of "material handling/storage" as activities triggering ISGP coverage requirements.

Incorporation of the transportation or handling of general products at a transportation facility into the ISGP is inconsistent with U.S. Environmental Protection Agency (EPA) regulations on such activities, which do not require NPDES permit coverage under the Clean Water Act. Rather, EPA limits permit coverage at transportation facilities to the portions of the facility associated with vehicle maintenance and equipment cleaning. We refer you PMSAs and the Ports comments for additional specifics on the challenges and limited utility of the proposed expansion of the ISGP. As highlighted by both, such expansion of ISGP's coverage under the NPDES presents a threat to the economic viability of Washington's seaports, businesses and to the already-stressed supply chain without any measurable benefits to the water quality in our region.

The costs associated with revisions proposed in the Draft 2025 ISGP are significant. For our state's port operators, compliance will require major modifications to existing and newly upgraded port facilities in order to install unnecessary mitigation systems. These obligations will impose hundreds of millions of dollars and more in capital costs, with untold additional disruption costs and job losses upon the entire goods movement system under the ISGP.

Further, the new requirements would put our ports, communities and the Washington businesses they support - disproportionately smaller, family-run operations (e.g. agriculture, seafood, small manufacturing) - at a disadvantage to competitors in other states or Canada who will not face the additional burdens put on them by this action.

The increased costs imposed on every commodity transiting into, out of, or through the state, from agricultural and seafood products to machinery and finished products, will be profound. Entities who can do so will inevitably look to alternative transportation means beyond Washington's borders to avoid these added costs, reducing the volume of cargo moving through Washington's ports and rail yards. Others in our state whose operations do not allow them to look elsewhere would simply need to pay more to transit their goods, putting further strain on their ability to sustain their business.

WMF and our members are partners in, and advocates of work to improve water quality in our region. We also take pride in our role in providing for vibrant communities and businesses across our state. The proposed expansion of the ISGP fails to accomplish either of these (not incompatible) objectives. We urge Ecology to address the concerns raised here and in comments from PMSA and the Port before moving forward with a final 2025 ISGP.

Thank you for your consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. See'.

Chad See
Board President, Washington Maritime Federation
206-284-2522 | chadsee@freezerlongline.biz