

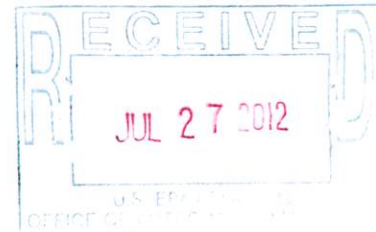


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Secretary of Transportation

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July 26, 2012

Misha Vakoc  
United States Environmental Protection Agency  
Region 10  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140



RE: WSDOT Stormwater NPDES Permit Application for Discharges to the Portions of the  
Puyallup River Subject to Federal and Tribal Jurisdiction

Dear Ms. Vakoc:

Upon reviewing the permit application materials for WSDOT stormwater discharges to the portions of the Puyallup River subject to federal and tribal jurisdiction, we need a few clarifications that will assist us in preparing the stormwater permit application that we received on June 21, 2012. These include the following:

1. As referenced in the permit application requirements on page 2 under 3) *Source identification*. (A), please clarify what is meant by “*service boundaries*” in the context of WSDOT for the purposes of this application information requirement. For example, would service boundaries equate to the area within the extent of WSDOT’s right-of-way falling within the Puyallup Reservation?
2. Our stormwater features inventory team recently confirmed that the four discharges into “*other managed systems*” in depicted in the Stormwater *Discharges* maps and described in the table *WSDOT Stormwater Discharge along SR 167* (i.e., *Discharge Ref ID’s* 9, 10, 11, & 12) do not discharge into the Puyallup River or any of its tributaries (i.e., waters subject to Federal and Tribal jurisdiction). *Discharge Ref ID’s* 9 and 12 flow from State Route 167’s road surface onto a cross road at the intersection of 66<sup>th</sup> Ave. E. owned and operated by Pierce County. *Discharge Ref ID’s* 10 and 11 discharges into a non-WSDOT owned storm sewer system located in the City of Puyallup. As such, it is our understanding that WSDOT would not need EPA permit coverage for these four discharges.
3. Regarding discharge characterization data, (E) *Characterization data* on page 4 references 40 CFR 122.21(g)(7). However, this CFR refers to

*Application requirements for existing manufacturing, commercial, mining, and silvicultural dischargers. Existing manufacturing, commercial mining, and silvicultural dischargers applying for NPDES permits . . .*

Given this reference, we wonder if the request for such characterization data might have been in error. Particularly since no such information was requested for WSDOT's permit application to the Department of Ecology for the 2009 WSDOT municipal permit, nor to our knowledge for the City of Tacoma's application to EPA for discharges to the Puyallup River within federal and tribal jurisdiction. Can you please help us understand the relevancy of this reference in relation to this application for a municipal stormwater discharge permit as well as even the need to collect any new characterization data?

In addition, WSDOT believes that highway runoff in western Washington has been adequately characterized. Highway runoff in this region has been studied for decades. Relevant stormwater quality data was reviewed and summarized in a report prepared for WSDOT in May of 2007. Data from 35 monitoring locations were used in this report to characterize highway runoff in western Washington. Data from 27 of these locations were collected from 1995 to 2007, while data from eight locations were collected prior to 1990. However, data from the older studies were generally comparable to the more recent data; therefore both older and newer data were pooled in the report to characterize untreated highway runoff. Further, highway runoff continues to be sampled and analyzed as part of WSDOT's 2009 NPDES municipal stormwater permit.

We expect additional questions may arise as we work through the application process. WSDOT looks forward to working collaboratively with EPA and the Puyallup Tribe of Indians on the issuance of this new permit. If you have questions about this inquiry, please contact myself at 360-709-8156 ([garmanm@wsdot.wa.gov](mailto:garmanm@wsdot.wa.gov)) or Larry Schaffner, WSDOT's Municipal Stormwater Permit Coordinator, at (360) 570-6657 ([schaffl@wsdot.wa.gov](mailto:schaffl@wsdot.wa.gov)).

Sincerely,



Marty Garman  
HOV Design Manager

cc: Ken Stone, WSDOT- Environmental Services Office (ESO)  
Larry Schaffner, WSDOT- ESO  
Carrie Berry, WSDOT - Tacoma/Pierce County HOV Office  
Bill Sullivan, Puyallup Tribe  
Char Naylor, Puyallup Tribe