

FACT SHEET FOR THE BRIDGE AND FERRY TERMINAL WASHING DRAFT GENERAL PERMIT

A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM AND
STATE WASTE DISCHARGE GENERAL PERMIT

REISSUANCE DATE: JUNE 29, 2022

EFFECTIVE DATE: AUGUST 1, 2022



Purpose of this General Permit

Ecology developed this permit to allow regular maintenance cleaning, preparatory washing, and painting of bridge and ferry terminals and associated over water metal structures, over waters of the state.

After the collapse of the steel truss span on Interstate-5 over the Skagit River in 2013, bridge inspectors with the Washington State Department of Transportation (WSDOT) performed in-depth inspections on the remaining steel truss spans for that structure. They found quite a bit of dirt, debris, guano, etc., that had collected over time in the lower members of the remaining spans. Dry removal of dirt and debris revealed varying degrees of steel deterioration in the members that was previously hidden by the build-up.

For the latter half of 2013, WSDOT performed scheduled Fracture Critical (FC) inspections on other steel truss bridges in their inventory, even the ones that had dirt and debris build-up. A fracture critical bridge is a type of bridge that has a support member under tension whose failure would probably cause a portion of or the entire bridge to collapse. The inspectors reported inability to visually inspect these areas on Fracture Critical bridges to their superiors. The WSDOT Statewide Bridge Program Manager agreed that this inability would, in essence, not fully meet the federally mandated National Bridge Inspection Standards (NBIS) pertaining to inspection of these fracture critical bridges. WSDOT informed Federal Highway Administration (FHWA) that the inspections for these bridges could not be completed due to the dirt and debris and FHWA found the state out of compliance.

The FHWA letter of non-compliance directed WSDOT to develop a Plan of Corrective Action for all future FC bridge inspections within the state, specifically for bridges that need cleaning in order to visually inspect those areas described above. There are 257 FC bridges and 19 ferry terminals in WSDOT inventory. In addition to FC bridges in WSDOT inventory, it is estimated that statewide, local government agencies have responsibility for 71 more FC bridges. Cleaning, washing, and painting prolong the integrity and safety of these structures, and this permit allows both WSDOT and local jurisdictions to conduct those activities.

Summary

This fact sheet is a companion document to the National Pollutant Discharge Elimination System (NPDES) General Permit for washing bridge and ferry terminal overwater structures. This permit authorizes discharges from spot cleaning, maintenance washing (low pressure washing) and preparatory washing for painting (high pressure washing) of bridges and ferry terminals in Washington State. These activities are low volume (typically 18 gallons/minute maximum for bridge washing and 12 gallons/minute maximum for ferries) and intermittent. The permit allows maintenance washing and spot cleaning on bridges during high river flows typically occurring in fall, winter, or spring.

Preparatory washing on bridges occurs at a 15-year interval or longer. Currently, the operation involves full containment of the activity with no wastewater discharge to waters of state. The permit, however, includes waste discharge provisions for preparatory washing taken from an individual NPDES permit issued to Washington State Department of Transportation (WSDOT) in 2009. These provisions put seasonal limitations to preparatory washing to when the stream

flows are high in addition to other limitations on the discharge from pressure washing operation. They also require the use of a filter tarp to restrict dirt and old paint chips in the discharge.

During the application process for WSDOT's individual NPDES permit no. WA-0039039 (WSDOT bridge permit), an analysis of treatment options for preparatory washing demonstrated that a filter tarp slung below the bridge to catch paint chips and debris met the cost test for all known, available and reasonable methods of prevention, control, and treatment (AKART of Chapter 90.48 RCW, case-by-case of 40 CFR Part 125.3). The AKART determination is still valid and used for this general permit.

WSDOT's bridge permit required WSDOT to conduct annual monitoring on maintenance washing and preparatory washing projects during the life of the permit and submit monitoring reports to Ecology. In addition, WSDOT's bridge permit contained a compliance schedule authorizing WSDOT to develop and implement a study to develop waste specific translators, applicable to their washing activities, for copper, lead, and zinc. Ecology used the data collected from the monitoring and the translator study to make a determination of reasonable potential for the exceedance of the water quality criteria associated with bridge washing activities. Results from the reasonable potential analysis were used to adjust the flow limitations in the WSDOT bridge permit and to determine the stream/river flows under which the effluent discharged to surface waters would not cause an exceedance of water quality criteria.

The general permit issued in 2017 required WSDOT to collect additional wash water discharge samples and conduct a wash water characterization study. Based on the additional sampling data collected under the 2017 general permit and subsequent reasonable potential analysis, Ecology updated the minimum stream/river flow thresholds in the 2022 permit (Appendix D - Tables 2, 3, 4, and 5).

Typically wastewater discharge permits limit the concentration or amount of pollutants allowed to be discharged. This permit limits the activities based on the river flow and tidal exchange as well as discharge flows typically generated in bridge washing operations. The reasonable potential analysis mentioned above determined minimum stream/river flows above which the discharge from a typical washing operation would not have a reasonable potential for the violation of water quality criteria. However, with as many bridges over a variety of streams statewide, there would likely be cases where the stream flows would be less than the minimum flows needed for adequate dilution of the wastewater within the mixing zone allowed in the stream under this permit. Under such circumstances, this permit limits the washing operations to occur during seasonally high stream flow periods and requires the Permittee to follow the operational BMPs and monitoring specified in the permit.

Furthermore, bridge and annual ferry terminal cleaning and washing operations are carried out infrequently (occurring at yearly or longer intervals) with intermittent discharges to the receiving waters over a relatively short period (hours or days rather than weeks or months). This allows the stream a much longer recovery time. In addition, the permit requires operational BMPs to prevent and mitigate the potential impacts of discharges resulting from the maintenance activities covered under this permit. Since bridge and ferry terminal cleaning and washing operations are maintenance activities that can lead to safer structures with longer

service life, this permit includes a provision allowing short-term extended mixing zones per surface water quality standards in WAC 173-201A-400. Where the Permittee follows the requirements specified for the activities covered under this permit, the permit extends the size of mixing zones on short-term basis allowing sufficient mixing and dilution of the discharge.

This permit does not authorize the discharge of effluent to surface waters listed on as Category 4 or 5 on the most recent WQ Assessment for copper, lead, or zinc. This permit contains Special and General Conditions which are based on applicable state and federal law and regulations.

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I. INTRODUCTION

The Federal Clean Water Act (CWA, 1972, and later modifications, 1977, 1981, and 1987) established water quality goals for the navigable (surface) waters of the United States. The National Pollutant Discharge Elimination System (NPDES) permit program is one of the mechanisms for achieving the goals of the CWA. The NPDES Permit program is administered by the Environmental Protection Agency (EPA). The EPA has delegated responsibility to administer the NPDES permit program to the State of Washington on the basis of Chapter 90.48 RCW. Chapter 90.48 RCW defines the Department of Ecology's authority and obligations in administering the wastewater discharge permit program.

State regulations specify procedures for issuing general permits (Chapter 173-226 WAC), water quality criteria for surface and ground waters (Chapters 173-201A and 173-200 WAC), and sediment management standards (Chapter 173-204 WAC). These regulations require that Ecology issue a permit before allowing discharge of wastewater to waters of the state. The regulations also establish the basis for effluent limitations and other requirements which are to be included in the draft permit. WAC 173-226-110 requires the preparation of a draft permit and an accompanying fact sheet before issuing a general permit under the NPDES permit program. The fact sheet and draft permit are available for review (see Appendix A—Public Involvement of the fact sheet for more detail on the Public Notice procedures).

After the public comment period has closed, The Department of Ecology (Ecology) will summarize the substantive comments and respond to each comment. The summary and response to comments will become part of the administrative record. Parties submitting comments will receive a copy of Ecology's response. Ecology will summarize comments and the resultant changes to the draft permit in Appendix D—Response to Comments.

II. BACKGROUND INFORMATION

A. Description of the Wastewater Discharge

Local government and State agencies that own bridges and ferry terminals are responsible for maintaining them. Typically, the maintenance of these structures entails one or more of the following steps depending on maintenance needs: Phase 1/Spot Cleaning- periodic inspections are performed that includes assessing the condition of protective paint coatings, Phase 2/Maintenance Washing- washing to remove dirt and other material from the structure, and Phase 3/Preparatory Washing –pressure washing prior to repainting as needed to protect structural integrity. All three phases of bridge and ferry transfer span and overwater metal structures maintenance generate discharges of wash water to waters of the state.

Painting of the bridge and ferry terminal structures does not generate effluent discharges. Prior to conducting painting of the structures, the permit requires preparation of a spill prevention and response plan to prevent and contain any incidental discharges. A wastewater discharge permit is not required for painting only.

Phase 1 Spot Cleaning

Structures are periodically inspected and may be spot cleaned with water to prepare the structure for inspection. This activity involves the following steps:

- Establish traffic control if needed
- Identify the failure critical points that need to be cleaned
- Construct a containment system around the work: plywood or other work platforms or drip tarps/#100 sieve filter fabric
- Remove dirt and debris using a combination of dry and/or wet methods such as hand scraping, flushing with water (high volume, low pressure system) or using a vacuum system.

Debris removed before washing can be disposed of in an upland location. The volume of water used for spot cleaning varies depending on how much of the structure requires inspection.

Phase 2 Maintenance Washing

i. Bridges

Washington State Department of Transportation (WSDOT) schedules and conducts maintenance washing of bridge and ferry terminal structures on a 1-5 year cycle, removing dirt and other material from these structures and extending the life of the paint. This type of washing entails high volume/low pressure washing. No containment is used during this activity to filter the water or catch debris. This activity involves the following steps:

- Establish traffic control - set up and break down are done on a daily basis to reduce traffic congestion.
- Establish fall protection systems (scaffolding, rigging, ropes, and other equipment).
- Remove dry debris, such as dust and bird feces, by hand and vacuum.
- Wash steel with clean water using a high-volume, low pressure system.

Debris removed before washing can be disposed of in an upland location. Approximately 400 to 600 gallons of water are used to clean a typical bridge structure (625 tons of steel).

ii. Ferry Transfer Spans & Overwater Metal Structures

Structures are washed on a monthly to semi-annual cycle removing dirt and other material and extending the life of the paint. This type of washing entails high volume/low pressure washing. No containment is used during this activity to filter the water or catch debris. This activity involves the following steps:

- Remove dry debris, such as dust and bird feces, by hand and vacuum.
- When necessary, apply a biodegradable degreaser (e.g. Simple Green) to transfer span surfaces. Surfaces are typically not washed after a degreaser is applied but washing may occur in some instances depending upon the activity.
- Wash steel transfer span with clean water using a high-volume, low pressure system.

- Debris removed before washing can be disposed of in an upland location. Approximately 200-600 gallons of water are used to clean ferry transfer spans.

Phase 3 Preparatory Washing

i. Bridges

Bridge painting occurs on a schedule dictated by the rate at which paint systems deteriorate. The rate of deterioration is determined when the bridge is spot cleaned for inspection. In the case of WSDOT, one of three paint system condition levels is identified during inspection at each bridge based on the following criteria:

- Condition level 1: Paint is in like new condition
- Condition level 2: Paint is peeling or deteriorating, but no steel is exposed
- Condition level 3: Paint is peeling or deteriorating and exposing the underlying steel.

When a bridge is identified in the later stages of condition level 2 or at condition level 3, and has 2 percent or more steel exposed, WSDOT adds it to their statewide painting list. Bridges needing painting or repainting are washed with low volume/high pressure washers. A filter tarp is used to filter the water and remove debris because this type of washing removes paint.

This activity involves the following steps:

- Establish traffic control
- Establish fall protection systems (scaffolding, rigging, ropes, and other equipment).
- Construct tarp systems around and beneath the work area using a #100 sieve filter tarp.
- Remove dry debris by hand and vacuum.
- Wash steel surfaces with a low-volume, high pressure (3200 pounds per square inch) system – effluent passes through a filter tarp to remove particulate material before discharge to the environment below.
- After the steel surfaces have dried, spot blast with metal slag (Blastox or Kleenblast) to remove flaking/chipping paint and oxidized steel.
- Blow down surfaces to remove residual dust and debris from the steel. All material from spot blasting activity is contained and stored on site.
- Apply zinc-based primer coat to spot blasted areas.
- Apply an intermediate coat and top coat of moisture cured urethane to all steel surfaces.

Due to varied bridge settings and environmental conditions, the frequency of bridge painting varies and is typically greater than 15 years. Bridges are painted during the summer months when conditions are conducive to using the moisture-cured urethane paint systems. The volume of water used to clean a bridge for painting varies based on the size of the bridge structure.

ii. Ferry Transfer Spans & Overwater Metal Structures

Ferry Transfer Spans & Overwater Metal Structures are painted at a frequency of 15 or more years. The steps listed above for bridges are the same steps used for painting ferry transfer spans & overwater metal structures. Filtration tarps are also currently used during preparatory washing of transfer spans. The volume of water used varies based on the size of the transfer span.

WSDOT conducts annual and housekeeping washing of ferry terminals. These cleaning and washing activities are intended to prevent paint degradation and to protect the health and safety of ferry patrons and workers by preventing the buildup of moss, algae, and other pollutants. Annual washing is typically conducted once per year (sometimes biannually for some terminals), while housekeeping washing is conducted on a weekly basis or as often as needed. Annual washing is conducted during the spring to prepare ferry terminals for the tourist season. Housekeeping washing activities are conducted to proactively minimize and prevent water pollution and protect public health and safety at ferry terminals. The requirements in the permit apply to the activities that discharge material into state waters.

B. Wastewater Characterization

WSDOT conducted 17 maintenance washing pilot studies over a period of 3 years. Table 1 contains mean total concentrations for copper, lead, and zinc measured in effluents from the pilot maintenance washing studies. Table 1 also shows values for dissolved metals concentrations. The dissolved metal values are the highest concentration measured from each bridge washing activity using data WSDOT submitted for the pilot studies and the annual monitoring reports.

Since there are large variability in the measured metals concentration and wide range of values, the general permit requires WSDOT to continue conducting more metals monitoring on representative samples of wash water from maintenance and preparatory washing activities using Ecology approved sampling and analysis protocols. The permit requires WSDOT to compile all the available wash water monitoring results in a bridge and ferry terminal wash water characterization report and submit the report to Ecology. In this report, WSDOT is to perform statistical analysis of the monitored data, discuss the range of observed metals concentration, type and age of the paint if known, and explain the potential site specific factors that could cause the observed variability in the results.

Table 1: Wastewater Characterization - Maintenance Washing

Parameter	Mean & Concentration Range - Dissolved µg/L	Mean & Concentration Range - Total µg/L
Copper	9.2 (0 - 119)	109 (2 - 960)
Lead	35 (0 - 600)	1705 (7.2 – 14,000)
Zinc	305 (0 – 2300)	2728 (7.7 – 43,000)

Preparatory washing occurs relatively infrequently and WSDOT monitored and reported data on a relatively fewer number of preparatory washing discharges. Table 2 shows the metal concentration measured in effluent from these operations.

Table 2: Wastewater Characterization – Preparatory Washing

Parameter	Mean & Concentration Range - Dissolved µg/L	Mean & Concentration Range - Total µg/L
Copper	40.5 (16 - 178)	411 (45 - 2,050)
Lead	410.7 (48.8 - 1,670)	23,659.4 (1,220 - 96,100)
Zinc	1826.8 (166 - 4,610)	8,505.6 (1,650 - 31,592)

C. Description of the Receiving Water

This activity occurs statewide on multiple waterbodies, in both fresh and marine water. The ambient background data shown in Table 3 were used for reasonable potential analysis in this permit. They are taken from the fact sheet of the 2009 WSDOT bridge permit (no. WA-0039039) and are originally from the *Water and Sediment Quality Impact Engineering Analysis, Treatment Evaluation for WSDOT Bridge Washing Effluent*, dated October 2003, and the *Water Quality Risk Evaluation for proposed Benchmarks/Action Levels in the Industrial Stormwater Permit*, dated February 9, 2009.

Table 3: Ambient Background Data

Parameter	Value used
Hardness	18 mg/L CaCO ₃ Western WA
	35 mg/L CaCO ₃ Eastern WA
Copper	1.19 µg/L Western WA
	0.96 µg/L Eastern WA
Lead	0.06 µg/L Western WA
	0.11 µg/L Eastern WA
Zinc	3.27 µg/L Western WA
	9.63 µg/L Eastern WA

D. SEPA Compliance

Based on an earlier determination made in WSDOT individual bridge washing permit (No. WA-0039039), the activities covered by this permit are exempt from SEPA under WAC 468-12-800(1)(u) which exempts “all repair, maintenance, and minor alteration of ...physical features and structures within the jurisdiction of the transportation department” and under WAC 197-11-800(3) which exempts “the repair, remodeling, maintenance, or minor alteration of existing private or public structures. Ecology has also completed the SEPA review process for the bridge and ferry terminal washing general permit and made a determination of non-significance for the issuance of this general permit.

III. PROPOSED PERMIT CONDITIONS

Federal and State regulations require that effluent limits in an NPDES permit must be either technology or water quality-based.

- Technology-based limits are based upon the treatment methods available to treat specific pollutants. Technology-based limits are set by the EPA and published as a regulation, or Ecology develops the limit on a case-by-case basis (40 CFR 125.3, and chapter 173-220 WAC).
- Water quality-based limits are calculated so that the effluent will comply with the Surface Water Quality Standards (chapter 173-201A WAC), Ground Water Standards (chapter 173-200 WAC), Sediment Quality Standards (chapter 173-204 WAC) or the National Toxics Rule (40 CFR 131.36).
- Ecology must apply the most stringent of these limits to each parameter of concern. These limits are described below.

The limits in this permit reflect information from WSDOT's monitoring reports and studies including information in supporting engineering and hydrogeology reports submitted to Ecology. Ecology evaluated this information and determined the limits needed to comply with the rules adopted by the State of Washington. Ecology does not develop effluent limits for all reported pollutants. Some pollutants are not treatable at the concentrations reported, are not controllable at the source, are not listed in regulation, or do not have a reasonable potential to cause a water quality violation.

Nor does Ecology usually develop permit limits for pollutants that were not reported in the permit application but that may be present in the discharge. The permit does not authorize discharge of the non-reported pollutants. If it is determined that an activity covered under this permit is discharging pollutants that are not typical of the bridge and ferry terminal washing activities discharge and at quantities of environmental concern, an individual permit may be required to address the issue.

A. Technology-Based Effluent Limits

The requirements in this permit are based on the NPDES Waste Discharge Permit No. WA-0039039 issued to WSDOT, which evaluated several possible treatment options for the preparatory washing effluent using pressure washers in an engineering report. The treatment options included full containment, recycle, and the current practice of #100 mesh filter tarps for preparatory washing. The technology-based effluent limits were based on the wash water discharge rates in relation to the stream flows after applying BMPs in the permit. Ecology has determined that critical discharge condition for the activities under this permit occurs during summer low flows (freshwater) and slack tide (marine) when there is low current velocity. To account for the critical discharge conditions, the permit establishes minimum stream flows for spot cleaning and maintenance washing. Where stream flows are less than the specified minimum stream flows, spot cleaning and maintenance washing must occur on bridges during high river flows, typically occurring in fall, winter, or spring. Discharges of preparatory wash water are not allowed during periods of slack tide over marine waters.

B. Surface Water Quality-Based Effluent Limits

The Washington State Surface Water Quality Standards (chapter 173-201A WAC) were designed to protect existing water quality and preserve the beneficial uses of Washington's surface waters. Waste discharge permits must include conditions that ensure the discharge will meet established surface water quality standards (WAC 173-201A-510). Water quality-based effluent limits may be based on an individual waste load allocation or on a waste load allocation developed during a basin wide total maximum daily loading study (TMDL).

Numerical Criteria for the Protection of Aquatic Life and Recreation

Numerical water quality criteria are published in the Water Quality Standards for Surface Waters (chapter 173-201A WAC). They specify the levels of pollutants allowed in receiving water to protect aquatic life and recreation in and on the water. Ecology uses numerical criteria along with chemical and physical data for the wastewater and receiving water to derive the effluent limits in the discharge permit. When surface water quality-based limits are more stringent or potentially more stringent than technology-based limits, the discharge must meet the water quality-based limits.

Numerical Criteria for the Protection of Human Health

Numeric criteria for the protection of human health are promulgated in Chapter 173-201A WAC and 40 CFR 131.45. These criteria are designed to protect humans from exposure to pollutants linked to cancer and other diseases, based on consuming fish and shellfish and drinking contaminated surface waters. The Water Quality Standards also include radionuclide criteria to protect humans from the effects of radioactive substances.

Narrative Criteria

Narrative water quality criteria (WAC 173-201A-260(2)) limit the toxic, radioactive, or other deleterious material concentrations that the facility may discharge to levels below those which have the potential to:

- Adversely affect designated water uses.
- Cause acute or chronic toxicity to biota.
- Impair aesthetic values.
- Adversely affect human health.

Narrative criteria protect the specific designated uses of all fresh waters (WAC 173-201A-200) and of all marine waters (WAC 173-201A-210) in the State of Washington.

Antidegradation

The purpose of Washington's Antidegradation Policy (WAC 173-201A-300-330) is to:

- Restore and maintain the highest possible quality of the surface waters of Washington.
- Describe situations under which water quality may be lowered from its current condition.
- Apply to human activities that are likely to have an impact on the water quality of surface water.
- Ensure that all human activities likely to contribute to a lowering of water quality, at a minimum, apply all known, available, and reasonable methods of prevention, control, and treatment (AKART).
- Apply three Tiers of protection (described below) for surface waters of the state.

Tier I ensures existing and designated uses are maintained and protected and applies to all waters and all sources of pollutions. Tier II ensures that waters of a higher quality than the criteria assigned are not degraded unless such lowering of water quality is necessary and in the overriding public interest. Tier II applies only to a specific list of polluting activities. Tier III prevents the degradation of waters formally listed as "outstanding resource waters," and applies to all sources of pollution.

Ecology considered Tier I and Tier II in this permit and determined there are no discharges under this permit to "outstanding resource waters."

Ecology always considers Tier I when it issues a permit. Applying both technology based permit limits and water quality-based limits to point source discharges meets Tier 1 requirements and the fact sheet describes how this permit meets those requirements.

Tier II requirements for general permits are given in 173-201A-320(6) as follows:

“(a) Individual activities covered under these general permits or programs will not require a Tier II analysis.

(b) The department will describe in writing how the general permit or control program meets the antidegradation requirements of this section.

(c) The department recognizes that many water quality protection programs and their associated control technologies are in a continual state of improvement and development. As a result, information regarding the existence, effectiveness, or costs of control practices for reducing pollution and meeting the water quality standards may be incomplete. In these instances, the antidegradation requirements of this section can be considered met for general permits and programs that have a formal process to select, develop, adopt, and refine control practices for protecting water quality and meeting the intent of this section. This adaptive process must:

(i) Ensure that information is developed and used expeditiously to revise permit or program requirements;

(ii) Review and refine management and control programs in cycles not to exceed five years or the period of permit reissuance; and

(iii) Include a plan that describes how information will be obtained and used to ensure full compliance with this chapter. The plan must be developed and documented in advance of permit or program approval under this section.

(d) All authorizations under this section must still comply with the provisions of Tier I (WAC 173-201A-310).”

This fact sheet describes how the permit and control program meets the antidegradation requirement.

Mixing Zones

A mixing zone is the defined area in the receiving water surrounding the discharge port(s), where wastewater mixes with receiving water. Within mixing zones the pollutant concentrations may exceed water quality numeric criteria, so long as the diluting wastewater doesn't interfere with designated uses of the receiving water body (e.g., recreation, water supply, and aquatic life and wildlife habitat, etc.). The pollutant concentrations outside of the mixing zones must meet water quality numeric criteria.

State and federal rules allow mixing zones because the concentrations and effects of most pollutants diminish rapidly after discharge, due to dilution. Ecology defines mixing zone sizes to limit the amount of time any exposure to the end-of-pipe discharge could harm water quality, plants, or fish.

The state's water quality standards (WAC 173-201A-400) allow Ecology to authorize mixing zones for the facility's permitted wastewater discharges only if those discharges already meet AKART. Mixing zones typically require compliance with water quality criteria within a specified distance from the point of discharge; and use no more than 25% of the available width and flow of the water body for dilution. Ecology uses modeling to estimate the amount of mixing within the mixing zone and determine the potential for violating the water quality standards at the edge of the mixing zone and derive any necessary effluent limits. Steady-state models are the most frequently used tools for conducting mixing zone analyses.

Ecology chooses values for each effluent and for receiving water variables that correspond to the time period when the most critical condition is likely to occur (see Ecology's Permit Writer's Manual). Each critical condition parameter (by itself) has a low probability of occurrence and the resulting dilution factor is conservative. The term "reasonable worst-case" applies to these values.

The mixing zone analysis produces a numeric value called a dilution factor (DF). A dilution factor represents the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. For example, a dilution factor of 16 means the effluent comprises 6.25% by volume and the receiving water comprises 93.75% of the total volume at the boundary of the mixing zone. Ecology uses dilution factors with the water quality criteria to calculate reasonable potentials and effluent limits. Water quality standards include both aquatic life-based criteria and human health-based criteria. The former are applied at both the acute and chronic mixing zone boundaries; the latter are applied only at the chronic boundary. The concentration of pollutants at the boundaries of any of these mixing zones may not exceed the numeric criteria for that zone.

Each aquatic life **acute** criterion is based on the assumption that organisms are not exposed to that concentration for more than one-hour and more often than one exposure in three years. Each aquatic life **chronic** criterion is based on the assumption that organisms are not exposed to that concentration for more than four consecutive days and more often than once in three years.

The two types of human health-based water quality criteria distinguish between those pollutants linked to non-cancer effects (non-carcinogenic) and those linked to cancer effects (carcinogenic). The human health-based water quality criteria incorporate several exposure and risk assumptions. These assumptions include:

- A 70-year lifetime of daily exposures.
- An ingestion rate for fish or shellfish measured in kg/day.
- An ingestion rate of two liters/day for drinking water
- A one-in-one-million cancer risk for carcinogenic chemicals.

This permit authorizes a small acute mixing zone around the point of discharge (WAC 173-201A-400). This discharge is a short term intermittent discharge and therefore was only evaluated for acute criteria and toxicity. An acute mixing zone of 2.5% of receiving water flow was authorized for flowing fresh waters. An acute mixing zone of 20 feet around the

point of discharge was authorized for marine waters. Because mixing zones are areas of dilution, no mixing zone may be authorized for receiving waters already exceeding the water quality criteria.

1. Ecology must specify both the allowed size and location in a permit.

The allowed mixing zone will vary based on the location of the bridge being washed and the amount of river flow at the time of the project. The permit provides conditions indicating the minimum of amount flow needed based on the number of pressure washers operating simultaneously to protect water quality.

2. The facility must fully apply “all known available and reasonable methods of prevention, control and treatment” (AKART) to its discharge.

Ecology has determined that the treatment provided and the pollution prevention activities practiced Washington Department of Transportation meet the requirements of AKART (see “Technology based Limits”).

3. Ecology must consider critical discharge conditions.

Surface water quality-based limits are derived for the water body’s critical condition, (the receiving water and waste discharge condition with the highest potential for adverse impact on the aquatic biota, human health, and existing or designated water body uses). The critical discharge condition is often pollutant-specific or water body-specific.

Ecology has determined that critical discharge condition for the activities under this permit occurs during summer low flows (freshwater) and slack tide (marine) when there is low current velocity. To account for the critical discharge conditions, the permit requires minimum stream flows for spot cleaning and maintenance washing. Where stream flows are less than the specified minimum stream flows, the permit restricts spot cleaning and maintenance washing to winter time high flows for freshwater.

The preparatory washing prepares a structure for painting and must occur during the summer months. To account for this situation, the ambient data used in the reasonable potential analysis was taken from a State-wide data base for data around the time of low flow to derive flow limitations that are protective of water quality.

4. Supporting information must clearly indicate the mixing zone would not:

- Have a reasonable potential to cause the loss of sensitive or important habitat,
- Substantially interfere with the existing or characteristic uses,
- Result in damage to the ecosystem, or
- Adversely affect public health.

Ecology established Washington State water quality criteria for toxic chemicals using EPA criteria. EPA developed the criteria using toxicity tests with numerous organisms, and set the criteria to protect all aquatic species.

EPA sets acute criteria for toxic chemicals assuming organisms are exposed to the pollutant at the criteria concentration for 1-hour. They set chronic criteria assuming organisms are exposed to the pollutant at the criteria concentration for 4 days. Dilution modeling under critical conditions shows that both acute and chronic criteria concentrations are reached within minutes of being discharged.

5. The discharge/receiving water mixture must not exceed water quality criteria outside the boundary of a mixing zone.

Ecology conducted a reasonable potential analysis, using procedures established by the EPA and by Ecology, for pollutants of concern, copper, lead and zinc, determined to be present in the effluent discharge through monitoring and laboratory testing. Ecology concluded the discharge/receiving water mixture will not violate water quality criteria outside the boundary of the mixing zone if minimum flow limits are met for bridge and ferry terminal washing activities covered by this permit.

6. The size of the mixing zone and the concentrations of the pollutants must be minimized.

Ecology minimizes the size of the mixing zone (in the form of the dilution factor) using design criteria with a low probability of occurrence. For example, Ecology uses the expected 95th percentile pollutant concentration, the 90th percentile background concentration, the centerline dilution factor and the lowest flow occurring once in every 10 years to perform the reasonable potential analysis.

Because of the above reasons, Ecology has effectively minimized the size of the mixing zone authorized in the proposed permit.

7. Maximum size of mixing zone

The authorized mixing zone does not exceed the maximum size restriction.

8. Acute Mixing Zone

- The discharge/receiving water mixture must comply with acute criteria as near to the point of discharge as practicably attainable.
- The pollutant concentration, duration and frequency of exposure to the discharge, will not create a barrier to migration or translocation of indigenous organisms to a degree that has the potential to cause damage to the ecosystem.
- As described above the toxicity of any pollutant depends upon the exposure, the pollutant concentration and the time the organism is exposed to that concentration. Authorizing a limited acute mixing zone for this discharge assures that it will not create a barrier to migration.

9. Overlap of Mixing Zones.

These mixing zones are not expected to overlap other mixing zones.

10. Short-term Extended Mixing Zones.

A short-term extended mixing zone is authorized for bridge maintenance washing conducted in accordance with the restrictions in permit conditions S4.B and S4.C during the periods November 1st - May 31st in Western Washington and December 31st through June 30th in Eastern Washington, and for maintenance washing of ferry terminal structures in marine water conducted in accordance with the restrictions in permit condition S4.E.

C. Designated Uses and Surface Water Quality Criteria

Applicable designated uses and surface water quality criteria are defined in chapter 173-201A WAC. In addition, the U.S. EPA set human health criteria for toxic pollutants (40 CFR 131.45).

Freshwater

Aquatic Life Uses are designated based on the presence of, or the intent to provide protection for, the key uses. All indigenous fish and non-fish aquatic species must be protected in waters of the state in addition to the key species. The Aquatic Life Uses are listed below:

- Char Spawning and Rearing
- Char Spawning (Applies seasonally as described in Ecology Publication 06-10-038)
- Salmon and Trout Spawning (Applies seasonally as described in Ecology Publication 06-10-038)
- Core Summer Salmonid Habitat
- Salmonid Spawning, Rearing, And Migration
- Salmonid Rearing And Migration Only
- Non-Anadromous Interior Redband Trout
- Indigenous Warm Water Species

The **recreational use** is primary contact recreation.

The **water supply uses** are domestic, agricultural, industrial, and stock watering.

The **miscellaneous fresh water uses** are wildlife habitat, harvesting, commerce and navigation, boating, and aesthetics.

Marine Water

Aquatic life uses are designated using the following general categories. All indigenous fish and non-fish aquatic species must be protected in waters of the state.

(a) **Extraordinary quality** salmonid and other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.

(b) **Excellent quality** salmonid and other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.

(c) **Good quality** salmonid migration and rearing; other fish migration, rearing, and spawning; clam, oyster, and mussel rearing and spawning; crustaceans and other shellfish (crabs, shrimp, crayfish, scallops, etc.) rearing and spawning.

(d) **Fair quality** salmonid and other fish migration.

The **recreational use** is primary contact recreation.

The **miscellaneous marine water uses** are wildlife habitat, harvesting, commerce and navigation, boating, and aesthetics.

Water quality criteria for copper, lead, and zinc, apply to this activity per WAC 173-201A-240 Toxic Substances.

D. Evaluation of Surface Water Quality-Based Effluent Limits for Numeric Criteria

Pollutants in an effluent may affect the aquatic environment near the point of discharge (near field) or at a considerable distance from the point of discharge (far field). Toxic pollutants, for example, are near-field pollutants--their adverse effects diminish rapidly with mixing in the receiving water. Conversely, a pollutant such as biological oxygen demand (BOD) is a far-field pollutant whose adverse effect occurs away from the discharge even after dilution has occurred. Thus, the method of calculating surface water quality-based effluent limits varies with the point at which the pollutant has its maximum effect.

Based on the analysis of bridge washing data collected by WSDOT per 2009 bridge permit requirements, pollutant concentrations in the proposed bridge and ferry terminal washing discharges exceed water quality criteria despite using technology-based controls which Ecology determined fulfills AKART. Ecology therefore authorizes a mixing zone in accordance with the geometric configuration, flow restriction, and other restrictions imposed on mixing zones described in chapter 173-201A WAC.

Toxic Pollutants

Federal regulations (40 CFR 122.44) require Ecology to place limits in NPDES permits on toxic chemicals in an effluent whenever there is a reasonable potential for those chemicals to exceed the surface water quality criteria. Ecology does not exempt facilities with technology-based effluent limits from meeting the surface water quality standards.

Per 2009 WSDOT bridge washing monitoring reports, copper, lead, and zinc were present in the effluents from bridge and ferry terminal washing discharges. The 2009 bridge permit used the general ambient concentration in Table 3 to determine the water quality criteria in Eastern and Western Washington streams and to conduct reasonable potential analyses for the violation of these criteria by bridge preparatory (pre-painting) wash water discharges.

Based on the 2009 analysis, Ecology determined the toxic pollutants in preparatory wash water discharges to have a reasonable potential to cause a violation of the water quality standards under certain effluent discharge flows and the flows in the receiving water/stream. For the preparatory washing, Ecology calculated effluent limits as minimum receiving water flows with associated wash water effluent flows using methods from EPA, 1991, as shown in Appendix C. This appendix is taken directly from the fact sheet to the 2009 WSDOT bridge permit.

Reasonable potential analyses were also conducted for maintenance washing discharges to Eastern and Western Washington streams. These analyses use WSDOT maintenance washing data reported per 2009 bridge permit requirements. Appendix D contains summary tables showing reasonable potential spreadsheets for wash water discharges to Eastern and Western Washington streams. The tables in Appendix D also include the wash water discharge flows, dilution factors, and the minimum stream flows required for wash water discharges to have no reasonable potential for violating water quality criteria.

The reasonable potential analyses for the maintenance washing discharges in Appendix D found the minimum stream flows of 221 cubic feet per second (CFS) for Eastern Washington and 351 CFS for Western Washington above which there is no exceedance of the water quality criteria. However, there would be a potential for the exceedance of the water quality criteria for maintenance washing of structures over streams with lower flows. The exceedance would occur infrequently, at yearly or longer intervals, with intermittent discharges to the receiving waters lasting for a few hours to a few days. This allows the stream more recovery time.

Extended Mixing Zones

Since bridge and ferry terminal cleaning and washing operations are maintenance activities that lead to safer structures with longer service life, this permit includes a provision for exceedance of the numeric size criteria for the mixing zones on a short term basis as provided in WAC 173-201A-400(12)(d), where the exceedance is necessary to accommodate important economic and social development. In addition, the discharge from maintenance washing activity is intermittent and short term lasting for a period of few hours to a few days. When maintenance washing is conducted in accordance with the requirements and BMPs in Condition S4 of this permit, granting an extended mixing zone would not likely interfere with the existing uses of the water body or cause a permanent adverse impact to

the water body. The allowance for the extended mixing zones does not apply to preparatory washing activities.

E. Whole Effluent Toxicity

The water quality standards for surface waters forbid discharge of effluent that causes toxic effects in the receiving waters. Many toxic pollutants cannot be measured by commonly available detection methods. However, laboratory tests can measure toxicity directly by exposing living organisms to the wastewater and measuring their responses. These tests measure the aggregate toxicity of the whole effluent, so this approach is called whole effluent toxicity (WET) testing. Some WET tests measure acute toxicity and other WET tests measure chronic toxicity.

WSDOT conducted WET testing for preparatory (pre-painting) washing and painting of ferry terminal structures below the ordinary high water mark. WET test results from one of the two preparatory washings showed toxicity to *Ceriodaphnia dubia*. Lead and zinc concentrations in the wash water effluent were at or above known toxic thresholds for *Ceriodaphnia dubia*. Wash water WET results appeared to also show toxicity to fathead minnows but copper, lead, and zinc concentrations were not clearly above known toxic thresholds. The testing lab reported that fathead minnows in the highest concentration could not be seen due to high turbidity. Suspended solids may have been the cause of the fathead minnow deaths. Results from WET testing of the other preparatory washing sample didn't indicate toxicity.

Based on the results, Ecology concluded monitoring for metals predicted toxicity to *Ceriodaphnia dubia* and would be more useful in guiding pollution controls than WET testing. WAC 173-205-040 allows WET testing to be excluded from permits if all known pollutants have water quality criteria for aquatic life protection. This permit does not require WET testing for the activities covered under the permit because water quality criteria provide the needed protection without the complications of WET testing.

F. Human Health

Washington's water quality standards include numeric criteria for the protection of human health that are applicable to dischargers in Washington State..

Based on existing information, Ecology determined discharges from washing activities covered by this permit do not have a reasonable potential for violating the numeric human health-based criteria.

G. Sediment Quality

Ecology has promulgated Sediment Management Standards (Chapter 173-204 WAC) to protect aquatic biota and human health. These standards state that Ecology may require Permittees to evaluate the potential for the discharge to cause a violation of applicable standards (WAC 173-204-400). The permit requires BMPs to limit contamination of wash water discharges. Source control BMPs can reduce or eliminate contamination of wash water and help comply with the sediment management standards. However, if Ecology determines that BMPs are ineffective in protecting sediment quality, Ecology may require the Permittee to implement additional measures to assure compliance with the sediment standards or to apply for an individual permit.

The permit also provides additional protection to sediment quality by not allowing discharges over lakes and river listed as Category 4 or 5 on the 2015 WQ Assessment for copper, zinc, or lead for both water column and sediment medium.

H. Ground Water Quality Limits

The Ground Water Quality Standards, (chapter 173-200 WAC), protect beneficial uses of ground water. Permits issued by Ecology must not allow violations of those standards (WAC 173-200-100).

Ecology determined the preparatory washing discharge has the potential to cause a violation of the ground water quality standards if pressure wash water is discharged to ground. WSDOT has conducted an analysis of conditions necessary to prevent violations of ground water standards. Based on this analysis, the proposed permit requires Permittees to follow the discharge conditions given in the *Ground Disposal of Effluent from WSDOT Preparatory Bridge Washington*, dated January 2008, and to verify the requirements are placed in a manual for field use.

IV. MONITORING REQUIREMENTS

Ecology requires monitoring, recording, and reporting (WAC 173-220-210 and 40 CFR 122.41) to verify that the treatment process is functioning correctly and that the discharge complies with the permit's effluent limits.

The monitoring schedule for spot cleaning, routine maintenance, and preparatory cleaning and washing are detailed in the draft permit under Condition S5.A and S5.B. The monitoring for ferry terminal structure painting is detailed in S5.C. Ecology has approved monitoring protocols that WSDOT will use for collecting and analyzing representative samples of wash water effluent and receiving water (background).

A. Lab Accreditation

Ecology requires that facilities must use a laboratory registered or accredited under the provisions of chapter 173-50 WAC, *Accreditation of Environmental Laboratories* to prepare required monitoring data (with the exception of certain parameters).

V. OTHER PERMIT CONDITIONS

A. Reporting and Notification and Recordkeeping

Ecology based permit condition S8 on our authority to specify any appropriate reporting and recordkeeping requirements to prevent and control waste discharges (WAC 173-220-210). The permit requires WSDOT to provide an annual report for the completed activities by February 28th of each year. The annual report must provide the information in S8.A, which includes status of the activities and the expected completion date of the activities. An annual report is not required if no work was conducted in that year.

For Permittees covered for a singular project or multi-structure projects, the permit requires a Project Completion Report by February 28th of the year following the completion of the activity or before submittal of the notice of termination (NOT), whichever is sooner.

In addition to the annual reporting of the activities, Condition S8.B of the permit requires WSDOT to provide a list of activities planned for the next twelve months on its website by February 28th of each year of coverage. The list must be kept current and accessible to the public. The list must provide information about each activity including type of activity, its location, approximate starting schedule and the expected length of the operation, and contact information.

The permit requires applicants to contact the Washington Department of Fish and Wildlife (WDFW) prior to conducting the project and comply with any restrictions related to fish habitat protection. Applicants who have a Hydraulic Project Approval (HPA) that covers work under this NPDES Bridge and Ferry Terminal Washing General Permit meet this requirement.

B. General Conditions

Ecology bases the standardized General Conditions on state and federal law and regulations. They are included in all individual industrial NPDES permits issued by Ecology.

VI. PERMIT ISSUANCE PROCEDURES

Ecology plans to issue the Permit for a period of 5 years, starting on the effective date of the permit (WAC 173-226-330). Coverage under the Permit will last from the date of coverage to the date of permit expiration, which will be up to 5 years.

A. Permit Modifications

Ecology may modify this permit to impose numerical limits, if necessary to comply with water quality standards for surface waters, with sediment quality standards, or with water quality standards for ground waters, after obtaining new information from sources such as inspections, effluent monitoring, outfall studies, and effluent mixing studies.

Ecology may also modify this permit to comply with new or amended state or federal regulations.

B. Proposed Permit Issuance

This draft permit meets all statutory requirements for authorizing a wastewater discharge, including those limitations and conditions believed necessary to control toxics, protect human health, aquatic life, and the beneficial uses of waters of the State of Washington. Ecology proposes that this draft permit be issued for five (5) years.

VII. REFERENCES FOR TEXT AND APPENDICES

Ecology must identify the sources of information that were reviewed and relied upon by the agency in the course of preparing to take a significant agency action (RCW 34.05.272). The information must be categorized per the following citation categories:

1. Independent peer review. Review is overseen by an independent third party.
2. Internal peer review. Review by staff internal to the Department of Ecology.

3. External peer review. Review by persons that are external to and selected by the Department of Ecology.
4. Open review. Documented open public review process that is not limited to invited organizations or individuals.
5. Legal and policy document. Federal and state statutes.
6. Legal and policy document. Court and hearings board decisions.
7. Legal and policy document. Federal and state administrative rules and regulations.
8. Legal and policy document. Policy and regulatory documents adopted by local governments.
9. Data from primary research, monitoring activities, or other sources, but that has not been incorporated as part of documents reviewed under other processes.
10. Records of the best professional judgment of Department of Ecology employees or other individuals.
11. Other. Sources of information that do not fit into one of the categories listed.

Categorization per RCW 34.05.272 was adopted on June 12, 2014; therefore, only new citations included in the Fact Sheet have been categorized. Citations used and presented in the 2009 Fact Sheet for WSDOT individual NPDES permit # WA 0039039 were brought forward and not categorized.

Environmental Protection Agency (EPA)

1991. *Technical Support Document for Water Quality-based Toxics Control*. EPA/505/2-90-001.

1985. *Water Quality Assessment: A Screening Procedure for Toxic and Conventional Pollutants in Surface and Ground Water*. EPA/600/6-85/002a.

1983. *Water Quality Standards Handbook*. USEPA Office of Water, Washington, D.C.

Tsivoglou, E.C., and J.R. Wallace

1972. *Characterization of Stream Reaeration Capacity*. EPA-R3-72-012. (Cited in EPA 1985 op.cit.)

Herrera Environmental Consultants

2003. *Treatment Evaluation for WSDOT Bridge Washing Effluent*.

2009. *Water Quality Risk Evaluation for Proposed Benchmarks/Action Levels in the Industrial Stormwater Permit*.

2008. *WSDOT Bridge Washing Effluent Translator Study*.

2008. *Johns River Bridge Washing Effluent Translator Study*.

2008. *Ground Disposal of Effluent from WSDOT Preparatory Bridge Washing*.

Washington State Department of Ecology

Washington State Department of Ecology

[Laws and Regulations](#)¹

[WAC 173-201A-410](#)²

[WAC 173-205-040](#)³

[Permit and Wastewater Related Information](#)⁴

¹ <https://ecology.wa.gov/Footer/rulemaking>

² <http://app.leg.wa.gov/WAC/default.aspx?cite=173-201A-410>

³ <http://app.leg.wa.gov/WAC/default.aspx?cite=173-205-040>

⁴ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance>

APPENDIX A--PUBLIC INVOLVEMENT INFORMATION

Ecology proposes to re-issue the Bridge and Ferry Terminal Washing General Permit to state and local government agencies responsible for maintaining bridge and/or ferry terminal structures in Washington State. The permit prescribes operating conditions and wastewater discharge limits. This fact sheet describes the types of activities and discharges authorized by the permit and Ecology's rationale for permit conditions.

Ecology publishes a Public Notice of Draft (PNOD) to inform the public that the draft permit and fact sheet are available for review and comment. Ecology will publish the PNOD on February 22, 2022 in the Washington State Register and on the Ecology web site.

Requesting Copies of the Permit

You may download copies of the draft permit, fact sheet, and application from the [Bridge & Ferry Terminal Washing Permit webpage](#)¹. You may request physical copies from Matthew Tietjen at matthew.tietjen@ECY.WA.GOV or (360) 407-6401.

Submitting Written Comments

Ecology will accept written comments on the draft permit and fact sheet from **February 16, 2022, through April 1, 2022 by 11:59 pm**. Ecology prefers online comment submission via the eComment form (link below) on the permit webpage. Written comments by mail must be postmarked by April 1, 2022. Comments should reference specific permit text when possible.

[Online eComment form](#)² (preferred)

By mail: Send to Foroozan Labib
Washington State Department of Ecology
PO Box 47696
Olympia, WA 98504-7696

Public Hearing and Workshop

The purpose of the workshop is to explain the general permit to answer questions prior to the formal public hearing. The purpose of the hearing is to provide an opportunity for people to give formal oral testimony and comments on the proposed draft permit. Written comments will receive the same consideration as oral testimony. The public workshop will be through an online webinar which begins at **1:00 pm on March 24, 2022**. The public hearing will begin immediately following the public workshop and will conclude when public testimony is complete. To register for the webinar go to the [Bridge & Ferry Terminal Washing Permit webpage](#).³

¹ <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Bridge-and-Ferry-Terminal-Washing-Permit>

² <https://wq.ecology.commentinput.com/?id=HNEK3>

³ <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Bridge-and-Ferry-Terminal-Washing-Permit>

Once the host approves your request, you will receive a confirmation email with instructions for joining the meeting.

Issuing the Final Permit

The final decision on permit issuance will be made after Ecology receives and considers all public comments. If public comments cause a substantial change in the permit conditions from the original draft permit, another public notice of draft and comment period may ensure. Ecology expects to issue the general permit on June 29, 2022.

For further information, contact Foroozan Labib by email at foroozan.labib@ecy.wa.gov or by phone at (360) 407-6439, or by writing to Ecology at the address listed above.

APPENDIX B--GLOSSARY

Acute Toxicity – The lethal effect of a compound on an organism that occurs in a short period of time, usually 48 to 96 hours.

AKART – The acronym for “all known, available, and reasonable methods of prevention, control and treatment.” AKART is a technology-based approach to limiting pollutants from wastewater discharges which requires an engineering judgment and an economic judgment. AKART must be applied to all wastes and contaminants prior to entry into waters of the state in accordance with RCW 90.48.010 and 520, WAC 173-200-030(2)(c)(ii), and WAC 173-216-110(1)(a).

Best Management Practices (BMPs) – Schedules of activities, prohibitions of practices, maintenance procedures, and other physical, structural and/or managerial practices to prevent or reduce the pollution of waters of the State. BMPs include treatment systems, operating procedures, and practices to control: plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. BMPs may be further categorized as operational, source control, erosion and sediment control, and treatment BMPs.

Chronic Toxicity – The effect of a compound on an organism over a relatively long time, often 1/10 of an organism's lifespan or more. Chronic toxicity can measure survival, reproduction or growth rates, or other parameters to measure the toxic effects of a compound or combination of compounds.

Clean Water Act (CWA) – The Federal Water Pollution Control Act enacted by Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117; USC 1251 et seq.

Composite Sample – A mixture of grab samples collected at the same sampling point at different times, formed either by continuous sampling or by mixing discrete samples. May be "time-composite"(collected at constant time intervals) or "flow-proportional" (collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increased while maintaining a constant time interval between the aliquots.

Critical Condition – The time during which the combination of receiving water and waste discharge conditions have the highest potential for causing toxicity in the receiving water environment. This situation usually occurs when the flow within a water body is low, thus, its ability to dilute effluent is reduced.

Detection Limit – See Method Detection Level.

Dilution Factor (DF) – A measure of the amount of mixing of effluent and receiving water that occurs at the boundary of the mixing zone. Expressed as the inverse of the percent effluent fraction e.g., a dilution factor of 16 means the effluent comprises 6.25% by volume and the receiving water comprises 93.75% (DF = 1/0.0625)

Engineering Report – A document which thoroughly examines the engineering and administrative aspects of a particular domestic or industrial wastewater facility. The report must contain the appropriate information required in WAC 173-240-060 or 173-240-130.

Grab Sample – A single sample or measurement taken at a specific time or over as short a period of time as is feasible.

High Pressure Washer – (Same as **Pressure Washer**) A mechanical device that uses high pressure water at pressures greater than 1500 psi (discharge of 3 gallons/minute).

Industrial Wastewater – Water or liquid-carried waste from industrial or commercial processes, as distinct from domestic wastewater. These wastes may result from any process or activity of industry, manufacture, trade or business, from the development of any natural resource, or from animal operations such as feed lots, poultry houses, or dairies. The term includes contaminated storm water and, also, leachate from solid waste facilities.

Low Pressure Washing –Washing operations that use high volume water (typically between 12 – 18 gallon per minute) at pressures less than 120 psi.

Method Detection Level (MDL) – The minimum concentration of a substance that can be measured and reported with 99% confidence that the pollutant concentration is above zero and is determined from analysis of a sample in a given matrix containing the pollutant.

Mixing Zone – An area that surrounds an effluent discharge within which water quality criteria may be exceeded. The area of the authorized mixing zone is specified in a facility's permit and follows procedures outlined in state regulations (chapter 173-201A WAC).

National Pollutant Discharge Elimination System (NPDES) – The NPDES (Section 402 of the Clean Water Act) is the Federal wastewater permitting system for discharges to navigable waters of the United States. Many states, including the State of Washington, have been delegated the authority to issue these permits. NPDES permits issued by Washington State permit writers are joint NPDES/State permits issued under both State and Federal laws.

OHWM – Ordinary high water mark on all lakes, streams, and tidal water is that mark that will be found by examining the bed and banks and ascertaining where the presence and action of waters are so common and usual, and so long continued in all ordinary years, as to mark upon the soil a character distinct from that of the abutting upland, in respect to vegetation as that condition exists on June 1, 1971, as it may naturally change thereafter, or as it may change thereafter in accordance with permits issued by a local government or the department: PROVIDED, That in any area where the ordinary high water mark cannot be found, the ordinary high water mark adjoining salt water shall be the line of mean higher high tide and the ordinary high water mark adjoining fresh water shall be the line of mean high water;

pH – The pH of a liquid measures its acidity or alkalinity. It is the negative logarithm of the hydrogen ion concentration. A pH of 7 is defined as neutral, and large variations above or below this value are considered harmful to most aquatic life.

Pressure Washer – a mechanical device that uses high pressure water at pressures greater than 1000 psi (discharge of 3 gallons/minute).

Quantitation Level (QL) – The smallest detectable concentration of analyte greater than the Detection Limit (DL) where the accuracy (precision & bias) achieves the objectives of the intended purpose. This may also be called Minimum Level or Reporting Level.

Reasonable Potential – A reasonable potential to cause or contribute to a water quality violation, or loss of sensitive and/or important habitat.

Technology-based Effluent Limit – A permit limit that is based on the ability of a treatment method to reduce the pollutant.

Total Suspended Solids (TSS) – Total suspended solids is the particulate material in an effluent. Large quantities of TSS discharged to receiving waters may result in solids accumulation. Apart from any toxic effects attributable to substances leached out by water, suspended solids may kill fish, shellfish, and other aquatic organisms by causing abrasive injuries and by clogging the gills and respiratory passages of various aquatic fauna. Indirectly, suspended solids can screen out light and can promote and maintain the development of noxious conditions through oxygen depletion.

Solid waste – All putrescible and non-putrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, sewage sludge, demolition and construction wastes, abandoned vehicles or parts thereof, contaminated soils and contaminated dredged material, and recyclable materials.

State Waters – Lakes, rivers, ponds, streams, inland waters, underground waters, salt waters, and all other surface waters and watercourses within the jurisdiction of the state of Washington.

Stormwater – That portion of precipitation that does not naturally percolate into the ground or evaporate, but flows via overland flow, interflow, pipes, and other features of a storm water drainage system into a defined surface water body, or a constructed infiltration facility.

Water Quality-based Effluent Limit – A limit on the concentration of an effluent parameter that is intended to prevent the concentration of that parameter from exceeding its water quality criterion after it is discharged into receiving waters.

APPENDIX C—Reasonable Potential Analysis Calculations for Preparatory Washing

Several of the Excel® spreadsheet tools used to evaluate a discharger’s ability to meet Washington State water quality standards can be found within the PermitCalc Workbook, available on [Ecology’s permit guidance webpage](#)¹.

WESTERN WASHINGTON – ANALYSIS SUMMARY

¹ <https://ecology.wa.gov/Regulations-Permits/Guidance-technical-assistance/Water-quality-permits-guidance>

Table 4: WESTERN WASHINGTON REASONABLE POTENTIAL ANALYSIS – DATA

Effluent Characteristics	Copper	Lead	Zinc
Sample Size	9	9 (58 ²)	9 (58 ²)
Highest values - µg/L	2050	105710 ¹	34751.2 ¹
Translators 95th Percentile	0.313	0.114	0.531
Multiplier	2.44	1	1
Estimated 95% Effluent Dissolved Metal Concentration µg/L	1565.6	178.5	18453
Stream Characteristics & Water Quality Standards	Copper	Lead	Zinc
Ambient concentrations µg/L	1.19	0.06	3.27
Hardness as CaCO ₃ mg/L	18	18	18
WQ Standards Criteria µg/L	3.38	9.58	26.77

¹added 10% of Pb & Zn Highest Values

²artificial sample #

Table 5: WESTERN WASHINGTON REASONABLE POTENTIAL ANALYSIS - RESULTS

Metal	Dilution* Factor	Metal Concentration µg/L	Water Quality Criteria µg/L
Copper	714	3.38	3.38
Copper	715	3.38	3.38
Lead	1268	9.58	9.58
Lead	1269	9.57	9.58
Zinc	786	26.79	26.77
Zinc	787	26.76	26.77

*Minimum dilution factor required to meet Water Quality Standards

Lead is the limiting factor – highest dilution factor requiring the most stream flow to prevent violation of water quality standards

Table 6: WESTERN WASHINGTON - IMPACT ANALYSIS

Number of Pressure Washers*	Copper – Dilution Factor	Copper – Stream Flow needed (CFS)	Lead – Dilution Factor	Lead – Stream Flow needed (CFS)	Zinc – Dilution Factor	Zinc – Stream Flow needed (CFS)
1 washer = 0.007 CFS	715	200	1269	356	787	221
2 washers = 0.013 CFS	715	372	1269	660	787	409
3 washers = 0.02 CFS	715	572	1269	1015	787	629
4/5 washers = 0.03 CFS	715	857	1269	1522	787	944
6 washers = 0.04 CFS	715	1143	1269	2030	787	1258

*No. of pressure washers in operation with effluent discharge in CFS. For the effluent discharge, assumed a 3 gallon/minute discharge per washer & using conversion factor of 0.133681 CF/gallon

EASTERN WASHINGTON – ANALYSIS SUMMARY

Table 7: EASTERN WASHINGTON REASONABLE POTENTIAL ANALYSIS – DATA

Effluent Characteristics	Copper*	Lead*	Zinc*
Sample Size	9	9 (58 ²)	9 (58 ²)
Highest Value – ug/L	2050	105710 ¹	34751.2 ¹
Translators 95th Percentile	0.313	0.114	0.531
Multiplier	2.44	1	1
Stream Characteristics & Water quality Standards	Copper*	Lead*	Zinc*
E. WA Ambient Concentrations	0.96	0.11	9.63
E. WA Hardness as CaCO ₃ mg/L	35	35	35
E. WA WQ Standards Criteria	6.33	20.25	47.02

¹added 10% of Pb & Zn Highest Values

²artificial sample #

Table 8: EASTERN WASHINGTON REASONABLE POTENTIAL ANALYSIS – RESULTS

Metal	Dilution* Factor	Metal Concentration µg/L	Water Quality Criteria µg/L
Copper	291	6.34	6.33
Copper	292	6.32	6.33
Lead	599	20.27	20.25
Lead	600	20.23	20.25
Zinc	494	47.04	47.02
Zinc	495	46.96	47.02
Lead is the limiting factor – highest dilution factor requiring the most stream flow to prevent violation of water quality standards			

*Minimum dilution factor required to meet Water Quality Standards

Table 9: EASTERN WASHINGTON - IMPACT ANALYSIS

Number of Pressure Washers*	Copper – Dilution Factor	Copper – Stream Flow needed (CFS)	Lead – Dilution Factor	Lead – Stream Flow needed (CFS)	Zinc – Dilution Factor	Zinc – Stream Flow needed (CFS)
1 washer = 0.007 CFS	292	82	600	157	495	139
2 washers = 0.013 CFS	292	152	600	312	495	257
3 washers = 0.02 CFS	292	233	600	480	495	395
4/5 washers = 0.03 CFS	292	350	600	719	495	593
6 washers = 0.04 CFS	292	466	600	959	495	791

*No. of pressure washers in operation with effluent discharge in CFS. For the effluent discharge, assumed a 3 gallon/minute discharge per washer & using conversion factor of 0.133681 CF/gallon

APPENDIX D—Reasonable Potential Analysis Calculations for Bridge Spot Cleaning, and Bridge Routine Maintenance Cleaning and Washing

Washington State Department of Transportation (WSDOT) conducted monitoring studies on maintenance washing of a number of bridges per requirements in their NPDES permit number WA-0039039. The monitoring studies measured the wash water volume used and the duration of activity to estimate the average discharge flow rate. WSDOT also collected wash water discharge samples and measured the total concentrations of copper, lead, and zinc in the discharge. Tables 1 and 2 show the wash water flow rates and the total metals concentration in the discharge.

Table 1: Maintenance Wash Water Flows at Various Project Sites

Bridge/Waterbody	Wash Water Average Flows (cfs)
Black River	0.0619
	0.0619
	0.0372
Sol Duc #4	0.041
	0.032
	0.035
Sol Duc #5	0.041
	0.032
	0.0384
Naches River	0.041
	0.017
	0.0247
Calawah	0.0421
Sol Duc #3	0.0395
Wynoochee	0.0341
Satsop North	0.0372
Satsop South	0.0325
Average Effluent (cfs) =	0.03815
Average Effluent (Gal/hr) =	1027

Table 2: Total Metals in Maintenance Washing

Monitoring Data Updated to include 2015 - 2019 in addition to data used in 2017 permit.		
Maintenance Washing Total Recoverable		
Copper	Lead	Zinc
8.5	17	100
8.7	16	100
480	300	410
37	44	230
84	120	1500
25	120	160
18	93	130
150	130	920
140	150	1200
180	160	2400
180	260	2300
16	370	300
240	1900	7600
56	940	1500
54	1000	1600
73	1100	2100
130	2000	4400
100	450	1600
120	530	1800
140	1400	1600
220	630	3700
160	2700	2700
160	2800	2800
57	1400	1000
210	2800	3800
77	1400	1000
53	1600	970
29	810	510
25	960	630
110	9000	1500
37	2400	560
91	11000	1700
99	14000	2000
91	170	370
61	120	300
85	50	550
52	52	480
19	130	170
39	1200	980
35	1100	880

Monitoring Data Updated to include 2015 - 2019 in addition to data used in 2017 permit.		
Maintenance Washing Total Recoverable		
Copper	Lead	Zinc
160	4300	3600
2.2	7.2	8.1
2.2	7.3	7.7
3.9	76	31
4.3	85	55
76	2500	1000
120	3800	1400
200	3200	1300
170	2800	1600
27	1300	880
64	2500	2200
110	950	5800
93	770	5300
55	630	1300
48	500	1200
270	1800	3300
140	1900	2700
960	2500	43000
960	2500	43000
620	3600	16000
270	1000	12000
67	410	1000
150	2900	2800
110	2500	2600
150	3400	3100
43	680	330
23	160	1600
22	220	770
17	150	620

Monitoring Data Updated to include 2015 - 2019 in addition to data used in 2017 permit.		
Maintenance Washing Total Recoverable		
Copper	Lead	Zinc
215.7	6970.0	5536.7
198.0	8203.3	3583.3
28.0	854.9	380.3
5.2	25.4	664.7
7.8	472.8	162.0
7.6	13.4	376.7

Monitoring Data Updated to include 2015 - 2019 in addition to data used in 2017 permit.		
Maintenance Washing Total Recoverable		
Copper	Lead	Zinc
6.9	213.2	134.0
37.7	3270.0	3910.7
12.4	640.7	918.3
11.8	84.2	126.1
6.2	141.5	293.1
181.2	76.8	229.7
43.6	483.3	1483.3
55.2	128.2	312.7
110.6	5356.7	4126.7
45.3	1563.3	2266.7
15.7	474.7	170.0
18.2	278.7	2284.3
6.9	3270.0	3910.7
4.6	240.0	323.3
63.7	1860.0	1190.0
2.0	96.3	92.7
114.2	3106.7	1406.0

* 95th Percentile (2017 permit)

Copper: 396, Lead: 4100, Zinc: 10240

* 95th Percentile (2022 permit)

Copper: 270 Lead: 6163 Zinc: 6700

Reasonable potential analyses on the maintenance wash water shown in Tables 3 and 4 determined the dilution factor needed for the wash water discharge to not violate water quality criteria in Eastern and Western Washington. Table 5 shows the calculations for estimating the minimum flows required in Eastern (144 cfs) and Western (231 cfs) Washington streams to provide the needed dilution factors.

Table 3: Maintenance Washing Acute Dilution Factor Determination – Eastern WA

			State Water Quality Standard	Max concentration at edge of...		<u>Adding 2020 data to all data used in 2017 permit</u>							
	Metal Criteria Translator as decimal	Ambient Concentration (metals as dissolved)	Acute	Acute Mixing Zone	LIMIT REQ'D?	Effluent percentile value		Max effluent conc. measured (metals as total recoverable)	Coeff Variation		# of samples	Multiplier	Acute Dil'n Factor
Parameter	Acute	ug/L	ug/L	ug/L			<i>Pn</i>	ug/L	<i>CV</i>	<i>s</i>	<i>n</i>		
Copper	0.31	0.9600	6.3000	4.44	NO	0.95	0.968	270.00	0.60	0.55	<u>92</u>	1.00	24
Lead	0.11	0.1100	20.3000	20.18	NO	0.95	0.968	6163.00	0.60	0.55	<u>92</u>	1.00	35
Zinc	0.53	9.6300	47.0000	46.98	NO	0.95	0.968	6700	0.60	0.55	<u>92</u>	1.00	<u>95</u>

Table 4: Maintenance Washing Acute Dilution Factor Determination – Western WA

			State Water Quality Standard	Max concentration at edge of...		<u>Adding 2020 data to all data used in 2017 permit</u>							
	Metal Criteria Translator as decimal	Ambient Concentration (metals as dissolved)	Acute	Acute Mixing Zone	LIMIT REQ'D?	Effluent percentile value		Max effluent conc. measured (metals as total recoverable)	Coeff Variation		# of samples	Multiplier	Acute Dil'n Factor
Parameter	Acute	ug/L	ug/L	ug/L			<i>Pn</i>	ug/L	<i>CV</i>	<i>s</i>	<i>n</i>		
Copper	0.31	1.1900	3.4000	2.68	NO	0.95	0.968	270.00	0.60	0.55	<u>92</u>	1.00	56
Lead	0.11	0.0600	9.6000	7.09	NO	0.95	0.968	6163.00	0.60	0.55	<u>92</u>	1.00	100
Zinc	0.53	3.2700	26.8000	26.65	NO	0.95	0.968	6700	0.60	0.55	<u>92</u>	1.00	<u>152</u>

Table 5: Maintenance Washing - River Flows Needed to Have No Reasonable Potential

Avg Eff Flow Rate over Wasing Time Period (cfs)	95% Total Zinc Conc (ug/L)	River Flow (cfs)	2.5% Dilution Factor	Comments (Based on Reasonable Potential Spreadsheet)
0.0382	6700	144	95	Zn is the Limiting Metal for Eastern WA Dilution Factor Needed = 95
0.0382	6700	231	152	Zn is the Limiting Metal for Western WA Dilution Factor Needed = 152

APPENDIX E—Ecology Responses to Comments on Draft Bridge and Ferry Terminal Washing General NPDES Permit

Ecology received comments on the draft documents during the 30-day public comment period which ended on December 2, 2016. Below are the comments and Ecology’s responses. In this appendix (Appendix E), Ecology provides responses to comments from each organization or agency that commented on the draft permit. The comments and responses are organized in sections that are named by the commenter’s organization/agency. The original comments are available and have been posted on Ecology web site at: [Bridge and Ferry Terminal Washing Permit - Washington State Department of Ecology](#).

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Washington State Association of County Engineers

Ecology received the following comments from Washington State Association of County Engineers on the 2022 draft general permit. Below, they are arranged by comment number. Comments are followed by the Ecology's responses to the comments.

Comment #1: Where appropriate, allow activities to be covered by existing Municipal NPDES and General HPA permits.

"The listed activities covered by this general permit (spot cleaning, maintenance washing (low pressure washing), preparatory washing (high pressure washing), and painting of bridges and ferry terminal transfer spans) are closely associated with actions covered by existing Municipal Stormwater General Permits and Fish and Wildlife's (WDFW) Bridge Maintenance and Preservation General Hydraulic Project Approvals (HPAs). While we respect DOE's stated goal above, to make things "easier for governments;" applying for coverage under this permit is complicated, necessitates substantial planning, involves considerable notice, and includes a significant fee. We agree that protecting water quality is a critical priority, however, there needs to be a clear explanation why this additional permit coverage remains necessary beyond what is/could be provided by Municipal NPDES permits and HPAs. For example, the Technology-Based Effluent Limits (AKART & BMPs) in the draft general permit are currently based on WSDOT's individual NPDES Waste Discharge Permit. Also, WDFW issues general HPAs for bridge maintenance and preservation that could incorporate AKART for water quality through a simple consultation process with DOE.

Recommendation: DOE should clearly explain the additional value a general permit provides local jurisdictions and why these activities cannot be more efficiently covered by individual NPDES permits and general HPAs where appropriate."

Response to comment #1:

The Municipal NPDES permits regulate management of stormwater runoff from road and highway surfaces as a result of precipitation on those surfaces mostly in urban and urbanizing areas of the state. The Bridge and Ferry Terminal General Permit regulates the discharge of wastewater generated in the process of washing, paint removal, and re-painting of the metal structures that support bridge decks and ferry terminals throughout the state and not just within urban and urbanizing areas. In addition, unlike precipitation events, the activities authorized by this general permit occur relatively infrequently, typically, once every 5 – 15 years. Jurisdictions with bridge maintenance responsibilities can apply for coverage under this general permit and terminate the permit upon completion of the activity which usually lasts 1 -3 days.

While many requirements under this general permit may be similar to those in HPAs issued by WDFW, the limitations and requirements in this general permit are based on achieving compliance with the state water quality standards regulation. They include a requirement for the applicant to contact WDFW for restrictions related to fish habitat protection before conducting the activities authorized under this general permit.

Comment #2: Refine the permit coverage to painted steel bridges and ferry terminals.

“If DOE determines that there is a continued need for a separate general permit for this type of work, we recommend DOE narrow the required permit coverage to those activities done specifically in preparation for painting steel structures. The permit attempts to illustrate a line between AKART/BMPs for spot cleaning and maintenance washing and those activities related to the preparation for painting. The use of high-pressure washers to remove paint from metal structures and prepare them for painting is the line which defines Phase 3 activities and triggers a substantial step up in what is considered AKART.

Recommendation: WSACE recommends that DOE simplify the general permit by removing spot cleaning and maintenance washing and instead allowing those limited activities to be covered under Municipal NPDES permits and plans where appropriate.”

If DOE determines that these activities cannot be more efficiently covered by individual NPDES permits and general HPAs, WSACE would make the following recommendations: (shown below under Comments #3 through Comment #7)

Response to comment #2:

The spot cleaning and maintenance washing of bridge and ferry terminal metal structures allow inspectors to look for cracks and other forms of metal degradation including paint degradation. The spot cleaning and maintenance washing generate wastewater. A wastewater discharge permit is required for discharges to waters of state.

Comment #3: Clarify which activities trigger a NOI for coverage.

“If general permit coverage is required for regular spot cleaning and maintenance washing, WSACE recommends that the permit and supporting documents go further to outline and clarify exactly what types of structures and maintenance activities require an NOI for coverage. For instance, the permit reads that coverage is required for “Operators who generate discharges to waters of the state,” however, in response to previous comments DOE has stated: “coverage under this general permit is not required for the street and sidewalk wash water which are conditionally authorized in municipal stormwater general permits, including washing of streets and sidewalks on a bridge deck.” To provide another example, the NOI forms include a category for “Bridge Routine Maintenance,” which isn’t an activity listed in Section S1.B of the permit, nor would it necessarily involve “discharges to waters of the state.” The same form also has an option to check that “water will discharge to ground with 100% infiltration, with no potential to reach surface waters under any conditions,” thus meaning the work would not involve “discharges to waters of the state.” This language could be confusing to an applicant.

Recommendation: DOE should clarify Section S1. B regarding what activities, on which structures, and over what waterbodies trigger an NOI requirement under the general permit. DOE should also remove “Bridge Routine Maintenance” from the NOI forms and PNOA section of the permit.”

Response to comment #3:

Ecology agrees with the commenter on the need for clarification in Section S1.B of the types of activities covered under this general permit. For clarification and consistency with

activities identified in Section S4, names of the activities in S1.B have been changed accordingly.

This general permit is an NPDES and a State Waste Discharge Permit covering discharges to the state surface water and groundwater.

Comment #4: Allow local jurisdictions to submit one Notice of Intent for multiple projects and for the duration of the general permit.

We appreciate that the draft permit allows local jurisdictions to submit one Notice of Intent (NOI) for multiple projects, however, each NOI is only good for one year of the general permit. As mentioned above, coverage under this permit is complicated, necessitates substantial planning, involves considerable notice, and comes with a significant fee. DOE should accommodate local jurisdictions performing this critical work by allowing them to obtain one permit covering all bridge and ferry terminal washing projects for the duration of the general permit. This will avoid substantial time and cost associated with submitting new NOIs, PNOAs, NOTs, and fees each year. This process could easily be achieved with an annual NOI modification if necessary and by requiring that local jurisdictions coordinate the Public Notice of Application (PNOA) for each project ahead of the estimated start date established in the NOI.

Recommendation: DOE should allow local jurisdictions to submit one NOI covering all anticipated bridge and ferry terminal washing projects in their jurisdiction for the duration of the general permit.

Response to comment #4:

Coverage under this general permit can be up to 5 years. Potential permittees who want coverage for multiple bridge structures would have to annually post their planned activities for the year on their web site together with the planned schedules and keep the information on the site up-to-date. The permittees have the option to terminate coverage when their planned activities are completed and to avoid permit fees for unnecessary coverage under this general permit.

Comment #5: Eliminate regulatory inconsistencies between local jurisdictions and WSDOT.

WSACE appreciates that the draft permit contemplates allowing local jurisdictions to submit one NOI for multiple projects, a practice the Washington State Department of Transportation (WSDOT) has utilized since 2017. Unfortunately, at the Workshop and Hearing it was made clear that this cannot happen until 2023 when WAC 173-224-040 regarding fees can be updated. It's our understanding that WSDOT applies for coverage each year for around 100 projects and pays an Annual Fee of \$13,450, or roughly \$134.50 per project. In contrast, local jurisdictions are paying \$4,047.00 per project. WSACE has received feedback that this fee is cost prohibitive enough to limit the number of projects some counties can submit each year.

Recommendation: DOE should provide local governments with information regarding the process for updating the fee schedule in WAC 173-224-040. DOE should also explain if there

is currently a significant difference between the NOI review for WSDOT projects and those submitted by local jurisdictions to merit such an inconsistency in fees.

Response to comment #5:

Permit fees have been estimated based on total number of fracture critical metal bridge and ferry terminal structures in WSDOT and local government inventories. The fees also assume local governments with bridge maintenance responsibilities will apply for coverage under the single structure coverage option and would likely terminate the permit coverage after the washing activity is complete and would not be paying permit fees beyond one year. Permit coverage period for WSDOT is 5 years, which is the duration of this permit cycle. WSDOT will be invoiced permit fees annually over the 5-year period. In addition, WSDOT permit coverage requires WSDOT to conduct monitoring of wash water from 10% of their bridge structures on which WSDOT conducts routine maintenance and from 10% of their bridge structures on which WSDOT conducts preparatory washing activities each year. These monitoring involve sample collection and laboratory analysis of the samples and WSDOT is required to submit the monitoring results in an annual report to Ecology.

Comment 6: Streamline and improve public notice requirements.

We respectfully request that Section S2(B) Public Notice of Application be simplified and improved. This Section requires local jurisdictions to comply with a complicated and expensive notice requirement for each project. The Section references WAC 173-226-130, which seems to outline DOE's responsibilities for public notice regarding the General Permit. WSACE is uncertain if this notice procedure is a requirement for each sub-applicant, or if it's just being delegated by DOE. Either way, we feel the per project fee paid by local jurisdictions should be more than sufficient to cover the cost for DOE to provide the PNOA for each NOI. Additionally, each PNOA requires "a certification that the application is correct and accurate, signed by either a principal executive officer or ranking elected official of the municipality." Depending on the structure of the governing body and adopted delegations of authority, this requirement could require a substantial amount of public process for notice of a single spot cleaning or maintenance washing project.

Recommendation: DOE should re-write the public notice requirements for these projects to eliminate the complexity, reduce costs, and allow for more accessible and current information to be shared with the public on county websites. Publication of NOI information on a jurisdiction's website should comply with notice requirements. WSACE suggests DOE utilize similar language to Section 2(B)(3)(f): "A Permittee public website showing planned projects and their schedules and kept up-to-date if the schedules change," to not just be an element of notice, but instead, describe compliance.

Response to comment #6:

The requirements for public notice follow those in WAC 173-226-130 which outlines Ecology's responsibilities for setting public notice conditions in all general permits. Specifically, WAC 173-226-130(5) states that the applicant must publish notice in a newspaper of general circulation within the county in which the discharge is proposed.

Comment # 7: Eliminate the requirement to provide a Notice of Termination.

WSACE appreciates that the draft permit contemplates allowing local jurisdictions to submit one NOI for multiple projects each year. In line with our earlier comments, we also respectfully request that the requirement to submit a Notice of Termination for each project be eliminated from the permit.

Response to comment #7:

Federal regulations (40 CFR 122.64) require permittees that wish to terminate their permit to submit a Notice of Termination to their permitting authority. The notice of termination allows early release from permit obligations and permit fees. If the permit is not terminated, the permittee remains under the permit terms and conditions including permit fees for the remainder of permit cycle, which could be up to 5 years.

Comment # 8: The Draft Permit has a formatting error in Section S2. APPLICATION FOR COVERAGE.

The Draft Permit seems to have a formatting error in Section S2. Application for Coverage. Although referenced throughout the Section, there's no subsection A or B.

Response to comment #8:

Edits have been made in the final permit correcting the paragraph formatting error noted.

Washington State Department of Transportation (WSDOT)

Ecology received the following comments/questions from WSDOT. Below, are Ecology's responses to the comments/questions.

Comment #1: Draft permit

S4. B12 Bridge Spot Cleaning pg. 12 - The routine bridge washing conditions (S4.C12) does not require thorough dry cleaning if the bridge was washed the year before. This should also apply to bridge spot cleaning section. We suggest revising S4.B12 to: "For bridges that have been cleaned within the past twelve months and the discharge is to surface waters with flows greater than thresholds identified in Section S4.B.5, dry methods of cleaning prior to washing are only required if the bridge has nesting colonies of birds or visually loose paint. The Permittee must use dry methods and equipment (scraping, sweeping, vacuuming) prior to flushing that will prevent debris and substances from entering waters of the state."

S4.C. Bridge Routine Maintenance Cleaning and Washing description; 1st paragraph line 3. Pg.12 - The Bridge Spot Cleaning description includes a reference that bridges are flushed to prepare for inspection. The Bridge Routine Maintenance Cleaning and Washing section is also used to prepare the bridge for inspection to detect potential structural issues. We suggest revising this sentence within the description to read, "Routine maintenance cleaning and washing involves washing structures, typically on a 1-5 year cycle, to remove dirt and other material, to extend the life of the paint, and prepare for bridge inspection to detect potential issues which can protect the structure."

Response to comment #1:

S4. B12 Bridge Spot Cleaning - Paragraph S4.B.13 was added to Section S4.B to address Comment #1 and edits were made to S4.B.12 to make language in permit Section S4.B.13 consistent with S4.C.11.

S4.C. Bridge Routine Maintenance Cleaning and Washing description - Appended the following: "and prepare for bridge inspection to detect potential issues" to the first sentence of Paragraph S4.C

Comment #2: Fact Sheet

Pg. 3; 1st paragraph; line 4. - The summary includes a line with a misspelled word for bridge preparatory washing. Please change filter "trap" to filter "tarp".

Pg. 8; 1st paragraph; third bullet. - Containment systems and drip tarps, and sieves are not required in the draft permit for spot cleaning. We suggest revising this sentence to read "Construct plywood or other work platforms".

Pg. 19; B10. Short-term mixing zones. - The start date for flushing bridges in eastern Washington listed in the fact sheet is different than in the draft permit. We suggest changing "December 31st to December 1st" so the fact sheet matches the date in the draft permit.

Response comment #2:

In general, edits to the Fact Sheet will include minor typos with no consequence to the permit requirements.

Pg. 3; 1st paragraph; line 4. – Typo was corrected.

Pg. 8; 1st paragraph; third bullet – *This is a clarification on the potential components of containment system and will not affect the permit requirements associated with this activity. Depending on the paint condition on the structure, where there is potential for paint chipping off, drip tarps/#100 sieve filter fabric may be needed. No change is made to the language in the permit or fact sheet.*

Judy Pickens

Ecology received the following comment from Judy Pickens. Below, is Ecology's response to the comment.

Comment: "My concern is potential pollution of nearshore habitat associated with Fautleroy Creek, which discharges under the Fautleroy Ferry Terminal. Since I cannot distinguish current language from proposed language in the permit, I can only trust that DOE restrictions provide sufficient protection for this situation. We are fortunate to have little pre-spawn mortality here, and chemicals from vehicles on the transfer span should not create conditions that could make it commonplace for our coho spawners"

Fautleroy Watershed Council

Ecology received the following comment from Fautleroy Watershed Council. Below, is Ecology's response to the comment.

Comment: "We are concerned about potential pollution of nearshore habitat in Fautleroy Cove, where Fautleroy Creek discharges under the Fautleroy Ferry Terminal. We must trust that DOE restrictions provide sufficient protection for this situation. We have little to no pre-spawn mortality here, and chemicals from vehicles on the transfer span cannot be allowed to create conditions that could make it commonplace for our coho spawners"

Response to comments:

Thank you for your comments. The activities covered by this general permit are intended to allow for inspection and maintenance of the metal structures that support bridge decks and ferry terminals. Washington State Department of Transportation (WSDOT) has been operating under this general permit for the past 5 years. Before coverage under this general permit, WSDOT conducted bridge and ferry terminal washing activities under individual waste discharge permit for 10 years. These permits allowed WSDOT to conduct inspection of these metal structures and to perform maintenance activities needed to prolong their integrity and safety while providing for the protection of waters of state. This permit does not address ferry terminal vehicle traffic over the transfer span. Typically, pollution associated with the ferry terminal vehicle traffic is addressed through Municipal Stormwater Separate Sewer System permit (MS4 permit).