



Citizens for a Healthy Bay

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Re: Schnitzer Steel of Tacoma National Pollutant Discharge Elimination System (NPDES) Discharge Permit

Dear Ms. Wilson,

Thank you for providing the opportunity to review and comment on the Schnitzer Steel of Tacoma (SST) NPDES Discharge Permit, hereinafter referred to as the "Permit".

Executive Director
Melissa Malott

Citizens for a Healthy Bay (CHB) is a 29-year-old organization whose mission is to represent and engage people in the cleanup, restoration, and protection of Commencement Bay, its surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in south Puget Sound. We work side-by-side with residents, businesses, and government to prevent and mitigate pollution and to make our community healthier and more vibrant.

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Staff and expert members of CHB's Policy and Technical Advisory Committee have reviewed the Permit and its associated documents. Our comments are outlined below.

Background

SST is a scrap metal recycling facility located on the Hylebos Waterway, Tacoma, Washington. The facility sits within the Commencement Bay/Nearshore Tideflats Superfund site. Previous site investigations found PCBs (polychlorinated biphenyls), arsenic, copper, lead and zinc contamination in both the sediment and surface water at the site. The site was cleaned up in 1991, but requires continuous monitoring to ensure that the contamination from historical and current heavy industrial uses does not enter the nearby environment.¹ More recently, mercury, total chromium, total PAHs (polycyclic aromatic hydrocarbons), and BEHP (Bis 2-ethylhexyl phthalate) have been identified in sediment analyses near SST's outfalls.² Because SST discharges wastewater into the Hylebos Waterway, it is required to obtain a NPDES permit from the Department of Ecology, which is reviewed and updated every five years.

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Proposed Permit Limits

SST's stormwater treatment system has the capacity to handle 700 gallons per minute, allowing for the collection of the peak flow of a 25-year, 24-hour storm event. The permit allows for stormwater in exceedance of this flood event to discharge into the Hylebos Waterway, untreated.² Flooding frequency in the Puyallup Watershed is predicted to increase, along with an increase in heavy precipitation events – so much so that 100-year floods are predicted to be the annual norm by the year 2050.³ Consequently, CHB is concerned that the rate at which untreated stormwater is discharged from SST during flood events will occur with unacceptable frequency. *CHB requests that Ecology use updated climate models that more accurately reflect the severity of future storm and flooding events to inform their permitted frequency of untreated stormwater discharges. Additionally, there is no mention of how sea-level rise will impact the outfalls at the facility – how is this being analyzed by Ecology?*

The Permit fact sheet states, “Storm events that exceed the hydraulic design criteria of stormwater treatment systems may bypass the treatment system when Ecology has determined the system meets AKART [all known available, and reasonable methods of prevention, control and treatment] requirements.” And goes on to say, “Ecology expects the facility to meet AKART and make the necessary improvements to its treatment system as the treatment technology evolves.”² These statements infer that Ecology has determined that SST's treatment system has met AKART requirements without on-site confirmation. *CHB requests this excerpt be clarified to show that SST's stormwater treatment system is meeting AKART requirements, and if not, justification for why Ecology expects that their system will in the future.*

“Sludge” from SST's stormwater treatment system and wheel wash facility is “tested and disposed of at the Landfill.”² This “sludge” material contains contaminants that are harmful to both human and aquatic life, and must be disposed of properly. *CHB requests the Permit include criteria for sludge disposal standards and clarification on the suitability of the selected landfill to handle these materials.*

The Permit fact sheet states, “This permit further identifies the potential for stormwater to contain mercury, total chromium, total PAHs, and BEHP; and requires monitoring for these parameters.... Total copper, total lead, total zinc, mercury, and total PAHs do not have a reasonable potential to exceed water quality criteria. However, technology-based limits were applied to total copper, total lead, and total zinc to maintain a high level of treatment for metals.”² *CHB requests justification for why technology-based limits were not also applied to mercury and total PAHs, especially given their known respective toxic and carcinogenic properties?^{2, 4} Additionally, as total chromium is identified as a potential pollutant, please provide justification for why a monitoring protocol nor an effluent limit is required as a condition of this permit.*

The Permit fact sheet states, “Aluminum and iron do not appear to be pollutants of concern at this time since water quality standards for these two metals do not exist for marine waters in the state of Washington.”² This statement infers that aluminum and iron are not pollutants of concern *only* because a water quality standard for these pollutants have not been developed. Aluminum has potentially toxic effects in adult humans, and known developmental and toxic effects in children.⁵ SST is a ferrous (i.e., iron) metal recycler. Ferric iron has known adverse reproductive and developmental impacts on aquatic life.⁶ *Given that both total iron and aluminum have set detection and quantitation levels, as well as known adverse impacts on humans and aquatic life, CHB requests justification for why a monitoring protocol nor an effluent limit is required for either of these chemicals nor iron solids as a condition of this permit.*

CHB is pleased that Ecology and SST are beginning the process of characterizing newly-identified pollutants found in the sediments surrounding SST's discharge. This is an important first step in setting effluent limits that are protective of both human and aquatic life. Ideally, effluent limits - not just monitoring requirements - would be proactively set for these newly-identified pollutants now, rather than five years down the road when the Permit is up for renewal. *CHB requests the Permit be amended to require the timely implementation of on-the-ground source control technologies as the monitoring study identifies the sources of these newly-identified pollutants, rather than just “a comprehensive evaluation of methods to reduce the contributions of these pollutants to the environment....”*

as is currently stated in the Permit. The timeline for which these technologies must be implemented should also be defined in the Permit.

General Comments

CHB requests additional language be added to the "Description of the Receiving Water" section of the Permit fact sheet. As is, this description makes no mention of the Puyallup Tribe. The Hylebos Waterway is used by the Tribe for ceremonial and subsistence fishing and ceremonial gatherings. For example, the 2018 Canoe Journey landing saw 108 tribes indigenous to North America land canoes on the banks of the Hylebos while thousands of tribal and nearby community members looked on while walking, playing and sitting in the intertidal zone of the Hylebos.

Please contact me if there are questions regarding my comments. Thank you for the opportunity to provide feedback on the SST NPDES Discharge Permit.

Sincerely,



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1. Washington Department of Ecology. (n.d.). *General Metals of Tacoma*. Accessed from <https://apps.ecology.wa.gov/gsp/Sitepage.aspx?csid=3251> on June 24, 2019.
2. Washington Department of Ecology. (2019). *2019 Fact Sheet for Schnitzer Steel of Tacoma NPDES Permit WA0040347*. Author.
3. City of Tacoma. (2016). *Tacoma Climate Change Resilience Study Executive Summary*. Environmental Services Department.
4. Agency for Toxic Substances & Disease Registry. (n.d.). *Polycyclic Aromatic Hydrocarbons (PAHs)*. Accessed from <https://www.atsdr.cdc.gov/substances/toxsubstance.asp?toxid=25> on June 26, 2019.
5. Agency for Toxic Substances & Disease Registry. (n.d.). *Public Health Statement for Aluminum*. Accessed from <https://www.atsdr.cdc.gov/phs/phs.asp?id=1076&tid=34> on June 26, 2019.
6. Cadmus, P., Brinkman, S.F., and M.K. May. (2018). Chronic Toxicity of Ferric Iron for North American Aquatic Organisms: Derivation of a Chronic Water Quality Criterion Using Single Species and Mesocosm Data. *Archives of Environmental Contamination and Toxicology*, 74, 4, pp. 605-615.