

WSR 21-21-002

DEPARTMENT OF ECOLOGY

[Filed October 6, 2021, 12:18 p.m.]

PUBLIC NOTICE

Announcing the Modification of the Phase I Municipal Stormwater General Permit

The Washington state department of ecology (ecology) is modifying the Phase I Municipal Stormwater National Pollutant Discharge Elimination System and State Waste Discharge General Permit (permit) on October 20, 2021. The permit modification becomes effective on October 20, 2021, and expires on July 31, 2024.

Purpose of the Permit: The Phase I Municipal Stormwater General Permit regulates the discharges from storm sewer systems owned or operated by Clark, King, Pierce, and Snohomish counties; the cities of Seattle and Tacoma; and public entities located in these cities and counties. The permit requires these municipalities and secondary permittees to protect surface water and groundwater quality by developing and implementing a stormwater management program to control stormwater runoff into and from their storm sewer systems.

Modifications to the Permit: One of the Phase I Municipal Stormwater Permit requirements is for Phase I municipalities to adopt a stormwater program that will provide equal or similar protection of receiving waters and pollutant control as compared to Appendix 1 of the permit. This modification will incorporate, in Appendix 10 of the permit, ecology's determination of equivalency for these stormwater programs.

Public Notice Process and Comments: Ecology accepted public comments on the draft permit and fact sheet from July 21, 2021, **through** August 27, 2021. Ecology held informational public workshops and hearings during this time via online statewide webinars on August 24, 2021, at both 9:00 a.m. and 5:00 p.m. Ecology received written public comments and emails. The comments and ecology's responses are included as Appendix D of the fact sheet.

Copies of the Permit: The final permit, fact sheet, and response to comments are available online at <https://ecology.wa.gov/ms4>. You may request hard copies from Matthew Tietjen at matthew.tietjen@ecy.wa.gov or 360-407-6401.

Applying for Coverage under the Permit: Facilities covered under the existing Municipal Stormwater General Permits will continue to be covered under the modified permits. Areas covered by the Phase I Stormwater Permit are shown here <https://waecy.maps.arcgis.com/home/item.html?id=df7f487bf29b4c24bf195146f22c3cb5>.

Ecology Contact: Emma Trewhitt, Washington State Department of Ecology, P.O. Box 47696, Olympia, WA 98504-7696, phone 360-338-5831, email emma.trewhitt@ecy.wa.gov.

Assistance for Persons with Disabilities: To request ADA accommodation for disabilities, call ecology at 360-407-7285 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington relay service at 711. People with speech disability may call TTY at 877-833-6341.

Your Right to Appeal: You have a right to appeal the final general permit and general permit coverage for a specific facility to the pollution control hearings board. The appeal process is governed by chapters 43.21B RCW and 371-08 WAC.

- Appeals of the general permit issuance must be filed **within 30 days of issuance** of the general permit. See the *Appeal of the General Permit Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710009.pdf>.
- Appeals of general permit coverage for a specific facility must be filed **within 30 days of the effective date of coverage**. See the *Appeal of a General Permit Coverage Focus Sheet* for more information at <https://fortress.wa.gov/ecy/publications/documents/1710007.pdf>.

If you have questions, please contact Emma Trewhitt at emma.trewhitt@ecy.wa.gov or 360-338-5831.