



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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August 2, 2011

Jennifer Wiener
Burlington Northern Santa Fe
2454 Occidental Avenue South, Suite 1A
Seattle, WA 98134-1439

**RE: Request for Modification of Permit Coverage (Level 3 Time Waiver and/or Extension)
Burlington Northern Santa Fe – Balmer Yard
Industrial Stormwater General Permit (ISWGP) No.: WAR001528**

Dear Ms. Wiener:

The Washington State Department of Ecology (Ecology) has reviewed your Request for Modification of Permit Coverage (Level 3 Corrective Action Waiver and/or Extension) dated June 1, 2011.

Ecology has determined that Burlington Northern Santa Fe (BNSF) did not have permit coverage at this facility during 2010¹ and therefore is not required to complete a Level 3 corrective action per ISGP Condition S8.D. To the extent BNSF is requesting a time extension of the Level 3 requirements of the previous iteration of the ISGP, the request is denied because no mechanism exists for an extension of the Level 3 deadlines of the previous permit.

If you have any questions regarding this matter, please contact Greg Stegman at (425) 649-7019, or email greg.stegman@ecy.wa.gov.

Sincerely,

Bill Moore, P.E.
Program Development Services Section Manager
Water Quality Program

cc: Greg Stegman

¹ BNSF terminated Permit SO001528 on 11/03/2009. BNSF later reapplied for and obtained permit coverage for the facility on 06/17/2011.

