



Waste Management of Washington, Inc.
7901 1st Avenue South
Seattle, WA 98108

May 12, 2020

Washington Department of Ecology
Water Quality Program – Industrial Stormwater
PO Box 47696
Olympia, Washington 98504-7696

Re: Request for Modification of Permit Coverage - Level 3 Deadline Extension, Waste Management of Washington, Inc., Seattle Hauling Facility, King County, Washington, Industrial Stormwater General Permit No. WAR000582

Dear Permit Manager:

This letter serves as Waste Management of Washington, Inc.'s (WM's) formal request for modification of permit coverage under the Industrial Stormwater General Permit (ISGP) for the Seattle Hauling facility (WAR000582). In support of this request, WM has completed the Washington Department of Ecology (Ecology) Modification of Permit Coverage Form for your review and approval (see Attachment A).

This modification of permit coverage is for a Level 3 treatment best management practice (BMP) deadline extension related to the following:

- The existing Level 3 for total copper that was triggered in 2018 and covered under Ecology Administrative Order (AO) No. 16817, which has a deadline of September 30, 2020.
- The Level 2 structural source control BMP triggered for total zinc in 2019, which has a deadline of August 31, 2020. The Level 3 treatment BMP already in process for the 2018 total copper results will also address total zinc, and the Level 3 Engineering Report will note that it covers both total copper and zinc.

Deadline Extension Justification

The AO was issued to WM in September 2019 related to a Permit Modification for a Level 2 structural source control BMP deadline extension to address the 2018 total copper results in the site's stormwater discharge. In a proactive approach, WM elected to forego the Level 2 BMP and perform a more protective Level 3 treatment BMP as a long-term solution to ensure that future stormwater discharges consistently meet the ISGP benchmark for copper. As such, the deadline extension of September 30, 2020 was originally granted so that WM could complete the appropriate planning and construction activities (i.e., design, construct, and install the site's infrastructure improvement and advanced treatment system). Given the recent developments with the declared state of emergency over COVID-19 in order to limit the spread and threat of the disease, the current deadline of September 30, 2020 for installation of the Level 3 BMP is not feasible at this time.

The health and safety of our employees, customers, and communities and the protection of the environment are our highest priorities, and WM is taking necessary steps in response to social distancing recommendations, potential mitigation activity, and the declared state of emergency. Although we are committed to our role providing safe and effective solid waste disposal, recycling, and other essential services throughout Washington, we are experiencing and anticipate future disruptions resulting from:

- Impacts to facility operations, including the Level 3 BMP installation project, as a result of limited availability of employees, vendors, contractors, and consultants due to illness from community spread of the virus and/or child-care issues arising from school closures.
- Limited availability of personal protective equipment due to panic buying by the public and health care prioritization.
- Limited availability of materials and resources required for the Level 3 BMP and site operations due to WM vendor service interruptions.

Any, or all of these factors could limit the site operations potentially causing temporary facility closures and significant delays in large construction projects like the Level 3 BMP. As conditions unfold related to COVID-19, it is probable that events may render it impossible to complete the Level 3 BMP regulatory task by its current deadline without contravening other laws and guidance or placing others at risk.

Given the current impacts of the COVID-19 pandemic to society and the unknowns related to future impacts, WM respectfully requests a deadline extension for installing the Level 3 BMP to **September 30, 2021**. WM proposes the following schedule for the Level 3 BMP project:

- Maintain existing schedule for submitting the Engineering Report by May 15, 2020.
- Submit Progress Reports to Ecology by December 31, 2020 and June 30, 2021.
- Submit documentation to Ecology that the Level 3 BMP has been installed and is operational by September 30, 2021.
- Submit Operations and Maintenance manual for the Level 3 BMP by October 30, 2021.

Closing

This modification of permit coverage for a Level 3 deadline extension will align the deadline of the Level 2 BMP triggered in 2019 for total zinc with the current Level 3 BMP already in process under the AO.

WM appreciates your consideration of this request. Upon approval, please provide written authorization of our requested extension and proposed schedule.

May 12, 2020

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If you have any questions, please contact Jasper Boas (206-305-6022 or jboas@wm.com) or me (503-260-8967 or jdavendo@wm.com).

Sincerely,

A handwritten signature in cursive script, appearing to read "Jason Davendonis".

Jason Davendonis
Environmental Protection Manager
Pacific Northwest/BC Area

Attachments: Attachment A: Modification of Permit Coverage Form

CC: Ben Billick; Ecology
James L. Denson, Jr.; WM
Jasper Boas; WM
Benjamin Arata; WM
Joseph Pellecchia; WM

Attachment A

**Modification of Permit Coverage Form
Industrial Stormwater General Permit**



Modification of Permit Coverage Form for Industrial Stormwater General Permit

Permit No. WA R 0 0 0 5 8 2

I. Operator/Permittee for the Facility (All permit and billing correspondence will be mailed here)

Operator/Permittee's Name JOESPH PELLECCIA		Phone No. 206-505-9163	Email Address jpellecc@wm.com
Company Name WASTE MANAGEMENT OF WASHINGTON, INC.			
Street Address or P.O. Box 7901 1 ST AVENUE SOUTH			
City SEATTLE	State WA	Zip + 4 98108-4202	

II. Modified Permit Information CHECK ALL THAT APPLY

☐ New Industrial Process (requires public notice), please list the associated SIC codes:

1					2					3					4					5				
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Type or Nature of New Industrial Activities: _____

Are there new monitoring points associated with the new industrial process? ☐ No ☐ Yes

If no, please list the previously established monitoring points associated with the new process (i.e., CB1, DP4):

If yes, please identify new monitoring points: _____

Discharge identifier. These cannot be symbols. (maximum of three characters ex. 01A)	Latitude degrees, minutes, seconds	Longitude degrees, minutes, seconds	Location description (i.e. Catch Basin 1)
	° ' N	° ' W	
	° ' N	° ' W	
	° ' N	° ' W	

If Applicable, New Receiving Water

Receiving Water Body	Latitude degrees, minutes, seconds	Longitude degrees, minutes, seconds
	° ' N	° ' W
	° ' N	° ' W

What type of modification are you requesting?

☒ Level 2 / Level 3 Deadline Extension, please list the new deadline requested (MM/DD/YYYY): 09/30/2021.

- Attach detailed technical basis for extension. Include proposed timeline for completion and describe issues that affect completion date; for example, state/local permits, study, design, financing, professional services and contracting, etc.

☐ Level 2 / Level 3 Waiver. Attach technical basis for request.

- If request is based on claim that it is "not feasible" to perform corrective actions, provide detailed information to support request (e.g., lease, contract, affidavit, maps, photos, and/or other documentation).
- If request is based on claim that corrective action is "not necessary" to prevent violations of water quality standards, Ecology recommends including an engineering report and sampling information to support claim.

☒ Other (please explain): The above deadline extension request is two-fold for both the 2019 zinc corrective action and the 2018 copper corrective action that is already covered by an extension AO No. 16817 (see attached letter for more detail).

III. Public Notice

Facilities modifying existing coverage must publish a public notice at least once a week for **two** consecutive weeks with **seven** days in between publications, in a **single** newspaper of general circulation in the county in which the facility is located. Ecology cannot grant permit coverage sooner than the end of the 30-day public comment period, which begins on the date of the second public notice.

Submit (or fax: 360-407-6426) the application to Ecology on or **before** the date of the first public notice. If you fax the application to Ecology, you must follow up with hard copy by mail.

Date of the first public notice: 05 / 13 / 2020

Date of second public notice: 05 / 20 / 2020 (Begins 30-day public comment period)

Example: Date of the first public notice: 01 / 01 / 2010

Date of second public notice: 01 / 08 / 2010

Name of the newspaper that will publish the public notices: DAILY JOURNAL OF COMMERCE.

Complete this template using site-specific information. The **bold** language is required by WAC 173-226-130 and must be included in its entirety. (Either use the fill-in template below or attach on a separate sheet of paper, if necessary.)

WASTE MANAGEMENT OF WASHINGTON, INC., 720 4TH AVENUE, SUITE 400, KIRKLAND, WA 98033 is seeking modification of coverage under the Washington Department of Ecology's NPDES General Permit for Stormwater Discharges Associated with Industrial Activities at the industrial site, known as WASTE MANAGEMENT SEATTLE HAULING CO. located at 7901 1ST AVENUE SOUTH in SEATTLE, WA.

Activities requiring permit modification include: A LEVEL 3 (TREATMENT BMP) DEADLINE EXTENSION TO SEPTEMBER 30, 2021.

Any person desiring to present their views to the Department of Ecology concerning this application may notify Ecology in writing within 30 days from the last date of publication of this notice. Comments may be submitted to:

Washington Dept of Ecology
Water Quality Program – Industrial Stormwater
PO Box 47696
Olympia, WA 98504-7696

IV. Certification of Permittee

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

JOSEPH PELLECCIA

WASTE MANAGEMENT OF
WASHINGTON, INC.

5/8/2020

Printed Name

Company

Date

Signature

***Federal regulations require this application is signed by one of the following:**

- A. In the case of corporations, by a principal executive officer of at least the level of vice president.
- B. In the case of a partnership, by a general partner of a partnership.
- C. In the case of sole proprietorship, by the proprietor.
- D. In the case of a municipality, state, federal, or other public facility: by either a principal executive officer or ranking elected official.

Return this signed original document to the address below. Make sure you retain a copy for your records.

Washington Department of Ecology
Water Quality Program – Industrial Stormwater
PO Box 47696
Olympia, WA 98504-7696

If you have any questions, please call:

- **Shawn Hopkins** 360-407-6442 or shop461@ecy.wa.gov for Adams, Asotin, Columbia, Ferry, Franklin, Garfield, Grant, Lincoln, Pend Oreille, Skagit, Snohomish, Spokane, Stevens, Walla Walla, Whatcom, and Whitman counties.
- **Clay Keown** 360-407-6048 or ckeo461@ecy.wa.gov for Island, King (except Seattle), and San Juan counties.
- **Josh Klimek** 360-407-7451 or jokl461@ecy.wa.gov for city of Seattle and Kitsap, Pierce, and Thurston counties
- **Joyce Smith** 360-407-6858 or josm461@ecy.wa.gov for Benton, Chelan, Clallam, Clark, Cowlitz, Douglas, Grays Harbor, Jefferson, Kittitas, Klickitat, Lewis, Mason Okanogan, Pacific, Skamania, Wahkiakum, and Yakima counties.

To ask about the availability of this document in a version for the visually impaired call the Water Quality Program at 360-407-6600. Persons with hearing loss, call 711 for Washington Relay Service. Persons with a speech disability, call 877-833-6341.