



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000*

*711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341*

November 18, 2020

Calvin Nutt  
BNSF Railway Company  
2454 Occidental Ave S Ste 1A  
Seattle, WA 98134-1451

WAR303939  
BNSF Intalco Yard Improvement Project  
( 48.9228 , -122.672 )  
Custer, WA 98240

**RE: Reissuance of the Construction Stormwater General Permit**

Dear Mr. Calvin Nutt:

On November 18, 2020, the Washington State Department of Ecology (Ecology) reissued the Construction Stormwater National Pollutant Discharge Elimination System and State Waste Discharge General Permit (permit). The permit becomes effective on January 1, 2021, and expires on December 31, 2025. A mobile-friendly copy of the permit, permit forms, and information related to your permit can be viewed and downloaded at [www.ecology.wa.gov/eCoverage-packet](http://www.ecology.wa.gov/eCoverage-packet). **Retain this letter with your permit and Stormwater Pollution Prevention Plan. It is the official record of permit coverage for your site.**

**Permit Overview**

The new permit has a number of changes. The changes are summarized in the Fact Sheet. You can find more information on Ecology's website at [www.ecology.wa.gov/constructionstormwaterpermit](http://www.ecology.wa.gov/constructionstormwaterpermit).

**Site Specific Monitoring Requirements**

Your monitoring requirements may be viewed by logging in to WebDMR and viewing your first DMR. If you believe there is a discrepancy between what the permit requires and the DMR, please contact Ecology immediately:

[www.ecology.wa.gov/constructionstormwaterpermit#contact](http://www.ecology.wa.gov/constructionstormwaterpermit#contact). Any additional monitoring requirements, such as those applied through an Administrative Order, will remain in effect.

### **Copies of the Permit**

You may download copies of the final permit, Fact Sheet, Response to Comments, and other supporting documents online at [www.ecology.wa.gov/constructionstormwaterpermit](http://www.ecology.wa.gov/constructionstormwaterpermit). You may also request copies from Dena Jaskar at (360) 407-6401 or by email at [dena.jaskar@ecy.wa.gov](mailto:dena.jaskar@ecy.wa.gov).

### **Appeal of Permit Coverage**

You have a right to appeal coverage under the general permit to the Pollution Control Hearings Board (PCHB). Appeals must be filed within 30 days of the date of receipt of this letter. Any appeal is limited to the general permit's applicability or non-applicability to a specific discharge. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

For more information regarding your right to appeal, go to:

<https://fortress.wa.gov/ecy/publications/SummaryPages/1710007.html> to view Ecology's Focus Sheet: *Appeal of General Permit Coverage*.

### **For Additional Information or Assistance**

Ecology is committed to providing assistance to you. Please review our web page at [www.ecology.wa.gov/constructionstormwaterpermit](http://www.ecology.wa.gov/constructionstormwaterpermit). For questions about transfers, terminations, and other administrative issues, please contact Melinda Wilson at [MEWI461@ecy.wa.gov](mailto:MEWI461@ecy.wa.gov).

If you have questions regarding stormwater management issues at your site, please contact Elizabeth Fint at [EFIN461@ecy.wa.gov](mailto:EFIN461@ecy.wa.gov).

If you have questions regarding the permit, please contact Noel Tamboer at (360) 701-6171, or [noel.tamboer@ecy.wa.gov](mailto:noel.tamboer@ecy.wa.gov).

Sincerely,



Jeff Killelea  
Acting Manager  
Program Development Services Section  
Water Quality Program