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March 23, 2015

Cheryl Niemi
Washington State Department of Ecology Water Quality Program
P.O. Box 47600
Olympia, WA 98504-7600
swqs@ecy.wa.gov

Subject: Revised Water Quality Standards for Toxic Substances, WAC 173-201A-240

Dear Ms. Niemi,

The City of Bellingham submits this comment letter to the Department of Ecology, as part of the public review period for the rule-making process to revise Washington State's water quality standards.

As elected representatives of the people of Bellingham, Washington, we wholeheartedly accept our responsibility to protect the health and welfare of our community and our natural resources, and we acknowledge that securing clean water in our freshwater rivers, lakes and saltwater bodies is a high priority.

We are therefore fully in support of the governor's comprehensive approach to improving water quality, including reducing toxic chemicals in consumer products, an emphasis on addressing water quality problems at the source, and legislative actions to identify priority toxins and develop Chemical Action Plans (CAP) accordingly.

In general, we also support the proposed revisions to section 173-201A of the Washington Administrative Code. In particular, we strongly support the upward-revision of the fish consumption rate to 175 g/day, which is a more realistic number based on actual eating practices in our communities. We believe the higher fish consumption number is necessary to provide a solid basis for protecting human health. We note that even this number is low for some members of our community, particularly when considering traditional tribal eating customs, which Ecology's own technical support documents show are often many hundreds of grams per day. For this reason, we believe a higher fish consumption number is important as a matter of social equity and justice for all members of our community.

We also note the change in the allowable incremental cancer risk rate, as indicated in the notes to revised table in Subsection 240. Currently, Washington law defines the acceptable risk-based criteria for incremental cancer risk at less than or equal to one in one million. The proposed new Table 240 would lower this standard, so that an additional lifetime incremental cancer risk of one in one hundred thousand is considered safe. While we recognize that because of changes to other elements of the formula the water quality standards will be more protective in about 70% of cases, we remain concerned by carcinogen exposure from contaminated water.

As local government officials, we are keenly aware that stronger water quality standards will impose new compliance burdens for pollution source control and for stormwater control in general. And we are aware that much of the responsibility will fall on local governments, such as our own, that are already financially stretched to control polluted water runoff from our streets, businesses, and homes. Stronger and higher water quality standards will create enormous challenges, both in terms of the costs for compliance and the limits of technology to achieve the desired goals. We need to have serious discussions at the state level about funding assistance for stormwater projects, and Ecology should consider establishing an achievable compliance schedule.

Nonetheless, we are philosophically committed to strong standards to protect public health. At the same time, we ask the Dept. of Ecology to consider ways to establish realistic interim compliance goals and time frames. We believe in setting the bar high, and then establishing realistic and affordable milestones to achieve our goals. Clean water and fish that are safe to eat cannot be accomplished over night, but that does not mean that we should settle for dirtier water and unsafe fish.

Thank you for considering our comments.

Sincerely,



Gene Knutson
City Council President



Kelli Linville
Mayor

cc: Robert Duff, Policy Advisor on Natural Resources/Environment, Governor's Office,
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