

RESOLUTION NO. 3750

A Resolution of the Port of Seattle Commission replacing the current policy prohibiting illicit and non-stormwater discharges from being discharged through the stormwater system on Port of Seattle Maritime properties; providing revised definitions and describing fully prohibited, conditionally allowable, and permissible discharges; and repealing existing policy in Resolution No. 3596.

WHEREAS, on January 17, 2007, the Washington State Department of Ecology issued the Phase I Municipal Stormwater Permit (“the Phase I Permit”) that regulates discharges from the Port’s Municipal Separate Storm Sewer System (MS4) located within the City of Seattle or King County; and

WHEREAS, the Phase I Permit was reissued on August 1, 2012, and subsequently modified on January 16, 2015, and August 19, 2016; and

WHEREAS, on March 9, 2007, the Port submitted a Notice of Intent, applying for coverage under the Phase I Permit and has been covered under the Phase I Permit since that time; and

WHEREAS, Condition S6(E)(3)(b) of the Phase I Permit requires that the Port develop and adopt appropriate policies prohibiting illicit connections, illicit discharges, and illegal dumping;

WHEREAS, on March 11, 2008, the Port approved Resolution 3596 prohibiting illicit and non-stormwater discharges to comply with requirements; and

WHEREAS, the Port is now updating the policy consistent with State and City requirements;

NOW, THEREFORE, BE IT RESOLVED by the Port Commission of the Port of Seattle as follows:

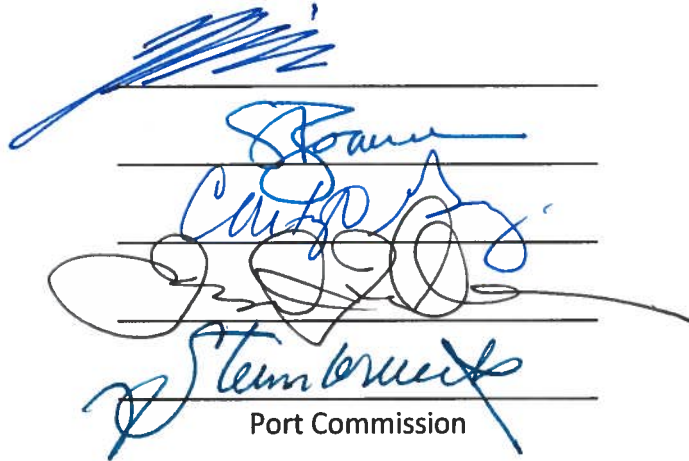
SECTION 1. Resolution No. 3596 is hereby repealed.

SECTION 2. A revised policy directive prohibiting illicit and non-stormwater discharges through Maritime stormwater systems is hereby established as shown in Exhibit A, attached.

SECTION 3. The policy directive contained in Exhibit A and attached to this resolution shall be labeled and catalogued as appropriate, together with other Commission Policy Directives, and

shall be made readily available for use by Port staff and members of the public as a governance document of the Port of Seattle.

ADOPTED by the Port Commission of the Port of Seattle at a duly noticed meeting thereof, held this 23 day of October, 2018, and duly authenticated in open session by the signatures of the commissioners voting in favor thereof and the seal of the commission.



Four handwritten signatures in blue ink are written over four horizontal lines. The signatures are: 1. A scribbled-out signature. 2. A signature that appears to be 'Stamm'. 3. A signature that appears to be 'Curtis'. 4. A signature that appears to be 'Stemberick'. Below the fourth signature, the text 'Port Commission' is printed.

EXHIBIT A to RESOLUTION 3750
Policy Prohibiting Illicit and Nonstormwater Discharges

SECTION 1. Purpose.

Discharges through the Port of Seattle’s Municipal Separate Storm Sewer System located within the City of Seattle or King County are regulated by a Washington State Department of Ecology Phase I Municipal Stormwater Permit. The purpose of this policy directive is to comply with Condition S6(E)(3)(b) of the Phase I Permit, which requires that the Port develop and adopt appropriate policies prohibiting illicit connections, illicit discharges, and illegal dumping.

SECTION 2. Definitions.

When used in this policy directive, the following words and phrases shall have the meanings given below unless the context in which they are included clearly indicates otherwise:

“Hazardous substance” means any liquid, solid, gas, or sludge, including any material, substance, product, commodity, or waste, regardless of quantity, that exhibits any of the physical, chemical, or biological properties described in WAC 173-303-090, WAC 173-303-101, 173-303-102 or 173-303-103, which may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, or transported, disposed of, or otherwise managed.

“Illicit connection” means any direct or indirect infrastructure connection to the Port of Seattle’s Municipal Separate Storm Sewer System that is not intended, permitted, or used for collecting and conveying stormwater or non-stormwater discharges allowed as specified in this policy.

“Illicit discharge” means any discharge to the Port of Seattle’s Municipal Separate Storm Sewer System that is not composed entirely of stormwater or of non-stormwater discharges allowed as specified in this policy.

“MS4” means the Port of Seattle’s Municipal Separate Storm Sewer System.

SECTION 3. Scope and Applicability.

A. This policy directive pertains to all discharges through the Port of Seattle’s MS4, regardless of discharge source, including the Port of Seattle, its tenants and lease holders, and members of the public.

SECTION 4. Responsibilities.

A. The Marine Stormwater Utility Director and Maritime Stormwater Program Manager are responsible for implementation and administration of this policy directive.

SECTION 5. Policy.

A. **Illicit Connections Policy.** The construction, use, maintenance, or continued existence of illicit connections to the Port of Seattle's MS4 is hereby prohibited. This prohibition includes illicit connections made in the past, regardless of whether the connection was permissible under law or acceptable practice at the time of connection. Illicit connections must be disconnected and redirected, as necessary, to an approved discharge location.

B. **Illicit Discharge Policy.** Illicit discharges to surface water or the Port of Seattle's MS4, whether directly or indirectly, are either fully prohibited or conditionally prohibited, as defined in this section. Allowable discharges, as permitted under the Phase I Permit and the City of Seattle Stormwater Code, are defined in this section.

(1) **Fully prohibited discharges.** The common substances prohibited to enter, either directly or indirectly, the Port's MS4 or a receiving water within or contiguous to Port of Seattle Maritime properties, when entering via a service drain, overland flow, as a result of a spill or deliberate dumping, or other methods, include, but are not limited to the following:

- (a) acids
- (b) alkalis including cement wash water
- (c) ammonia
- (d) animal carcasses
- (e) antifreeze, oil, gasoline, grease and all other automotive and petroleum products
- (f) chemicals not normally found in uncontaminated water
- (g) chlorinated swimming pool or hot tub water
- (h) chlorine
- (i) commercial and household cleaning materials
- (j) detergent
- (k) dirt
- (l) domestic or sanitary sewage
- (m) drain cleaners
- (n) fertilizers
- (o) filter backwash wastewater
- (p) flammable or explosive materials
- (q) food and food waste
- (r) gravel
- (s) herbicides
- (t) human and animal waste
- (u) ink
- (v) laundry waste
- (w) liquid and powdered dyes

- (x) metals in excess of naturally occurring amounts, whether in liquid or solid form
- (y) painting products
- (z) pesticides
- (aa) process wastewater
- (bb) sand
- (cc) soap
- (dd) solid waste
- (ee) solvents and degreasers
- (ff) steam-cleaning waste
- (gg) yard waste

(2) Conditionally allowable discharges. Discharges from the sources listed below are permissible discharges only if the stated conditions are met. Even when the stated conditions are met, these discharges are prohibited if the Marine Stormwater Utility Director or Maritime Stormwater Program Manager determines that the type of discharge is causing or contributing to a violation of this policy or is causing or contributing to a water quality problem.

- (a) Discharges from potable water sources, including water line flushing, hyper chlorinated water line flushing, fire hydrant system flushing, pipeline hydrostatic test water, and washing of potable water storage reservoirs are allowed only if planned discharges are de-chlorinated to a total residual chlorine concentration of 0.1 ppm or less, pH-adjusted if necessary, and volumetrically and velocity controlled to prevent resuspension of sediments in the MS4. No chemicals may be added, and settleable solids must be removed prior to discharge.
- (b) Discharges from lawn watering and other irrigation runoff are allowed only if minimized to the maximum extent practicable.
- (c) Discharges from swimming pools, spas, hot tubs, fountains, or similar aquatic recreation facilities and constructed water features are allowed only if the discharges are dechlorinated to a concentration of 0.1 ppm or less, pH-adjusted and re-oxygenated if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the MS4, and thermally controlled to prevent an increase of temperature in the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the MS4 under any circumstances.
- (d) Discharges of street and sidewalk washwater are allowed only when the surfaces are swept prior to washing, detergents are not used, and water use is minimized.
- (e) Discharges of water from routine external building washdown are allowed only when detergents are not used and water use is minimized.
- (f) Discharges of water used to control dust are allowed only when water use is minimized.

- (g) Other non-stormwater discharges may be discharged if the Port approves a stormwater pollution prevention plan that addresses control of such discharges.

(3) Permissible Discharges. The following list provides examples of permissible discharges. Even though generally permissible, these discharges are prohibited if the Marine Stormwater Utility Director or Maritime Stormwater Program Manager determines that the type of discharge is causing or contributing to a violation of this policy or is causing or contributing to a water quality problem.

- (a) Discharges from surface waters, including diverted stream flows
- (b) Discharges of uncontaminated groundwater, including uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20), uncontaminated pumped groundwater, and rising groundwater
- (c) Discharges of air conditioning condensation
- (d) Discharges from springs
- (e) Discharges of uncontaminated water from crawl space pumps
- (f) Discharges from riparian habitats and wetlands
- (g) Discharges from approved footing drains, foundation drains, and other subsurface drains or, where approval is not required, installed in compliance with this policy
- (h) Non-stormwater discharges authorized by another National Pollutant Discharge Elimination System (NPDES) permit or State Waste Discharge permit
- (i) Discharges that are from emergency firefighting activities
- (j) Discharges of tracing dye used to establish or verify a drainage or sewer connection

C. **Illegal Dumping Policy.** It is prohibited to spill, dump, release, throw, deposit, or place solid waste, litter, pet and human waste, yard waste, or hazardous substances on Port of Seattle property, without permission from the port.