July 24, 2014

Mr. Seth P. Brown, P.E.
Stormwater Program and Policy Director
Water Environment Federation
601 Wythe Street
Alexandria, VA 22314-1994

RE: Investigation into the Feasibility of a National Testing and Evaluation Program for Stormwater Products and Practices

Dear Mr. Brown:

This letter is written on behalf of the Washington State Chapter of the American Public Works Association's Stormwater Managers Committee (Committee). Our Committee met on May 16th and the agenda included a discussion of the Water Environment Federation's (WEF) efforts to explore the feasibility of creating a national program for the testing and evaluation for stormwater products and practices. Our discussion included a dialog regarding the findings and recommendations contained in WEF's white paper entitled *Investigation into the Feasibility of a National Testing and Evaluation Program for Stormwater Products and Practices*.

As background, our Committee has been in place for over 25 years as a forum where public and private sector stormwater professionals meet and discuss evolving regulatory requirements, lessons learned, and technical information to advance the collective knowledge among stormwater professionals in the state of Washington. The Committee's membership includes a wide variety of professional from the public and private sector who share common interest in issues pertaining to stormwater runoff including its effects on the environment and its management. The Committee meets on alternate months and our meetings are open to all who wish to attend.

Since its formation, the Committee has played a meaningful role as a sounding board on matters of science, engineering, public policy, and regulation. This includes technical initiatives such as producing the document *Protocol for the Acceptance of Unapproved Stormwater Treatment Technologies for Use in the Puget Sound Watershed* in 1999, which led to the development of Washington State's first stormwater technology assessment protocol and guidance manual in October 2002. The guidance manual, *Technology Assessment Protocol-Ecology (TAPE)* has since undergone several revisions, but remains our state's certification process for emerging stormwater treatment technologies. The Washington Department of Ecology (Ecology) administers the TAPE program with assistance from staff at the Washington Stormwater Center.

We wish to express our Committee's support for developing a national testing and evaluation program for stormwater products and practices. We recommend that that such a program take the form of testing and verification, but stop short of certification. In doing so, this fosters regional and local control in making final determinations regarding the appropriateness of using specific products and practices based on localized conditions and context-specific circumstances.

We also feel that a national program should apply to proprietary products as well as emerging public-domain technologies and practices. While verification of initial

performance is vital to level the playing field, long term performance testing provisions should also be considered. A new national protocol could also evaluate traditional public-domain technologies and practices to verify that their performance meets expectations and/or if they could benefit from design modifications.

Furthermore, in addition to the traditional chemistry parameters, we stress the importance in conducting toxicity evaluations as well as assessing the operational and maintenance aspects of the technologies and practices undergoing evaluation. Since assessments rarely evaluate changes in bioavailability, we recommend that a national protocol examine to what degree treatment technologies and practices reduce or exacerbate the bioavailability of toxic pollutants, especially for metals like copper and zinc.

A national protocol should also address hydraulic performance of flow controls, critical hydraulic design aspects that control treatment rates (i.e., residence time and loading rate), and overflow/bypass. Lastly, provisions may be important for sampling/testing to verify treatment efficacy for specific organic or other pollutants for stormwater technologies and practices intended to prevent or control recontamination of aquatic Superfund cleanup sites (e.g., PCBs, arsenic, mercury, and dioxin).

We appreciate your leadership in pursuing the development of a national program and common protocols for the testing and evaluation of stormwater products and practices. We look forward to working with WEF to realize this vision.

Sincerely,

Bruce Wulkan

Bruce Wulkan, Co-Chair

Paul Fendt

Paul Fendt, Co-Chair

On behalf of the Stormwater Managers Committee
American Public Works Association, Washington State Chapter