



STATE OF WASHINGTON

DEPARTMENT OF ECOLOGY

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March 25, 1999

Mr. Robert Hartmann
Water Weights Inc.
5139 Brooks Street, Suite E
Montclair, CA 91763

Dear Mr. Hartmann:

My apologies for taking so long to respond to your February 17, 1999 letter regarding Water Weights, Inc. future business activities in Washington State. We've been quite tied up with the current legislative session and the potential Endangered Species Act listings for several salmon runs.

As with most states, Washington has established water quality standards for the protection of the state's waters. I have included a copy of Washington's water quality standards (WAC 173-201A) for your reference. A state or federal permit is required if these standards are or may be violated. Based on our telephone discussion and on the material you provided with your letter, it doesn't appear that the crane load testing your organization would be conducting in and adjacent to state waters is likely to cause a standards violation. Therefore, a permit would not be required for these tests when conducted as described in your letter.

From the information provided, the primary potential for a standards violation would be from the disturbance of sediments during filling and especially during draining of the water bags. Controlling the flow rate when filling and discharging the water bags and maintaining an adequate depth between the area of disturbance and the bottom sediments should avoid a turbidity violation. If you should encounter a situation where avoidance of a turbidity violation is impossible, we have built into the water quality standards an allowance for a turbidity mixing zone (see WAC 173-201A-110(3)). However, no exceedance of the turbidity criteria would be allowable beyond this mixing zone.

Again, my apologies for the delay in responding. I hope this hasn't caused you any inconvenience. Feel free to contact me at (360) 407-6481 if I may be of further assistance.

Sincerely,

Stephen L. Saunders
Water Quality Program