



ATTORNEYS
AT LAW

Updates on Current ISGP Litigation

Washington Public Ports Association
2026 Spring Meeting - Environmental Committee
Sara B. Frase
May 19, 2026

The 2025 ISGP

- Issued on December 2, 2024
- Key Changes



Appeals of the Permit

- Six separate appeals filed
 - *Puget Soundkeeper Alliance, et al. v. State of Washington, Department of Ecology* (PCHB No. 24-088c)
- Issues on Appeal
 - Fifty-Eight Combined Preliminary Issues

PCHB

- Hearing concluded in February.
- No ruling yet.

1 **POLLUTION CONTROL HEARINGS BOARD**
2 **STATE OF WASHINGTON**

3 PUGET SOUNDKEEPER ALLIANCE et.
4 al.,
5 Appellants,
6
7 v.
8
9 STATE OF WASHINGTON,
10 DEPARTMENT OF ECOLOGY,
11
12 Respondent.

PCHB No. 24-088c

PREHEARING ORDER

Partial Settlements

- First Agreement
 - Stay of certain issues during the pendency of the appeal
 - Ecology to commit to re-issuance of ISGP
- Second Agreement
 - Modifications for stormwater runoff from overwater structures
 - The Monte Carlo Simulator

More Appeals

- Challenging the Partial Stay of the ISGP by Ecology.
- Hearing is scheduled to begin on July 15, 2026.

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**POLLUTION CONTROL HEARINGS BOARD
STATE OF WASHINGTON**

PUGET SOUNDKEEPER ALLIANCE and
SPOKANE RIVERKEEPER,

Appellants,

v.

STATE OF WASHINGTON,
DEPARTMENT OF ECOLOGY,

Respondent,

NORTHWEST SEAPORT ALLIANCE;
PORT OF SEATTLE; PORT OF TACOMA;
BNSF RAILWAY COMPANY; SSA
TERMINALS, LLC; and WASHINGTON
TRUCKING ASSOCIATION,

Respondent-Intervenors.

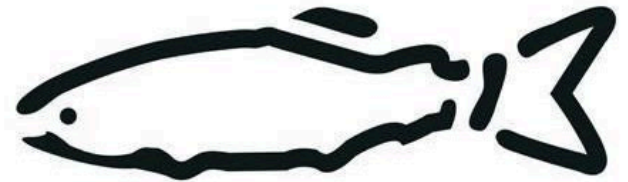
PCHB No. 26-010

FIRST AMENDED PREHEARING
ORDER

In the meantime...

- Ecology taking steps towards reissuance
- Draft in February 2028
- Final in August 2028

NO DUMPING



DRAINS TO WATERWAY

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