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Water Docket, EPA Docket Center  
U.S. Environmental Protection Agency  
Mail Code: MC-4101T  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
Attention: Docket ID No. OW-2005-0007

FEB 16 2006

SUBJECT: PROPOSED NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
MULTI-SECTOR GENERAL PERMIT FOR STORMWATER DISCHARGES FROM INDUSTRIAL  
ACTIVITIES; 70 FR 72116; 1 DECEMBER 2005

Dear Sir/Madam:

The Department of Defense (DoD) Clean Water Act Services Steering Committee (CWASSC), which represents the Departments of the Navy, Air Force, and Army, as well as several other Defense components and agencies, has reviewed the proposed National Pollutant Discharge Elimination System (NPDES) Stormwater Multi-Sector General Permit (MSGP) for industrial activities. DoD supports the NPDES permitting policy as an important tool in protecting our nation's water resources, but we have specific concerns related to the proposed MSGP 2006 and accompanying Fact Sheet.

DoD's main concerns with the proposed MSGP 2006 fall into the following areas:

1. Clarification of the public review process, permit effective dates, and reporting deadlines;
2. Revising and reinstating various MSGP 2000 requirements for benchmark monitoring;
3. Clarification of Stormwater Pollution Prevention Plan (SWPPP), water quality standard (WQS), and total maximum daily load (TMDL) requirements; and
4. Providing correct information on the use of airfield and aircraft deicing chemicals.

A detailed discussion of these concerns and other comments are provided in the enclosed document for consideration in finalizing the general permit.

Thank you for providing an opportunity to comment on the NPDES Stormwater MSGP for industrial activities. If you have any questions, our point of contact for this issue is Mr. Abe Nachabe at (202) 685-9315, or e-mail at [abe.nachabe@navy.mil](mailto:abe.nachabe@navy.mil).

Sincerely,

A handwritten signature in black ink, appearing to read "Donald R. Schregardus".

Donald R. Schregardus  
Deputy Assistant Secretary of the Navy (Environment)

**Enclosure (1): DoD CWASSC Comments on the Proposed National Pollutant Discharge Elimination System (NPDES) Multi-Sector General Permit (MSGP) for Stormwater Discharges from Industrial Activities**

**Copy to:**

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**HQMC (CMC-LFL)**

**Department of Defense (DoD) Clean Water Act Services Steering Committee (CWASSC)**

**Comments on the  
Proposed National Pollutant Discharge Elimination System (NPDES)  
Multi-Sector General Permit (MSGP) for Stormwater Discharges from Industrial Activities  
(70 FR 72116; 1 December 2005)**

**TABLE OF CONTENTS**

<b>1. PUBLIC REVIEW PROCESS and PERMIT EFFECTIVE DATE .....</b>	<b>1</b>
1.1. Clarify the Public Review Process for Permit Applications/SWPPPs and Reduce the Wait Period for the Effective Date of Permit Coverage for Existing Dischargers .....	1
1.2. Revise Section 1.5.2 to Account for EPA Posting Problems.....	2
1.3. Allow for Public Review of State and Tribal Specific Requirements.....	2
<b>2. REPORTING DEADLINES .....</b>	<b>3</b>
2.1. Restore Deadlines for BMP Modifications .....	3
2.2. Increase the Deadline for Completion of SWPPP Modifications .....	3
2.3. Extend the Deadline for Corrective Action to 12 Weeks .....	4
2.4. Increase the Deadline for a Facility Seeking Initial Permit Coverage to Notify EPA if Unable to Provide the Certification for the Elimination of Unauthorized Discharges .....	4
<b>3. MONITORING REQUIREMENTS.....</b>	<b>5</b>
3.1. Change Deadline for Benchmark Monitoring Data Reporting to 45-days .....	5
3.2. Retain Previous Sampling Schedule .....	5
3.3. Revise the Benchmark Values for pH Parameter.....	5
3.4. Extend Representative Outfall Provision for Visual Monitoring.....	6
3.5. Revise Language regarding Visual Monitoring for Large Facilities .....	6
3.6. Reinstate Allowance for Collection and Analysis of Samples .....	7
<b>4. SWPPP REQUIREMENTS .....</b>	<b>7</b>
4.1. Delete the Requirements for including Types of Discharges and Pollutants Discharged on the Site Map .....	7
4.2. Require SWPPP Signature for Annual Plan Updates Only.....	8
4.3. Include a Security Caveat to Providing a Copy of the SWPPP Upon Written Request.....	8
<b>5. WATER QUALITY STANDARDS and TMDLS .....</b>	<b>9</b>
5.1. Support Proposed Settlement Agreement Language regarding Water Quality Standards .....	9
5.2. Change the Requirement for Dischargers to Impaired Waters with No Applicable Wasteload Allocation to Conduct Monitoring for the Pollutant Contributing to the Impairment.....	9
5.3. Revise Section 1.2.4.9 for New Discharges to Water Quality Impaired Receiving Water without a TMDL.....	10
5.4. Clarify what Specific Type of Consultation on TMDL-related Requirements must be Documented in the SWPPP .....	11

**DoD CWASSC Comments on Proposed NPDES Stormwater MSGP**

<b>6. OTHER/GENERAL COMMENTS.....</b>	<b>11</b>
6.1. Correct Information regarding the Use of Propylene/Ethylene Glycol for Deicing .....	11
6.2. Add “at reasonable times” to Part B.9.A.....	11
6.3. Clarify or Define the Term “Significant Spills” .....	12
6.4. Define the Term “Current Industry Practice” .....	12
6.5. Correctly Define the Acronym for SPCC.....	13
6.6. Correct Typographical Errors .....	13

## 1. PUBLIC REVIEW PROCESS and PERMIT EFFECTIVE DATE

### 1.1. Clarify the Public Review Process for Permit Applications/SWPPPs and Reduce the Wait Period for the Effective Date of Permit Coverage for Existing Dischargers

**Comment:** The Environmental Protection Agency (EPA) proposes that a 30-day period be provided for the public to review permit notifications and Storm Water Pollution Prevention Plans (SWPPPs) of facilities providing Notice of Intent (NOI) for coverage under the industrial stormwater Multi-Sector General Permit (MSGP), and that permit coverage not begin until 30 days after EPA posts the permit application on the NOI Website. EPA indicates in the Fact Sheet that they will consider comments received after 30 days. Public review of stormwater pollution prevention plans should not be allowed to delay permit coverage, nor should public review extend indefinitely over the life of the permit. In addition, the proposed 30-day wait period after EPA posts the completed NOI on its website is too lengthy and may delay full implementation of the permit requirements at the facility.

**Discussion:** EPA requests comments on whether the 30-day public comment period should be waived for new operators who submit NOIs during the first 30 days after the MSGP 2006 goes into effect. The purpose would be to allow new facilities, no longer able to seek coverage under MSGP 2000, to seek coverage as soon as possible under MSGP 2006. DoD supports the suggestion that permit coverage should begin in this case upon receipt of a completed NOI. In addition, many facilities applying for coverage under the MSGP 2006 are existing dischargers whose NOIs, including Endangered Species Act (ESA) and National Historic Preservation Act (NHPA) eligibility certification, under the expired permit (MSGP 2000) would have already been reviewed by EPA and the appropriate agencies. Thus, the purpose and benefit of a 30-day wait period for these dischargers is not evident, as it would only delay the full implementation of the permit. Allowing the permit coverage to begin does not prevent resolution of issues raised during the comment period as EPA retains the right under permit Section 2.5 (notification of inadequacy) to require modifications or correction of problems at any time.

DoD is concerned that for facilities covered under the 2000 general permit there should be no lapse in permit coverage based on EPA's need to review incoming comments. Therefore, DoD agrees with the proposed 120-day continuance of the 2000 MSGP discussed in Section 3.1 of the Fact Sheet, but would also like to see the default position be that permit coverage is granted, while any outstanding issues are addressed after permit coverage issuance.

Attaining regulatory certainty is important to efficient facility operations. Because operational expectations are established and, for example, contracts may be issued requiring compliance with the stormwater permit conditions and SWPPP plan that exist at a given time, it is important that any changes be justified by a clear and significant requirement or need. Therefore, DoD is concerned that EPA not provide an open-ended invitation to submit public comments. Specifically, that EPA does not structure the general permit in a way that could indefinitely extend the 30-day waiting period to address comments on the facility SWPPP or concerns over endangered species. The Fact Sheet, Section 3.3, states in the next to final paragraph that "EPA will still receive and consider comments after the 30-day comment period has ended." If this is so, then it is not clear why a 30-day wait period would be imposed before a discharger receives coverage under the permit. While

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

EPA has the authority to accept public input and to require correction of deficient conditions related to compliance under the general permit, the formal comment period should end after a reasonable and pre-determined time.

### **Recommendations:**

1. Waive the 30-day comment period for new discharges that submitted complete NOIs and provide immediate coverage upon receipt of the NOIs under the MSGP 2006.
2. Reduce the wait period for the effective date of permit coverage from the proposed 30 days after EPA posts the completed NOI for existing dischargers. At a minimum, EPA should not structure the general permit in a way that could indefinitely extend the 30-day waiting period to address comments on the facility SWPPP or concerns over endangered species.
3. Ensure the public understands that there is a definite time limit for acceptance of public comments.

### **References:**

- a. Proposed MSGP 2006 Fact Sheet, Section 3.3.
- b. Proposed MSGP 2006 Permit, Section 1.5.2.

### **1.2. Revise Section 1.5.2 to Account for EPA Posting Problems**

**Comment:** The proposed MSGP 2006 currently says that you are authorized to discharge 30 days after EPA posts the completed NOI on its website.

**Discussion:** Due to computer glitches or lack of resources, EPA may not be able to post NOIs in a timely manner. DoD is concerned that the above or similar situations are not addressed in the proposed permit and requests that EPA insert language to state that an existing discharger is covered upon a successful submission of an NOI unless notified otherwise by EPA.

**Recommendation:** Revise to read “30 days from the date of successful submission to EPA unless notified otherwise”.

### **Reference:**

- a. Proposed MSGP 2006 Permit, Section 1.5.2.

### **1.3. Allow for Public Review of State and Tribal Specific Requirements**

**Comment:** The proposed MSGP 2006 states that State and Tribal Specific Requirements/Permit Conditions will be addressed in the final permit through the 401 certification process.

**Discussion:** This process does not allow for public comment on State and Tribal specific requirements. Permit conditions are being placed on the permittee without any review and comment period prior to the requirements becoming final.

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

**Recommendation:** Recommend that the permittee and other members of the public be allowed an opportunity to review and comment on the State and Tribal specific requirements prior to these requirements becoming final in the final permit language.

**Reference:**

- a. Proposed MSGP 2006 Permit, Part 5.

## 2. REPORTING DEADLINES

### 2.1. Restore Deadlines for BMP Modifications

**Comment:** EPA has changed the deadline for best management practices (BMPs) modifications or additions from 12 weeks to 60 days, which is not appropriate for large facilities.

**Discussion:** While the 60-day deadline may be appropriate for small facilities, it is not appropriate for larger facilities, such as federal facilities with multiple co-located industrial activities. BMP modifications at larger facilities may be delayed due to factors such as the type of BMP modification (structural vs. nonstructural), facility size, increased number of outfalls as well as multiple co-located industrial activities.

**Recommendations:**

1. Restore the 12 weeks deadline for BMP modifications or additions for all facilities or, at a minimum, large facilities.
2. Recommend that the deadline for structural BMPs be up to 3 years as was stated in the MSGP 2000.

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 2.3.

### 2.2. Increase the Deadline for Completion of SWPPP Modifications

**Comment:** The proposed requirement for SWPPP modifications to be made within 14 calendar days after discovery, observation, or an event requiring a SWPPP modification including discovery of deficiency(ies) is not adequate enough time for larger facilities, such as federal facilities with multiple co-located industrial activities to make modifications to their SWPPP.

**Discussion:** DoD supports the need to maintain an updated SWPPP whenever there has been construction or a change in design, operation or maintenance of the facility that would impact discharges. However, for military installations, it would be difficult to revise the SWPPP, forward it up the layers of the chain of command for signature (pursuant to Section 2.1.7), and re-distribute the revised SWPPP to all affected facilities within the allotted 14 calendar days.

**Recommendation:** Increase the deadline to 90 days for larger facilities with multiple co-located industrial activities to make modifications to its facility's SWPPP.

**References:**

- a. Proposed MSGP 2006 Permit, Section 2.3.
- b. Proposed MSGP 2006 Permit, Section 3.3

**2.3. Extend the Deadline for Corrective Action to 12 Weeks**

**Comment:** When corrective action is required, the proposed MSGP 2006 states that the SWPPP must be modified in 14 days and BMPs must be implemented before the next storm event if possible and no later than 60 days. Allowing 60 days for correction of deficiencies is too stringent for many cases.

**Discussion:** The 60-day deadline for BMP modifications and additions may be appropriate for small facilities; it is not appropriate for large federal facilities with multiple co-located industrial activities. Although longer timeframes may be allowed as provided or approved by EPA, it is burdensome for larger facilities to have to continually request extensions.

**Recommendation:** The deadline for corrective actions should be 12 weeks for all facilities or at least for larger facilities. It could be based on the type of BMP modification (structural vs. nonstructural), size, number of outfalls or number of co-located industrial activities. The deadline for structural BMPs should be up to 3 years as was stated in the original MSGP.

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 3.3.

**2.4. Increase the Deadline for a Facility Seeking Initial Permit Coverage to Notify EPA if Unable to Provide the Certification for the Elimination of Unauthorized Discharges**

**Comment:** The deadline of 14 days for a facility, seeking permit coverage for the first time, to notify EPA if it is unable to provide the certification for the elimination of unauthorized discharges is too short.

**Discussion:** For a large facility, like military installations, with many outfalls, 14 days would not allow enough time to evaluate each outfall for the presence of unauthorized discharges. In order to address this issue, dischargers applying for permit coverage for the first time should be given ample time to do a thorough evaluation of their outfalls.

**Recommendation:** Increase the deadline for a facility, seeking permit coverage for the first time, to notify the EPA if it is unable to provide the certification for the elimination of unauthorized discharges from 14 days to 90 days.

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 2.1.4.5, 2<sup>nd</sup> Bullet.

### 3. MONITORING REQUIREMENTS

#### 3.1. Change Deadline for Benchmark Monitoring Data Reporting to 45-days

**Comment:** The proposed MSGP 2006 states that results for all benchmark monitoring be submitted to EPA no later than 30 days after receipt of lab results, which places a significant administrative burden on facilities with more than one sector activity or multiple outfalls.

**Discussion:** This requirement will place an additional administrative burden on permit holders that have more than one sector activity or monitoring location (outfall) within their facility. For example, on large facilities such as a military base, each precipitation event does not typically result in sample collection for all outfalls. Sampling after each precipitation event would require continuous reporting. The previous permit (MSGP 2000) required reporting only once each year. DoD suggests revising the reporting timeframe as recommended below to allow for four reporting dates each year.

**Recommendation:** Recommend that reporting of benchmark monitoring data be submitted 45-days after end of each monitoring period (quarter).

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 3.2.2.2.

#### 3.2. Retain Previous Sampling Schedule

**Comment:** Moving the benchmark monitoring requirement from the second to the first year of the permit cycle will provide insufficient lead time to resolve funding and logistical issues associated with monitoring.

**Discussion:** Past MSGPs have required sampling during the second year of the permit cycle which provides sufficient lead time after permit publication for facilities to program funding and if necessary contract for sample collection and analysis. Many facilities will likely be unable to anticipate and complete the full four quarters of monitoring if it is required in the first year of the permit cycle.

**Recommendation:** Retain sampling schedule required under the previous two permit cycles.

**Reference:**

- a. Proposed MSGP 2006 Permit, Part 3.2.2.1.

#### 3.3. Revise the Benchmark Values for pH Parameter

**Comment:** In the proposed MSGP 2006, the benchmark value for pH is 6.0-9.0 s.u. for all sectors including a pH effluent limitation guideline. This range does not appear to take into account the normal background levels of pH typically found in precipitation.

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

**Discussion:** The pH value of “natural rain” varies throughout the country, but it has been widely accepted that the normal range of precipitation is between 5.0 – 6.0 s.u. It seems that a benchmark value should take into account the natural or background levels of pH. A solution of carbon dioxide in water in equilibrium with the atmosphere (0.033% CO<sub>2</sub>) has a pH of 5.6. Rainwater is normally not quite saturated in CO<sub>2</sub>, and has a pH of around 6 in the absence of atmospheric pollutants.

**Recommendation:** Revised the benchmark value for pH to 5.0 – 9.0 s.u. for all sectors including a pH effluent limitation guideline.

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 4 & all Sectors including a pH benchmark value.

### 3.4. Extend Representative Outfall Provision for Visual Monitoring

**Comment:** DoD strongly supports EPA’s proposal to extend the representative outfall provision to cover visual monitoring as well as analytical monitoring.

**Discussion:** Representative outfalls have been a significant issue for large military facilities throughout DoD, that in the past, were able to group outfalls for analytical monitoring but were still required to perform quarterly visual monitoring on all industrial outfalls. Extending the representative outfall provision to include visual monitoring will significantly benefit large DoD facilities with multiple outfalls that discharge substantially identical effluents.

**Recommendation:** EPA should retain the extension of the representative outfall provision to cover visual monitoring as well as analytical monitoring in the final MSGP 2006.

**References:**

- a. Proposed MSGP 2006 Fact Sheet, Section 3.9.
- b. Proposed MSGP 2006 Permit, Section 3.2.1.

### 3.5. Revise Language regarding Visual Monitoring for Large Facilities

**Comment:** Visual examinations are supposed to be made within 30 minutes or as soon thereafter as practical, but not to exceed one hour of when run-off starts discharging from the facility. This may not be possible in many instances for large facilities.

**Discussion:** On a large military installation, many square miles in size, it is not possible to get to all necessary outfalls within one hour of a rain/snow melt event. The discharge locations are simply too far apart to get to within an hour. Although it may be possible to sample a few outfalls within one hour, facilities with a large number of outfalls (e.g. 60) would require 20 storm events per quarter to comply with this requirement. If the ability to group substantially identical outfalls for visual examination is granted as EPA has proposed, the requirement to sample within one hour will be more practical but will still be unduly burdensome.

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

**Recommendation:** Strike “but not to exceed one hour” and leave “as soon thereafter as practical” after the first 30 minutes.

### References:

- a. Proposed MSGP 2006 Permit, Section 3.2.1, second bullet.
- b. Proposed MSGP 2006 Permit, Section 3.2.6.1, first bullet.

### 3.6. Reinstate Allowance for Collection and Analysis of Samples

**Comment:** Samples must be collected within the first 30 minutes of discharge or as soon as practicable thereafter not to exceed one hour. The requirement to sample within 30 minutes of discharge with provisions for allowing a maximum of one hour is not practical.

**Discussion:** The original MSGP allowed provisions for sampling up to 3 hours after the discharge. The one-hour requirement may be reasonable for smaller facilities with a handful of outfalls. For large facilities with 50 – 200 outfalls (many military installations) it is not physically possible to sample more than a few outfalls within the allotted time period. This requires collection of samples during multiple storm events, which may not be feasible within a quarter. This is also problematic because contractors, who perform most of the sampling at larger facilities, cannot mobilize to the site and collect the samples within the allotted timeframe of 30 minutes, despite auto notification when rainfall is recorded. Use of automated sampling devices can be limited because of restrictions on sample holding times.

**Recommendation:** Reinstate the allowance to collect samples in the first hour of discharge but no later than 3 hours after discharge as was stated in the original MSGP.

### References:

- a. Proposed MSGP 2006 Fact Sheet, Section 3.14.
- b. Proposed MSGP 2006 Permit, Section 3.2.6.

## 4. SWPPP REQUIREMENTS

### 4.1. Delete the Requirements for including Types of Discharges and Pollutants Discharged on the Site Map

**Comment:** The site map must include an indication of the types of discharges contained in the drainage areas of the outfalls. The site map must also include flow directions and pollutants likely in the discharge. Due to space limitations, the site map may not be the best format for provision of information on non-stormwater discharges.

**Discussion:** EPA needs to clarify what is meant by an indication of the types of discharge contained in the drainage area of the outfalls. From the Fact Sheet overview of changes, it appears that this means non-stormwater discharges. Given all of the other information required to be shown on the

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

site map, the new requirements to show the type of discharges and the pollutants in various discharges does not seem practical. While this information can be helpful, it should be sufficient to include it in the SWPPP within the site description. It is not practical to include it on the map, particularly for large facilities with large number of outfalls that are located close together (most coastal facilities). Facility maps already typically contain multiple sheets; from ten to seventy sheets may be needed at a 1:100 scale for large facilities.

**Recommendation:** Delete the requirements to include information on types of discharges and pollutants discharged on the site map.

### References:

- a. Proposed MSGP 2006 Fact Sheet, Section 3.21.
- b. Proposed MSGP 2006 Permit, Section 2.1.2, and several other locations.

### 4.2. Require SWPPP Signature for Annual Plan Updates Only

**Comment:** The requirement for signature after every revision to the SWPPP is an unnecessary increase in administrative burden with no tangible benefit.

**Discussion:** The draft permit requires a signature for initial plan preparation as well as revisions to the plan whenever: 1) routine BMP maintenance and repairs are made, 2) routine inspections reveal the need for a change, 3) there is a spill or leak, 4) quarterly visual monitoring is performed/documented, and 5) other changes occur. For military organizations, environmental office personnel routinely update the plan and staff it for signature by the authorized personnel (i.e., military Commander). Therefore, if a particular BMP (such as an oil/water separator) requires monthly maintenance (such as pumping out), then military personnel would be required to *review and sign* the plan at least once a month. This would significantly increase the administrative burden to the military. DoD believes that such time and effort would be better focused on improving the actual site. In addition, the Fact Sheet did not include the rationale for this provision to explain why such a drastic change in the permit was made.

**Recommendation:** Recommend having the permittee maintain a log of the changes in the plan, but requiring formal signature only for annual plan updates.

### Reference:

- a. Proposed MSGP 2006 Permit, Section 2.1.7.

### 4.3. Include a Security Caveat to Providing a Copy of the SWPPP Upon Written Request

**Comment:** A security caveat should be included in the MSGP 2006 to address situations of national security when providing a copy of a military facility SWPPP.

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

**Discussion:** Military facilities may have some items listed in their SWPPP, such as the location for chemical storage or discharge outfalls, which may need to be secure/private due to national security concerns.

**Recommendation:** With regard to public request of a military facility SWPPP, include a security caveat for situations that could endanger national security.

### Reference:

- a. Proposed MSGP 2006 Permit, Section 2.4.

## 5. WATER QUALITY STANDARDS and TMDLS

### 5.1. Support Proposed Settlement Agreement Language regarding Water Quality Standards

**Comment:** DoD supports the proposed Settlement Agreement language addressing stormwater discharges provided in Section 3.5 of the Fact Sheet.

**Discussion:** EPA published in the Fact Sheet the proposed Settlement Agreement language addressing stormwater discharges that the Director determines may cause an excursion above water quality standards. Water quality standards language proposed based on the settlement agreement is a substantial improvement from the language in the previous permit, which was very open-ended with respect to compliance responsibilities for the permittee for exceedances of instream water quality standards. As stated previously, DoD supports the proposed language provided in Section 3.5 of the Fact Sheet.

**Recommendation:** Incorporate the settlement agreement language into the permit, for example in Sections 1.3, Permit Compliance, and 1.4.3, Water Quality Standards.

### Reference:

- a. Proposed MSGP 2006 Fact Sheet, Section 3.5.

### 5.2. Change the Requirement for Dischargers to Impaired Waters with No Applicable Wasteload Allocation to Conduct Monitoring for the Pollutant Contributing to the Impairment

**Comment:** The requirement for a discharger to monitor a pollutant for which there is no applicable wasteload allocation at a minimum of once each permit year appears more punitive than beneficial.

**Discussion:** The benefit of this monitoring is not clear, because there would be no wasteload allocation value/means with which to compare the monitoring results against. Thus, how should the discharger interpret these monitoring results in terms of its compliance with the permit?

**Recommendation:** Delete the proposed provision requiring dischargers to impaired waters with no applicable wasteload allocation to conduct monitoring for the pollutant contributing to the

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

impairment at a minimum of once each permit year or require monitoring only at the time of permit renewal

### Reference:

- a. Proposed MSGP 2006 Permit, Section 3.2.5.1.

### 5.3. Revise Section 1.2.4.9 for New Discharges to Water Quality Impaired Receiving Water without a TMDL

**Comment:** DoD recommends revision of this section for new discharges to water quality impaired receiving waters for which a Total Maximum Daily Load (TMDL) has not yet been developed by deleting the requirement that new dischargers (1) eliminate all exposure to stormwater of the pollutant(s) for which the waterbody is impaired and to document no exposure in the SWPPP, or (2) obtain written clarification from the appropriate State or Tribal water quality agency that the discharge is not expected to cause or contribute to a violation of a water quality standard.

**Discussion:** DoD believes a TMDL must first be developed and a wasteload allocation given before a new discharger can implement effective measures to protect the impaired waterbody. Knowing its wasteload allocation will allow the new discharger to develop the most appropriate BMP for its discharge that would meet the wasteload allocation. Also, to require elimination of all exposure to stormwater of the pollutant(s) assumes that the wasteload allocation that will be given to the discharger equals zero, which may not be the case when the actual wasteload allocation is developed. Additionally, DoD anticipates that the alternative option of obtaining a written clarification from the appropriate water quality agency would be difficult because few State water quality agencies would be willing to provide such written clarification unless a TMDL and the wasteload allocations have been developed.

### Recommendations:

1. Revise this section by deleting the requirement that new dischargers eliminate all exposure to stormwater of the pollutant(s) for which the waterbody is impaired and to document no exposure in the SWPPP.
2. Delete the alternative option of obtaining a written clarification from the appropriate State or Tribal water quality agency that the discharge is not expected to cause or contribute to a violation of a water quality standard.

### Reference:

- a. Proposed MSGP 2006 Permit, Section 1.2.4.9.

**5.4. Clarify what Specific Type of Consultation on TMDL-related Requirements must be Documented in the SWPPP**

**Comment:** It is not clear what specific type of consultation (or information obtained) from state and federal authorities on TMDL-related requirements and activities EPA expects must be documented in the SWPPP.

**Discussion:** DoD is concerned that without this specificity, dischargers will include all TMDL-related information in their SWPPP, making the SWPPP voluminous and difficult to read, and thus, decreasing its use and effectiveness.

**Recommendation:** Clarify and list what types of consultation (or information obtained) from state and federal authorities on TMDL-related requirements and activities must be documented in the SWPPP.

**Reference:**

- a. Proposed MSGP 2006 Permit, Part 2.1.3.2, 1<sup>st</sup> and 2<sup>nd</sup> Bullets.

**6. OTHER/GENERAL COMMENTS**

**6.1. Correct Information regarding the Use of Propylene/Ethylene Glycol for Deicing**

**Comment:** Part 4 S.4.3.6 makes no distinction between airfield and aircraft deicing chemicals.

**Discussion:** Airfield chemicals cannot be used on aircraft because of severe corrosion and other problems. These chemicals include urea, potassium, calcium, sodium acetates and formates. Also, aircraft manufacturers prohibit the use of these chemicals for aircraft deicing. Part 4 S.4.3.6 on Source Reduction gives incorrect information regarding recommendations for aircraft deicing chemicals.

**Recommendations:**

1. Revise Part 4 S.4.3.6 to include correct information regarding the use of deicing chemicals.
2. Recommend EPA suggest substituting propylene glycol for ethylene glycol for aircraft deicing, as it is less toxic.
3. Recommend EPA suggest using the acetates and formates for urea on runways as they are less toxic and have a much lower biological oxygen demand (BOD).

**Reference:**

- a. Proposed MSGP 2006 Permit, Part 4 S. 4.3.6.

**6.2. Add “at reasonable times” to Part B.9.A.**

**Comment:** Due to deployments, exercises and alerts on military installations, there may be times when the EPA cannot enter the facility at will.

## DoD CWASSC Comments on Proposed NPDES Stormwater MSGP

**Discussion:** To account for these times, a comment is needed that due to national security considerations, times for entering a military installation may have to be arranged with the installation.

**Recommendations:**

1. Add “at reasonable times” to Part B.9.A. to match the other three subsections, B-D.
2. Consider adding that EPA may have to make arrangements with a military installation to enter at acceptable times.

**Reference:**

- a. Proposed MSGP 2006 Permit, Appendix B, B.9., Subsection A.

### 6.3. Clarify or Define the Term “Significant Spills”

**Comment:** The meaning of the term “significant spills” is not clear.

**Discussion:** Dischargers should have a clear understanding of what types of releases of oil or hazardous substances would be considered “significant spills.” Releases in excess of reportable quantities under CWA §311 have typically been considered significant. However, MSGP 2006 mentions that significant spills may also include releases of oil or hazardous substances that are not in excess of reporting requirements, but it did not clarify or define what these releases are.

**Recommendation:** Clarify the term “significant spills” by providing examples of those releases of oil or hazardous substances that are not in excess of reporting requirements. Or, provide a definition of the term “significant spills.”

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 2.1.4.3.

### 6.4. Define the Term “Current Industry Practice”

**Comment:** The term “current industry practice” should be defined.

**Discussion:** The term “current industry practice” should be defined so that all dischargers and regulators have the same expectation of the quality and level of controls and BMPs that must be implemented.

**Recommendation:** Define the term “current industry practice.”

**Reference:**

- a. Proposed MSGP 2006 Permit, Section 2.1.5.12.

**6.5. Correctly Define the Acronym for SPCC**

**Comment:** The reference to Spill Prevention is incorrect.

**Discussion:** N/A

**Recommendation:** Replace the word “Containment” with “Control”, in order to correctly define the acronym “SPCC”.

**Reference:**

- a. Proposed MSGP 2006 Permit, Section N.4.3.1.

**6.6. Correct Typographical Errors**

**Comment:** Several typographical errors were found in the proposed MSGP 2006.

**Discussion:** N/A

**Recommendations:** Correct the following errors:

1. In the bulleted section on page 1, there are too many bullets.
2. In Section 1.2.1 on page 5, change “Your” to “you”.
3. In Section 1.2.2.5 on page 8 in the 1<sup>st</sup> line, delete “a”.
4. In Appendix A on page A-9, change “Countermeasure” to “Countermeasures”.

**Reference:** See above.