

**RESPONSE TO COMMENTS FOR
PIPELINE HYDROSTATIC TESTING DISCHARGE NPDES GENERAL PERMIT
ARG670000**

The following are the responses to comments concerning the Draft Pipeline Hydrostatic Testing Discharge NPDES General Permit ARG670000, in accordance with regulations promulgated at 40 C.F.R. § 124.17 and Arkansas Pollution Control and Ecology Commission (APC&EC) Regulation No. 8, Administrative Procedures. Public notice of the Draft Permit was published by the Arkansas Department of Environmental Quality (ADEQ) on June 21, 2017.

This document contains a summary of the comments that the ADEQ received during the 30-day public comment period (beginning on June 21, 2017 and ending on July 21, 2017 at 4:30 p.m. Central Time). Page numbers and references are to the public notice of the draft permit, and may have changed in the final copy of the permit. A summary of the changes made to the permit in response to the public comments is available at the end of this document.

The following people or organizations submitted comments to the ADEQ during the 30-day public comment period and the public hearing. A total of three issues (identified below as comments) were submitted by one commenter.

Commenter

1. Colene Gaston, Staff Attorney – Beaver Water District (BWD)

Prepared by: **Jessica Temple, PE**

Comment 1:

This is the type of General Permit that would have benefited from the input of a stakeholder workgroup, such as the one that was assembled by ADEQ in years past for the NPDES General Permit for Drinking Water Treatment Facilities, ARG640000. BWD suggests that ADEQ consider pausing before issuance of the final permit to seek such input, and then issuing a revised draft permit, if necessary. At the very least, ADEQ should plan on convening a stakeholder workgroup during the next permit cycle.

Response 1:

The Department acknowledges this comment.

Comment 2:

The terms “facility” and “facilities” are used throughout the Draft Permit, but are not defined. The context in which those terms are used is often confusing, given that what is generally meant is a pipeline. BWD suggests that either a definition be provided or the provisions be re-worded.

Response 2:

From 40 CFR 122.2, “facility” means any NPDES point source (including land or appurtenances thereto) that is subject to regulation under the NPDES program. “Point source” means any discernible, confined, and discrete conveyance from which pollutants are or may be discharged. These two definitions have been added to Part 8 of the General Permit.

Comment 3:

Under the Draft Permit, hydrostatic testing discharges from drinking water systems are subject to monitoring requirements and discharge limitations for Oil and Grease, Total BTEX, and Benzene. There is no scientific basis for such requirements, and they are arbitrary and unduly burdensome. Language that discharges from drinking water systems are not subject to these requirements should either been included as footnotes in the table at Part 2.1 of the Draft Permit or a separate set of discharge limitations and monitoring requirements that apply specifically to drinking water systems should be included in the permit.

Response 3:

The Department agrees to remove the requirement to monitor for Total BTEX and Benzene for discharges from drinking water systems. Additionally, TOC has been removed from the requirements for discharges from drinking water systems. Part 2.1 of the permit has been updated to reflect this change. Oil and Grease requirements will remain in the permit, as this can be reasonably expected to occur in the discharge.

Part	Draft Permit	Final Permit	Reason	Comment
8	N/A	Definitions were added for facility and point source	To clarify the definition of these two terms	2
2.1 Footnote 6	N/A	TOC, Total BTEX, and Benzene monitoring is not required for discharges from drinking water systems.	These limits were intended for discharges from pipelines used in the oil and gas industry. These pollutants are not expected to be in pipelines used to transport drinking water, or vessels used for the storage of drinking water.	3