

From: [Charles Miller](#)
To: [Water Draft Permit Comment](#); [Leamons, Bryan](#); [Osborne, Caleb](#)
Subject: E-mail from Draft Permits at Public Notice Webpage
Date: Friday, July 20, 2018 12:07:22 PM
Attachments: [Stormwater GP Comments II.docx](#)

Attached are AEF's Final Comments on ADEQ's new Stormwater Industrial General Permit (IGP)

Thanks

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July 20, 2018

Bryan Leamons, P. E.
ADEQ – Office of Water Quality
5301 Northshore Drive
North Little Rock, AR 72118-5317

Dear Mr. Leamons:

Thank you for the opportunity to offer comments on ADEQ's new Stormwater Industrial General Permit (IGP). As you know, the Arkansas Environmental Federation represents hundreds of facilities in Arkansas. Accordingly, we do everything we can to insure that general permits issued by the Department follow the law and are fair to the regulated community without compromising environmental quality.

Multisector Stormwater Permits

As you will recall from our prior two meetings, we had described a concern expressed by some of our members about their inability to include more than one SIC eligible activity in the multisector stormwater permit. The examples cited included manufacturing facilities that had only a stormwater discharge associated with that SIC code activity but also a quarry stormwater discharge. They indicated that ADEQ would not allow the quarry to be encompassed by the multisector stormwater permit. This was somewhat confusing because a few of the members had similar operations in surrounding states and were as a matter of routine allowed to include both the manufacturing facility (which has a stormwater discharge) and the quarry in the multisector permit.

As a result, some members have had to obtain both a multisector stormwater permit and a general permit. From both ADEQ and the permittee standpoints this seems to be an unnecessary use of time and administrative resources. Therefore, we would like to ensure that the current verbiage in the draft permit you have provided would allow in the appropriate circumstances joint use of the multisector permit. We understood from our discussions at the previous meeting that in fact the permit was either being revised and/or interpreted to allow joint use of the multisector stormwater permit in such scenarios. In the event that this is not the case, we would respectfully request the needed revisions. Otherwise, the State of Arkansas permitting program is somewhat more stringent and at least more burdensome than those found in other states.

Section 3.8.2, Sampling Procedures

The permit does not contain any provision to address the collection of samples at facilities with retention ponds that have greater than 24-hours retention time. Many facilities with retention ponds will not necessarily discharge when a rain event occurs. Most of the time, the discharge occurs several days after a rain event. In addition, the discharge from a pond is not representative of any one single rain event. We would like to see language within the permit that allows facility's with stormwater ponds

with greater than 24 hours retention time to collect one sample annually when the pond discharges regardless of when the most recent representative rain event occurred as stated in the EPA stormwater sampling guidance document. EPA 832-B09-003.

Section 3.10.2

What is the rationale for removing the 60-day timeline for reviewing alternatives to benchmark values? We are not comfortable with an open ended statement that simply says the department will respond in writing with no timeline for the response. That could leave many permittees hanging out there waiting for a response not knowing if they are subject to the parameter benchmark values or the proposed alternatives. We would propose that a 30 day review period for a written response is appropriate and should be inserted where the 60 day timeline was removed.

Section 7.8.5

Clarification is needed. Does this mean that all existing permittees that have runoff that flows into a MS4 are required to submit their renewal NOI, SWPPP and all subsequent annual reports to their MS4?

We respectfully request that you give serious consideration to the comments presented in this letter. Please let me know if you have any questions.

Sincerely,



Charles M. Miller
Executive Director

cc: Caleb Osborne