



**DIVISION OF
ENVIRONMENTAL QUALITY**

Sarah Huckabee Sanders
GOVERNOR
Shane E. Khoury
SECRETARY

**RESPONSE TO COMMENTS
FINAL PERMITTING DECISION
INDUSTRIAL STORMWATER GENERAL PERMIT**

Permit No.: ARR000000

Prepared by: Logan Jennings

The following are responses to comments received by the Division of Environmental Quality (DEQ) regarding the permit number referenced above and are developed in accordance with regulations promulgated at 40 C.F.R. §124.17, Arkansas Pollution Control & Ecology Commission (APC&EC) Rule 8 (Administrative Procedures), and Arkansas Code Annotated (A.C.A.) §8-4-203(e)(2).

Introduction

The above permit was submitted for public comment on June 25, 2023. The public comment period ended on July 25, 2023 at 4:30 p.m (Central Daylight Time).

This document contains a summary of the comments that the DEQ received during the public comment period. A summary of the changes to the NPDES Permit can be found on the last page of this document.

The following people or organizations sent comments to the DEQ during the public notice period. A total of four (4) comments were received from a total of two (2) commenters.

Commenter	Number of Comments Raised
1. Jim Thorpe, HazCom Management Inc.	1
2. Matthew Smith, Manager of Environmental Affairs, Darling Ingredients	3
3. DEQ	1



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Comment by Jim Thorpe, HazCom Management Inc.

Comment 1 Updated monitoring requirements

Hello, my name is Jim Thorpe. I am a partner at HazCom Management Inc. and a member of AADRA. I have about 20 customers in total here in Arkansas. I'm writing to you on their behalf. The amount of rain fall in Arkansas during the summer months is not significant. I'm requesting that you keep the sampling criteria the same as previous years. In my professional opinion it is hard for a mom and pop salvage yard to collect 4 samples a year. Not only do they have limited staffing, but this does put a financial hard ship on business as well. Lab sampling reports cost anywhere from \$100 to \$200, not counting the shipping challenges they face, which cost another \$100 to \$200 a sample when they have to mail it in. I feel that taking 4 samples a year would put a financial burden on all of our customers. Also we have a hard enough time getting just one sample in per year, due to the amount of staffing we have. It is hard to find people willing to work at a salvage industry.

Response: The increased monitoring requirements listed in Part 5.4 would only affect permittees with discharges contributing to a violation of water quality standards, permittees with Effluent Limitations Guidelines (ELGs), permittees discharging into waterbodies on the 303(d) list or with a TMDL, and permittees discharging into an Extraordinary Resource Water (ERW), Ecologically Sensitive Waterbody (ESW), or Natural and Scenic Waterway (NSW). It is the Division's belief that under these conditions, additional monitoring is needed to ensure that the introduction of pollutants to stormwater is prevented to the maximum extent practicable. Additionally, permittees subject to these conditions may apply for reduced monitoring frequencies at any point during the permit term, provided they meet the criteria detailed in the applicable Qualifying Request for Reduced Frequency to Annual Monitoring condition. As such, it is the Division's belief that the additional monitoring requirements will not be an undue financial burden on any permittee complying with the permit.

Comments by Matthew Smith, Manager of Environmental Affairs, Darling Ingredients

Comment 2 Revise SWAR to reflect newly requested information

On page 34 of the Permit, Permit Condition (PC) 5.2, Darling requests the ADEQ to revise the SWAR found on [Division of Environmental Quality \(DEQ\) \(state.ar.us\)](http://www.state.ar.us) to reflect the newly requested information: 5.2.c, 5.2.d, 5.2.e, 5.2.f, 5.2.g.

Response: The Division will update the SWAR accordingly prior to the effective date of the renewal permit.

Comment 3 Part 5.2 and 5.2.2 Example Years

On page 34 of the Permit, PC 5.2 and 5.2.2, Darling requests these example years to be after the effective date takes place.



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Response: The Division has updated the permit accordingly.

Comment 4 Part 7.9.1

On page 43 of the Permit, PC 7.9.1, Darling requests this condition to be removed as it reiterates what PC 7.9 already stated before. This change would inherently affect 7.9.1.1.1 and 7.9.1.1.2 as well.

Response: The Division acknowledges this comment but notes that the redundancy was intended as a means of distinguishing the requirements in Part 7 which are dependent upon the category of permittee from the requirements in Part 7 which apply to all permittees.

Comment by DEQ

Comment 5 Part 1.4.2

Part 1.4.2 of the IGP, the Conditional No Exposure Exclusion NOC section, refers to Part 5.6, the Additional Monitoring Performed section. This is a typo, and should instead refer to Part 5.7, the Facilities that Qualify for No Exposure Exclusion section.

Response: The Division has updated the permit accordingly.

Summary of Changes to the permit

Part	Change to Permit	Justification	Comment #
5.2 & 5.2.2	Changed example years to be after the effective date of the renewal permit.	Updated for clarity	Comment #3
1.4.2	Changed reference to Part 5.6 to instead refer to Part 5.7	Corrected typo	Comment #5