

North Carolina Division of Water Quality Response to Comments and Summary of Final Changes to NPDES Stormwater General Permit NCG100000 (2012 Renewal)

Background

NPDES General Permit NCG100000, which regulates stormwater discharges from used motor vehicle parts and automobile wrecking for scrap activities (SIC categories 5015 and 5093), expires on October 31, 2012. The North Carolina Division of Water Quality (DWQ) announced in selected newspapers across the State on or about September 1, 2012 that the draft of the proposed renewal General Permit would be posted on our website for public comment. DWQ also ran this notice in the North Carolina Register the same month; on the Stormwater Permitting Unit website in September 2012; and in renewal letters to all affected permittees.

DWQ revises and reissues NPDES stormwater General Permits on a five-year schedule. Every five years we review analytical data from the previous five-year term of the permits; evaluate identified compliance problems and problems in our enforcement of the permits; and seek to improve the effectiveness of the permits as stormwater management tools for the permittees.

The draft NCG100000 permit and Fact Sheet were posted to the Stormwater Permitting Unit's website on September 1, 2012. The public comment period was scheduled to close on October 1, 2012 and was extended to October 8th to compensate for the delay in some newspaper notice publish dates. During this time, DWQ staff received no comments on the proposed draft General Permit NCG100000. The Division received public comments about proposed draft general permits for other industrial sectors expiring at the same time, and some of those comments have been addressed in the final NCG100000 permit for consistency.

EPA Region IV staff in Atlanta was sent the draft General Permit on September 4, 2012. On September 17, 2012, EPA Region IV responded that the agency concurred with no comments. EPA's additional review and approval would be necessary if the proposed final General Permit incorporated significant changes from the draft or if significant public comments objecting to the permit were received. DWQ concluded that neither of these criteria was met and therefore, further EPA review is not required.

DWQ prepared this summary document both for those interested parties that submitted written comments on draft General Permits proposed at the same time, as well as for other interested parties. This document will be posted on our website for public access.

Comments and Responses

DWQ received no written comments on the draft General Permit NCG100000 during the announced public comment period. Please see *Response to Comments* documents for other NPDES stormwater general permits that expire on October 31, 2012. In some cases, those responses explain some of the changes to the final NCG100000 permit.

Summary of Other Changes to the Final Permit

DWQ made some changes to the draft permit before finalizing. These changes were minor, and DWQ concluded additional notice and/or EPA review was not necessary. The changes were:

1. Part II, Section A (Stormwater Pollution Prevention Plan), 2.(b): Added language to include petroleum products and reference how federal oil Spill Prevention, Control, and Countermeasure Plan (SPCC) can fulfill *some requirements* of the Stormwater Pollution Prevention Plan (SPPP) where it demonstrates compliance.
2. Part II, Table 1 (Analytical Monitoring for Stormwater), Footnote 3: Added clarification that DWQ's representative outfall status (ROS) approval remains in effect through subsequent renewals as long as relevant site conditions and operations have not changed.
3. Part II, paragraph following Table 1: Language added to specify that "Sampling is not required outside of the facility's normal operating hours."
4. Part II, paragraph following Table 2: Language modified to include option for Division to require monthly monitoring because of a failure to monitor semi-annually (rather than automatically requiring monthly monitoring upon failure to monitor). Also, clarification that adverse weather conditions preventing sample collection does not constitute a failure to monitor.
5. Part II, second paragraph following Table 2: Added clarification that DWQ's release of a permittee from Tier 2 monthly monitoring remains in effect through subsequent renewals unless other conditions are specified.
6. Part II, Table 3: Corrected typo for HQW in parameter table. Also modified Footnote 1 to allow precipitation pH (if lower than 6 s.u.) as lower benchmark value.
7. Part II, Tier 2 and Qualitative Monitoring Response boxes: Replaced "DWQ" acronym with "The Division."

Conclusion

DWQ's overall intent in proposing changes to the General Permit was to provide permit requirements that will encourage industrial permittees to respond with prompt corrective action to the discovery of pollutant discharges in excess of the benchmark values. DWQ received no comments on the proposed draft General Permit NCG100000 but incorporated comments regarding other proposed general permits, as appropriate.