

North Carolina Division of Water Quality Response to Comments and Summary of Final Changes to NPDES Stormwater General Permits NCG050000, NCG070000, NCG110000, and NCG130000 (2013 Renewal)

Background

NPDES Stormwater General Permits NCG050000, NCG070000, NCG110000, and NCG130000 each expire on May 31, 2013. The North Carolina Division of Water Quality (DWQ) announced in selected newspapers across the State on or about April 2, 2013 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; and on the Stormwater Permitting Unit website Public Notice Calendar in April 2012.

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 general permits and fact sheets were available on the Stormwater Permitting Unit's website on April 1, 2013. The public comment period closed on May 2, 2013. During this time, DWQ staff received no public comments on any of the proposed general permits.

DWQ sent the proposed general permits to EPA Region IV in Atlanta on March 1, 2013. On March 29, 2013, 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 permits incorporated significant changes from the draft or if significant public comments objecting to the permits were received. DWQ concluded that neither of these criteria was met and that further EPA review before final issuance was not required.

Comments and Responses

DWQ received no written comments on the proposed General Permit NCG050000, NCG070000, NCG110000, or NCG130000 during the announced public comment period. However, DWQ did explore the necessity of the pH monitoring requirement for stormwater discharges from vehicle maintenance areas (VMA) during the draft notice period. DWQ decided to remove pH on the basis of minimal risk, relatively few facilities in these industrial sectors qualifying for analytical monitoring, and data on hand. The change is discussed in further detail below.

Summary of Changes to the Final Permits

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

1. Table of Contents: Correction to Part II Section C title.
2. Part I, Section A: Removed last paragraph (redundant) with first paragraph of Part I, Section B.
3. Part II, Section A (Stormwater Pollution Prevention Plan), 2.(b): Corrected typo.
4. Part II, Section B, Table 1 (Analytical Monitoring for Stormwater), Footnote 3: Added qualification that representative outfall status (ROS) may apply.
5. Part II, Section B, Table 1 (Analytical Monitoring for Stormwater): Removed pH monitoring requirement. *Basis:* Only a small number of permittees in these industrial sectors perform enough vehicle maintenance to trigger analytical requirements, and data during the previous permitting cycle show very few pH excursions below 6 or above 9 S.U. (see fact sheets posted with the proposed permit for data summaries). Also, DWQ notes that none of the corresponding sectors in EPA's Multi-sector Stormwater General Permit must perform pH monitoring. We have concluded that pH is not a parameter of concern for the majority of these sites, and removing it eliminates the obligation of site personnel to measure the pH within 15 minutes of sampling. While vehicle maintenance activities can introduce materials that affect pH (alkaline cleaners, batteries, etc.), our review and assessment of facilities under the permit suggest risk to water quality from the pH in these discharges is minimal, and that SPPP and BMP requirements for these areas should suffice.
6. Part II, paragraph following Table 1: Removed last sentence, "Sampling is not required outside of the facility's normal operating hours." (Redundant with first paragraph of Section B).
7. Part II, Section B, Table 3: Removed pH benchmark range (no longer applicable).
8. Part II, Section C: Added clarification in second paragraph to explain that Qualitative Monitoring requires inspections at all outfalls *associated with industrial activity* – not just vehicle maintenance activities. The same clarification was added to Footnote 2 in Table 4 of the same section
9. Part III, Section A, 1. (last paragraph): Corrected reference to secondary containment requirements.

Summary of Changes in New NCG050000, NCG070000, NCG110000, and NCG130000 from Previous Permits

DWQ revised permit language and other requirements to be consistent with more recently issued NPDES General Permit templates. Changes since the last permit cycle include, but are not limited to:

1. Stormwater Pollution Prevention Plan requirements were revised. Please read Part II, Section A carefully. For example, number 8 outlines requirements for the SPPP Amendment and Annual Update.
2. The Qualitative Monitoring section now comes after the Analytical Monitoring (for vehicle maintenance activities only) section in the permit. All permittees must still perform qualitative monitoring at outfalls associated with industrial activity.
3. “**Non-polar** Oil and Grease” analyzed by EPA Method 1664 (SGT-HEM), replaces the previous Oil and Grease (O&G) parameter. (Note: This method is one way of estimating “Total Petroleum Hydrocarbons” without the more expensive TPH analyses that use gas chromatography. However, the permit does not refer to “TPH” so that permittees and laboratories are not confused about which analysis to perform.)
4. The **Non-polar** O&G benchmark is 15 mg/l instead of the previous 30 mg/l O&G.
5. A lower benchmark for Total Suspended Solids (TSS) of 50 mg/l applies to discharges to sensitive waterbodies (e.g., HQW).
6. The pH monitoring requirement was removed.
7. The permit does not require monitoring outside of normal operating hours.
8. The permit specifies allowance for adverse weather conditions.
9. “Measureable Storm Event” replaces “Representative Storm Event.”
10. Part III, Standard Conditions were revised to be consistent with current NPDES Stormwater permit language and structure. Please read this section carefully.
11. Website URL references throughout the permit text were revised.