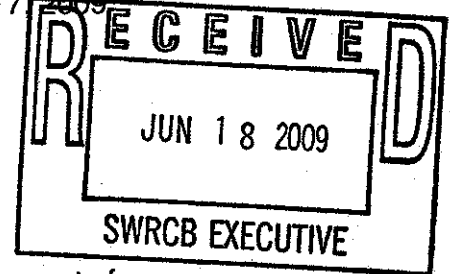




DEPARTMENT OF DEFENSE
REGIONAL ENVIRONMENTAL COORDINATOR, REGION 9
937 N. Harbor Drive, Box 81
San Diego, California 92132-0058

5090
Ser N40JRR.cs/0014
June 17, 2009

Ms. Jeanine Townsend
Clerk to the Board
Executive Office, State Water Resources Control (SWRCB)
P.O. Box 100
Sacramento, CA 95812-0100



Subject: NPDES Permit No. CAR000002: Waste Discharge Requirements for
Discharges of Storm Water Runoff Associated with Construction Activity

Sent by Electronic and U.S. Mail

Dear Ms. Townsend:

On behalf of Rear Admiral Hering, the Department of Defense (DOD) Regional Environmental Coordinator for EPA Region IX, and the Military Services in California, I respectfully submit the attached comments on the SWRCB's NPDES Permit No. CAR000002: Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity.

I would like to reiterate that Military training activities and range maintenance on operational ranges are continuous national defense activities on lands (facilities) under Federal control that are set aside for that Federal purpose. Accordingly, routine military training activities and range maintenance should not be construed as construction activities that can be regulated under the General Construction Permit. With this comment, DOD only requests that "Activities Not Covered Under the General Permit" clearly exclude military training activities and range maintenance on operational ranges. The DOD does not seek a permit exemption or exclusion for construction activities greater than one acre that would support military training on operational ranges (e.g., paved road construction).

Please direct any questions or concerns you may have regarding the enclosed submittal to my point of contact, Mr. Mike Huber, at (619) 532-2303.

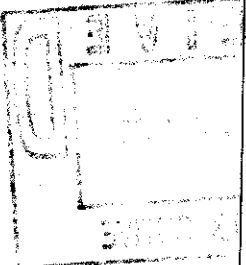
Sincerely,

C. L. Stathos
By direction

Enclosure (1): Construction Storm Water Permit Comments

**DOD Comments on Draft Discharges of Storm Water
Runoff Associated With Construction Activity**
(State Water Resources Control Board)

No.	Page	Rule Section-Current Language	Comment
1		Specific Comment	<p>Military training activities and range maintenance on operational ranges are continuous national defense activities on lands (facilities) under Federal control that are set aside for that Federal purpose. Accordingly, routine military training activities and range maintenance should not be construed as construction activities that can be regulated under the General Construction Permit. With this comment, DoD only requests that "Activities Not Covered Under the General Permit" clearly exclude military training activities and range maintenance on operational ranges. The DoD does not seek a permit exemption or exclusion for construction activities greater than one acre that would support military training on operational ranges (e.g., paved road construction).</p>
2		General Comments:	<p>Structure and Format:</p> <p>Many inconsistencies exist between the Order and its Attachments and the Permit is in dire need of streamlining. The Permit contains multiple sections, attachments and appendices with a confusing, often incorrect, system of numbering sections and pages. Bold emphasis is used inconsistently in the headings. The structure and format of the Fact Sheet and Permit Order differ, making comparison between the two extremely difficult.</p> <p>a. The Fact Sheet should mirror the structure of the Permit and should not introduce any requirements not found in the Permit Order.</p> <p>b. The Fact Sheet, Permit Order, Attachments and Appendices should be combined into a</p>



No.	Page	Rule Section-Current Language	Comment
3	3	<p>General Permit Section 1: Findings A-General Findings A-15: Following public notice in accordance with State and Federal laws and regulations, the State Water Board heard and considered all comments and testimony in a public hearing on mm/dd/yyyy. The State Water Board has prepared</p>	<p>single .pdf document, with a hyperlinked table of contents, numbered straight through. Page numbering and section headings should not start over for each section. There should be either Attachments, or Appendices, not both.</p> <p>c. Items subject to change, such as maps or TMDL listings (Appendix 6) should not be incorporated into the permit. These should be hyperlinked from a separate location.</p> <p>d. Information on BMPs other than sediment basins (Appendix 2) should be included on the permit website to encourage, but not require, more innovative practices.</p> <p>e. An attachment containing relevant website addresses and contact information for the State and Regional Boards should be included as the final attachment/appendix.</p> <p>While data collection is necessary for future decision-making, the amount of sampling/data collection required by this permit is onerous and should be reduced. Such sampling and analysis requires expertise not normally found on a construction site, creating a potentially significant financial burden. A summary of sampling requirements in the permit include: Bioassessment monitoring, NAL exceedance sampling, receiving water monitoring, particle size analysis, run-on sampling requirements, ATS toxicity testing and continuous flow monitoring.</p> <p>1. What criteria are used to determine whether a comment is or is not significant and will or will not be addressed by the Board?</p>

No.	Page	Rule Section-Current Language	Comment
4	6	<p>written responses to all significant comments.</p> <p>D-Obtaining and Modifying General Permit Coverage D-36. "This General Permit requires all dischargers to electronically file all Permit Registration Documents (PRDs), Notices of Termination (NOT), change of information, annual reporting, and other compliance documents required by this General Permit through the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website."</p>	<p>1. When will the SMARTS website be implemented and available for public review? Will there be adequate time for the new permit requirements and conversion to the online system? Procedures need to be defined for electronic application submission and payment requirements and coordination. As a federal entity and working with contractors, this has to be clearly defined.</p>
5	6	<p>D-36: This General Permit requires all dischargers to electronically file all Permit Registration Documents (PRDs), Notices of Termination (NOT), change of information, annual reporting, and other compliance documents required by this General Permit through the State Water Board's Storm water Multi-Application and Report Tracking System (SMARTS) website.</p>	<p>1. Special consideration must be given to the electronic filing/posting of maps, and other information that may compromise a Military Base or Institution using the SMARTS or any other State Board website. It is recommended that a national security statement be added such that DoD permittees with sensitive information be allowed to submit applications in hard copy, and such information will not be posted to public websites</p>
6	6	<p>D-37: This General Permit grants an exception from the Risk Determination requirements for existing projects under Water Quality Order No. 99-08-DWQ. For certain projects, adding additional requirements to these projects may not be cost effective. Construction projects covered under Water Quality Order No. 99-08-DWQ that are beyond the design stage shall obtain permit coverage at the Risk Level 1. The Regional Water Boards have the authority to require</p>	<p>1. A description of a "Grandfathering clause", whereby existing permitted projects are covered under the new permit at Risk Level 1, is immediately followed by a contradictory statement which indicates that the Water Board may choose to require the discharger to perform a risk determination (and thereby obtain a higher risk level). This would negate the Grandfathering of existing projects.</p>

No.	Page	Rule Section-Current Language	Comment
7	6	<p>Risk Determination to be performed on projects currently covered under Water Quality Order No. 99-08-DWQ where they deem it necessary.</p> <p>E-Prohibitions E-38: This General Permit prohibits the discharge of pollutants other than storm water and authorized non-storm water discharges. Non-storm water discharges include a wide variety of sources, including improper dumping, spills, or leakage from storage tanks or transfer areas. Non-storm water discharges may contribute significant pollutant loads to receiving waters. Measures to control spills, leakage, and dumping, and to prevent illicit connections during construction must be addressed through structural as well as non-structural Best Management Practices (BMPs). The State Water Board recognizes, however, that certain non-storm water discharges may be necessary for the completion of construction projects.</p>	<p>1. Clarify what non-storm water discharges are considered necessary and allowed for completion of construction projects?</p> <p>2. The description of non-storm water discharges as dumping, spills or leaks is inconsistent with the usual definition of non-storm water discharges: water discharges that are not storm water. Authorized non-storm water discharges are defined in the Municipal General Permit and address only water discharges. Spills or leaks are hazardous waste and are addressed by waste management BMPs (vs. non-storm water BMPs) in the CASQA and CALTRANS BMP manuals.</p>
8	7	<p>F- Training F-43: In order to improve compliance with and to maintain consistent enforcement of this General Permit, all dischargers are required to appoint two positions - the Qualified SWPPP Developer (QSD) and the Qualified SWPPP Practitioner (QSP) - who must obtain appropriate training. Together with the key stakeholders, the State and Regional Water Boards are leading the development of this curriculum through a</p>	<p>1. Clarify "discharger" in this statement vice the definition in the glossary (App.7). Relative to a QSD and QSP, on a military base, is the discharger considered the Base or the contractor? Would anyone providing oversight by the Base need to be a trained QSP/QSD?</p>

No.	Page	Rule Section-Current Language	Comment
9	7	<p>collaborative organization called The Construction General Permit (CGP) Training Team.</p> <p>G-Determining and Reducing Risk G: 46. Although this General Permit does not mandate specific setback distances, dischargers are encouraged to set back their construction activities from streams and wetlands whenever feasible to reduce the risk of impacting water quality (e.g., natural stream stability and habitat function). Because there is a reduced risk to receiving waters when setbacks are used, this General Permit gives credit to setbacks in the risk determination and post-construction storm water performance standards. The risk calculation and runoff reduction mechanisms in this General Permit are expected to facilitate compliance with any Regional Water Board and local agency setback requirements, and to encourage voluntary setbacks wherever practicable.</p>	<p>I. Where in the draft permit and associated attachments is the "credit" given for setbacks? Is there a calculation and listing for reduced risk determination and post-construction storm water standards?</p>
10	9	<p>H-Effluent Standards H-54: This General Permit sets a pH NAL of 6.5 to 8.5, and a turbidity NAL of 250 NTU. The purpose of the NAL and its associated monitoring requirement is to provide operational information regarding the performance of the measures used at the site to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. The</p>	<p>I. Define "not directly enforceable". If "the primary purpose of an NAL is to assist dischargers in evaluating the effectiveness of their on-site measures", and "exceedance of an NAL does not itself constitute a violation," then requiring reporting is unnecessary.</p>

No.	Page	Rule Section-Current Language	Comment
11	9	<p>NALs in this General Permit for pH and turbidity are not directly enforceable and do not constitute NELs.</p> <p>H-54: Determining Compliance with Numeric Effluent Limitations</p>	<p>1. Title is "Determining Compliance with Numeric Effluent Limitations", however, discussion is about Numeric Action Levels (NALs).</p>
12	10	<p>J- Sampling, Monitoring, Reporting and Record Keeping J-61 (rev. 62): For Risk Level 3 sites larger than 30 acres this General Permit requires bioassessment sampling before and after project completion to determine if significant degradation to the receiving water's biota has occurred. Bioassessment sampling guidelines are contained in this General Permit.</p>	<p>1. This section indicates that the purpose of Bioassessment Monitoring is to "determine if significant degradation to the receiving water's biota has occurred", however it does not indicate the ramifications of such a determination.</p> <p>2. Bioassessment Monitoring should be dropped from the Permit altogether. "Snapshot" data collection is statistically insignificant and indefensible, and can not responsibly be used to draw conclusions or make decisions. Additionally, benthic data is notoriously variable (seasonally, annually, location within stream and dependent upon weather and the person collecting the sample) and requires multiple years of data collection and expert analysis.</p>
13	10	<p>J-62 (Rev 63): A summary and evaluation of the sampling and analysis results will be submitted in the Annual Reports.</p>	<p>1. Requiring submittal of Annual Reports is duplicative and unnecessary. This reporting requirement should be eliminated. The SWPPP has traditionally been the center of the construction program and should remain so.</p>
14	11	<p>K-ATS Requirements K-70: This General Permit establishes a 10 year, 24 hour (expressed in inches of rainfall) Compliance Storm Event for ATS discharge exemption from the technology-based numeric effluent limitations. Exceedances of the ATS turbidity NEL constitutes a violation of this General Permit.</p>	<p>1. Clarify. Appears that the first and second sentence conflict. Is the exceedance an exemption or a violation?</p>

No.	Page	Rule Section-Current Language	Comment
15	11	<p>L-Post Construction Requirements L-71:</p>	<p>1. Post-construction requirements (Pre-development hydrology/LID/water balance) should be introduced as a goal, not as a mandate.</p> <p>2. Post Construction requirements that include pre-development hydrology (AKA LID) should be clarified.</p>
16	12	<p>M-SWPPP Requirements M-73: To ensure proper project oversight, this General Permit requires a Qualified SWPPP Practitioner to implement the BMPs required to comply with this General Permit.</p>	<p>1. Who will Develop and Implement the SWPPP during the two years allotted for individuals to become "qualified" SWPPP Developers and Practitioners?</p>
17	13	<p>Section II A. LUPs</p>	<p>1. Although some effort has been made via the errata document to integrate similar aspects of the LUP into the main body of the permit, the LUP is still dissimilar enough that it would be better handled apart from the this permit.</p>
18	14	<p>B-Obtaining Permit Coverage Traditional Construction Projects B4-b: Existing dischargers subject to State Water Board Order No. 99-08-DWQ (existing dischargers) shall electronically file their PRDs no later than 100 days after the adoption date [insert adoption date of permit] of this General Permit. After 100 days all NOIs subject to State Water Board Order No. 99-08-DWQ will be terminated. If the project acreage subject to the annual fee has changed, dischargers shall mail a revised annual fee no less than seven days after receiving the revised annual fee notification, or else lose permit coverage. All existing</p>	<p>1. After 100 days, all pre-existing dischargers under Order #99-08 will have their NOI's terminated and subject to filing new PRDs, however, they are still exempt for 2 years from the adoption date from risk determinations other than RL1. Is it not implicit that in re-registering, the discharger will now come under the new permit requirements; and could be required by the Water Board to perform a risk determination (and thereby potentially obtain a higher risk level)? (See comment 6)</p>

No.	Page	Rule Section-Current Language	Comment
19	17	<p>dischargers shall be exempt from the risk determination requirements in Section VIII of this General Permit. All existing dischargers are therefore subject to Risk Level 1 requirements regardless of their project's sediment and receiving water risks. This exemption applies until [insert date 2 years after permit adoption]. However, a Regional Board retains the authority to require an existing discharger to comply with the Section VIII risk determination requirements.</p> <p>D-Conditions for Termination for Cover D-All:</p>	<p>1. Need a section/attachment to permit for clarification on the pre-development hydrology (AKA LID) requirements; perhaps it can be incorporated into the Appendix 4 calculations.</p>
20	17	<p>D1-f & Footnote: Post-construction storm water management measures have been installed and a long-term maintenance plan (For the purposes of this requirement a long term maintenance plan will be designed for a minimum of five years, and will describe the procedures to ensure that the post-construction storm water management measures are adequately maintained) has been established.</p>	<p>1. Requiring a 5-yr post construction maintenance plan is well beyond the scope of a construction permit and should be eliminated. Construction permits are intended to regulate the construction activity itself, not the future land use.</p>
21	22	<p>The discharger shall allow the Regional Water Board, State Water Board, USEPA, and/or, in the case of construction sites which discharge through a municipal separate storm sewer, an authorized representative of the municipal operator of the separate storm sewer system receiving the discharge, upon the presentation of credentials and other documents as may be required by law, ...</p>	<p>1. There are national security/safety concerns with allowing the Regional Board and other regulators indiscriminate access to all areas of the Base merely by presenting credentials at the front gate. Contact should be made with a specific Base individual providing construction site oversight (Resident Officer in Charge of Construction), who will accompany the Board member to that site at a specific date and time.</p>

No.	Page	Rule Section-Current Language	Comment
22	23	I-1C: ii. A consultant or contractor hired by the Property Owner;	1. The Permit states that the Legally Responsible Person (LRP) shall not be "A consultant or contractor hired by the Property Owner." On military facilities, Public Private Venture (PPV) Housing Contractors hold a long term (50+ years) lease and are considered to be the landowner and permit holder under the current permit. The definition of LRP should be extended to include this agreement between DoD and the State Board.
23	26	IV-M2: No determination made before an action of noncompliance occurs, such as during administrative review of claims that noncompliance was caused by an upset, is final administrative action subject to judicial review.	1. Sentence needs further clarification.
24	28	V. Effluent Standards VB-NELs: Table 1	1. Question achievability of "0" as a minimum detection limit for Turbidity; RL2 does have NELs for Turbidity and pH (See Att 3, table 3, Pg. 20). Either change text or table.
25	29	VC-Numeric Action Levels: Whenever an analytical effluent monitoring result indicates that the discharge is below the lower NAL for pH, exceeds the upper NAL for pH, or exceeds the turbidity NAL (as listed in Table 1), the discharger shall conduct a construction site and run-on evaluation to determine whether pollutant source(s) associated with the site's construction activity may have caused or contributed to the NAL exceedance and shall immediately implement corrective actions if they are needed.	1. Run-on sampling requirements are vague and the requirements intended for a Run-on Evaluation are not specified. Sampling should not be required. 2. At least for RL 2 and 3 dischargers, it does appear that NALs are "directly enforceable". Again, needs to be clarified.

No.	Page	Rule Section-Current Language	Comment
26	32	<p>VII-Training Qualifications and Certification Requirements A-General: The discharger shall provide documentation of all training for persons responsible for implementing the requirements of this General Permit in the Annual Reports.</p>	<p>1. Training records should be maintained in the SWPPP, not submitted in an Annual Report.</p>
27	32/33	<p>B-1 (a-h): Qualified SWPPP Developer: The discharger shall ensure that SWPPPs are written, amended and certified by a Qualified SWPPP Developer (QSD). A QSD shall have one of the following registrations or certifications, and appropriate experience, as required for:....</p>	<p>1. How does 5 years experience equate to a PE, PG, etc. The SWPPP cannot be signed by a person with 5 years experience without a PE, but they can be a QSD? Again, need to clarify what will be required during the 2 year period after adoption of the General Permit. Will the requirements remain as in the previous permit for the first two years? How does the military handle in-house projects? Who will be required to obtain their QSD?</p> <p>2. To even qualify to obtain the appropriate certifications, there are minimum experience and education requirements. For some program managers this may be a challenge to meet the two year requirement.</p>
28	33	<p>B4: Qualified SWPPP Practitioner: The discharger shall ensure that all BMPs required by this General Permit are implemented by a Qualified SWPPP Practitioner (QSP). A QSP is a person responsible for nonstorm water and storm water visual observations, sampling and analysis, and for ensuring full compliance with the permit. Effective [two years from the date of adoption of this General Permit,] a QSP shall be either a QSD or have one of the following certifications.</p>	<p>1. Relative to military bases, would all of the contract execution and quality assurance personnel be required to have a QSP to execute oversight or just their supervisor; and what do they do in the 2 year interim?</p>

No.	Page	Rule Section-Current Language	Comment
29	35	XIII-Post Construction Standards A-1: "Owners of publicly funded projects may appeal to the appropriate Regional Board for an exception to the requirements of this Section XIII."	1. Is the Department of Defense and its installation qualified to be considered for an exception as a publicly funded entity?
30	36	XIV-SWPPP Requirements:	1. Why is there no attachment explaining SWPPP preparation? Section XIV does not seem adequate, especially in the two year interim for staff to obtain QSD and QSP. Permit assumes discharger must seek instruction on SWPPP preparation using the QSD/QSP requirement, but doesn't state it.
31		Attachments A-F	1. Attachments A through F should be incorporated into the main body of the Permit Order such that the explanatory details immediately follow the first mention of the requirement. All legal requirements should remain in the main body of the Permit Order, not given in a separate attachment.
32		Section VIII/Appendix I Section IX/Attachment C Section X/Attachment D Section XI/Attachment E Section XII/Attachment F Attachments A, C, D, and E	1. Appendix I should be merged into Section VIII. 1. Attachment C should be merged into Section IX. 1. Attachment D should be merged into Section X. 1. Attachment E should be merged into Section XI. 1. Attachment F should be merged into Section XII. 1. Attachments A, C, D and E are highly repetitive and nearly identical. This content should be given once, with additional requirements for LUP Types 1, 2 and 3 and Risk Levels 1, 2 and 3 listed at the end of each requirement. This would reduce confusion.

No.	Page	Rule Section-Current Language	Comment
33		Attachment A	<p>1. The requirement to electronically submit before, during and after photographs for one of every three storm events is excessive and unnecessary and should be eliminated unless an exceedance occurs.</p> <p>2. Accurate sampling from linear project sites is extremely difficult to accomplish due to off-site contributions. This requirement is impractical.</p>
34	4,5, 10	Attachment C-Risk Level 1 Requirements Various References to Sampling: B5d, F, I7	<p>1. Text of Attachment C refers mainly to BMPs and visual observations. However, without prior warning/direction, sampling is brought into the text on B5d and F; and is not mentioned until pg. 10 in section I7 (Non-Visible Pollutant Monitoring Requirements) at the end of the document and this is only for a particular circumstance. Suggest discussion/warning (7a/f & 8) on sampling requirement up front under the disclaimer for Numeric Effluent Standards.</p> <p>2. The Construction Site Monitoring Program (CSMP) requirements should be incorporated into the SWPPP, not a separate requirement.</p>
35	8/9	I-RL1 Monitoring and Reporting Requirements. I2d & 3e(ii): To determine whether BMPs included in the SWPPP/Rain Event Action Plan...& all BMPs to identify whether they have been properly implemented in accordance with the SWPPP/REAP...	<p>1. RL1 dischargers are not subject to the REAP</p>
36		I3E: Within 2 business days (48 hrs) prior to each "qualifying rain event", RL 1 dischargers shall visually observe (inspect) i. all storm water drainage areas...ii. all BMPs...iii. any storm water storage and containments areas....	<p>1. Question whether this is cost effective and appropriate/necessary for a RL 1 discharger on a large military installation who is considered a low risk and not required to do a REAP. This requirement is in addition to weekly inspections and observations and inspections required by G1 (pg 5) every 24hrs during an extended storm event? A qualifying rain event is usually determined after the storm as forecasts are often</p>

No.	Page	Rule Section-Current Language	Comment
37	9	I3-f: For the visual observations (inspections) described in c.i and c.iii...	not accurate. Therefore, each time a qualifying rain event is predicted, ALL storm water drainage areas, ALL BMPs, and ANY storm water containment area must be visually observed 48 hours before the event?? 1. c.i and c.iii should be changed to "e"; (same for Att D, pg. 12; Att E, pg. 12)
38	10, 7	I6a-ii, Table 1: RLI dischargers shall conduct one visual observation (inspection) quarterly....	1. Table 1 indicates monthly monitoring requirements; I6a-ii indicates quarterly. Is one or both correct and why.
39	7.9	Attachment D H: REAP	1. The requirement for a REAP seems onerous and a duplication of effort. It requires that a REAP be prepared (by a QSD/not QSP?) within 48 hours of ANY likely precipitation event; likely defined as 50% or greater chance of precipitation. Again, these forecasts are unreliable and there is already a requirement for visual inspections. In reality, there is only 24 hours allotted for preparation and implementation of the REAP. Why must both be done (#38 above)? This information will/can be captured during the visual inspections. This is just another costly exercise.
40	13-17	Various locations: I-4 through I-11	1. Sampling requirements seem excessive and costly. Words like "entire" disturbed project area", "all discharge points", "duration of project". Other permits allow for representative samples. (Applies to Att E as well).
41	10/16	Table 2; I-10a(ii)	Same as number 40 above (Applies to Att E as well).
42	13	Attachment E I-4: Storm Water Effluent Monitoring Requirements: ...the RL3 discharger shall subsequently sample receiving waters for all	1. There is no indication of how often this sampling must be done. Why should sampling

No.	Page	Rule Section-Current Language	Comment
43	4	<p>parameter(s) required in Section I.4.e above for the duration of coverage under this General Permit.</p> <p>Attachment F H-ATS Instrumentation</p>	<p>be continued for the duration of the project, if the second or next sample is clean? More information is needed.</p> <p>2. Receiving Water Monitoring should be eliminated due to off-site runoff contributions and difficulty in determining the initial conditions of the receiving water or the source of any contaminants found.</p> <p>1. Rather than requiring ATS Toxicity Testing and Continuous Data Logging for all ATS projects, the Board should consider establishing a voluntary pilot program for sampling and analysis for these BMPs. Continuous data logging is excessive and unnecessary and should be eliminated due to the resources required.</p>
44		<p>Fact Sheet General:</p>	<p>1. The Fact Sheet is lengthy (longer than the actual permit) and confusing. It should be limited to specific requirements only.</p>
45	4		<p>1. While the Blue Ribbon Panel suggested phased implementation of NELs/NALs "commensurate with the capacity of the dischargers and support industry to respond", the Permit does not mention any planned phasing of any of the new, stringent requirements.</p>
46	13-18		<p>1. This section should clearly explain the difference between NELs and NALs.</p>
47	14		<p>1. The cost of achieving effluent reductions and energy requirements, in addition to monitoring and reporting labor costs do not appear to have been included in the Board's cost estimate. The actual costs may indeed be much higher than estimated.</p>

No.	Page	Rule Section-Current Language	Comment
48	15		1. Although Simon et al. (2004) presented a range of 500 to 1650 NTU, the Board selected the low end of this range without clear explanation as to why. The Board should justify the selection of 500 NTU.
49	19		1. This section does not adequately clarify the sampling, monitoring and reporting requirements for different types of dischargers. This information could better be presented in a single table.
50	34		1. ATS should be defined here. The fact sheet says that "statistical analysis of potential complications" must be conducted for an ATS, however this requirement is not found in the Permit itself.
51	43		1. The text regarding qualifications for a Qualified SWPPP Developer indicates there are 8 certifications possible, however Table 9 of the Fact Sheet indicates there are 9 possible certifications.
52	25	<p data-bbox="467 1444 781 1480">Section 1 V.B.4/Att. E/F</p> <p data-bbox="467 1514 651 1549">Attachment F</p>	<p data-bbox="932 1045 1495 1220">1. Conflicting reporting intervals for NAL exceedances and NEL violations are stated at various locations in the permit documents (below). The correct values should be listed in a table.</p> <ul data-bbox="932 1220 1495 1556" style="list-style-type: none"> <li data-bbox="932 1220 1495 1318">- Risk Level 2/3, LUP Type 2 NAL exceedance report storm event sampling results within 10 days <li data-bbox="932 1318 1495 1417">- Risk Level 3/LUP Type 3 NEL violation – report storm event sampling results within 5 days <li data-bbox="932 1417 1495 1453">- NEL violation must be reported within 3 days <li data-bbox="932 1486 1495 1556">-NEL violation must be reported within 24 hours.

No.	Page	Rule Section-Current Language	Comment