conditions. EPA believes the sector descriptions are clear. Application of the sector descriptions to co-located activities is within the scope of responsibilities of a permittee under the NPDES program and does not place an undue burden on the facility operator. For clarification, with co-located industrial activities, still only one storm water pollution prevention plan is required for the facility. Monitoring requirements for each outfall will not be duplicative but will be complementary. If the same pollutant is required to be monitored in two different sectors for industrial activities found on the site, if the industrial activities drain to the same storm water outfall, only one sample and analytical measurement for that pollutant is necessary.

## Notice of Intent Submission Requirements

A number of commenters expressed concern over the requirement in the proposed permit for submission of a Notice of Intent (NOI) when there is a change in the operator of the facility. The proposed permit required the new operator to submit an NOI 2 days prior to the transfer of operations. The commenters opposed this time frame for submittal of the NOI, stating that the purchaser of an industrial activity will not be able to complete the NOI or prepare a Storm Water Pollution Prevention Plan in advance of the property transfer. The commenters suggested different time frames for submittal of an NOI which ranged from 30 to 120 days after the transfer of operations.

Today's permit retains the requirement that new operators notify EPA at least 2 days in advance of a transfer of operator responsibility for an industrial activity. EPA believes that the simple information required for completion of the NOI can easily be obtained by the purchaser in advance of the actual property transfer. Operators of recently purchased facilities which discharge storm water associated with industrial activity without an NPDES permit would be in violation of the Clean Water Act.

In addition to submitting the NOI two days prior, new operators which assume ownership of an industrial facility without a break in operations must continue to implement the Storm Water Pollution Prevention Plan prepared by the previous operator, otherwise failure to do so would constitute a violation of the NPDES storm water general permit conditions. These facilities may subsequently modify the storm water pollution prevention plan to accommodate any changes in operation

which they choose to make, provided the storm water pollution prevention plan still meets all requirements of the permit.

Submission of a Copy of the Notice of Intent (NOI) to the Operator of the Municipal Separate Storm Sewer

Several commenters opposed the requirement for facilities which discharge to Municipal Separate Storm Sewers (MS4) to submit a copy of the NOI to the operator of the MS4. The commenters argue that submitting the notice places an additional paperwork burden upon the facilities. Others argue that the submission is unnecessary because all industrial activities discharging to MS4's were required to notify their municipalities prior to May 15, 1991. Finally one commenter stated that there would be no benefit from facilities covered under this permit notifying municipalities since facilities covered under other general permits or individual permits would not be required to notify the MS4 operator.

Today's permit retains the requirement for facilities which discharge to a MS4 to send a copy of the NOI to the operator of the MS4. This requirement is retained as a provision to assist municipalities comply with the anticipated requirements of their NPDES permits. This will be a key piece of information for municipalities to identify industrial discharges to their MS4s as required under 40 CFR 122.26. Through submittal of the NOI to the MS4, municipalities can keep an up-todate inventory of storm water discharges associated with industrial activity that discharge to the system. From this inventory, municipalities may (as a part of their storm water management plan activities) review industrial pollution prevention plans of the industries which discharge to their system. EPA does not believe this requirement presents a significant paperwork burden for the facility since the facility is simply required to make an additional copy of the one page NOI form, which they send to EPA, and send that copy to the operator of the MS4. This requirement is a provision of EPA's baseline general permit and is also a requirement of most individual permits issued to industrial dischargers where the permitting authority determines it is necessary. Making use of information from a previous notification done in 1991 would not allow the municipality to keep their industrial inventory up-todate.

Prohibition of Non-Storm Water Discharges

A number of the comments received discussed the prohibition of non-storm water discharges contained in the permit. The multi-sector permit authorizes some non-storm water discharges. These discharges include those from firefighting activities; firehydrant flushings; irrigation drainage; lawn watering; routine external building washdown without detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; uncontaminated ground water; and foundation or footing drains where flows are not contaminated with process materials such as solvents that are combined with storm water discharges associated with industrial activity. The non-storm water discharges must be identified within the storm water pollution prevention plan to be authorized under this permit. All other non-storm water discharges including vehicle and equipment wash water, boiler blow down, and steam condensate are excluded from coverage under today's permit and must be covered under a separate NPDES permit. Today's permit requires that a facility certify that the presence of non-storm water discharges has been tested for at its outfalls and that an inventory of the locations of the outfalls with non-storm water discharges has been conducted.

EPA received several comments requesting that additional non-storm water discharges be authorized by the multi-sector permit. These discharges included those from vehicle washing that did not use detergents, air compressor condensate, discharges from drinking fountains and clean water discharges from holding tanks. EPA has reviewed the requests for additional allowable non-storm water discharges and determined that air compressor condensate and drinking fountain water are not expected to contain pollutants and will be added to the list of allowable non-storm water discharges covered by today's permit. Other nonstorm water discharges such as vehicle wash waters, regardless of detergent usage, and holding tank discharges are not covered by today's permit since there is a significant potential for these types of discharges to be contaminated. Such non-storm water discharges should be authorized under another NPDES permit.

Several commenters also requested modification to the requirement that