

will not incorporate the monitoring conditions from the baseline general permit into the final multi-sector permit. EPA believes that the monitoring requirements in the baseline permit are designed primarily to characterize pollutants in storm water discharges from those facilities seeking coverage under the permit. For the most part, this characterization effort has already been accomplished through the group application sampling. Whereas, the multi-sector general permit monitoring strategy has been designed primarily to provide information on the effectiveness of the storm water pollution prevention plan.

#### *Visual Examinations of Storm Water Discharges*

The multi-sector permit includes requirements for facilities to perform visual examinations of storm water discharges. "High risk" industry sectors were required to perform visual examinations of storm water samples on a monthly basis. "Low risk" sectors were required to perform the exam on a quarterly basis.

EPA received a large number of comments on the proposed visual examination requirements, both in support and in opposition. The majority of comments were in reference to the frequency of visual examinations. Others commented that the costs/requirements of the visual exams were too burdensome, and some facilities wanted no visual exams at all. Other comments included requests for: clarification of language requiring visual examinations; more specific criteria for when to conduct a visual examination; provision of a checklist for performing visual exams; and criteria for examining snow melt runoff.

Commenters who opposed the requirements did so because; visual exams are too burdensome for facilities with many outfalls; conducting visual exams is too time consuming; the logistics associated with performing visual exams are too difficult for the average worker to understand; the results of the exam will be of no value; and the visual exam requirements are too frequent and will encourage fraudulent submissions.

Some commenters were opposed to the visual monitoring requirements stating that it is not as effective as examining the equipment installed to accomplish pollution prevention. They suggested that if the requirement is retained, the idea of comparing the visual observation to a baseline be addressed because the use of the same site personnel over time is not viable due to continuous rotation of personnel.

Other commenters were opposed to the burden that would result from the support documentation needed to meet the 72 hour dry weather and 0.1 inch rainfall requirements. These commenters felt this would require constant monitoring of the weather, recordkeeping, and the development of monthly visual observation reports which would be costly for small companies.

Numerous commenters supported the use of visual examinations to monitor the effectiveness of the pollution prevention plan and the implemented BMPs. These commenters stated that visual examinations can be an effective tool and would allow easy detection of suspended and settled solids, oil sheen and other obvious indicators. Some commenters that favored visual monitoring suggested this be done in lieu of any chemical analyses.

EPA believes that the visual examinations will provide permittees a quick and inexpensive assessment of the effectiveness of the facility's pollution prevention plan on a more frequent basis, but at a more cursory level, than just analytical chemical monitoring. The examinations are intended to be conducted by the company's pollution prevention team, or someone who will be familiar with storm water management at the facility. The team may be able to identify sources of contamination in the storm water discharge given their knowledge of the industrial activities conducted at the facility and the materials stored exposed to storm water. From these observations, the team may be able to identify additional BMPs that can be implemented to control the contaminant sources, or ways to improve the efficiency of existing BMPs. EPA will retain the requirement to perform a visual examination of the storm water discharge in today's multi-sector permit. EPA believes the visual examination of the discharge will become an important part of an active facility's overall effort to control storm water contamination. EPA maintains that the visual examination of the storm water discharges will allow a quick and simple assessment of the quality of the storm water runoff which can then be used to help assess the effectiveness of a facility's pollution prevention plan at very little cost. The results of the visual examination should be used in conjunction with the results from the comprehensive site compliance evaluation, analytical monitoring, if required, and sector-specific inspections to determine if appropriate BMP's have been implemented.

Today's permit and fact sheet include more detailed language which elaborates on the description of the visual exam requirements. Additionally, the frequency for visual examination for all applicable industry sectors will be quarterly under today's permit. This responds to a majority of the commenters by reducing the burden placed upon facilities, and allows a more reasonable amount of time for a representative storm event to occur. The information from visual monitoring is intended to be used by the facility as a quick and simple means of determining any obvious changes in the quality of storm water runoff from the site when the discharges are occurring. EPA understands that there is a measure of uncertainty and subjectivity in performing visual exams, but believes this will not adversely affect the purpose of the examinations. In summary, visual examinations of the storm water discharges provide a low cost means for the facility operator to routinely assess storm water problems at a facility and will provide an indication of major problems with the effectiveness of the storm water pollution prevention plan.

#### *Alternative Monitoring Provisions*

In the proposed permit, EPA requested comment on alternative monitoring and reporting requirements in lieu of the proposed requirements. Most of the commenters were opposed to the alternative monitoring requirements. Some commenters believed the alternative monitoring requirements would focus too much attention on sampling and not enough on pollution prevention plans. Some commenters did not think the whole effluent toxicity testing, where it was proposed in the alternative requirements in certain sectors, would be appropriate for storm water evaluations also stating that they are too expensive and complicated. Some commenters supported the proposed alternative monitoring requirements stating that the alternative requirements should be kept as an option assuming there is appropriate data demonstrating the need for this monitoring.

In response to the comments concerning the alternative monitoring provisions discussed in the fact sheet of the proposed permit, EPA is not incorporating these monitoring requirements into the final permit. Rather, as explained above, EPA has reconsidered the entire monitoring strategy as proposed in the permit and has developed a new monitoring strategy based upon a sub-sector analyses of the data to be responsive to