the majority of concerns regarding storm water monitoring in the proposed permit.

## Signatory Requirements

The multi-sector permit requires that all Notices of Intent (NOI), Notices of Termination (NOT), storm water pollution prevention plans, reports, certifications or other information, either to be submitted, or to be maintained by the permittee, be signed in accordance with the requirements in 40 CFR Part 122.22.

One commenter stated that the NOI certification is significantly different than the wording in the September 9, 1992 baseline general permit. Another commenter stated that the signatory requirements should be similar to those required by the national pretreatment program to maintain consistency and to avoid confusion. One commenter stated that the signatory requirements were appropriate for the NOI and the NOT, however, were not appropriate for the storm water pollution prevention plan and other such documents because they are excessive when compared to similar programs. This commenter suggested that an appropriate company representative such as those outlined in VII.G.2 would be more appropriate to provide a signature because they are more familiar with the regulations and the operations of the industrial facility. One commenter requested that a member of the storm water pollution prevention plan team be allowed to sign the site compliance report.

EPA will maintain the signature requirements as proposed in the multisector permit which requires that all NOIs, NOTs, storm water pollution prevention plans, reports, certifications or information either to be submitted to the Director, or that are required to be retained by the permit, be signed by a responsible corporate officer. The certification and signature requirements in the multi-sector permit are the same requirements as those used in other areas of the NPDES program and the pretreatment program and have not been changed from the September 1992 baseline general permit. Furthermore, the requirements allow authorized representatives to be appointed for signature authority. Therefore, if a facility feels it is more appropriate for a member of the storm water pollution prevention plan team to sign the documentation, that option is available under the permit.

Miscellaneous Inspection Requirements

EPA received comments on inspection requirements, recordkeeping requirements, and reporting

requirements from 24 commenters. Most of these stated that the proposed requirements are too burdensome and suggested ways to scale down this burden, with suggestions ranging from decreasing inspection schedules to requiring less paperwork. A few commenters opposed the frequency of inspections required in several of the sectors of the proposed permit. Specifically, two commenters stated that monthly inspections of designated equipment and areas of the facility are unnecessary and inappropriate.

EPA has established visual and other inspection requirements tailored to each industrial sector based on conditions specific to each sector. Where appropriate, today's permit contains daily, weekly, monthly, or less frequent inspections of various important facility areas and activities. EPA believes the frequencies in the permit are necessary to ensure that storm water runoff from these key areas does not cause significant discharges of pollutants.

## Retention of Records

Seven commenters stated that the requirement that records be retained for 6 or more years (three years after the permit expires) is excessive. One commenter suggested that a more discrete time period be specified for records retention, so as to eliminate the undesirable result of inadvertently requiring facilities to retain records indefinitely if a permit is continually extended. Five commenters suggested that a three-year retention period is adequate and consistent with other NPDES permits. Another commenter suggested that records be retained for a maximum of one year after the inspection or monitoring occurs. Two other commenters stated that the documentation and recordkeeping requirements are too elaborate and could require excessive resources from small businesses. Four other commenters stated that the reporting requirements are unnecessary and unduly burdensome.

EPA has retained all recordkeeping requirements from the proposed permit. However, in response to commenters' concerns about inconsistent timeframes, the Agency has standardized the retention period for all records to be the minimum period allowed under 40 CFR 122.41(j). Thus, today's permit requires permittees to retain all records (those from inspections as well as monitoring data) for a minimum of three years from the date of the inspection, sampling, or measurement. In addition, to help reduce the amount of reports permittees may be required to generate during a permit term, EPA has reduced some of

the inspection and examination requirements for some industrial sectors. For example, the requirement for visual examinations of discharges has been changed to quarterly for all sectors (except air transportation) and pollutant-by-pollutant no exposure certifications are now allowed. EPA believes these changes, and others in today's permit, will decrease the recordkeeping burden on many facilities, including small businesses.

Special Requirements for Facilities Subject to Reporting Requirements Under EPCRA 313

EPA received a number of comments that addressed the proposed special requirements for facilities subject to the **EPCRA Section 313 reporting** requirements. Specifically, 52 of these comments addressed the proposed requirement for a certification of the storm water pollution prevention plan for an EPCRA 313 facility by a Professional Engineer (PE), of which 50 opposed such certification and two favored it. Thirty-one of the commenters opposed to the certification indicated that other categories of professionals with knowledge of pollution prevention, including hydrologists and certified hazardous materials managers, would be more appropriate than a PE to review the plan. Most indicated that someone very familiar with the facility would be the most appropriate person to make the certification. Other commenters noted that the facility manager is legally responsible and should be responsible for certifying or selecting the certifying party. A few commenters stated that the PE provision would be unnecessarily costly, particularly for small facilities. One commenter added that the frequency of certification should be reduced to once every five years.

In response to these commenters, EPA has removed the requirement for PE certification from the permit as well as the requirement to certify the plan every three years. The permit now requires facilities subject to the EPCRA Section 313 requirements to conduct the same storm water pollution prevention plan certification procedures as facilities not subject to EPCRA Section 313. Thus, facilities subject to EPCRA Section 313 requirements need only certify their pollution prevention plan when it is developed or when revisions or changes are made and does not include a PE certification.

EPA also received numerous comments that opposed the extension of special requirements for EPCRA Section 313 facilities to all facilities with aboveground storage tanks and/or exposed handling of liquid chemicals. About half