In response, the permit fact sheet discusses coverage of certain silvicultural activities which are classified as storm water discharges associated with industrial activity under the NPDES storm water program and those which are considered to be nonpoint source discharges. This discussion explains the consistency between coverage under this multisector permit and existing NPDES storm water regulations defining storm water discharges associated with industrial activity for the Timber Products industry. EPA believes this discussion is clear and consistent with NPDES regulations and that further expansion of the definition of exempt nonpoint source activities at timber products facilities would be inconsistent.

Many commenters were concerned that the proposed sector had grouped together all facilities that perform any wood treating, including facilities that only end-treat boards with a paraffin wax. In response, EPA has grouped together all those facilities that perform any wood treating because they exhibit similar types of industrial activities at their facilities. The groupings were made because the documentation and data submitted in the group applications described them as similar. Therefore, wood preservers who treat their wood with paraffin were not separated from wood preservers, as a whole. In relation to monitoring, while the proposed multi-sector permit required specific monitoring by wood preservers and surface treaters, including those that only end-treat boards, the final multisector permit comprehensively changes the monitoring requirements for all timber products facilities due to a reassessment of the benchmark levels used to trigger monitoring and the revised sub-categorization approach to determining the need for industry subcategories to monitor (See response to comments on monitoring provisions). Facilities that end-treat boards with paraffin are still required to monitor their storm water discharges, but for fewer pollutants. Although the revised monitoring provisions in the permit now require monitoring for all subcategories within the timber products sector, the revised alternative certification provisions should allow individual facilities with no exposure of the pollutants of concern to forego the need to monitor. In relation to pollution prevention plans, all timber products facilities will still be required to control pollutants discharged into storm water through the use of site-specific best management practices implemented through pollution prevention plans

which are tailored to each specific facility on a case-by-case basis. This site-specific approach will allow a facility which end-treats wood with paraffin to design a pollution prevention plan appropriate for their facility.

The proposed permit authorized nonstorm water discharges from the spray down of lumber at wood product storage yards where no chemical additives are used in the spray down waters and no chemicals are applied to the wood during storage. Several commenters supported the proposed permit condition as an acceptable non-storm water discharge. The commenters believed that the authorization of these discharges at timber processing facilities is appropriate because these discharges are intermittent and the activity is performed only when necessary. In response, EPA believes that these nonstorm water discharges, where identified in a pollution prevention plan and where appropriate pollution prevention measures are implemented, can be effectively controlled under today's multi-sector permit and therefore are allowable non-storm water discharges.

Numerous entities commented on the pollution prevention plan for timber product facilities. Many commenters supported the use of best management practices in that they allow the permittees to determine the most efficient and cost-effective measures for controlling pollutants in storm water discharges. Several commenters provided lists of additional BMPs that are appropriate for use at timber product facilities. However, many commenters stated that the proposed requirement for daily inspections of "material handling activities and unloading and loading areas whenever industrial activities occur in those areas" is confusing because these areas are considered industrial activities. In addition, they believe the proposed frequency of the inspections is overly burdensome and clarification of the required documentation is needed. Some facilities stated that they already conduct inspection of material handling and loading/unloading areas when chemical preservatives are shipped or received. Some commenters suggested that no documentation be required.

In response, EPA would like to clarify that the proposed requirement was intended to require site personnel to inspect the areas where material handling and loading/unloading activities were occurring on a daily basis. These areas would be inspected on those days when material handling or loading/unloading activities were occurring but would not be required to

be inspected when the activities were not occurring. This requirement was placed in the permit because these areas are subject to leaks and spills of materials, tracking of spilled chemicals by equipment, discharge of wood debris and dust generation from heavy equipment. Daily inspection of these areas would only require that someone be responsible for examining each of the areas to determine which BMPs should be implemented to limit the contamination of storm water discharges. For example, the inspector may see that a small amount of a chemical has been spilled near a loading dock which could potentially either be tracked away from the site on truck tires or if it rained could enter the storm water discharge. With daily inspections of these areas, the inspector could immediately initiate clean up of the spill and make suggestions for additional BMPs to be implemented into the plan to avoid future spills. No elaborate documentation of these inspections is required, however, the facility's pollution prevention team should develop a simple method of tracking whether someone has observed the areas when material handling and loading/unloading activities are being performed on a daily basis. If follow-up measures are appropriate in response to the inspection, these should be documented as well. For example, the documentation may simply be checking a log sheet and stating on the sheet that the inspection was performed on a particular day. Follow-up action may require initiating the work and marking a log sheet stating that the work was performed.

EPA disagrees that daily inspections would be burdensome. The inspection of material handling and loading/ unloading areas is being required daily (when activities are occurring in those areas) because of the nature of the activities. These activities create a high risk for discharging pollutants to storm water discharges and require that more frequent assessments be made to ascertain the effectiveness of BMPs in those areas. These inspections, which should become a simple daily routine, may be made by personnel who are already in these areas at the time the activity is occurring. If inspections are already being conducted at material handling and loading/unloading areas when chemical preservatives are shipped or received then these can be incorporated as part of the pollution prevention plan and may satisfy part of the requirement. In addition, EPA believes the commenters are confused by the proposed language for daily