permittees to exercise a waiver of the monitoring if they can certify that storm water will not be exposed to potential sources of pollution.

The Agency believes that permittees should implement BMPs to minimize erosion at sites (i.e., to prevent/ minimize pollutant loadings to storm water). This includes stabilizing daily cover piles, wherever practicable, regardless of their locations. These measures will reduce the need to rely on other controls to manage/treat storm water runoff after contamination has occurred.

One commenter questioned the analytical monitoring requirements proposed for landfills closed prior to the effective date of 40 CFR 258.60. The commenter felt that all landfills closed in accordance with State or local regulations should be exempted from analytical monitoring. In response, the Agency believes that prior to the effective date of 40 CFR 258.60 there was significant variability in State MSWLF closure requirements. The closure provisions of State industrial landfill regulations are similarly diverse. Because of this variability, the Agency cannot be certain that landfill areas closed under State programs do not have the potential to contribute pollutants to storm water discharges (unless the requirements are equivalent to or more stringent than 40 CFR 258.60). Therefore, the Agency does not believe it is unreasonable to require monitoring for such sites. For landfills that are closed according to State or local requirements that are equal to, or more stringent than 40 CFR 258.60, the permit includes the "alternative certification" and "low concentration" waivers which should provide a means for such a landfill to forego the need to monitor.

Several commenters expressed concern that the frequency of the inspections required for storm water pollution prevention plan are excessive and impose an excessive burden upon facility operators. The Agency appreciates the commenters feedback on the inspection frequency and recognizes the potential difficulties that may arise from requiring inspections within 24 hours of a storm event. Therefore, the final permit has been revised to only include weekly inspections. The Agency believes that this frequency is appropriate for landfills and land application sites because of the nature of the BMPs typically used at these facilities. Erosion and sediment control measures often require frequent upkeep and maintenance to ensure proper operation.

One commenter requested a reduction in the monitoring requirements for facilities located in cold climates due to difficulty in collecting samples during winter periods. The Agency does not believe that monitoring requirements should be adjusted for landfills solely because they are located in cold climates. The permit provides a temporary exclusion from monitoring requirements during a quarter if sampling is unfeasible due to adverse conditions (including weather) and this provision should account for difficulties in conducting sampling due to climate. Under this exclusion, permittees are, however, required to collect two samples during the next quarter to make up for the missed sampling requirement.

Several commenters stated that the monthly visual examination requirements for this sector were excessive and burdensome. In response to these comments, today's permit requires only quarterly visual examination of storm water discharges. For active and staffed landfills and land application sites, the Agency does not believe that it is unreasonable to require sampling/visual examinations once each quarter within the first hour a storm event.

Auto Salvage Yards

A few commenters indicated that storm water runoff from automobile salvage yards is often contaminated with spilled residues of engine and transmission fluids, and battery acid saturated with lead. The Agency agrees that automobile salvage yard facilities may have many potential sources of storm water pollutants. Therefore, today's final permit incorporates permit conditions to address these potential sources. Such conditions include development of a pollution prevention plan, which includes the implementation of BMPs, regularly scheduled inspections, and visual and analytical monitoring to help assess the effectiveness of the pollution prevention plan and to identify potential problems with the plan that would lead to making plan revisions and incorporating additional control measures.

A few commenters stated that some of the conditions under the proposed multi-sector permit for automobile salvage yards are more stringent than those under the baseline general permit. In response, EPA wants to clarify that certain information, not available at the time of finalization of the baseline general permit, such as the group application information and sampling data, was used extensively in the development of the conditions in today's final permit. This information and data has identified pollutants of concern, the concentrations of these pollutants, and the industrial activities that are conducted on-site that generate these pollutants. The Agency has developed appropriate conditions in this final permit to address these storm water discharges.

Several commenters feel that the proposed semi-annual employee training requirement for facilities in the automobile salvage yard sector is too burdensome, especially considering the annual training required for most other sectors. Today's final permit requires facilities themselves to identify periodic dates for employee training in the storm water pollution prevention plan. The focus of the employee training required under the multi-sector permit is on informing personnel of the components and goals of the storm water pollution prevention plan (storm water pollution prevention plan). This includes familiarizing employees with their responsibilities under this plan. The Agency believes that periodic training programs are needed to keep employees up-to-date with the storm water pollution prevention plan but agrees that semi-annual requirements may be too burdensome for some facilities. EPA leaves the decision as to the frequency of employee training up to the facility operator because site-specific circumstances will call for different training frequencies and the facility operator is in the best position to make that decision. The frequency of training for auto salvage facilities can therefore be determined by each facility operator at the time they develop their pollution prevention plans. If additional training is necessary than what is originally identified, then the plan can be modified by the operator and the training frequency increased.

A few commenters requested that the frequency of the visual monitoring required for facilities in the automobile salvage yard sector be reduced from monthly to quarterly. In response to these comments and other comments on this issue, and given further consideration of climatic variations and the other types of inspections required under this sector, today's final permit requires facilities to conduct only quarterly visual monitoring. Visual monitoring will allow facilities to detect potential problems and evaluate the effectiveness of the pollution prevention plan more frequently than just through chemical sampling.

Several commenters indicated that existing BMPs at their facilities are sufficient or that specific BMPs listed in the proposed fact sheet are not appropriate. EPA wants to clarify that