worked out with the airport authority through contractual, or other means, to ensure that the storm water pollution prevention plan of the airport adequately addresses storm water contamination from these types of tenants. Regardless, airport authorities are required to identify the location and activities of all airport tenants as apart of the development of the storm water pollution prevention plan for the airport. EPA would like to clarify, however, that airport authorities are not responsible for ensuring compliance with the conditions of today's permit for storm water discharges associated with industrial activities regulated under 40 CFR 122.26(b)(14) conducted by tenants of the airport that apply separately for a storm water permit and which are not co-permittees with the airport authority.

Because the applicability of Part XI.S. of today's permit extends to storm water discharges from airport facilities, and in light of the fact that industrial activities conducted by the airport authorities and tenants of the airport are similar in nature, the eligibility section of Part XI.S. has been broadened to allow coverage for both airport authorities and tenants of an airport facility who conduct industrial activities as described in Part XI.S.1.

Treatments Works

Comments on Sector T, Domestic Wastewater Treatment Plants focused on required elements of the storm water pollution prevention plan and monitoring requirements. One commenter raised an issue regarding the requirement of providing a certification that the discharge contains nothing but storm water is unrealistic and can interfere with plant operations. It makes no allowances for temporary discharges into a storm water system.

In response, the Agency wants to clarify that some non-storm water discharges may be authorized by the permit. These non-storm water discharges include: discharges from fire fighting activities, fire hydrant flushing; potable water sources including waterline flushings; irrigation drainage; lawn watering; routine external building washdown which does not use detergents or other compounds; 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; foundation or footing drains where flows are not contaminated with process materials such as solvents. The Agency notes that certification that the discharge contains

nothing but storm water, except as mentioned above, is consistent with similar requirements for NPDES general permit requirements for storm water discharges associated with industrial activity published September 9, 1992.

Many commenters have concerns about the excessive training required in the permit for treatment works employees. Semiannual training for employees will result in an excessive amount of employee "downtime," thereby decreasing the effectiveness of current employees to control the POTW process and may result in the need for increase staff. It is therefore very important that the training program be reasonable. An alternative would be to have employee training conducted once per year instead of every 6 months. In response, EPA agrees and the permit has been modified to require employee training only annually (at least once per calendar year).

EPA received many comments on the requirements of monthly inspections plus annual comprehensive site compliance evaluation. Commenters state that it is likely that the same person who conducts the monthly inspections will also conduct the annual comprehensive site compliance evaluation. If the facility successfully passes the monthly inspections, then there is no reason to believe that it would not pass a yearly inspection. In response, EPA wants to clarify that the monthly inspections cover specific designated equipment and areas of the facility where there is a high potential for storm water contamination. The areas to be included in all inspections include: access roads/rail lines, equipment storage and maintenance areas (both indoor and outdoor areas); fueling; material handling areas; residuals treatment, storage, and disposal areas; and waste water treatment areas. A monthly inspection can be done easily and routinely, possibly with the guidance of an inspection checklist. Whereas the comprehensive site evaluation is a full site evaluation being conducted to assess the pollution prevention plan and to determine the overall level of compliance by the permittee, and if necessary incorporation of changes or modifications to the pollution prevention plan needed as a result of the inspection.

Several commenters indicated that requiring an inventory of materials, an investigation of past practices, and a list of significant spills for the previous 3 years is an inventory accumulation of history and only generates paperwork. Commenters suggested that a pollution prevention plan should evaluate current

situation and determine potential problems that may result. In response, the Agency believes that past activities may have resulted in pollutant sources for present storm water discharges, and that it is appropriate to address materials that have been exposed to storm water within the past 3 years. EPA believes that the 3-year period is reasonable and does not impose excessive burdens for collecting information on permittees. The Agency notes that the 3-year period is consistent with similar requirements for individual applications for storm water discharges associated with industrial activity at 40 CFR 122.26(c)(1)(i) (B) and (D) and general NPDES records retention requirements under 40 CFR 122.21(p) and 40 CFR 112.7(d)(8).

A number of commenters strongly supported the use of the annual monitoring of the alternative monitoring constituents requirements. Other commenters questioned the accuracy of the statistical analysis performed for the proposed permit. In response, EPA has revised the methodology for determining which facilities will be required to perform monitoring as described elsewhere in the fact sheet. Under this new methodology, domestic wastewater treatment plants are not required to perform monitoring under this permit.

Food and Kindred Products

The greatest number of commenters on Sector U, Food and Kindred Products, are concerned with the monitoring requirements described in the proposed permit. The major objections to monitoring result from the consolidation of the entire food and tobacco industry into one sector which commenters believe compromises the group process since identical monitoring requirements are inappropriate for an industry with such a wide range in process operations. Commenters argue that several subsectors conduct most activities indoors, allowing little opportunity for storm water contamination, while other subsectors perform significant operations outdoors. Commenters also point out that EPA described in the proposed rule several factors that influence the impact of storm water on water quality (e.g., geographic location, hydrogeology, etc.) yet these factors were not considered when proposing monitoring requirements for the industry.

Commenters also argued that basing the monitoring requirements on such a diminutive set of sampling data is not valid given that data for only four pollutants was collected in sufficient