

City of Longview

The City of Longview greatly appreciates the opportunity to provide comments and feedback on this important regulatory program for the protection of our State's waters and environment.

| Phase I, WW Phase II, and EWA PH II Formal Draft Comments | | | | |
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| Name | Document | Section | Page | Comment |
| Longview | WWA Phase II | Comprehensive Stormwater Planning (WWA) | 18 | The referenced <i>Stormwater Management Action Planning Guidance</i> is heavily geared towards Puget Sound permittees and larger communities with multiple watersheds. Additional guidance is needed and should be provided for smaller Phase II permittees and those with unique watersheds and drainage areas (e.g. large areas that do not discharge to surface waters and diked drainage basins). |
| Longview | WWA Phase II | Education and Outreach | 20 | We appreciate the overall attempts to reorganize the language and provisions of this permit section. We concur with most of the changes, particularly the addition of specific consideration of regional collaboration to meet permit requirements, as well as the clarification of goals and requirements for general awareness vs. behavior change. |
| Longview | WWA Phase II | Education and Outreach | 20 | S5.C.2(a)(i): The requirement to select a target audience and subject is confusing as the point of general awareness is to provide a broad awareness of the nature and impacts of stormwater pollution to the community at large, which includes the general public and commercial/industrial/institutional entities. Furthermore, we believe that outreach to the development community on stormwater regulations, technical standards, LID and BMP design should be a separate requirement (not under general awareness), or perhaps moved to permit Section S5.C.6. |
| Longview | WWA Phase II | Operations and Maintenance | 31 | We support the addition of a stand-alone Operations & Maintenance section. However, the stated goal is "preventing or reducing pollutant runoff from municipal operations" which fails to cover the scope of this permit section. We recommended including the goal of maintaining MS4 infrastructure components and both public and private stormwater facilities to ensure continued water quality and flow control performance as designed, which is the primary focus of minimum performance measures (a), (b), (c) and (d). |

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| Longview | WWA Phase II | Source Control Program (WWA) | 37 | S5.C.8(a)(i): This clause and the word "Application" is problematic as the permittee is not directly responsible for applying these BMPs for private businesses and properties, unless this is intended to refer to municipally-owned and/or operated existing land uses and activities. Please clarify and modify as needed. |
| Longview | WWA Phase II | Source Control Program (WWA) | 37 | S5.C.8(a)(ii): Typo--publicly is spelled incorrectly. Add "institutional" to commercial and industrial properties. |
| Longview | WWA Phase II | Source Control Program (WWA) | 37 | S5.C.8(b)(i): Per the draft permit language, structural source control BMP's "must be required" if operational source control BMPs do not prevent discharges or violations. This would trigger a site retrofit and there is no Ecology design guidance for retrofits at this time. Progressive enforcement and remediation at these properties will require additional staff time for plan review, construction inspections, follow-up inspections and likely hearings and appeals to enforcement actions. This may cause some permittees to avoid inspecting those businesses suspected of needing structural source control BMPs and create political pushback on the source control program. We recommend removing this language and emphasizing remediation of structural illicit discharges and connections, while providing optional technical assistance on structural BMPs and retrofits. |
| Longview | WWA Phase II | Source Control Program (WWA) | 37 | S5.C.8(b)(i): There are several anticipated pollutant generating sources and activities that currently don't have source control BMPs in the SWMMWW. An example is restaurant roof top ventilation hoods; these are sources of kitchen oil & grease to a MS4, particularly when cleaned (typically using hot water and degreaser products). We request the second paragraph also include direction for using other sources for source control BMPs where the SWMMWW or equivalent manuals are lacking guidance. |

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| Longview | WWA Phase II | Source Control Program (WWA) | 38 | S5.C.8(b)(i): The third paragraph states "Structural source control BMPs, or treatment BMPs/facilities, or both, must be required for pollutant generating sources if operational source control BMPs do not prevent illicit discharges or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls." Because MS4 permittees would typically not be sampling receiving waters to establish whether or not the property in question has discharges to the MS4 that are causing water quality standards violations, we feel this is an impracticable requirement. We recommend deleting "or violations of surface water, groundwater, or sediment management standards because of inadequate stormwater controls" and replacing with "to the MS4." |
| Longview | WWA Phase II | Source Control Program (WWA) | 38 | S5.C.8(b)(ii): Many permittees have expressed a concern that the comprehensive list of businesses and activities that are potential sources of pollutants in Appendix 8 will capture many categories and individual businesses and properties (e.g. real estate office, bookstore, early-learning center) that do not have outdoor pollutant-generating sources and are not a risk to water quality impairment. This may result in a very large source control inventory of which the permittee is required to inspect 20% per year. Though flexibility is provided in the permit language for prioritization of this 20%, the total number will dictate the level of effort required and the staff resources needed to implement this program. We request that more flexibility be given to the permittees to define the candidate businesses or properties for the inventory, or to be able to exclude a business or property from the inventory if it could be verified that there are no pollutant generating activities present. Consider adding the following sentence to S5.C.8(b)(ii)(a): "Permittees may exclude business and properties from the inventory if it can be verified that there are no pollutant generating activities on the premises." |
| Longview | WWA Phase II | Source Control Program (WWA) | 38 | S5.C.8(b)(ii): Typo--publicly is spelled incorrectly. Add "institutional" to commercial and industrial properties. |
| Longview | WWA Phase II | Source Control Program (WWA) | 38 | S5.C.8(b)(iii)(a): "All identified sites with a business address" does not make sense and additionally all properties in the inventory should be provided with source control information. Consider replacing with "All businesses and properties in the source control inventory" |

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| Longview | WWA Phase II | Source Control Program (WWA) | 38 | <p>S5.C.8(b)(iv): Volume IV of the Stormwater Manual provides information on a broad set of operational BMPs which, while intended to provide the most cost-effective practices, are notoriously hard to regulate and enforce, particularly at the scale at which this requirement is proposed. "Recommended" BMPs further add confusion and a lack of clarity on what is required and, thus, cause the regulatory burden for enforcement to remain unclear. Clarification is needed on what constitutes a requirement for enforcement, how agencies should specifically satisfy operational compliance and what the permit reporting standards will be. Such clarification is necessary to reduce liability and the potential for extraneous data to be published regarding private business operations. Alternatively, shifting the program to an outreach focus is both consistent with the language in the manual and effectively avoids creating an additional, ineffective enforcement burden for Phase II permittees.</p> |
| Longview | WWA Phase II | Source Control Program (WWA) | 53 | <p>S5.C.8(b)(iii)(b): In the first sentence the word "assure" is vague and does not provide an objective benchmark for success. We suggest replacing "assure" with "assess."</p> |