



## Response to Comments

### **National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Industrial Activity from Marinas**

**Ohio EPA General Permit No.: OHRM00002**

#### **Agency Contact for this General Permit**

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Ohio EPA held a public hearing on October 15, 2012 regarding NPDES General Permit for Discharges of Storm Water Associated with Industrial Activity from Marinas (OHRM00002). This document summarizes the comments and questions received at the public hearing and/or during the associated comment period, which ended on October 22, 2012.

Ohio EPA reviewed and considered all comments received during the public comment period. The name of the commenter follows the comment in parentheses.

**Comment 1: One commenter indicated that their Marina has 160 wet docks and over 160 dry storage spots. In regards to applicability of analytical monitoring requirements, the permit should not be based on total boat capacity but total number of boats. (Alan Bremer)**

**Response 1:** Part V.B of the general permit requires permittees with 200 or more boat slips (total boat capacity including wet and dry) to perform analytical monitoring annually for total recoverable aluminum, total recoverable iron, total recoverable lead, total recoverable zinc and total suspended solids. While drafting the first generation general permit (OHRM00001), it originally required the annual analytical monitoring be applicable to all marinas covered under the permit. Based on comments received during that initial public comment period, Ohio EPA decided to not require the analytical monitoring of very small marinas and felt that the 200 or more boat slips

(total boat capacity including wet and dry) requirement was reasonable. The comment was considered but no changes were made.

**Comment 2: One commenter was concerned with the cost and time of drawing up and implementing the Storm Water Pollution Prevention Plan. (Bass Haven Marina)**

**Response 2:** Ohio EPA believes that the requirements of the general permit can be developed and implemented with minimal costs. Marina operators can use Ohio EPA's template storm water pollution prevention plan (SWPPP) as guidance to develop their own site-specific SWPPP. The template SWPPP also contains the necessary forms to satisfy the general permit's record-keeping requirements. Ohio EPA believes that it has provided useful tools for marina operators to utilize to keep costs minimal in complying with the general permit.

**Comment 3: One commenter indicated that their facility has no central collection point for storm water which makes it impossible to collect any sample. (Bass Haven Marina)**

**Response 3:** USEPA has provided guidance on effectively collecting storm water samples from areas where sheet flow is present. Please see guidance at the following (see pages 9 and 10):  
[http://www.epa.gov/npdes/pubs/msgp\\_monitoring\\_guide.pdf](http://www.epa.gov/npdes/pubs/msgp_monitoring_guide.pdf)

In addition, the Minnesota Pollution Control Agency has developed two YouTube videos which provide guidance on collecting grab samples and collecting sheet flow samples:

<http://www.youtube.com/watch?v=oWKdonc9iDw&feature=youtu.be>  
<http://www.youtube.com/watch?v=AmEJUNp44aU&feature=youtu.be>

**Comment 4: One commenter indicated that having the public hearing on October 15<sup>th</sup> was a hardship on any marina in Ohio. October is the month that every boat in the water is pulled and made ready for winter storage. (Bass Haven Marina)**

**Response 4:** The current general permit (OHRM00001) expires on January 12, 2013 and Ohio EPA's goal is to renew general permits timely. With the timeframes involved in renewing this general permit the public hearing fell in October. However, in lieu of attending the public hearing, interested parties could have submitted written comments via mail to be considered.

**Comment 5: USEPA reviewed the draft permit and does not intend object to its issuance, but recommends the following comments in order to improve the clarity and accuracy of the permit. (USEPA Region 5):**

1. It was recommended that the permit include language that addresses the following discharges:
  - a. New or existing discharges to water quality impaired waters (as required by 40 CFR 122.4(i) and 40 CFR 122.44(d)(1)(vii)(3));
  - b. Anti-degradation requirements for new and increased discharges to high quality waters (as required by 40 CFR 131.12(a)(1) and (2)); and
  - c. New discharges to waters designated as Tier 3 for Anti-degradation purposes (as required by 40 CFR 131.12(a)(3)).
2. It was recommended to include benchmark concentrations with the analytical monitoring requirements and actions that a permittee should take if a benchmark is exceeded.
3. It was recommended to include a provision similar to Part 6.2.4 (Discharges to Impaired Waters Monitoring) of EPA's MSGP, which includes monitoring requirements for discharges to water with or without an EPA-approved TMDL.

**Response 5:** Ohio EPA has considered the provided recommendations and determined to not make any changes to the final permit based on Recommendations 2 and 3 but will add language to the permit which addresses Recommendation 1. The draft permit inadvertently did not contain Ohio EPA's standard language addressing anti-degradation which is contained in the industrial storm water general permit (OHR000005). This language has been added as Part I.C.6.

**End of Response to Comments**