

**Vermont Agency of Natural Resources
Department of Environmental Conservation
WATER QUALITY DIVISION**

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**RESPONSE SUMMARY FOR
DRAFT GENERAL PERMIT 3-9010**

**Re: Previously Permitted Stormwater Discharges to Waters That are
Not Principally Impaired by Stormwater Runoff**

July 27, 2010

The above referenced draft general permit was proposed for previously permitted discharges previously authorized under an individual state stormwater discharge permit or discharges previously authorized under General Permit 3-9010 or 3-9015. The above referenced general permit is applicable to discharges to waters that are not principally impaired due to stormwater runoff.

The draft permit was placed on public notice for comment from June 10, 2010 through July 12, 2010. Two comments were received during the comment period.

The following is a summary of the comments relevant to this draft discharge permit and the Department's responses to those comments. The comments have been combined.

Comment: Part V, section C of the draft permit (pg 10) should be re-written as follows "The stormwater collection, treatment and control system shall be properly operated. The permittee shall submit an annual inspection report on the operation, maintenance and condition of the stormwater collection, treatment and control system. The inspection shall be conducted between the conclusion of spring snow melt and June 15th of each year and the inspection report shall be submitted to the Secretary by July 15th of each year. If the permittee is an MS4 regulated community with a duly adopted stormwater management ordinance the inspection report can be submitted as part of the MS4 Permit annual report. The inspection report shall note all problem areas and all measures taken to correct any problems and to prevent future problems. If an MS4 regulated community is a co-permittee they may submit inspection reports for the portion of the stormwater system under their control as part of the MS4 Permit annual report."

Part V, section D of the draft permit (pg 10) should contain the following language, "If the permittee is an MS4 regulated community with a duly adopted stormwater management ordinance, the recertification of compliance can be submitted as part of the annual report already required by the MS4 Permit. If an MS4 regulated community is a co-permittee they may submit recertification of compliance for the portion of the stormwater system under their control as part of the MS4 Permit annual report. (City of South Burlington) A supporting comment was received by the Village of Essex Junction.

Response: The Department supports the attempt to make the reporting and re-statement of compliance process more efficient. Currently, provided reports or restatement forms are received in a timely fashion, nothing in General 3-9010 or the Stormwater Management Rule preclude municipalities from providing this information exclusively within an annual report. The Department will work with municipalities to ensure the annual report framework provides the required information in a suitable format. Further, an interested municipality may request to modify inspection and recertification dates on their permitted facilities to increase consistency provided the schedules are consistent with the Stormwater Management Rule. Consequently, the final permit language remains unchanged.