

Advocacy Issues Supplemental Comments on the Monitoring Requirements in Industrial Stormwater Permits

On March 14, 2006, the Office of Advocacy (Advocacy) sent a comment letter to the U.S. Environmental Protection Agency (EPA) on the proposed Multi-Sector General Permit (MSGP), which covers more than 3,656 facilities and may serve as a model for state programs that issue their own stormwater permits. Advocacy issued supplemental comments on November 8, 2006, to address monitoring of total suspended solids (TSS). The MSGP requires that facilities develop best management plans through stormwater pollution prevention plans that will limit the pollution entering U.S. waters. In addition, the MSGP requires monitoring of the chemical constituents of stormwater on a periodic basis. The majority of facilities with stormwater permits nationwide are owned by small businesses.

- In the March 2006 comments Advocacy addressed substantial concerns about the utility, cost, and burden of the chemical analytical requirements on small businesses, and provided its recommendations (see related March 2006 fact sheet).
- In the November 8, 2006 submission, Advocacy specifically addressed the monitoring of one specific monitoring parameter: total suspended solids (TSS). EPA has proposed that twelve industrial sectors be required to monitor for TSS, for which there were previously no chemical reporting requirements. EPA believed that TSS was a reasonable indicator of stormwater discharge quality, and reasonably inexpensive. The November 2006 Technical Memorandum prepared by E.H. Pechan & Associates, based on funding from Advocacy, explains that the TSS monitoring costs are understated by EPA, and that the TSS benchmark may not be suitable for these industrial sectors.

A complete copy of Advocacy's letter to EPA, together with the Pechan Technical Memorandum may be accessed at <http://www.sba.gov/advo/laws/comments>.

For more information, visit Advocacy's Web page at <http://www.sba.gov/advo>, or contact Assistant Chief Counsel Kevin Bromberg by email at kevin.bromberg@sba.gov or by phone at (202) 205-6533.