

Washington State Department of Transportation Municipal Stormwater Permit

April 9, 2009 Errata Sheet

This Errata Sheet accompanies the Washington State Department of Transportation Stormwater Permit, issued February 4 and effective on March 6, 2009. A red-lined version is available on-line along with a clean copy of the corrected permit.

The Errata Sheet serves as documentation of corrections made to the permit. Ecology issues these Errata with agreement from the Washington State Department of Transportation.

Explanation of Corrections

Several minor, non-substantive errors were found after permit issuance that Ecology intends to correct. Corrections include a clarification of a reference to the Implementation Agreement, alignment and clarification of reporting submittal deadlines inconsistent with implementation timelines and correction of typographical errors. Concerns with the permit language and corrections made to the permit are explained below.

1. Correction of reference to the Implementing Agreement in S5.A.4

The current language suggests that the permit is the Implementing Agreement.

Correction to S5.A.4:

WSDOT shall apply the technical standards from the June 2008 version of the Washington State Highway Runoff Manual (HRM) for the planning, design, and operation and maintenance of stormwater facilities in Phase I, Phase II, and TMDL areas covered under this permit. One year from the effective date of this permit, projects going to advertisement (AD) shall comply with the June 2008 HRM. The exception is that projects requiring an individual Section 401 Water Quality Certification must comply with the June 2008 HRM consistent with the February 4, 2009 Implementing Agreement between the Washington State Department of Ecology and the Washington State Department of Transportation regarding the implementation of the Highway Runoff Manual. Furthermore, projects requiring an individual Section 401 Water Quality Certification may be subject to additional stormwater requirements if, based on site specific information, the use of the June 2008 HRM will not result in compliance with State Water Quality Standards.

2. Correction/Clarification of Report Submittal Dates in S7, S8 and Appendix 4

A. Special Condition S8.A (and corresponding language in Appendix 4) currently states:

WSDOT shall submit a SWMP Progress Report no later than September 1 of each year beginning in 2010. The reporting period for the first annual report shall begin

on the effective date of this permit and end September 1. The reporting period for all subsequent annual reports shall be the previous fiscal year.

This conflicts with annual Stormwater Management Program (SWMP) Progress Report deadlines in Appendix 7, Section 10.2., which state:

Per conditions in S8 of the *WSDOT Municipal Stormwater Permit*, WSDOT submits and Annual Report to Ecology by October 31 each year

Correction: The SWMP Progress Report deadline language in S8.A and Appendix 4 will be corrected to October 31, as appears in Appendix 7, Section 10.2:

WSDOT shall submit a SWMP Progress Report no later than October 31 of each year beginning in 2010. The reporting period for the first annual report shall begin on the effective date of this permit and end June 30, 2010. The reporting period for all subsequent annual reports shall be the previous fiscal year.

B. Special Conditions S7.A, S7.B.8, S7.C.8, S7.D.5, S7.E.7, S7.E.8 and S8.F require the annual reports to include monitoring data not collected until after the second report due date.

The September 1, 2011 annual monitoring reporting start date is inconsistent with QAPP development and subsequent monitoring implementation deadlines as stated in S7.G.1.d & S7.G.2.c, which specify monitoring to begin “no later than 30 months after the effective date of this permit,” and thus would start September 4, 2011. However, there would be no monitoring data or analyses to report (as specified in S7.B.8, S7.C.8, S7.D.6, and S7.E.7) on September 1, 2011 if WSDOT literally followed the monitoring implementation timeline language stated in S7.G.

In addition, the September 1, 2011 date is inconsistent with monitoring implementation timelines and the corresponding annual monitoring report deadlines, which call for reporting to follow after the first full year of monitoring implementation (as specified in S7.B.8, S7.B.8.d, S7.C.8, S7.C.8.a, S7.D.5, S7.D.6, and S7.E.7).

Corrections:

Special Condition S7.A, S7.B.8, S7.C.8, S7.D.5, S7.E.7 and S7.E.8 reporting requirements are corrected to refer to S8.F Stormwater Monitoring Report, below:

Special Condition S8.F will be corrected to read:

Monitoring results will be presented in an annual report due October 31, as follows:

Report year	Data required
2010	Status report on preparations to meet requirements S7.A through S7.E
2011	Status report on preparations to meet requirements S7.A through S7.E
2012	Status report on preparations to meet requirements S7.A through S7.E
2013	Detailed report on data collected from October 1, 2011 – September 30, 2012 described in S7.B, S7.C, S7.D and S7.E.
Annually thereafter	Detailed report on data collected from October 1 – September 30 described in S7.B, S7.C, S7.D and S7.E.

To add clarity and correspond to report years specified in the S8.F table, specific years were added in the following places in S7:

S7.B.6.b.iii: “For the 2013 Annual Stormwater Monitoring Report, submit the following:”

S7.B.6.b.iv: “Annually thereafter beyond the 2013 Stormwater Monitoring Report, submit the following:”

S7.C.8.a: “Toxicity reports shall be included in each Annual Stormwater Monitoring Report beginning in 2013 with the following information:”

S7.D.5.a: “WSDOT shall submit an Annual Stormwater Monitoring Report with the following information for each sampled storm event beginning in 2013:”

S7.E.7: “Beginning with the 2013 Stormwater Monitoring Report, WSDOT shall include the following information for each sampling event from each site:”

S7.E.8: “Beginning with the 2013 Stormwater Monitoring Report and annually thereafter until monitoring statistical goals are met, WSDOT shall include the following information:”

C. Special Condition S7.E.9 was added to clarify the final report requirements for BMPs referenced in S7.E.4. The final report must include appropriate sections of a technical evaluation report (TER) as described in Ecology’s TAPE guidance. S8.G was deleted because it was replaced with this new condition.

D. In S7.G.1 and 2, QAPP submittal dates were converted from “months after the effective date of this permit” to the corresponding specific date for clarity. The phrase “provided that this deadline shall be extended by the number of days by which

Ecology exceeds 90 days for QAPP review” was added because Ecology often takes longer than the 90 days to review QAPPS.

- a. If WSDOT intends to meet all or part of the monitoring requirements outlined in Sections S7.B, S7.C, S7.D and S7.E, through a collaborative process with other entities, WSDOT shall submit a statement to Ecology explaining their commitment to the collaborative process no later than September 6, 2009.
- b. WSDOT shall submit all required QAPPS to Ecology no later than September 6, 2010 WSDOT shall submit the monitoring program in both paper and electronic form.
- c. Approved or final QAPPS shall be completed no later than March 6, 2011, provided that this deadline shall be extended by the number of days that Ecology exceeds 90 days for QAPP review.
- d. WSDOT shall begin full implementation of the monitoring program no later than September 6, 2011.

S7.G.2: Independently-developed monitoring programs.

- a. WSDOT shall submit required QAPPS, to Ecology no later than September 6, 2010. WSDOT shall submit the monitoring program in both paper and electronic form.
- b. Approved or final QAPPS shall be completed no later than March 6, 2011, provided that this deadline shall be extended by the number of days by which Ecology exceeds 90 days for QAPP review.
- c. WSDOT shall begin full implementation of the monitoring program no later than September 6, 2011.

3. Correction of Typographical Errors/Clarifications

Permit cover page: The effective date of the permit is thirty days after issuance, March 6, 2009, not March 4, 2009. Consequently, the expiration date of the permit is March 6, 2014. Both dates were corrected. The permit number WAR043000A was also added.

Special Condition S3.B.1:

- (3rd line) "or" is changed to "of" (...one or more of its permit obligations.)
- (B.1. 3rd line) "document" is changed to "statement" (All participating entities shall sign the statement.)

Special Condition S7.B.3 and Definitions and Acronyms:

- The first use of the acronym AADT is preceded by “annual average daily traffic”.
- “AADT” is added to the parenthetical in S7.B.3.d.
- “AADT” added to Definitions and Acronyms: “AADT” means “annual average daily traffic.”

Special Condition S7.B.4.b: The term "other sized" is vague and was reworded to "non-qualifying" storm event.

“TAPE” added to Definitions and Acronyms: “TAPE” refers to Ecology publication 02-10-037, *Guidance for Evaluating Emerging Stormwater Treatment Technologies: Technology Assessment Protocol – Ecology*, revised January 2008.