

Phase I & WWA Phase II Modification Comments (Longview, WA)

Permit	Section	Page	Comment
Phase II	Definitions and Acronyms and Appendix 1 Section 2	67 3	<p>New term definition- "Discharge Point means the location where a discharge leaves the permittee's MS4 to another permittee's MS4 or a private or public stormwater conveyance. "Discharge Point" also includes the location where a discharge leaves the permittee's MS4 and discharges to the ground, except where such a discharge occurs via an outfall."</p> <p>The new term "Discharge Point" definition doesn't specifically exclude inadvertent infiltration locations such as ditches and the "Municipal Stormwater Permits-<i>Revised definitions explained</i>" (Guidance) provides conflicting information relating to discharge locations to the ground. Ambiguity results from a partially vague permit definition hinged with conflicting Guidance with respect to ditches and inadvertent infiltration. The permit should have an explicit definition that makes sense when used with related permit language without the need for a separate guidance. Ecology may be understanding if a permittee misinterprets the Guidance; however, legally minded third parties may not. Further resource demands would be placed on permittee's if required to map (including drainage areas) and/or inspect new discharge point locations not excluded due to inadvertent infiltration to the ground; especially roadside ditches. Please see our separate comment letter that further explains the confusion and conflict with the Guidance, including additional questions and concerns.</p> <p>To help clarify this new term "Discharge Point", the vague portion of the definition relating to discharge to the ground could be revised to read: "Discharge Point" also includes the location where a discharge leaves the permittee's MS4 and discharges to the ground, except where such a discharge occurs via an outfall or locations within the permittee's MS4 including conveyances that inadvertently infiltrate to the ground.</p> <p>If Ecology doesn't make changes addressed above, at a minimum, common discharge points that inadvertently infiltrate to the ground, such as roadside ditches, could simply be referenced as such verses mapping every single location. Roadside ditches are already considered a "conveyance" requiring mapping, however additional inspection and mapping for these discharge points could be excluded.</p>