



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

OFFICE OF  
WATER AND  
WATERSHEDS

DEC 9 2011

Reply to Attn of: OWW-130

**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Robert W. Bergquist  
Washington Department of Ecology  
Southwest Regional Office, Water Quality Program  
PO Box 47775  
Olympia, WA 98504-7775

Re: Request for Preliminary Certification of NPDES Permit #WAS-026638 –  
Joint Base Lewis-McChord Municipal Separate Storm Sewer System

Dear Mr. Bergquist:

Enclosed is a preliminary draft of the NPDES permit for stormwater discharges from the Joint Base Lewis-McChord (JBLM) Municipal Separate Storm Sewer System (MS4), as well as the supporting fact sheet for the permit.

We request Department of Ecology's review and preliminary Clean Water Act Section 401 Certification for this permit action. We will include in the public notice and fact sheet a reference to the State's preliminary Section 401 certification. If possible, we would appreciate a response within 45 days (i.e., on or about January 18, 2012).

We incorporated comments provided by your office in July 2011. Based on subsequent discussion, we redrafted Permit Part II.B.5 (*Stormwater Management for New Development and Redevelopment*), and recommend your review of both the permit text and fact sheet discussion (see Permit Page 15 and Fact Sheet Page 27 respectively). Information from JBLM prompted the EPA to include several topics about which we plan to request public comment; as necessary we have added relevant discussion to the fact sheet and/or permit. A summary entitled, "*List of Additional Topics & EPA Response to Prior Comments*" is enclosed. Based on your feedback regarding these matters, the EPA can revise these topics prior to public notice.

If you have any questions on the enclosed materials, please contact Misha Vakoc at 206-553-6650 or at [vakoc.misha@epa.gov](mailto:vakoc.misha@epa.gov). We look forward to receiving your comments on this preliminary draft permit.

Sincerely,

Michael J. Lidgard, Manager  
NPDES Permits Unit

Enclosures

cc: Mr. Vincent McGowan, Ecology Southwest Regional Office  
Ms. Kathleen Emmett, Ecology Water Quality Program

**Enclosure**

**List of Additional Topics & EPA Response to Prior Ecology Comments  
Regarding Preliminary December 2011 Draft MS4 Permit for Joint Base Lewis McChord (JBLM)**

**Table 1** summarizes JBLM requests that EPA include specific permit provisions to reflect circumstances unique to Department of Defense facilities and/or otherwise clarify EPA intention regarding the pending MS4 permit requirements.

**Table 2** describes how EPA has responded to prior Ecology comments on the draft permit.

<b>Table 1: Issue/Topic</b>	<b>Proposed Permit Text/ Fact Sheet Discussion found on: Permit-page #/Fact Sheet-page #</b>
<i>EPA Discretion to designate entire JBLM subinstallation within Pierce and Thurston Counties as the “permit area”</i>	<i>P-pg 7 FS-pg 8</i>
<i>EPA reference to future editions of the Ecology Stormwater Management Manual</i>	<i>FS-pg 15-16</i>
<i>Additional types of “allowable non-stormwater”</i>	<i>P-pg 19 FS- pg 26</i>
<i>EPA Approval of “equivalent documents/programs”</i>	<i>P-Parts II.A.7 &amp; II.B.3 FS-pg 21 &amp;26</i>
<i>Public Education/Public Involvement-scope &amp; breadth of requirements, Dept of Defense concerns re: sharing info on websites, etc</i>	<i>FS- pg 23-24</i>
<i>EPA discretion to require JBLM construction site runoff control program oversight of all sites disturbing 5,000 sq feet or more</i>	<i>FS- pg 28-29</i>
<i>Definitions of “technical infeasibility” and “severe economic cost” as referenced in Permit Appendix C (regarding exemptions to new/redevelopment requirements in Permit Part II.B.5 e and f)</i>	<i>P-Appendix C FS- pg 39</i>
<i>Exemption of airfields (including ramps, approaches and runways) from LID performance requirements</i>	<i>FS-pg 39</i>
<i>Monitoring requirements intended to establish baseline stream health for Clover &amp; Murray Creeks using biological monitoring, in addition to SW Discharge, WQ sampling in American Lake, Clover Creek and Murray Creek</i>	<i>FS- pg 44-45</i>
<i>How might EPA allow JBLM the option to participate in future regional monitoring program(s) in western WA?</i>	<i>FS-pg 45</i>

**Table 2: Revisions based on previous Ecology comments**

<b>July 8th Comment from Ecology</b>	<b>How EPA addressed comment in 12/11 draft permit/fact sheet documents</b>	<b>Additional notes</b>
<i>Public Education section format/text changes, per Attachment 3 of comments</i>	Changes made, see Permit Part II.B.1. See FS pages 23-24.	Regarding advertising public hotlines, evaluating public education efforts, etc; etc: JBLM states they have an existing program, and that their targeted audiences are solely those employed/resident of base, subject to DoD rules – EPA requests public input regarding merits of differences between municipal government vs. Department of Defense facility.
<i>Various spelling errors</i>	Corrections made.	Other/different spelling errors likely exist in current draft; EPA will continue to correct as necessary.
<i>Add “spa and hot tub discharges” to (conditional/authorized non stormwater); same as swimming pool discharges</i>	Comment noted; no corrections made.	JBLM requests several allowable non-stormwater discharges to be included in the permit, however, spa/hot tub discharges are not among them. EPA may include, if requested by applicant.
<i>Specify % of MS4 outfalls or system to be surveyed through permit term via dry weather discharge program</i>	Correction made. See Permit Part II.B.3.d, 3 <sup>rd</sup> bullet; requires dry weather field screening of at least 75% of MS4 located in cantonment area.	
<i>Create a comparable construction SW runoff control program to Ecology’s – WA’s program requires municipal oversight of all construction, regardless of size</i>	Comment noted. No significant corrections made.	Due to the way JBLM oversees implementation of the EPA Construction GP, EPA believes smaller sites “less than one acre but part of common plan of development” will be effectively governed through the MS4 permit.
<i>Refer to “most recent version of the SW management manual,” rather than solely reference the 2005 Manual</i>	Comment noted. See FS page 16	EPA inserted language to accept comment on referencing any new version of the Manual within EPA’s final permit. In general, EPA cannot reference draft/as yet unavailable documents in the permit text.
<i>Various Comments regarding New Development/Redevelopment requirements (Part II.B.5) -especially retaining % native vegetation, onsite SW management (LID), hydrologic performance standard</i>	EPA has substantively revised Permit Part II.B.5 and associated fact sheet documentation	
<i>Maintenance of LID facilities</i>	Comment noted. No corrections made.	
<i>II.C.2.c Retrofit requirements (editorial corrections)</i>	EPA has substantively revised Permit Part II.C	
<i>Revise Appendix B to refer to hard surfaces, not impervious surfaces</i>	Corrections made.	
<i>Edit FS discussion of requesting certification/draft cert</i>	Corrections made.	
<i>Edit FS references to Joint Base areas</i>	Corrections made.	
<i>Revise references to impairments/applicable standards for the area of Puget sound which receives discharges.</i>	Revisions made; see Table 1.	
<i>Where is EPA’s administrative record? Provide link</i>	FS & footnote revised; reviewers must contact EPA to review Admin Record materials.	
<i>Various fact sheet references reflecting the permit text corrections above</i>	Revisions made as necessary.	