



# UNIVERSITY of NEW HAMPSHIRE

February 17, 2009

Thelma Murphy  
USEPA-Office of Ecosystem Protection  
One Congress Street-Suite 1100 (CIP)  
Boston, MA 02114

Dear Ms. Murphy:

Thank you for this opportunity to submit comments on behalf of the University of New Hampshire (UNH) regarding the draft Small MS4 Stormwater Permit for New Hampshire. UNH is committed to responsible storm water management practices as evidenced by our performance and reporting under the existing Small MS4 Stormwater Permit as well as activities such as the regional awareness and training provided by the UNH Stormwater Center.

The following comments and suggestions are in large part based on the current economic climate, the 18 month lead time for items to be included in the UNH operating budget, and opportunities to use limited resources in ways that are most effective for storm water management.

**Section 2.2.2 Discharge to an Impaired Water without an Approved TMDL** requires the permittee to “evaluate discharges” and identify BMPs “to ensure that discharges do not cause or contribute to the impairment.” That can require significant time and expense on the part of the permittee doing work that would normally be done by the NH-DES and/or EPA as part of a TMDL study. Consider deleting this requirement for impaired waters until an approved TMDL is in place. Alternately, consider deleting 2.2.2 a., because outfall analysis is already required by Section 3.0; and in 2.2.2 b. replace “ensure that discharges do not cause or contribute to” with “minimize.”

**Section 2.2.3 a. first bullet item** requires the permittee to record the amount of chloride-based deicing chemicals applied for each storm event. That is a time consuming and difficult requirement. Because storm events vary in intensity and type(s) of precipitation, it is questionable whether recording quantities per generic storm event have value. Consider deleting this first bullet for individual storm event reporting and include only the second bullet for total annual quantity reporting.

**Section 2.3.2.2 Public Education and Outreach** requires the permittee to evaluate the effectiveness of the program in terms of changing the behavior and knowledge of the target audiences. **Section 6.1 Public education** defines the target audiences for a non-municipality, such as UNH, to be 1) employees, 2) visitors to the property, and 3) contractors working on the

property. Conducting surveys is suggested as an evaluation method. Because visitors and contractors are a very transient audience, surveys or other local evaluation methods are very difficult. Consider instead a regional evaluation effort conducted by NH-DES and/or EPA as a more cost-effective and instructive evaluation (for both municipalities and non-municipalities) method than individual evaluation attempts by each permittee.

**Section 2.3.4.4 requires evaluation of the exempted activities in Part 1.4 of the draft permit.**

The permittee is required to evaluate sources exempted in Part 1.4, such as water line flushing, landscape irrigation, swimming pool discharges, etc. The permittee is required to determine if those sources are significant contributors of pollutants to the municipal system. This requires expertise beyond that of the typical permittee and, therefore, considerable expense on consultants and laboratories. Consider deleting section 2.3.4.4 from the permit and leaving the exemptions of Part 1.4 in place. This will allow permittees to direct scarce resources towards more important/effective storm water measures.

**Section 2.3.5.1 Construction Site Stormwater Runoff Control** describes requirements for projects that result in land disturbance of greater than or equal to one acre, however disturbances of less than one acre are included if those disturbances are part of a larger common plan. Please clarify the definition of “common plan.” UNH has a 20 year master plan for campus development, so in one respect every project, no matter how small, could be considered “part of a larger common plan.” Please indicate if a “common plan” means only related projects constructed at the same time within the same localized site. This comment/question also applies to **Section 2.3.6.2.**

**Section 2.3.7.1.b Buildings and facilities** requires the permittee to develop an inventory of all floor drains within all permittee-owned buildings within 6 months of the effective date of the permit, ensure that all floor drains discharge to appropriate locations, and update the inventory annually. This represents a major project that will take considerable time and expense; especially considering all the other permit requirements that are supposed to be completed within the first year. Because all UNH buildings are permittee-owned, we have 5.5 million square feet of space that would need to be surveyed for floor drains. This is a questionable allocation of resources considering that most floor drains have very little annual flow and are typically connected to the sanitary sewer, not the storm sewer. UNH conducted an extensive dye-test and smoke-test program to check for connections between stormwater and sanitary sewer systems. Please consider giving permittees an option to implement an on-going smoke and dye testing program as an alternative to conducting a floor drain survey. If it is necessary to keep the floor drain survey requirement, consider delaying this requirement until the next 5 year permit cycle, or at the least moving it to the 4<sup>th</sup> or 5<sup>th</sup> year of the proposed new permit.

**Section 2.3.7.d Roadways and Storm Systems**

**Part i.** requires cleaning catch basins a minimum of once every other year. Consider allowing flexibility for permittees, such as UNH, who have established catch basin cleaning schedules based on inspections and historical experience. We have catch basins in lawn areas that only need cleaning every 5 years. Consider changing the minimum to once every 4 years so that permittees can allocate scarce resources to more effective stormwater measures. The

requirement that frequency be increased if excessive accumulation of sediment is observed will ensure that catch basins are cleaned at the appropriate intervals, but not more often than necessary.

**Part ii.** requires street, sidewalk, and parking lot sweeping twice per year in the spring (following winter activities) and in the fall (leaf clean up). UNH uses vacuum equipment for fall leaf cleanup and removes the leaves to a remote UNH composting site. Clarify this section so that options such as vacuuming and composting are allowed as an alternative to fall street sweeping.

**Part iv.** requires that all permittee-owned stormwater structures be inspected annually at a minimum. As a resource efficiency measure, consider changing this requirement so that structures are required to be inspected at the same intervals they are required to be cleaned per **Section 2.3.7.d.i.**

**Section 3.0 Outfall Monitoring Program** and the associated analytical monitoring represent a major new expense for permittees. The requirement for wet weather analytical monitoring can be especially difficult, possibly requiring extensive overtime for night and/or weekend monitoring activities. Consider delaying this requirement until the current economic climate improves, or reducing the annual percentage of outfalls monitored from 25 to 15 percent.

**Section 5.3 Reporting** describes the reporting period from July 1 to June 30, with the annual report due date August 1. Please clarify how the reporting period relates to the effective date of the permit and the official permit years referenced in the permit requirements. Also clarify how the new permit Year One reporting date will relate to the existing 2003 MS4 permit "leftover" reporting date.

Thank you for your consideration of these comments. Please address any questions or responses to:

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Sincerely,



Paul D. Chamberlin  
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