

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

MAR 12 2014

OFFICE OF THE
REGIONAL ADMINISTRATOR

Jon Devine, Esq.
Natural Resources Defense Council
1152 15th Street NW, Suite 300
Washington, DC 20005

Re: Petition for a Determination that Stormwater Discharges from Commercial, Industrial, and Institutional Sites Contribute to Water Quality Standards Violations and Require Clean Water Act Permits

Dear Mr. Devine:

This letter is in response to your July 10, 2013 petition, pursuant to 40 CFR 122.26(a)(9)(i)(D), which requested designation for NPDES permitting of currently unregulated stormwater discharges from commercial, industrial, and institutional sites that discharge non-de minimis amounts of certain pollutants to waters impaired by those pollutants.

As described in the enclosed analysis, I conclude that we currently have insufficient information to support a Region-wide designation of the commercial, industrial, and institutional sites specified in the petition. Moreover, as noted in the enclosure, I believe that effective programs are already in place that address the majority of the sites identified in the petition.

Region 9 therefore declines to make a Region-wide designation of the sources in your petition. However, we will continue to evaluate currently unregulated sources of stormwater runoff for potential designation as part of our ongoing stormwater program, and look forward to working with you to address stormwater pollution in the Region.

Thank you for your interest and support in advancing the goals of the Clean Water Act. If you have any questions, please contact David Smith, Manager of Region 9's NPDES Permits Office, at (415) 972-3464 or Ellen Blake of the Office of Regional Counsel at (415) 972-3496.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jared Blumenfeld".

Jared Blumenfeld

Enclosure

cc: Nancy Stoner, Acting Assistant Administrator, US EPA Office of Water