

EPA Region 10 Comments

Provided in comments on the IPDES program application March 3, 2017

“The description of minor modifications includes a consideration that is not in the federal requirements, ‘if the proposed change will have no potential for additional deleterious impact on the environment or will not reduce the ability to confirm a permittee's compliance with applicable requirements.’”

“This regulation seems to have a less stringent definition of minor modification than the federal definition since it allows a minor mod to be made "that will result in neither allowing an actual or potential increase in the discharge of a pollutant or pollutants into the environment nor result in a reduction in monitoring of a permit's compliance with applicable statutes and regulations." This comment was made in the 7/2015 letter and is still unaddressed. “

Provided in comments on the IPDES program application July 24, 2017

“This additional basis for the minor modification of permits makes the state's provision less stringent than the federal requirements. The 1986 Program Guidance provides that ‘[s]tates may not adopt any causes for minor modifications other than those listed in 40 CFR 122.63.’”