

November 5, 2012

District Dept. of the Environment
Attn: Brian Van Wye
Natural Resources Administration
1200 First Street, N.E. 5th Floor
Washington, D.C. 20002

RE: Comments on Proposed Stormwater Rule

We would like to thank the District Dept. of the Environment (DDOE) for the opportunity to comment on the proposed "Stormwater Rule" that was published in the D.C. Municipal Register on Friday, August 10th, 2012. In general we applaud DDOE for proposing a comprehensive and progressive stormwater rule. After reviewing the proposed rule language we have several comments that are presented below.

- The proposed rule indicates that in instances where it is not possible to achieve a minimum of 50% retention of the SWRv onsite that treatment must be provided onsite for the difference between the actual volume retained onsite and 50% of the SWRv. Why is treatment not required for the 50% of the SWRv that will not be retained onsite. As written, it seems that this volume will be discharged to receiving waters untreated. Providing treatment for the entire portion of the SWRv that can't be retained onsite will drastically reduce pollutant loads reaching receiving waters.
- When the minimum SWRv can't be retained onsite and treatment will be required it will sometimes be necessary to size treatment BMPs based on a "treatment flow" as opposed to strictly a volume of runoff. We suggest including a uniform method for converting the volume of runoff to be treated to an equivalent treatment flow in order to accommodate flow through BMPs. We suggest the method used by Maryland and a number of other states around the country. See link Appendix D10 of the MDE Stormwater Manual:
http://www.mde.state.md.us/programs/Water/StormwaterManagementProgram/MarylandStormwaterDesignManual/Documents/www.mde.state.md.us/assets/document/sedimentstormwater/Appnd_D10.pdf
- In instances when retention criteria are not met in public right of way projects it may often still be possible to provide treatment. The standards should be amended to require treatment in these instances rather than allow untreated runoff and pollutants to discharge to receiving waters.

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