



January 10, 2018

Kathy Allen
Stormwater Program Manager
Department of Public Works
1200 Madison Avenue, Suite 200
Indianapolis, Indiana 46225

RE: City of Indianapolis Certification Program for Post-Construction Structural Stormwater Quality Units

Ms. Allen,

The Stormwater Equipment Manufacturer's Association (SWEMA) understands that the City of Indianapolis is currently in the process of updating the applicable standards for the evaluation and acceptance of manufactured stormwater treatment devices. Additionally, it is our understanding that once updates to the applicable criteria have been completed, all of the technologies currently approved by the City must be retested in full compliance with the updated criteria.

SWEMA member organizations develop, manufacture, market and sell water quality systems for the treatment and storage of stormwater runoff. As an organization, SWEMA supports and applauds the adoption of robust and consistent test standards and the creation of a level playing field for all stormwater technologies.

In fact, SWEMA strongly supports the effort currently underway by the Water Environment Federation (WEF) to develop a national test protocol for stormwater treatment systems. WEF's National Stormwater Testing and Evaluation for Products and Practices (STEPP) Initiative will use the laboratory test protocols developed by the New Jersey Department of Environmental Protection (NJDEP) and the field test protocols developed by the Washington State Department of the Environment (WDOE) as standards. In anticipation of STEPP, SWEMA suggests jurisdictions adopt the NJDEP and/or WDOE protocol rather than creating their own. These protocols are time-tested, effective, already widely accepted, and may be adapted to meet local requirements.

However, if the City decides on developing its own protocol we have several concerns about the planned implementation of your updated standards that we request you to carefully consider prior to moving forward.

1. Given that planned updates to the test protocol and accompanying standards are not yet final, we feel that requiring all technologies to submit new testing carried out in accordance with the updated protocol prior to the end of 2018 to be an unrealistic timeline. Many companies are at the mercy of a 3rd party laboratory in executing tests of this nature. Additionally, aspects of your proposed new protocol have never been implemented in the laboratory and are likely to require additional time to trouble shoot. Considering the time required to plan, budget, implement, report, submit and review test results of this nature, we advise implementing an 18-24 month transition period from the effective date of the final protocol to allow impacted manufacturers sufficient time to comply with the new standards. This is consistent with other programs which have gone through transitions of this nature.
2. On page 8 of the proposed test protocol it states that the NPR representative can propose that testing be repeated should concerns arise. Given the extensive cost and time required to implement testing of this nature manufacturers need assurance that once testing is executed in accordance with the applicable protocol it will be accepted. We suggest eliminating this provision and instead mandating a QAPP be submitted and approved prior to testing to eliminate surprises.



January 10, 2018

3. Several sections of the protocol mandate that an independent/3rd party professional engineer stamp applicable documents for submission. We feel this should be revised to require a qualified 3rd party perform such services since professional engineers are not necessarily going to be operating the laboratories executing this type of testing. For example, one of the most respected facilities in North America for this type of work, Alden Research Laboratories, does not utilize Professional Engineers to execute this type of testing.
4. A provision states that units may not be used in series or in parallel without additional testing to justify doing so. While we agree that stormwater BMPs performing the same unit process i.e. sedimentation and having the same or similar ability to retain pollutants should not be used in series we do not understand why using BMPs in parallel would be forbidden or what additional testing would validate their use. So long as BMPs do not exceed their rated treatment capacity there is no reason not to allow them to be used in parallel.

We appreciate the opportunity to offer comment on behalf of our membership and trust that you will carefully consider our concerns prior to implementing changes to your program. Please do not hesitate to contact us at any time with questions or concerns related to our comments.

Respectfully,

A handwritten signature in black ink, appearing to read "Derek Berg", with a stylized flourish at the end.

Derek Berg
SWEMA President

A handwritten signature in blue ink, appearing to read "Jay Holtz", with a stylized flourish at the end.

Jay Holtz, PE
SWEMA Government and Regulatory Committee Chair