



November 8, 2012

District Department of the Environment
1200 First Street NE
Washington, DC 20002

Attn: Rebecca Stack

RE: Comments on the Draft Stormwater Management Guidebook

Please accept these comments as it pertains to the Draft Stormwater Guidebook, specifically Section 3.12 Proprietary Practices and Appendix T Proprietary Practices Approval Process. These comments are made on behalf of KriStar Enterprises, Inc. .

Under section T.1 Approval Requirements, it is stated that in order to be listed in Chapter 3 of the Guidebook that "a minimum of 3 sites and/or 3 years of annual performance data are required for each supporting study".

I suggest that the performance data be determined by a minimum number of storm events (10 to 12) of a minimum duration and intensity. In this way, the data that is collected is more relevant as it pertains to the performance of the device.

Secondly, 3 years of data from one site does not yield any greater insight into a devices performance than one year of data. I disagree with 3 years of data from one site satisfying the "demonstration of compliance".

Lastly, Three years of test data constitutes a significant cost burden to the manufacturer. By requiring this, many manufacturers will be restricted from the market simply by the financial burden of field testing. I suggest that one field study in conjunction with lab testing should be sufficient demonstration of compliance. I would contend that other BMP's (Bioretention, Sand Filters, ...) which are currently approved have not undergone this type of rigorous lab and field testing. I do not feel that it is fair to require a proprietary BMP to prove it's performance to this level, if other types of traditional BMP's have not been required to do so previously. All BMP's, proprietary or not, must be tested to demonstrate compliance in the same manner.

Under Section T.1.2 Approval Requirements : Laboratory Testing, a 2009 NJDEP filter protocol is referenced. I am part of a Technical Committee for SWEMA (Stormwater Equipment Manufacturers Association). We have been working with NJDEP over the past few years in developing a fair and equitable test protocol which we are currently finalizing, and should be put in place by NJDEP in the coming months. This new protocol was developed to address some of the problems with the 2009 protocol. I suggest that the new NDJEP filter protocol be referenced as an acceptable laboratory testing.

In addition, I would suggest that the SWEMA organization be approached to provide input on the draft Guidebook. In this way, SWEMA could share the past experience in helping other jurisdictions develop protocols and procedures for allowing proprietary devices.



KriStar supports the verification of all BMP's performance (proprietary and "traditional practices") to ensure that DDOE's environment is protected. The comments above show the areas which KriStar believes would benefit the goal of improving water quality in a way that is fair and equitable, while promoting the advancement of technology.

Best Regards,

A handwritten signature in black ink, appearing to read "Marc Lelong". The signature is fluid and cursive, with a prominent loop at the end.

Marc Lelong
Eastern Regional Engineer
KriStar Enterprises, Inc.