

Policy on Inclusion of Proprietary Device Data in the International Stormwater BMP Database¹

Since the first version of the International BMP Database was finalized in 1999, it has been the policy of the Project Team² to accept data from studies of proprietary stormwater treatment devices that met certain conditions. Historically, the basic requirements for acceptance have been that:

- 1) the performance data were collected by an independent third party³ and not by staff of the manufacturer or distributor/sellers of the device,
- 2) the protocols and requirements for monitoring, reporting, and submittal of the data to the International BMP Database were followed, and
- 3) the data submitted complied with relevant BMP Database QA/QC review procedures.

As of 2010, the requirements for acceptance have been expanded to consider acceptance of studies that have undergone rigorous testing protocols with external verification, including the most current version of the following protocols:

1. Washington State Department of Ecology (2002). Guidance for Evaluating Emerging Stormwater Treatment Technologies, Technology Assessment Protocol – Ecology (TAPE), October 2002 (Revised June 2004), Publication Number 02-10-037. (<http://www.ecy.wa.gov/biblio/0210037.html>).
2. Technology Acceptance and Reciprocity Partnership (TARP) Tier II protocols (<http://www.dep.state.pa.us/dep/deputate/pollprev/techservices/tarp/>).
3. New Jersey Corporation for Advanced Technology (NJCAT) Technology Verification Program. (<http://www.njcat.org/verification/protocol.cfm>).
4. American Society of Civil Engineers Urban Water Resources Research Council (ASCE UWRRC) Task Committee Guidelines for Certification of Manufactured Stormwater BMPs.
5. U.S. Environmental Protection Agency Environmental Technology Verification (ETV) Program (<http://www.epa.gov/etv/>).
6. Other federal or state technology verification protocol comparable to TAPE, TARP, NJCAT or ETV.
7. Third-party peer review that has resulted in acceptance of a study for publication in a professional journal, provided that underlying data and study documentation

¹ Sponsors of the International Stormwater BMP Database currently include the Water Environment Research Foundation (WERF) as the lead sponsor and the American Society of Civil Engineers Environmental Water Resources Institute (ASCE-EWRI), the American Public Works Association (APWA), the U.S. Environmental Protection Agency (EPA), and the Federal Highway Administration (FHWA) as co-sponsors.

² The Project Team consists of the consulting engineers who manage the database for the Project Sponsors. The current consulting team is Wright Water Engineers, Inc. and Geosyntec Consultants.

³ The Project Team and Sponsors reserve the right to determine whether the third party gathering the data is independent, should questions arise in this regard.

meeting BMP Database reporting protocols are included with the study submission. (Note: magazine articles, conference proceedings and trade publications are not considered peer-reviewed journals.)

Field-based studies that meet one or more of these protocols may be accepted to the BMP Database even if monitoring data were not collected by third parties. For such studies, the monitoring agency will be identified as “vendor” in the Agencies table of the BMP Database.

The Project Team continues to highly recommend third party involvement in monitoring studies of proprietary devices.

The BMP Database Team accepts written comments from vendors regarding potential concerns for studies submitted by independent parties pertaining to the vendor’s products. At a minimum, a PDF of such written comments will be made publically available on the BMP Database website. Depending on the nature of concerns provided by the manufacturer, the Project Team and Sponsors may determine that removal of studies of concern is the appropriate response to vendor’s written comments. Prior to removal, the Database team will consult with the submitting agency. In such cases, a written explanation will be posted to the project website documenting why the study was removed from the BMP Database. The Project Team reserves the final right of decision to include the study information in the database after considering manufacturer comments.

Mention of trade names or commercial product in the International Stormwater BMP Database, website, or associated work product does not in any way constitute endorsement or recommendation by the Project Sponsors or Project Team for their use as BMPs. Similarly, omission of products or trade names from the database does not indicate a Project Sponsor or Project Team position regarding the product effectiveness or applicability. Many different vendor technologies are commercially available for which there are no data currently included in the BMP Database.