



Sanitation, Inc.

SPECIAL HEARING

2/3/05

cc: BD, DI, DWQ

E-Cys: BD, CC, HMS, TH, CMW

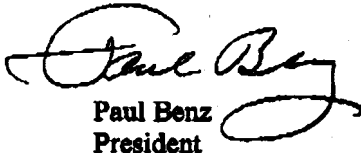
January 27, 2005

Ms. Debbie Irvin, Clerk of the Board
State Water Resources Control Board
1001 I Street, 24th Floor [95814]
P. O. Box 100
Sacramento, California 95812-0100

Re: Written Comment Regarding Reissuance of New Industrial General Permit

Please accept this letter as formal comment regarding the above-referenced proposal. While our firm is not opposed to the draft language as submitted, we do have reservation regarding the required timelines necessary to implement corrective actions necessary to address exceedances in USEPA storm water numeric benchmark values. As your Board is well aware, previous permits have allowed an open-ended iterative process for improving necessary BMPs outside the auspices of outright permit violation. As long as a discharger was engaged "in the process" of mitigation and control, no violation of the permit occurred. New draft language varies significantly from this longstanding procedure and would require, among other things that an operator must maintain ongoing/strict compliance with current water quality standards at all times. No accommodation has been proposed to deal with an orderly/ phased implementation schedule for required revisions to SWPPP themselves or their additional monitoring/sampling requirements. To this end, our firm would like to respectfully remind your Board that small business continues to struggle in California with extremely restrictive regulatory guidelines, and in the absence of an implementation schedule consistent with the start of a new reporting year, we feel that draft requirements are overly restrictive and not attainable given that 2004-2005 sampling protocols have already been completed. To request operators to implement new permit sampling requirements in the middle of a reporting year is not reasonable. Your consideration and action in phasing implementation of new draft regulations starting in reporting year 2005-2006 would be greatly appreciated.

Sincerely,



Paul Benz
President

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