



**Environmental
Liquidating
Trust**

October 19, 2012

Public Comment
Industrial General Permit
Deadline: 10/22/12 by 12 noon

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Ms. Jeanie Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Comment Letter for the 2012 Draft Industrial General Permit
IT Environmental Liquidating Trust

Dear State Water Resources Control Board,

The IT Environmental Liquidating Trust (ITELT) is providing comments and questions in this letter concerning the 2012 draft Industrial Storm Water General Permit.

Referring to Table 4 (entitled Additional Analytical Parameters) of the draft general permit, the SIC code 4953 applies to both Hazardous Waste Facilities and Landfills & Land Application Facilities. In Table 5 the additional parameter, magnesium, has an annual NAL listed at 0.064 mg/L. This is an extremely low concentration even for drinking water.

The NAL for magnesium will not be achievable since background concentrations are naturally much higher. Storm water flow over native soil picks up native elements. The total metals analysis then extracts those metals from the storm water sample. Other native metals like iron can also show concentrations above the NAL.

The following questions are applicable for clarification:

- 1) Why are low concentrations of magnesium a concern for storm water discharges only at hazardous waste facilities?
- 2) Will these natural background concentrations that exceed the NAL require the process of ERA Level 1, and then Level 2 Natural Background Demonstration Technical Reports after the first year of monitoring under the new permit? The historical data already indicates NAL exceedances due to background concentrations.
- 3) In the general permit, Page 48, section E.2. states "If a Natural Background Demonstration Technical Report is submitted, the Discharger is not responsible for the identified parameter(s) in the drainage area(s) in the Demonstration Technical Report". Does this mean the parameter no longer needs to be monitored?

Thank you for your significant efforts in preparing the Draft Industrial General Permit and for accepting our comments.

Sincerely,

Richard Swanson

Richard Swanson, P.G.
Groundwater Programs Manager
IT Environmental Liquidating Trust