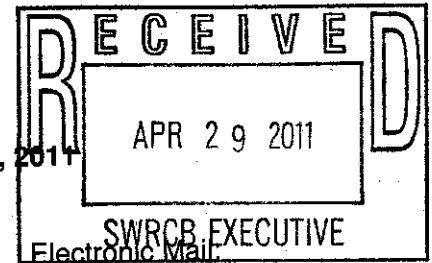


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Public Comment
Draft IGP
Deadline: 4/29/11 by 12 noon



April 29, 2011

California State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814
Attention: Jeanine Townsend, Clerk to the Board

commentletters@waterboards.ca.gov

Subject: Comment Letter – Draft General Industrial Activity Stormwater Permit

Dear Ms. Townsend and Members of the Board:

On behalf of Siemens Industry, Inc. – Water Technologies Business Unit, we are providing comments relative to the Draft General Industrial Activity General Permit (GIASP). Our business has facilities located in several cities throughout California. Our business appreciates the State Water Board's efforts in proceeding to revise and reissue the GIASP. As residents of California we understand the importance of water quality and the role of the GIASP. However, based on our review, we clearly foresee that this permit will have detrimental affects on the business community statewide. As you may already know, operating a business in California is a delicate regulatory balancing act which is why we find it critical for our company to provide comments for the draft GIASP. We have several concerns that we request the State Water Resources Control Board to reconsider;

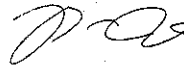
1. This permit incorporates US EPA Benchmark Values as Numeric Action Limits (NAL) and Numeric Effluent Limits (NEL). Given the inconclusive findings of the Blue Ribbon Panel that was convened by the State Water Board in addition to the Best Available Technology, "defaulting" to the US EPA Benchmark Values as NALs and NELs is unduly onerous, without justification, and inappropriate at this time. The US EPA Benchmark Values were never intended to be used as a compliance standard. We anticipate that this particular proposed permit action will not only require significant financial resources from our business in an already stressed economy, but also make permit compliance marginally achievable. In addition, implementing the US EPA Benchmark Values as NELs will be potentially destructive to a company with no identified relief in sight. As it is written in the draft GIASP, triggering an NEL could potentially cause a business to be subject to fines of \$37,500 per calendar day with no ceiling. We suggest the State Water Board remove the US EPA Benchmark Values as NALs/NELs and to consider a more progressive and feasible approach.
2. Section VII, titled Training qualifications and certification, indicates all SWPPPs shall be developed, amended, and certified by a Qualified SWPPP Developer (QSD). This section further describes experience requirements for QSDs as: 1) A California Registered Professional Civil engineer, 2) California Registered Professional Geologist or Engineering Geologist; 3) California Registered Landscape Architect, or 4) a Professional Hydrologist registered through the American Institute of Hydrology. Not only do these highly specialized experience requirements imply that SWPPPs development, revision not be developed in-house but also implies that structural "treatment control" BMPs are the new preferred method for compliance. This is a very different direction from "source control" as the primary BMP that has

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been the major emphasis in recent years. All the BMPs required under this draft permit listed in Section VIII.H. generally do not require the evaluation, implementation, or oversight of a Registered Civil Engineer. For some industrial facilities with limited operations, the need for a Registered Civil Engineer is clearly unwarranted. We understand the importance of establishing a statewide training standard; however, the list of experience requirements appears to be too limiting. In addition, the in-state requirements do not allow a company with multiple sites including those out of California to utilize resources outside of the state.

We appreciate this opportunity to comment on the statewide General Industrial Activity Stormwater Permit.

Regards,



Barbara Fuller
EH&S Regional Manager