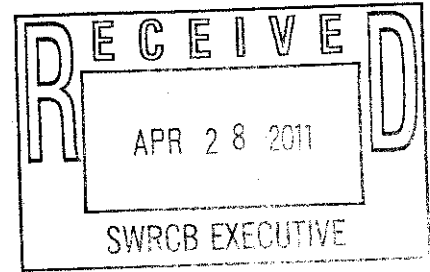




engineering and constructing a better tomorrow

Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, Sacramento, CA 95814



Subject: Comment Letter – Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated With Industrial Activities (Industrial General Permit) Order No. NPDES NO. CAS000001

As leader of industrial storm water monitoring and management programs in California for the past 16 years I recognize the importance of storm water runoff as an important environmental issue. I support the goal of the State Water Resources Control Board to improve receiving water quality for waters of California. Convening a panel of storm water professionals to examine Numeric Action Level (NAL) and Numeric Effluent Limit (NEL) issues was a laudable step in order to examine the storm water runoff issue in a scientific manner. Now the State Water Resources Control Board has chosen to issue a Draft Industrial Storm Water General Permit to address storm water discharge from industrial activities. I have concerns about the proposed permit requirements including those impacting NAL and NEL implementation. Please consider the enclosed comments.

If you have any questions, I can be reached at (858) 514-6460. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Hogan".

Jim Hogan, PE
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The Proposed Monitoring Requirements are Impractical and an Undue Burden on Industrial Dischargers

The Draft Industrial Storm Water General Permit would require dischargers to collect samples from all industrial drainage basins and inspect all drainage basins prior to storm events. Mandating dischargers to collect samples from all industrial drainage basins will greatly increase sampling burden on dischargers with multiple outfalls. Requiring all drainage areas to be inspected prior to storm events is impractical for dischargers with multiple outfalls in Southern California, where qualifying storm events may only be identified hours prior to storm arrival. Southern California also has many potential storm events that do not result in discharge. It will also greatly increase the cost of the storm water program.

The Requirement to Install Treatment Systems is a Burdensome Cost that May not Ensure Compliance

The Draft Industrial Storm Water General Permit requires installation of storm water treatment systems for dischargers who exceed the Numeric Action Level (NAL) in two years. The cost of treatment systems can be prohibitively expensive with a single system potentially costing more than the monitoring program. Results from the International Best Management Practices (BMP) Database indicate that the effectiveness of treatment BMPs is highly variable.

Using Magnesium Monitoring Benchmark as NAL/NEL is Without Scientific Basis:

United States Environmental Protection Agency's (USEPA) magnesium benchmark is based on its minimum detection level, not on effects to receiving waters. The USEPA does not use magnesium as an effluent limitation. Therefore the SWRCB should not use the USEPA magnesium benchmark as a NAL / numeric effluent limitation (NEL).

The Proposed NAL/NEL Strategy Does Not Follow the Recommendations of the Storm Water Panel

Finding 39 on Page 6 of the Draft Industrial Storm Water General Permit Order mentions the storm water panel that the State Water Resources Control Board convened in order to examine application of NAL and NEL to storm water runoff. Finding 39 indicates that the State Water Resources Control Board has evaluated the panel's suggestions, however the Draft Industrial Storm Water General Permit's NAL and NEL strategy is not in sync with the panel's findings and recommendations.

The panel found that establishing NALs and NELs requires a reliable database describing current emission by industry type and category. The panel recommended that the State Water Resources Control Board needs to collect more data in order to establish NALs and NELs for industrial activities. Instead the State Water Resources Control Board has chosen to apply NALs and NELs that are based on USEPA Multi-Sector General Permit benchmarks even though the USEPA has separated benchmark monitoring from effluent limitation monitoring.

The panel urged the State Water Resources Control Board to consider the economic impact of industrial storm water regulation and not to implement storm water regulations that add an undue burden to California industries. I echo the panel's sentiment and urge the State Water Resources Control Board to revise its Draft Industrial Storm Water General Permit to ensure that industrial permittees are not punished for efforts to monitor storm water runoff from their facilities.