ORANGE COUNTY WATER DISTRICT
ORANGE COUNTY'S GROUNDWATER AUTHORITY

April 27, 2011

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

Re: Comment Letter – Draft Industrial General Permit
Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for Discharge of Storm Water Associated with Industrial Activities (Industrial General Permit)
NPDES No. CAS000001
State Water Resources Control Board (SWRCB)

Dear Ms. Townsend,

The Orange County Water District (OCWD) is an agency formed by the State of California in 1933 to protect and manage the Orange County groundwater basin. The OCWD is located in a highly urbanized area of northern Orange County. There are over 20 water utilities within our basin serving a population of over 2.3 million people. Over 200 drinking water wells are within our basin which provide approximately 65-70 percent of the drinking water. On behalf of our groundwater producers, OCWD assumes all monitoring, analytical and reporting responsibilities to comply with state and federal drinking water regulations for groundwater sources. Analyses are performed at OCWD's new state certified Advanced Quality Assurance Laboratory located on campus.

In addition, OCWD operates two water reclamation treatment facilities, Green Acres primarily for landscape irrigation and an advanced water treatment (AWT) facility to reclaim secondary treated wastewater from the adjacent Orange County Sanitation District (OCSD). The AWT reclamation facility operated as the original Water Factory 21 (WF-21) from April 1975 to January 2004. WF-21 operated for nearly three-decades using several treatment trains consisting of lime clarification, ammonia stripping, recarbonation, filtration, granular activated carbon, and chlorination. Later modifications included adding reverse osmosis treatment and destroying the ammonia stripping towers. The last upgrades added an advanced oxidation process (AOP) consisting of ultraviolet (UV) irradiation and hydrogen peroxide to remove organics. Under operation of WF-21, the OCWD submitted its Notice of Intent (NOI) dated February 1994 and July

PO Box 8300
Fountain Valley, CA 92728-8300
18700 Ward Street
Fountain Valley, CA 92708
(714) 378-3200
(714) 378-3373 fax
www.ocwd.com

1997 for coverage under the General Stormwater Permit. WF-21 ceased operation in 2004 with the initiation of construction activities to build a new water supply project, the Groundwater Replenishment System (GWRS), jointly sponsored by OCWD and OCSD. The GWRS is an advanced water purification facility that can produce up to 70 mgd of near-distilled quality purified water. The advanced water purification facility (AWPF) uses microfiltration (FM), reverse osmosis (RO), advanced oxidation/disinfection consisting of ultraviolet irradiation and hydrogen peroxide addition (UV/AOP), decarbonation, and lime stabilization to treat the secondary treated water from OCSD. The product water meets or exceeds drinking water standards. It is used to replenish the groundwater through surface spreading basins and direct injection to provide seawater intrusion control at the Talbert Barrier (located near the coastal area of Huntington Beach).

OCWD applied for coverage under the Industrial Stormwater Permit when GWRS was completed. Thus, OCWD has had over a decade of experience to comply with all elements of the SWRCB's Industrial Stormwater Permit. This includes (1) developing the Stormwater Pollution Prevention Plan (SWPPP), (2) implementing best management practices (BMPs) and other physical controls to reduce run-off, (3) meeting with Operations and Maintenance staff to assess all locations within the GWRS treatment area for potential contaminating sources, (4) ensuring that all appropriate areas where chemicals are stored are covered or enclosed within secondary containment, (5) conducting monthly site reconnaissance to evaluate the effectiveness of controls, (6) coordinating stormwater sample collection, (7) assessing stormwater results with appropriate benchmarks, (8) preparing annual compliance reports, and (9) routinely reviewing the SWPPP and revising as appropriate. GWRS personnel have been trained on all components of the SWPPP and have a copy at the Operations Control Center.

We have reviewed the SWRCB's draft Statewide General Industrial Stormwater Permit issued January 28, 2011 and provide the following comments for your consideration in developing a final general permit.

1.0 Training Qualifications and Certification

1.1 SWPPP Certification Requirements

OCWD is concerned with the training qualifications and certifications listed in Section VII. It is our understanding that the qualification criteria listed in the general industrial stormwater permit is similar to or the same as those listed for the construction general stormwater permit. Developing a SWPPP for a construction project significantly differs in scope and physical layout of the site compared to developing a SWPPP for a completed industrial site. In general, developing a SWPPP for undeveloped land must consider the significant size, drainage and containment issues associated with dirt, sand, debris and other

particulate matter that are inherent with raw land construction activities. Large pieces of equipment such as bulldozers, graders, waste haul trucks, deliveries by suppliers, storage areas for raw construction materials, lay-down areas, etc. must be included in the overall development of the construction SWPPP. Significant stormwater run-off issues are of concern due to unpaved construction sites and constant movement of sediment materials on-site for various construction phases (significant land disturbances) and addressing sediment load and containment of potential oils, paints, solvents, etc. are of priority. Developing, installing and implementing a construction SWPPP may require the need for specialist in the field of civil engineer, engineering geologist, landscape architect, etc., as noted in VII.B.1.b. depending on the size of the construction project, the land site characteristics, the geology of the area, and extent of planned construction. However, for a developed industrial site the components of a SWPPP are significantly different compared to a construction SWPPP. The experience and skill set of the SWPPP developer for an industrial facility and processes will be different than those required for open land construction activities.

The SWPPP developer must have knowledge and experience with the specific processes of the facility, including being very familiar with all day-to-day operating activities. Experience and knowledge of the facilities operations are key attributes that the SWPPP developer must have to prepare a SWPPP that will be successful to meet the SWPPP objectives and provide detailed BMPs and actions that are well thought out specific for the facility. As discussed above in the preface, OCWD has over a decade of experience with implementing all components of a SWPPP and have improved the plan based on lessons learned and engaging knowledgeable facility staff in developing, reviewing, updating and improving the SWPPP. OCWD is strongly recommending that the final general industrial stormwater permit include a criterion for the QSD of ***experience*** **and education** (e.g., related degree applicable for the site such as the sciences, environmental, etc.) and not strictly focused on a CA registration or professional certification as the primary criteria that defines a QSD. A criteria of experience and combination with a degree should meet the intent of the permit to be a viable SWPPP QSD.

OCWD is very concerned with the listed Section VII.B certification requirements for a SWPPP developer (QSD). The QSD must have one of the following: a registered civil engineer, geologist, hydrogeologist or landscape architect as the only recognized qualified persons to prepare the SWPPP for the facility. Allowing only these specified professionals as being capable to write a comprehensive and quality SWPPP may result in a cost burden for many industries to retain external contractors to prepare their facility SWPPP. Once retained, these professionals will need to be trained and educated on the facility operations and maintenance, drainage and grading of the site, familiarity with underground on-site storm drain lines that ultimately discharge to a municipal storm drain off-site, etc. External contractors retained as QSD will not have knowledge of chemical

deliveries, frequencies, volumes delivered, location of delivery points, types and volumes chemicals routinely used, storage areas, secondary containment areas, and spill control and prevention practices established for the facility, BMPs (structural and non-structural), and personnel SWPPP training. Facility personnel will be burdened with undue loss of time spent educating, training, performing in-depth site specific reconnaissance of process points and materials handling areas and protocols to train the hired QSD. Facility personnel will have to review and edit the QSD prepared SWPPP to ensure all components are realistic, doable and will achieve the desired outcome to meet SWPPP goals specific for their facility.

The draft industrial stormwater permit should be revised to include another category as a SWPPP QSD: education (degree) and experience or a combination of both. Experience may include previous responsibility preparing, implementing and/or having oversight of past facility SWPPP in-lieu of a registered professional (VII.B.1.b.i-iv). Experience (direct applicable) and education would be a new addition to the qualifiers (e.g., VII.B.1.b.v) and better meet the intent of a QSD.

1.2 SWRCB Sponsored or Approved QSD Training Course

The draft stormwater industrial permit does not provide background or references on the content, extent and objectives of the QSD training course. It would be helpful to have the following information in the final industrial stormwater permit document:

- Who will be developing the QSD training course?
- What qualifications and criteria will be used to develop the training materials?
- Who will provide the training?
- Will training be held statewide to allow easy access for participants to attend? Given the significant budget constraints faced by public agencies and business owners (small, medium, and large businesses), the SWRCB needs to ensure that training classes are scheduled statewide and at multiple locations that are within reasonable driving distance across the state. Travel funds and training funds have been substantially reduced or eliminated for many public entities and businesses.
- Will the training courses be frequently scheduled to reduce the cost burden on the permitee?
- What is the cost of a training course?
- What are the objectives of the training and what are the key topics to be covered?
- Is training a one time event or will refresher training classes be required (e.g., every 3 years)?

2.0 Sampling and Analysis Requirement

2.1 Sampling of a Qualified Storm Event

Section X.F describes collection of stormwater samples from all storm water drainage areas within four hours of a qualified event. Footnote 3 provides an example of a discharger leaving on a Friday at close of business day and less than 1/8 of an inch of precipitation was measured within the previous 48 hours. The discharger returns on Monday and over ¼ of an inch of rain has occurred over the weekend, the discharger must sample within 4 hours on Monday. If the discharger attempts to collect a sample from the designated stormwater sampling point but the location is dry, how should the discharger report this on the compliance report? Will the discharger be in violation of not having collected a sample within 4 hours upon arriving to work on Monday?

2.2 Analysis of TOC – Substitute for Oil and Grease

The draft industrial stormwater permits lists four parameters that all dischargers must analyze in samples (Section X.H.1 and Table 4):

- Total suspended solids
- pH
- Specific conductance
- Oil and grease (O&G)

Under the current general industrial stormwater permit, analysis for total organic carbon (TOC) may be analyzed in-lieu of O&G analysis. It would be very helpful for the SWRCB to include the basis of requiring specifically O&G and no longer allowing TOC as a substitute. The explanation will help permittees better under the rationale and how this determination was made.

OCWD strongly recommends that the SWRCB re-consider this new requirement of only analyzing for O&G and to allow the analysis of TOC as a substitute for O&G. Presently, OCWD's state certified laboratory performs TOC analysis routinely and does not analyze for O&G. Samples will have to be contracted out to a commercial laboratory for O&G testing. In addition to a cost burden, there will be time spent by staff to deliver O&G samples to the analyzing commercial laboratory. The industrial permit should provide a provision to allow a permitee to substitute TOC analysis for O&G based on site specifics. The GWRS treatment facility is an advanced state-of-the-art facility which provides tours throughout the week from visitors from other nations to local school children. There are no O&G sources on-site that would be tributary to a storm drain. Secondly, OCWD has a historic record of TOC data from previous stormwater compliance sampling events and it would be beneficial to maintain this record for trend analysis

OCWD requests that the SWRCB consider allowing use of TOC analysis as a surrogate for O&G for compliance stormwater monitoring.

2.3 Sample Results Reporting Schedule

Section XI, sampling and reporting, requires the discharger to electronically report through SMARTS all analytical results within 30 days of obtaining the results. Clarification should be provided that states when the results of all parameters from the sampling event are received, the 30 day clock is triggered. For example, if a facility is required to test for pH, total suspended solids, electrical conductivity, oil & grease, biochemical oxygen demand, and three metals, the discharger may receive the results for some analytes quickly due to the analyte holding and analysis time (e.g., pH, suspended solids, etc.) and several weeks later for other analytes (e.g., metals). The 30 day trigger should begin upon receipt of the last compliance analyte (i.e., metals in this example). The discharger should have all results to review as a total sample rather than analyte by analyte for reporting electronically.

The reporting timeline should be increased to at least 45 days to allow time for laboratories to report data and a buffer time for the discharger to review data in context of site conditions on the day of sampling and to resolve any potential issues on the quality of the data with the analyzing laboratory.

OCWD appreciates the opportunity to review and comment on the draft general industrial stormwater permit. If there are any question on these comments, please do not hesistate to contact me at (714) 378-3281.

Sincerely,

Nira Yamachika
Director of Water Quality
Orange County Water District
Nyamachika@ocwd.com