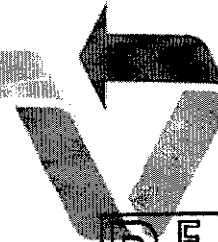


# VENTURA REGIONAL SANITATION DISTRICT

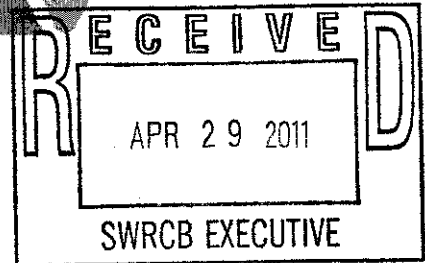
1001 PARTRIDGE DRIVE, SUITE 150 • VENTURA, CA 93003-0704



A Public  
Waste  
Management  
Agency

April 27, 2011

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



## COMMENTS TO THE DRAFT INDUSTRIAL GENERAL PERMIT

The Ventura Regional Sanitation District (VRSD) has reviewed the draft Statewide National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated with Industrial Activities (Industrial General Permit) and appreciates this opportunity to comment. VRSD has partnered with, and are signatory with, the Solid Waste Industrial Stormwater Partnership (SWISP), an informal coalition of public and private solid waste facility owners, operators and consultants that seek balanced regulations and permits regarding stormwater quality from our facilities. We support the implementation of continuous stormwater quality improvement measures that are cost-effective, practical, and are known to have demonstrated water quality benefits. However, several areas of concern have been identified with the Draft Industrial General Permit and are commented on below:

### BENCHMARKS

The Industrial General Permit incorporates the EPA Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (MSGP) benchmarks as Numeric Action Levels (NALs). These MSGP benchmarks values should not be used as Industrial General Permit NAL values without a detailed evaluation and explanation of their suitability to serve as such. The MSGP benchmarks are intended to assist us in determining whether additional corrective action(s) MAY be necessary. As such, appropriate benchmarks should be based on LOCAL water quality goals and objectives, as well as local and regional background water quality data collected through the NPDES, Total Maximum Daily Limits, and other monitoring programs being conducted in the facility's watershed.

### NALs and NELs

Because of current economic conditions, we believe that additional treatment control measures are likely to achieve only minimal benefit at great expense and therefore, the proposed NALs and numeric effluent limits (NELs) are simply not appropriate at this time. Rather, the revised permit should continue to use the EPA benchmarks as they were intended – as benchmarks. The draft permit's incorporation of benchmarks as NALs serve a similar purpose as the EPA's MSGP benchmark values but do not function the same in that the NALs and NELs trigger enforcement as opposed to being simply a target or goal. In the proposed permit, if a discharger is not able to meet the NALs in Level 2 corrective action, the NALs become NELs. The intent of the benchmarks is not to establish an effluent limit and the draft permit's use of NALs as NELs is without proper justification and contrary to the federal program upon which the IGP is based. The proposed 3 levels of corrective action tiers have the potential to force the industrial user into the most restrictive corrective action tier in just 2 years after the permit is adopted without any mechanism to be moved from Level 3 to either Level 2 or Level 1, regardless of the costs incurred and/or improvements to each facility that are made to protect water quality.

Ventura County • **CITIES:** Camarillo • Fillmore • Ojai • Oxnard • Port Hueneme • San Buenaventura • Santa Paula • Thousand Oaks

**SPECIAL DISTRICTS:** Camarillo Sanitary • Camrosa Water • Channel Islands Beach Community Services • Montalvo Municipal Improvement • Ojai Valley Sanitary • Saticoy Sanitary • Triunfo Sanitation • Ventura County Waterworks Nos. 1 and 16

## EVALUATION OF BACKGROUND LEVELS

The Industrial General Permit does not have any provision, other than an appeal to the Regional Water Quality Control Board, to allow us to evaluate background levels that may be higher than NALs/NELs or to account for factors beyond our control, such as aerial deposition of contaminants at our facilities. NALs/NELs in the Industrial General Permit were developed in the eastern part of the United States to be used as benchmarks – not strictly enforceable limits or action levels. We believe that California background levels are significantly different and possibly higher than EPA MSGP benchmarks. The Industrial General Permit needs to be revised to address this issue by using local or regional data.

## CLOSED LANDFILLS

VRSD operates several closed landfills and the issues of how these closed landfills are to be regulated has not been addressed clearly in this draft permit. Our post closure plans have been fully implemented at all sites and the post-closure maintenance activities have been in place for over 10-years. These closed landfill sites should not be considered an industrial activity as landfill activities are no longer being conducted. These closed landfills are engaged in maintenance activities as stipulated in their individual Post Closure Maintenance Plans and Storm Water Pollution Prevention Plans. These plans are the appropriate tools for closed landfills and to date they have demonstrated they are effective in ensuring the protection of water quality.

Thank you for your consideration of our comments. VRSD recognizes the technical and practical challenges of developing a permit to regulate industrial stormwater runoff and because of that, we encourage you to please take the appropriate time necessary to adopt a practical and meaningful permit.

If you have any questions please contact me at [sallycoleman@vrsd.com](mailto:sallycoleman@vrsd.com) or (805) 658-4674.

Sincerely,



SALLY COLEMAN – DIRECTOR OF OPERATIONS