



**JOHN WAYNE  
AIRPORT**

Orange County, California

Alan L. Murphy  
Airport Director

September 1, 2006

Song Her, Clerk to the Board  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Subject: Comments of John Wayne Airport Regarding Storm Water Blue  
Ribbon Panel Report dated June 19, 2006

Dear Chair Doduc and Board Members:

John Wayne Airport (JWA) thanks you for the opportunity to provide comments on the recommendations of the Storm Water Blue Ribbon Panel (BRP) Report entitled *The Feasibility of Numeric Effluent Limits Applicable to Discharges of Stormwater Associated with Municipal, Industrial, and Construction Activities, June 19, 2006* (Panel Report). As requested, we have focused our comments on whether and how the State Water Resources Control Board (State Water Board) should implement the Panel Report recommendations to improve the National Pollutant Discharge Elimination System (NPDES) Storm Water Program. More specifically, our comments pertain to portions of the BRP report that have implications for industrial discharges currently regulated under California's General Industrial Storm Water Permit.

John Wayne Airport and the County of Orange have a long time commitment to preserving and protecting the environment. We have established a very effective Environmental Compliance Monitoring Program. Towards this end, we have been participants in County and State Storm Water Quality Task Forces since the early 90's. John Wayne Airport and its tenants have spent several million dollars implementing structural and operational best management practices which include a very aggressive training and monitoring program.

Our comments regarding aspects of the BRP report which potentially impact industrial dischargers are presented below:

*BRP Recommendation:* Current industrial storm water database is inadequate to establish numeric limits. State Water Board needs to re-examine and collect new data before establishing numeric limits.

Storm Water Panel Report  
Deadline: 9/1/06 5pm



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*JWA Comment:* We concur with this recommendation. The current database contains "compliance" monitoring data collected pursuant to the 1992 and 1997 General Industrial Permits. While this type of data is appropriate for evaluating compliance with the General Industrial Permit, it is not sufficient for establishing technology-based or water quality-based numeric limits. The type of data necessary to establish numeric limits would be more technically defensible data collected through "scientific" monitoring programs. To the extent that the State Water Board wishes to collect the type of data necessary to establish numeric standards, the State Water Board should fund appropriate research programs and not require individual discharges to implement potentially elaborate and expensive monitoring programs.

*BRP Recommendation:* Where sufficient data is available, establish action levels.

*JWA Comment:* JWA agrees that establishing action levels is a logical and appropriate next step for regulating storm water discharges from industrial sites. The State Water Board should closely examine the existing industrial monitoring database to determine if it can be used as a starting point for establishing action levels. JWA believes that action levels should be developed for specific industry sectors and local industrial target pollutants above established background or baseline levels. If adequate data are available then action levels should be established and used as a trigger for follow up BMP review and implementation. Compliance would be based on the discharger efforts to provide follow-up action and not on exceedance of the action level. This approach is consistent with the Stage 2 of the California Stormwater Quality Association's proposed Progressive Approach for regulating storm water.

*BRP Recommendation:* The State Water Board should consider the total economic impact of the stormwater program and not unduly penalize California industries with respect to industries outside of California.

*JWA Comment:* We concur with this recommendation and agree that the State Water Board should consider options for minimizing costs including developing BMP incentives and implementing cost effective monitoring programs.

*BRP Recommendation:* The State Water Board should establish a design storm (water quality volume) above which, numeric limits and/or action levels would not apply.

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*JWA Comment:* Although the recommendation was not specifically noted in the industrial section of the BRP report, JWA strongly recommends that this concept be incorporated into the industrial program. A design storm is necessary for BMP design and operations and to address situations where the industrial facility can no longer contain/treat/manage the excess runoff.

In addition to the comments above, JWA would also like the State Water Board to consider some of the important implementation issues associated with establishing numeric limits that were not specifically addressed in the BRP report. These include the following.

- The costs associated with analytical monitoring will increase substantially in order to evaluate compliance with numeric limits. In most cases, the existing industrial monitoring program consists of grab sampling which is not technically defensible for evaluating compliance with numeric limits. The additional effort and costs for more appropriate monitoring methods should be considered by the State Water Board.
- What happens if a discharger knows that it has exceeded a numeric limit and has no ability to prevent further discharges by "turning off" the storm?
- How does a discharger deal with pollutants beyond its control, including atmospheric deposition and run-on from up gradient sites?

JWA appreciates the efforts undertaken by State Water Board to address this critically important question. We look forward to working with the State Water Board and staff to craft a new General Industrial Permit that incorporates the BRP findings and conclusions.

Please do not hesitate to contact me or Chris Caliendo of my staff at (949) 252-5269 to discuss the requests for revisions or any other questions you may have. Thank you for your work on this issue and for your consideration of John Wayne Airport's comments.

Sincerely,



L. G. Serafini  
Deputy Airport Director