Riverside County
Waste Management Department
Hans W. Kernkamp, General Manager-Chief Engineer

September 19, 2013

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

RE: Comments Regarding 2013 Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities and Fact Sheet

Dear Ms. Townsend:

The Riverside County Waste Management Department (Department) is a local municipality that would be regulated under the provisions of the 2013 Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities (IGP) and Fact Sheet. The subject permit shall be referred to as the 2013 Draft IGP throughout the remainder of this letter.

The purpose of this letter is to provide the State Water Resources Control Board (Water Board) with the Department's comments and concerns regarding specific provisions of the 2013 Draft IGP and accompanying Fact Sheet. The referenced section of the 2013 Draft IGP and Fact Sheet is italicized, immediately followed by the Department's comments and/or concerns. Where appropriate, the Department also provides recommendations or alternative language for use in the IGP and Fact Sheet. Alternative language is underlined and removed language is crossed out.

2013 Draft IGP Comments

Section I.A.7., Page 2 – "Effective January 1, 2015, the State Water Board and the Regional Water Quality Control Boards (Regional Water Boards) (collectively, Water Boards) will enforce the provisions herein."

The effective date of the IGP is referenced in numerous places in the 2013 Draft IGP and Fact Sheet. The Department suggests that the effective date of the IGP be contingent upon the adoption date of the IGP. The Department further recommends that the enforcement date consider the permit cycle of the existing IGP. As currently proposed in the 2013 Draft IGP, Permittees would be required to implement both the existing IGP and proposed IGP during a single winter season. In the middle of the winter season, Permittees would need to implement a different SWPPP and inspect/monitor/sample in accordance with the provisions of the 2013 Draft IGP. This situation would make effective permit implementation difficult and raise other issues as well. Presumably two separate annual reports will be due in July 2015. Annual averaging of the storm water samples required by the 2013 Draft IGP would only consider one half year of storm water sampling data, thus the statistical significance of the average is reduced with the reduced sample population.

The Department recommends that the 2013 Draft IGP effective date be July 1 and a minimum of one calendar year from the date of IGP adoption. This will allow Permittees sufficient time to plan, change or modify operations/procedures, and allocate resources to comply with the IGP. In addition, a new training requirement is part of the 2013 Draft IGP. The Water Board will be required to prepare IGP training curriculum under a limited timeline in order to meet the requirements of the IGP. Finally, this will clear up confusion and difficulty between the concurrent implementation of the existing IGP and 2013 Draft IGP during a single winter season.

Section I.M.66., Page 11 – "Exceedances of the NALs that are attributable solely to pollutants originating from non-industrial pollutant sources (such as run-on from adjacent facilities, non-industrial portions of the Discharger's property, or aerial deposition) are not a violation of this General Permit because the NALs are designed to provide feedback on industrial sources of pollutants."

Correlating NAL exceedances and non-industrial pollutant sources to "violations" is a potential cause of confusion. The Department recommends that the Draft 2013 IGP consistently link NAL exceedances to ERAs. Thus the Section would read as follows:

"Exceedances of the NALs that are attributable solely to pollutants originating from non-industrial pollutant sources (such as run-on from adjacent facilities, non-industrial portions of the Discharger's property, or aerial deposition) are not subject to ERAs specified herein. ~~a violation of this General Permit because the NALs are designed to provide feedback on industrial sources of pollutants~~."

Section I.A.68., Page 11 – "This General Permit establishes design storm standards for all treatment control BMPs. These design standards are directly based on the standards in State Water Board Order 2000-0011 regarding Standard Urban Storm Water Mitigation Plans (SUSMPs). These design standards are generally expected to be consistent with BAT/BCT, to be protective of water quality, and to be effective for most pollutants. The standards are intended to eliminate the need for most Dischargers to further treat/control industrial storm water discharges that are unlikely to contain pollutant loadings that exceed the NALs set forth in this General Permit"

The subject Section supports the Department's opinion that the design storm standards should be the upper limit of NAL applicability to corresponding ERAs. As described in the subject Section, in most cases Dischargers will not be required to perform additional actions if NALs are exceeded from discharge that is treated, provided the treatment system is designed to the specified storm standards. Therefore, it seems inconsistent that Dischargers should even compare storm data to NALs when the data is from a storm event that exceeds the design storm standard. Regardless of the status of the facility (i.e. baseline, Level 1 or Level 2), storm water data should only be compared to NALs when data is from storms that are less than or equal to the design standards.

Please refer the Department's comments regarding Section XII.A.1., Page 46, for additional information related to this issue.

Section X.H.1.f.ii., Page 31 – "Provide effective stabilization for inactive areas, finished slopes, and other erodible areas prior to a forecasted storm event;"

The 2012 Draft IGP had a concept of the forecasted storm event. The 2013 Draft IGP has removed such a concept. Additionally, stabilization is not the only BMP that may be appropriate for erodible areas. Therefore, the Department recommends that the Section be modified as follows:

"Provide effective stabilization or other appropriate erosion control BMP for inactive areas, finished slopes, and other erodible areas ~~prior to a forecasted storm event~~;

Section X.H.1.f.v., Page 32 – "If sediment basins are implemented, ensure compliance with the design storm standards in Section X.H.6."

Many facilities have existing sediment basins that have not been designed in accordance with the design storm standards specified in the 2013 Draft IGP. Thus, the continued use of these existing sediment basins when the 2013 Draft IGP is enforced, without a re-design and construction modification to any existing sediment basins, would be out of compliance with the requirements of the 2013 Draft IGP. The Department recommends that the Section be modified to allow facilities to continue to make use of existing sediment basins.

"If new sediment basins are implemented, ensure compliance with the design storm standards in Section X.H.6. Existing sediment basins may continue to be used, regardless of the storm size to which the basins have been designed. However, continued use of an existing sediment basin not in compliance with the design storm standards, may not be a sufficient erosion and sediment control BMP in and of itself."

Section X.H.6., Page 34 – "All new treatment control BMPs employed by the Discharger shall be designed to comply with design storm standards in this Section. A Factor of Safety shall be incorporated into the design of all treatment control BMPs to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs. The design storm standards for treatment control BMPs are as follows:"

The subject Section specifies the use of a "Factor of Safety... to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs." The purpose of the Factor of Safety is not clear. Is the Factor of Safety to provide a design that actually exceeds the design storm standards, or is the Factor of Safety to provide treatment to the design storm standards even in the event that a component of the treatment control BMP has reduced capacity/functionality over time? A Factor of Safety is typically applied to building structures or systems when the failure of which can result a risk to human health or property. A treatment control BMP does not pose that same risk. If the effective longevity of the BMPs operation is a concern, this should be addressed through a comprehensive maintenance plan. Therefore, the Department recommends the Section be modified as follows:

"All new treatment control BMPs employed by the Discharger shall be designed to comply with design storm standards in this Section. ~~A Factor of Safety shall be incorporated into the design of all~~ The treatment control BMPs shall be designed in accordance with appropriate engineering principles and practices, including a maintenance schedule, to ensure that storm water is sufficiently treated throughout the life of the treatment control BMPs. The design storm standards for treatment control BMPs are as follows:

Section XI.B.11., Page 39 – "The Discharger shall submit all analytical results for all individual or qualified combined samples (QCS) via SMARTS within 30 days of obtaining all results for each sampling event. Reported analytical results will be averaged automatically by SMARTS. For any calculations required by this General Permit, all effluent sampling analytical results that are reported by the laboratory as "non-detect" or less than the Method Detection Limit (MDL), a value of zero shall be used. Any results reported by the laboratory as "Detected Not Quantifiable" or less than the Minimum Level (ML) but above the MDL, a value of the MDL plus ½ the difference between the MDL and the ML shall be used. The Discharger shall designate an LRP to certify and submit all PRDs and other required compliance documents via SMARTS, with the exception of annual fees, which must be mailed."

Considering the frequency and timeframe for which samples are to be submitted via SMARTS, the Department requests that lab data be submitted in a manner similar to another Water Board Program, Geotracker. The lab data is directly uploaded to the Geotracker database without the need to manually enter the data. Not only is this method more expeditious, but it also reduces the chance of a manual data entry error.

The Department also disagrees with the requirement to enter "non-detect" data as zero. This is factually incorrect and does not accurately or truthfully represent the data as quantified and reported by the laboratory. The Department understands the desire to easily obtain a yearly average, but a factual misrepresentation of the data should not be the result of this desire. State certified laboratories are familiar with the data reporting requirements of Geotracker and "non-detect" data is easily and conveniently reported for Geotracker submittals.

Lastly, the "Minimum Level" terminology introduced in the subject Section is not a term common to the industry. The Department recommends that this term be replaced with Practical Quantitation Limit or Reporting Limit/Level, two terms that are commonly used.

Section XI.B.11., Page 41 – Table 2

The Method Detection Limit specified in the table is often times several orders of magnitude less than the corresponding Annual NAL. Requiring laboratories to report concentrations to these low concentrations increases the test costs without a corresponding benefit. The Department recommends that the Method Detection Limit column be removed from the table and that the following text be added as a footnote to the Test Method column:

"Storm water samples shall be analyzed using the test method specified, or a similar industry standard method that is capable of achieving a Reporting Limit that is less than the Annual NAL."

Section XII.A.1., Page 46 – "Annual NAL exceedance: The Discharger shall determine the average concentration for each parameter using the results of all the sampling and analytical results for the entire facility for the reporting year (i.e., all "effluent" data). The Discharger shall compare the average concentration for each parameter to the corresponding annual NAL values in Table 2. For Dischargers using composite sampling or flow-weighted measurements in accordance with standard practices, the average concentrations shall be calculated in accordance with the U.S. EPA's NPDES Storm Water Sampling Guidance Document.[17] An annual NAL exceedance occurs when the average of all the analytical results for a parameter from samples taken within a reporting year exceeds the annual NAL value for that parameter listed in Table 2; and"

This subject Section specifies that the average is to be calculated, but does not specify if the average is an arithmetic mean or geometric mean. The Department recommends that the geometric mean be specified in this Section. Storm water parameter concentrations are highly influenced by storm size, similar to bacteria concentrations commonly used to assess ocean water quality at beaches, which utilize the geometric mean for comparison to threshold values. The geometric mean tends to dampen the effect of very high or very low concentrations. This fluctuation in storm water parameters' concentrations is common and is a direct result of the natural variability of storm sizes (i.e. episodic variability).

If the geometric mean is utilized, non-detect concentrations cannot be reported as zero. Therefore, the Department recommends non-detect data be substituted with a value that is one-half the method detection limit for calculating the geometric mean. This substitution method is both a simple and a common statistical practice. The Department provided previous comments regarding the reporting of non-detect concentrations. Please refer to the Department's comments regarding Section XI.B.11., Page 39.

The Water Board responded to a number of comments regarding the use of the geometric mean (e.g. response to comment number 2, page 29). However, the Water Board's comment did not explain the use of the arithmetic mean, but merely commented on the result of using the geometric mean. The Department's rationale for the use of the geometric mean is stated in the paragraph above. The Department requests that the Water Board provide the rationale for the use of arithmetic mean versus the geometric mean.

The 2008 Draft IGP included the concept of a Compliance Storm Event and the current NPDES Construction General Permit also includes such a concept. The Department recommends that the concept of a Compliance Storm Event be incorporated into the 2013 Draft IGP as a design storm event to assess storm water sample data.

The 2013 Draft IGP, Section X.H.6. includes the concept of a design storm event to design treatment control BMPs. Treatment control BMPs shall be designed to treat storm water flows or

volumes up to the design storm event. Treatment control BMPs are not designed nor expected to be effective for storm events that exceed the design storm event. Accordingly, it is reasonable to expect that discharge from storm events greater than the design storm event to regularly exceed the 2013 Draft IGP specified NALs. This does not mean that the BMPs are not functioning adequately; rather, the BMPs are not designed to treat storm water discharge in excess of the design storm event.

Thus, storm events greater than the design storm event will likely result in NAL exceedances, which in turn will result in IGP required ERAs even though the treatment control BMPs could be functioning as designed. Unnecessary work would be required by the Discharger and the local Regional Water Quality Control Boards to prepare and review ERAs for sites that were functioning as designed and in compliance with the IGP.

The Department recommends that NALs, annual and instantaneous, only be applicable to storm events that are less than or equal to the design storm event, that is the 85th percentile 24-hour storm event. ERAs would only be triggered if storm water data for storm events that are less than or equal to the design storm event exceeded NALs.

The Water Board responded to a number of comments regarding this issue in the 2012 Draft Industrial Permit Response to Comments (e.g. response to comment number 14, page 54). However, the Department disagrees with a few of the points in the Water Board's comments. The Water Board concluded that NAL exceedances will be unlikely for BMPs designed and implemented to the design storm standards. As the Department explained in the preceding paragraphs, it is **likely** that NAL exceedances **will occur** when storm events occur that are greater than the design storm standard. There should be no expectation of the Water Board that BMPs will be effective for storms greater than the storms for which the BMPs were design to. When a design storm is specified in the IGP, the Discharger has a reasonable expectation that a site with BMPs designed and implemented to the design storm will be in compliance with the IGP. The Water Board commented that "utilization of the design storm standard does not provide any guarantee ... of compliance with the effluent limitation of the draft permit." This statement does not appear to be correct. The narrative effluent limitations specified in the 2013 Draft IGP are the standard that compliance is measured against. When BMPs for a site are designed and implemented to the 201 3 Draft IGP design storm (i.e. the narrative effluent limitations), the Discharger should be "guaranteed" compliance with the 2013 Draft IGP. The comparison of stormwater quality concentrations to NALs is not a measure of permit compliance or non-compliance. Whether the ERAs (i.e. the narrative effluent limitations) that could be required as a result of this comparison are completed or not is the measure of permit compliance or non-compliance.

The Water Board responded directly to the Department's comment regarding this issue in the 2012 Draft IGP (response to comment number 5, page 284) in stating the following: "Dischargers would not be required to install costly treatment devises or implement additional BMPs if the BMPs were designed to treat up to the design storm and the only events that triggered an NAL exceedances were beyond the design storm specified in the draft permit." The Department believes that the Water Board's comment helps clarify this issue; however, the 2013 Draft IGP was not modified to include the Water Board's response. The issue is unresolved without the addition of this language into the 2013 Draft IGP. Further, in order to correlate discharge sampling data to storm events, the 2013 Draft IGP should require that 24-hour storm volume also be measured (onsite or local rain gauge) and reported with the discharge sampling data.

The Department also recommends that discharge sampling should continue to be completed for all rain events that meet the 2013 Draft IGP definition of a Qualifying Storm Event. Permittees will not know the size of the storm at the time of sampling. Therefore, the storm water sample should be collected from the Qualifying Storm Event regardless whether that storm could eventually exceed the design storm event.

This change would require the re-introduction of some complexity into the 2013 Draft IGP. Permittees would be required to monitor and report the 24-hour storm volume for sampling events. However, this complexity would benefit both the Permittees and the Water Board. This will enable the Water Board to better assess the appropriate use of storm water data as the Water Board continues the ongoing evaluation of NALs and future numeric effluent limits. As previously mentioned, storm water quality is highly variable and knowing one of the variables, storm size, would be beneficial to assess storm water quality. Additionally, Permittees would only be required to design BMPs, treatment or otherwise, to the design storm event. Permittees would also not need to perform ERAs in response to sample data that exceeds NALs if the sample data was from a storm that is greater than the design storm event and which the facility was not designed for.

Section XVI.A.,Page 56, "The Discharger shall certify and submit via SMARTS an Annual Report no later than July 15th of each reporting year using the standardized format and checklists in SMARTS."

Based on information communicated in workshops conducted by the Water Board, the Department understands that the SMARTS annual report is supposed to be simple and not require Permittees to expend much time or effort. The Water Board continues to assert this in the 2012 Draft Industrial Permit Response to Comments (e.g. response to comment number 8, page 167) by specifying that the Annual Report will "primarily consist of a checklist and certification." However, without having the benefit of actually reviewing the Annual Report form, the July 15 annual submittal date provides little time between the end of the reporting period and the Annual Report submittal date. The Department requests that the Annual Report form be provided to potential dischargers for review and comment, prior to the adoption of the 2013 Draft IGP. It appears that the Water Board has already envisioned a checklist Annual Report, thus this request does not seem to require too much effort. The Department recommends that the Annual Report submittal date be changed to July 31, which would enable Permittees sufficient time to complete the Annual Report.

Section XXI.K.5.b., Page 69, "The authorization shall specify that a person designated as a Duly Authorized Representative has responsibility for the overall operation of the regulated facility or activity, such as a person that is a manager, operator, superintendent, or another position of equivalent responsibility, or is an individual who has overall responsibility for environmental matters for the company; and,"

The Department also recommends that the Data Entry Person designation, currently allowed for in the Storm Water Multi-Application and Report Tracking System (SMARTS), be continued in the current form. The responsibility for the submittal and certification of information should remain with the LRP and/or Duly Authorized Representative, but data entry or information upload can be delegated to other appropriate individuals (e.g. employees, consultants, labs) especially considering the timeframe that storm water data is required to be submitted. The SMARTS system may need to be modified to differentiate between information that is uploaded to SMARTS (e.g. laboratory data), and when the information is formally submitted by the LRP or Duly Authorized Representative since the 2013 Draft IGP requires submittals (e.g. SWPPP changes, lab data, etc.) in addition to the Annual Report.

In the Water Board's 2013 Draft Industrial General Permit Response to Comments (response to comment number 20, page 43 and number 7, page 285), the Water Board indicates that the Duly Authorized Representative or a data entry person can upload information into SMARTS. If the Water Board makes a formal distinction between uploading and submitting information into SMARTS, then this should be specified in the IGP. Additionally, if a data entry person remains a personnel category for SMARTS, then this too should be specified in the IGP. The 2013 Draft IGP strictly defines the Duly Authorized Representative, and this definition does not include a data entry person.

Fact Sheet Comments

Section I.D.5., 6., 8. and 9., Pages 6 and 7

Please refer to the Department's comments regarding the 2013 Draft IGP Section XII.A.1.

Section II.A.3., Page 11.

Please refer to the Department's comments regarding the 2013 Draft IGP Section I.A.7.

Section II.A.4., Page 12, General Permit Coverage for Landfills.

The Fact Sheet does not provide Landfill Permittees with clarity regarding 2013 Draft IGP coverage for construction type projects at existing landfill facilities. The subject section specifies that "Site specific circumstances continue to require Dischargers to contact Regional Water Boards for final determinations." However, the paragraphs that follow this sentence provide guidance, but no definitive rules, to determine whether a particular project could require coverage under the Construction General Permit. By ceding these decisions to the Regional Water Boards, the determinations are based on local subjective criteria. Definitive rules, rather than subject guidance, would provide Permittees with certainty regarding applicable 2013 Draft IGP coverage.

Section II.D.4., Page 18 – Decisions to Include Non-numeric Technology-Based Effluent Limits in This General Permit, Paragraph 5 – "Some stakeholders have suggested that separating the data sets by industry type would lead to more reliable data with which to develop NELs. Advocates of this approach suggest that the variability of the data may be caused in part by the mixing of data from different industrial categories. Staff believes that the variation is primarily due to storm intensity, duration, time of year, soil saturation or some other factors. It is necessary to collect information related to those factors and BMPs implemented in order to evaluate the variability attributable to those factors. There is currently too large of an information gap to begin the process of developing NELs for all industrial sectors not currently subject to ELGs."

Section II.D.4., Page 19 – Decisions to Include Non-numeric Technology-Based Effluent Limits in This General Permit, Paragraph 8 – "At this time, the State Water Board does not have the information (including monitoring data, industry specific information, BMP performance analyses, water quality information, monitoring guidelines, and information on costs and overall effectiveness of control technologies) necessary to promulgate NELs at this time. It is infeasible to include NELs in this statewide General Permit."

Uncertainty exists regarding the factors that influence the storm water data. One factor specified above is the "storm intensity." Please refer to the Department's comments regarding the 2013 Draft IGP, Section XII.A.1. for information regarding the Department's recommendation that the 24-hour storm volume be monitored and reported for all sampling events. To reiterate the Department's previous comment, this would benefit Permittees by allowing ERAs to be applicable to design storm events only and would benefit the Water Board by allowing storm data to be assessed relative to the 24-hour storm volume.

The Department is one such stakeholder that suggests storm water data sets should be separated by industry type, not only for future NELs, but also for the current promulgation of instantaneous NALs. Section II.K.2.b. of the Fact Sheet describes the approach that the Water Board used to determine the Oil and Grease and, Total Suspended Solids (TSS) instantaneous NALs. The Department duplicated this approach to determine the instantaneous TSS for our industry type, landfills. The Standard Industrial Code (SIC) for landfills is 4953.

The Department used data available on the SMARTS website to perform our analysis. The Department limited the analysis to the three most current years: 2012-13, 2011-12 and 2010-11.

All the TSS data available for facilities that identified 4953 as the primary SIC were used. The Department reviewed the names of the facilities that selected 4953 as the primary SIC and concluded that most, but not all, of the facilities were landfills. Waste transfer stations and waste hauling companies were also facilities that selected 4953 as the primary SIC. However, the Department did not screen these suspected non-landfills from data analysis. The Department screened the data for outliers, then determined the upper limits of the outer fence by adding three times the inter-quartile range. For facilities with a primary SIC of 4953, the upper limit of the outer fence TSS concentration is 801 mg/L, which is approximately 100 percent greater than the TSS concentration specified in the 2013 Draft IGP. The Fact Sheet specifies that 7 percent of the data samples analyzed exceeded the instantaneous NAL for TSS. When the 4953 SIC data is compared to the proposed instantaneous NAL for TSS, the percentage of exceedances increases to 16 percent.

The Department realizes that there are limitations to the data analysis described above. However, the data analysis does provide evidence that at least one specific industry has variability in the TSS concentration that is different from a collection of all the industry types under the 2013 Draft IGP. Our analysis also shows that the proposed instantaneous NAL for TSS is biased to facilities with a primary SIC of 4953. Landfill and waste refuse type industries can expect to be required to perform ERAs at a frequency much greater than other industry types regulated by the 2013 Draft IGP. This will correspondingly result in a significantly greater cost to maintain compliance with the 2013 Draft IGP.

The Department recommends that if instantaneous NALs are going to be implemented as part of the 2013 Draft IGP, that industry types be considered in the data analysis. Similar industry types should be analyzed collectively to determine the most appropriate NALs. Specifically for TSS, the Department recommends that Oil and Gas/Mining facilities and Landfills, Land Application Sites, and Open Dumps be analyzed as a collective industry type.

Section II.H., Page 26 – Training Qualifications

Given the significance that storm water sampling results play in the 2013 Draft IGP, and will play in future versions of the IGP, the Department recommends that a QISP be required to prepare a SWPPP even for sites that are in a baseline status. Unless training is required for all facilities, a facility could continue to sample from a discharge location that is not representative of the facilities discharge and those sample results might never exceed the NALs. Accordingly, ERAs would never be completed and a QISP would never be required to review the facility. A facility such as this might never be reviewed by an individual with a minimum level of training and might appear to comply with the Draft 2013 IGP, but in actuality be a significant source of storm water pollution.

Attachment H Comments

5. Use only the sample containers provided by the laboratory to collect and store samples. Use of any other type of containers may contaminate samples.

The above requirement is not always feasible. The Department utilizes "automatic" stainless steel storm water samplers to collect and store storm water samples, prior to transferring the water to laboratory provided containers. In addition, the Department has utilized a telescoping rod, with a plastic collection bucket, to obtain storm water samples from difficult to access locations in the past. The water was subsequently transferred to laboratory provided containers. The Department recommends that the subject Section be modified as follows:

"Use only the sample containers provided by the laboratory to <u>submit samples for laboratory analysis.</u> ~~collect and store samples. Use of any other type of containers may contaminate samples.~~"

7. Do not overfill sample containers. Overfilling can change the analytical results.

> The above requirement is not correct if the sample container is for volatile organic compound analysis. The sample container needs to be carefully overfilled, to create a meniscus over the top of the container, without spilling water. This is an example of the knowledge required to perform storm water sample collection accurately. Oversimplifying the procedures for untrained personnel and not requiring baseline status facilities to have a QISP overseeing the sampling can result in continued inaccurate sample results. Please refer to the Department's comment regarding Section II.H. of the Fact Sheet. The Department recommends that the subject Section be modified as follows:
>
> "Fill the sample containers considering the water quality parameters being analyzed for. ~~Do not overfill sample containers.~~ Underfilling or o~~O~~verfilling can change the analytical results.

The Department commends the Water Board on their effort and persistence to create the 2013 Draft IGP. The Department supports the Water Board's effort to minimize adverse impacts to storm water quality from industrial facilities in California.

While the 2013 Draft IGP is a good start to that end, and the Department supports many changes from the existing IGP to the 2013 Draft IGP, the Department's comments in this letter convey our opinion that portions of the 2013 Draft Permit should be clarified or changed. The Department's comments are submitted with the intent to create an IGP that is clear in meaning, can be reasonably complied with, and creates a known water quality benefit with justifiable resource expenditure.

If you have any questions regarding the information provided herein, please feel free to contact Todd Shibata of my staff at (951) 486-3200.

Sincerely,

Tee S. Shibata

for Hans W. Kernkamp
General Manager–Chief Engineer

HWK/JRM/ACMD/TDS:tds

PD#141649