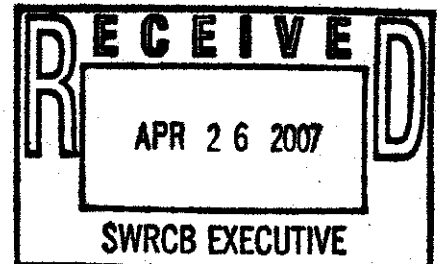


Comments on California Draft CGP – draft 4-26-07 – this is a condensed version of George N's comments – see CGP comments George.doc

Chris Ott
ProTech Services
260 Link Road
Suite E
Fairfield CA 94534

April 26, 2007

Ms. Song Her
Clerk to the Board State Water Resources Control Board
1001 I Street, 24th Floor
Sacramento, CA 95814



Subject: Draft Construction General Permit Comments

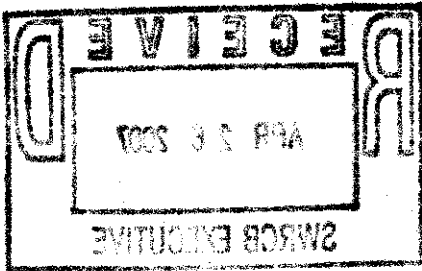
Dear Ms. Her,

Please consider the following comments on the Draft Construction General Permit. As CEO of ProTech Services, specializing in construction stormwater treatment, I believe you will find my comments of interest, especially as related to Advanced Treatment Systems. We have been operating ATSS using polymer coagulants extensively since 1998. This last rainy season we operated nearly 20 systems, at flow rates up to 2500 gpm, and we probably have more experience designing and operating ATSS than anyone else in California.

There are several issues in the proposed CGP that I am concerned with. These relate primarily to the 500 NTU action level and several issues related to ATS design and operation.

The 500 NTU action level has no logical basis. As the proposed action level is written, unless a job is using an ATS (based on questionable soil sampling), it could be discharging 499 NTU water indefinitely. Is this the intention of the proposed CGP? This will clearly result in damage to aquatic life and habitat. Any action level needs to be based on protection of water quality and tied to background levels. This is the recommendation of the "Blue Ribbon Panel". It is the approach used in many regions and states and it is well documented that unless historical water quality data exists for the receiving water body there is no other way to protect aquatic life.

Regarding ATSS, they are a demonstrated method of cost-effectively treating stormwater when conditions require active treatment. However, the proposed method of determining whether to use an ATS based on soil sampling is flawed. Can you please provide the logic behind the "10% of the soil smaller than 0.02 mm" being correlated with stormwater at a turbidity level requiring treatment? While I agree in principle with a soil-related approach, a more rigorous method is required. For example there are soils that may only have 1-2% of very fine clay or



colloidal material that generate high-turbidity, difficult-to-settle water. A simple soil-based method should be used in which representative or composite samples are mixed with water and evaluated for turbidity and settling characteristics. We perform such tests ourselves as our standard operating procedure.

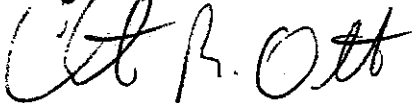
Regarding monitoring the toxicity of effluent water from an ATS, toxicity testing is not appropriate or useful for real time evaluation of effluent. The time required to perform the tests means that any data will be useless in terms of preventing overdosing receiving waters. A real time method of monitoring toxicity is required. Toxicity data can be determined in advance (the data is generally available now for most polymers) and residual chemical levels (that correlate directly to toxicity). We use instrumentation that monitors the level of residual polymer in the ATS, and constantly adjusts dose as required to maintain optimum treatment efficiency and meet water quality standards. This equipment is readily available and cost effective for introduction to the industry and it is not specific to a particular water treatment product.

Additionally regarding ATSs, we have found that the critical element to assure safe operation and protection of water quality is eliminating operator error. An ATS-specific training should be required for all operators. The Northern California Laborers Union now offers a course specific to ATS operators that could be made available throughout the state. Additionally, the use of recently available monitoring technology (system instrumentation tied to web-server control that allows remote monitoring, with alarm notification by cell phone or email) can add significant safeguards to ATSs. I recently gave a demonstration of such a system to several WRCB members. Again, this equipment is readily available and cost effective.

Finally, in addition to minimizing operator error, the potential risk from improperly designed ATSs is significant, to worker safety as well as unintended discharges. Systems should be designed to meet the same engineering standards that municipal treatment plants are, and should include all appropriate safeguards. There should be a requirement that systems be designed by a qualified Professional Engineer and be held to the same high standards of any other civil engineering project.

Thank you for considering these comments. If you or your staff would like to discuss these or any related issues, please contact me directly at 707-337-5533.

Regards,



Christopher R. Ott P.E.
CEO, ProTech Services Inc