



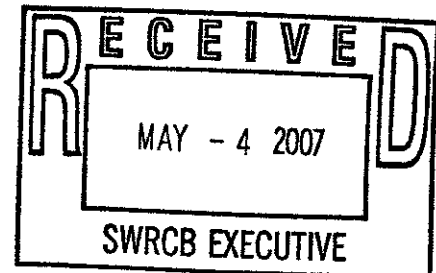
**Pacific Gas and
Electric Company®**

**Construction General
Permit – Stormwater**
Deadline: 5/4/07 5pm

Technical and Land Services (TLS)
3400 Crow Canyon Road
San Ramon, CA 94583
925.820.2000
Fax: 925.866.5681

May 3, 2007

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



Dear Ms. Her:

On behalf of Pacific Gas and Electric Company (PG&E), thank you for the opportunity to provide comments on the Preliminary Draft General Permit for Discharges of Storm Water Associated with Construction Activities. PG&E appreciates the State Water Resources Control Board's (SWRCB) efforts to release this initial preliminary draft general permit. Our detailed comments are attached.

Pacific Gas and Electric Company is the largest combination natural gas and electric utility in California. The company provides natural gas and electric service to approximately 15 million people throughout a 70,000-square-mile service area in northern and central California. Our service area stretches from Eureka in the north to Bakersfield in the south and from the Pacific Ocean in the west to the Sierra Nevada mountains in the east. Our electric service comprises 123,054 miles of electric distribution lines and 18,610 miles of interconnected transmission lines, while our gas service comprises 40,123 miles of natural gas distribution pipelines and 6,136 miles of transmission pipelines. Our hydroelectric system is built along 16 river basins stretching nearly 500 miles from Redding in the north to Bakersfield in the south.

In general, we support many of the changes proposed in the preliminary draft. As an example, the development of a risk-based permitting approach is an excellent approach that can help to ensure that resources are used efficiently and effectively. However, to be effective a risk-based program must properly identify, evaluate and prioritize risks. Our comments outline our recommendations on factors that should be incorporated into the proposed risk matrix along with the suggestion of a sliding point scale.

Again, we appreciate the opportunity to provide the attached comments and look forward to continuing to work with Board to provide additional information regarding our comments and our operations.

If you have any questions please contact Sara Everitt at 415 973 0707.

Sincerely,

A handwritten signature in cursive script that reads "Tammie Candelario".

Tammie Candelario
Senior Director
Environmental and Technical and Land Services

Enclosure

cc: Sara Everitt

Pacific Gas and Electric Company
Comments on Preliminary Draft General Permit for Storm Water
Discharges Associated with Construction and Land Disturbance
Activities

Risk-based Permitting Approach

PG&E supports a risk-based permitting approach in that it allows requirements in a general permit to be set according to factors that are most likely to affect water quality and to focus resources on those construction sites that are at the highest risk affecting water quality.

However, in order for a risk-based approach to work, it is critical that risk be appropriately evaluated. The preliminary draft permit provides a worksheet that while identifying some of the factors related to risk, does not adequately distinguish between low, medium, and high risk projects. The permit documentation does not include any detailed information on how the risk matrix and point allocation were developed. The proposed risk allocation appears to create a bias such that the majority of projects would be medium to high risk.

The matrix should be revised to include a greater number of factors that could affect project risk, as well as a broader spectrum of potential outcomes within each factor. We would suggest a sliding scale base on a point allocation determined by construction activities, seasonal schedule, duration of construction, scheduled proximity to water, topography in relation to water bodies (i.e., downstream/downhill from the water body, vegetation buffer zone, etc.), the amount of exposed soil and time period it is exposed and practices that minimize materials contact with storm water.

Certification/Training Requirements for Key Project Personnel

PG&E supports the need for certification of key project personnel. This requirement will help ensure the development and implementation of consistent, high quality SWPPPs. However, the list of acceptable certifications should be expanded to include Registered Environmental Assessor (REA), Certified Hazardous Materials Manager (CHMM) and other similar environmental professional certifications/ registrations. Consideration should be given to accepting a minimum amount of experience in lieu of certifications.

Storm water training for personnel should not be required to be kept within the SWPPP but should be made available upon request. Our construction personnel often work at several different project sites throughout our service territory. The flexibility to retain their training records at a central facility and provide them to agency personnel when requested would provide sufficient insurance that training was complete without retaining records in multiple locations.

Action Levels (AL)

The Action Level should be set by project site and allow for local background levels and reflect site specific construction activities. For example, if the project does not include concrete work there may be no need to set an AL for pH.

Turbidity

The action level for turbidity is based on an analysis of data representing background conditions and actual construction site characteristics. Typical values for California construction sites are 15 NTU to 16,000 NTU while EPA estimates values for construction sites to be 500 NTU to 15,000 NTU. The variability of turbidity is extreme and the AL value of 500 NTU's appears low and is not reflective of actual conditions as displayed by the range for California construction sites.

TPH

The action level for TPH is based on the operation of a typical oil water separator. It assumes that if tested runoff exceeds the action level that it is due to leaks from construction equipment; however, rotting vegetation and other plant debris such as pine needles could result in exceedence of the action level. We would suggest that as an alternative the action level be based on the local conditions.

Receiving Water Limitations Monitoring and Reporting

Providing limits and sampling receiving water is problematic because in many cases the discharge does not directly enter a water way. It could be to a seasonal channel, percolate to ground water or a lake where sampling up stream and down are not an option.

Alternatives for receiving water limitations need to be developed based on existing background conditions. Additionally, a determination of how receiving water is defined and the ability to monitor the receiving water needs to be addressed

Action Level Exceedance Evaluation Report (ALEER)

The ALEER should not be required if the action level exceedance is not due to a construction related activity. If an ALEER is required projects will be submitting repetitive reports on exceedences that the project is not responsible for and has no control over.

Rain Events Action Plan (REAP)

The REAP appears to be a rain event SWPPP and is redundant. A documented review of relevant parts of the SWPPP as an alternative to the REAP would provide the same protection and would eliminate a redundant plan.

Emergency Construction and Maintenance Projects

The current construction storm water permit includes exemptions for emergency construction and maintenance projects. The revised permit should also include such exemptions clearly within the permit documentation. These exemptions are critical to maintaining our electric and gas system – particularly in an emergency situation such as an earthquake or weather-related outage

New and Redevelopment Performance Standards for Hydromodification Impacts

Careful consideration must be given to whether it is appropriate to include the proposed performance standards for hydromodification impacts. These requirements go beyond the actual construction activity at issue in the SWRCB permitting process and these types of projects are subject to CEQA and other review processes in order to obtain local approval. The proposed standard would likely be confusing and potentially duplicative. If the SWRCB pursues this type of approach, further consideration should be given as to how and when a project would trigger such a requirement. There may be many projects that do not involve permanent hydromodifications and these should be clearly delineated.