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**COMMENTS AND OVERVIEW OF
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
GENERAL PERMIT FOR
STORM WATER DISCHARGES ASSOCIATED
WITH INDUSTRIAL ACTIVITIES NPDES NO.
CAS000001**

On April 17, 1997, the State Water Board issued a statewide general permit for industrial storm water discharges, excluding construction activities, Water Quality Order No. 97-03-DWQ.

The State Water Board has decided that significant revisions to the previous permit were needed to make this General Permit more uniform in its application and more objective in its enforcement.

This General Permit will require Moss Landing Harbor District (MLHD) and other Dischargers to:

- Implement minimum BMPs.
- Conduct monitoring, including visual observations and analytical storm water monitoring for indicator parameters.
- Compare monitoring results for all monitored parameters to numeric action levels (NALs) derived from US EPA's 2008 Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity (2008 MSGP) and California industrial storm water discharge monitoring data.
- Perform the appropriate Exceedance Response Actions (ERAs) if there are exceedances of the NALs.
- Develop and implement storm water pollution prevention plans (SWPPP) that include BMPs that will achieve BAT/BCT and compliance with WQS.
- Eliminate unauthorized non-storm water discharges (NSWDs).

- Certify and submit via the Stormwater Multi Application Reporting and Tracking System (SMARTS) all permit-related compliance documents. The Discharger's Legally Responsible Person (LRP) shall certify and submit these documents which include, but are not limited to Notices of Intent (NOIs), No Exposure Certifications (NECs), Permit Registration Documents (PRDs), SWPPPs, Annual Reports, Notices of Termination (NOTs), Level 1 ERA Reports, Level 2 ERA Technical Reports, and Level 2 ERA Demonstration Technical Reports.

MLHD Comments on Changes to NPDES General Permit

MLHD believes that proposed changes to the general permit will be difficult to achieve and are not applicable to the MLHD industry sector. For example:

- Background/ambient conditions in some hydrogeologic zones may contribute pollutant loadings that would significantly contribute to, if not exceed, the Numeric Action Level/Numeric Exceedance Level (NAL/NEL) concentrations;
- Some advanced treatment technologies have flow/volume limitations as well as economy of scale issues if required;
- Treatment technologies require that sheet flows be captured and conveyed via discrete channels or basins, which not only can result in significant retrofit cost, but many local ordinances prohibit such a practice as it can cause damage or erosion to downstream gradient property owners or cause other environmental problems; and,
- NELs must be developed with consideration of what is economically achievable for the MLHD and other industrial sectors. The US EPA goes to great lengths evaluating the various BMP technologies available for a particular pollutant, the costs and efficiency of each BMP, and the applicability of the BMPs to the industry as a whole or to a limited number of industrial sites based upon the size of the facility, the quantity of material, and other considerations. These methods should be applied to these proposed changes in the general permit as well.

Because of the above reasons, MLHD does not believe it has the information and resources necessary (monitoring, industry specific, BMP performance, water quality information, monitoring guidelines, costs, and overall effectiveness) to promulgate NELs at this time.

If implemented two major requirements added in this draft permit that provide this new information are:

(1) the new training requirements (Qualified Industrial Storm Water Practitioners (QISPs) I, II, III) and,

(2) the new ERA framework that requires the submittal of Level 2 ERA Technical Reports, and Level 2 ERA Demonstration Technical Reports (Section XVII.E of this General Permit), which are designed to provide the State Water Board with information that will assist in determining the best approach towards developing effluent limitations in subsequent reissuances of this General Permit.

MLHD believes that both of these requirements are unnecessary and will be an unreasonable financial burden on the harbor district.

Sincerely,
Moss Landing Harbor District

A handwritten signature in cursive script, appearing to read "Linda G. McIntyre". The signature is written in black ink and is positioned above the printed name and title.

Linda G. McIntyre
General Manager

LGM/mdm