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March 4, 2014

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



COMMENTS ON THE FINAL INDUSTRIAL STORMWATER PERMIT; WATER QUALITY ORDER 97-03-DWQ

- 2.1 1. The Water Board is ignoring Federal requirements that require no less than 30 days to comment on reissuance of an NPDES permit. The shortened comment period of 15 days is not sufficient to allow the public to adequately comment on the proposed revisions. This is especially critical given the Water Board has indicated that only those changes shown in “redline/strikeout” are available for comment. However, the Fact Sheet has not been redlined/struckout to show all numerous changes in the fact sheet to insert words or otherwise change the previously issued fact sheet. A 15 day comment period is not enough time for the affected public to prepare adequate comments.

- 2.1 2. There are two areas of the permit where the follow language appears:

“ When developing the next reissuance of this General Permit, the State Water Board expects to have a better understanding of the feasibility and benefits of sector-specific and watershed- based permitting approachesalternatives.”

This statement references watershed-based permitting alternatives. Given there is no regulatory definition of “watershed-based permitting” the regulated community has no basis to determine what the intent of this statement is. There could be two different meaning (or perhaps more) and my concern is that the Water Board is once again attemption to apply receiving water quality standards to an entire geographic watershed, regardless of the whether the discharges are direct or indirect into a specific receiving water body. The Water Board must define what the intent of this statement is and define what the term “watershed-shed based permitting” is.

- 2.2 3. Section VII, item B (3) states that permittee must “ *Demonstrates the discharge of any listed pollutant-discharge will not cause or contribute to an exceedance of a WQSwater quality standard. This is demonstrated if: (1) the discharge complies with water quality standards WQS at the point of discharge, or (2) if there are sufficient remaining waste load allocation WLAs in an approved*” This language must be modified to indicate that water quality standard must be meet at the point of

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4. discharge into the receiving water. Regional Board staff are frequently attempting to WQS at the point of discharge anywhere in the watershed regardless if the discharge is indirect or direct and whether it's actually into a receiving water which has an established WQS or impairment.
- 2.3 5. The Final document included an entire new appendix (Appendix 3) which has not been through previous public review. There is should be an extension granted to the affected community to review and comment on that appendix because inclusion of a new appendix is not a "minor" revision.

Sincerely;



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