

NUTRILITE

A DIVISION OF ACCESS BUSINESS GROUP

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February 1, 2005

State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

SPECIAL HEARING

2/3/05

cc: BD, DI, DWQ

e-cys: BD, CC, HMS, TH, CMW

Subj: Reissuance of the National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water Associated With Industrial Activities (Industrial General Permit)

Director, State Water Resources Control Board,

Access Business Group Inc, Home of Nutrilite Products has been involved in the Storm Water Program since its inception and currently operates under the National Pollutant Discharge Elimination System Industrial General Permit.

We are responding to the request for comments on the draft proposal for the new Industrial General Permit including Storm Water Pollution Prevention Plan (SWPPP) and monitoring requirements, and the implementation of Phase II Conditional Exclusion certification.

The following comments are submitted:

The use of USEPA benchmark values as a means to determine storm water discharge violations would require the storm water discharge to be cleaner than the current USEPA Secondary Drinking Water Standards. In addition, the use of these benchmarks will result in an additional cost burden for the business community and the Regional Water Quality Control Board. Also, these benchmarks would provide no real benefit to the environment and attempts to comply with these benchmarks would also be infeasible, there has been no indication that the technology exists to achieve such compliance.

The benchmark standard for TSS in some areas is currently difficult to manage due to site locations. Locations near agricultural sites, construction sites, railroads, heavy traffic areas and high winds areas normally see a high TSS reading in their required two storm water samples. Therefore, exceeding the TSS level would require two additional samples to ensure compliance (significant cost to business) and a report to the RWQCB within 30 days (administrative burden to business and RWQCB). In addition, it would be impossible to certify that exceeding the TSS level will not reoccur again as required in Section V.7.

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Establishment of a minimum Best Management Practices (BMPs) would result in a costly program for the state to enforce. In some areas minimum BMPs would be difficult for business to comply with, without increasing the cost burden to the business and would result in costs passed on to the consumers.

The new requirement of adding weekly inspections and inspections prior to an anticipated storm event, in addition, to the current inspections requirements is unnecessary.

Many businesses in California currently have to comply with Air Quality Management Rules and Regulations as well as EPA Title V requirements. The increase responsibilities for Storm Water may require businesses to hire additional Environmental personnel.

Based on the questions asked in the No Exposure Certification, it is almost impossible for any business to answer "yes" to all eleven questions. Again, this will result in some businesses having to hire additional environmental personnel along with the cost of developing and maintaining an effective SWPPP.

We strongly recommend that this NPDES Industrial General Permit not be issued and that it be sent back for further review to determine if threshold levels can be attained and maintained while keeping the cost burden to business, Regional Water Quality Control Board and the state to a minimum.



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