



September 18, 2013

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



Transmitted via Email to commentletters@waterboards.ca.gov

Re: Comment letter – 2013 Draft Industrial General Permit

Dear Ms. Townsend,

Ashworth Leininger Group (ALG) would like to take this opportunity to provide comments to the 2013 Draft Industrial General Permit. ALG is an environmental consulting firm which provides assistance to various facilities within California regarding storm water and various other environmental issues.

This comment seeks clarification regarding sources/discharges that have the potential to meet both the definition of an authorized Non-Storm Water Discharge (NSWD) and Industrial Materials and Activities. This clarification is important to evaluate the eligibility for No Exposure Certification (NEC) under the 2013 Draft Industrial General Permit.

Issue

Section XVII.A allows a facility to qualify for NEC if there are, among other requirements, no exposures to Industrial Materials and Activities, if all unauthorized NSWDs have been eliminated and all authorized NSWDs meet the conditions of Section IV.

“Windblown mist” generated from a cooling tower is listed as an authorized NSWD in Section IV.A.7:

... Incidental windblown mist from cooling towers that collects on rooftops or adjacent portions of your facility, but not intentional discharges from the cooling tower...

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While the cooling tower mist is classified as an authorized NSWD, the source of the mist may *also* meet the definition of Industrial Material or Activity, as defined in Section XVII.B.2:



... includes, but is not limited to, material handling activities or equipment, industrial machinery, raw materials, intermediate products, by-products, final products, and waste products.

As authorized NSWDS are allowed at NEC facilities, and exposed Industrial Materials and Activities are not permissible at NEC facilities, this affords some confusion.

Comment

If clarification was to be added to Section XVII.B.2 (and Appendix 2) to specify that Industrial Materials and Activities do not include sources of authorized NSWDS, the current conflict in the regulation for activities which may currently fall under both regulatory definitions would be resolved. Alternatively, if the Board considers the definition of Industrial Materials and Activities to include cooling towers, then Section XVII.D should be amended to state sources of authorized NSWDS do not require storm-resistant shelter.

This clarification would be consistent with the Water Board's view that when best management practices are in place, discharges from authorized NSWDS do not contain significant quantities of contaminants.

Please call me at 805.764.6005 should you have any questions regarding our comment. We look forward to your response.

Regards,

A handwritten signature in black ink, appearing to read 'Jayme Dryden', is written over the typed name.

Jayme Dryden
Environmental Engineer