



TO: State of California

FROM: John R. Esparza, Supervisory Chemist, USACE,
Sacramento District

DATE: 9/18/13

SUBJECT: **Comment Letter - Industrial General Permit**

1. Gen. Permit. Section B(2) - use construction definition and 50% Probability per NOAA?
2. Gen. Permit. Section B(5)(d) - The following appears to be an incomplete sentence: "Parameters indicating the presence of industrial pollutants that may be causing or contributing to an exceedance of a water quality standard in the receiving waters".
3. Gen. Permit. Section XII(A)(1)(b) - "An instantaneous maximum NAL exceedance occurs when two or more analytical results for TSS, O&G or pH from samples.....". Does the 'two or more' analytical results apply to the same sample location or to all sample locations in the entire facility?

Case 1: Sample Point 1 TSS and O&G exceed NAL. Therefore considered an 'instantaneous maximum NAL exceedance'.

Case 2: Sample Point 1 TSS result exceed NAL. No other results exceed. Sample Point 2 O&G result exceeds NAL. No other results exceed. (Note: Sample point 2 represents a different industrial activity than sample point 1). Not considered an 'instantaneous maximum NAL exceedance' as 'two or more' analytical results (from same sample location) did not exceed an NAL. Please confirm.

4. Gen. Permit. Section (I)(D)(29) - Revise this section by citing section IV of the general permit.