



Reference: 005000

February 2, 2005

Ms. Debbie Irwin, Clerk to Board
State Water Resources Control Board
1001 "I" Street, 24th Floor
Sacramento, CA 95814



SPECIAL HEARING
2/3/05

cc: BD, DI, DWQ

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

Subject: Comments Regarding The Draft General Industrial Storm Water Discharge Permit

Dear Ms. Irwin:

Thank you for considering our comments and concerns regarding the draft General Industrial Storm Water Discharge Permit.

As senior engineers and technicians working as consulting engineers and geologists with municipal, industrial, and private landowners, we are involved in storm water planning and erosion control management, including completing SWPPPs/SWMPs, SPCC Plans, Hazardous Material Business Plans, Erosion Control Plans, NPDES and WDR Permitting, on-site training, inspections, observations, sampling, facility evaluations, and implementation of BMPs.

We assist our clients with understanding, compliance monitoring and reporting, design and implementation of BMPs and design and construction of pollution control and remediation systems for a variety of waste streams in the North Coast and Northern Central Valley of California. It is imperative for our clients that each step in the process is efficient and produces a positive result for pollutant reduction. To that end, any minimization or reduction of a pollutant is better than no action or the economic forcing of a generator to be in non-compliance.

Most of our concerns are with the benchmark limits that will be set forth to determine if it is scientifically feasible to establish storm water effluent limitations for storm water discharges from an industrial facility, and possibly adopt these benchmark levels into the following general permit.

- **Benchmark Limits.** The SWRCB has indicated that the benchmark limits can generally be viewed as representative of what is minimally achievable through implementation of BMPs. Additionally, these benchmarks are not numeric storm water effluent limitations, are not related or necessarily protective of any specific receiving water, and exceedance of these benchmarks is not automatically considered a permit violation. The SWRCB also believes that a significant majority of dischargers should be able to develop appropriate BMPs without costly quantitative sampling and analysis; however, it was also recognized that there are many problems and difficulties in establishing numeric limits for storm water discharging off large industrial sites. In addition, there is high variability in sampling results collected in the wet season, and from different areas and localities.

The draft general permit indicates that when one specific benchmark is exceeded, then the discharger will be required to sample the next 2 consecutively qualifying storm events, revise

The draft general permit indicates that when one specific benchmark is exceeded, then the discharger will be required to sample the next 2 consecutively qualifying storm events, revise the facility SWPPP, and establish an implementation plan and schedule for the BMPs that will be used to meet the set limits. This may include several iterations and (possibly) treatment. In particular, the benchmark value of 100 mg/L of Total Suspended Solids is considerably low, and may be exceeded several times during a wet season. Some of the metal concentrations may also be higher in background levels at different sites and regions than others, causing exceedance and more sampling, evaluations, and additional BMPs. In addition, the general permit will require facility observations before every storm event.

These changes will increase the time, effort, and cost that each facility will need to devote to their storm water planning. It appears that a full-time person will be needed at many facilities to inspect, monitor, report, and implement changes. The sampling, laboratory, reporting, and BMP implementation costs will also increase storm water-planning budgets. We believe that a cost benefit analysis should be performed at each site to ensure that these expenditures result in a significant increase in environmental protection.

- **Geologic and Seasonal Variations.** The general permit should take into account regional variations in geology (chemical and physical characteristics of naturally occurring "pollutants," and total annual, seasonal, and intensity/ duration rainfall events). Realistic benchmark levels for a specific region's seasonal period can only be realized as data is properly collected and analyzed over the first few years of the proposed plan to allow for long-term compliance with, and acceptance of the process. Regulatory enforcement action should be commensurate with the level of knowledge of regional and seasonal, naturally- and non-naturally-generated pollutants, and the ability of the generators to work with the RWQCB in compromised situations.

Thank you for your consideration of our comments. Please contact either of us at 707-441-8855 if you have any questions or would like to discuss them.

Respectfully yours,

SHN Consulting Engineers & Geologists, Inc



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