



CITY OF LOMPOC

#23



September 18, 2012

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

Subject: Comment Letter – Industrial General Permit

Dear State Water Resources Control Board Members:

As a permit holder on four industrial sites (Airport, Corporate Yard, Landfill and Wastewater Reclamation Plant), the City of Lompoc has a strong interest in ensuring the provisions of the Industrial General Permit are feasible and achievable.

The City is ¹ concerned with the cost of new and additional requirements imposed by the proposed permit. The doubling of monitoring costs, the need for specially qualified staff and/or consultants to write the eight (8) new individual reports that can be required under the new permit and the additional record² keeping required, will add significant cost in time, staff and equipment to the new permit. ³ These additional requirements have not been shown to be necessary to protect water quality. It is important to remember the Industrial Storm Water permit regulates not only large businesses, but local government, which is less able to address significant changes in permit requirements, due to lower staffing and funding levels and the passage of Proposition 218 in 1996.

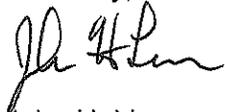
³ Significant additional funds will be needed to provide the required training of staff to Qualified Industrial Stormwater Practitioner (QISP) I, II, and III levels, or to hire consultants with these qualifications to prepare required reports.⁴ It is important to ensure the QISP I requirements allow existing industrial permitted sites to utilize experienced staff most familiar with the site and its operations to prepare the site's Storm Water Pollution Prevention Plan (SWPPP). This will ensure the SWPPP development process will be more efficient and better tailored to each use and site.

⁵ The City objects to the designation of Numeric Action Levels, as proposed. The use of benchmark values from the United States Environmental Protection Agency's (EPA) Multi-sector General Permit for Storm Water Discharges Associated with Industrial Activity as General Numeric Action Levels for all permitted Industrial sites is inconsistent with the intended use of these benchmarks. The benchmarks, now proposed as Action Levels, were intended to indicate when an evaluation of a site's discharge should be undertaken. In this context, Action Levels need to be clearly ⁶ defined and described as evaluation indicators, so they do not become defacto effluent levels. ⁷ It is not clear these benchmark values have been determined to be appropriate for each regulated industry, physical plant location and type. Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) can be vastly different for each site, depending upon a facility's function, regulatory framework and location and topography. The permit and its Action Levels must be fluid enough to fairly address these individual permittee differences.

Each of the additional requirements imposed by the Draft Industrial General Permit will come at significant cost to the industrial permittee. This will be combined for small municipalities with the additional costs and requirements imposed by both the MS4 Permit and the Construction General Permit, at a time when local governments are unable to fully fund basic City services. The current economic situation, combined with the new requirements, calls into question the feasibility and achievability of the draft permit's requirements.

Thank you again for the opportunity to comment on the Draft Industrial General Permit.

Sincerely,



John H. Linn
Mayor, City of Lompoc

cc: Lompoc City Council
Laurel M. Barcelona, City Administrator
Teresa Gallavan, Economic Development Director / Assistant City Administrator
California State Senator Tony Strickland
California State Assemblyman Katcho Achadjian