

California Refuse Removal Council
Southern District

September 9, 2005

Mr. Bruce Fujimoto, Chief
Storm Water Program
State Water Board
P.O. Box 100
Sacramento, CA 95812-0100

Subject: Panel to Consider Changes to the National Pollutant Discharge Elimination System General Permit for Discharges of Storm Water Associated with Industrial Activities

Dear Mr. Fujimoto,

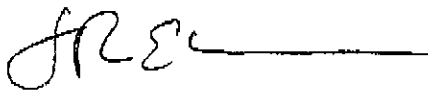
The purpose of this letter is to provide comments from the California Refuse Removal Council (CRRC) on the Panel discussion regarding the above referenced storm water regulations. We understand that the State Water Resources Control Board (Board) has convened a Panel of experts to hear from technical representatives on September 14, 2005, about the "feasibility" of a potential storm water regulation that would include numeric storm water discharge limits. As we understand, the Panel will then meet the following day to discuss the issue and create a white paper on the subject. We are submitting this comment letter for the panel's and your consideration as you prepare to write the proposed white paper.

CRRC is a statewide refuse industry organization that represents over 100 private companies throughout the State of California. CRRC is very concerned about the Board's consideration of establishing numeric limits under the NPDES general permit for discharges of storm water associated with industrial activities. Our companies recognize the Board's desire to consider moving towards numerical limits for storm water discharges. We also understand that the State Board is desirous of a mechanism for evaluating Best Management Practices ("BMPs"). As the State Board has previously recognized, the existing BMP-based approach and iterative process for demonstrating permit compliance already provides this mechanism. However, we must disagree with the State Board's use of the U.S. Environmental Protection Agency ("EPA") benchmarks in a way that essentially employs them as numeric limits, as a rigid measure of a discharger's compliance. We believe that numeric limits would create a new, potentially never-

ending corrective action loop triggered by exceeding the EPA benchmarks. We strongly feel that without additional research and a more solid basis for these benchmark standards it is premature and inappropriate to establish numeric discharge limits. It is simply unrealistic to assume that a single numeric value for a particular constituent can possibly be reasonable applied to all forms of industrial discharges in a wide variety of watersheds and conditions throughout the state. As an example we believe that if the State Board were to review runoff data from many natural areas of the state during the first hour of significant storm events you would find that there would be many situations that natural conditions far exceed the proposed benchmark standards.

Thank you for the opportunity to present our comments on the Panel discussion topic of the proposed storm water regulations and to participate in the public discussion of this very important matter. We look forward to attending and participating in the Panel discussion next week on September 14, 2005. Please do not hesitate to contact the undersigned at (949) 581-3222 if you have any questions or comments about this letter or the attachments.

Respectfully Submitted,
California Refuse Removal Council



John E. McNamara, R.G./C.E.G.
Regulatory Affairs

cc: Mr. Rick Wade/ CRRC Southern District