

WGR

Southwest, Inc.

September 13, 2005

Storm Water Panel of Experts
State Water Resources Control Board
P.O. Box 1977
Sacramento, CA 95812-1977

**RE: Consideration of Numeric Effluent Limits for
Construction, Industrial, and Municipal General NPDES Permits
Meeting of Storm Water Panel of Experts
September 14 and 15, 2005 in Sacramento, California**

Dear Panel of Experts:

WGR Southwest, Inc. (WGR) is an environmental consulting firm that assists a variety of clients with their storm water compliance programs. Our clients include organizations that have construction, industrial, and municipal general NPDES permits. We assist these clients with developing and implementing their Storm Water Pollution Prevention Plans, best management practices (BMPs), and monitoring programs. We also evaluate their storm water discharge data and the effectiveness of their BMPs. We have the advantage that many do not have of being able to view the performance of storm water compliance programs for a wide variety of dischargers over an extended period of time, in some cases, since the original Industrial General Permit was issued in 1992. Therefore, based on our experience, we would like to provide the following comments concerning the use of numeric effluent limits in these three general NPDES permits.

Comment # 1:

We do not believe that numeric effluent limits in the general permits for storm water runoff are consistent with the intent of the Clean Water Act nor with previous guidance provided by the USEPA. Our understanding of the Clean Water Act and previous storm water general permits in California and other States (including the Federal Multi-Sector General Permit), is that they take a more regional approach at protecting the quality of the receiving water and not regulating each individual discharge. We believe that the Clean Water Act is adequate for this purpose and has a mechanism to accomplish this through the provision

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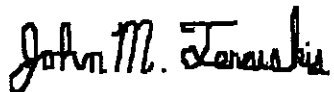
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while another discharger who presents a greater threat to the receiving water is not penalized because their early runoff quality is relatively good. We see it as very problematic to have effluent limits that are applied to all dischargers based on a set sampling protocol, when, as the State has suggested in its proposed renewal of the Industrial General Permit that there are "*difficulties in monitoring such intermittent discharges*" for the "*widely variable flows associated with storm water*".

In closing, we request that the State refrain from the temptation to take the easy route (easy for the State – that is) by adopting numeric effluent limits, but rather stick to the course already established by the Clean Water Act and focus on TMDLs and specific receiving water quality standards.

Thank you for the opportunity to provide these comments. If you have any questions or would like to discuss them in more detailed, please do not hesitate to contact me.

Respectfully Submitted,
WGR Southwest, Inc.



John M. Teravskis
Compliance Specialist
Registered Environmental Assessor, No. 06085

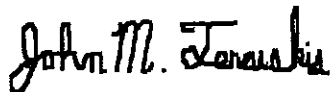
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