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State Water Resources Control Board

TO: Kurt V. Berchtold
Executive Officer
Santa Ana Regional Water Quality Control Board

FROM: 
Thomas Howard
Executive Director
STATE WATER RESOURCES CONTROL BOARD

DATE: October 21, 2011

SUBJECT: METAL RECYCLERS STORM WATER PERMIT

On October 28, 2011, the Santa Ana Water Board will consider the adoption of a sector specific general storm water permit for metal recyclers. I believe the adoption of such a permit raises policy and fiscal issues that merit review by the State Water Board.

As you know, the State Water Board adopted a statewide general industrial storm water permit some time ago, and it is presently in the process of revising and readopting the permit. There are several advantages to adopting a single statewide general permit, including a level playing field for all industrial facilities in the state and a more efficient regulatory process. Multiple general permits have both direct costs associated with permit development and induced costs associated with management of multiple permits. Some regional water boards have elected to adopt individual storm water permits for facilities that pose a particularly acute water quality threat, and the State Water Board has supported this approach. However, I believe this is the first time that a regional water board has elected to adopt a general storm water permit covering multiple facilities.

The fact that the permit is sector specific raises policy issues as well. For some time, there has been recognition that sector-specific permits may be a preferable permitting approach for storm water regulation. Sector-specific permitting may result in more precise designation of management measures and better control of storm water discharges. If this is true in this case, the State Water Board may want to adopt the subject permit on a statewide basis rather than have it apply only regionally.

Please feel free to call me at (916) 341-5603 if you have any questions.

CHARLES R. HOPPIN, CHAIRMAN | THOMAS HOWARD, EXECUTIVE DIRECTOR

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