
From: Anna Le May <alemay@candffirm.com>
To: <MAdackapara@waterboards.ca.gov>
Date: 10/24/2011 5:28 PM
Subject: Comments to the 5th Draft of the Scrap Metal Permit
CC: <wfunderburk@candffirm.com>, "Simpson, Tim" <Tim.Simpson@amec.com>

Dear Mr. Adackapara:

Our office represents the Paper, Glass, and Plastic Recyclers Monitoring Group ("PGPRMG"). We have several comments pertaining to the 5th draft of the Sector-Specific General Permit for Storm Water Runoff Associated with Industrial Activities from Scrap Metal Recycling Facilities within the Santa Ana Region ("Scrap Permit").

1. As a preliminary matter, PGPRMG respectfully requests two changes pertaining to the definition of "Permittees". First, PGPRMG requests that rather than mandating an exclusion in this definition, the Scrap Permit instead provide an option for the "recycling facilities commonly referred to as material recovery facilities that only receive recyclable materials, primarily from non-industrial and residential sources, where no processes are performed on metal scrap other than sorting, compaction, storage and transport." As such, PGPRMG requests that these recycling facilities have the option of whether or not they would like coverage under the Scrap Permit or California's General Industrial Stormwater Permit.

On a similar note, the PGPRMG requests that the exclusion (or option as described above) be expanded to include other types of recycling facilities, rather than solely material recovery facilities, including, but not limited to: buy-back centers and traditional commercial/industrial recycling facilities that only receive recyclable materials, primarily from non-industrial and residential sources, where no processes are performed on metal scrap other than sorting, compaction, storage and transport.

2. In addition, the PGPRMG respectfully requests that the Santa Ana Regional Water Board consider the proposed language for the third sentence of Section III (D.8) (page 27):

"Once the Phase III Corrective Action Plan is fully implemented, the Permittee will be considered to be in compliance with (1) the BAT/BCT effluent limitations and discharge specifications specified in this Permit; and (2) the Receiving Water Limitations provision in subsection III(H) of this Permit."

It appears that this proposed language is consistent with section II(I) Receiving Water Limitations (p. 12) that states "[d]ischarges from permitted facilities that cause or contribute to a violation of water quality standards are prohibited. The Permittees are required to meet water quality standards in the receiving waters through implementation of BMPs through Option 1 or through other treatment controls in Option 2."

In addition, it appears that this proposed language is consistent with section II(D) National Toxics Rule and California Toxics Rule (p. 8) that states "NTR and CTR are blanket water quality criteria that apply to all surface water discharges. The Regional Board believes that compliance with Water Quality Standards through a combination of effluent limits based on numeric effluent limits, numeric action levels and implementation of BMPs is appropriate for regulating storm water runoff from industrial facilities."

Thank you for your time and consideration.

Sincerely,

Anna Le May

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