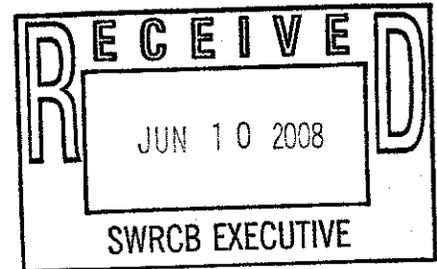


Center for Environmental Compliance
National Stormwater Center™
7000 SE Federal Hwy., Suite 303
Stuart, Florida 34997

Phone: (888) 288-6852
Email: John@NPDES.com
Web: www.NPDES.com

June 10, 2008

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



Delivered by Fax to (916) 341-5620 (fax) and by
Email to: commentletters@waterboards.ca.gov
Subject: Comment Letter – Draft Construction Permit

Attached are the comments of the Center for Environmental Compliance, Inc., DBA the *National Stormwater Center*.™ The Center is a not-for-profit corporation and operates as authorized under Section 501(c)(3) of the IRS tax code. The Center provides professional certifications, training and informational services.

The Center submitted comments on the previous draft construction permit and made presentations at the May 2007 and June 4, 2008 public hearings. Our previous comments continue to be our opinion. Our new comments are intended to focus only on the proposed training requirements.

A handwritten signature in black ink, appearing to read "John P. Whitescarver".

John Whitescarver
Executive Director
National Stormwater Center™

Comments on the California Draft Construction Permit

Draft permit Date: March 18, 2008
Comment Due Date: June 11, 2008

The National Stormwater Center™ (Center) responded to the previous draft construction permit. Those comments supported the use of performance standards in permits including numeric and visual evidence. Also, our comments and our presentation at the 2007 public hearing supported the proposed certified training program and detailed the National Stormwater Center's certification program.

Therefore, we were surprised to see that Sections VIII. J (Training and Qualifications) and IX A. 4 (Qualified SWPPP Practitioner) appears to exclude the Center from the SWPPP Practitioners certification process.

Recommendations: SWPPP Practitioner Training

1. Instead of selecting a single company to teach the SWPPP Practitioner course, the Board should qualify instructors based on experience and ability to deliver a quality course.
2. To facilitate implementation the State Board should develop a topical outline of this Course. This approach would allow the initial instructors to develop presentation materials. Making these materials available to the State Board could be used to refine and improve the course.
3. The State Board should develop a series of tests. Changing the test is essential because they cannot be kept confidential.
4. Classes should be spot monitored by the State Board.
5. The Florida Department of Environmental Protection (FDEP) course has a training and certification process that could serve as a model. The State has qualified 19,000 inspectors for construction activities. The FDEP training course was primarily erosion and sediment control but is now considering additions of items addressing the appropriate elements of the NPDES program. The contact is Heather Ritchie at (850) 245-8294 and the web site is <http://www.dep.state.fl.us/water/nonpoint/erosion.htm>
6. In the interim until specific SWPPP Practitioner training is in place and implemented, there is an acknowledgment in the Preamble that CSI certification will initially meet the SWPPP Practitioner training requirement. This acknowledgment should extend three years beyond the date that SWPPP Practitioner course becomes available. Such a transition period would reward those who obtained formal training before it was required. This would also encourage individuals to pursue training prior to the SWPPP Practitioner course becoming available.

Certified Stormwater Inspector (CSI) Course

We have certified 700 inspectors from 31 states and Puerto Rico, including 259 in California. Certified Stormwater Inspectors in California are listed in **Attachment A**. The purpose of the training is to establish through class instruction and testing, that the student has the knowledge of permit requirements and appropriate best management practices. Students must make at least a 75% passing grade on a 100-question test.

The certification is evidence that the inspector is "qualified" in accordance with the required certification permit compliance activities.

Attachment B is the curriculum for the CSI course. While the course is taught in many states, the instruction is in the specific state issued permits. All CSI graduates understand industrial, construction and municipal permits. It is important that inspectors understand the relationship between permits. The typical CSI announcement is **Attachment C**

The CSI Instructors

John Whitescarver was on the initial EPA team that developed the NPDES program. He served ten years in the Office of General Council and the Office of Water. He is an instructor for the Florida Erosion and Sediment Control course and is currently assisting the FDEP to revise the course and the examination. He has a BS and an MS in Civil engineering and is board certified as a *Qualified Environmental Professional* by the Institute of Professional Environmental Practice.

David Lyons is a registered professional engineer with thirty-six years of state and federal environmental protection experience including twenty-nine years for the U.S. Environmental Protection Agency with national program management responsibility in permitting, compliance inspections, compliance assistance and enforcement. He was on the initial EPA team that developed the NPDES program. He has assisted in the development of protocols and forms used to conduct NPDES Compliance Evaluation Inspections in California and Hawaii under EPA Region 9 contracts. He serves as the chief trainer and mentor for junior staff conducting inspections. David has conducted more than 160 inspections in support of the EPA contracts.

Fred Heitman is a national water quality expert. He served as Head of Water Quality Enforcement for the Oklahoma Water Resources Board. Mr. Heitman holds a certification for Erosion Prevention and Sediment Control from the states of Tennessee and Florida. Serving as a consultant to EPA Headquarters in Washington, D.C., he instructed EPA and state permit officials in (1) Water Quality-based Permit Limit Development, (2) Effluent Toxicity Testing Methods, and (3) the NPDES Permit Writers Course. Fred is a Certified Fisheries Scientist, and is past president of the Southern Division American Fisheries Society.

Request for Involvement in Course Development

We request the National Stormwater Center be included developing and implementing training for SWPPP Practitioner. One of our instructors, David Lyons, has extensive background in NPDES compliance, enforcement and inspector training. We recommend you use his services on the SWPPP Practitioner Training group.

California Graduates of the National Stormwater Center's Certified Stormwater Inspector Training

Larry Andicochea
Robert Andrade
Scott Arcoraci
Tracy Arensburg
Scott Armstrong
David Armstrong
Brian Ball
Karen Baroldi
Matt Baroni
Tommy Barrett
Joe Betancourt
Bill Beutecale
John Bickel
Stephen Bledsoe
James Bonelli
Kevin Bonner
Joshua Bowling
Gerald Brown
Lori Bruce
Alma Bryant
Chuck Bryant
Richard Burgi
Miriah Caldwell
Mike Caliendo
Susan Calvin
Doug Cameron
Ross Campbell
Nelson Cancio
Scott Cannatelli
Gil Carrillo
Heather Carrillo
Deborah Carson
Chuck Casey
Paul Castillo
Clarence Chance
Les Chapman
John Chavez
Cliff Clark
Chris A. Clark, Sr.
Cori Cline
Mark Codd
James Coler
Wayne Collins
Bruce E. Cook
Jim Cooper
Roger Core
Ray Correale
Andrew Cortez

Patrick V. Cuesta
Keith Cummings
Cameron Damskov
Jeff Davies
Jim Davis
Craig De Young
Reggie Decker
Sonia Delgado
Keith Des Laurier
Ronald Di Pietro
Jennifer DiCiano
Mark Drollinger
Lloyd Duggins
Dan Duncan
Oriana Duranczyk
Frank Durazo
Marvin Dykes
Marco Early
Linda Edmond
Austin Edwards
Christopher T. Elliott
Ken Elliott
George Ellis
Glenn Ericson
Luis Esparza
Anthony Esparza
Brent Evins
Duffy Exon
Brendan Farrelly
John W. Filipoff
William T. Fletcher
Patty Forbes
Kathi Freaner
Ron Freeman
Steve Gailey
Gary Gauger
Nelson George
John Gilbert
Robert Glaser
Steven Glenore
Raul Gonzales
Paul Gonzales
Brett Gray
Robert Gremmels
Allison Gutierrez
Carlos Gutierrez
Peck Ha
Tim Hall

Ed Hall
Cory Hammond
Virginia Hanawalt
Barry Hanes
Jess Hernandez
Mike Herren
Randy Herrington
Thin-Yi Hlaing
Jim Horner
Loriana Hornik
Linda Isakson
Teresa Jakeway
Mike James
Michael James
William L. Janes Jr.
Richard Jennings
Chandra Johannesson
Adam Jurgens
Janet Keith
Brian Kelly
Mike Kennada
Andrew Kennedy
Michelle Kincaid
Gerald Kirkpatrick
Gary L. Knebel
Jim Knight
Donna Knott
Jerry Kotysan
John Kulluk
Corey Ladd
Drew Lander
Judy Lang
Mary A. Larson
Van-Anh T. Le
Mark Lemire
Albert Y. Leung
Raymond Leon Lewis
Corwin Lewis
Tom Liebst
Mike Lindsay
Cory Lindsey
James Lizardo
Wendell Locklin
Pedro Lopez
Pam Lucado
Bruce. Lund
Donald A. Madden
Jerry Marcus

California Graduates of the National Stormwater Center's Certified Stormwater Inspector Training

David Marin
Timothy S. Marker
Galen Martens
Ron McEuen
Ronald McGillivray
Michael W. McGrath
Julie Mikesell
Sofia Miranda
Derric Jackson Morgan
Carl Jackson Morgan
Craig Morton
John Mulligan
Cliff Naber
Molly Nabi
David Nageotte
Jane Nelson
Mikal Nicholls
Jeff Nickel
Mark Norman
Jeff Norton
Anastasia Nycum
Mike O'brien
Logan Olds
John Olsen
Tvedt Olson
Chris Orsolini
Alicia Ortiz
Frank Owsiany
Rollie Parducho
Eugene Parker
William Payne
Warren Pedersen
John Perrone
Mick Phillips
Patrick Pike
Ray Pitt
Lee Poet
Jeff Pool
Kathleen Pool
Cameron Powell
John Pumphrey
Jamiann Questa
Greg Rains
George Raley
Jose Ramirez
Ricco Ramirez
Scott Rapp
Kazi Rasheedi

Richard Ravin
David Redden
Robert Reinero
Michael Reyes
Keith Riedeman
Karen Riley-Olms
Rick Rodriguez
Gabriel Rodriquez
Eduardo Ronquillo
Donald A. Roos
Bob Royat
Tony Sanders
Steven Sarantopoulos
Steve Savage
Gina Scachetti
Chad Schmidt
Cameron Sessions
Ken Shaner
Damon Shields
Lydia Sizelove
Clint Smith
Thomas Smith
Rich Snyder
Abayomi Sonuyi
Christopher J. Spek
Richard Stanford
David Stenke
Mike Stephenson
David Stevens
Molly Stewart
Marjorie Stinson
Cort G. Stoskopf
Robert Stoudt
Dave Stroh
Bikky Summers
Jeff Swanson
Dennis D. Swickard
Frank Takahashi
Tom Taylor
Dennis Taylor
Matt Thompson
James Thompson
David Timber
Stephen Tindle
Barbara Tipton
Jack Trevino
Delana Triplet
Richard Vagts

John Vance
Vince Vitalie
Michael A. Volpone
Ralph Walker
Tekara Wash
Justin Waters
Mike Wathen
John Weldy
Michelle White
Jon Williams
Kirk Williamson
Panda Workman
Ching Yee
Raffie Yermian
Benny Robert Mendez
Felipe Sanchez
Carlo Sebastian

National Stormwater Center

Day 1 EPA & State Storm Water Permitting

Clean Water Act

- Cuyahoga River
- NRDC Role
- Sections of the Act
- NPDES Programs
- Water Quality and TMDLs

Permit Coverage

- Issues General to All Permits
 - Who Obtains the Permit
 - Permit Dates
 - Discharges
 - Allowable Stormwater Discharges
 - Allowable Non-Stormwater Discharges

Coverage

- Industry Sectors
- Construction
 - Disturbed Areas & Common Plan
- Municipal
 - Phase I & II
- Limitations on Coverage
- Authorization to Discharge
 - Notice of Intent
 - Signature
 - Start Construction
- SWPPP Availability
- Standard Permit Conditions

Industrial Permit

- Best Management Practices
- Site Map
- Releases or Spills

Construction Permit

- Definitions
- Soil Analysis
- Rain Reports
- Inspection Requirements

Municipal

- Maximum Extent Practical Guidance
- Minimum Control Measures

Test 1

Issues General to all SWPPPs

- Keep Current
- Reports

Industrial SWPPP

- Site Map
- BMPs

Construction SWPPP

- SWPPP Preparation
- Content

- Potential Pollutant Sources
- Best Management Practices
- Terms and Conditions
- Signage
- Site Map

MS4 (Phase II)

- Minimum Control Measures
- Reporting

Site Inspections

- Frequency
- Maintaining and Updating the SWPPP

Test 2

Certified Stormwater Inspector Syllabus

(888) 288-6852

www.NPDES.com

Day 2 Inspection Protocol and BMPs

Training Responsibilities

- Who is Trained
- Subject Areas

Industrial Inspections

- Outfalls
- Wet Inspections
- Dry Inspections

Constructions Inspections

- Pre-Construction Meeting
- Inspection

- The BMPs
- Installation
- Repairs from Previous Inspections
- Frequency & Waivers
- Inspection Report
- Certification
- Transmittal
- Corrective Action Log

Actions

- Inspection Form
- SWPPP Update
- Site Map Modifications
- Modifications or Additions

Municipal Inspections

Construction

- Pre-Construction Meeting
- Outfalls and Water Quality
- Construction Sequencing
- Site Map Tracks BMPs
- BMP Maintenance
- Report with Pictures

Post Construction

- Observations
- Illicit Discharges
- Summary of 2-day Course

MS4 Housekeeping

- Industrial Activities
- Parks
- Building Maintenance
- Streets
- Drainage

Test 3

Graduation

Reference CD

- Definitions and Acronyms
- Clean Water Act
- Checklists
- Sampling Guidance Manual
- Enforcement Case History
- Permits
- NPDES Inspection Manual (EPA)



CERTIFIED STORMWATER INSPECTOR™

Designed for Inspectors with these Responsibilities:

- Maintaining BMPs
- Eliminating non-stormwater discharges
- Stormwater visual observations
- Sampling and analysis
- Routine inspections
- Annual compliance evaluation

2008 California Schedule

Not in California? Request a Separate Schedule

San Diego	Sacramento	Bakersfield	Concord	Ontario	Modesto
Jan. 29 & 30	Feb. 19 & 20	Mar. 18 & 19	Apr. 14 & 15	May 5 & 6	Jun. 9 & 10
July 8 & 9	Aug. 11 & 12	Sep. 9 & 10	Oct. 7 & 8	Nov. 18 & 19	Dec. 8 & 9

Schedule	Day 1	Day 2
8:00 to Noon	Laws, Rules, & Permits	Six actions to certify compliance
Noon	Working lunch with exam	
1:00 to 3:00	SWPPP Compliance	Inspector Protocol
3:00 to 4:00	Exam	Graduation

Beyond Knowledge . . . Understanding

Focus on the *intent* of the rules and the **SIX ACTIONS to Certify Compliance**

Municipal Category

1. Public Information & Participation
2. Construction Inspections
3. Post Construction
4. Illicit Discharges
5. Municipal Operations
6. Document Control

Construction Category

1. Inspections & Maintenance
2. Required & Voluntary BMPs
3. Perimeter, Inlet & Structural Controls
4. Stabilization
5. Post Construction
6. Document Control

Industrial Category

1. Quarterly Wet Visual Examinations
2. Sampling & Waivers
3. Regular Inspections
4. Employee Training
5. Site Compliance Evaluation
6. Document Control

Things You Need to Know

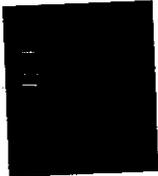
- Municipal Category candidates should have a copy of their stormwater permit application (NOI).
- Construction Category candidates should have knowledge of erosion and sediment controls.
- Industrial Category candidates should bring their facility site maps to the class.
- Candidates may be tested by both written and oral examinations.
- Certificates are awarded at the completion of the class.

For sale only to CSI graduates:

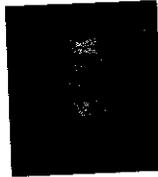
Coffee mugs	Sports caps	Golf-type jackets	Safety vests
Inspector badges	Hard hat stickers	Inspector stamps	Picture ID

Continue to check our website (NPDES.com) for new items.

CSI Instructors



Fred Heitman



Dave Lyons



Gianna Castro



Roy Silva



John Whitescarver, QEP, CSI
Executive Director, National Stormwater Center

After serving on the EPA team that developed the NPDES program, John worked as a consultant to industry and local governments. His experience includes construction as a registered general contractor and he is an instructor for the Florida Department of Environmental Protection's Stormwater Management Inspector Program.

Graduates of the CSI Course Receive

Certified Stormwater Inspector Certificate
Reference Manual & Reference CD
Phone and Email Consultation

CSI Inspector's Badge
Hard Hat Sticker
Recognition Letter

Stormwater Compliance Tools

Pollution Plan Templates

Write your own Industrial Stormwater Pollution Prevention Plan (SWPPP) using our templates. The fee includes one hour of telephone consultation. Don't get caught with an out-of-date plan.

Sampling Assistance

Runoff sampling assistance includes all necessary equipment & training, chemical analysis and report preparation. The permittee collects the sample and ships the bottles to a designated laboratory. The Center evaluates the analytical results, recommends BMPs and prepares reports for submission.

Contracted Employee Training

Specialized group training is offered at the customer's facility for industrial, construction or municipal activities. One and two-day courses are offered.

Compliance Tracking

Monthly compliance tracking reminder of required permit actions are emailed to each facility. Confirmation is recorded and a non compliance report is sent to the home office.

The Stormwater Quarterly

Stay informed about stormwater policy and current news. This quarterly publication has been distributed nationally for twelve years.

Visit NPDES.com or call us toll free at 1-888-288-6852.

SIX ACTIONS to Certify COMPLIANCE

Please circle area of interest: **Industrial** **Construction** **Municipal**

Please indicate location and date: _____

Name: _____ Email: _____

Business Phone: _____ Home/Cell Phone: _____

Organization: _____

Address 1: _____

Address 2: _____

City: _____ State: _____ Zip: _____

Payment: Check Enclosed for \$ _____ Invoice company: PO# _____ Credit Card: _____

Card # _____ Exp. _____ Name: _____

Billing Address: _____

After completing this form, please fax to 772-288-9914 or mail to:
The National Stormwater Center, 7000 SE Federal Hwy., Suite 303, Stuart, Florida 34997

Registration and Course Pricing

Registration is \$25 for each student to reserve a seat and an additional \$799 per person for the course. There is a \$100 discount for the second person from the same organization.

Policy: Course fee is refundable if cancellation is made fifteen days or more before the course date; registration fee is not refundable. Un-refunded course and registration fees may be applied toward a substitute student or a future training course.

Important: The Center for Environmental Compliance, Inc. d.b.a. the National Stormwater Center is an independent non-profit organization providing compliance assistance. The Center is not affiliated with any government agency or any manufacturer or supplier. Vendors and consultants may not promote products or services. Stormwater training is a permit requirement, but the CSI course is voluntary.

"The NPDES hard hat sticker and iron on patches on my Jacket serves as the proper Identification and my purpose in visiting construction sites to perform storm water inspection."

Jess Hernandez,
CSI
San Diego

Center for Environmental Compliance
National Stormwater Center
7000 SE Federal Hwy., Suite 303
Stuart, FL 34997



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