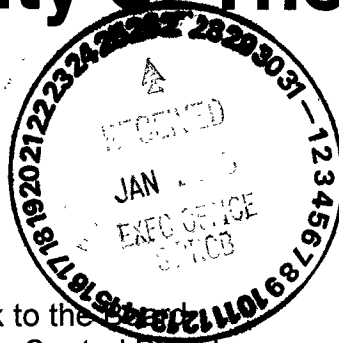




# City of Thousand Oaks

PUBLIC WORKS DEPARTMENT  
DONALD H. NELSON, DIRECTOR

January 20, 2005



Ms. Debbie Irvin, Clerk to the  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100

Re: Comments on Draft Industrial General Permit

Dear Ms. Irvin,

The City of Thousand Oaks Municipal Service Center (corporation yard) currently is permitted under the Industrial General Permit. Additionally, we have responsibilities under our Municipal Stormwater NPDES Permit of identifying and educating local businesses subject to the Industrial General Permit. It is under these circumstances that we provide the following comments on the Draft Industrial General Permit.

1. We strongly agree with the statement that "discharges covered by another NPDES permit shall not be simultaneously covered by this General Permit." Multiple permits covering the same discharge creates confusion and an unnecessary burden. The Municipal Service Center is currently in the situation of being covered by two NPDES stormwater discharge permits, which means for the one facility we are required to pay two permit fees, operate under two sets of requirements, maintain two sets of inspection records, and submit two distinct reports. Eliminating one of the permits would provide relief.
2. The use of benchmark pollutant concentrations that "are not intended to be numeric limits" are being used as numeric limits. Every site under the general industrial permit will have a unique surface materials, geography, hydrology, and aerial deposition of pollutants. BMP effectiveness will not be universal for a diverse set of parameters and therefore benchmark concentrations should not be universally applied. For example, industries in arid regions will have greater build up of pollutants between storms, and therefore higher discharge values, but potentially less total pollution discharged than industries wetter regions.

3. Increased sampling required when benchmarks are exceeded is excessive and represents a de facto financial penalty for violating these numeric limits that are “not intended to be numeric limits”.
4. Proving that treatment BMPs necessary to meet receiving water limitations are effectively meeting those water limitations is problematic. Most treatment BMPs do not have safe and accessible post-treatment sample locations. The installation and proper maintenance of a BMP designed to treat the pollutants of concern should be enough satisfy compliance with water quality standards.
5. Required sampling for industries under the Non Exposure Certificate is problematic. Many of these industries are in industrial parks and share common parking lots, driveways, trash areas, roof drainage and storm drain systems. This effectively makes impossible to obtain a representative sample of the discharge from the industry. This requirement should be removed.
6. The required minimum BMP 8.i. (1) to “inspect weekly all outdoor areas” is excessive and conflicting with other portions of the permit. The required minimum BMP 8.viii (1) requires “a minimum of four quarterly inspections”, and is acceptable.
7. The required minimum BMP 8.i. (4) to “cover all industrial materials that can be readily mobilized by contact with storm water” is too prescriptive. If another BMP prevents the ready mobilization is a cover still required? Replace with: use BMPs to prevent ready mobilization of industrial material exposed to storm water.
8. The required minimum BMP 8.iv. (3) to “cover waste disposal containers when not in use” is not always practicable. Large roll-off dumpsters are not designed with covers or lids, and tarps have been found to pool, sag and drain into the dumpster. Permanent covers can require exorbitant costs, permits, and are subject to the trash hauler’s approval. The language “when practicable” should be added.

9. The required minimum BMP 8.iv (5) to "inspect and clean daily any outdoor material/waste handling equipment or containers" is excessive. Unnecessary daily washing of equipment can increase storm water pollution. Remove this BMP because the problem is addressed in the quarterly inspections and visual observations before anticipated storms.
10. The fees for this permit are collected and retained by the State, therefore the responsibility of enforcing this permit, including identifying and educating subject industries, should be delegated to the Regional Boards and not transferred to the local agencies without compensation.

Sincerely,



Donald H. Nelson  
Public Works Director

DPW:530-25-21/AEA