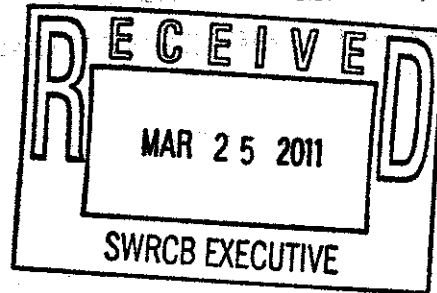


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March 19, 2011

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



Dear Ms Townsend:

This provides my comments and recommendations for California's Draft Industrial Permit dated January 28, 2011. Please present them to the Board as part of their comment hearing.

I have been preparing Storm Water Pollution Prevention Plans (SWPPP) since the mid 1990's for compliance with Storm Water Discharge Permit requirements for the State of California and for several other states in which the company I work for has trucking operations, including maintenance and repair activities. I am a Registered Professional Engineer (PE) in Colorado and also in New Mexico; and currently maintain my PE License active in Colorado.

In reviewing the Draft Permit, it appears that your requirements in Part VII (page 16 of the draft permit) for a "Qualified SWPPP Developer" are overly restrictive by requiring the individual to be a registered professional civil engineer, professional or engineering geologist, landscape architect in California, or a professional hydrologist. The National Pollution Discharge Elimination System (NPDES) Multi-Sector General Permit is the basis of all state-issued permits and does not require that the Storm Water Pollution Prevention Plan be prepared by a registered professional engineer.

Other states also do not require that the SWPP Plan preparer be a registered engineer, geologist, etc. in their states. The purpose of a SWPPP is to ensure that the operations conducted at a particular facility do not contribute to the pollution of the environment when it rains. I believe that requiring a preparer be registered in each individual state where a company might have a facility requiring a discharge permit places an unnecessary added cost to the company. This is certainly not needed in these current economic conditions.

The draft permit notes in Part I, page 5, paragraph # 51 (of the draft permit) that "The Professional Engineers Act ... requires that all engineering work must be performed by a California registered professional civil engineer." This is certainly a very important requirement,

March 19, 2011

and appropriate, where a structural design may be necessary for a particular BMP. However, I believe that a person experienced in preparing SWPPP's for facilities in other states under the NPDES is qualified to prepare a SWPPP for facilities in California - the discharge from a rain event in California results in the same effects as in other states - the runoff (discharge) flows "down hill - however slight it might be." In the event that a facility alteration is needed or other construction is to be designed, then this certainly should be done by a California registered engineer.

I recommend that the Draft Permit, Part VII, paragraph B.1.b, be revised to also allow those individuals, who are not a registered professional engineer, etc. in the State of California, but are knowledgeable and otherwise qualified and experienced in developing a Storm Water Pollution Prevention Plan, also be allowed to prepare the SWPPP for facilities in California.

Sincerely,

A handwritten signature in cursive script that reads "David L. Heim".

David L. Heim,
PE