



BOARD OF SUPERVISORS COUNTY OF INYO

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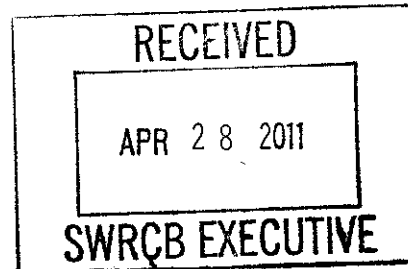
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April 19, 2011

Mr. Charles R. Hoppin, Chair
State Water Resources Control Board
1001 I Street, 22nd Floor
P.O. Box 100
Sacramento, CA 95812-0100



Re: State Water Resources Control Board (SWRCB) NPDES General Industrial Storm Water Discharge Permit

Dear Chair Hoppin:

Inyo County would like to thank the State Board for the effort put forth in creating the Draft General Industrial Storm Water Discharge Permit and, for providing an opportunity for comment on the Draft Permit. The purpose of this letter is to provide the State Water Resources Control Board with Inyo County's concerns regarding this Draft Permit.

With respect to the subject storm water permit, our regulated industrial activities include such things as county-operated landfill sites, solid waste transfer facilities, and recycling centers. Inyo County has expended considerable resources to ensure that no storm water is discharged from the Landfill Sites. These landfill sites utilize large retention basins and perimeter earthen berms to retain the 100 year, 24-hour storm event volume.

While we can support many of the provisions of the Draft Permit, such as clarification and enhancement of the Storm Water Pollution Prevention Plan (SWPPP) requirements and certain monitoring provisions, we have serious concerns regarding the following additional requirements:

- *More comprehensive procedures that must be followed when Numeric Action Levels (NAL's) of constituents are exceeded in a facility's storm water discharges*
- *Increased frequency of water sampling and testing and the imposition of new "Corrective Action Levels" for facilities (increases sampling to quarterly and requires that one storm event is sampled per quarter at a Discharger's facility)*
- *Requires Electronic Reporting with the Storm Water Multi-Applications and Report Tracking System (SMARTS) requiring a Legally Responsible Person (LRP) to be certified to submit the SMARTS reports*
- *The new Industrial Permit requires that the SWPPP be prepared by a Qualified SWPPP Developer (QSD) and information and details contained in the SWPPP to implemented by a Qualified SWPPP Practitioner (QSP). The QSD must possess a California license in one of the following: (registered civil engineer, hydrologist, geologist or landscape architect, State Water Resources Control Board certification in erosion and sediment control (CPESC), Certified Professional in Storm Water Quality (CPSWQ)*

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- Concern over what the requirements would be for "closed Landfills"
- Consideration of "high background levels" of constituents naturally occurring at a given site and, if this would trigger the Level 3 corrective action NEL's

The County is very concerned about the additional costs associated with the Draft Permit's implementation. It is our position that these will have a profound and adverse financial impact on the County of Inyo. Inyo County, along with many other California governmental agencies, is struggling to continue to provide essential services to citizens. This struggle will only increase and be exacerbated by costly new permit requirements, which equate to another unfunded mandate.

We urge you to seriously consider these comments provided to you and successfully mitigate these concerns prior to the draft being finalized.

Thank you for the opportunity to comment. Your positive consideration of our input is very much appreciated. Please feel free to contact Inyo County for more information regarding our comments and concerns.

Sincerely



Supervisor Susan Cash, Chairperson
Inyo County Board of Supervisors

Cc: Congresswoman Conway
Senator Fuller
RCRC
CSAC