



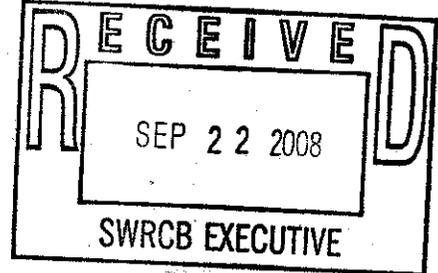
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September 19, 2008

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

RE: Comment Letter on the San Diego - Revised Conditional Waivers of Waste Discharge Requirements

Dear Ms. Townsend:

California Integrated Waste Management Board (CIWMB) staff would like to thank you for the opportunity to submit comments on the proposed San Diego Revised Conditional Waiver of Waste Discharge Requirements (Conditional Waiver). The CIWMB commends and supports the State Water Resource Control Board (SWRCB) and its Regional Offices' continuing efforts to protect California's waterways. CIWMB staff wish to work cooperatively with the SWRCB to ensure the protection of California's environment.

CIWMB staff agrees with the Conditional Waiver, but is asking for some revisions to clarify language regarding composting facilities. As currently written, the language in the sections of the waiver listed below will negatively affect the composting industry in California. Compost and the composting industry are invaluable in diverting organic materials from California landfills, which reduces the production of methane gas and produces a beneficial soil amendment that in turn reduces the need for water, pesticides and chemical fertilizers. In addition the use of compost yields benefits such as soil revitalization, erosion control, increased soil fertility, improved soil structure, and improved disease resistance by plants.

The suggested modifications to Sections 3.I.C.3, 4.I.C.4, 5.I.B.3, 8.II.B.1(a) and 8.II.B.2(b) are:

If a compost facility does not have a stormwater run-off impound basin onsite, then...

It is recommended that compost facility tipping pile(s) should be protected covered with a roof or cover, or at a minimum be covered with plastic sheeting if precipitation is forecast within the next 24 hours, to prevent minimize direct contact between precipitation and compost tipping piles. Acceptable covers include, but are not limited to, permanent structures such as roofs or buildings and temporary covers such as tarps or plastic sheeting.

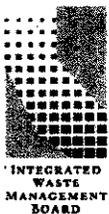
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CIWMB staff also suggest adding a "Housekeeping" component to supplement the above language:

Areas that may contribute pollutants to stormwater must be kept clean and the following activities must be employed to eliminate or minimize exposure of stormwater pollutants:

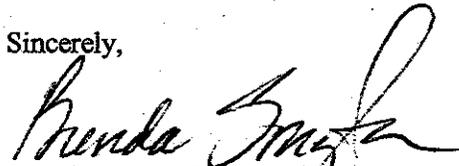
- a) Prompt processing of incoming compost feedstocks;
- b) Sweeping the compost feedstock processing and storage areas to keep the area between piles free of debris;
- c) Eliminating standing surface water;
- d) Proper shaping of piles to reduce the collection of rainfall;
- e) Litter pick-up;
- f) Prompt clean up of spills and leaks, and
- g) Proper maintenance of vehicles and equipment.

The proposed language was developed from CIWMB staff research of states with greater annual rainfall amounts than California, and how those states' stormwater permits deal with issues of rainfall and composting facilities. This proposed language is most closely associated with Oregon's proposed stormwater discharge permit.

The proposed language above is the preferred modification by the CIWMB. If the SWRCB believes additional measures are required when a precipitation event is predicted, then CIWMB staff would request the opportunity to work with SWRCB staff on the development of additional language. Organic materials have substantial water retention capacity which is one of the beneficial qualities. Therefore, conditional language should take into consideration when the tipping piles have reached saturation before additional measures are required. If necessary, CIWMB staff could work with SWRCB staff on the development of a formula to calculate saturation.

CIWMB staff supports adoption of the Conditional Waiver by the SWRCB with the suggested modification to make the language in the sections listed as a recommendation to composting facilities and with addition of the suggested housekeeping component. Once again, thank you for the opportunity to comment on the Conditional Waiver. We look forward to working cooperatively in the future. Please do not hesitate to contact me directly at (916) 341-6605.

Sincerely,



Brenda Smyth, Division Chief
Statewide Technical and Analytical Services Division
California Integrated Waste Management Board

cc: Mark Leary, Executive Director, Integrated Waste Management Board
Howard Levenson, Director, Sustainability Program, Integrated Waste Management Board
Ted Rauh, Director, Waste Compliance and Mitigation Program, Integrated Waste Management Board
Bob Morris, Supervisor, Watershed Protection: Northern Region, State Water Resources Control Board Region 9 San Diego