



**COUNTY OF SONOMA**  
**DEPARTMENT OF EMERGENCY SERVICES**  
FIRE SERVICES \* EMERGENCY MANAGEMENT \* HAZARDOUS MATERIALS



MARK ASTON, DIRECTOR/FIRE CHIEF  
**NCRWQCB**

June 23, 2009

JUN 29 2009

Ms. Catherine Kuhlman  
Executive Officer  
North Coast Regional Water Quality Control Board  
5550 Skylane Blvd. Ste. A  
Santa Rosa, CA 95403

<input type="checkbox"/> EO	<input type="checkbox"/> WMgmt	<input type="checkbox"/> Admin
<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
<input type="checkbox"/> Reg/NPS	<input type="checkbox"/> Cleanups	<input type="checkbox"/> Date

Dear Ms. Kuhlman:

Thank you for this opportunity to comment on the draft Santa Rosa – Sonoma County MS4 NDPES Stormwater Permit. We appreciate the work of the Regional Board in addressing water quality issues in Sonoma County and look forward to continuing the cooperative and mutually beneficial relationship we share with your agency.

The following are staff comments on the draft of Order No. R1-2009-0050, "Waste Discharge Requirements," and the associated Fact Sheet as published on the North Coast RWQCB's website:

**Page 24 of 62** notes the proposed corporate outreach program "shall target a minimum of four retail gasoline outlets (RGOs) franchisers and cover a minimum of 80% of RGO franchisees in the county..." As a Certified Unified Program Agency (CUPA), the County currently regulates all RGOs within its jurisdiction for operation of underground fuel storage tanks, handling of hazardous materials and, where applicable, generation of hazardous wastes. However, RGOs are not required by law to identify to CUPAs whether they are part of franchises. This would require additional reporting not mandated by Chapters 6.5, 6.7 or 6.95 of the California Health & Safety Code (HSC) or Titles 19, 22 or 23 of the California Code of Regulations (CCR). Further, the efficacy of such a corporate outreach program at the local level may be limited. As an alternative, we recommend that the State Water Resources Control Board consider launching an outreach program to the major oil companies to communicate stormwater best management practices for RGOs.

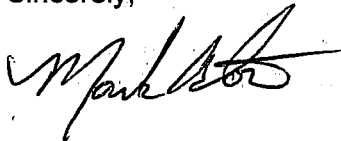
**Page 26 of 62** notes that "Each Co-Permittee shall maintain a watershed-based inventory or database of facilities within its jurisdiction..." We find this language to be unclear. We currently maintain a detailed database of all of our CUPA-regulated facilities. Our inventory is sorted by street address (as required in the HSC) and does not identify the watershed in which a facility is located. We respectfully suggest that it be reworded to state "...maintain a database of sites or a watershed-based inventory of facilities within its jurisdiction..."

**Page 58 of 62** states that the Spill Response Plan shall contain "Immediate notification to appropriate sewer and public health agencies, Sonoma County Department of Emergency Services (DES) *and* the Office of Emergency Services (OES)" (emphasis added). Since we have already created a matrix in Sonoma County through which the appropriate agency is notified, there is not a need to notify every agency of every spill. In addition, OES is now referred to as Cal EMA. Therefore, we suggest the following revision: "Immediate notification to appropriate sewer and public health agencies, Sonoma County Department of Emergency Services (DES) and/or the California Emergency Management Agency (Cal EMA)."

**Page 58 of 62** states that complaint investigations are to be initiated within 24 hours of receiving them, while **page 61 of 62** notes that Co-Permittees shall respond within 1 business day of discovery or a **report** of a suspected illicit /illegal discharge..." (emphasis added). Historically, DES has found that many of the complaints it investigates prove to be unsubstantiated. It would be a mistake for DES to commit itself to expending overtime on every after-hours complaint it receives regardless of probable validity. Therefore, we recommend that the more appropriate language found on page 61 also be used on page 58, rewording it to state that complaint investigations are to be initiated within 1 business day of receiving them.

Thank you for your consideration. Please let me know if you have any questions or comments. You can reach me at my office number of (707) 565-1152 or by email at [maston@sonoma-county.org](mailto:maston@sonoma-county.org).

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Aston', with a stylized flourish at the end.

Mark Aston  
Director / Fire Chief