



March 3, 2014

Ms. Jeanine Townsend
 Clerk of the Board
 State Water Resources Control Board
 1001 I Street
 Sacramento, CA 95814
 commentletters@waterboards.ca.gov

RE: Comments on California Industrial General Permit, February 19, 2014 Draft

Dear Ms. Townsend:

Thank you for the opportunity to comment on this version of the California National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Industrial Activities.

For many years StormwaterRx has offered technical and policy expertise regarding industrial stormwater management and provided commentary to state regulatory agencies regarding development of effective industrial stormwater permits. Our comments on the changes to this draft of the California permit are below:

Page 35. Section X.H.2.b.ii. and

ii. Storm Water Containment and Discharge Reduction BMPs

These include BMPs that divert, infiltrate, reuse, contain, retain, or reduce the volume of storm water runoff. Dischargers are encouraged to utilize BMPs that infiltrate or reuse storm water where feasible.

Page 72. Section XXI.E.

E. Duty to Mitigate

Dischargers shall take all responsible steps to ~~minimize~~reduce or prevent any discharge ~~which~~that has a reasonable likelihood of adversely affecting human health or the environment.

29.1

Comment: StormwaterRx supports the clarification that dischargers are encouraged to utilize BMPs that infiltrate and reuse stormwater. We suggest the permit language clarify when direct infiltration would be encouraged as it relates to protection of groundwater quality. The California Department of Public Health regulates chemicals and contaminants that can contaminate drinking water with Maximum Contaminant Levels (MCLs). The primary MCLs¹ address health concerns while the secondary MCLs² address esthetics such as taste and odor. The California Department of Public Health, Drinking Water Field Operations Branch has a “Well Siting” checklist (attached) that may be useful for assisting the State Water Resources Control Board to designate appropriate infiltration areas or to delineate areas where direct infiltration of industrial stormwater may warrant additional evaluation or prohibition to protect groundwater quality and public health. We suggest the Board incorporate a reference to these supplemental requirements in this permit or clarify its intent on this issue.

Page 38. Section X.H.6.a.iii.

iii. The volume of annual runoff ~~based on unit basin storage volume required~~ to achieve 9080% or more ~~volume~~ treatment ~~by~~ ~~determined in accordance with~~ the ~~method recommended methodology set forth~~ in the latest edition of California Stormwater Best Management Practices Handbook-¹⁷¹⁸, ~~using local, historical rainfall records.~~

29.2

Comment: For permittees that are required to utilize treatment control BMPs, we recommend that the Board clarify that stormwater flows exceeding the Design Storm Standard do not require compliance sampling. As a point of reference, the Washington State Department of Ecology has a similar tiered corrective action response program that includes treatment the use of treatment control BMPs in its Industrial Stormwater General Permit. StormwaterRx has requested and received clarification from the Department of Ecology that “overflows of the influent wet well that occur because flows are exceeding the off-line water quality design flow rate are allowed bypasses in accordance with S8.A.1 of the industrial stormwater general permit.” Furthermore the Department of Ecology has clarified that “overflow from the treatment does constitute

¹ <http://www.cdph.ca.gov/certlic/drinkingwater/Documents/DWdocuments/EPAandCDPH-2-13-2014.pdf>

² <http://www.cdph.ca.gov/certlic/drinkingwater/Documents/Recentlyadoptedregulations/R-21-03-finalregtext.pdf>

permit noncompliance. All such overflows must be reported in accordance with S5.E of the permit.” And that “engagement of the wet well bypass as a result of pump failure or (treatment system) malfunction would also constitute permit non-compliance. Therefore, those bypasses should also be reported under S5.E.”³ We hope this precedent is helpful to the Board for setting expectations for treatment control BMP functionality.

Page 46. Section XI.C.4.a.

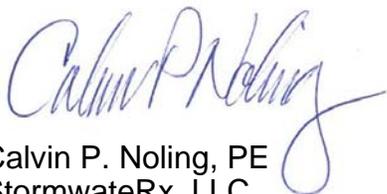
4. Representative Sampling Reduction (RSR)		
a. The Discharger may reduce the number of locations to be sampled in each drainage area (e.g., roofs with multiple downspouts, loading/unloading areas with multiple storm drains) if the industrial activities and physical characteristics (grade, surface materials, etc.) of the drainage area for each location to be sampled are substantially similar to one another. To qualify for <u>the Representative Sampling Reduction, RSR</u> , the Discharger shall provide a <u>Representative Sampling</u>		
Order 20134-XXXX-DWQ	46	July 19, 2013 <u>February 19, 2014</u>
Industrial General Permit DRAFT Order		
<u>Reduction, RSR</u> justification in the <u>Monitoring Implementation Plan, MIP</u> section of the SWPPP.		

29.3

Comment: The Board may want to add “treatment BMPs” to the examples of similar industrial activities and physical characteristics to justify a Representative Sampling Reduction. E.g. (grade, surface materials, treatment BMPs, etc.)

If you require clarification on these comments, please feel free to contact me at the phone number above or caln@stormwaterx.com.

Sincerely,



Calvin P. Noling, PE
StormwaterRx, LLC
Reclaiming the World's Water.[®]

³ Personal email communication from Ed O'Brien (Washington Department of Ecology) to Ayn Generes (StormwaterRx LLC) with copy to Jeff Killelea (Washington Department of Ecology), Subject: Bypass, dated January 23, 2009.

CDPH Drinking Water Program
Sacramento District Office

Well Siting Checklist

Well Name: _____

Water System: _____ # _____

Proposed well location: _____

Date: _____ Engineer: _____

Above 100 year flood level?

Surface water drainage flow away from site instead of toward it?

All season access to well site for maintenance vehicles?

Water system own site or have easement to use property for well?

<u>Separation requirements:</u>	<u>feet</u>	<u>Actual</u>
Sewer & house laterals	50	_____
Sewer manhole	100	_____
Sewage pumping station	100	_____
Sewage treatment plant	150	_____
Sewage lagoons	500	_____
Lined effluent discharge channel	200	_____
Sewage irrigation areas	500	_____
Sewage spreading areas	500	_____
Sewage percolation/evaporation ponds	500	_____
Watertight septic tank	100	_____
Horizontal leach lines	100	_____
Seepage pit and cesspool	150	_____
Pit privy or vault privy (pumpout)	50	_____
Storm sewers	50	_____
Drainage channel	50	_____
Barnyard, feedlot, stable, pastures	100	_____
Petroleum storage tanks (subsurface)	100	_____
Petroleum transmission mains	500	_____
Dwelling	25	_____
Pond, lake, stream	50-100	_____
Abandoned/Destroyed Well	50	_____

Comments: _____

Approval recommended: yes no