

**COUNTY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT**

123 East Anapamu Street
Santa Barbara, California 93101
805\568-3000 FAX 805\568-3019



Special Hearing
2/3/05
cc: BO, DI, DWQ
e-cys: BO, CC, HMS, TH, CMW
PHILLIP M. DEMERY
Director

113. County of Santa Barbara

February 18, 2005

Ms. Debbie Irvin, Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor [95814]
P.O. Box 100
Sacramento, California 95812-0100
Via fax (916)341-5620

SUBJECT: Comments Regarding Reissuance of the Industrial General Permit

Dear Ms. Irvin:

My name is Mark Schleich and I am the Deputy Director for the County of Santa Barbara, Public Works Department, Resource Recovery and Waste Management Division (the County). I am in receipt of a draft of the reissuance of the Industrial General Permit and would like to thank you for the opportunity to comment.

The reissuance of the Industrial General Permit, as contained in the draft, will have significant impacts upon the County's closed landfills and in sampling and implementing additional Best Management Practices when a benchmark value is exceeded at its operating landfill. The following comments are offered for consideration regarding the draft Industrial General Permit.

The County has nine closed landfills and the draft reissuance of the Industrial General Permit would require that the County complete the following:

- file nine Notice of Intents,
- annually pay nine permit fees,
- prepare nine Storm Water Pollution and Prevention Plans,
- annually – perform 27 quarterly observations of authorized non-storm water discharges,
- annually – perform 27 quarterly observations of unauthorized non-storm water discharges,
- annually – perform 72 monthly visual observations of storm water discharges,
- annually – perform 18 samplings of storm water for indicator parameters,
- perform nine samplings of storm water for one time comprehensive pollutant scan,
- annually – perform nine comprehensive site compliance evaluations of potential pollutant source/industrial activity BMP status, and
- annually – prepare nine reports and submit the reports to the California Regional Water Quality Control Board.

AA/LEO Employer

Thomas D. Fayram, Deputy Director Scott D. McGolpin, Deputy Director Mark A Schleich, Deputy Director
Rochelle Cannozzi, Business Manager Michael B. Emmons, County Surveyor
www.publicworkssb.org

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In addition, many of the County's closed landfills are in remote areas without staffing. The remoteness of the sites would require several hours of driving to reach some of the sites. The remoteness, and the time it would take to reach the sites will make it difficult for the County to comply with the requirement to sample within the first hour of discharge from the first two qualifying storm events of the wet season. The requirement to perform the observations and sampling required in the draft Industrial General Permit would require that the County add additional staff.

I would also like to comment on Provision V.III.4.b which states " Sample collection is only required of storm water discharges that begin to occur during operating hours and that are preceded by at least (3) three working days without storm water discharge". How does a facility that is closed and does not have operating hours comply with this provision?

The closed landfills that the County has regulatory responsibility over have been closed between seven and 50 years. It is my opinion, that these closed landfills do not pose a threat to surface water. Surface water degradation from a landfill can occur either by runoff from storm water contact with waste material, or from erosion of the protective soil cover that is placed over the waste material. A brief discussion of these two potential paths for surface water degradation follows.

Storm Water Contact with Waste

As part of the closure of the landfills, they were covered with several feet of soil. The covering of the waste material with soil prevents storm water contact with the waste material. Since the soil cover prevents storm water contact with the waste material, there would not be any surface water degradation of storm water contact with waste.

Erosion

Since the landfills have been closed between seven and 50 years, vegetative covers have become established on the County's closed landfills. The vegetative cover provides protection of the protective soil cover and limits erosion as a source of surface water degradation.

It is my opinion that the proposed reissuance of the Industrial General Permit with the requirement to include closed landfills is overly burdensome and will not provide additional protection of surface water quality. The County requests that the State Water Resource Control Board reconsider the inclusion of closed landfills in the final reissuance of the Industrial General Permit. It is my opinion that the California Regional Water Quality Control Boards, who are familiar with the closed landfills, could on an individual basis; determine if a closed landfill posed a threat to surface water quality, and develop an appropriate storm water monitoring program for each site.

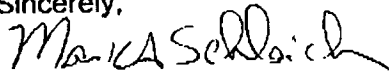
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I would also like to comment on Provisions V.7. Landfills, by their nature, encompass extremely large areas, well into the hundreds of acres. The need to excavate large areas, and move large volumes of soil to operate the landfill in compliance with regulatory requirements, can result in large areas of the site in which BMPs may not be able to be placed to keep up with constantly changing operations. Even with the discharger's best efforts, and the installation of all economically feasible BMPs, the discharger may not be able to meet USEPA benchmark values in Table VIII.2. Not meeting the benchmark values requires the dischargers to implement corrective actions in Provision V.7. A discharger could implement all economically feasible BMPs and corrective actions and still not comply with the benchmarks. They would be in an endless process of submitting reports to the RWQCB, waiting for approval from the RWQCB, revising the SWPPP and monitoring program to incorporate the approved BMPs and corrective actions, performing additional sampling and analysis until two consecutive samples result in no further exceedances of the USEPA benchmarks, still not meeting the benchmark value, then repeating the process.

It is my opinion that the RWQCB should work with individual dischargers to implement all economically feasible BMPs, and that Provision V.7 of the draft Industrial General Permit be reconsidered.

Thank you for your consideration of my comments. We would be happy to discuss our concerns with the draft reissuance of the Industrial General Permit. Please contact Imelda Cragin at (805) 882-3613 to discuss my comments.

Sincerely,



Mark A. Schleich
Deputy Director
Resource Recovery & Waste Management Division

CAW/IAC/MAS:CW

cc: Imelda Cragin, County of Santa Barbara
Chris Wilson, County of Santa Barbara
Project No. 170000