



County of Sacramento

October 19, 2012

#79



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

SUBJECT: Comment Letter on the July 16, 2012, Draft Version of the Proposed New Industrial General Permit

Dear Ms. Townsend:

This letter conveys the comments of the Sacramento County Airport System (County Airport System) regarding the July 16, 2012, draft version of the proposed new Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated with Industrial Activities (Industrial General Permit, or Permit). Thank you to the State Water Resources Control Board for considering and responding to our comments submitted on the first draft of the proposed Permit. The County Airport System appreciates that many of the issues of concern identified in the first draft were addressed in the revised draft Permit. However, the County Airport System continues to have concerns regarding the increased staff resources needed to comply with the additional observation and inspection requirements.

Comments on July 16, 2012 Draft Version of the Permit

1 The estimated visual observation costs information on page 13 of the "Analysis of the Compliance Costs for the IGP" addresses the quarterly and monthly visual observations, but omits the staff time that will need to be spent on the pre-storm visual observations. This requirement will utilize significant staff resources, particularly for organizations, such as the County Airport System, that have widely dispersed facilities requiring significant travel times. Therefore, the "Analysis of the Compliance Costs for the IGP" does not properly represent the true costs associated with complying with the proposed new Permit.

We recognize that the revised draft permit eliminated the requirement for weekly inspections, and limits the pre-storm inspections to a maximum of not more than once in a 14-day period, that would have created a substantial burden on staff 2. Even with the reduction in required observations and inspections, the impact of the revised draft permit will be a significant impact on staff time.

Summary of the Various Visual Observation and Inspection Requirements and Their Impacts:

- **Quarterly Visual Observations:** The quarterly visual observations would remain at four times per year. Although the description of the quarterly visual observations is proposed to be changed from including 'authorized and unauthorized non-stormwater discharges' to 'non-stormwater discharges of each drainage area,' the impact on staff time is anticipated to remain the same. "Drainage area" is defined as "The area of land that drains water, sediment, pollutants, and dissolved materials to a common outlet." "Each drainage area is to be observed for the presence or indications of prior, current, or potential unauthorized non-stormwater discharges and their sources."
- **Monthly Visual Observations:** The monthly visual observations from 8 months a year to 12 months a year will result in a 33% increase in staff time to conduct the observations. The monthly storm water discharge visual observations are to be conducted at the first qualifying storm event each month that produces a discharge from one or more discharge locations. "Visual observations shall include observations of the presence or absence of floating and suspended materials, oil and grease, discolorations, turbidity, odors, trash/debris, and source(s) of any observed pollutants."
- **Pre-Storm Visual Observations** (section XI.A.2d, page 37 of the July 16, 2012 draft permit): The pre-storm visual observations are not required under the current permit, but would be required to be conducted prior to each storm (with a limit of not more than once in a 14-day period). This pre-storm inspection requirement would create a significant burden on staff resources. This impact is not included on page 13 of the "Analysis of the Compliance Costs for the IGP") but the compliance costs will still exist. Implementing the proposed new Permit requirements for dischargers to visually observe all storm water drainage areas to identify spills, leaks, or uncontrolled pollutant sources and implement appropriate BMPs would require a substantial increase in staff resources or lead to other environmental regulatory requirements not being met due to staffing limitations.
- **BMP Inspections:** The BMP inspections are a part of the current and proposed Permit. Therefore, the BMP inspections will require a similar amount of staff resources.
- **Annual Inspection:** This annual inspection is part of the current and proposed annual report. The requirements in the proposed Permit are more comprehensive than in the current Permit, but will require a similar amount of staff resources. It includes a visual inspection of all areas of industrial activity

and associated potential pollutant sources. It also includes a visual inspection of equipment needed to implement the BMPs, and any structural and/or treatment control BMPs.

Comparison of Current and Proposed Draft Permit

	97-03 Permit	July 16, 2012 draft Permit
Quarterly Visual Observations:	4 times per year	4 times per year
Monthly Visual Observations:	8 times per year (Based on one storm event per month during the eight-month wet season from October 1 – May 31)	12 times per year (Based on proposed the year-round sampling season of July - June)
Pre-Storm Visual Observations:	NA	Up to 26 times per year (Based on when the National Weather Service predicts a 50% or greater probability of precipitation in the facility's zip code, but not more than once in a 14-day period)
BMP Inspections:	Frequency determined by each individual SWPPP	To be determined by each individual SWPPP
Annual Inspection:	1 time per year as part of the annual report	1 time per year as part of the annual report

Background Information on the Airports Managed by the County Airport System

The County Airport System operates four airports: Sacramento International Airport (SMF), Mather Airport (MHR), Sacramento Executive Airport (SAC), and Franklin Field Airport (F72). In addition, we manage the aviation operations at McClellan Airport (MCC) on behalf of the County's Economic Development Department.

- Both SMF and SAC have an "umbrella" stormwater Industrial General Permit that includes all of the airlines and other tenants under its Waste Discharge Identification numbers (WDIDs) as co-permittees in practice. Tenant operations are likewise included in the Storm Water Pollution Prevention Plan (SWPPP). A wide range of tenant activities occur at SMF and SAC, ranging from airlines and aircraft maintenance firms, to car rental companies and restaurants. SAC is solely a general aviation airport. Most of the tenants have relatively small staffs and do not possess on-site environmental expertise, which makes it more

effective for the County Airport System to include tenant operations within the SMF and SAC WDIDs.

- MHR is a cargo and general aviation airport. MHR tenants are required to file their own Notice of Intent (NOI) or Notice of Non-Applicability (NONA) and are not included the WDID or SWPPPs for this airport.
- F72 is not subject to a stormwater industrial general or individual permit.

Potential Impacts of the Proposed Permit on Airports Managed by the County Airport System

The County Airport System continues to have concerns regarding the increased workload to comply with the additional observation and inspection requirements. Additional staff resources will be required to comply with the proposed Permit. Passenger and cargo operations at our four airports continue to experience recessionary impacts, so we simply may not have the resources to hire additional staff. Alternatively, it may be necessary to reassign or divert personnel from other responsibilities and competing regulatory requirements. In either case, the greater regulatory compliance workload would place an economic burden on the County Airport System during already a period of constrained fiscal resources. The more intensive staffing requirements inherent in the proposed Industrial General Permit would require a substantial devotion of fiscal resources that many private sector entities will likewise find fiscally infeasible, especially during the current economic downturn. With finite resources, many public and private entities will be forced to choose among regulatory mandates, knowing some may not be met.

The County Airport System appreciates the opportunity to comment on the revised draft Industrial General Permit. Questions about our comments may be directed to Senior Environmental Coordinator, Wendy Hoffspiegel, at (916) 874-0685, or hoffspiegelwe@saccounty.net.

Sincerely,

Greg Rowe, for

Carl W. Mosher
Deputy Director
Planning and Design

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