



County of San Diego

DEPARTMENT OF PUBLIC WORKS

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October 22, 2012

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

Dear Ms. Townsend:

COMMENTS REGARDING THE PROPOSED CHANGES TO THE STATEWIDE INDUSTRIAL GENERAL PERMIT DRAFT ISSUED ON JULY 16, 2012

The County of San Diego, Department of Public Works would like to address some of the areas of significant revision in the proposed Industrial General Permit issued on July 16, 2012. A number of our concerns in our letter addressed to the State Water Resources Control Board (SWRCB) on April 29, 2011, have been addressed in this latest proposed draft. We think these changes will be very beneficial to the industrial facilities in our jurisdiction, many of which are small businesses with limited resources. However, we would like the Board to address the following concerns: Sampling Frequency and Sites, Monitoring Reports (SMARTS), the Notice of Non-Applicability (NONA), and the Qualified Industrial Storm Water Practitioner (QISP) designation.

1 **Sampling Frequency and Sites** - The proposed permit adds more sampling requirements that may not improve the pollutant characterization of a site. Most of the industrial facility operators in our jurisdiction already have a difficult time taking one sample for a Qualifying Storm Event (QSE) during the rainy season (October 1st – April 30th). The proposed permit would make sampling more difficult by requiring one sample per quarter for QSEs from all discharge locations associated with the industrial activity. In addition to significantly increasing the number of potential sample points, this would double the required monitoring at each of them. **2** A more efficient and cost-effective alternative is to require industrial facilities to sample from the single most significant discharge area twice in the year, i.e., one sample taken in the first half of the year and another in the second half, thereby yielding two sample submittals. The pollutant characterization would still be defined by these two samples, sparing the operator a financial burden created by the excess sampling. Additionally, requiring each industrial facility to have an on-site rainfall measurement device should be modified. There are many areas in our county that have large industrial complexes where it is not uncommon to have five to 15 industrial facilities in close proximity. **3** These industrial complexes or areas should have the flexibility to purchase one rain gauge for the complex or the area. Another

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alternative is to give the industrial facilities the option of working with an established facility that has a rain gauge, like an airport or other business in the area.

Monitoring Reports ⁴ - The proposed permit requires operators to submit monitoring data to the SMARTS database. We think this requirement presents an unnecessary regulatory burden on those compliant operators who do not have computers or who choose not to use them. If the operator has been monitoring properly, using the results appropriately to evaluate BMP effectiveness, and mailing in the results in a timely manner, the operator is in compliance with the intent of the permit. Both mail-in and electronic submission should be options, and failure to submit results electronically to SMARTS should not be a violation of the permit.

Notice of Non-Applicability (NONA) designation - The NONA designation re-appears in the proposed permit and is a reasonable designation for numerous facilities in our industrial inventory. In the proposed permit, the NONA is a separate ⁵ designation from the No Exposure Certification (NEC) and we support that separation. However, requiring a California licensed professional engineer to certify the NONA Technical Report is not warranted. The facility owner and operator should certify the NONA Technical Report and use, when necessary, the services of appropriate licensed professionals to complete the more technical sections of the report.

Qualified Industrial Storm Water Practitioner (QISP) ⁶ - The three proposed QISP types are somewhat confusing and should be narrowed down to two QISP designations, i.e., adding some of the QSIP 2 general responsibilities to QSIP 1 and the more technical ones to QSIP 3. Most of the industrial facilities that we inspect have staff that is more than capable of developing a Stormwater Pollution Prevention Plan (SWPPP), completing the monitoring requirements, making facility-specific determinations, submitting ERA reports, and conducting other general permit functions. Our experience has been such that when our inspectors worked closely with and provided guidance to these industrial operators, the operators and their respective staff have "taken ownership" of their regulatory responsibilities and have addressed site-specific concerns. The scope of a QSIP 1's work would still be limited to similar industrial facilities, while a QSIP 2 can provide services across multiple types of facilities.

In conclusion, the industrial facilities that we inspect tend to be small businesses that are trying to comply with the current Industrial General Permit with limited income. The proposed changes should take into account the current economic situation and implement changes that are economically and technically feasible while using sound science to protect water quality.

If you have any questions, please contact Richard Diaz, Program Coordinator, at (858) 495-5298 or Richard.Diaz@sdcounty.ca.gov

Sincerely,



Cid Tesoro, Manager
Department of Public Works

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