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September 18, 2013

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

Subject: Comment Letter – Industrial General Permit

Dear Ms. Townsend,

On behalf of the Fibre Box Association (FBA) Group Monitoring Plan (GMP), AECOM Technical Services, Inc. (AECOM) is providing the following comments on the Draft National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Industrial Activities, Order No. NPDES CAS000001 issued for public comment on July 19, 2013 (Draft General Permit).

Effective Date – “This Order shall become effective on: January 1, 2015”

- 1 *Comment:* An effective date in the middle of a monitoring period may cause confusion between the monitoring and reporting requirements of the current General Permit and the proposed Draft General Permit. The effective date should be changed to July 1, 2015 to provide a more effective transition.

Section II.C.2. – “When there is an ownership change, the prior Discharger (seller) must inform the new Discharger (buyer) of the General Permit applications and regulatory coverage requirements.”

- 2 *Comment:* The new Discharger (buyer) should have the responsibility of knowing and understanding the General Permit requirements independent of the prior Discharger (seller). This sentence should be removed from the Draft General Permit or revised to, “When there is an ownership change, the prior Discharger (seller) should inform the new Discharger (buyer) of the General Permit applications and regulatory coverage requirements.”

Section X.B.2. – “Certify and submit via SMARTS their SWPPP within 30 days whenever the SWPPP contains significant revision(s); and, ...”

- 3 *Comment:* The term “significant” should be defined for this specific statement or examples of significant revisions should be provided.

Section X.H.1.b.vi. – “Cover all stored industrial materials that can be readily mobilized by contact with storm water.”

4 **Comment:** The majority of facilities in the FBA Group process scrap paper into bales for recycling. Due to the large number of bales and the limitations of indoor space, the scrap paper bales are often temporarily stored outdoors until they can be shipped for recycling. It is a common industrial practice not to cover the scrap paper bales due to resources, safety, and feasibility. The outdoor storage areas are inspected on a daily or more frequent-basis and loose scrap paper is cleaned up, as necessary. AECOM believes that frequent inspection and clean up is an effective housekeeping best management practice in preventing storm water pollution. AECOM recommends that this section be removed from the Draft General Permit or modified with “*Control all stored significant materials to minimize storm water contamination as much as possible. For significant materials that cannot be covered or otherwise protected from storm water, establish an inspection and cleaning schedule to collect loose materials, as appropriate.*”

Sections X.H.1.b.vi, X.H.1.e.i, and X.H.1.e.ii – The term “industrial materials”

5 **Comment:** The term “industrial materials” should be changed to “significant materials” to be consistent with the General Permit or should be defined and included in Attachment C Glossary.

Section X.H.1.e.iii – “Cover waste disposal containers and material storage containers when not in use; ...”

6 **Comment:** The term “waste” should be defined and included in Attachment C Glossary.

Section XI.A.2.a. – “The Discharger shall ensure that visual observations of discharge from contained storm water, and corresponding documentation, are conducted at the time that the discharge is sampled.”

7 **Comment:** The term “contained storm water” should be defined or further clarified. It is not clear if the phrase “contained storm water” pertains to release of water from secondary containment structures (wax tanks, used oil tanks, etc.), or ponded water on a tarp, etc.

Section XI.B.4.b. – “Associated with the discharge of contained storm water.”

8 **Comment:** The term “contained storm water” should be defined or further clarified. It is not clear if the phrase “contained storm water” pertains to release of water from secondary containment structures (wax tanks, used oil tanks, etc.), or ponded water on a tarp, etc.

Section XI.C.6.a – Visual Monitoring and Sample Collection Exceptions

9 **Comment:** Dischargers should not be required to collect samples or conduct visual monitoring when there is limited light due to health and safety concerns. It is not always possible or practical to provide temporary lighting equipment that is sufficient to safely collect a storm water sample at night. An effective visual observation of the storm water sample per Section XI.A.2 may not be feasible due to low/limited light conditions. This proposed change would be consistent with Section XI.A.1.b. “The monthly visual observations shall be conducted during daylight hours . . .”

AECOM appreciates the opportunity to comment on the draft General Permit and respectfully requests that the State Water Resources Control Board carefully consider all comments regarding the Draft General Permit. We also appreciate the amount of time and effort that has been expended on this iteration of the Draft General Permit. If you have any questions, please contact Ernie Miyashita at 630-839-5325.

Yours sincerely,
AECOM



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Cc: Brian O'Banion, Fibre Box Association