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VIA Email at: commentletters@waterboards.ca.gov

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

Re: Comment Letter – 2013 Draft NPDES General Permit for the Discharge of Storm Water Associated With Industrial Activities

RockTenn CP, LLC (RockTenn) is one of the largest manufacturers of paperboard and paperboard packaging and the largest U.S. recycler of paper and other recyclable materials. Through its subsidiaries, RockTenn operates 14 facilities in California covered by the current California general permit for storm water associated with industrial activities: six corrugated container, five recycling, and three folding carton plants in the Bay area, Central Valley and the Los Angeles basin. These facilities employ about 1,165 employees with pay and benefits totaling over \$77.7 million. In 2012 we paid approximately \$2.3 million in property taxes and moved 2.13 million tons of freight into, within and out of California.

While we appreciate the time and effort the State Water Resources Control Board (Board) has used to develop and improve the draft general storm water permit, we are extremely concerned about the additional costs and administrative burdens imposed by the following proposed change in the 2013 draft permit as compared to the existing 1997 general permit:

Requiring all facilities in SIC Code 5093 to monitor for Fe, Pb, Al, Zn, and COD

We continue to believe that this imposes substantial costs beyond those that can be justified at this stage in California's storm water program.



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1 **Requiring All facilities in SIC Code 5093 To Monitor for Fe, Pb, Al, Zn, and COD**

Condition XI.B.6 and Table 1 in the 2013 draft permit require all facilities in SIC Code 5093 to monitor for Fe, Pb, Al, Zn, and COD. These have annual average NALs that track the benchmark values in Sector N of the EPA 2008 MSGP, but with a very significant difference: The 2008 MSGP excludes “source-separated recycling” facilities such as those we operate in California; the 2013 draft permit does not make this distinction. Especially given the high value placed on recycling, the Board should revise the draft permit to exclude “source-separated recycling” facilities from the additional monitoring requirements in the draft permit and from the associated requirements for ERAs if one of the additional pollutants specified in Table 1 were to exceed an NAL in Table 2 of the 2013 draft permit.

In response to this requested change in the 2012 draft permit, the Response to Comments document states: “This permit is not a multi-sector permit like the MSGP with sector specific requirements.” However, the only justification for imposing the specified additional pollutants for facilities in SIC Code 5093 is the benchmark monitoring required for non-source separated recycling facilities in Sector N of the MSGP. Source-separated recycling facilities are expressly excluded from this required monitoring. To be consistent source-separated recycling facilities should not be subject numeric action levels other than that required for most other facilities.

2 **RockTenn requests that the Board acquire further data and study the impacts of stormwater runoff from source-separated recycling facilities on the quality of receiving waters before imposing permit conditions that will in practice, divert attention and resources from other environmental efforts. We request that the Board not use the MSGP benchmarks for “scrap and waste material” facilities that are not source separated recycling facilities to justify imposing these benchmarks on source-separated recycling facilities. Source-separated recycling facilities should be treated the same as all other types of facilities where the MSGP does not require extensive benchmark monitoring.**



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We appreciate the opportunity to comment on the 2013 draft permit and thank the Board and its staff for their consideration of our comments and those submitted by other stakeholders.

Respectfully submitted,

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