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April 21, 2011

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

Re: Comment Letter – Draft Industrial General Permit

To Whom It May Concern:

As the Director of Safety and Compliance for Tiger Lines, LLC in Lodi, California, I have several comments on behalf of Tiger Lines with regard to the State Water Resource Control Board's (SWRCB) proposed 2011 Draft Industrial General Permit for storm water discharges. I hope that the SWRCB will take these comments into consideration as it moves forward with any revisions prior to adoption.

Tiger Lines, as an organization active in the transportation industry, takes storm water pollution prevention very seriously. We continuously strive to comply with current regulations, and when possible, do more than what is required to ensure that pollutants are properly disposed of. Generally, the proposal imposes an onerous economic burden upon Tiger Lines. Specifically, we have the following problems with the proposed permitting process:

1. The financial cost of compliance burdens Tiger Lines, and other businesses in an already business-hostile state;
2. The possibility of naturally occurring pollutants and their impact upon a company's potential test results is not taken into consideration by the proposal;
3. Numeric Effluent Limits do not take into account the diversity of business throughout the state;
4. Instead of working with and improving the old regulations, the SWRCB is creating a new stringent rule without any scientific research to back the need for such a rule; and

5. The new permit eliminates existing and effective group monitoring programs, such as the California Trucking Association Monitoring Group, which Tiger Lines has relied upon since 1993, thus removing an added layer of accountability for small businesses in California, contrary to the purpose of the draft permit.

The current proposal does not make sense for California or small California businesses like Tiger Lines.

In general, the SWRCB did not conduct a Cost Analysis or Economic Impact Analysis prior to the release of the proposed permit. Based on the information provided by the State Water Resources Control Board, Tiger Lines is anticipating that its costs of doing business in California will rise considerably. If a Cost Analysis or Economic Impact Analysis had been conducted, we believe the SWRCB would have discovered that these proposals would have a negative financial impact on California businesses that will far outweigh any benefit to the environment of the current proposed permitting process.

Specifically with the required additional inspections, which will be time consuming, it will be necessary for businesses to assign additional manpower in order to assure that all samples are collected and other duties pertaining to the Industrial General Permit are fulfilled in a timely manner. It is easy to conclude that Tiger Lines will experience an increase in our labor costs.

Second, Tiger Lines and other businesses should not be responsible for naturally occurring pollutants that may leak into the storm water system. Businesses should not be penalized if storm water samples do not pass the lab inspections due to the presence of natural pollutants. The SWRCB proposal does not take this possibility into account. The existence of natural pollutants must be taken into consideration, or the SWRCB risks making business pay for the existence of naturally occurring pollutants!

Third, the benchmark indicators that are presently used in storm water monitoring are more practical than the proposed water quality Numeric Effluent Limits. The Limits proposed in the new draft create unrealistic goals will be too difficult for businesses to meet, creating an additional hardship to do business in California. Sector based benchmarks should be considered, and they should vary according to the diverse types of businesses throughout the state. In other words, changing your measurement criteria will lead to a cost increase for our business because of the lack of practical flexibility of Numeric Effluent Limits.

Fourth, prior to the release of the proposed permit, the SWRCB did not draw scientifically based conclusions that would justify the necessity of implementing a new permit that will impose a significant burden on our business. There is no existing

evidence to show that the panel of academics conducted any scientific research to support their claims that a new, more stringent permit is necessary. If there are any shortcomings in the present process, the SWRCB should address those, instead of rewriting the program to create considerable difficulties for California businesses like Tiger Lines. The increase cost to do business from these proposals deserves some scientific justification.

Finally, the new permit will effectively outlaw group monitoring in the state of California and will require all facilities under the new Industrial General Permit to meet the same requirements on an annual basis. The elimination of group monitoring will impact those California Trucking Association (CTA) members, like Tiger Lines, who currently participate in the California Trucking Association Monitoring Group (CTAMG). The new Permit will effectively remove the added layer of compliance review that CTA members have relied upon since 1993 when CTAMG was first established. In this case, it looks as though you are lowering current standards by requiring all facilities to meet the same requirements.

The current proposed draft permit does not make sense for California or for small businesses in California like Tiger Lines!

Thank you for the opportunity to comment and for considering these views as you develop the final draft of the 2011 Industrial General Permit.

Sincerely,

A handwritten signature in black ink that reads "Mark Handel". The signature is written in a cursive, flowing style.

Mark Handel
Director of Safety & Compliance
Tiger Lines, LLC.