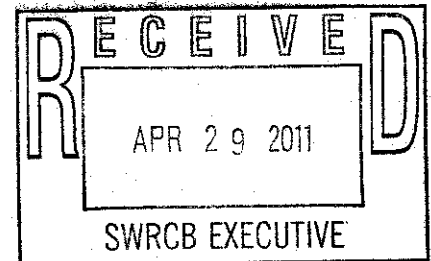




Owens-Brockway Glass Container Inc.  
Two O-I Plaza  
One Michael Owens Way  
Perrysburg, OH 43551-2999

April 28, 2011

To: Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 I Street, Sacramento, California 95814  
Sent via email to: [commentletters@waterboards.ca.gov](mailto:commentletters@waterboards.ca.gov)



From: D. Randy Phillips, Environmental Administrator  
Owens-Brockway Glass Container Inc.

Subject: Comment Letter – Draft Industrial General Permit

Dear Ms. Townsend and Members of the Board:

This letter is a written comment on the Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated with Industrial Activities (Industrial General Permit). We appreciate your review and consideration of our comments on the following elements of the Draft Industrial General Permit;

1. This draft permit incorporates US EPA Benchmark Values as Numeric Action Limits (NAL) and Numeric Effluent Limits (NEL). The use of NALs and NELs as regulatory triggers is unjustified and inappropriate at this time, creating significant financial hardship and the increased risk of third party lawsuits. Furthermore, no allowances for background concentrations are provided for in this permit thereby increasing the probability of facilities exceeding the stated NALs / NELs even without a contributing industrial source. Please remove the US EPA Benchmark Values as NALs/NELs and consider a more progressive and feasible approach.
2. Section XVII.C., titled Level 2 Structural and/or Treatment Corrective Actions, requires the installation of structural and/or treatment control storm water BMPs for Level 2 permittees. No other option for corrective action has been provided in the draft permit. Additionally, this draft permit fails to provide any guidance as to which Structural and/or Treatment Control device(s) would provide a reasonable probability of obtaining compliance. This proposed permit action would also be potentially destructive to a business. We suggest that a non-structural source control option be provided if a company can provide proof that installing a structural BMP would be spatially infeasible.
3. Section IX., titled Monitoring Requirements, requires more frequent monitoring and sampling to be performed than is currently required. This will require more time for industrial facilities to perform inspections, collect and analyze samples and evaluate data. The number of inspections during a 12 month period will reach several hundred, creating a significant manpower hardship to our facility.

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We request that the Board review this requirement to determine if increased monitoring requirements will have a beneficial effect for the environment, sufficient to justify this additional burden.

4. Section IX., titled Monitoring Requirements, and Section X., titled Sampling and Analysis Requirements, both refer to performing specified tasks "during scheduled facility operating hours". This broad stipulation creates significant safety concerns, access issues, and laboratory availability issues for facilities that operate 24 hours / 7 days per week. We request that the Board add "during daylight hours" to this stipulation to alleviate these concerns.

Thank you for this opportunity to comment on statewide general NPDES permit.

Sincerely,



D. Randy Phillips  
Owens-Brockway Glass Container Inc. - Environmental Administrator