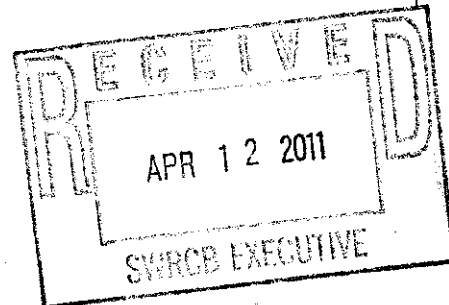




TRUCK RENTING AND LEASING ASSOCIATION

April 6, 2011

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



Re: Draft Industrial General Permit

The Truck Renting and Leasing Association (TRALA) submits these comments in response to the State Water Resource Control Board's (SWRCB) proposed 2011 Draft Industrial General Permit for storm water discharges. TRALA has several concerns with the release of the draft proposal, including the lack of an Economic Impact Analysis to accompany the proposal, the elimination of the group monitoring provision, and the overall increase in cost that will be incurred to TRALA members as a result of the proposal.

TRALA is a voluntary, non-profit national trade association which serves as a unified and focused voice for the truck renting and leasing industry. TRALA's mission is to foster a positive legislative and regulatory climate within which companies engaged in leasing and renting vehicles and trailers, as well as related businesses, can compete without discrimination in the North American marketplace. TRALA's regular membership includes more than 500 companies representing the vast majority of truck renting and leasing operations in the United States. Together, the industry purchases almost 40 percent of all new commercial trucks in classes 3-8 manufactured in the United States and placed into commercial service.

Many TRALA members are small, family owned businesses who rely on the group monitoring provision of the Industrial General Permit to comply with SWRCB regulations. Though TRALA itself does not have a Monitoring Group, TRALA and its members often work in conjunction with the California Trucking Association (CTA), and TRALA members do participate in the California Trucking Association Monitoring Group (CTAMG). Under the new proposal, the group monitoring provision would be effectively eliminated because the new permit "emphasizes sampling and analysis as a means to determine compliance with Best Available Technology Economically Achievable / Best Conventional Pollutant Control Technology (BAT/BCT)" and "Reduced sampling of the magnitude provided to group participants interferes with that goal."

TRALA urges the SWRCB not to eliminate the group monitoring provision simply to expand the sample size. The group monitoring provision allows the group leader and group environmental consultant to complete an additional layer of quality review of reports for accuracy and completion. Group leaders ensure compliance reviews and corrective actions are completed in a much more efficient manner than local Regional Water Quality Control Board (RWQCBs) otherwise would. Most importantly, the group

monitoring provides incentives to reduce compliance burdens by reducing costs associated with storm water compliance, allowing facilities to invest in Best Management Practices (BMPs) and training programs, as well as allowing companies to invest in their existing operations and focus their attention to the growth of their business and job creation, and not on expensive, time-consuming compliance with storm water permitting.


Regarding costs to comply with the proposed new Industrial General Permit, TRALA is concerned that the SWRCB has not completed an Economic Impact Analysis for the proposal. The new proposal will increase the need for sample kits and will impose a significant time commitment for facilities to complete their analysis. Costs will increase for the hiring of environmental consultants, training, and the loss of time employees spend actually focusing on their jobs, as opposed to compliance with the proposed Industrial General Permit. Even more costs would be incurred by businesses if they trigger any of the Numeric Action Levels (NALs) and are required to build structural BMPs, install water treatment systems, and/or sample all qualifying storm events year-round. Costs would skyrocket for a facility that is required to sample every qualifying event throughout every year in which they have an active permit. TRALA is not aware of any scientifically based conclusions that justify the proposed new permit that will eliminate group monitoring and impose a significant regulatory burden on California businesses.

Additionally, the proposed mandate that each facility utilize a Qualified Storm Water Pollution Prevention Plan (SWPPP) Developer (QSD) for the development, implementation of, and any subsequent amendments to the SWPPP is unclear. The requirement does not state how frequently the QSD must review and amend a company's SWPPP. The proposal also contains a requirement that personnel attend specific, state-run training seminars. These mandates are just another layer of costs that will be piled on to businesses in California.

TRALA is concerned with the proposed public access to the SWPPP at all permitted facilities. The location of hazardous materials for complying facilities could be readily available to anyone who requests it. Though TRALA is generally supportive of transparent regulations, in this case, providing the public with some of the information common to SWPPPs may present a serious security risk to the facility and the public.

These kinds of overly burdensome regulations have been known to drive businesses out of state. Businesses would rather move to a nearby state where they do not have to face the steep costs and administrative burdens associated with the increasing stringency of these regulations. TRALA urges the SWRCB to complete an Economic Impact Analysis before any further actions are completed, as well as to preserve the group monitoring provision of the Industrial General Permit.

Sincerely,



Thomas James
President and CEO