

Pratt & Whitney Rocketdyne, Inc.

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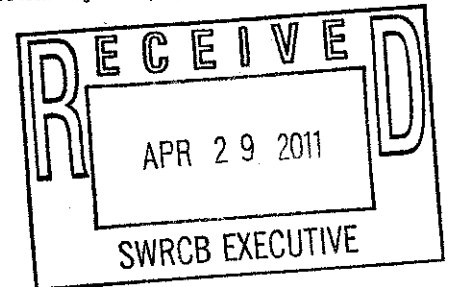


Pratt & Whitney
A United Technologies Company

Public Comment
Draft IGP
Deadline: 4/29/11 by 12 noon

Delivered via email to: commentletters@waterboards.ca.gov

April 29, 2011
In reply refer to 20011RC



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

Subject: Comment Letter – Draft Industrial General Permit

Dear Ms. Townsend:

Pratt & Whitney Rocketdyne appreciates the opportunity to comment on the Draft Statewide General National Pollutant Discharge Elimination System (NPDES) Permit for the Discharge of Storm Water Associated with Industrial Activity (Industrial General Permit). Pratt & Whitney Rocketdyne is committed to environmental protection and compliance with all applicable rules and regulations.

Please find below our comments and recommendations on the Draft Industrial General Permit.

Effluent Limitations (Section V. C.)

Comment: The Numeric Action Levels (NALs), found in Table 4 of the draft permit, are derived from the US EPA Multi-Sector General Permit. As used by the US EPA, these NALs are not intended to be numeric effluent limits and exceedances of the NALs are not considered permit violations. However, the proposed Industrial General Permit as presently drafted would implement numeric effluent limitations and may impose a mandatory minimum penalty once a discharger arrives at Corrective Action Level 3.

The Draft Industrial General Permit use of Numeric Effluent Limits (NELs) is not consistent with the US EPA's intended use of benchmarks. The Draft Fact Sheet asserts that the NELs should be used once a discharger arrives at Corrective Action Level 3. The basis for this assertion is the State Water Board staff's best professional judgment (BPJ) that all dischargers employing best available technology economically achievable (BAT) and best practicable control technology currently achievable (BCT) can reduce pollutants to concentrations at or below NALs.

We strongly oppose this approach and rationale, specifically as they pertain to the low NALs/NELs for metals. Many non-industrial sources contribute to the content of storm water, such as variable and natural occurring background levels, air deposition, vehicle traffic, galvanized fencing and other structural materials. Many of these sources may be outside the control of a given storm water Permittee. As a result, certain reported NAL "exceedances" may be indicated due to conditions that may not be controlled by BAT or BCT best management practices (BMP) implementation.



As stated in the Draft Fact Sheet, the panel recognizes the inadequacy of current monitoring data sets to establish Numeric Limits and Action Levels.

Recommendation: US EPA benchmark values, specifically the metal benchmark values, should not be utilized as NALs or NELs until appropriate scientific evidence confirms their attainability using BAT or BCT. US EPA benchmark values should be utilized as intended, to evaluate the effectiveness of current BMPs, and modify site-specific BMPs and SWPPP's as appropriate.

Training Qualifications and Certification (Section VII A.)

Comment: The SWPPP is required to be written, amended and certified by a Qualified SWPPP Developer (QSD). The QSD is required to be a California registered P.E. or one of three other registered professionals. This is particularly onerous. It places total responsibility for writing and maintaining the plan on someone who doesn't work at the facility (most likely a consultant) and isn't as familiar with the daily operations as the onsite staff.

In the case of the construction SWPPP, it may be appropriate for the contractor to include a California registered P.E. on their staff, who can also write the SWPPP. For an industrial SWPPP, bringing in a consultant with a California registered P.E. on their staff every time the SWPPP needs to be written, amended or certified is an unwarranted and excessive expense. When you consider that there are approximately 10,000 businesses that have an industrial SWPPP, it is unreasonable to expect most of them to have a California registered P.E. on their staff or that they should have to pay a consultant for the services.

Best Management Practices (Section VIII. H.1.)

Comment: The numerous additional visual inspection requirements, documentation and records management required would be extremely burdensome with minimal, if any, improvement to our storm water pollution prevention program.

Although not specified for each new inspection required, the requirement to generate additional documentation would be implied. The burden of proof concerning permit compliance is on the discharger. In order to prove permit compliance during an inspection, audit, or any other program evaluation, documentation of all inspections would be an interpreted as a requirement unless otherwise explicitly stated in the permit, which likely may not occur.

Current practices at our site including secondary containment and weather protection for all chemical and waste stored onsite, periodic surface sweeping with a mobile street sweeper and filters in our storm drain inlets. We also perform employee training aimed at reducing the need for constant inspections and subsequent cleaning, and instead focus on more beneficial improvements to our existing prevention techniques. Visual observations tend to be continuous but not necessarily documented because affected employees understand the requirements and prohibitions and are able to identify issues accordingly.



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The proposed requirements to conduct a weekly good housekeeping inspection, a weekly preventative maintenance inspection, a daily inspection and cleaning of material and waste handling equipment and containers, and the pre-storm inspection and required documentation each time a storm is forecasted would negatively impact our storm water program based on the significant resources it would take to fulfill it. These resources could otherwise be better spent on other compliance activities, training and site-specific improvements to our storm water pollution prevention program.

If there are any questions regarding these comments and recommendations, please call Celeste Hamann at (818) 586-1392.

Sincerely,

Tom Cadwell
Director
PWR Operations
Pratt & Whitney Rocketdyne

CH:dv
Enclosure as noted

(EH&S-11-)

