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"The Difference is Quality"

April 20, 2011

San Diego Regional Water Quality Control Board
9174 Sky Park Court
San Diego, CA 92123-4340

Ref: Reg Measure ID 375971: MMATA
Place: 656901

Mr. Gibson and Members of the Water Quality Control Board:

Once again I express my amazement at the workings of the board. In one sentence I read fireworks "pose no significant threat to water quality", yet this board continues the action of Tentative Order No. R9-2011-0022.

I must say, throughout the process, the Water Quality Board has been most accommodating to fireworks sponsors. The water monitoring requirement was dropped in most instances and there is now a Category One and Category Two Discharger. However, two things remain constant throughout: a permit fee that is excessive along with the permit process and no basis at all for proceeding with any of this. The Board and their advocates state that fireworks pollute the water. I do not disagree, as technically, paper coming down from exploded shells and landing in the water is a form of pollution, but not a significant threat to the water quality. Along that same thought I contend that a surfer pollutes the water, but is not a significant threat to water quality. I contend that a boat pollutes the water, but is not a significant threat to water quality, in most instances. I contend that anything man does to invade the water in its natural state is a pollutant to the water, but again, in most instances, not a significant threat to water quality. However, if fireworks need a permit to pollute the water with chemicals that are natural, and let's remember that the chemical that goes into fireworks is not the chemical reaction that comes out of the fireworks, then so too should a surfer need a permit to take his suntan lotion and surfboard into the water.

Simply put, if there is no significant threat to water quality, there is no need for a permit. That would be just common sense, but also logic.

To date, the Water Quality Board has done nothing nor shown any proof to back the need of a permit. Yet, the board still wants to collect the fee from every sponsor, host, or whatever other name you come up with. This does not tell me the Water Board is as concerned about the water quality as they are about the permit fee.

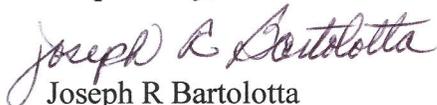
This Water Board is attacking an industry, a form of entertainment that has been around for over 200 years in this country. If fireworks were a major polluter, the footprint would be there for everyone to see, there would be no guessing. This Water Board is proposing to do serious financial harm to companies, to individuals and to organizations, and for what? NO SIGNIFICANT RISK TO WATER QUALITY. The financial ramifications to this action are huge, millions of dollars, impacting jobs, and affecting the economy of San Diego and again, for no significant risk to water quality.

This water board should be taking action against significant threats to water quality and only when this board has the proof that it is a threat, not when it is an ounce of prevention.

Driving more potential revenue from San Diego and the State of California based on no significant risk is not an action that makes any sense at all. Protect the environment by all means, protect the water of course, but use some common sense. Millions of gallons of pollution spills into the ocean from the Tijuana River and we sit here and do nothing because we say we can't. But take up an action such as this because you are pushed by an activist who has no proof, is just plain wrong.

Once again, I say to you: Cancel this action now.

Respectfully,



Joseph R Bartolotta
President

Cc: Governor Jerry Brown
Senator Joel Anderson
Senator Christine Kehoe
Senator Duncan D Hunter
Assemblyman Nathan Fletcher
Assemblyman Brian Jones
Assemblyman Marty Block