



June 9, 2006



Song Her, Clerk to the Board
Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

Subject: Comments & Recommendations to the Draft Utility Vault Permit 2006-XXX-DWQ (NPDES # CAG990002)

Dear Ms. Her:

Southern California Edison (SCE) has reviewed the Draft Utility Vault Permit—NPDES No. CAG990002—and, supports its adoption with a few minor clarifications. In view of that, SCE provides electricity to over 4 million customers in our 50,000 square mile service territory. As you can imagine, we have an extensive network of distribution facilities to service our customers, including almost 400,000 utility vaults located in seven of the nine Water Quality Control Board Regions in California. Thus, SCE has substantial experience with the existing Utility Vault Permit (WQO No. 2001-11-DWQ), and we rely extensively on that well-crafted permit for dewatering the almost 400,000 utility vaults. SCE has found the existing Utility Vault Permit, which requires implementation of Pollution Protection Practices (PPPs), to be both protective of the receiving waters and straightforward with regard to achieving and maintaining compliance. One of the main benefits to the Draft Permit is its comprehensive, region-wide approach to regulating utility vault discharges, as opposed to attempting to regulate each utility vault separately and potentially in a different manner.

SCE recommends that the State Board adopt the Utility Vault Permit at the July 5, 2006 Board Meeting with the few minor changes noted below;

1. Section VII.A.2 (p.8) requires retention of records for three years. However, Attachment E – Monitoring and Reporting Program, Section IV.G, specifies retaining these same records for five years. It should be noted the extended records retention would not result in additional receiving water quality, as the Regional Boards will have reviewed the reports long before the three year retention period expires and will have had a sufficient opportunity to request such records. Thus, SCE requests that the record retention requirements in Attachment E be revised to be consistent with the three year retention period specified in the Draft Permit.

2. Special Provision Section VII.C.3.e (p.9) is a new requirement that specifies the minimum content of the Best Management Practices and Pollution Prevention Plan (PLAN). While Special Provision VII.C.3.d allows an existing permit holder to submit a copy of its existing PLAN to be covered under the new Draft Permit, an existing permit holder may need to reorganize and/or significantly expand its existing PLAN to meet the requirements of VII.C.3.e. Therefore, to conform to these new requirements as part of the Permit renewal process, SCE requests that the Draft Permit allow sufficient time for PLANs to be revised in a systematic manner.
3. Additionally, a number of the requirements in this Special Provision are not applicable to all utility vaults. For example, SCE's vaults do not contain "exposed materials that may be exposed to precipitation". (VII.C.3.e.iii(b)) Thus, SCE recommends that the Special Provision be modified to require only those requirements that are applicable to the facilities covered under the Draft Permit. SCE proposes that Special Provision VII.C.3.e. be revised to read:

"e. The PLAN shall include, to the extent applicable to the utility's structures covered under this permit, the following items:"

4. In Special Provision VII.C.3.e.iv (p.10), which specifies that each "facility" covered by the Draft Permit shall develop a description of PPPs appropriate for the facility and implement such controls, the term "facility" is unclear, but could be interpreted to mean each utility vault covered by the Draft Permit. If a separate PPP were required for each facility, a significant benefit of the General Permit would be negated. Therefore, as it would require SCE to develop PPPs for almost 400,000 utility vaults, developing separate PPPs would be extremely burdensome, and unnecessary.

Thus, SCE suggests that the provision be revised to allow for a PPP to be applicable to all facilities covered under the Draft Permit. To the extent that certain measures in a PPP would not be appropriate for all facilities, that distinction would be explained in the PPP. Or, a separate PPP could be developed like types of facilities. In either case, appropriate PPPs would be prepared for all facilities covered by the Draft Permit. However, it would be done without requiring the development of 400,000 separate PPPs.

5. Section VII C.3.e.iv.d (p.11), requires a permittee to identify qualified personnel to inspect "designated equipment and areas of the facility" on a quarterly basis, and ensure appropriate actions are taken in response to the inspections. As previously noted, SCE maintains almost 400,000 utility vaults and other utilities maintain similarly large numbers of utility vaults.

Similarly, section VII.C.3.e.v. (p.12) requires that a site compliance evaluation be performed at least once per year. However, these requirements for inspection and evaluations are neither practical nor feasible. For example, not all utility vaults are pumped each year. Moreover, inspecting 400,000 utility vaults four times a year will

Ms. Song Her
State Water Resources Control Board
June 9, 2006
Page 3

consume an enormous amount of time, without any commensurate benefit. SCE's past annual reports regarding our representative samples at utility vaults shows that the existing General Permit is protecting water quality. No need for increased inspections and evaluations has been justified.

Thus, SCE strongly recommends that the frequency of a *Site Evaluation* and an *Inspection* be required only where there is an actual discharge from a *Representative* vault. Such an evaluation and inspection of representative vaults will be both achievable and will yield adequate, manageable and relevant data on which to evaluate compliance with the Draft Utility Vault Permit and on which to base improvements to the PLANS.

6. Like many other utilities, SCE contracts with qualified firms to assist in maintaining equipment housed in our utility vaults. Similar to the terms of the Draft Permit, SCE's contracts require the contractors to comply with applicable local, state, and federal regulatory programs. Although SCE may retain ultimate responsibility for compliance with the Utility Vault Permit, inclusion of a provision that identifies contractors as responsible for fines associated with their vault dewatering discharges in violation of the requirements of the Utility Vault Permit would assist utilities in ensuring compliance.

Therefore, your consideration of these clarifications in finalizing the Draft Permit is requested. SCE supports the adoption of the Draft Permit as it provides an effective, comprehensive, and coordinated approach toward regulating discharges from utility vaults.

Thank you for the opportunity to comment on the Draft Permit. If you have any questions regarding SCE's comments, please contact me at (626) 302-3619.

Sincerely,

Hazem Gabr

Hazem Gabr
Environmental Specialist, Corporate EH&S
Southern California Edison