

Department of Water and Power



the City of Los Angeles

ANTONIO R. VILLARAIGOSA
Mayor

RONALD F. DEATON, *General Manager*

June 8, 2006

Ms. Song Her
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, California 95814



Via e-mail and US mail

Dear Ms. Her:

Subject: Comments on the Draft for the Reissuance of the National Pollutant Discharge Elimination System General Permit for Discharges from Utility Vaults and Underground Structures to Waters of the United States

The Los Angeles Department of Water and Power (LADWP) appreciates the opportunity to comment on the draft for the reissuance of the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Utility Vaults and Underground Structures to Waters of the United States (Permit).

LADWP believes the draft Permit continues to represent the most workable permitting structure for the hundreds of thousands of utility substructures, including LADWP's approximately 30,000 vaults, while providing environmental protection to California's surface waters. LADWP provides the following comments for your consideration and encourages the State Water Resources Control Board (SWRCB) to approve the Permit at its upcoming July 5th hearing.

1. Order page 1, Section II (B), General Permit Coverage.

The draft Permit states that permit coverage will not be effective until all four of the noted actions have occurred. One of those actions includes submittal of a "complete application" that contains the NOI, the Plan, a map, and the Permit fee. LADWP is concerned about the timetables involved, and the ability to continue coverage under the existing permit until all the required actions have been accomplished. Since the draft Permit requires additional components be included in the Plan, re-enrollees will need additional time to amend their Plan. Therefore,

LADWP requests that if the Discharger submits all required elements of an application in order for it to be deemed complete by November 1, 2006, that

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coverage under the previous Permit continue in effect until approved by the Executive officer or Regional Board at a public hearing, if requested.

2. Order page 10, Section VII (C)(3)(e)(iii)(b), Inventory of Exposed Materials.

The inventory section requires a description of significant materials that have been handled, treated, stored or disposed in a manner that allows exposure to storm water. LADWP believes that this provision is not applicable to utility substructures. While this type of Best Management Practice (BMP) is generally applicable to most storm water quality management activities, it does not translate to LADWP's electrical vaults which contain only operational, in-service electrical equipment. Only electric cables, transformers, and other operational equipment that support the distribution of power are found in these underground spaces. As such, there is no handling, treating, storing, or disposing of materials at the site.

Special Provision (3)(e)(iii) on page 9, Description of Potential Pollutant Sources, should be sufficient to identify potential pollutants and their sources for which the BMPs are designed to address. The language appears to be more pertinent to facilities that are subject to Municipal Separate Storm Sewer System Permit (MS4) or General Industrial Storm Water Permit (GISWP) which do have a potential to treat, store, handle and dispose materials.

LADWP recommends that this section be deleted.

3. Order page 10, Section VII. (C)(3)(e)(iii)(d), Sampling Data.

This section asks for a summary of existing discharge sample data describing pollutants collected during the term of this General Permit. The annual monitoring report already provides "a summary of existing discharge sampling data" to the Board and, therefore, the requirement is duplicative and unnecessary.

Since the annual report supplies this information, LADWP recommends deleting the Sampling Data section.

4. Order page 11, Section VII. (C)(3)(e)(iv)(d), Inspections.

This paragraph requires that the Plan identify qualified facility personnel who inspect designated equipment and facilities. LADWP believes that job titles or positions are more appropriate than personnel names since the frequency of staff rotation, promotions, turnover, etc, would make updating of the PLAN more difficult.

The draft Permit also appears to be suggesting that inspections of a substructure occur on a quarterly basis and/or during the dry weather. This is both impractical and unnecessary. See Comment 5 below. The requirement to conduct inspections is also found in Section VII (3)(e)(v)(a) and appears to be in conflict.

LADWP requests that the inspection language that is the subject of this comment be deleted.

5. Order page 12, Section VII. (C)(3)(e)(v), Comprehensive Site Compliance Evaluation.

As written, this paragraph implies that each individual vault shall be inspected at least once a year. Due to the vast number of utility vaults, this requirement is not practical or necessary. Discharges from utility substructures only occur when they need to be dewatered. At that time, the substructures can be inspected and the BMPs applied.

LADWP proposes that the compliance evaluation be done only on those vaults which need to be discharged, simultaneous with the application of BMPs. For this reason, LADWP requests the following wording change to the first sentence as follows: "Qualified personnel During the calendar year, a vault which has a discharge shall conduct site compliance evaluations by qualified personnel at appropriate intervals specified in the PLAN but in no case less than once a year. Such evaluations..."

6. Order page 12, Section VII. (C)(3)(e)(v)(b), Comprehensive Site Compliance Evaluation.

Based on the results of the compliance evaluation, this section requires the Discharger to revise, as appropriate, the description of potential pollutant sources in the Plan within two weeks of the evaluation. As previously noted in Comment 2, this type of language appears to be more pertinent to facilities that do have a potential to treat, store, handle and dispose materials subject to Municipal Separate Storm Sewer Systems Permit (MS4) or General Industrial Storm Water Permit (GISWP). LADWP proposes to delete the words "within two weeks of such evaluation" in this section.

LADWP appreciates the opportunity to comment and looks forward to working with the SWRCB in the renewal of this Permit.

If you have any further questions regarding these comments, please feel free to contact Ms. Josefa V. Esparrago of my staff at 213-367-0287.

Sincerely,

A handwritten signature in cursive script that reads "Susan M. Damron".

Susan M. Damron
Manager of Wastewater Quality Compliance

JVE: bdc