Public Comment
Draft Construction Permit
Deadline: 6/11/08 by 12 p.m.

INDUSTRIAL ENVIRONMENTAL ASSOCIATION
Leaders of Environmental Responsibility

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SWRCB EXECUTIVE

June 10, 2008

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

Re: Comments on the revised General Construction Storm Water Permit

Dear Ms. Townsend:

Thank you for the opportunity for our organization to provide comments on the revised General Construction Storm Water Permit.

We are writing to express our concern that new, prescriptive requirements in the tentative order will greatly increase the cost of compliance which will affect the future development and construction of new industrial projects, as well as public works projects, like roads and highways, that are so vital to California's economy.

Specifically, we would like to raise these concerns:

-The tentative order will require costly monitoring and treatment of storm water runoff, not only from the construction site itself, but also from water flow sources outside the boundaries of the development project, over which the site has no control.

-The focus on water quality programs should be to prevent general urban runoff in the first place instead of treating it after the fact.

-The tentative order establishes Numeric Effluent Limits without a thorough review of the cost-effectiveness of and practicality for compliance. Further, the proposed numeric effluent limits were developed without using United States Environmental Protection Agency (USEPA) procedures and without addressing the concerns identified in the state's Blue Ribbon Panel Report (*Report on the Feasbility of Numeric Effluent Limits Applicable to Discharges of Storm Water associated with Municipal, Industrial and Construction Activities* (Currier et al., 2007). Numeric effluent limits should not be implemented into the tentative order until USEPA's procedural process has been followed and recommendations of the Blue Ribbon Panel on Numeric Limits have been fully considered.

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-The State Water Resources Control Board (SWRCB) has recognized the difficulty in setting effluent limitation guidelines for the construction and development industry ahead of the schedule when USEPA will establish effluent limitation guidelines for the construction and development industry, thereby placing California's businesses at a severe competitive and regulatory disadvantage. Considering the possibility that these guidelines may be released this summer for review, the SWRCB should defer adoption of this tentative order until the potential usefulness and/or ramifications of these guidelines can be assessed.

Thank you for your consideration of our comments.

Sincerely,

Patti Krebs

Patti Krebs
Executive Director