PUPIL TRANSPORTATION COOPERATIVE

7 Member School District Joint Powers Agency

April 28, 2011

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street
Sacramento, CA 95812

RE: Comments To The Proposed Industrial Storm Water General Permit

Dear Ms. Townsend:

The Draft Industrial General Permit issued by the State Water Resources Control Board (SWRCB) will cause severe financial and staff resources problems for the Pupil Transportation Cooperative and will take away funds reserved to educate children in our schools. Because the permit is an unfunded mandate from the SWRCB, the permit essentially forces school district administrators to fund for the implementation of the Industrial Permit at the expense of educational programs.

The Pupil Transportation Cooperative transports 3000 students using our buses annually. We have over 140 buses and our bus maintenance yard has never been cited as a storm water polluter.

Our district has many concerns with the proposed permit that were voiced at the March 29, 2011 SWRCB hearing. Our most immediate concerns are as follows:

1. **The permit would require over 300 new or revised inspections and recordation of the inspections annually**. School districts are already overburdened with federal and state compliance requirements. This permit is overly burdensome and does not consider the effort required by the district for compliance. We recommend that the number of inspections be reduced.

2. **The cost to implement the permit is estimated to cost from $29,400 to over $100,000 if advanced treatment for exceeding numeric effluent limits occur**. Education has taken the largest budget reductions from the State since 2007-08 and is projected to take an additional reduction for 2011-12 if the current temporary tax extensions are not approved by voters. The cost to implement the permit is not commensurate with the benefits. School district bus yards are not major polluters. We recommend that the SWRCB consider the cost of implementing the permit and where applicable, provide exemptions for school bus yards.

3. **The permit incorporates the use of Numeric Action Limits (NALs) and Numeric Effluent Limits (NELs) in an improper utilization of these processes**. According to the California Storm Water Quality Association, the SWRCB proposed utilization of the NALs and NELs to set performance standards and remediation follow up for possible mandatory fines is improper

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and an incorrect adaptation of the United States Environmental Protection Agency processes into a storm water permit. We recommend that the NALs and NELs requirements be deleted.

4. **The permit mandates that district staff must receive training from a State sponsored Qualified Storm Water Pollution Prevention Plan Practitioner training program and as a result would eliminate the need for group monitoring**. We do not agree with this conclusion. The primary mission of district bus maintenance yard staff is to provide safe, reliable and available buses to transport students. Under "group monitoring" a monitor provides annual and as needed training as problems arise, reminds districts to conduct inspections and fill out reports, reviews reports for compliance, analyzes water samples, and answers questions. Elimination of group monitoring eliminates a vital source of information and expertise and would result in less compliance. We recommend that group monitoring be retained and if a district utilizes group monitoring, that district staff be exempted from the training requirement.

We believe that school district bus yards are different than truck bus yards servicing inter-state commerce, salvage yards, and land fill sites, and recommend that the SWRCB recognize our difference. School district bus maintenance yards are not major polluters. School districts should not be put into a situation to divert funds intended for educating children to promoting water quality.

Pupil Transportation Cooperative requests that you consider our recommendations and respond to our concerns. Questions regarding this letter should be made to the undersigned at (562) 945-2581 ext. 226.

Sincerely,

Dan Ibarra
Dan Ibarra
Director

cc: Mr. Charles R. Hoppin, Chair, SWRCB
Ms. Frances Spivy-Weber, Vice Chair, SWRCB
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