

C. Industrial/Commercial Facilities Program [Version A]

Each Permittee shall implement an Industrial and Commercial Facilities Program. The objective is to reduce pollutants in storm water runoff to the maximum extent practicable by requiring the implementation of pollutant reduction and control measures at industrial and commercial facilities. At a minimum, the Program shall include the following requirements.

1. Inventory of Facilities

a) Database for Critical Sources Identification

Each Permittee, within its jurisdiction, shall update annually (individually or in partnership) a watershed-based inventory of all facilities identified as priority through the Permittees critical sources identification program. The database inventory of facilities may be augmented or reduced as new data becomes available. The update of the database may be accomplished through the collection of new information obtained through field activities or through other readily available intra-agency informational databases (e.g. business licenses, pretreatment permits, sanitary sewer hook-up permits). The inventory shall include the following minimum fields of information for each industrial and commercial facility:

- (1) Name of facility and name of owner/operator;
- (2) address;
- (3) coverage under the GIASP or other individual or general NPDES permits; and
- (4) a narrative description including SIC codes that best reflects the principal products or activities performed by each facility.

The use of an automated database system, such as Geographical Information System (GIS) or Internet-based system is highly recommended, but not required. The Permittees may add other fields of information, as necessary (e.g. to point out discrepancies between SIC Code designation and type of activities actually performed on-site, exposure of activities and/or materials to storm water, etc.) Facilities determined at no risk of exposure will be so identified in the inventory database. At a minimum, the type of facilities considered for the inventory, will include:

b) High Priority Categories

- (1) Municipal Landfills

- (2) Hazardous Waste Treatment, Disposal and Recovery Facilities
- (3) Facilities Subject to SARA Title III (also known as EPCRA)
- (4) Restaurants
- (5) Wholesale trade (scrap, auto dismantling)
- (6) Automotive service facilities
- (7) Fabricated metal products
- (8) Motor freight
- (9) Chemical/allied products
- (10) Automotive Dealers/Gas Stations
- (11) Primary Metals Products

c) Lower Priority Categories

Facilities which are listed in Attachment B of the permit.

2. Municipal Landfills, Hazardous Waste Treatment, Disposal and Recovery Facilities, Facilities Subject to SARA Title III (also known as EPCRA)

a) The Permittees shall inspect

- (1) Municipal landfills;
- (2) Hazardous waste treatment, disposal and recovery facilities; and,
- (3) Facilities subject to SARA Title III

once every 24 months.

b) Level of inspection: The Permittees shall confirm that

- (1) BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP; and,
- (2) Each owner/operator has a current Waste Discharge Identification (WDID) number, and that a Storm Water Pollution Prevention Plan is available on-site.

3. Restaurants

The Permittees, in cooperation with their appropriate departments (such as health, public works, etc.), or using an equivalent approach, shall inspect all restaurants to determine that storm water BMPs are being implemented effectively.

- a) Frequency: The Permittees shall inspect each restaurant once every 24 months.
- b) Level of inspection: The Permittees shall confirm that BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP.
- c) Restaurants shall be inspected to verify that:
 - (1) Oil and Grease residue is not poured onto a parking lot, street or adjacent catch basin;
 - (2) The trash bin area is clean, trash bin lid closed, not filled with liquid or washed out;
 - (3) Parking lot, alley, sidewalk and street areas (in the immediate vicinity of the establishment), floormats, filters and garbage containers are not washed and that no washwater is poured in those areas;
 - (4) Removal of food waste, rubbish or other materials from the parking lot area is not performed in an unsanitary manner or creating a nuisance through hosing down the area.
- d) Inspectors shall distribute educational materials to facility operator on storm water pollution prevention practices.

4. Retail Gasoline Outlets

The Permittees shall communicate appropriate BMPs to each RGO (in accordance with the SQMP and Regional Board Resolution 98-08, and the Stormwater Quality Task Force Best Management Practice Guide for RGOs.)

- a) Frequency: The Permittees shall inspect each RGO and Automotive Service facility once every 24 months.
- b) Level of inspection: The Permittees shall confirm that BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP.
- c) RGOs shall be inspected to verify that:
 - (1) Fuel-dispensing areas are routinely swept for removal of litter and debris, and that rags and absorbents are ready for use in case of leaks and spills;

- (2) Operator is aware that wash down of RGO area to the storm drain is prohibited;
 - (3) Employees are trained in management of waste materials;
 - (4) Drains and flow patterns are labeled at the facility;
 - (5) Inspection and cleans up of storm drain inlets and catch basins within the facility's boundaries are performed before October 1 each year;
 - (6) Posting signs are close to the fuel dispenser that warn vehicle owners/operators against "topping off" of vehicle fuel tanks and installation of automatic shutoff fuel dispensing nozzles;
 - (7) Outdoor waste receptacle and air/water supply area is routinely cleaned-up of leaks and drips, that only watertight waste receptacles are used and lids are closed. Check if grading is done in such a way to prevent run-on of storm water, segregation of flow, and if a roof cover or a low containment berm was built; and,
 - (8) Employees are trained to implement storm water pollution prevention practices.
- d) A follow-up inspection shall be performed within one business day when a complaint related to non-storm water or contaminated storm water discharge is made against a previously inspected RGO.

5. Automotive Service Facilities

The Permittees shall communicate appropriate BMPs to each Automotive Service facility (in accordance with the SQMP and Regional Board Resolution 98-08.)

- a) Frequency: The Permittees shall inspect each Automotive Service facility once every 24 months.
- b) Level of inspection: The Permittees shall confirm that BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP.
- c) Automotive Service facilities shall be inspected to verify that:
 - (1) The facility area is clean and dry without evident stains;
 - (2) Measures are implemented to prevent spills and leaks;
 - (3) The facility operator properly manages wastewaters;
 - (4) The facility operator is aware of the prohibition on discharge of non-storm water to the storm drain;

- (5) The facility operator properly manages raw and waste materials including proper disposal of hazardous waste;
- (6) Outdoor work and storage areas are protected to prevent potential pollution;
- (7) Storm drain inlets situated on the property are labeled, inspected and routinely cleaned out; and,
- (8) Employees are trained to implement storm water pollution prevention practices.

6. Site Visits to Lower Priority Categories

- a) Based on the inventory developed under paragraph 1. above, each Permittee shall visit facilities identified as lower priority as specified below.
 - (1) Frequency: Each Permittee shall visit all industrial/commercial facilities (except those subject to the inspection program) no later than (24 months from the permit effective date).
 - (2) Level of visit: Each Permittee shall confirm that each owner/operator:
 - (i) has a current Waste Discharge Identification (WDID) number (for facilities discharging storm water associated with industrial activity), and that a Storm Water Pollution Prevention Plan is available on-site, and
 - (ii) is implementing BMPs consistent with model programs for industrial and commercial facilities, and local storm water/urban runoff ordinances.
 - (3) Enforcement Referral: For any facility not complying with requirements for facilities discharging storm water associated with industrial activity (i.e. a non-filer), Permittees shall advise the owner/operator of such facility of its obligation to obtain coverage under the GIASP, and shall document this action. On a quarterly basis, Permittees shall provide the Regional Board an updated electronic record of non-filers identified during site visits.
- b) Each Permittee shall develop and implement a program to conduct spot checks of lower priority facilities subject to site visits (excluding those previously determined to pose no risk of exposure). After the completion of the first site visit cycle (i.e., first 24 months) twenty percent of the total number of facilities will be visited per year. Spot check visits will be performed as described in paragraph a.2. and a.3. of section 6.

7. BMPs Implementation

In the event that particular minimum BMPs are infeasible at any site, Permittees shall require implementation of other BMPs that will achieve the equivalent reduction of pollutants in the storm water discharges. Furthermore, Permittees may require additional site-specific controls (BMPs) as necessary to comply with this Order, including BMPs that are more stringent than those required under the statewide GIASP.

- a) For industrial and specified commercial facilities, identified as critical sources, tributary to CWA § 303(d) impaired water bodies, Permittees shall consider requiring operators to implement additional controls as necessary.
- b) For industrial and specified commercial facilities, identified as critical sources, within or directly adjacent to or discharging directly to ESAs, Permittees shall consider requiring operators to implement additional controls as necessary.

8. Complaint Response

In response to any complaint related to storm water or unauthorized non-storm water discharges or a specific request by the Regional Board Executive Officer, a Permittee shall visit any facility, to determine if the facility is effectively complying with the SQMP and municipal storm water/urban runoff ordinances.

9. Interagency Coordination

The Permittees shall provide compliance assistance to the Regional Board through supporting activities, including but not limited to: referrals of complaints, assisting in identification of current owners, operators, and leasees in conjunction with activities performed at any facility within municipal jurisdiction, appearing as witnesses in Regional Board enforcement hearings, and participating in joint inspections when requested by Regional Board staff.

Copies of the inspection/site visit report and any follow-up documentation shall be provided to the Regional Board Executive Officer upon request.

10. Regional Board Inspected Facilities

To the extent that the Regional Board has conducted an inspection of a facility during a particular year, or the inspection has been performed through an authorized agent on behalf of the Regional Board, the Permittee need not inspect the facility during the same 24 month inspection period.

11. Facilities Not Addressed

The Permittees need not inspect State or Federal facilities that are not under their jurisdiction.

C. Industrial/Commercial Facilities Program [Version B]

Each Permittee shall implement an Industrial and Commercial Facilities Program. The objective is to reduce pollutants in storm water runoff to the maximum extent practicable by requiring the implementation of pollutant reduction and control measures at industrial and commercial facilities. At a minimum, the Program shall include the following requirements.

1. Inventory of Facilities

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- (6) Automotive service facilities
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- (8) Motor freight
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- (2) Hazardous waste treatment, disposal and recovery facilities; and,
- (3) Facilities subject to SARA Title III

once every 24 months.

b) Level of inspection: The Permittees shall confirm that

- (1) BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP; and,
- (2) Each owner/operator has a current Waste Discharge Identification (WDID) number, and that a Storm Water Pollution Prevention Plan is available on-site.

3. Restaurants

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- a) Frequency: The Permittees shall inspect each restaurant once every 24 months.
- b) Level of inspection: The Permittees shall confirm that BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP.
- c) Restaurants shall be inspected to verify that:
 - (1) Oil and Grease residue is not poured onto a parking lot, street or adjacent catch basin;
 - (2) The trash bin area is clean, trash bin lid closed, not filled with liquid or washed out;
 - (3) Parking lot, alley, sidewalk and street areas (in the immediate vicinity of the establishment), floormats, filters and garbage containers are not washed and that no washwater is poured in those areas;
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- d) Inspectors shall distribute educational materials to facility operator on storm water pollution prevention practices.

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 - (1) Fuel-dispensing areas are routinely swept for removal of litter and debris, and that rags and absorbents are ready for use in case of leaks and spills;

- (2) Operator is aware that wash down of RGO area to the storm drain is prohibited;
 - (3) Employees are trained in management of waste materials;
 - (4) Drains and flow patterns are labeled at the facility;
 - (5) Inspection and cleans up of storm drain inlets and catch basins within the facility's boundaries are performed before October 1 each year;
 - (6) Posting signs are close to the fuel dispenser that warn vehicle owners/operators against "topping off" of vehicle fuel tanks and installation of automatic shutoff fuel dispensing nozzles;
 - (7) Outdoor waste receptacle and air/water supply area is routinely cleaned-up of leaks and drips, that only watertight waste receptacles are used and lids are closed. Check if grading is done in such a way to prevent run-on of storm water, segregation of flow, and if a roof cover or a low containment berm was built; and,
 - (8) Employees are trained to implement storm water pollution prevention practices.
- d) A follow-up inspection shall be performed within one business day when a complaint related to non-storm water or contaminated storm water discharge is made against a previously inspected RGO.

5. Wholesale Trade (scrap, auto dismantling), Fabricated Metal Products, Motor Freight, Chemical/Allied Products, Primary Metal Products Facilities

- a) The Permittees shall inspect
 - (1) Wholesale trade (scrap, auto dismantling);
 - (2) Fabricated metal products;
 - (3) Motor freight;
 - (4) Chemical/Allied products; and
 - (5) Primary metal productsfacilities once every 24 months.
- b) Level of inspection: The Permittees shall confirm that
 - (1) BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP; and,

- (2) Each owner/operator has a current Waste Discharge Identification (WDID) number, and that a Storm Water Pollution Prevention Plan is available on-site.

6. Automotive Service Facilities

The Permittees shall communicate appropriate BMPs to each Automotive Service facility (in accordance with the SQMP and Regional Board Resolution 98-08.)

- a) Frequency: The Permittees shall inspect each Automotive Service facility once every 24 months.
- b) Level of inspection: The Permittees shall confirm that BMPs are effectively implemented in compliance with County and Municipal ordinances, Regional Board Resolution 98-08, and the SQMP.
- c) Automotive Service facilities shall be inspected to verify that:
 - (1) The facility area is clean and dry without evident stains;
 - (2) Measures are implemented to prevent spills and leaks;
 - (3) The facility operator properly manages wastewaters;
 - (4) The facility operator is aware of the prohibition on discharge of non-storm water to the storm drain;
 - (5) The facility operator properly manages raw and waste materials including proper disposal of hazardous waste;
 - (6) Outdoor work and storage areas are protected to prevent potential pollution;
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7. Site Visits to Lower Priority Categories

- a) Based on the inventory developed under paragraph 1. above, each Permittee shall visit facilities identified as lower priority as specified below.
 - (1) Frequency: Each Permittee shall visit all industrial/commercial facilities (except those subject to the inspection program) no later than (24 months from the permit effective date).
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- (i) has a current Waste Discharge Identification (WDID) number (for facilities discharging storm water associated with industrial activity), and that a Storm Water Pollution Prevention Plan is available on-site, and
 - (ii) is implementing BMPs consistent with model programs for industrial and commercial facilities, and local storm water/urban runoff ordinances.
- (3) Enforcement Referral: For any facility not complying with requirements for facilities discharging storm water associated with industrial activity (i.e. a non-filer), Permittees shall advise the owner/operator of such facility of its obligation to obtain coverage under the GIASP, and shall document this action. On a quarterly basis, Permittees shall provide the Regional Board an updated electronic record of non-filers identified during site visits.
- b) Each Permittee shall develop and implement a program to conduct spot checks of lower priority facilities subject to site visits (excluding those previously determined to pose no risk of exposure). After the completion of the first site visit cycle (i.e., first 24 months) twenty percent of the total number of facilities will be visited per year. Spot check visits will be performed as described in paragraph a.2. and a.3. of section 7.

8. BMPs Implementation

In the event that particular minimum BMPs are infeasible at any site, Permittees shall require implementation of other BMPs that will achieve the equivalent reduction of pollutants in the storm water discharges. Furthermore, Permittees may require additional site-specific controls (BMPs) as necessary to comply with this Order, including BMPs that are more stringent than those required under the statewide GIASP.

- a) For industrial and specified commercial facilities, identified as critical sources, tributary to CWA § 303(d) impaired water bodies, Permittees shall consider requiring operators to implement additional controls as necessary.
- b) For industrial and specified commercial facilities, identified as critical sources, within or directly adjacent to or discharging directly to ESAs, Permittees shall consider requiring operators to implement additional controls as necessary.

9. Complaint Response

In response to any complaint related to storm water or unauthorized non-storm water discharges or a specific request by the Regional Board Executive Officer, a Permittee shall visit any facility, to determine if the

facility is effectively complying with the SQMP and municipal storm water/urban runoff ordinances.

10. Interagency Coordination

The Permittees shall provide compliance assistance to the Regional Board through supporting activities, including but not limited to: referrals of complaints, assisting in identification of current owners, operators, and leasees in conjunction with activities performed at any facility within municipal jurisdiction, appearing as witnesses in Regional Board enforcement hearings, and participating in joint inspections when requested by Regional Board staff.

Copies of the inspection/site visit report and any follow-up documentation shall be provided to the Regional Board Executive Officer upon request.

11. Regional Board Inspected Facilities

To the extent that the Regional Board has conducted an inspection of a facility during a particular year, or the inspection has been performed through an authorized agent on behalf of the Regional Board, the Permittee need not inspect the facility during the same 24 month inspection period.

12. Facilities Not Addressed

The Permittees need not inspect State or Federal facilities that are not under their jurisdiction.

C. Industrial/Commercial Educational Program [Version C]

Each Permittee shall implement an industrial/commercial site visit program. The purpose of such site visits will be solely educational and to provide industrial/commercial facilities with information regarding the Permittee's storm water program, and to provide advice when requested in understanding and complying with the Permittee's storm water regulations. To minimize cost, each Permittee is encouraged to coordinate its site visit program with existing fire, health, industrial wastes and/or other inspection type programs so that the Permittee need not institute new and separate site visit programs. The program shall contain the following components:

1. Identification of Sources
 - a. The Principal Permittee in consultation with the Permittees shall maintain and update a database for listing industrial/commercial facilities by four digit SIC Industry Numbers. This database will serve as a reference resource for the public, business, industry, local government, the Regional Board, and other public agencies on storm water program participation. The initial accuracy of the database will be dependent on the accuracy of electronic and information sources used to establish the database, but the accuracy is expected to improve after Permittees begin to implement the industrial/commercial site visit program. No legal import is to be attributed to the database developed by the Permittees. The database format shall include at a minimum:
 - i. Facility name;
 - ii. Site address;
 - iii. Watershed Management Area;
 - iv. Applicable SIC code(s); and
 - v. NPDES storm water permit coverage status, if applicable.
 - b. Each Permittee shall collect information based on the format developed by the Principal Permittee to identify industrial/commercial facilities within its jurisdiction and submit to the Principal Permittee not later than one month after the Principal Permittee provides the database format to the Permittees or for "iii" below not later than one year after designation of groups by the WMC. The list of facilities shall include, at a minimum:
 - i. All industrial groups regulated under Phase I of the Federal storm water program (40 CFR 122.26; Phase I Facilities);
 - ii. Motor vehicle repair shops, motor vehicle body shops, motor vehicle parts and accessories facilities, gas stations, and restaurants; and
 - iii. Additional SIC industrial/commercial groups identified as priorities by each WMC pursuant to this Order.

- c. The Principal Permittee shall maintain and update the information submitted by each Permittee into a database of industrial/commercial facilities. This database shall include:
 - i. For each four-digit SIC Industry Number, primary activities that might impact runoff discharges (from national or commercial database sources); and
 - ii. For each four-digit SIC Industry Number, primary materials that might impact runoff discharges (from national or commercial database).

2. Source Control Measures

The Permittees, shall require the implementation of specific storm water BMPs for each industrial/commercial SIC group of facilities requiring educational site. The BMPs shall:

- a. Address multiple pollutants;
- b. Initially focus on pollutant source minimization, education, good housekeeping, and site design alternatives; and
- c. Target source areas and activities with the highest potential to generate substantial pollutant loads.

The Principal Permittees shall distribute the BMP lists to the Permittees to be incorporated in each Permittee's outreach measures conducted during industrial/commercial site visits.

3. Educational Site Visits

- a. Each Permittee shall implement an industrial/commercial educational site visit program according to the following schedule in Table 7:

Table 7
Schedule of Educational Site Visits

FACILITIES	SITE VISIT FREQUENCY (No. of Contacts / Time period)
i) Phase I*, [i]-[ix] and [xi] with waste discharge or pretreatment permit	1 / 24 months **
ii) Phase I, [i]-[ix] and [xi] with no waste discharge or pretreatment permit but with GIASP	1 / 24 months**
iii) Phase I, [i]- [ix] with no waste discharge or pretreatment permit, and no GIASP	1 / 24 months**
iv) Phase I [xi] with no GIASP	1 / 5 years***

v) Vehicle repair shops, vehicle body shops, vehicle parts and accessories facilities	1 / 24 months**
vi) Gas stations	1 / 24 months* *
vii) Restaurants	1 / 24 months* *
viii) Facilities selected by WMCs	1 / 36 months

* See Glossary of Terms for definition

** Once in 24 months with a minimum of two site visits during the five-year term of this Order

*** See exception in text below

- i. Phase 1 facilities in categories [i] through [ix] and [xi] which have an industrial waste discharge permit or a pretreatment permit, once every twenty-four months;
 - ii. Phase 1 facilities in categories [i] through [ix] and [xi], which do not have an industrial waste discharge permit or a pretreatment permit but have obtained coverage under the GIASP, once every twenty-four months;
 - iii. Phase 1 facilities in categories [i] through [ix], which do not have an industrial waste discharge permit, a pretreatment permit or GIASP coverage, once every twenty-four months;
 - iv. Phase 1 facilities in category [xi] without an industrial waste discharge permit, a pretreatment permit, or GIASP coverage. In lieu of a site visit, contact by phone, mail-out of questionnaire and educational materials, or other similar method to inform the facilities of notice of intent (NOI) requirements and encourage good storm water quality control measures (non-responders to be identified in annual report), once in five years;
 - v. Vehicle repair shops, vehicle body shops, vehicle parts and accessories (SIC Industry Major Group 75); once every twenty-four months;
 - vi. Gasoline stations (SIC Industry Number 5541); once every twenty-four months;
 - vii. Restaurants (SIC Industry Number 5812), once every twenty-four months; and,
 - viii. Additional SIC industrial/commercial groups identified by the WMC for the watershed in which the Permittee is located, once in thirty-six months, with a maximum limit of 3,000 additional site visits per Permittee during the term of this Order.
- b. During the educational site visit, the Permittee shall:

- i. Consult with a representative of the facility to explain applicable storm water regulations;
 - ii. Distribute and discuss applicable BMP and educational materials, including information regarding the codes, regulations, ordinances, and permits applicable to the category of the facility. In the case of Phase I facilities, notify the facility of specific requirements under the GIASP including that such facilities must file an NOI with the State Water Resources Control Board and that SWPPP must be available on the site; and
 - iii. Follow-up with facilities, as deemed necessary and appropriate by the Permittee, to provide advice in complying with the Permittee's storm water ordinances, prohibitions, and other legal instruments.
- c. Each Permittee shall submit to the Principal Permittee, on a quarterly basis, the lists of visited facilities identified by category. The Principal Permittee shall compile the submitted lists and submit them to the Executive Officer on a quarterly basis.

4. Alternative Programs

A Permittee may petition the Executive Officer to substitute the industrial/commercial educational program with an alternative industrial/commercial educational program that will achieve greater or substantially similar educational goals and which will be implemented within a similar period of time.