

Regional Water Quality Control Board
North Coast Region

Executive Officer's Summary Report
Thursday, May 18, 2017
Regional Water Board Office
Santa Rosa, California

ITEM: 7

SUBJECT: Update on the Industrial Storm Water General Permit (Mona Dougherty)

BOARD ACTION: This information item will provide an update on the status of implementation of the Industrial Storm Water General Permit, Order No. 2014-0057-DWQ, in the North Coast Region. No action will be taken by the Regional Water Board.

BACKGROUND: The State and Regional Water Boards regulate discharges of industrial storm water through National Pollutant Discharge Elimination System (NPDES) permits. The Industrial Storm Water General Permit (IGP) authorizes discharges of industrial storm water to waters of the United States. The IGP regulates discharges of storm water and authorized non-storm water from specific categories of industry, including industrial operations that manufacture, mine or move people or freight. It also requires IGP coverage for waste disposal and recycling facilities, such as wastewater treatment plants, composters, metal recyclers and automobile wrecking yards.

The IGP requires control of pollutants using Best Management Practices (BMPs) that represent Best Available Technology Economically Achievable (BAT) and Best Conventional Pollutant Control Technology (BCT) in light of best industry practice. In other words, permittees are required to select, design, install and implement BMPs that reduce or prevent discharges of pollutants in their storm water and allowable non-storm water discharges in a manner that reflects best industry practice considering their technological availability and economic practicability and achievability. The IGP emphasizes effective source control measures, such as cleaning of outdoor areas, regular equipment maintenance and preventing storm water from contacting exposed feedstocks, wastes, and finished products. The IGP requires permittees to submit and implement a storm water pollution prevention plan (SWPPP). The SWPPP is a document that describes how the facility will comply with the IGP, including installation and maintenance of BMPs and other pollution prevention measures.

DISCUSSION: The current IGP was adopted by the State Water Board on April 1, 2014, and became effective on July 1, 2015. Significant changes in the IGP from the prior permit include requirements such as electronic reporting to the State Water Board Stormwater Multiple Application and Report Tracking System (SMARTS) database, new monitoring protocols, implementation of minimum BMPs, ocean outfall sampling, and specified treatment design standards for advanced treatment systems.

The IGP allows for the formation of Compliance Groups, where industries of similar types and pollutant sources can join efforts to meet permit requirements, overseen by a trained Compliance Group Leader. Compliance Groups require less sampling and often result in better overall permit compliance.

The IGP includes two new categories: No Exposure Certification (NEC) where permittees certify that their facilities have no exposure of industrial activities and materials to storm

water, and a Notice of Non-Applicability (NONA) where all storm water runoff is retained onsite for infiltration/evaporation and reuse. NONA applications must describe how the site will retain all runoff, and must be certified by a professional engineer.

The IGP includes Numeric Action Levels (NALs), which are EPA benchmark levels for specific pollutants, and exceedances of the NALs require permittees to take specific actions. NAL exceedances are not by themselves permit violations; compliance is determined by whether or not additional BMPs are implemented to address the NAL exceedance over the course of the following reporting year.

The IGP now contains three levels of regulation: Baseline, Level 1 and Level 2. All facilities start at the Baseline level. Facilities that exceed NALs on an annual basis move from Baseline to Level 1. Level 1 requires permittees to prepare an Exceedance Response Action (ERA) Report that evaluates and identifies corresponding BMPs that the permittee shall implement to prevent future NAL exceedances, and requires permittees to designate a Qualified Industrial Storm Water Practitioner to improve compliance and maintain consistent implementation of the IGP. Level 1 compliance is determined via sample results from the following reporting year. Continued exceedances the following year will escalate the facility into a Level 2 status, requiring a more robust technical report and additional BMPs.

The IGP requires visual monitoring of all discharge points, industrial areas, and BMPs monthly. Permittees are required to collect two samples from qualifying storm events (QSEs) in the first half of the reporting year and two samples from the second half of the reporting year. Permittees are required to collect representative samples from each discharge point, and analyze for total suspended solids (TSS), pH, additional parameters assigned due to the type of industrial activities and on a facility-specific basis based on a pollutant source assessment, and pollutants that may contribute to Clean Water Act 303(d) list impairments or Total Maximum Daily Loads.

The reporting year for the IGP is July 1 – June 30, and annual reports are due on July 15 of each year. Annual reports for the first year of reporting under the new IGP were due on July 15, 2016. Annual reports for the last reporting year were submitted by all but 34 facilities in the North Coast Region; and 13 of those facilities remain active. In addition, 98 facilities submitted annual reports, but did not follow the monitoring requirements in the IGP and did not submit data.

Of the 426 active industrial storm water permittees in the North Coast Region 84 facilities have requested NEC coverage, and 7 facilities have submitted a NONA application. Of the 426 active industrial storm water permittees, 65 were moved from Baseline status to Level 1 based on NAL exceedances the first year of coverage under the updated IGP. For the 65 Level 1 permittees, an ERA report was due on January 1, 2017; and two facilities have not submitted an ERA report to date. The most common NAL exceedances in the North Coast Region are TSS, Iron, and Aluminum.

In this informational item, Regional Water Board staff will provide an update of the first year of implementation under the new IGP for the industrial facilities located in our region.

RECOMMENDATION: N/A

SUPPORTING DOCUMENTS: N/A