

FINAL DRAFT

On February 19, 2014 the State Water Board released the latest version of the final draft of the Industrial General Permit (Draft IGP). When the last draft was released on July 19, 2013 you may recall how we reviewed the changes from the previous draft. As we predicted, the February 19, 2013 Draft IGP did not make any major changes from the last draft of the permit, but focused primarily on language clarifications and date changes to help address questions brought up during the last round of comments about the July 19 2013 Draft IGP. In this month's edition of the **Rain Events** we will look at the changes made in this latest version of the Draft IGP.



Based on comments received from the July 19, 2013 Draft IGP, the State Water Resources Control Board issued the current Draft IGP in an effort to help "reduce confusion and complexity in permit requirements."¹ With the exception of general language clarifications throughout the permit, the most significant changes were made to the sections dealing with the No Exposure Certification, the 303(d) Impairments List, the definition of plastic materials, Temporary Suspension of Industrial Activities, and Numeric Action Levels exceedances.

<small>Industrial General Permit DRAFT Order</small> NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES ORDER NPDES NO. CAS000001	
This Order was adopted by the State Water Resources Control Board on:	<Adoption Date>
This Order shall become effective on:	January July 1, 2015
This Order shall expire on:	December 31, 2019 June 30, 2020

NO EXPOSURE CERTIFICATION

The NEC enrollment schedule was extended from the Draft IGP expected adoption date of July 1, 2015 to October 1, 2015.² Since the requirements to qualify for a NEC will change from the requirements in the current Order, the Water Board reasoned that the extended date would help give facilities intending to file for NEC coverage some more much-needed time. Extending the date would also "stagger the workload" for Water Board staff who will be processing the IGP registration submittals.¹

303D IMPAIRMENTS LIST

The Water Board added Appendix 3 which references a comprehensive list compiled in 2010 of 303(d) impaired water bodies.³ This is in response to numerous questions concerning "how and when a discharger would monitor for 303(d) impairments."¹ The list organizes the 303(d) impaired water bodies into two groups, seen in black and red fonts. Permittees with discharges to those water bodies listed in black are required to sample for the listed parameters. Permittees with discharges to those water bodies listed in red are not required to sample for the listed parameters if the permittee has determined through the potential

pollutant assessment process that those pollutants will not likely be present in storm water discharges. Please note that the 303(d) impaired water bodies listing is subject to periodic change/updating.

PLASTIC MATERIALS DEFINITION

The definition of “Plastic Materials” has been modified to help clarify the types of preproduction plastics which may require additional permit requirements.⁴ The special requirements for preproduction plastics were placed in the Draft IGP in response to California Assembly Bill 258.⁵



TEMPORARY SUSPENSION OF INDUSTRIAL ACTIVITIES

The reporting requirement description was updated to add clarity as to which monitoring activities permittees would not be required to utilize during an approved temporary suspension of industrial activities.⁶

NUMERIC ACTION LEVELS EXCEEDANCES

In reviewing the comments for the July 19, 2013 Draft IGP, we at the **Rain Events** noted that many of the comments centered around the unclear language involving Numeric Action Levels, which caused some confusion as to how a discharger moves/transitions from a Level 1 ERA to Level 2 ERA for a NAL exceedance. The July 19, 2013 Draft IGP gave permittees 60 days from entering Level 1 ERA status to have their assigned Qualified Industrial Stormwater Practitioner help them complete Level 1 ERA requirements. However, now permittees have until October 1 of each year to complete the Level 1 ERA requirements with the assistance of their QISP.⁷

The deadline for submitting comments about the current Draft IGP closed on March 4 and the Water Board is currently reviewing the comments that were submitted. As of press time, these comments can be viewed online.⁸

Based on the last revisions made to the previous two draft IGPs and the posted comments to the February 19, 2014 Draft IGP, we at the **Rain Events** predict that the remaining Draft IGP revisions will again be mostly language calcifications; we do not expect any additional significant changes in requirements.

Any final revisions based on received comments will be applied to the draft IGP prior to the IGP adoption hearing which is scheduled for April 1, 2014.⁹

Notes:

¹ http://www.swrcb.ca.gov/water_issues/programs/stormwater/docs/industrial_permitdocs/strikeout/opa_igp_fnl.pdf

² http://www.swrcb.ca.gov/water_issues/programs/stormwater/docs/industrial_permitdocs/strikeout/igp_docs_2192014.pdf

³ http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial_permitdocs2014so.shtml (see Appendix 3 download link)

⁴ See February 19, 2014 Draft Industrial General Storm Water Permit Findings Section p.73, pp 13-14 and Section XVIII

⁵ http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=200720080AB258&search_keywords=

⁶ See February 19, 2014 Draft IGP, Section X.H.3 pp 35-36

⁷ Ibid, Section XII pp 50-58

⁸To view the comments, go to: http://www.waterboards.ca.gov/water_issues/programs/stormwater/comments_industrial_permit.shtml

⁹ http://www.swrcb.ca.gov/water_issues/programs/stormwater/docs/industrial_permitdocs/040114notice_igp.pdf

Important Dates for the Current Draft Permit

- **April 1, 2014 9:00 AM – Public Draft Adoption Meeting at the Joe Serna, Jr. Cal/EPA Headquarters Building, Coastal Hearing Room IGP Sacramento (also broadcasted online)**
- **July 1, 2015 – Anticipated effective date of the new permit.**

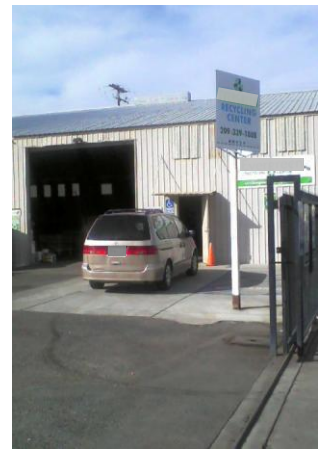
For more information, go to http://www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml



The Compliance Corner . . .

Senate Bill No. 485 (Storm Water Coverage for Recyclers)

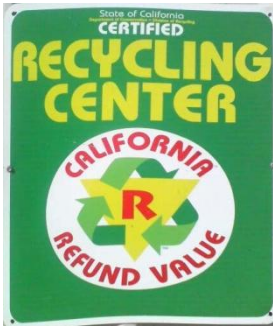
For the past few years, stories of stolen metals (especially copper) have been all too common and growing increasingly more numerous. Thieves are hijacking valuable metal containing equipment and electrical systems from farms, churches, utility companies, and construction companies. The thieves targeted primarily facility machinery such as air conditioning units, irrigation pumps, and even catalytic converters from parked cars. Reports of stolen metals between 2005 and 2006 increased by 400%. Starting in 2008, in an effort to reduce the ability of thieves to anonymously sell stolen metals, the California legislators passed laws requiring recyclers and auto dismantlers to track customers who bring in recycled materials to sell. To assure that recyclers would comply with the law, provisions were added that authorized and mandated the Department of Motor Vehicles to withhold dismantling licenses from dismantlers who would not comply with the tracking requirements.



Recycling Facility

Based on the apparent success of using the DMV to help enforce law compliance, additional amendments were made in an effort to force businesses to apply for IGP coverage based on their standard industrial classification code (5015). The amendments authorized the DMV to withhold license renewal for any dismantler who cannot show their IGP coverage or prove that they are exempt from needing IGP coverage.

On October 3, 2013, in an effort to have recycling facilities with a SIC of 5093 obtain IGP coverage, the governor signed into law Senate Bill No. 485 (known as SB 485). This bill authorizes and mandates the California Department of Food and Agriculture, Division of Measurement Standards, to withhold or revoke the weighmaster license of any recycler or junk dealer who does not provide a statement indicating that the applicant has either filed an application for IGP coverage or is not required to obtain IGP coverage. The new law, which became effective January 1, 2014, is patterned after the law which authorized DMV to withhold dismantling licenses from dismantlers that had not filed for permit coverage.



SB 485 requires the DMS staff to review the SMARTS database to see if any businesses applying or reapplying for a weighmaster license (involving calibrated scales) have an active waste discharge identification number. If not, the DMS is required to withhold issuing the weighmaster license and instead provide information to the applicant including contact information for both the State Water Resources Control Board and the Regional Water Quality Control Board, along with instructions concerning how to apply for IGP coverage or to provide proof that they do not required IGP coverage.

Based on the broad language of the law, it appears that even small facilities such as independent CRV recyclers may be required to obtain IGP coverage and develop Storm Water Pollution Prevention and Storm Water Monitoring Plans.


The *Rain Events* recently spoke with Robert Ditto, an Environmental Scientist with the Central Valley RWQCB Storm Water Compliance and Enforcement unit. Mr. Ditto did confirm that the local RWQCBs are tasked with assisting the DMS with SB 485. He said that if any facility is having their weighmaster licenses withheld or revoked and believes that they are exempt from IGP coverage, they will need to contact their local RWQCB. If the RWQCB agrees with the facility’s assessment, the RWQCB will need to contact the DMS on behalf of the facility to get their weighmaster license either issued or reinstated.

The *Rain Events* also asked Mr. Ditto if small “mom and pop” CRV-only facilities would be required to obtain IGP coverage and develop Storm Water Pollution Prevention and Storm Water Monitoring Plans. Mr. Ditto responded that yes, based on an SIC of 5093 and the language of SB 485, small CRV-only facilities may be required to do so. However, the RWQCB is currently reviewing the SB 485 language and is working with governmental authorities to get guidance on the application of the law.¹



Small CRV Collection Center

“To Do List” for March:



- Look for illicit discharges and do the 4th Quarter Non-Storm Water Observations (Forms 2 & 3 by June 30).
- Have you obtained two samples yet? Don’t let any more qualifying rain events go by – there might not be too many more!
- Perform the monthly storm water observations (Form 4).
- Schedule the Annual Comprehensive Site Compliance Evaluation for a date in May (Form 5).

¹ http://www.leginfo.ca.gov/pub/13-14/bill/sen/sb_0451-0500/sb_485_cfa_20130910_000519_sen_floor.html

We Have a **February** Contest Winner!

Britt Bolerjack submitted the winning answer!

The question was...

Other than pH, total suspended solids, specific conductance, oil and grease, and total organic carbon; based on your SIC, where in the General Permit is there a list of pollutants that you will possibly need to test for?

The answer is...

The additional required testing a facility may need to perform based on its SIC code is found in Table D of the IGP.

Britt wins \$25 at Starbucks Gift Card....Great job!

MARCH STORM WATER CONTEST

Try it out! You can win!

By **April 4, 2014**, submit a response for the following question by email to steravskis@wgr-sw.com.



Question: In last month's Rain Events we outlined four criteria for determining if a storm event is a "qualifying storm". What was one of the four criteria that we mentioned?

All persons submitting the correct answer will be placed in a drawing. The winner will receive a \$25 gift card to Panera Bread.



Please contact us if you have any questions ...

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**Technical Questions about Storm Water Compliance?
Call ...**

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Office (562) 799-8510 ext. 205 Cell (310) 629-5259



Hornet's Nest Drain Inlet Filter



\$49.50 (Bag Only) or \$66.00 (w/ Oil Pillow)

A unique, under-grate storm drain filter. The oversized base allows the filter to be used with a variety of size and shape drain inlets. Simply insert the filter, place the grate into place and trim the excess material for a custom fit and clean appearance. The yellow webbing secures the filter to the grate and doubles as lifting straps to quickly and easily remove the filter, grate and all, for simple cleaning. The sediment collection cone has 4 overflow portals to ease congestion during heavy storm events.

Material - 8 ounce non-woven geotextile
Strapping - Weather resistant 2" polypropylene webbing
Flow Rate - 90 gpm/ft
Dimensions - 48" x 36"

pH Solution Packets (4.0, 7.0, & 10.0 X 5)

\$31.00



Single use pH solution packets. This box set includes 5 of each buffers (4.0, 7.0, & 10.0). The set also includes bonus rinse packets.

- Model: WD-35653-04

BMP OUTLET'S Product Spotlight



BMP BMPOUTLET.COM SALES@BMPOUTLET.COM

Hillside Emergency Runoff Outlet



The Slope HERO is a one of a kind slope erosion control device. The "HERO" is designed to temporarily divert water discharging onto unprotected hillsides or areas prone to erosion. The 50-foot long, high-density vulcanized material tube provides an easy-to-install down-slope conveyance system to prevent slope erosion.

The Slope HERO kit includes...

- The 50' long x 26" diameter "HERO" tube
- 10 - 2500 lb-rated "duckbill" anchors
- 5 - 20' tie down ropes
- 4 corrugated pipe cinch straps
- 10 reinforced D-ring tie down points
- A convenient all-in-one nylon tote bag.



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