



# The Rain Events

A Monthly Newsletter on the California  
Industrial General Permit  
By WGR Southwest, Inc.

## An Opportune Time? N.O.T.!

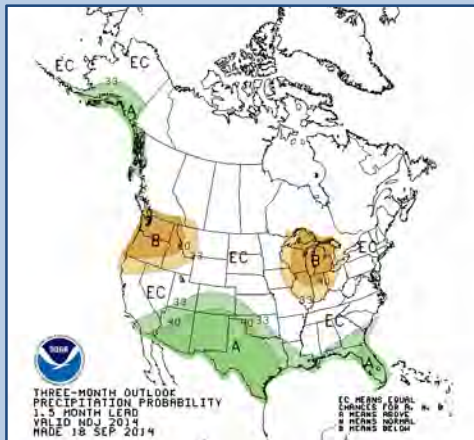
With the new permit coming into effect in less than a year, you may want to see if it is an opportune time to make some changes to your Industrial General Permit coverage. How about a NOT? What? How can you suggest something like that?! Well, relax ... let us explain. There are some subtle areas of the permit that dischargers may not have fully explored or considered in their permitting strategy. The first area affects "Transportation Facilities" as identified on Attachment 1 of the existing permit and Attachment A of the new permit. The second area affects the topic we addressed in last month's newsletter and is an opportunity for facilities that retain their own storm water to get out of the permit.

**Transportation Facilities** – These are facilities having SIC codes 40XX through 45XX (except 4221-4225) and SIC code 5171. Transportation facilities include railroad, bus, trucking, and fleet vehicle yards, certain types of warehousing, petroleum and chemical bulk stations and terminals for hire (4226), U.S. Postal Service facilities, marinas and marine transportation facilities, airports and airport terminal services, and petroleum bulk terminals (5171). Both the old and the new IGPs state that only those portions of the above-referenced facilities that are involved in vehicle maintenance or other operations identified in the IGP as associated with industrial activity are required to have permit coverage. So, what does this mean? For years, we at WGR used to say that most of these facilities would need to still have permit coverage because of the last condition – "**or other operations ... associated with industrial activity**", which seemed to keep most, if not all, facilities in the permit. The IGP's glossary states that the industrial activity term "*includes, but is not limited to, storm water discharges from industrial plant yards; immediate access roads and rail lines used or traveled by carriers of raw materials; manufactured products, waste material, or by-products used or created by the facility; material handling sites; refuse sites; sites used for the application or disposal of process wastewaters (as defined at 40 C.F.R. section 401); sites used for the storage and maintenance of material handling equipment; sites used for residual treatment, storage, or disposal; shipping and receiving areas; manufacturing buildings; storage areas (including tank farms) for raw materials, and intermediate and finished products; and areas where industrial activity has taken place in the past and significant materials remain and are exposed to storm water.*" However, we have documented cases where both the USEPA and the Regional Water Quality Control Board have exclusively considered vehicle maintenance activities (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication), equipment cleaning operations, or airport deicing operations as the industrial activities that cause these transportation facilities to be required to have IGP coverage. In light of this, we are recommending that owners or operators of these types of facilities (that are currently under the IGP and can demonstrate that the facility does not have vehicle maintenance, equipment cleaning operations, or airport de-icing operations) **re-evaluate their permit applicability. If this the case at your facility, it might be an opportune time to file a Notice of Termination (NOT) with the Regional Board before the effective date of the new permit.**

**No Discharge Facilities** – As discussed in last month's *Rain Events* newsletter, under the new IGP, facilities that do not have a discharge will be required to file a Notice of Non-Applicability (NONA) with their respective Regional Board. But the new permit states that only those facilities who have been requested by the Water Board will need to submit a NONA. Currently, many Regional Water Boards are allowing Notices of Termination to be filed if a facility can satisfactorily demonstrate that they are capable of retaining their storm water so that they do not have any discharges. In most cases, the Regional Board staff will accept a 100-year 24-hour storm capture volume along with evidence of no historic discharges, which is a reasonable standard to accept. However, as discussed last month, the new permit's criteria for accepting a NONA is daunting and probably not achievable. Therefore, it is recommended for facilities that are in the Industrial General Permit but do not have discharges of storm water to consider filing a NOT before July 1, 2015. Until that date, the Water Board staff will have more freedom to grant a NOT and you will not be required to file a Notice of Intent or a NONA under the new permit until you are requested to do so by the Water Board - which may not ever happen.

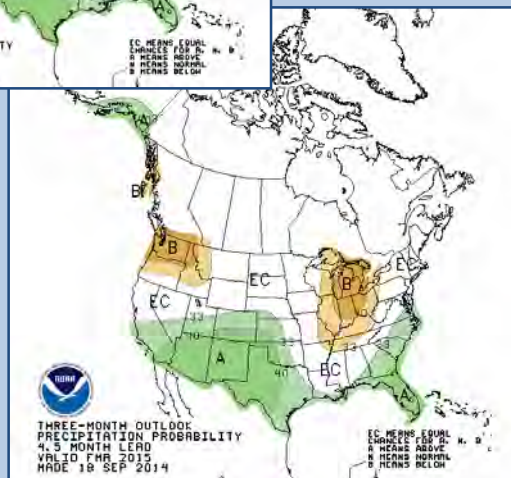
## Is Drought Relief on its Way?

The National Oceanic and Atmospheric Agency (NOAA) has an online experimental long range weather forecasting tool<sup>1</sup>. If this experimental tool is correct, it is calling for a drier than average early fall for Northern California but a wetter than average October and November for the most southern part of the State. However, as the year progresses into late fall and early winter the likelihood of a wetter than average wet season increases.



Nov. – Jan.

Feb. – Apr.



According to NOAA<sup>2</sup>, "most of the models continue to predict El Niño to develop during September-November and to continue into early 2015. A majority of models and the multi-model averages favor a weak El Niño. At this time, the consensus of forecasters expects El Niño to emerge during September-October and to peak at weak strength during the late fall and early winter. The chance of El Niño is at 60-65% during the Northern Hemisphere fall and winter." This means that there is a 60% chance of more than the average amount of rainfall for California due to the weak El Niño. However with the warmer temperatures produced by an El Niño, the State's snow pack most likely will not be as heavy.

<sup>1</sup>[www.cpc.ncep.noaa.gov/products/predictions/long\\_range/seasonal.php?lead=1](http://www.cpc.ncep.noaa.gov/products/predictions/long_range/seasonal.php?lead=1)

<sup>2</sup>[www.cpc.ncep.noaa.gov/products/analysis\\_monitoring/ensodisc/disc](http://www.cpc.ncep.noaa.gov/products/analysis_monitoring/ensodisc/disc)

## "To Do List" for October:



- ☁ Make sure the 2<sup>nd</sup> Quarter Non-Storm Water Observation is performed (Forms 2 & 3) by December 31.
- ☁ Get the observation and sampling forms ready. Prepare your sample kits.
- ☁ Be on the lookout for the first qualifying storm event of the year. You will need to sample it and do an observation.
- ☁ Make sure your rain gauge is working and ready to be used. Assign someone to record and maintain it.

WWW.STORMWATERAWARENESS.ORG

# STORM WATER AWARENESS

WEEK 2014

THE BEST FREE STORM WATER EDUCATION IN THE WEST!

A WEEK OF FREE WORKSHOPS AT LOCATIONS THROUGHOUT CALIFORNIA

## Thank you!

- We had 1,335 registrants
- Over 600 persons were involved
- There were 55 workshops from San Diego to Redding

SEPTEMBER 22-26, 2014

Please contact us if you have any questions ...

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Technical Questions about Environmental Compliance?

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# Need BMPs?

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Attention San Joaquin Valley Contractors! Stop by on the way to your project to pick up BMP supplies including:

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- Drain inlet protection devices
- Rock bags
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- Compost socks
- Grow socks
- Silt sifter tubes
- Curb inlet protection tubes
- Drip pads
- pH pens and calibration standards
- Turbidity meters
- Rain gauges



*Also, check out our living wall demonstration:*



### **BMP Outlet / WGR Southwest, Inc.**

*Located on Hwy. 99 between Lodi and Stockton on the  
East frontage road between Armstrong and Eight Mile Road*

Open 6:30 AM to 4:00 PM Monday - Friday

11780 N. Hwy. 99

Lodi, CA 95220

(209) 334-5363 x115



## *Storm Water Contest ...*

Each month, we invite our readers to participate in a contest to test their knowledge of the Industrial General Permit and their storm water compliance program. We enter all submittals to our monthly newsletter question into a drawing, and one person is selected at random to receive a \$25 gift card.

### *Last Month, the question was ...*

#### **What will trigger a Level 1 ERA according to the new Industrial General Permit?**

Ivan Tiet was the winning entry. The answer is that a Level 1 ERA is triggered on a given parameter when sampling results indicate an exceedance of an annual or instantaneous maximum Numeric Action Level (NAL).

Ivan wins a \$25 gift card to Chipotle Mexican Grill to treat his sample collectors to guacamole.

### *This Month's Contest Question ...*

**How many storm water samples are required to be collected from each outfall between now and June 30, 2015?**

By October 31, 2014, submit a response for the following question by email to [steravskis@wgr-sw.com](mailto:steravskis@wgr-sw.com). All persons submitting the correct answer will be placed in a drawing. The winner will receive a \$25 gift card to In-N-Out Burger.



## Got Testing Equipment?

We do ...

- pH meters and calibration standards
- Turbidity meters
- Rain gauges
- QSP-pad™ - a paperless inspection documentation tool

Call Steve Teravskis for any of your field instrument or BMP needs at (209) 334-5363 x.115

