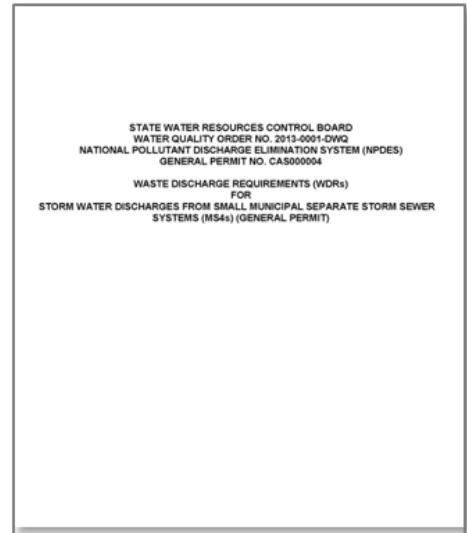


MS4 Impact

Question: *Other than the Industrial General Permit, can another NPDES permit have an influence on an industrial facility and its best management practices?*

Answer: *Yes! More than you know! Starting July 1 facilities within municipalities with a population less than 100,000 will begin to feel the influence of another NPDES permit.*

What are we talking about? The new Phase II MS4 NPDES Permit, which became effective on July 1, will bring some changes to industrial / commercial facilities. In case you are still not following me ... let me explain. Industrial facilities are not the only entities that must have their storm water discharges covered by an NPDES permit; construction sites and municipalities must also have NPDES permits. This is not a new requirement. In 1990, the USEPA promulgated rules to establish the first storm water NPDES permits that were issued not only to industrial facilities, but also to construction sites (> 5 acres) and large municipalities (>100,000 population). This first round of permitting was known as "Phase I". In 2003, smaller municipalities or Municipal Separate Storm Sewer Systems (MS4s) were regulated in a second wave of permitting (Phase II). The 2003 Phase II MS4 Permit required applicable small municipalities to implement a Storm Water Management Program (SWMP) which included developing ordinances to prohibit illicit discharges, a program to detect illicit discharges, an education element for the public and municipal staff, and efforts to reduce discharges of pollutants to the Maximum Extent Practicable (MEP). You may have seen some of the influences of the 2003 Phase II MS4 permit at your facility through educational materials or in the field when municipal inspectors may have visited your facility. However, this permit expired but was renewed by the State of California in February of this year and became effective on July 1. Facilities in a small municipality will soon begin to notice the effects of this new permit during inspections and future storm water monitoring.

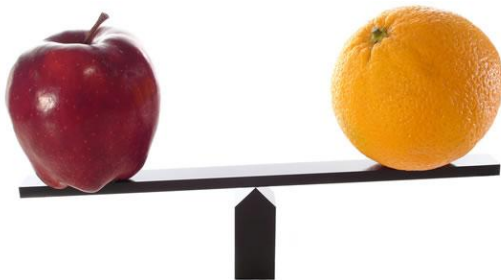




What is in a name?

What is in a name? That we call a **BMP**...

One of the hottest topics in the new Phase II permit is the requirement of operators of Industrial / Commercial facilities to minimize the discharge of pollutants to the MS4 through the installation, implementation and maintenance of BMPs consistent with the California Stormwater Quality Association (CASQA) BMP Handbook *or equivalent*. For some, this may be the first time you have heard of CASQA. It is an association focused on storm water quality management. Their diverse members include individuals, cities, counties, special districts, industries, and consulting firms throughout the state. CASQA is considered the standard in storm water quality management. So much so, that the new Phase II permit is using the CASQA BMP Handbook as the benchmark for your facility's BMPs. The CASQA BMP Handbook's cut sheets provide a general description of the BMP and its use, and inspection / maintenance considerations. You can purchase a copy of the BMP Handbook or download the BMP cut sheets for free at <http://www.cabmphandbooks.com/Industrial.asp>.



One of the items that is not clear at this point is the interpretation of the term **equivalent**. There is confusion on whether the permit is stating that your facility is mandated to install, use, and maintain BMPs **equivalent** or substantially the same in specification to the ones identified in the

CASQA Handbook, such as the Caltrans BMP specification sheets; or does **equivalent** mean that the BMPs are equally protective of water quality? We have a call into the Water Board and will keep you posted to what we learn. No matter what the interpretation, municipalities will certainly be ratcheting up inspections to ensure that BMPs at industrial facilities are adequately installed, implemented and maintained.

What about Projects in Large Municipalities?

Large and medium sized municipalities were required to obtain MS4 permits in California starting around 1992. Most of these larger municipalities have customized individual permits. In many cases, a regional group of municipalities will be under a single Phase I permit, such as is the case in the Bay Area, Sacramento County, and Southern California. Most of these MS4s have been through several 5-year permit terms, with the industrial / commercial program requirements being "ratcheted-up" with each permit renewal. Until this year's Phase II permit renewal, the Phase II permittees had requirements that were considered not as strict or involved as those of Phase I permittees. Many people consider this Phase II renewal to have "leap-frogged" the Phase I's and now have requirements that are more onerous. The bottom line is this ... if a project is located in a large or small municipality, it will have more than the State to answer to. It will also be subject to local storm water ordinances and inspectors.

Draft Industrial Permit Update...

Late breaking news!!! The new draft was released a few days ago and can be downloaded by going to www.swrcb.ca.gov/water_issues/programs/stormwater/industrial.shtml. The next edition of the Rain Events will be released in approximately two weeks and will contain a complete review and analysis of this latest draft. Please be watching for our next newsletter.

We Have a **May** Contest Winner!



Ted Beach submitted the winning answer!

The question was...

Assuming that a business has had permit coverage for the last 10 years, at minimum, how many annual reports should the business have in their files?

The answer is...

A bit of a trick question ... Although the business has had coverage for the last 10 years, the minimum number of annual reports that should be in their files is 5; one for each of the past 5 past years. The permit requires records to be maintained for 5 years.

Ted wins \$25 to  Great job!

“To Do List” for July:

- Annual Report was due July 1st; make sure you turned it in.
- Make sure the 1st Quarter Non-Storm Water Observation is performed (Forms 2 & 3) by September 30.
- Seal off drain inlets to keep windblown dust and debris from entering them.
- Clean out drain pipes, manholes, and catch basins.



July Storm Water Contest

Try it out! You can win!

By **August 9, 2013**, submit a response for the following question by email to steravskis@wgr-sw.com.



Question: What four storm water analyses are required of all IGP facilities?

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

Need your crew trained to take storm water samples, measure pH in the field, and do monthly observations?

WGR will come to your facility and provide a two-hour training session for **\$375**.

Appointments must be booked with aortiz@wgr-sw.com and facilities must be located within 50 miles of our Lodi or Los Alamitos offices. Discount pricing is also available for facilities farther than 50 miles, please contact Aaron Ortiz for more details. Offer does not apply to prepaid compliance programs.



Please contact us if you have any questions ...

Rain Events Newsletter Editor:

John Teravskis jteravskis@wgr-sw.com
(209) 334-5363 ext. 110

Technical Questions about Storm Water Compliance? Call ...

Aaron Ortiz, aortiz@wgr-sw.com, (209) 810-5151
Steve Teravskis, steravskis@wgr-sw.com, (209) 642-5020
John Ripley, jripley@wgr-sw.com, (310) 629-5259

