

# END OF THE YEAR PANIC

## No Need To Panic!

Ever get to the end of the year and start to panic that you didn't collect enough samples, that there wasn't enough rain, and that your facility is going to be in trouble for not getting all 4 samples for the reporting year? Before complete panic takes over, take a deep breath – your facility is not going to get in trouble if you legitimately couldn't collect the necessary samples. Or are you staring at the January 1st deadline for ERA Action Plans and Technical Reports and trying to figure out how you're going to fit in all in the middle of a busy holiday season? In this month's edition of **The Rain Events**, we're going help you relax a little bit and calm the panic so you can finish out the year strong! Let's take a look at what the Permit says...

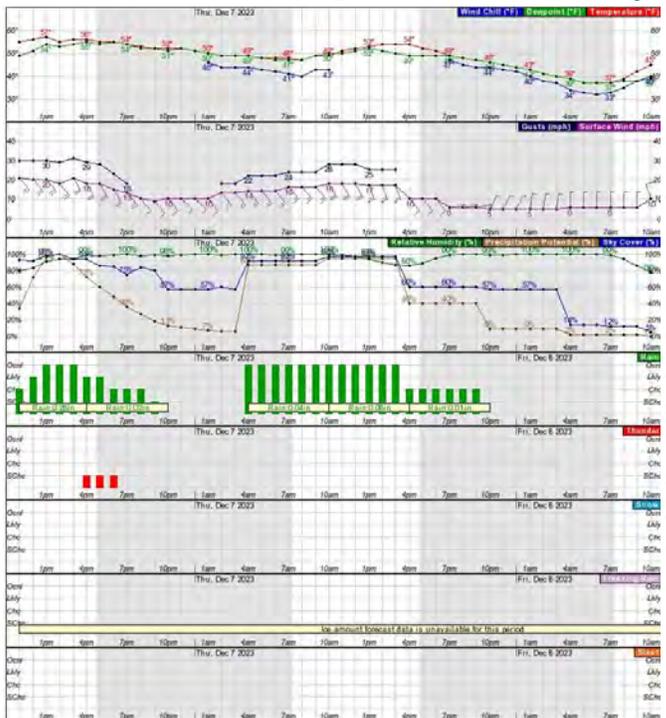
**How do I know what qualifies as a Qualifying Storm Event?** Well first of all, there needs to be 48 hours of no discharge between Qualifying Storm Events (QSEs). This doesn't necessarily mean 48 hours without precipitation – it could drizzle on and off for two days before enough rain falls to

cause a discharge, which would trigger the start of the QSE. Once discharge starts, the Permit allows a 4-hour window for collecting samples, and if the discharge started during off hours, the Permit allows facilities to collect samples when business hours begin the following day, provided that 12 hours have not elapsed since the discharge began. Don't forget, permittees are now required to collect storm water samples regardless of the time of year.

**Does there need to be flow from your facility's outfalls in order to trigger a Qualifying Storm Event?** In a nutshell, yes! You can't sample without flow. But keep in mind that there is not a specified rainfall amount which automatically classifies it as a qualifying storm event. Every industrial site is different, and the same amount of rainfall at two different sites does not necessarily mean both will be

discharging. However, for mostly impervious facilities, we usually go by the tenth-of-an-inch rule of thumb – that is, a tenth of an inch of rainfall will generally produce a discharge on impervious surfaces. Your facility may be different, so don't rely too heavily on a tenth of an inch, look for flow.

When do you have to collect samples? As stated in the previous paragraph, the Permit only requires dischargers to collect four samples per year, so there's no need to run out and collect samples from each QSE. However, you're definitely going to want to only collect samples during a QSE that meets all the criteria in Section XI.B of the Permit – a storm event that produces a discharge from at least one drainage area and is preceded by 48 hours with no discharge. There are a few exceptions to this rule. If hazardous conditions are present (flooding, electrical storms, hail, etc.), or if the storm event happens during non-business hours, you are not required to collect storm water samples (see Section XI.C.6). So, when the first QSE comes along, don't miss the opportunity to collect your samples –but remember that there is a four-hour window to do so. Resist



the urge to collect samples as soon as the discharge begins, because the resulting sample will probably not be representative of your facility's overall discharge.

**Permit Exemptions for No QSEs** - So, what if there aren't four qualifying storm events per reporting year? Is the lack of samples due to the lack of rain going to be a problem for my facility? Absolutely not. If the required number of qualifying storm events did not occur, all you have to do is provide an explanation in your annual report describing the lack of discharge. You can't collect a sample if there's no water! The Permit in Section XI.B.2 states the following: *"The Discharger shall collect and analyze storm water samples from two (2) QSEs within the first half of each reporting year (July 1 to December 31), and two (2) QSEs within the second half of each reporting year (January 1 to June 30)."*

Don't give into panic if you did not get two QSE samples, especially for the first half of the reporting year (July 1 to December 31). The Waterboard understands that 4 QSEs are not always attainable, so it states in the Fact Sheet (Industrial General Permit Fact Sheet page 138) the following:

*"The State Water Board recognizes that it may not be feasible for all facilities to obtain four QSEs in a reporting year because there may not be enough qualifying storm events to do so. Therefore, a Discharger that is unable to collect and analyze storm water samples from two QSEs in each half of a reporting year due to a lack of QSEs is not in violation of Section XI.B.2. Dischargers that miss four QSEs during a reporting year due to the fact that four QSEs did not occur are not required to make up these sampling events in subsequent reporting years."*

With either a location that seems to have storms miss it consistently (yes, we've seen some facilities like this – the weather pattern just seems to let up and not rain around their facility), or a drier year which doesn't generate enough precipitation quantifiable enough to sample, or storms that just come in outside of operating hours and the correct sampling window, there can be a variety of reasons why a site wouldn't be able to collect all the required samples. Do the best you can to collect qualifying storm events, but if there aren't qualifying ones, don't sweat it! The



Permit has allowances for that. And as mentioned above in the Fact Sheet, you don't even have to make up for those missed samples the following year. There's nothing to worry about, so calm that panic and remember that you did the best you could with the amount of rain you got.

### **Stressed about the upcoming deadline for ERA Action Plans and Technical Reports?**

On a related note, now is the time of year to get those ERA Reports finalized and submitted. Worried that holiday plans and end of year rush at the office won't let you make the January 1st deadline? Don't panic, there is a way you can file for an extension if you need it. However, don't use that extension to procrastinate. Save it for the times you actually need it.

So, what does a facility need to do for the first of the Level 2 ERA status reports? Generally speaking, a facility works with a QISP, to make a determination as to what BMP Demonstration they will use. No need to stress, you only have to start with one BMP Demonstration. If you are not sure which demonstration to pick, we recommend starting with the BMP Demonstration XII.D.2.a.i-iii (Industrial Activity BMPs Demonstration). That way, if you install BMPs and they work and your sampling results drop below NALs/TNALs, you are eligible to return to Baseline ERA status. Problem solved.

However, as the year progresses, you may find that the original BMP Demonstration is not as effective as you hoped, so what do you do? With the help of a QISP, you can

revise the Action Plan to the BMP Demonstration XII.D.2.iv, Non-Industrial Pollutant Source Demonstration (XII.D.2.b), or the Natural Background Pollutant Source Demonstration (XII.2.c). *Note that if you choose the BMP Demonstration, Non-Industrial Pollutant Source Demonstration, or the Natural Background Pollutant Source Demonstration you will be ineligible to return to Baseline.* While it is true that choosing those BMP Demonstrations means the exceeded sampling parameters will remain at Level 2 ERA status, you, however, will maintain compliance with the General Permit. So don't panic about having a facility with Level 2 status. On the flipside, if you find that the BMPs you install do seem to be working and your target exceeded sampling parameter is coming in below the NAL/TNAL, then revise your Level 2 Action Plan and develop your BMP Demonstration which will make you eligible to return to Baseline status.

Remember that extension we mentioned you would file for? Well, if you need more time on the Level 2 Technical Report, the Permit allows for a first time automatic 6-month extension to submit the Level 2 Technical Report as long as you fulfill the steps in Section XII.D.5.a.i-iii. No need to panic if you're feeling swamped getting all this done on time.

## **The Rain Events**

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*From our office to yours*

# MERRY CHRISTMAS

*"glory to God in the highest heaven, and on earth peace to those on whom his favor rests." Luke 2:14*



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# *Storm Water Contest...*

Each month, we invite our readers to participate in a contest to test their knowledge of the Industrial General Permit and show 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's contest question was:

*In a nutshell, what are the 8 BMPs in the alternative option?*

Congratulations to Temple who replied *“Annual Training, Immediately fix containers, Manage outdoor waste, Operate outdoor conveyance, Maintain outdoor storage in a structure preventing exposure, Maintain regular scheduled housekeeping, Housekeeping and inspection schedule, Correct any deficiencies in employment of BMPS that result in discharge.”* Temple, we hope you enjoy some sustainable and earth friendly products!

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

*What happens if your facility wasn't able to collect all 4 samples?*

We need industrial storm water sleuths to help us with this month's question. Submit your answers by Friday, January 12th. Email your answer to [jteravskis@wgr-sw.com](mailto:jteravskis@wgr-sw.com). One winner will be selected by a random drawing to receive a \$25 gift card to Chipotle.

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