

BEYOND THE MINIMUM

when minimum bmps aren't enough

Are you a minimalist? The American Heritage® Dictionary of the English Language describes a minimalist as “Being or providing a bare minimum of what is necessary.” Taking a minimalist approach is great when playing jazz, but in the Industrial General Permit, taking a minimalist approach to Best Management Practices is likely not going to be enough. If your mandatory minimal BMPs are not reducing or preventing discharges of pollutants in storm water to meet with the General Permit requirements (see Section X.G.2.b), you will be required, to the extent feasible, to add Advanced BMPs to your facility.

Minimum BMPs are primarily non-structural practices (good housekeeping, preventive maintenance, etc – see General Permit Section H.1), while Advanced BMPs are primarily structural things you build or put into place to prevent pollutants from impacting storm water discharges (see General Permit Section X.H.2). So, what are my choices of Advanced BMPs? There are four Advanced BMPs described in Section X.H.2 of the General Permit: *Exposure Minimization, Storm Water Containment and Discharge Reduction, Treatment Control, and Other Advanced BMPs.*

Exposure Minimization BMPs: Exposure Minimization BMPs are described as including buildings or “storm resistant shelters (either permanent or temporary) that prevent the contact of storm water with the identified industrial materials or area(s) of industrial activity.” These BMPs



may not completely eliminate all exposure of industrial activities and materials from exposure to storm water discharges but they help to minimize it. If all of your industrial activities and materials are covered, you may qualify for No Exposure Certification (NEC). To learn more about NECs, see General Permit Section VII and Appendix 2. Also, check out the February 2015 Rain Events newsletter.

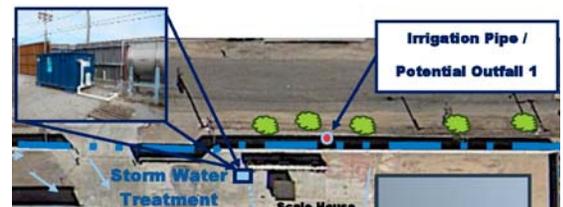
Storm Water Containment and Discharge Reduction BMPs: Containment and Discharge Reduction BMPs are described as structural BMPs that “divert, infiltrate, reuse, contain, retain, or reduce the volume of storm water runoff.” These BMPs can include such things as diverting storm water to permeable areas where storm water can percolate prior to discharge; elevating a point of discharge to reduce discharges from small to moderate storm events; or capturing accumulated storm water for use in a manufacturing process or to be used later for



irrigation. In fact, the General Permit states that dischargers are “encouraged to utilize BMPs that infiltrate or reuse storm water where feasible.”

Treatment Control BMPs: Treatment Control BMPs are described as “the implementation of one or more mechanical, chemical, biologic, or any other treatment technology that will meet the treatment design standard.” The Fact Sheet that accompanied the General Permit helps “explain the legal

requirements and technical rationale that serve as the basis” for the General Permit.



While the Fact Sheet “does not contain any independently-enforceable requirements” it does help to explain aspects of the General Permit. In section II.K.5 of the Fact Sheet it gives examples of Treatment BMPs as “including, but not limited to, detention ponds, oil/water separators, sand filters, sediment removal controls, and constructed wetlands.” BMPs designed to treat storm water as of July 1, 2015 will need to be meet designed standards outlined in Section X.H.6 of the General Permit.

Other Advanced BMPs: Other Advanced BMPs are described as being BMPs that are “necessary to meet the effluent limitations” of the General Permit but are not listed with any of the previous three Advanced BMPs. Normally when the General Permit has terms or requirements that many feel need greater explanation, the Fact Sheet comes to the rescue. However, in this case, the Fact Sheet simple reiterates what the General Permit says and does not give any examples of what an “Other Advanced BMP” may entail. It is a broad catch-all BMP, so should a facility have unique challenges and they find an equally unique way of meeting the effluent limitations in the General Permit, their BMP solution could be considered an Other Advanced BMP. ☔

"To Do List" for March

- ☂ Perform the March monthly inspection.
- ☂ With all the rain that we received, Northern California facilities should already have their third or fourth samples by now. Southern California facilities need to be getting the two second-half-of-the-year samples with the rains hopefully coming in March or April.
- ☂ Evaluate your facility's NAL performance using the form attached to this to both last month and this newsletter.

the Compliance corner

Level 1 ERA Response

At this point in the monitoring year, many dischargers have collected their four qualifying storm water samples. But due to the new monitoring and sampling requirements in the new Industrial General Permit, many facilities are finding they are having either instantaneous or annual NAL exceedances. As a result, we have been getting a lot of calls concerning the Level 1 Exceedance Response Action (ERA). We have heard from several facilities expressing concern that they may be out of compliance with the General Permit and are worried about what to do next.

First of all, having NAL exceedances **does not** make you out of compliance with the General Permit. However, having NAL exceedances **and not responding to them** as outlined in Section XII of the General Permit **does** make you out of compliance with the General Permit.

So what does a Level 1 ERA Response entail?

Starting on July 1, 2016, if you have had NAL exceedances, you will need to perform a Level 1 ERA Evaluation, assisted by a Qualified Industrial Storm Water Practitioner (QISP) and Level 1 Report prepared by a QISP.

Level 1 ERA Evaluation

- Needs to be completed by October 1st once reaching Level 1 status;
- Entails an evaluation, assisted by a QISP, of what pollutant sources may have caused the NAL exceedance or exceedances; and
- Identifies what BMPs in the SWPPP address the pollutant sources and determines if any additional BMPs and corresponding SWPPP revisions are necessary to prevent future NAL exceedances and to comply with the requirements of the General Permit.
- Also, the IGP states that all drainage areas are to be evaluated, not just where the NAL exceedance or exceedances occurred.

Level 1 ERA Report

Based on the above Level 1 ERA Evaluation, the discharger must complete the following by no later than January 1st of the year following the start of the facility's Level 1 status.

- Revise the SWPPP as necessary and implement any additional BMPs identified in the evaluation;
- Certify and submit the Level 1 ERA Report prepared by a QISP on SMARTS. The report should include the following:
 - A summary of the Level 1 ERA Evaluation;
 - A detailed description of the SWPPP revisions and any additional BMPs that address the exceeded NAL or NALs.
- On SMARTS submit and certify the assisting QISP's name, identification number, and contact information.

Having NAL Exceedances? Need Help?
Give us a call at (209) 334-5363, ext. 114

Storm-Resistant Shelters

In this month's featured article, one of the Exposure Minimization BMPs mentioned was storm-resistant shelters.

According to the General Permit, what constitutes a storm resistant shelter? One definition can be found in Section VII, the part of the IGP that deals with No Exposure Certifications (NECs). However, there is a much more succinct definition in Section B.3.e of Appendix 2:

Storm-resistant shelters include: (1) completely roofed and walled buildings or structures, (2) structures with only a top cover (no side coverings) supported by permanent supports, provided material within the structure is not subject to wind dispersion (sawdust, powders, etc.) or being tracked out of the facility, and is not a source of pollutants in the industrial storm water discharges.

Some may ask if covering materials with a tarp constitutes a rain-resistant shelter for facilities claiming NEC status. However, according to Section B.4.f of Appendix 2, this is acceptable only during construction or renovation activities, and not for materials which are subject to wind dispersion. Also, these "temporary shelters" may only be used when necessary, for a period of ninety days or less, and only until a permanent storm-resistant shelter is available. For more details, see Sections B.3.e and B.4.f of Appendix 2 in the Industrial General Permit.

Correction: pH NALs

In the January Rain Events issue on NALs, we stated that pH instantaneous NAL occurs if you have two instantaneous NALs for pH in a drainage area. This is incorrect. An instantaneous NAL exceedance for pH occurs if two pH results **from any discharge point** exceed the instantaneous NAL.

If two pH results for the same reporting year are over the instantaneous maximum NAL, the facility has exceeded the instantaneous NAL for pH.

Please contact us if you have any questions ...

The Rain Events

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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 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 question was:

A facility has 3 discharge points. The first one had Total Suspended Solids (TSS) concentrations of 100, 110, 75, and 45 mg/l. The second had TSS concentrations of 500, 125, 350, and 225. The third discharge point had TSS concentrations of 335, 250, 95, and 405. Did the facility have an instantaneous NAL exceedance?

Good job, Ken Addler - you are correct! Remember, an instantaneous NAL exceedance requires two exceedances of the NAL value for that parameter as found in Table 2 of the IGP - and those exceedances don't have to be from the same discharge point or the same sampling event. **In this case, the NAL for TSS is 400 mg/l, and there were two sample results that exceeded that amount - 500 mg/l for Discharge Point 2, and 405 mg/l for Discharge Point 3.** It looks like this facility is looking at Level 1 status for TSS during the next reporting year!

Ken wins \$25 to Starbucks!

This Month's Contest Question:

Under the current Industrial General Permit, a volume-based Advanced Treatment BMP needs to be sized to handle what kind of storm event based on local historical rainfall records?

By March 31, 2016, submit your response to the above question by sending an email to jteravskis@wgr-sw.com. All persons submitting the correct answer will be placed in a drawing. The winner will receive a \$25 gift cart to Panera Bread.



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SAVE THE DATE!

QISP TRAINING CLASS

TUESDAY MAY 17, 2016 (8:00 AM - 4:30 PM)

MEET THE TRAINERS



JOHN TERAUSKIS

ToR, QISP, CPESC, QSD/QSP

John is WGR's lead trainer for many different storm water-related classes, and is a part of the Industrial General Permit Training Team, a collaboration that assisted the State with developing the QISP training program.



AARON ORTIZ

ToR, QISP

Aaron is WGR's in-house expert on the Industrial General Permit, and one of the senior editors of The Rain Events. Aaron has extensive experience with storm water training, and also assisted with the Industrial General Permit Training Team.

In order to take this one-day training class, each QISP candidate will need to register for and complete the state-approved online QISP training course from CASQA. This course will be available to the public in early May 2016 - watch CASQA's website for more information.

WGR Southwest, Inc. will begin offering monthly QISP training classes starting on Tuesday, May 17, 2016. To register, visit our website at www.gotswppp.com/QISP.

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