

COMING SOON THE INDUSTRIAL GENERAL PERMIT

Coming this summer – an exciting new edition of... The Industrial General Permit! So maybe it's not as epic as the latest super hero flick, but it certainly is coming, *and fast*. We are quickly approaching the July 1 launch date of the new Industrial General Permit (order 2014-0057-DWQ), and along with it, a very important deadline for industrial facilities conducting operations in the State of California. In this edition of *The Rain Events*, we have compiled a list of important things you need to do before July 1, 2015.

PRDS FOR NOI COVERAGE

The majority of industrial facilities in California will be filing for NOI (Notice of Intent) coverage under the new IGP, which means there are at least three items you must submit to the Water Board. These three items are the Permit Registration Documents (or PRDs) that are required to be submitted before receiving permit coverage. They include a NOI form, a site map, and a Storm Water Pollution Prevention Plan (SWPPP). If you haven't done so already, now is the time to make sure your site map and SWPPP are accurate and up-to-date. The new IGP is quite different from the previous permit version, so you will have to revise your SWPPP and site map to maintain compliance. Again, if you haven't already started revising your SWPPP, don't wait any longer – or your SWPPP may not be finished on time. Also, the State is moving towards a paperless submission process, so all of these PRDs will need to be submitted online. The State has established an online database called SMARTS to be used for submitting these documents. If you do not have a SMARTS account, you will need to create one to upload your PRDs. For more information

about the SMARTS system, listen to [this helpful podcast](#) we recorded a few months ago with industry expert Aaron Ortiz.

FILING FOR A NOT

Not every industrial facility requires coverage by the Industrial General Permit. Your facility may be able to skip permit coverage by applying for a Notice of Termination (NOT). Transportation facilities (SIC codes 40XX-45XX and 5171; excluding 4221-4225) may be able to get out of IGP coverage if they can demonstrate there are no vehicle maintenance, equipment cleaning, or airport de-icing activities performed on-site. If this might apply to your site, check out *The Rain Events* article from October 2014.

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FILING FOR A NONA

Eligible industrial facilities can also get out of permit coverage by applying for a NONA, or Notice of Non-Applicability. If your facility is engineered and constructed so that it can contain the maximum historic rain event for your location, or if your facility is located in an area that is not hydrologically connected to any water bodies, then you may be able to apply for a NONA. The requirements for a Notice of Non-Applicability are found in Section XX.C of the new Industrial General Permit.

FILING FOR A NEC

There is a third option available – No Exposure Certification (NEC). But wait! The deadline for NEC applications is October 1, 2015, so why stress out?

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(Continued from page 1) This may seem a little counter-intuitive, but unless you are absolutely certain you meet the requirements for NEC coverage, *The Rain Events* recommends filing for NOI coverage while waiting to apply for NEC. If you allow your NOI and WDID to expire and find out the Water Board doesn't agree with your no exposure assessment, you will have to reapply for the NOI and pay the permit fee again. It's better to be safe than sorry. The wrench in the gears is that the NEC part of SMARTS is not yet up and running. However, in a workshop given by the State Water Resources Control Board, Patrick Otsuji stated that the SMARTS system will be ready to accept NEC applications on July 1, 2015 (see the [workshop notes here](#)). Again, we recommend recertifying your NOI using the recertification letter sent out by the Water Board last December/January. If you have not received your NOI recertification letter, have the Legally Responsible Person email the SMARTS staff and request a copy. Once your NOI is recertified, apply for NEC coverage on July 1 or as soon as possible. Of course, this is assuming that your facility meets the requirements found in Appendix 2 of the new Industrial General Permit.

CONCLUSION

For those of us who can never seem to find enough time to get everything done, July 1 may still seem far away – but it's not. If you are an industrial facility operating in California, you are most likely required to have coverage under the Industrial General Permit, which means there are some action steps you need to take to maintain compliance.

*Note: If you are unsure if your facility needs coverage under the Industrial General Permit, grab your SIC code number (see last month's edition of *The Rain Events*), and turn to Appendix A of the new Industrial General Permit, where you will see a list of which facilities are required to have IGP coverage.*

the Compliance corner

SIC Code Webinar

Yes, we just published this last month, but it's such a good resource that we wanted to send it out again. Plus, the State Water Board now has this video linked to the new IGP Toolbox on their website! If you have questions about SIC Codes and how to determine which one applies to your facility, listen to this extremely informative webinar with Laurel Warddrip, the Program Manager for the State Water Board.



https://www.youtube.com/watch?v=cTM_P2gwJMs

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"To Do List" for June:

- ☔ Recertify your NOI before July 1. If you want to apply for a NOT, we recommend recertifying for NOI coverage and applying for a NOT *after* the new IGP comes into effect. In case your NOT is not accepted before July 1, this will ensure you will not be without permit coverage.
- ☔ Perform the 4th Quarter Non-Storm Water Observation (Forms 2 & 3) by June 30.
- ☔ Prepare and submit your 2014-2015 Annual Report on or before July 1

LATE BREAKING NEWS: Definition of QISP Updated by the State

At a recent meeting with the State Water Board, a question was raised about the definition of QISP as found in the new IGP glossary. The glossary seems to indicate that certain tasks (such as performing Annual Evaluations) can only be done by a QISP. Laurel Warddrip, from the State Water Resources Control Board, clarified in an email dated June 2, 2015 that after consulting with the Water Board's legal counsel, it was decided "**...in the context of the entirety of the permit, the glossary definition of the QISP should be interpreted as allowing a QISP to perform an annual evaluation, but not requiring a QISP to perform the annual evaluation.**"

Please contact us if you have any questions ...

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