

NEW INDUSTRIAL GENERAL PERMIT – OVERVIEW AND KEY CHANGES

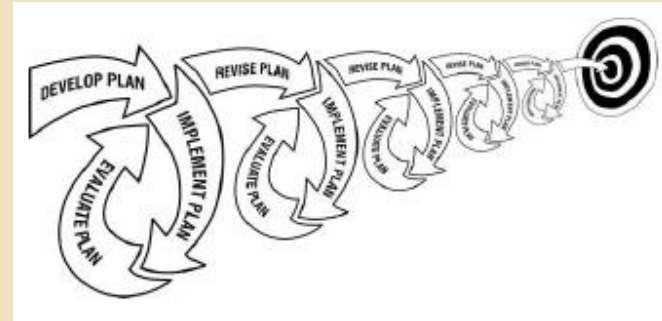
STORMWATER INSPECTION TRAINING WORKSHOP
CONTRA COSTA CLEAN WATER PROGRAM
DECEMBER 16, 2014



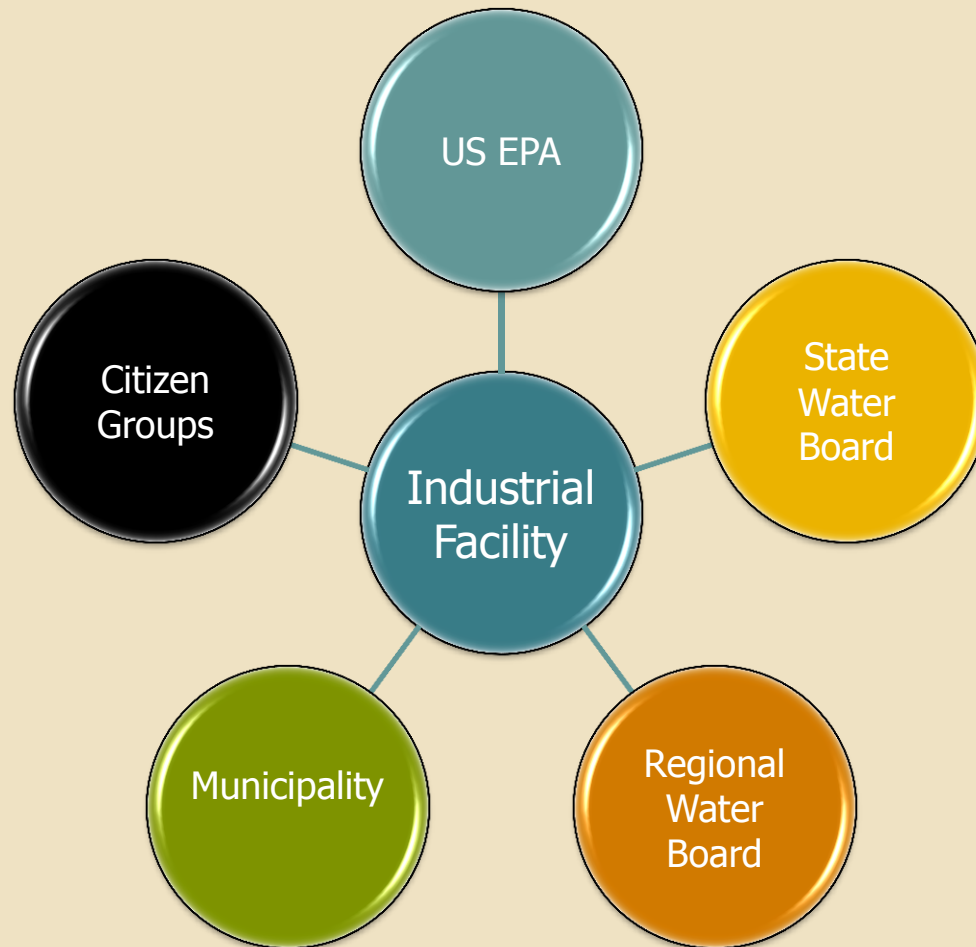
Matthew Q. Lentz, BCES, CPSWQ, CPESC
GSI Environmental

INDUSTRIAL STORM WATER COMPLIANCE

- **What Have Industrial Sites Been Doing for 20+ years?**
 - Iterative Approach (EPA)
 - Non-structural controls first
 - Good housekeeping, spill response, training, inventory control, etc
 - Structural Controls
 - Berms, overhead cover, secondary containment
 - Treatment Controls (not as prevalent)
 - **What are Obligations of Municipality?**
 - Inspect
 - Ordinance Compliance
 - Confirm coverage (and report issues)
 - Coordinate with RWQCB
 - NOT IGP Compliance...
- 
- The diagram illustrates the iterative approach cycle for industrial site management. It consists of three main stages, each represented by a large curved arrow pointing to the right. The first stage is 'DEVELOP PLAN', which leads to 'IMPLEMENT PLAN'. The second stage is 'EVALUATE PLAN', which leads to 'REVISE PLAN'. The third stage is 'IMPLEMENT PLAN', which leads to 'EVALUATE PLAN'. The cycle is iterative, with arrows indicating a continuous loop between these stages.



INDUSTRIAL PERMIT ENFORCEMENT



CA'S INDUSTRIAL STORM WATER PROGRAM

- 1991/92 - First Industrial General Permit (IGP) issued
- **1997 - Second IGP issued**
- 2002 – Existing IGP expired
- 2003-2005 – Reissuance of IGP began w/ 2 drafts and hearings
- 2006 – “Blue Ribbon” panel final report - numerics “may be feasible”
- 2006-2011 – Radio silence, focus on Construction General Permit
- 2011 – Draft IGP released, 3 workshops, hearing, comments, stakeholder meetings
- 2012, 2013 – More drafts, workshops, hearings, comments....
- February 2014 – Final Draft issued
- **April Fools 2014 – Permit Adopted!!**

NEW PERMIT - SIGNIFICANT CHANGES

- New Coverage Option/Elimination of “Light Industry” Provision
- Electronic Filing (Becoming SMARTS)
- Mandatory Minimum/Advanced BMPs
- Qualified Industrial Storm Water Practitioner (QISP)
- Revamped Monitoring Program
- Numeric Action Levels and the ERA Process
- Incorporation of TMDLs/Receiving Water Limits
- Compliance Groups

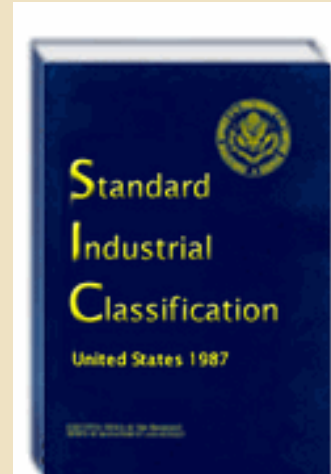


NEW PERMIT TIMELINE...

- **April 1, 2014** - Permit was ADOPTED
- **April 2014 to July 1, 2015** – Assess Applicability/Update Program
- **July 1, 2015** - Permit is EFFECTIVE
 - Obtain General Permit Coverage (two types)
 - NOI Coverage
 - NEC Coverage (no exposure but an applicable SIC Code)

COVERAGE REQUIREMENTS (TWO TYPES)

- **NOI Coverage**
 - Discharger must register through SMARTS and submit PRDs
 - NOI, SWPPP, Site Map, Fee
- **NEC Coverage (October 1)**
 - Discharger must register through SMARTS and submit PRDs
 - NEC checklist, Site Map, Fee (no SWPPP)
 - Annual re-submittal

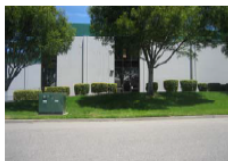


NO EXPOSURE CERTIFICATION



- **Major change from current permit**
 - Potentially affects 50,000+ sites
- **Benefit to some non “light industry” sites**
- **Increase in number of permittees?**
- **How will MS4s be impacted?**
- **Outreach Materials will be Available**
 - CASQA and SWRCB

With just some easy fixes,
your facility can qualify
for the No Exposure
Certification.



Obtaining NEC Coverage

A Discharger must electronically certify and submit NEC Permit Registration Documents (PRDs) via State Water Resources Control Board's (State Water Board's) Storm Water Multi-Application and Report Tracking System (SMARTS) to obtain NEC coverage. This conditional exclusion does not become effective until the PRDs are submitted and the annual fee is paid. Upon receipt of the annual fee, the Discharger will electronically receive an NEC acceptance notification via SMARTS, which will include a Waste Discharge Identification (WDID) number.

A Discharger must maintain a condition of "No Exposure" at the facility for the conditional exclusion to remain applicable. The Discharger must annually electronically re-certify the NEC via SMARTS to confirm that the conditions of "no exposure" are being maintained.



What is the No Exposure Certification?

NPDES permit coverage can be "conditionally excluded" for discharges of storm water associated with industrial activities (industrial storm water discharges) if the Discharger can certify that a condition of "No Exposure" exists at the industrial facility.

State Water Resources Control Board

Questions or Comments?

Leo Cosentini
916.341.5524
leo.cosentini@waterboards.ca.gov
www.waterboards.ca.gov



Typical No Exposure Facility

Definition of No Exposure

- a. No Exposure means all industrial materials and activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt and/or runoff.
- b. Industrial materials and activities include, but are not limited to, material-handling equipment or activities; industrial machinery; raw materials, intermediate products, by-products, and final products; or waste products.
- c. Material handling activities include storage, loading and unloading, transport, or conveyance of any raw material, intermediate product, by-product, final product, or waste product.
- d. Final products intended to be used outdoors (e.g., automobiles) typically pose little risk of polluting storm water since not typically contaminated with pollutants that become mobilized by contact with storm water. Final products are exempt from the requirement for protection by a storm-resistant shelter to qualify for no exposure. Similarly, containers, racks, and other transport platforms (e.g., wooden pallets) used for the storage or conveyance of final products may also be stored outside if pollutant-free or pollutants do not mobilize via contact with storm water.
- e. Storm-resistant shelters include: (1) completely roofed and walled buildings or structures, (2) structures with only a top cover (no side coverings)

SWRCB OUTREACH

supported by permanent supports, provided material within the structure is not subject to wind dispersion (sawdust, powders, etc.) or being

Facility operators of "light industrial" facilities who have been operating under their original, no-certification-required permitting exemption must submit the NEC at any time prior to October 1, 2015. Dischargers who have not submitted an NEC or applied for permit coverage by this due date will be considered out of compliance and subject to Water Board enforcement.

Dischargers who have NOI coverage may register for NEC coverage at any time following completion of facility changes. NEC coverage is available on a facility-wide basis only, not for individual drainage areas or discharge locations. Generally, if any exposed industrial materials or activities exist, or have a potential to exist, anywhere at a facility, NEC coverage is not applicable to the facility. If the Regional Water Board determines that a facility does have exposure or the facility's storm water discharges have a reasonable potential to cause or contribute to an exceedance of applicable water quality objectives/standards, the Regional Water Board can deny NEC coverage

NOT an example of No Exposure



NEC Checklist

Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed;

Materials or residuals on the ground or in storm water inlets from spills/leaks;

Materials or products from past industrial activity;

Material handling equipment (except adequately maintained vehicles);

Materials or products during loading/unloading or transporting activities;

Materials or products stored outdoors (except final products intended for outside use, i.e., new cars, where exposure to storm water does not result in the discharge of pollutants);

Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers;

Materials or products handled/stored on roads or railways owned or maintained by the Discharger;

Waste material (except waste in covered, non-leaking containers, i.e., dumpsters);

Application or disposal of processed wastewater (unless already covered by an NPDES permit); and

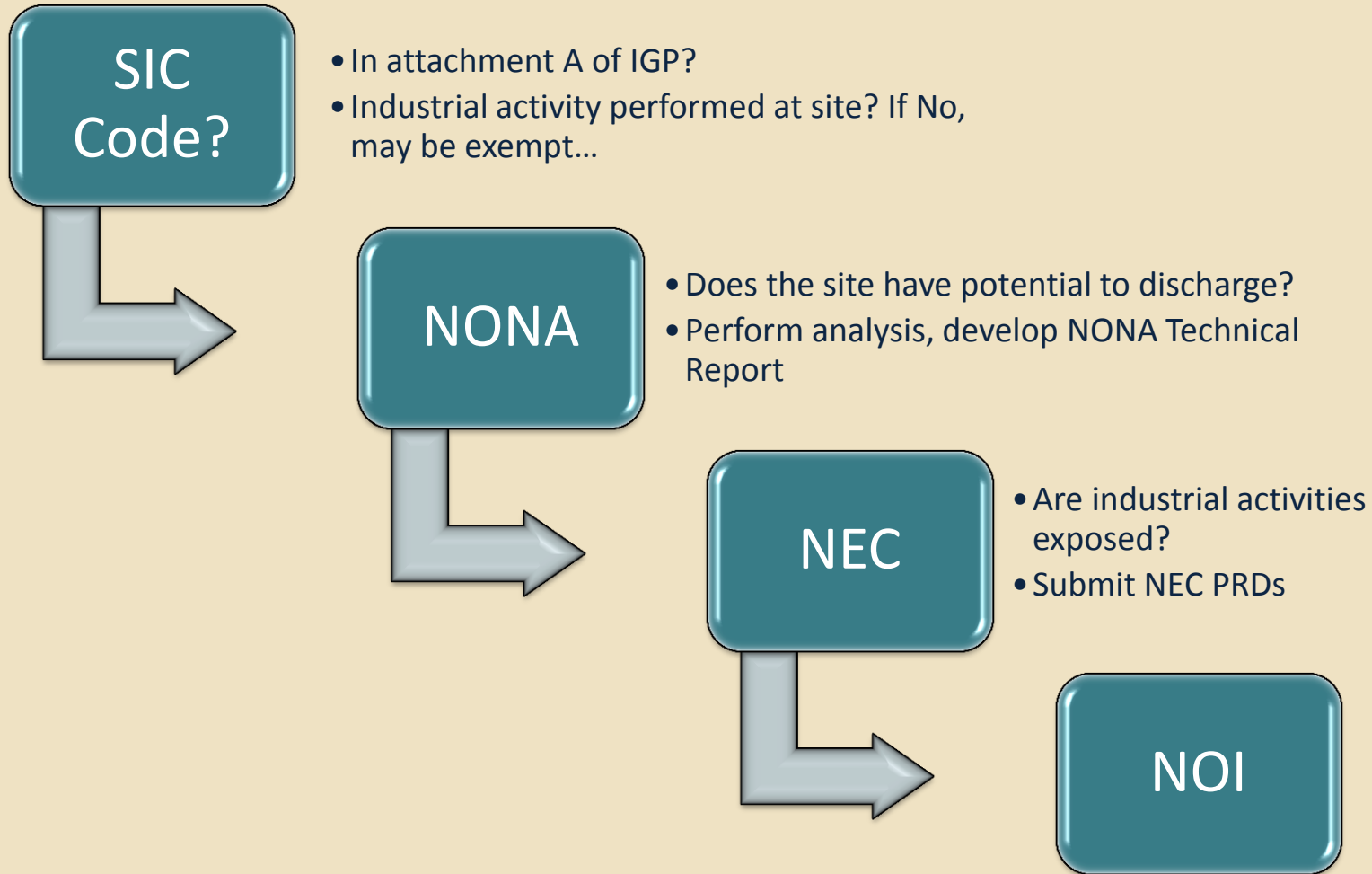
Particulate matter or visible deposits of residuals from roof stacks/vents evident in the storm water outflow.

NOTICE OF NON-APPLICABILITY (NONA)

- **When is this Required?**
- **Site must meet the following:**
 - Engineered and constructed to have contained the maximum historic precipitation event (or series of events) using precipitation data collected from NOAA's website
 - Basin or other physical location that is not hydrologically connected to water of the US
- **Submit NONA and NONA Technical Report**
 - Prepared by CA licensed PE



OPTIONS...



NOI COVERAGE - BEFORE JULY 1, 2015

- **Update and Implement SWPPP**
 - Incorporate additional minimum BMPs
 - Include additional facility specific BMPs (more detailed)
 - Assessment and description of pollutant sources
 - Update site map
 - Incorporate Monitoring Implementation Plan
- **Not a Minor Revision...**
- **Upload into SMARTS**

MINIMUM BMPS

- Dischargers shall implement specific minimum BMPs in areas of the facility from which industrial storm water is discharged to waters of the US.
- To the extent feasible, implement the following
 - Good Housekeeping
 - Preventative Maintenance
 - Spill and Leak Prevention/Response
 - Material Handling/Waste Management
 - Erosion/Sediment Controls
 - Employee Training Program
 - Quality Assurance and Record Keeping



“Cover all stored industrial materials that can be readily mobilized by contact with storm water” Section X.H.1.a.v

ADVANCED BMPS (NEW)

- **Exposure Minimization BMPs**
 - Shelters
- **Storm Water Containment and Discharge Reduction BMPs**
 - Infiltrate, re-use, contain, retain or reduce discharge volume
- **Treatment Control BMPs**
 - Tied to treatment design standard
- **Other Advanced BMPs**
- **When are these required?**
 - When minimum BMPs are insufficient



DESIGN STORM FOR TREATMENT BMPS

- Critical aspect of draft Permit because many dischargers will need treatment controls
- Design Storm requirements consistent with SUSMP and many MS4 new development/redevelopment programs
 - Volume-based BMPs (85th percentile 24-hr event)
 - Flow-based BMPS ($0.2''/\text{hr}$ or max flow rate generated for 85th percentile event x 2)



SMARTS

- New Electronic Reporting Requirements (similar to CGP)
 - Public transparency, better data management
- LRP must register through SMARTS and certify PRDs
 - Can designate Approved Signatory and/or Data Entry Person

Water Boards Storm Water Multiple Application & Report Tracking System[Help](#)[Logout](#)

You are logged-in as: **Storm Water Admin - Storm Water Test Account.**
If this account does not belong to you, please log out.

Navigate To:

Welcome to Storm Water Multiple Application Reporting and Tracking System - SMARTS

Industrial Permit Menu
[New NOI Application](#)
[Active NOIs](#)
[Pending NOIs/NOTs](#)
[Terminated NOIs](#)
[Annual Reports](#)
[Back to Main Menu](#)

Active NOI Applications You Are Associated With:

Application ID WVID	Application Type	Status	Owner/Operator	Site/Facility	NOT	Hide Delete
434053 8 36MR000046	Region 8 - Scrap Metal Permit	Active	Test Owner Company 1001 I Street Sacramento CA 95814	tetsing 123 test street Crestmore CA 95630	Start/View	
427883 5S34I023656	Industrial	Active	Test Owner Company 1001 I Street Sacramento CA 95814	Test Industrial Facility 1001 I Street Sacramento CA 95814		

[First](#) [Prev](#) [Next](#) [Last](#) **Current Page:1 Total Pages:1**

[Show Hidden Applications](#)

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SMARTS

- Electronic Submittals for...
 - PRDs (SWPPP, NOI, Site map, fee)
 - Annual Report
 - Sample data
 - QISP information
 - Enforcement/compliance documents

Water Boards Storm Water Multiple Application & Report Tracking System[Help](#)

You are logged-in as: **Storm Water Admin - Storm Water Test Account.**
If this account does not belong to you, please log out.

Navigate To:

Storm Water Annual Report Monitoring (SWARM)

Facility Name:	Test Industrial Facility	Agency:	Test Owner Company
WDID ID:	5S34I023656	SIC Code(s):	9999-Nonclassifiable Establishments
Reporting Period	2011-12 Change Period	Report Status:	Not Submitted

[General Info](#) [Sampling](#) [Mon Locs](#) [Raw Data](#) [Data Summary](#) [Quarterly](#) [Monthly](#) [Evaluation](#) [Attachments](#) [Certify](#) [Status History](#) [Back To NOI Summary](#)

Before certifying your Annual Report, the system must verify that all required sections have been completed. To perform this check, click the button below:

[Perform Completion Check](#)

MONITORING PROGRAM

- **Goal – More Robust/Technically Sound Data**
- **Out with the Old, in with the New...**
 - **Monitoring Implementation Plan**
 - **Visual Observations (2 major changes!)**
 - **Monitoring Year (no wet season)**
 - **Qualifying Storm Event**
 - **Sampling (parameters/sampling locations)**
 - **Evaluation of Results**



MONITORING PROGRAM CHANGES

- **Monitoring Season (July 1 – June 30)**
 - No “wet” and “dry” season
- **Qualifying Storm Event**
 - Produces a discharge for at least one drainage area
 - Is Preceded by 48 hours with no discharge from any drainage area
 - Samples from each discharge location shall be collected within four (4) hours of the start of the discharge or start of facility operations if the QSE occurs within the previous 12-hour period

MONITORING PROGRAM CHANGES

- **Collect and Analyze 4 Samples/Year (2 for Group Members)**
 - 2 each ½ year (July – Dec and Jan – June)
 - Sample Frequency Reduction available...
 - 4 consecutive QSEs without an NAL exceedance
- **Collect and analyze from ALL industrial outfalls, unless...**
 - Representative Sample Reduction
 - Include justification in MIP
 - Qualified Combined Sample
 - Up to four discharge locations
 - Must be combined by laboratory



MONITORING PROGRAM CHANGES

- **What Parameters?**
 - All must analyze for O&G, pH, TSS (what is missing?) +
 - IGP Table 1
 - **303(d) impairments or TMDLs**
 - Subchapter N
 - Any other pollutants likely present in site discharge
 - Know receiving water impairments
 - Could change in July 2016 (TMDL incorporation date)

MONITORING PROGRAM CHANGES

- **Visual Observations**

- **Monthly Visual Observations (NEW!)**

- Replaces quarterly non-storm water inspections
 - Observe pollutant sources and BMPs



- **Sampling Event Visual Observations**

- Only required when samples collected (NEW!)
 - Still must observe discharge from containment areas
 - Observe bypass from treatment BMPs (if bypass is occurring when visual observations are performed)



MONITORING PROGRAM

- How is data reported?
 - SMARTS with 30 days
- Data Evaluation?
 - **Compare to Numeric Action Level (NALs)**
 - If below annual and instantaneous NALs, no action necessary
 - If above annual and instantaneous NALs, begin ERA process.

General Info Sampling Mon Locs Raw Data Data Summary Quarterly Monthly Evaluation Attachments Certify Status History Back To NOI Summary

The following are Sampling Event Details along with Entered measurement (lab results).

Save & Stay Save & Add New Event Save & Back To List Delete Event

Monitoring Location: *
Test11-In-Active

Sampling Event Date/Time: *
10/06/2011 14:00
Date and Time MM/DD/YYYY HH:mm
Enter format

Time Discharge Started: *
14:00
(hh24:mm)
Enter mid-night time as 23:59

Name of Person Collecting Samples: *
test

Title: *
test

Parameter	ND Entry Result Qualifier	Result	Unit Conversions Units	Analytical Method	Method Detection Limit	Analyzed By	Delete
Hexachlorobenzene	>	5	ug/L		5	LAB	Delete
Lead, Total	>	0	mg/L	EPA 200.7 (Calcium)	5	LAB	Delete
Zinc, Total	>	0	mg/L	EPA 200.7 (Calcium)	1	LAB	Delete
Iron, Total	=	0	mg/L	EPA 200.7 (Calcium)	1	LAB	Delete
Electrical Conductivity @ 25 Deg. C	=	1	umhos/cm	A2510B	1	LAB	Delete
Oil and Grease	=	1	mg/L	E1664A	1	LAB	Delete
pH	<	1	SU	A4500H	5	LAB	Delete
Total Suspended Solids (TSS)	<	1	mg/L	A2540D	1	LAB	Delete

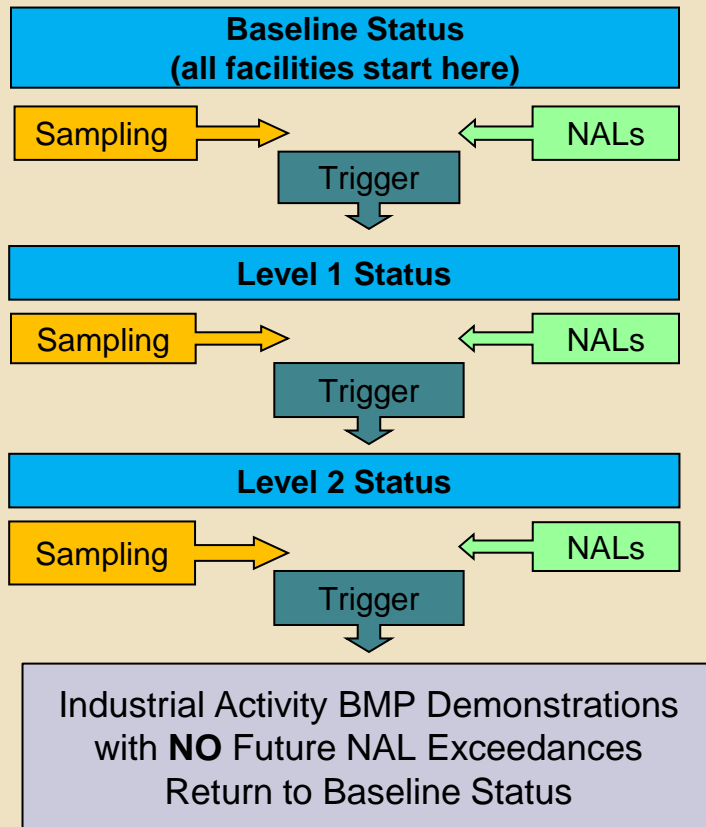
NALS AND THE ERA PROCESS

- The ERA Process is Driven by Numeric Action Levels
- Two types of NAL exceedances
 - Instantaneous Maximum NAL Exceedance (TSS, O&G, pH)
 - Based on CA Industrial site data
 - Annual NAL Exceedance
 - Based on USEPA Benchmarks (average for monitoring year)
- Effective July 1, 2015
- Average concentrations calculated by SMARTS (except of pH)



2014 ERA PROCESS

ERA Flowchart



Designate a QISP

- Evolved over time
- Results > NAL = Trigger
- All Plans must be uploaded to SMARTS

QISP

- **New Comprehensive Training/Qualification Requirements**
 - Improve compliance and quality of data
- **No pre-requisite certifications (not like CGP)**
- **Some licensed professionals (PE, PG, CEG) have alternate QISP training option**



QISP

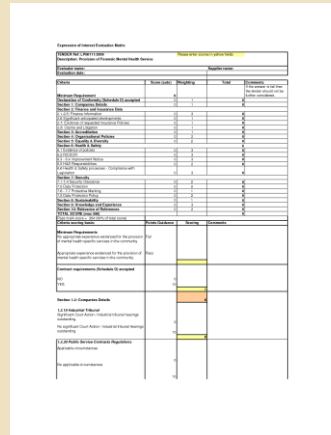
- **Key Partners (SWRCB, CASQA, Office of Water Programs – Sacramento State)**
- **Program currently under development**
 - IGP Training Team Selected by SWRCB
 - CGP QSD/QSP model
 - Multi-Day Course and Exam
 - Online and classroom
 - Site Scenarios
 - Exam
 - Roll-out mid 2015...
 - Trainer-of-Record Program

NAL EXCEEDANCE, NOW WHAT?

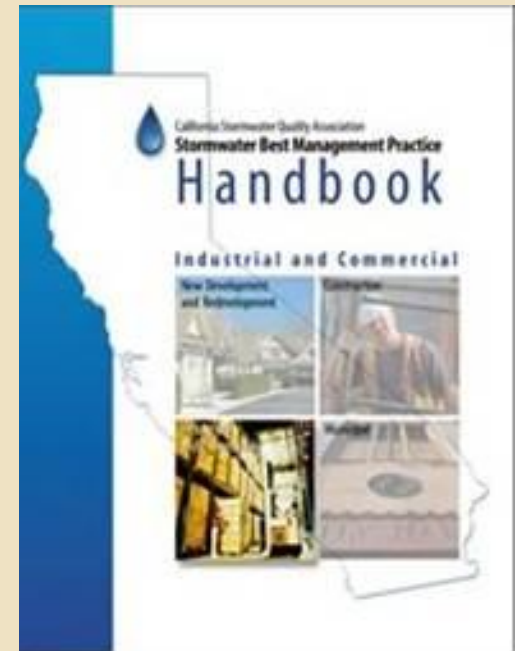
- **Goodbye Baseline Status... Welcome ERA Level 1**
- **Officially enter July 1 of year following exceedance**
- **Designate a QISP, complete evaluation and submit Report (within 6 months)**

ERA LEVEL 1 REPORT

- What will Report look like?
- Checklist
 - Minimum BMPs
 - Advanced BMPs
 - Corrective Actions
- Updated CASQA Handbook
- Can be a combined report if a Compliance Group Member



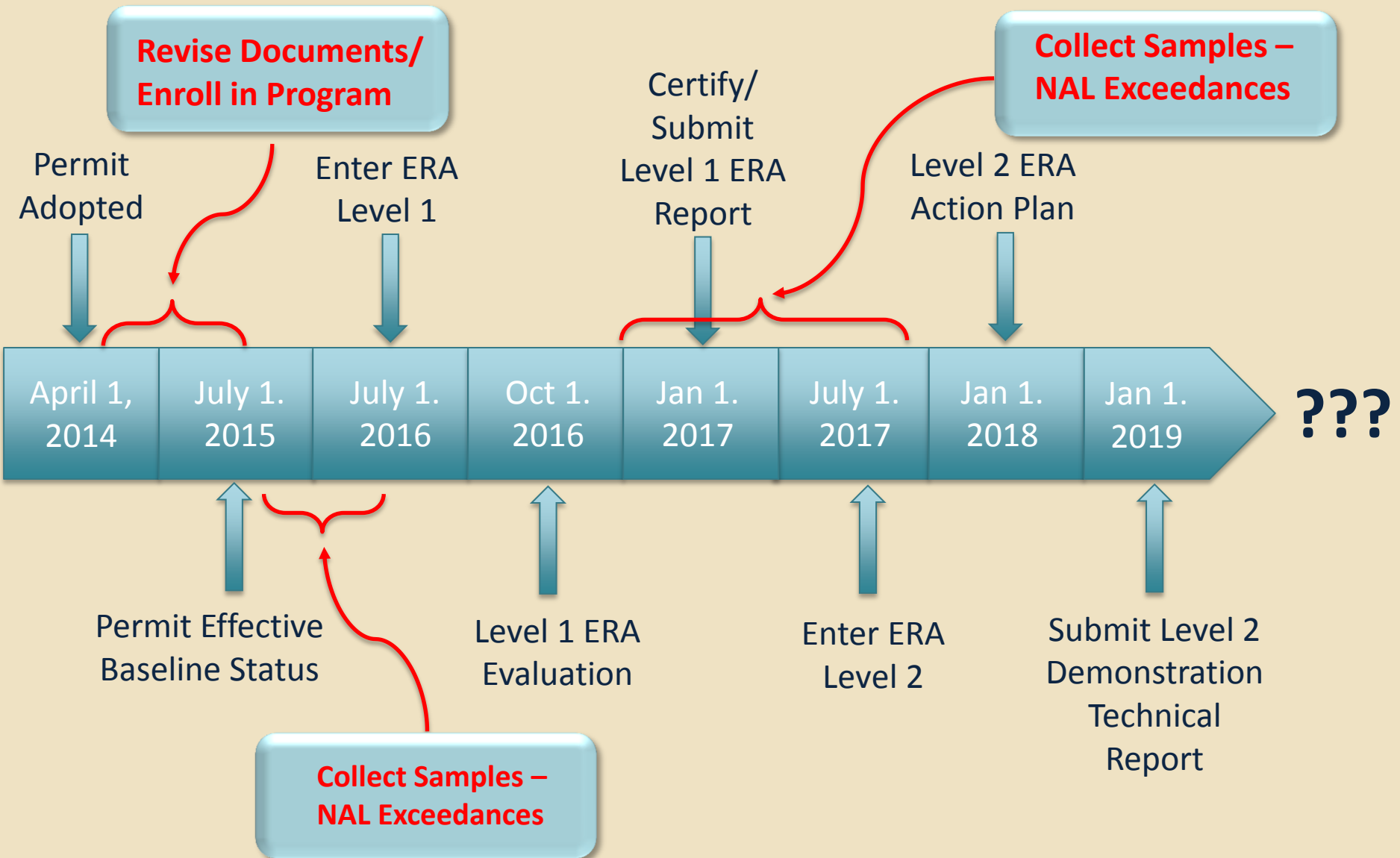
The image shows a screenshot of a complex compliance checklist table. The table has multiple columns, including 'Requirement', 'Status', 'Priority', 'Due Date', and 'Responsible Party'. It lists various regulatory requirements, such as 'Minimum BMPs' and 'Advanced BMPs', and includes checkboxes for tracking completion. Some rows are highlighted in yellow, indicating specific areas of focus or non-compliance.



IF A SECOND NAL EXCEEDANCE OCCURS...

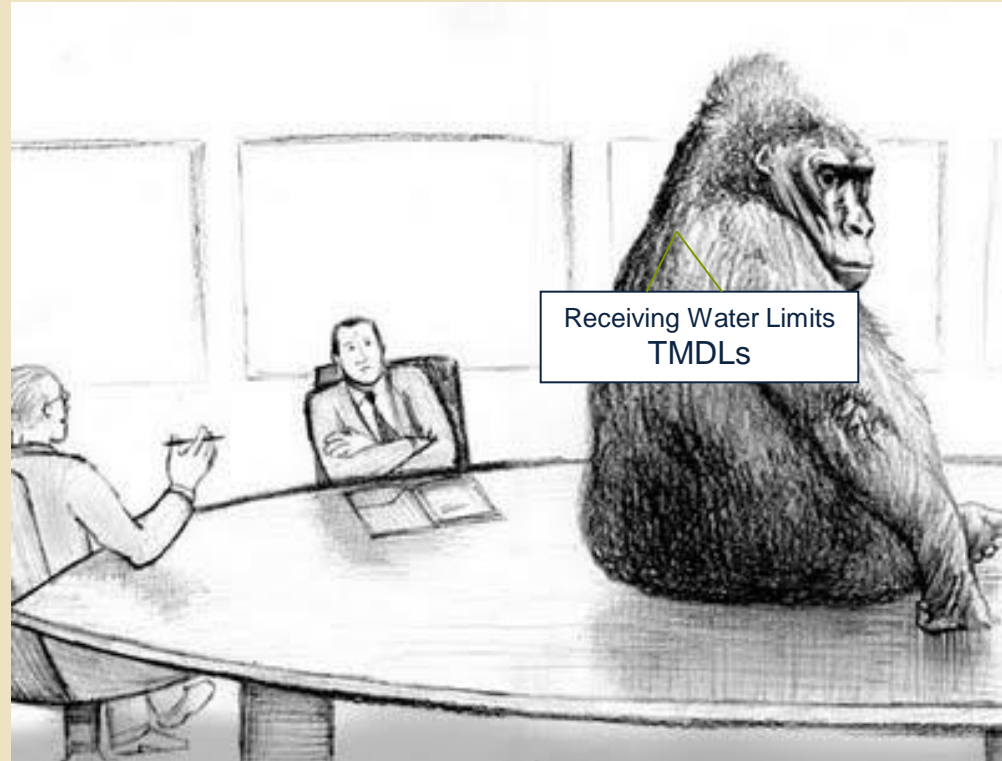
- **Move to ERA Level 2**
- **Complete and submit Action Plan Must evaluate Structural and Treatment Controls**
- **Prepare and Submit Demonstration Report**
 - 1. Industrial Activity BMP Demonstration**
 - Demonstration BMPs are effective and can meet NALs
 - Demonstrate BMPs are effective, but not expected to meet NALs in the future.
 - 2. Non-Industrial Pollutant Source ID**
 - Run-on, aerial deposition, on-site non-industrial
 - 3. Natural Background Pollutant Source ID**

PERMIT/ERA TIMELINE



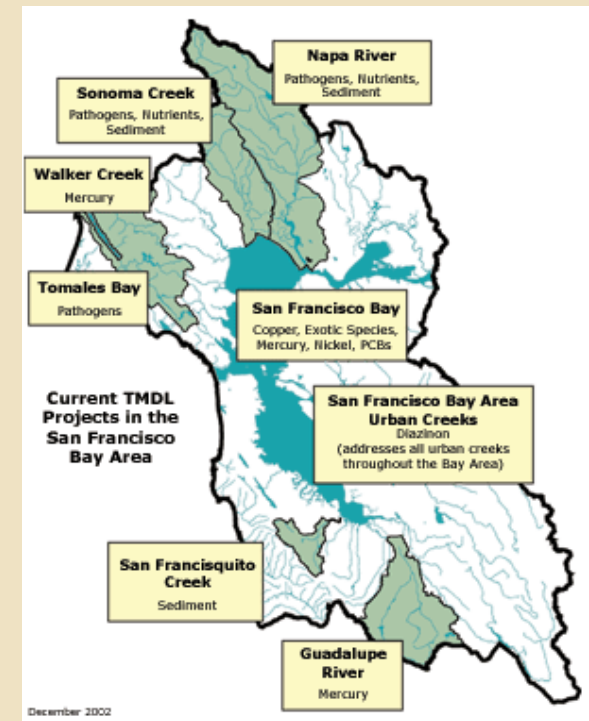
RECEIVING WATER LIMITATIONS

- Even if meeting technology-based standards, a Discharger can be found in violation of receiving water standards
- Any Safe Harbor?
 - Lost C.3 provision
 - Water Quality Based Corrective Actions (Section XX.B, page 70)



INCORPORATION OF TMDLS

- RWQCBs will develop proposed TMDL-Specific permit requirements for each TMDL in App E by July 1, 2016
- Public comment period
- Not limited by the BAT/BCT technology-based standards...



COMPLIANCE STRATEGIES FOR INDUSTRY

- **Start Planning NOW!!!**
 - Historical Data
 - Sampling Strategies (methods/locations)
 - Are results representative?
 - Short and Long Term strategy
 - Demonstration Technical Reports
- **Eliminate Exposure/Discharge?**
 - Cover/contain operations
 - Infiltration, sewer, re-use
- **What are Others in the Industry Doing**
 - Affects BATEA/BCT
 - Compliance Groups
 - Don't be the "Low Hanging" fruit



POTENTIAL IMPACTS/CONCERNS FROM MS4 PERSPECTIVE

Potential Impacts

- **More Inspections** (if more sites are covered...)
- **Additional Outreach**
 - Front line questions
- **Delayed TMDL implementation**
- **Ability to attribute pollutants to non-industrial sources?**

Positives...

- **Retrofit of Existing Development**
 - Little incentive for LID
- **More robust monitoring and documentation of BMPs**

THANK YOU

Questions?

Matthew Q. Lentz, BCES, CPESC, CPSWQ, QSD/QSP
GSI Environmental
mqlentz@gsienv.com
949-679-1079 - Office
949-254-3063 - Cell