

# PROPOSED 2018 INDUSTRIAL GENERAL PERMIT AMENDMENT

## Winter 2017 Workshops

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Sacramento: 12/18/2017

Los Angeles: 12/21/2017

San Diego: 12/22/2017



# STAFF WORKSHOP INFORMATION

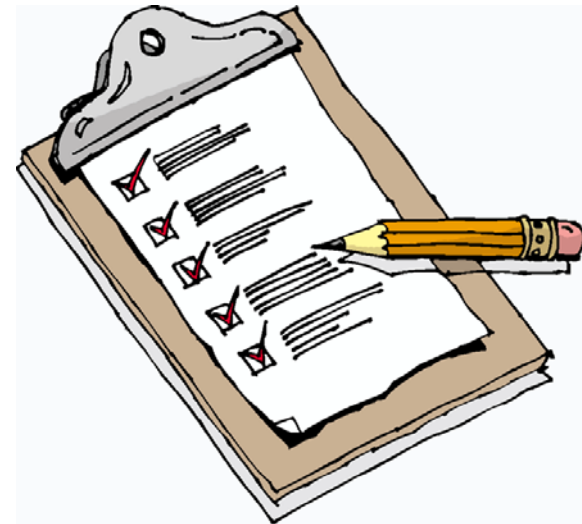
1. Introductions
2. Emergency Evacuation Information
3. Scheduling:
  - Purpose of the Workshop
4. Document Availability
5. Questions

During 12/18 Live Workshop, E-mail questions to:  
**[auditorium@calepa.ca.gov](mailto:auditorium@calepa.ca.gov)**



# MAJOR COMPONENTS OF THE INDUSTRIAL GENERAL PERMIT (GENERAL PERMIT) AMENDMENT

- 1 Sufficiently Sensitive Test Methods
- 2 Total Maximum Daily Load Implementation
- 3 Compliance Options



# 1. SUFFICIENTLY SENSITIVE TEST METHODS

# 1. SUFFICIENTLY SENSITIVE TEST METHODS



- Defined in 40 Code of Federal Regulations 122.21(e)(3) and 122.44(i)(1)(iv)
  - Implement in National Pollutant Discharge Elimination System (NPDES) Permits
- A U.S. Environmental Protection Agency (EPA)-approved method is sufficiently sensitive if:
  - The minimum level of the method is at or below the water quality criterion or permit limitation for the measured pollutant or parameter.
  - Applicable General Permit limitations: Numeric Action Levels, TMDL-Numeric Action Levels, and Numeric Effluent Limitations

## 2. TOTAL MAXIMUM DAILY LOADS

# BACKGROUND



- A Total Maximum Daily Load (TMDL) is:  
The maximum amount of a pollutant that the water body can receive and still attain water quality standards.
  - Addresses 303(d) listed impaired water bodies
- Adopted into the appropriate Regional Water Board's Water Quality Control Plan (Basin Plan).

# BACKGROUND

- Dischargers with an NPDES permit must comply with permit requirements that are “consistent with the assumptions and requirements of any Waste Load Allocations (WLA) for the discharge adopted by a Water Board and approved by U.S. EPA pursuant to 40 Code of Federal Regulations section 130.7”.
- Water Code section 13263, subdivision (a), requires that Waste Discharge Requirements (WDR) implement any relevant water quality control plans.
  - A TMDL is incorporated into a Basin Plan as an amendment
  - A TMDL is not self-implementing





# 2014 ADOPTED INDUSTRIAL GENERAL PERMIT

1. Permit Attachment E: TMDLs approved by U.S. EPA and the Regional Water Boards that are applicable to industrial storm water dischargers
  - 36 total TMDLs within the following Regional Water Boards:
    - San Francisco Bay (Region 2)
    - Los Angeles (Region 4)
    - Santa Ana (Region 8)
    - San Diego (Region 9)



# 2014 ADOPTED INDUSTRIAL GENERAL PERMIT

2. Finding #40: Regional Water Board staff are required to develop proposed TMDL-specific permit requirements for each TMDL listed in Attachment E.
- Regional Water Boards released proposed TMDL-specific permit requirements in March 2016 for a 30-day comment period
  - State Board staff conducted focused stakeholder outreach during Winter 2016-Spring 2017
    - Focused stakeholders included commenter on Regional Water Boards' proposed requirements
    - Newly proposed compliance options were also discussed



# PROPOSED GENERAL ORDER AMENDMENT

- On November 21, 2017, the State Water Board issued a Public Notice regarding the complete proposed permit amendment package
  - 45-day public comment period start date: December 15, 2017
  - Staff-level Public Workshops: December 18, December 21, and December 22, 2017
  - State Water Board Public Hearing: January 9, 2018
  - Public comment period deadline: January 31, 2018 *at noon*
- Proposed permit amendment package includes the following documents:
  - The main portion of the existing General Order,
  - Attachment E of the Order,
  - The Fact Sheet, and

# PROPOSED GENREAL ORDER AMENDMENT

- Information used for State Water Board staff development of proposed amendment:
  - Adopted Regional Water Board and U.S EPA TMDLs
  - Affiliated Regional Board adopted Resolutions, staff reports and technical documentation
  - Regional Water Boards' proposed TMDL-specific permit requirements previously issued for public comments, and subsequent comments received
- Proposed permit requirements meet the assumptions of the TMDL.
- Existing General Order requirements were assessed to determine if existing Order requirements address TMDL requirements

Industrial General Permit Order

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)  
TENTATIVE ORDER WQ 20XX-XXXX-DWG  
AMENDS  
GENERAL PERMIT FOR  
STORM WATER DISCHARGES  
ASSOCIATED WITH INDUSTRIAL ACTIVITIES  
ORDER  
NPDES No. CA5000001

This Order was adopted by the State Water Resources Control Board on:	April 1, 2014
This Order became effective on:	July 1, 2015
Order No. 2015-0122-DWG was adopted on:	August 4, 2015
Order No. 20XX-XXXX-DWG was adopted on:	[ADOPTION DATE]
Order No. 20XX-XXXX-DWG shall become effective on:	[EFFECTIVE DATE]
This Order shall expire on:	June 30, 2020

IT IS HEREBY ORDERED that Order No. 20XX-XXXX-DWG amends Order No. 2014-0057-DWG as amended by Order No. 2015-0122-DWG. Additions to Order 2014-0057-DWG as amended by Order No. 2015-0122-DWG are reflected in [blue-underline text](#) and deletions are reflected in [red-strikeout text](#).

IT IS FURTHER ORDERED that staff are directed to prepare and post a conformed copy of Order 2014-0057-DWG incorporating the revisions made by this Order.

**CERTIFICATION**

I, Jeanine Townsend, Clerk to the Board, do hereby certify that this Order, including its fact sheet, attachments, and appendices is a full, true, and correct copy of an Order adopted by the State Water Resources Control Board, on [DATE].

AYE:  
NAY:  
ABSTAIN:

\_\_\_\_\_  
Jeanine Townsend  
Clerk to the Board

Order 2014-0057-DWG amended by Order 2015-0122-DWG & Order 20XX-XXXX-DWG

# PROPOSED GENERAL ORDER AMENDMENT

Is industrial storm water a source?

Is industrial storm water a significant source?

Is a TMDL Waste load allocation identified for industrial storm water discharges?

What are the TMDL-specific requirements and compliance schedules?

Does compliance with General Order = TMDL compliance?

# PROPOSED GENERAL ORDER AMENDMENT

- Proposed translation of existing TMDL waste load allocation considered:
  - Compliance with existing General Order Numeric Action Levels (referred to as NALs) and existing Exceedance Response Action requirements
  - Addition of TMDL-specific numeric action levels (referred to as TNALs)
  - TMDL-specific numeric effluent limitations (referred to as NELs)
- Dischargers must comply with the General Order numeric action levels
- Some dischargers must also comply with TMDL-specific numeric action levels and numeric effluent limitations
- Current General Order regulatory structure maintained for pollutant identification, monitoring and reporting requirements

# EXAMPLE TRANSLATIONS

## **Compliance with General Order equates to compliance with TMDL requirements**

- Applies for TMDLs that do not assign an industrial storm water-specific waste load allocation

## **Compliance with General Order and TMDL-related numeric action levels:**

- Applies for TMDLs with:
  - Compliance deadlines that are beyond the General Order permitting term
  - Concentration-based waste load allocations or numeric target for the receiving water body (not at point of discharge from industrial facility)
  - Mass-based waste load allocations

## **Compliance with General Order and TMDL-related numeric effluent limitations:**

- Applies for TMDLs that contain concentration-based waste load allocations specifically assigned to industrial storm water discharges at the point of discharge

Pollutant Category Translations		
Industrial Pollutant Categories	Number of TMDLs <i>(some overlap)</i>	Proposed Compliance
Indicator Bacteria	8	<ul style="list-style-type: none"> <li>• Comply with General Order</li> <li>• TMDL-related numeric action level</li> </ul>
Metals	12	<ul style="list-style-type: none"> <li>• TMDL-related numeric action level</li> <li>• TMDL-related numeric effluent limitation</li> </ul>
Nutrients	5	<ul style="list-style-type: none"> <li>• Comply with General Order</li> <li>• TMDL-related numeric effluent limitation</li> </ul>
Toxics/Pesticides	6	<ul style="list-style-type: none"> <li>• Comply with General Order</li> <li>• TMDL-related numeric action level</li> <li>• TMDL-related numeric effluent limitation</li> </ul>
Trash/Debris	2	<ul style="list-style-type: none"> <li>• Comply with General Order and trash control requirements</li> </ul>
Salts	3	<ul style="list-style-type: none"> <li>• Comply with General Order</li> <li>• Site-specific TMDL-related numeric effluent limitation</li> </ul>
Sediment	3	<ul style="list-style-type: none"> <li>• Comply with General Order</li> <li>• Discharge flow estimation for one TMDL</li> </ul>



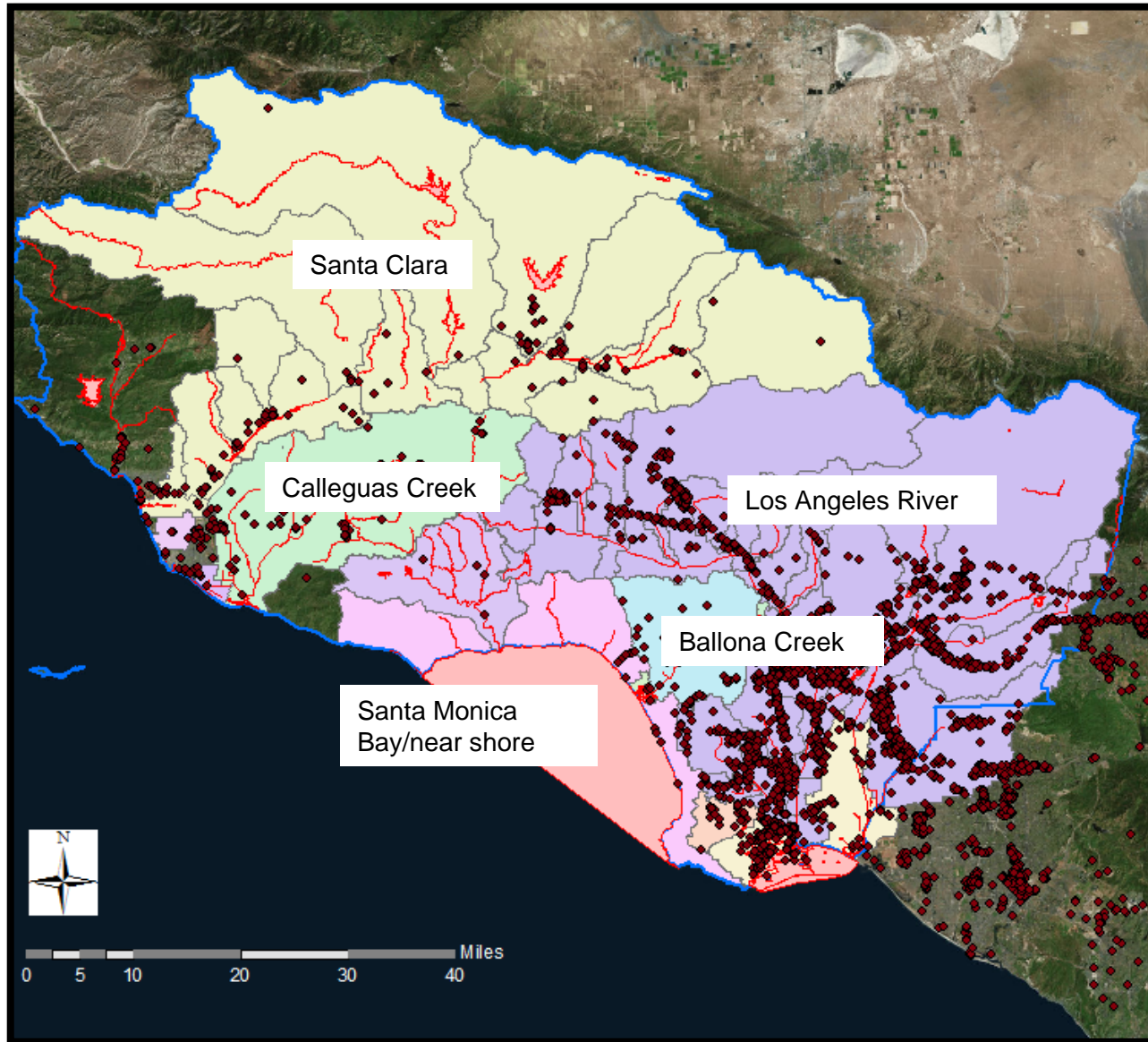
# IMPLEMENTATION OF PROPOSED PERMIT AMENDMENT IN “SMARTS”\*\*

*\*\* Storm Water Multiple Application and Reporting System*

- Reporting requirements will continue to be electronically through SMARTS
- Dischargers complying with TMDL-specific requirements will need to self-identify and report compliance
  - SMARTS will not calculate exceedances of TMDL-related numeric action levels or effluent limitations
- Map resources will be provided for TMDL watersheds



# TMDL IMPLEMENTATION MAPS



Facility (2437)

Regional water Board Boundary

Water Bodies



Watershed Boundary

# 3. PROPOSED COMPLIANCE OPTIONS

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- Attachment I of the General Permit
- Proposed General Permit Compliance Options:
  1. On-site compliance: capture and use of industrial storm water and authorized non-storm water up to and including the daily volume of the 85th percentile 24, hour storm event; or
  2. Off-site compliance: Participation in agreements with municipalities resulting in off-site retention best management practice (BMPs).
- Compliance options are proposed to be available statewide
- Dischargers complying with one of these options are deemed in compliance with the General Permit's discharge prohibitions, effluent limitations, and receiving water limitations once BMPs are implemented and operational.

# ON-SITE COMPLIANCE OPTION



# PROPOSED ON-SITE COMPLIANCE OPTIONS

- Best management practice (BMP) design and installation requires a California licensed professional engineer
- Only storm water and authorized non-storm water discharges allowed to enter the BMP(s)
- Operation and maintenance plans required
- Reporting of all BMP bypass and overflows required

# PROPOSED ON-SITE COMPLIANCE OPTIONS

- Influent to the infiltration BMP for industrial pollutants shall meet Maximum Contaminant Levels (MCLs); **or**
- Install groundwater monitoring equipment (e.g. lysimeters)
- All primary MCLs, and secondary MCLs for total dissolved solids, chloride, specific conductance, sulfates, apply to infiltrated water
- Influent to dry wells must meet primary and secondary MCLs, and are not eligible for groundwater monitoring option

# PROPOSED OFF-SITE COMPLIANCE OPTIONS: OVERVIEW OF PROPOSED REQUIREMENTS





# PROPOSED OFF-SITE COMPLIANCE OPTIONS

- Applies to industrial facilities eligible to participate in watershed-based compliance.
- Agreement with the local jurisdiction is through a Regional Water Board approved “watershed management program or storm water program.”
- Watershed-based BMP(s) are required to be in the same watershed as the facility and TMDL (if applicable).

# NEXT STEPS

- Workshops:
  - Sacramento – 12/18/2017
  - Los Angeles - 12/21/2017
  - San Diego – 12/22/2017
- Public Board Hearing:
  - Summary of Proposed Amendment and Public Comments – January 9, 2018
- Public Comments:
  - Due: January 31, 2018





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