



PROPOSED AMENDMENT
TO

STATEWIDE INDUSTRIAL STORM WATER PERMIT

STAFF PRESENTATION
JANUARY 9, 2018 – ITEM 6

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COMPONENTS OF PROPOSED AMENDMENT

1

Sufficiently Sensitive Test Methods

2

Total Maximum Daily Load (TMDL)
Implementation

3

Compliance Options

1

SUFFICIENTLY SENSITIVE METHODS RULE

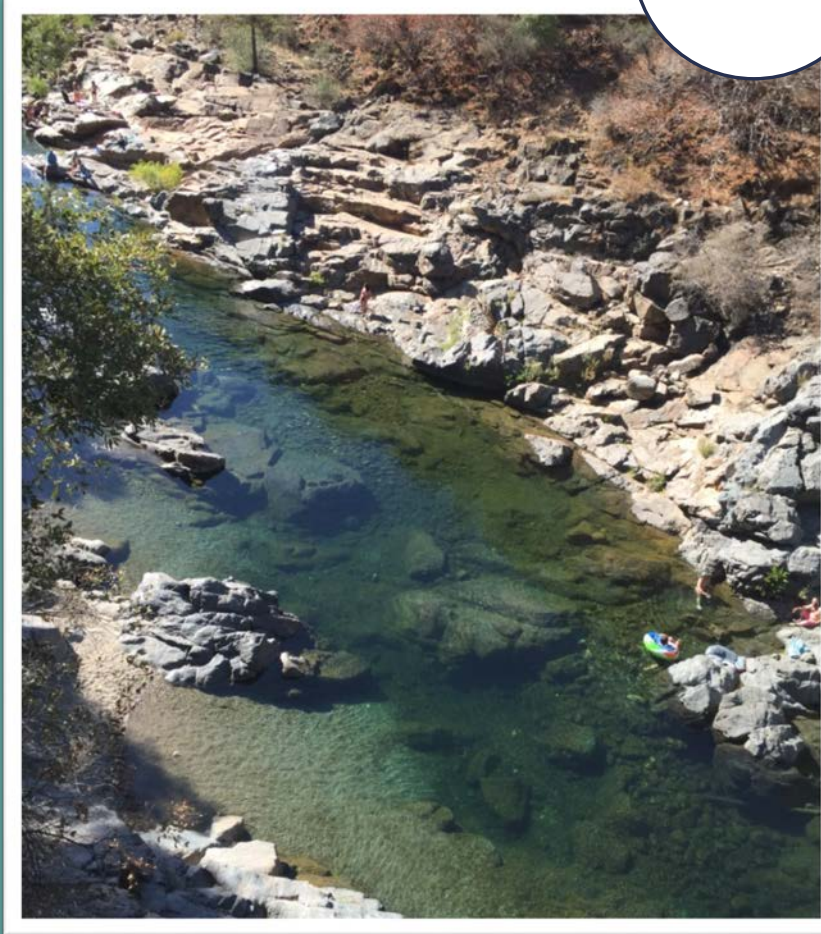
- New federal regulations* require NPDES permits to specify use of standard analytical methods that:
 - Have a minimum level (ML) at or below the water quality criteria or permit limitation for the measured pollutant or parameter
 - Have U.S. EPA approval as an alternative to the required standard methods
- New Rule applies to numeric action levels, TMDL-numeric action levels, and numeric effluent limitations.

* (40 CFR122.21(e)(3) and 122.44(i)(1)(iv))



2

TOTAL MAXIMUM DAILY LOADS



- A Total Maximum Daily Load (TMDL):
 - A set of requirements that allocate the maximum amount of a pollutant that can be discharged for attainment of water quality standards
- Addresses 303(d) listed impaired water bodies
- Is incorporated into a Regional Water Board Basin Plan through a basin plan amendment
- Must be implemented through a permitting action to be enforceable

EXISTING 2014 INDUSTRIAL GENERAL PERMIT

- Attachment E lists approved TMDLs applicable to industrial dischargers
- 36 TMDLs within the following Regional Water Boards:
 - San Francisco Bay
 - Los Angeles
 - Santa Ana
 - San Diego



EXISTING 2014 INDUSTRIAL GENERAL PERMIT

- Finding 40: Regional Water Board staff required to develop TMDL-specific permit requirements for TMDLs listed in Attachment E
- Regional Boards individually released proposed TMDL-specific permit requirements for public comments (March 2016)
- State Water Board staff conducted focused stakeholder outreach (2016-2017)
- Proposed compliance option “alternatives” were developed through stakeholder participation

PROPOSED PERMIT AMENDMENT

- Waste Load Allocations translated to conform with existing General Permit regulatory structure
- Categorical translation of Waste Load Allocations for TMDL compliance:
 - 1) Compliance with existing General Permit requirements, including numeric action levels
 - 2) Compliance with more stringent TMDL-specific numeric action levels in addition to compliance with existing General Permit requirements, including numeric action levels
 - 3) Compliance with TMDL-specific numeric effluent limits in addition to compliance with existing General Permit requirements, including numeric action levels
- Pollutant identification modeled after current General Permit “Pollutant Source Assessment”

BASIS OF TMDL TRANSLATIONS

Compliance with existing General Permit requirements:

1. TMDL does not assign a Waste Load Allocation specific to industrial storm water discharges

Compliance with TMDL-specific Numeric Action Levels:

1. TMDL compliance deadlines are beyond the General Permit's 5-year term
2. Concentration-based Waste Load Allocations or target with compliance location in the receiving water body (not at the industrial facility property line)
3. Mass-based Waste Load Allocations that are not directly translatable for intermittent storm water discharges

Compliance with Numeric Effluent Limits:

1. Concentration-based Waste Load Allocations specifically assigned to industrial storm water discharges at the point of discharge from the industrial facility

Pollutant Category Translations	
TMDL Pollutants	Proposed Compliance Variations
Indicator Bacteria (8 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only, or • Additional TMDL-numeric action levels
Metals (12 TMDLs)	<ul style="list-style-type: none"> • Additional TMDL-numeric action levels, or • Additional numeric effluent limitations
Nutrients (5 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only, or • Additional numeric effluent limitations
Toxics/Pesticides (6 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only, • Additional TMDL-numeric action levels, or • Additional numeric effluent limitations
Trash/Debris (2 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only, and implementation of trash controls
Salts (3 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only, or • Additional site-specific numeric effluent limitations
Sediment (3 TMDLs)	<ul style="list-style-type: none"> • Comply with General Permit only • One TMDL adds required discharge flow estimation

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PROPOSED COMPLIANCE OPTIONS

- Two proposed compliance options in Attachment I of the General Permit
 - **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
 - **Off-site compliance**: participation in agreements with municipalities resulting in off-site 85th percentile 24-hour storm event capture BMPs
- Applicable statewide
- Dischargers that successfully implement a compliance option are:
 - Deemed in compliance with discharge prohibitions, effluent limitations, and receiving water limitations, and
 - Exempt from the General Permit requirements listed in Attachment I

PUBLIC PROCESS TIMELINE

November 21, 2017	• Public notice issued by Board clerk
December 15, 2017	• Start of public comment period
December 18, 2017	• Sacramento staff stakeholder workshop
December 21, 2017	• Los Angeles staff stakeholder workshop
December 22, 2017	• San Diego staff stakeholder workshop
January 9, 2018	• State Water Board Public Hearing
January 31, 2018	• End of public comment period
Winter 2018	• Possible Board consideration for adoption

Questions?



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