

Industrial General Permit Storm Water Inspections – What Do Inspectors Look For?



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CONDOR EARTH

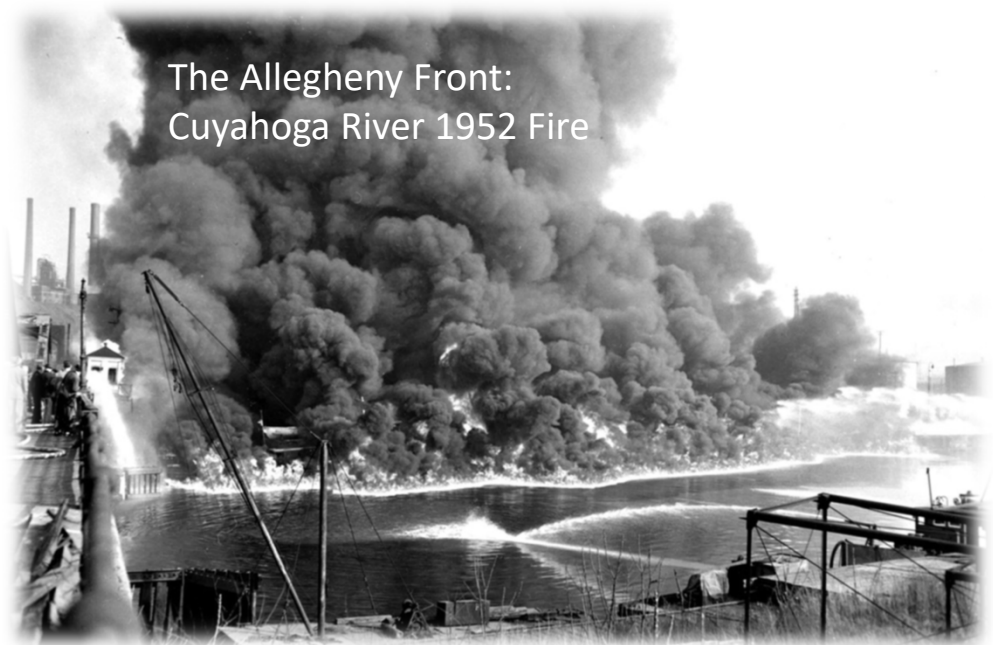


REGULATORY BACKGROUND

Environmental disasters tend to drive regulatory action.

Storm water and non-storm water discharges (NSWDs) to waters of the U.S. are regulated through National Pollutant Discharge Elimination System (NPDES) Permits.

The NPDES permit program was created in 1972 by the Clean Water Act (CWA).



The Allegheny Front:
Cuyahoga River 1952 Fire

NPDES REGULATORY AGENCIES

The NPDES permit program has been delegated to the State of California and is administered through the State Water Board and the nine (9) Regional Water Boards.

- 
- A map of California is shown in the background, divided into nine colored regions representing the Regional Water Boards. The regions are numbered 1 through 9. Region 1 is the North Coast (orange), Region 2 is San Francisco (blue), Region 3 is Central Coast (green), Region 4 is Los Angeles (yellow), Region 5 is Central Valley (purple), Region 6 is Lahontan (orange), Region 7 is Colorado River (blue), Region 8 is Santa Ana (pink), and Region 9 is San Diego (yellow).
- (1) *North Coast,*
 - (2) *San Francisco,*
 - (3) *Central Coast,*
 - (4) *Los Angeles,*
 - (5) *Central Valley,*
 - (6) *Lahontan,*
 - (7) *Colorado River,*
 - (8) *Santa Ana, and*
 - (9) *San Diego*

calag.ucanr.edu

NPDES PERMITS...

Regulate some storm water discharges from the following three (3) potential sources:

- ▶ *Industrial Facilities (IGP)*
 - *Coverage requirements are based on a facility's Standard Industrial Classification (SIC) Code*
- ▶ *Construction Projects (CGP)*
 - *Applies to projects that disturb > 1 Acre*
- ▶ *Municipal Separate Storm Sewer Systems (MS4s) – Phase 1 or Phase 2 Municipalities*

QUESTION

Regular inspections are required under which of the previously mentioned NPDES Permits?



**IGP, CGP, and MS4
Permits all have
inspection
requirements.**



Gold King Mine Spill – Animas River
(cbsnews.com)



IGP COVERAGE

- ▶ Covered industrial activities (SIC Codes) are described in Attachment A of the IGP.

ATTACHMENT A

FACILITIES COVERED BY NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES (GENERAL PERMIT)

1. Facilities Subject To Storm Water Effluent Limitations Guidelines, New Source Performance Standards, or Toxic Pollutant Effluent Standards Found in 40 Code of Federal Regulations, Chapter I, Subchapter N (Subchapter N):

Cement Manufacturing (40 C.F.R. Part 411); Feedlots (40 C.F.R. Part 412); Fertilizer Manufacturing (40 C.F.R. Part 418); Petroleum Refining (40 C.F.R. Part 419), Phosphate Manufacturing (40 C.F.R. Part 422), Steam Electric (40 C.F.R. Part 423), Coal Mining (40 C.F.R. Part 434), Mineral Mining and Processing (40 C.F.R. Part 436), Ore Mining and Dressing (40 C.F.R. Part 440), Asphalt Emulsion (40 C.F.R. Part 443), Landfills (40 C.F.R. Part 445), and Airport Deicing (40 C.F.R. Part 449).

2. Manufacturing Facilities:

Facilities with Standard Industrial Classifications (SICs) 20XX through 39XX, 4221 through 4225. (This category combines categories 2 and 10 of the previous general permit.)

3. Oil and Gas/Mining Facilities:

Facilities classified as SICs 10XX through 14XX, including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 Code of Federal Regulations. 434.11(1) because the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Acts authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1990) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with any overburden, raw material, intermediate products, finished products, by-products, or waste products located on the site of such operations. Inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined material; or sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

4. Hazardous Waste Treatment, Storage, or Disposal Facilities:

Hazardous waste treatment, storage, or disposal facilities, including any facility operating under interim

status or a general permit under Subtitle C of the Federal Resource, Conservation, and Recovery Act.

5. Landfills, Land Application Sites, and Open Dumps:

Landfills, land application sites, and open dumps that receive or have received industrial waste from any facility within any other category of this Attachment; including facilities subject to regulation under Subtitle D of the Federal Resource, Conservation, and Recovery Act, and facilities that have accepted wastes from construction activities (construction activities include any clearing, grading, or excavation that results in disturbance).

6. Recycling Facilities:

Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093.

7. Steam Electric Power Generating Facilities:

Any facility that generates steam for electric power through the combustion of coal, oil, wood, etc.

8. Transportation Facilities:

Facilities with SICs 40XX through 45XX (except 4221-25) and 5171 with vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility involved in vehicle maintenance (including vehicle rehabilitation, mechanical repairs, painting, fueling, and lubrication) or other operations identified under this Permit as associated with industrial activity.

9. Sewage or Wastewater Treatment Works:

Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program under 40 Code of Federal Regulations part 403. Not included are farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the Clean Water Act.

QUESTION

Do any the following activities require IGP coverage?

- ▶ Storm water discharges from tribal lands?
- ▶ Storm water discharges regulated under another individual or general NPDES Permit?
- ▶ Storm water discharges to combined sewer systems?
- ▶ Facilities which have a valid Notice of Non-Applicability (NONA)?

NO

IGP COVERAGE & EXEMPTIONS

There are two (2) types of IGP coverage:

- ▶ No Exposure Certification (NEC)
- ▶ Notice of Intent (NOI)

An opportunity for exemption from IGP coverage is provided through the NONA.

NONA EXEMPTION

Reasons for filing a NONA:

- ▶ No discharge to Waters of the U.S.
 - Facility is engineered/constructed to meet NONA requirements or is not hydrologically connected to a Waters of the U.S.
 - Requires a No Discharge Technical Report prepared by a California licensed engineer.
- ▶ Not required to be permitted because of wrong SIC Code, wrong operator, etc.,
- ▶ Other
 - Provide a reason if different from the above

No Annual Fee

NEC COVERAGE

Dischargers with NEC coverage are conditionally excluded from complying with Storm Water Pollution Prevention Plan (SWPPP) and monitoring requirements if:

- ▶ The facility certifies there is no exposure of industrial materials and activities to rain, snow, snowmelt, and/or runoff.
- ▶ All unauthorized NSWDS have been eliminated.
- ▶ All authorized NSWDS meet the condition of Section IV of the IGP.

Annual Evaluation and Recertification of NEC eligibility is required.

Annual Fee FY23/24 – \$100

NOI COVERAGE

If your facility's SIC code is listed in Attachment A, your site's industrial activities or materials are exposed to storm water, and you discharge to a Water of the U.S.

You are required to:

- ✓ Prepare a site specific SWPPP and Site Map(s)
- ✓ Conduct Storm Water Sampling/Observations & Laboratory Analyses
- ✓ **Conduct Monthly Visual Dry Weather Inspections**
- ✓ Implement Minimum/Advanced Best Management Practices (BMPS)
- ✓ Conduct Annual Training for Pollution Prevention Team (PPT) members
- ✓ Conduct an Annual Evaluation & Prepare an Annual Report
- ✓ **SMARTS* Electronic Reporting (Publicly Available Data)**

***Storm Water Multiple Application & Report Tracking System**

Annual Fee FY23/24 – \$1,738

SMARTS

- ▶ All electronic data is publicly available including:
 - SWPPPs
 - Annual Reports
 - Analytical Reports
The analytical report was uploaded and certified.
 - **So ... who looks at SMARTS? EVERYONE** Emergency Response Action (ERA) Plans
 - Regulatory Inspection Reports
 - Notices of Non-Compliance and Violations

So, Who's Looking at SMARTS?

- ▶ Regulatory Agencies
 - Federal
 - State (State and Regional Water Boards)
 - Local Municipalities
- ▶ Private Parties (Citizen Groups)
- ▶ The Regulated Community
- ▶ Consultants

IGP SECTION XXI.I

(Inspection and Entry)

Regulatory agencies and their authorized representatives may (at reasonable times) :

- ▶ Enter a regulated facility.
- ▶ Access and copy any records required by the IGP.
- ▶ Inspect the regulated facility.
- ▶ Sample or monitor for the purpose of ensuring IGP compliance.

QUESTION: What is the IGP records retention requirement?

QUESTIONS A REGULATOR MIGHT ASK

- ▶ Is a current (updated) SWPPP available onsite?
- ▶ Is the SWPPP being implemented?
- ▶ Does the facility have an appropriate monitoring program?
- ▶ Evidence of storm water or non-storm water discharges?
- ▶ Are Minimum / Advanced BMPs being implemented?
- ▶ Do site conditions match the site map?
- ▶ Is appropriate records retention being practiced?
- ▶ Does the facility maintain NEC or NONA eligibility?

WHAT LEADS TO SUCCESSFUL INSPECTIONS?

IMPLEMENT YOUR SWPPP!!

- ☒ Conduct and Document Staff Training
- ☒ Prepared Accurate Site Maps
- ☒ Implement (and Maintain) Minimum and Advanced BMPs
- ☒ Conducted Appropriate Recordkeeping
- ☒ Uploaded Documents and Data to SMARTS within Regulatory Deadlines
- ☒ Updated SWPPP/Site Map (as necessary)

Know Your Site

**Are You Doing What
Your SWPPP Says
You Do?**

MONTHLY DRY WEATHER VISUAL OBSERVATIONS

Why do we conduct them?

- ▶ Short Answer
 - I have to, they're required.
- ▶ Long answer
 - They are a valuable tool to observe potential sources of storm water pollution and evaluate the effectiveness of your storm water program.
 - Potential pollution sources may include both authorized and unauthorized NSWDS.

NON-STORM WATER DISCHARGES (NSWDs)



A NSWD is any discharge from your facility this is not composed entirely of rainfall or snowmelt runoff .



Authorized

MONTHLY DRY WEATHER VISUAL OBSERVATIONS

- ▶ Are there requirements for conducting them?
 - Once per calendar month,
 - Daylight hours,
 - Scheduled facility operating hours,
 - Dry days (no precipitation or storm water discharges).
- ▶ Annual Report explanations are required only for those months where a monthly observation was missed.



QUESTION

Who is responsible for conducting a facility's monthly dry weather inspections?

Inspections should be conducted by those individuals with detailed knowledge of the site and the facility's SWPPP requirements.

- ▶ Pollution Prevention Team (PPT) or
- ▶ Designated Trained Personnel



MONTHLY OBSERVATIONS PROVIDE

- ▶ An ongoing assessment of a facility's storm water program.
- ▶ The opportunity to make corrective actions to BMPs ahead of sampling events.
- ▶ An assessment of the facility's employee pollution prevention training (i.e., housekeeping, waste management, and spill prevention and control).



INTERIM SUMMARY

Consider monthly visual observations as your routine checkup on how your SWPPP program is performing.

... *and* as an effective tool for keeping your program in compliance rather than a nuisance you need to get done as quickly as possible.

COMMON EXCUSES FOR NOT CONDUCTING INSPECTIONS

#1 – Not My Job

#2 – Time Consuming
("I don't have time for this.")

#3 – Lack of Training
("I don't know what I'm looking for.")

#4 – No Changes to the Facility
("I'm sure everything is fine ...")

#5 – It's Not *That* Important
(Famous last words...)

QUESTIONS TO ASK YOURSELF

Are good pollution prevention practices being properly implemented?

Six (6) Minimum Best Management Practices (BMPs)

- ▶ Good Housekeeping
- ▶ Preventative Maintenance
- ▶ Spill and Leak Prevention and Response
- ▶ Erosion & Sediment Controls
- ▶ Employee Training
- ▶ Quality Assurance & Record Keeping

Are Advanced BMPs being implemented and maintained properly?

INSPECTION TOOL BOX

- ▶ Site Maps
- ▶ Monthly Inspection Forms
- ▶ Sampling Equipment



Monthly Visual Observation Form
(Order 2014-0057-DWQ XI.A.1.a)

Facility Name: _____

Month: _____
Year: _____

Notes, Describe SWPPP Revisions (if necessary): _____

Monthly Visual Observation Form
(Order 2014-0057-DWQ XI.A.1.a)

Observing Personnel: _____

Scheduled Facility Operating Hours: 7:00am – 5:00pm

Observing Personnel: _____ Date/Time of Observation: _____

NOTE: Observations must be performed during daylight and operating hours

BMP and Potential Pollutant Source Observations

Name of Industrial Area or Activity (as listed in the SWPPP)	Minimum BMPs in place? (Circle)	Advanced BMPs in place? (Circle)	Existing BMPs effective? (Circle)
Production Area	Yes / No	Yes / No	Yes / No
Outdoor Storage (Covered storage areas, hazardous waste storage area, outdoor storage areas)	Yes / No	Yes / No	Yes / No
Waste Removal (Metal scrap bins, trash dumpster)	Yes / No	Yes / No	Yes / No
Vehicle Parking/Storage (Truck/Trailer Parking)	Yes / No	Yes / No	Yes / No
Material Delivery (Loading Dock)	Yes / No	Yes / No	Yes / No
Facility Perimeter	Yes / No	Yes / No	Yes / No
Detention Basin	Yes / No	Yes / No	Yes / No

Non-Storm Water Discharge (NSWD) Outfall Observations

Drainage Area Outfall Location Observed	NSWD or indications present? (circle)	Authorized (circle)	Unauthorized (circle)	Probable Source	Corrective Action Completed? (circle)
Sample Point 1	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 2	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 3	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 4	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA

Describe the NSWD, include response actions (if necessary): _____

Section IV.A - Authorized NSWDs (reference General Permit Section IV.B for conditions)

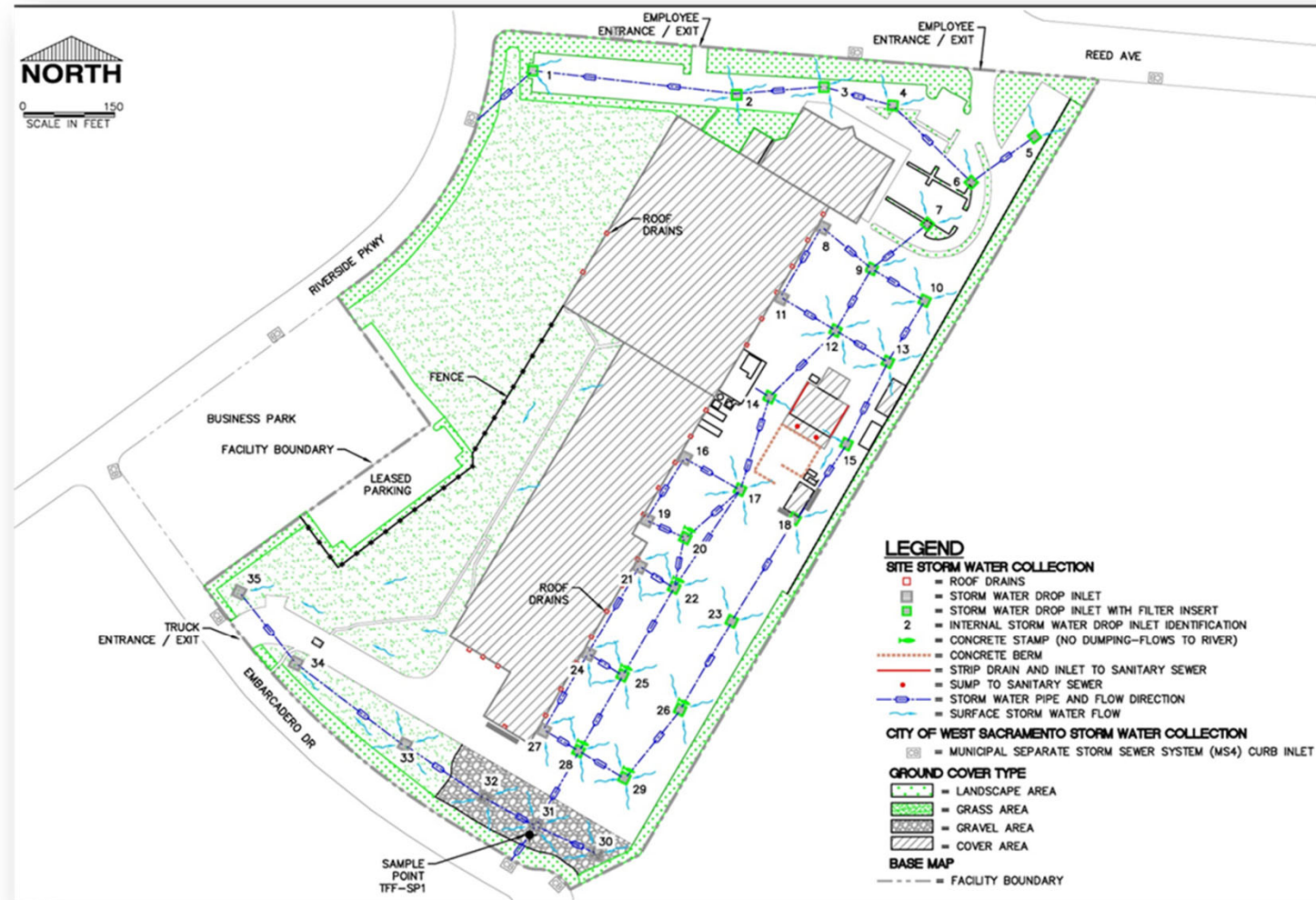
- Fire prevention system flushing
- Potable water sources
- Drinking fountain water
- Irrigation/drainage
- Uncontaminated groundwater
- Seawater infiltration
- Incidental windblown mist from cooling towers

Form Provided by Condor Earth Technologies, Inc.

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SWPPP SITE MAP

An effective tool to identify areas of concern and to direct BMP maintenance activities



VISUAL INSPECTION FORMS

- ▶ Be critical when conducting your inspections.
- ▶ Remember – they are meant to help your program by identifying potential issues *before* they become a problem.
- ▶ They provide an opportunity to implement proactive corrective actions.

Monthly Visual Observation Form
(Order 2014-0057-DWQ XI.A.1.a)

At least **once per calendar month**, the Discharger shall visually observe each drainage area for the following: i) presence or indications of prior, current, or potential unauthorized NSWDS and their sources; ii) Authorized NSWDS, sources, and associated BMPs; and, iii) Outdoor industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential source of industrial pollutants.

Facility Name: _____ Month: _____
Scheduled Facility Operating Hours: _____ 7:00am – 5:00pm _____ Year: _____
Observing Personnel: Not Me Date/Time of Observation: _____
NOTE: Observations must be performed during daylight and operating hours

Non-Storm Water Discharge (NSWD) Outfall Observations

Drainage Area Outfall Location Observed	NSWD or indications present? (circle)	Authorized (circle)	Unauthorized (circle)	Probable Source	Corrective Action Completed? (circle)
Sample Point 1	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 2	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 3	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 4	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA

Describe the NSWD, include response actions (if necessary): _____

Section IV.A - Authorized NSWDS (reference General Permit Section IV.B for conditions)

- Fire prevention system flushing
- Potable water sources
- Drinking fountain water
- Irrigation drainage
- Uncontaminated groundwater
- Seawater infiltration
- Incidental windblown mist from cooling towers

Form Provided by Condor Earth Technologies, Inc.
Page 1 of 3

VISUAL INSPECTION FORMS

- ▶ Record Keeping is Important!
- ▶ If it wasn't documented, it didn't happen.
- ▶ Communicate any potential issues with your site managers and PPT Coordinators.

Are you required to upload your monthly dry weather visual observation forms to SMARTS?

Monthly Visual Observation Form

(Order 2014-0057-DWQ XI.A.1.a)

Facility Name: _____

Observing Personnel: That Other Guy

Month: _____

Year: _____

- Storm Water Pollution Prevention plan (SWPPP) Section 14.0 provides detailed descriptions of Facility BMPs
- Table 4 in the SWPPP (pgs 17 & 18) summarizes BMPs implemented for each area.

BMP and Potential Pollutant Source Observations

Name of Industrial Area or Activity (as listed in the SWPPP)	Minimum BMPs in place? (Circle)	Advanced BMPs in place? (Circle)	Existing BMPs effective? (Circle)	Describe Corrective Action Needed/Taken (Include Implementation Date)
Production Area	Yes / No	Yes / No	Yes / No	
Outdoor Storage (Covered storage areas, hazardous waste storage area, outdoor storage areas)	Yes / No	Yes / No	Yes / No	
Waste Removal (Metal scrap bins, trash dumpster)	Yes / No	Yes / No	Yes / No	
Vehicle Parking/Storage (Truck/Trailer Parking)	Yes / No	Yes / No	Yes / No	
Material Delivery (Loading Dock)	Yes / No	Yes / No	Yes / No	
Facility Perimeter	Yes / No	Yes / No	Yes / No	
Detention Basin	Yes / No	Yes / No	Yes / No	

Form Provided by Condor Earth Technologies, Inc.



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DOCUMENTATION

Monthly Visual Observation Form

(Order 2014-0057-DWQ XI.A.1.a)

At least **once per calendar month**, the Discharger shall visually observe each drainage area for the following: **i)** presence or indications of prior, current, or potential unauthorized NSWDs and their sources; **ii)** Authorized NSWDs, sources, and associated BMPs; and, **iii)** Outdoor industrial equipment and storage areas, outdoor industrial activities areas, BMPs, and all other potential source of industrial pollutants.

Facility Name: My Facility

Month: November

Scheduled Facility Operating Hours: 7:00am – 5:00pm

Year: 2021

Observing Personnel: That Other Guy

Date/Time of Observation: 11/17/2021 5:15

NOTE: Observations must be performed during daylight and operating hours

Non-Storm Water Discharge (NSWD) Outfall Observations

Drainage Area Outfall Location Observed	NSWD or indications present? (circle)	Authorized (circle)	Unauthorized (circle)	Probable Source	Corrective Action Completed? (circle)
Sample Point 1	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 2	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 3	Yes / No	Yes / No	Yes / No		Yes / No / NA
Sample Point 4	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA
	Yes / No	Yes / No	Yes / No		Yes / No / NA

Describe the NSWD, include response actions (if necessary): _____



SP-1



SP-3

DOCUMENTATION

Facility Name: My Facility

Month: November

Observing Personnel: That Other Guy

Year: 2021

- Storm Water Pollution Prevention plan (SWPPP) Section 14.0 provides detailed descriptions of Facility BMPs
- Table 4 in the SWPPP (pgs 17 & 18) summarizes BMPs implemented for each area.

BMP and Potential Pollutant Source Observations

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Vehicle Parking/Storage (Truck/Trailer Parking)	Yes / No	Yes / No	Yes / No	
Material Delivery (Loading Dock)	Yes / No	Yes / No	Yes / No	
Facility Perimeter	Yes / No	Yes / No	Yes / No	
Detention Basin	Yes / No	Yes / No	Yes / No	



Vehicle Parking



Detention Pond

WHAT SHOULD YOU BE LOOKING FOR?

- ▶ Sources of Authorized NSWDs
- ▶ Active Unauthorized NSWDs
- ▶ Evidence of Previous NSWDs



EMPLOYEE TRAINING

- ▶ Have the personnel tasked with conducting monthly dry weather observations received the appropriate training?
- ▶ Can they identify an authorized versus unauthorized NSW?

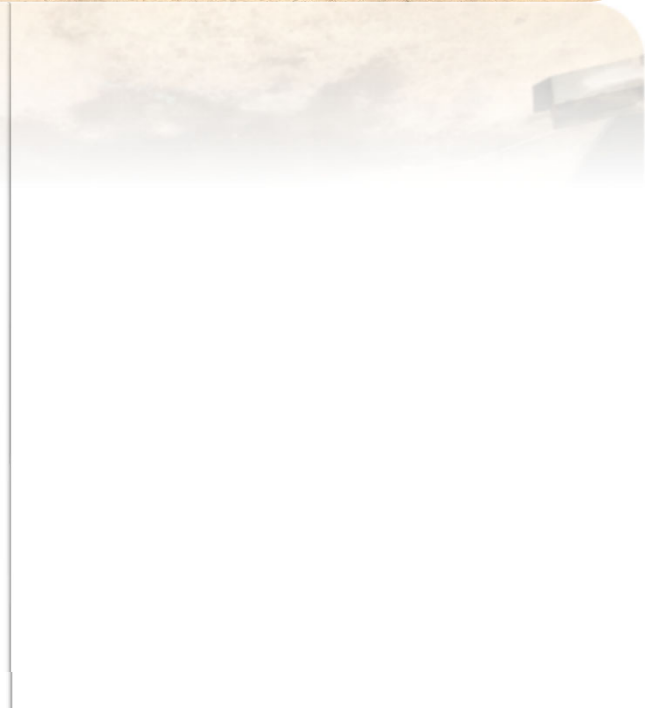


EMPLOYEE AWARENESS

Make sure onsite storm drain inlet/catch basin stencils are legible.



EMPLOYEE AWARENESS



WHAT'S WRONG WITH THIS PICTURE?



HOUSEKEEPING 101



“GOOD” HOUSEKEEPING

Is housekeeping being conducted as outlined in your SWPPP?



“GOOD” HOUSEKEEPING

Does your facility have areas that look like this?



WASTE MANAGEMENT

- ▶ Are waste bins and dumpsters covered and in good condition?



WASTE MANAGEMENT

- ▶ Are waste disposal procedures being followed?



OUTDOOR STORAGE AREAS

- ▶ Inspect outdoor storage areas for off-site runoff, spills, and leaking equipment.



OUTDOOR STORAGE AREAS

- ▶ Store derelict equipment off the ground, under cover, and properly dispose of ASAP.



PREVENTATIVE MAINTENANCE

- ▶ Inspect the site and outdoor equipment for evidence of spills/leaks and defective equipment.



1 quart of oil can pollute 250,000 gallons of water

PREVENTATIVE MAINTENANCE

- ▶ Implement appropriate spill control and cleanup when necessary.



SPILL RESPONSE

- ▶ Spills happen... Are you prepared?
- ▶ Spill Response Personnel
- ▶ Spill Kits

SPILL CONTROL

Are spill kits stocked and properly located?



FLUID MANAGEMENT AND SPILL CONTROL

- ▶ Inspected the site for spills/leaks and defective equipment.
- ▶ Confirm that spill containment structures are in place and operational.



FLUID MANAGEMENT AND SPILL CONTROL

- ▶ Which of these photos show a deficiency?



SPILL CONTROL

Possibly a disconnect
with pollution prevention
training?



SPILL CONTROL

When was the last time you took a good look at your compactor?



Before



After

LET'S TALK PORT-A-POTTIES



EROSION and SEDIMENT CONTROLS

Has the facility implemented effective erosion controls?



EROSION and SEDIMENT CONTROLS



WHAT'S WRONG WITH THIS PICTURE?



OFFSITE ACTIVITIES CAN IMPACT YOUR FACILITY



ADVANCED BMPs

Advanced BMPs may include one or more of the following:

- Exposure Minimization BMPs
- Storm Water Containment and Discharge Reduction BMPs
- Treatment Control BMPs
- Other Advanced BMPs

Connection to the Sanitary Sewer System

EVALUATE ADVANCED BMPs



AN IMPROPERLY IMPLEMENTED OR MAINTAINED BMP IS AN INEFFECTIVE BMP!



BMP MAINTENANCE IS CRUCIAL!!!





QUESTION

If your neighbor's storm water runs onto your facility, is it your problem?

YES



RECAP

- ▶ Internal inspections should be about keeping your site in compliance and not about getting someone in trouble.
- ▶ Be honest ... it can't be fixed if no one knows about it.
- ▶ Don't Kill the Messenger ... It's better to be proactive and report a potential problem to your supervisors BEFORE it actually becomes a problem.
- ▶ You don't want your sampling results to be the first indication that your storm water program is deficient.

COMPLIANCE IS A LOT OF WORK!

REASONS FOR CONCERN

- ▶ Increased costs due to corrective actions
- ▶ Civil Penalties for violation of discharge permit provisions (additive)
- ▶ Additional penalties associated with CWA or Porter–Cologne Water Quality Control Act violations
- ▶ Criminal penalties (including possible jail time)
- ▶ **Citizen/NGO Lawsuits**
- ▶ Loss Time and Incurred Expenses (including attorney fees)

QUESTION

- ▶ **Does compliance with the General Permit constitute compliance with other permits?**
 - **NO**
 - Compliance with any specific limits or requirements contained in the General Permit does NOT constitute compliance with any other applicable permits such as the Clean Water Act and Basin Plan Water Quality Objectives.

QUESTION

- ▶ Does compliance with the General Permit protect my facility from potential citizen/third-party lawsuits?
 - **NO**
 - Citizen lawsuits have been increasing since the 2014 General Permit was adopted

BE PROACTIVE VS. REACTIVE

- ▶ Implement your SWPPP!
- ▶ Use monthly visual and sampling observations to identify and correct potential problem areas.
- ▶ Evaluate storm water analytical results immediately before uploading to SMARTS.
- ▶ Remain vigilant regarding BMP maintenance.
- ▶ Reach out.



ANY QUESTIONS?