



CALIFORNIA WATER BOARDS

State Water Resources Control Board

Regional Water Quality Control Boards

Water Board Function: Regulating industrial stormwater discharges

Water Board Program(s) Relevant to Function:
NPDES Stormwater – Industrial

Problem/Issue Description:

The discharge of pollutants in storm water and dry weather flows from industrial facilities (e.g., auto dismantlers, manufacturing plants, etc.) are largely untreated and can be a significant source of pollutants discharged to surface waters.

Overview of Function:

The Storm Water Program is a subset of the NPDES permitting program. The Storm Water Program consists of three components: municipal, industrial, and construction. The goal of the Storm Water Program is to reduce/eliminate the discharge of pollutants in storm water and dry weather flows from urban, construction, and/or industrial environments.

The State Board has adopted the “General Industrial Storm Water Permit,” or the Industrial General Permit (IGP), which regulates the discharge of storm water associated with industrial activities for about 9,500 industrial facilities. This permit regulates the discharge of storm water from ten broad categories of industry that are defined by the federal regulations, but does not include commercial facilities such as retail gasoline stations.

Role of Water Board Staff:

The majority of the resources in this program are at the Regional Water Boards. Regional Water Board staff conduct compliance evaluation (conduct inspections, review annual reports, etc.), investigate complaints, and take enforcement actions for non-compliance. State Water Board staff support the program by administering the program (enrollment, change of information, etc.), developing new and improved business processes and database functions, and reissuing the statewide IGP every 5-8 years.

Role of Regional Board Members:

Conduct public hearings, and consider and adopt orders and permits, taking into consideration any issues involving the capture and use of stormwater. May be involved in compliance assurance and enforcement of statewide permits.

Role of State Board Members:

Administer public hearings, and consider and adopt orders and permits, taking into consideration any issues involving the capture and use of stormwater. Reviews petitions from Regional Board adoption of permits.

Primary Issues of Concern:

The primary issue currently is the role of numeric action levels (NALs) and numeric effluent limitations (NELs) in the IGP.

Also, new legislation requires the State and Regional Water Boards to regulate facilities that handle pre-production plastic pellets, also known as nurdles, beginning in January 2009. Nurdles can be as small as one millimeter and are easily windblown or carried away in runoff where they wind up in the environment. They are a source of pollutants in surface waters and beaches and the ocean. [AB 258 (Chapter 735, Statutes of 2007)].

The next, revised IGP requirements must translate waste load allocations from adopted Total Maximum Daily Loads (TMDLs), as required by law.

There is also a growing recognition that atmospheric deposition can be a significant source of pollutants in storm water and urban runoff, adding to the complexities of regulating sources and the need for collaboration with other Cal EPA agencies, such as the Air Resources Board.

Definition of Key Terms:

IGP: Industrial General Permit

BAT/BCT: Best Available Technology / Best Conventional Technology Economically Achievable - a narrative standard used in combination with BMP requirements to serve as a surrogate for numeric effluent limitations.

BMP: Best management practices

NAL: Numeric action levels – when placed in a permit NALs serve as benchmarks, or triggers for some sort of action, like further implementation of BMPs or reporting. Exceedance of an NAL does not result in a direct violation.

NEL: Numeric effluent limitations – when placed in a permit an NEL (either derived as water-quality or technology based) sets a limit on the effluent which, if exceeded, results in a violation of the permit.

Non-filer: An entity who is required by law to file for coverage under the IGP but has yet to do so.