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**CII Subcommittee Meeting**  
**June 16, 2010 – 1:00 to 2:30 pm**  
**County Environmental Health - Atrium Room**  
 2000 Alameda de las Pulgas – San Mateo

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**AGENDA**

- |    |  |         |   |
|----|--|---------|---|
| 1. | <b>Introductions, Announcements, Changes to Agenda, Approve April Meeting Summary</b><br><i>Outcome: Agree on agenda and meeting summary.</i>  | 5 min.  | <i>Ward Donnelly</i>                                |
| 2. | <b>Update on Pollution Prevention Group's Activities</b><br><i>OUTCOME: Obtain update.</i>   | 5 min.  | <i>Whomever</i>                                     |
| 3. | <b>BASMAA's MRP Implementation Materials</b><br>A. <b>Illicit Discharge Screening Form - attached</b><br><br>B. <b>Draft Pollutants of Concern (POC) Guidance Manual and PowerPoint Presentation – distributed via email on 6-7-10</b><br><br>C. <b>Annual Reporting Forms – hand out at meeting</b><br><br><i>OUTCOME: Agree on how to modify screening form and guidance materials for POC and obtain information on status of annual reporting forms.</i> | 25 min. | <i>Fred Jarvis/<br/>Everyone</i>                    |
| 4. | <b>Countywide Program's Draft MRP Implementation Materials</b><br>A. <b>Draft Business Inspection Plan Template - attached</b><br><br>B. <b>Illicit Discharge Screening Program Questionnaire - attached</b><br><br><i>OUTCOME: Review materials, make any needed changes, and agree to recommend their use as guidance.</i>   | 15 min. | <i>Fred/<br/>Dermot Casey/<br/>Everyone</i>         |
| 5. | <b>Update on Training Work Group's Activities</b><br><i>OUTCOME: Obtain update.</i>  | 10 min. | <i>Dermot/<br/>Work group members/<br/>Everyone</i> |

- |    |  |         |                           |
|----|--|---------|---------------------------|
| 6. | <b>Update on Meeting MRP's Requirement to Make MS4 Maps Publicly Available (Provision C.5.e)</b><br><i>OUTCOME: Obtain update on links to Oakland Museum of California maps.</i>                 | 5 min.  | <i>Fred/<br/>Everyone</i> |
| 7. | <b>Possible Change in Meeting Frequency</b><br><i>OUTCOME: Agree on whether to change meeting frequency to every quarter.</i>  | 10 min. | <i>Ward/<br/>Everyone</i> |
| 8. | <b>Share Information on Illicit Discharge and Industrial/Commercial Inspection Problems</b><br><i>OUTCOME: Identify common problems and gain information on successful ways to resolve them.</i> | 10 min. | <i>Everyone</i>           |
| 9. | <b>Agree on Next Meeting Date and Topics</b><br><i>OUTCOME: Agree on next meeting date and topics.</i>   | 5 min.  | <i>Everyone</i>           |

## **DRAFT CII Subcommittee Report**

**Meeting Date:** April 15, 2010

### **Subcommittee Action:**

- Agreed that the February subcommittee meeting summary was acceptable.
- EOA will prepare for the subcommittee to review draft guidance for assisting the municipalities to comply with the MRP's requirement for collection system illicit discharge screening (Provisions C.5.e).
- EOA will follow up on a question about what is intended by the MRP's requirement to report violations and potential violations by "business categories."
- The Training Work Group will review the copper, mercury, and PCBs training materials that will be developed as part of a project conducted by SCVURPPP and the Countywide Program for BASMAA.
- Agreed to change the CII subcommittee meeting date to the third Wednesdays of every other month. The meeting location may also change depending on additional feedback.

**Requested Technical Advisory Committee Action or Feedback/Guidance (if any):** None.

### **Other Information/Announcements:**

- **Bay Area Pollution Prevention Group.** Held a mini P3S conference with three speakers. The group is scrambling to find new leadership.
- **P3S Conference in 2011.** Norm Domingo and Catherine Allin are helping to plan the 2011 P3S Conference that will be held in Santa Clara County during the first week of March 2011. One day of the conference will be devoted to stormwater. They are soliciting ideas and speakers for the stormwater session and for sponsors. They are also looking for vendors of stormwater devices to discuss how to use various products.
- **Municipal Regional Stormwater Permit.** Each municipality should have developed and started implementing its enforcement response plan (ERP) by April 1. A couple of cities have an interim ERP that will be improved later this year. One ERP requires that if the agency's staff sees an illicit discharge they need to report it to the agency's illicit discharge coordinator. Roles and responsibilities for complying with the reporting requirements for business inspections should be worked out between the municipalities and County Environmental Health for municipalities that have a contract with County Environmental Health for hazmat and food facility inspections. Dermot reported that each municipality will be expected to inspect businesses that are not inspected by the county's hazmat and food facility inspectors.
- **Water Board Enforcement for Late Annual Reports.** In February the Water Board staff issued administrative civil liability notices to about 45 businesses in the Bay Area for failing to submit their annual reports by the July 1, 2009 due date required by the Industrial General Permit. Three of the businesses are located in San Mateo County. The proposed liability varied from about \$3,000 to \$13,000 depending on how late the annual reports were submitted.
- **Water Board Staff Audits.** Information about the Water Board staff audits of Provisions C.4 and C.5 was discussed. The Water Board staff has audited two cities and plans on

auditing a city in Contra Costa and one in Santa Clara Counties by the end of June. Audits will also be conducted next year, and the topic areas for auditing may change.

- **Reporting Forms.** Municipal staff questioned the use on the reporting forms of enforcement actions at Levels 1, 2, 3, and 4 (“6. Frequency and Type of Enforcement Conducted) without also agreeing on a common definition of what each level meant. This could lead to one agency having a lot more enforcement at one level than another, but the actual type of enforcement would be similar. It was pointed out that BASMAA has already submitted the draft annual reporting forms to the Water Board staff, and it would be difficult to establish quickly a common set of enforcement action definitions among all of the municipalities in the Bay Area.

**Subcommittee Work That Affects Other Subcommittees:** None

**Next Steps:** EOA will prepare for the subcommittee’s review draft guidance to assist the municipalities to comply with the MRP’s requirement for collection system illicit discharge screening (Provisions C.5.e).

**Next Meeting Date:** Subcommittee will meet next on Weds. June 16, 2010 at 1:00 pm.

**CII Subcommittee Attendance – 2009/10**

Name	Agency	PHONE	FAX No.	E-Mail	Aug.	Oct.	Dec.	Feb	April	June
	City of Atherton									
Bozhena Palatnik Gilbert Yau Randy Fernando Dalia Corpus	City of Belmont	659 593-7463		Bpalatnik@Belmont.gov	√	√	√	√	√	
Matt Fabry	City of Brisbane	415 508-2134	415 467-5547	mfabry@ci.brisbane.ca.	√		√			
Kiley Kinnon	City of	342-3727	342-3712	kiley.kinnon@veoliawater na.com	√	√	√	√	√	
Muneer Ahmed	City of Colma	757-8888	757-8890	Muneer.ahmed@colma.c a.us						
Ward Donnelly	City of Daly City	991-8208	991-8220	wdonnelly@dalcity.org	√	√	√	√	√	
John Latu	City of East Palo	853-3165		jlatu@cityofepa.org						
Norm Dorais	City of Foster	286-3279	349-7204	ndorais@fostercity.org						
Gary Whelen/ Tom Jahns	City of Half	726-88260								
Jen Chen	Town of Hillsborough									
Virginia Parks/ Jennifer Ng	City of Menlo	330-6752 330-6743		vkfparks@menlopark.org	√	√	√	√	√	
Catherine Allin	City of Millbrae	259-2470	259-2398	callin@ci.millbrae.ca.us	√		√	√	√	
Kevin Cesar	City of Millbrae	222-0545		kcesar@ci.millbrae.ca.us						
Raymund Lizzy Claycomb	City of Pacifica	738-3767	738-3003	donguinesr@ci. pacificaca.us			√			
Jason Lo	City of Pacifica	738-7456		lo@ci.pacificaca.us			√	√		
	Town of Portola Valley									
Gary Lepori	City San Bruno	616-7020		glepori@SanBruno.ca.go v					√	
Mike Dillon	City San Carlos	802-4139		mdillon@cityofsancarlos. org	√			√		
Vern Bessey	City San Mateo	522-7342	522-7351	<a href="mailto:vbessey@cityofsanmateo.org">vbessey@cityofsanmateo .org</a>						
Alan Atwater	City San Mateo	522-7343	522-7351	AAtwater@cityofsanmate o.org	√		√		√	
Rob Lecel	City of So. San Francisco	829-3882	829-3855	rob.lecel@ssf.net	√	√	√		√	
	Town of									
Dermot Casey	County of San Mateo	363-4957	363-7337	<a href="mailto:djcasey@co.sanmateo.ca.us">djcasey@co.sanmateo.ca .us</a>	√	√	√	√	√	
Matt Fabry	SMCWPPP Coordinator	415 508- 2134	415 467- 5547	mfabry@ci.brisbane.ca.	√		√			
Michael Li	SBSA	594-8411 Ext. 139	591-7122	mli@sbsa.org						
Norm Domingo	SBSA	650 594- 8411		ndomingo@sbsa.com	√	√		√	√	
Cecil Felix	Water Board	510 622- 2343		CFelix@waterboards.ca.g ov						
Fred Jarvis	EOA, Inc.	510 832-2852	510 832-2856	Fejarvis@eoainc.com	√	√	√	√	√	
No. Attending					12	8	12	10	11	

# C.5.e - Storm System Screening and Inspection Form

## Stormwater Program or City Name

Inspection Date: \_\_\_\_\_ Inspection Time: \_\_\_\_\_

Inspector Name: \_\_\_\_\_

Inspecting Agency: \_\_\_\_\_

Time Since Last Rain:  Less than 3 weeks  Longer than 3 Weeks

Storm Facility Location(ID): \_\_\_\_\_

Outfall Location: \_\_\_\_\_ Receiving Water: \_\_\_\_\_

Storm Facility Type:  End of Pipe  Creek  Channel  Ditch  Pump Station  
 Drop Inlet/Catch Basin  Other, Explain: \_\_\_\_\_

### Observations:

**Standing/Stagnant Water:**  Yes  No

**Flow:**  None  Trickle  Steady  High

**Approx. Depth of Flow:** \_\_\_\_\_ inches

**Estimated Trash Volume:**  High  Medium  Low  ND

Comment: \_\_\_\_\_

**Odor:**  High  Medium  Low  ND

Comment: \_\_\_\_\_

**Color:**  High  Medium  Low  ND

Comment: \_\_\_\_\_

**Turbidity:**  High  Medium  Low  ND

Comment: \_\_\_\_\_

**Hydrocarbons:**  High  Medium  Low  ND

Comment: \_\_\_\_\_

**Sediment/debris in structure:**  Open  1/4 Full  1/2 Full  3/4 Full

Plugged  ND

Comment: \_\_\_\_\_

**Nearby activities that could impact water quality or creek:**  Yes  No

**Description of impact activities:** \_\_\_\_\_

**Actions Taken:** \_\_\_\_\_

**Follow up required:**  Yes  No

**Specify Corrective/Follow-up Actions Taken:** \_\_\_\_\_

**Date Completed:** \_\_\_\_\_

**TEMPLATE**

*[Instructions for modifying and completing the template are shown as italicized text below. Delete the italicized text following completion of this Inspection Plan.]*

**INDUSTRIAL AND COMMERCIAL BUSINESS INSPECTION PLAN**

**CITY OF \_\_\_\_\_**

*[Add your municipality's name.]*

**Date Originally Prepared:** \_\_\_\_\_ *[Add date that the Inspection Plan was originally prepared.]*

**Date Last Updated:** \_\_\_\_\_ *[Add date of last update. Note that the MRP requires that the list of industrial and commercial businesses to inspect shall be updated at least annually (Provision C.4.b.ii).]*

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**BACKGROUND**

This industrial and commercial business inspection plan (Inspection Plan) serves as the city's prioritized inspection work plan that the city will implement to comply with the municipal regional stormwater permit's (MRP) Provision C.4.b requirements. This MRP provision requires that an Inspection Plan be developed. The Inspection Plan's attached Prioritized Inspection List of Businesses (Inspection List) must be submitted with the 2010 Annual Report, and an annually updated Inspection List must be submitted with subsequent annual reports.

Municipal staff used the following steps to create this Inspection Plan and comply with the MRP. Steps 1 and 2 address MRP requirements for the Inspection Plan and Step 3 addresses compliance with MRP requirements for creating an Inspection List that is included as an attachment to the Inspection Plan.

Steps

1. Identify a method of establishing priorities for inspections and the frequency of inspections for each category of priority.
2. Describe the method that will be used to identify newly opened businesses that may need inspection.
3. Develop an Inspection List that includes:
  - a. A list of all of the industrial and commercial businesses located within the municipality's jurisdiction that require inspection;
  - b. A determination of the priority for inspection of each business on the Inspection List using the identified method of establishing inspection priorities;
  - c. Identification of businesses on the Inspection List that are scheduled for inspection during the current fiscal year; and
  - d. An annual update or revision of the Inspection List starting in 2011.

Each of these steps was followed to develop this Inspection Plan as described in the following sections.

**STEP 1: IDENTIFY A METHOD OF ESTABLISHING PRIORITIES FOR INSPECTIONS AND FREQUENCY OF INSPECTIONS**

**What the MRP Requires**

The MRP requires that each of the businesses to be inspected be assigned a priority for inspection based on "the potential for water quality impact using criteria such as pollutant sources on site, pollutants of concern, proximity to a waterbody, violation history of the facility, and other relevant

factors” (Provision C.4.b.ii.(3)). In addition, the MRP requires that appropriate inspection frequencies be established based on the priority for inspection, “potential for contributing pollution to stormwater runoff” and be “commensurate with the threat to water quality” (Provision C.4.b.ii.(5)).

Further, the MRP requires: “A description of the process for prioritizing inspections and frequency of inspections” (Provision C.4.b.i.(2)).

### **Description of Prioritization Process and Assignment of Inspection Frequencies to Different Priorities**

- Businesses meeting the following criteria generally have been assigned as having a high priority for inspection: *[Please modify the criteria shown below to fit your city’s process for prioritizing inspections and frequency of inspections. Based upon your municipality’s experience conducting business inspections elaborate why this prioritization method is appropriate].*
1. Businesses that are subject to the State General NPDES Permit for Stormwater Discharges Associated with Industrial Activity.
  2. Retail food facilities, hazardous materials users, automotive service facilities, and hazardous waste generators that have a history of using inadequate best management practices.
  3. Businesses that have had a non-stormwater discharge disallowed by the MRP during the previous fiscal year.
- All other businesses have generally been assigned as having a low priority for inspection.

- High priority for inspection means that the business will typically be inspected annually. Low priority for inspection means that the business will be inspected less frequently than annually, such as every other year or every third year<sup>1</sup>. *[Modify the inspection frequency listed above to reflect what your municipality has been doing as part of its existing inspection program or select any other logical way of linking inspection frequency with inspection priorities. For example, your municipality may be able to be more explicit about the inspection frequency for businesses assigned a low priority, such as low priority businesses will be inspected every other year or some other specific inspection frequency. Another possible variant is that your municipality may prefer to assign businesses to three categories of prioritization, high, medium, and low priority – each category would have an explicit inspection frequency, such as every year, every other year, and once every five years.]*

## **STEP 2: DESCRIBE METHOD THAT WILL BE USED TO IDENTIFY NEW BUSINESSES**

### **What the MRP Requires**

The MRP requires that the Inspection Plan have a “mechanism to include newly opened businesses that warrant inspection ...” (Provision C.4.b.i.(2)).

### **Description of Method for Identifying New Businesses**

- The following describes how new businesses that may warrant an inspection are identified so that they will be included on the Inspection List. *[Describe below how your municipality identifies new businesses and decides whether they warrant inspection].*

<sup>1</sup> The municipality may define other categories of priority and their associated inspection frequency. Most municipalities have previously used two categories of frequency for inspection and this approach has been retained in this template.

### STEP 3: DEVELOP AN INSPECTION LIST

This step includes the following four substeps associated with the development and maintenance of the Inspection List:

- a. Develop a list of all of the industrial and commercial businesses that require inspection;
- b. Determine the priority for inspection of each business on the Inspection List;
- c. Identify businesses on the Inspection List that are scheduled for inspection during the current fiscal year; and
- d. Prepare an annual update or revision of the Inspection List starting in 2011.

#### What the MRP Requires

##### Develop a List of All Businesses Requiring Inspection

The MRP requires that the Inspection Plan be used to maintain an Inspection List of industrial and commercial businesses “that could reasonably be considered to cause or contribute to pollution of stormwater runoff” (Provision C.4.b.ii).

In particular, the MRP lists the following types of businesses as needing to be inspected if they “have a reasonable likelihood to be sources of pollutants to stormwater and non-stormwater discharges:” (Provision C.4.b.ii(2))

- 1) Industrial facilities<sup>2</sup>, as defined in 40 CFR 122.26(b)(14), including those subject to the State General NPDES Permit for Stormwater Discharges Associated with Industrial Activity;
- 2) Vehicle salvage yards;
- 3) Metal and other recycled material collection facilities, waste transfer facilities;
- 4) Vehicle mechanical repair, maintenance, fueling, or cleaning;
- 5) Building trades central facilities or yards, corporation yards, nurseries, and greenhouses;
- 6) Building material retailers and storage;
- 7) Plastic manufacturers; and
- 8) Other facilities designated by the city or Water Board as having a reasonable potential to contribute to pollution of stormwater runoff. The Water Board staff places a priority on inspecting retail food facilities, and these businesses should be included in the Inspection List if they “have a reasonable likelihood to be sources of pollutants to stormwater and non-stormwater discharges.”

In addition, the MRP lists the following functional aspects of businesses that may produce pollutants when exposed to stormwater as part of the criteria for developing the Inspection List:

- 1) Outdoor process and manufacturing areas;
- 2) Outdoor material storage areas;
- 3) Outdoor waste storage and disposal areas;
- 4) Outdoor vehicle and equipment storage and maintenance areas;
- 5) Outdoor wash areas;
- 6) Outdoor drainage from indoor areas;

<sup>2</sup> The MRP appears to use the terms “facilities” and “businesses” interchangeably. This template generally uses the term business since that is used in the title of Provision C.4.b., and it is the term most inspectors use.

- 7) Rooftop equipment; and
- 8) Other sources determined by the city or Water Board to have a reasonable potential to contribute to pollution of stormwater runoff.

#### Establish Inspection Priority for Businesses on the Inspection List

The MRP requires that businesses that have a reasonable potential to pollute stormwater runoff be prioritized using factors listed in the MRP (Provision C.4.b.ii.(3)).

#### Identify Businesses Scheduled for Inspection During the Current Fiscal Year

The MRP requires that the annual report include “the list of facilities scheduled for inspection during the current fiscal year” (Provision C.4.b.iii.(2)).

#### Annual Updates

The MRP requires that the Inspection List be annually updated and maintained (Provision C.4.b.ii). The annual updates should include new businesses; any needed modifications to inspection priorities based on recent inspections, illicit discharge notifications, or other relevant factors; and removal of businesses that are no longer operating. In addition, updates or revisions to the Inspection List need to be included in annual reports starting in 2011 (Provision C.4.b.iii.(1)).

#### **Substep 3a: Develop Inspection List**

- *[Using the criteria listed above (under “Develop a List of Businesses Requiring Inspection”), complete an Inspection List (Attachment A or something similar to Attachment A). Use the business inspection database to help generate the information needed for the municipality’s Inspection List. Include the total number of businesses requiring inspection within the municipality’s jurisdiction. The MRP requires that the Inspection List and future updates to the list include the total number of businesses on the list, which should equal the total number of businesses on the Inspection List.]*

#### **Substep 3b: Determine Priority for Businesses**

- *[For each business listed on the municipality’s attached Inspection List (Attachment A or its equivalent), assign either a high or low priority for inspection or some other variant, such as high, medium, and low priority, as allowed by the MRP.]*

#### **Substep 3c: Identify Businesses Scheduled for Inspection in the Current Fiscal Year**

- *[Identify which businesses on the Inspection List are scheduled for inspection in FY 2010/11. Add information about how the schedule is subject to change given various types of uncertainties and contingencies that typically may occur.]*

#### **Substep 3d: Annual Update**

- *[Starting with the 2011 annual report and annually thereafter, make any needed revisions to the attached Inspection List. Update the Inspection List with information that indicates which of the businesses listed will be inspected during the current fiscal year. Include revisions or updates to the Inspection List in each annual report.]*

**Attachment A  
Prioritized Inspection List of Businesses (Inspection List)**

Date Originally Prepared: \_\_\_\_\_

Date Last Updated<sup>3</sup>: \_\_\_\_\_

**High Priority Businesses for Inspection<sup>4</sup> Are Inspected Annually** [*Tailor priority categories and inspection frequencies as needed*].

Name of Business	Address	Type of Business	Has Industrial General Permit Coverage?	Comments	Scheduled for Inspection in FY 2010/11 <sup>5</sup>

**Total number of businesses** \_\_\_\_\_

**Low Priority Businesses for Inspection<sup>2</sup> Are Inspected Less Frequently Than Once a Year**

Name of Business	Address	Type of Business	Has Industrial General Permit Coverage?	Comments	Scheduled for Inspection in FY 2010/11 <sup>5</sup>

**Total number of businesses** \_\_\_\_\_

**Grand total number of businesses on the Inspection List** \_\_\_\_\_

<sup>3</sup> The municipal regional stormwater permit requires an annual update of businesses to inspect.

<sup>4</sup> The frequency of inspections is a goal that should be met for most businesses. A particular business or facility's inspection priority may be modified based on more recent information during the annual Inspection List update, and businesses and facilities may be added and deleted from the Inspection List consistent with the MRP.

<sup>5</sup> A check mark in this column means that a business is scheduled for inspection in the current fiscal year. This column should be updated annually and updates or revisions to the Inspection List are required in each annual report.

## **Summary of Stormwater Collection System Screening Program For Illicit Discharges and Illegal Dumping**

The following questions are intended to assist agency staff to summarize their stormwater collection system screening program. The screening program required by the municipal regional stormwater permit's (MRP) Provision C.5.e. is similar to what the municipalities have been doing for more than 15 years to find illicit discharges and illegal dumping. Nonetheless, the MRP contains some explicit additional requirements whose compliance is elaborated on below.

1. Describe how your agency has used the US EPA/Center for Watershed Protection's publication "Illicit Discharge Detection and Elimination: A Guidance Manual for Program Development and Technical Assessment" (Provision C.5.e.ii) to develop and implement your agency's collection system screening program.
2. Describe how stormwater collection system elements typically inspected for other maintenance purposes are integrated into the agency's collection system screening program<sup>1</sup>.
3. Describe how your agency surveys "strategic collection system check points (one screening point per square mile of Permittee urban and suburban jurisdiction area, less open space) including some key major outfalls draining industrial areas as defined in 40 CFR 122.26 (b)(5)<sup>2</sup> once each year in dry weather conditions meaning no significant rainfall within the past 3 weeks" (Provision C.5.e.ii). In responding factor in that the MRP allows: "Routine surveys that occur on an ongoing basis during regular conveyance system inspections may be credited toward this requirement."
4. When illicit discharge and illegal dumping problems are found during your collection system screening are these problems reported to the complaint/spill tracking and case follow up system required by MRP Provision C.5.f? If this tracking and case follow up system is not used, describe the reporting and tracking system used.

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<sup>1</sup> The MRP states: "...elements typically inspected for other maintenance purposes, such as end of pipes, creeks, flood conveyances, storm drain inlets and catch basins. and during other routine Permittee maintenance and inspection activities when Permittee staff are working in or near the MS4 system" are part of the routine surveys for illicit discharges and illegal dumping (Provision C.5.e.i).

<sup>2</sup> EPA defines major municipal separate storm sewer outfalls, in part, as ones "that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more)."