
CII Subcommittee Meeting
August 20, 2009 – 1:00 to 2:30 pm
Millbrae Community Center Conference Room
 477 Lincoln Circle – Millbrae

AGENDA

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| 1. | Introductions, Announcements, Changes to Agenda, Approve April Meeting Summary
<i>Outcome: Agree on agenda and meeting summary.</i> | 10 min. | <i>Ward Donnelly</i> |
| 2. | Update on Pollution Prevention Group's Activities
<i>OUTCOME: Obtain update.</i> | 10 min. | <i>Whomever</i> |
| 3. | Review Inspector Training Workshop
<i>OUTCOME: Review summary of evaluations submitted and obtain subcommittee's suggestions on how to improve training</i> | 10 min. | <i>Fred Jarvis/
Ward/Everyone</i> |
| 4. | Information from Draft Annual Report – 10 min.
<i>OUTCOME: Obtain business inspection and illicit discharge information from draft FY 2008/09 draft Annual Report.</i> | 10 min. | <i>Fred/
Dermot Casey/
Everyone</i> |
| 5. | Discuss Ideas for Training Work Group Projects – 10 min.
<i>OUTCOME: Agree on list of ideas and priorities for this fiscal year.</i> | 10 min. | <i>Fred/
Work Group
Members/
Everyone</i> |
| 6. | Update on TAC Meeting, Draft MRP, and Any Other Matters That Affect CII Not Covered Elsewhere
<i>OUTCOME: Obtain information.</i> | 10 min. | <i>Matt Fabry</i> |
| 7. | Template for Industrial and Commercial Business Inspection Plan
<i>OUTCOME: Review draft Inspection Plan template and agree on how to proceed.</i> | 10 min. | <i>Fred/Everyone</i> |
| 8. | Share Information on Illicit Discharge and Industrial/Commercial Inspection Problems
<i>OUTCOME: Identify common problems and gain information on successful ways to resolve them.</i> | 15 min. | <i>Everyone</i> |
| 9. | Agree on Next Meeting Date of October 8 or 22 and Topics
<i>OUTCOME: Agree on whether to change usual meeting date for Oct.</i> | 5 min. | <i>Everyone</i> |

DRAFT CII Subcommittee Report

Meeting Date: April 16, 2009

Subcommittee Action:

- Agreed that the February subcommittee meeting summary was acceptable.
- Kiley Kinnon, Dermot Casey, and Ward Donnelly agreed to join Catherine Allin as facilitators to lead the May 20 workshop's field training exercise. Catherine will introduce the field exercise and coordinate summarizing the exercise.
- Agreed to create a new contact list to help inspection staff contact code enforcement and other municipal staff when an illicit discharge is found, but the local illicit discharge coordinator is unavailable. This contact list is intended for internal use.

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

Other Information/Announcements:

- **P3S Conference in Monterey.** One subcommittee member attended the all day stormwater session held at the conference. The stormwater session included a discussion of the pros and cons of different types of stormwater treatment systems. Landscape-based treatment systems using bioswales and bioretention areas offer a lot of advantages. There was a lot of discussion about whether it made sense to wrap drain pipes with filter fabric or not. The City of Mountain View has instituted a permit system for stormwater treatment systems. One of the problems that may occur is that vegetative treatment systems may be paved over as new uses and owners occur over time.
- **MRP.** BASMAA will be meeting with Water Board staff to discuss permit issues. Matt will be working through C/CAG to encourage elected officials to participate in the May 13 public hearing on the MRP. The Countywide Program will need to prepare some talking points to assist the elected officials. The cities in San Mateo are all facing serious budget shortfalls. The most costly Countywide Program items in the proposed permit are the monitoring and PCBs/mercury requirements. Of the approximately \$6 million of additional Countywide Program costs over the next five years, \$2.7 million would be for PCBs and mercury and about \$2.3 million would be for monitoring. Three of the five legislators who represent portions of San Mateo County submitted MRP comment letters.
- **Bay Area Pollution Prevention Group (BAPPG).** The group discussed meeting with the San Mateo County Dental Association regarding mercury. The City of Burlingame is planning on using the City of San Francisco's list of approved mercury separators and to institute a program requiring their use by dentists within the city. The city will not charge a fee for participants who install a mercury separator.
- **Inspector Training.** The training workshop will be held on May 20 at the South San Francisco Corporation Yard.
- **Unfunded State Mandates.** There are two municipal stormwater cases that have gone to the Commission on State Mandates. The Commission's staff draft decision is that the municipal stormwater permits go beyond the federal Clean Water Act, but these requirements are not unfunded because municipalities may impose fees on businesses to recover their costs.
- **FY 2009/10 Work Plan and Budget.** It would be desirable to have C/CAG adopt a stormwater budget in June, and this budget could be revised in six months or so once the MRP requirements are set.

Subcommittee Work That Affects Other Subcommittees: The PIP Subcommittee should review and comment on the school maintenance staff Tips for a Cleaner Bay that would be adapted from ACCWP.

Next Steps: Training Work Group will continue planning the training workshop.

Next Meeting Date: Subcommittee tentatively planned to meet next on June 18, 2009 at 1:00 pm.



**2009 Business Inspector Training
May 20, 2009**

SUMMARY OF WORKSHOP EVALUATIONS

Total Number of Evaluations: 18 (69% response)

Total Number of Attendees: *35

**Number includes 26 attendees and 9 speakers and staff.*

What did you think of the following presentations?

Orientation to Business Inspections–

Fred Jarvis

10-Very helpful 7-Somewhat helpful 1-Not helpful 0-No answer

Regional Water Board Staff Perspective –

Cecil Felix

7-Very helpful 9-Somewhat helpful 2-Not helpful 0-No answer

Preparing to Conduct a Business Inspection–

Dermot Casey

13-Very helpful 5-Somewhat helpful 0-Not helpful 0-No answer

Inspecting Restaurants and Other Retail Food Facilities–

Rob Lecler

13-Very helpful 4-Somewhat helpful 1-Not helpful 0-No answer

Inspecting Automotive Facilities, Retail Gasoline Outlets and Body Shops –

Margaret Zittle

6-Very helpful 10-Somewhat helpful 2-Not helpful 0-No answer

Restaurant Stormwater Enforcement Case Study –

Kiley Kinnon

8-Very helpful 9-Somewhat helpful 0-Not helpful 1-No answer

Case Study of the White Goo –

Dermot Casey

12-Very helpful 6-Somewhat helpful 0-Not helpful 0-No answer

Using the SMCWPPP Website for Educational Outreach Information –

Sarah Pratt

12-Very helpful 6-Somewhat helpful 0-Not helpful 0-No answer

Field Exercise –

12-Very helpful 5-Somewhat helpful 0-Not helpful 1-No answer

Agenda Item No. 3

Did this training meet your expectations?

Yes: 15

No: 0

No Answer: 3

Comments on presentations

Orientation to Business Inspections (Fred Jarvis): “Non-stormwater discharges disallowed” is awkward, just say “illegal discharge.”

Need to add category between very helpful and somewhat helpful.

Regional Water Board Staff Perspective (Cecil Felix): Give us lesson on how to determine SIC’s when businesses don’t know them. How do I decide if NOI is required? What is Cecil’s email and phone #?!? Couldn’t hear a word he said.

Inspecting Restaurants and Other Retail Food Facilities (Rob Lecel): Don’t use the term “manpower.” It leaves out over half the population.

Inspecting Automotive Facilities, Retail Gasoline Outlets and Body Shops (Margaret Zittle): I can’t get my city to update its ordinances.

Restaurant Stormwater Enforcement Case Study (Kiley Kinnon): Not applicable.

Using the SMCWPPP Website for Educational Outreach Information (Sarah Pratt): Nice job on new website!

Suggestions for future workshop topics

More case studies (2)

Actual inspection of different businesses

Next time explain POTW, BMP, NOI, SIC, etc.

Define better types of permits and how facilities (or inspectors) determine which they need: none vs. general vs. individual

Discussion of enforcement action success stories

General Comments

Training was very helpful

Great handouts, forms, tight presentation time punctuality, love the field exercises!!!

Would help to have resources for purchase of BMP cost ranges to help businesses understand how to access, reasonable cost.

Too many speakers and not enough time

I am new so it was all helpful

Need a PA system I could not hear many of the speakers

Good training class. Length of class appropriate. Good speakers, presentations. Field component useful. Site location is good.

stormwater ordinances. The agenda for the workshop is contained in Appendix B. Workshop attendees found the presentations by Dermot Casey on “Preparing to Conduct a Business Inspection” and Rob Lecel on “Inspecting Restaurants and Other Retail Food Facilities” to be especially helpful.

The field exercise portion of the training workshop gave inspectors an opportunity to evaluate the effectiveness of BMPs used at different types of simulated activity areas. This hands on portion of the training was facilitated by Kiley Kinnon, City of Burlingame; Ward Donnelly, City of Daly City; Dermot Casey, County Environmental Health; and Rob Lecel, South San Francisco.

Preparing for the training workshop provided an opportunity to update the Countywide Program’s lists of stormwater business inspectors and stormwater illicit discharge contacts. These updated lists were included in information distributed to workshop attendees, and the lists continued to be updated following the training. The most updated contact lists are available on the Countywide Program’s website at www.flowstobay.org.



The folder for each workshop attendee also included the general business version of *Tips for a Cleaner Bay* printed in 2008 and a copy of “BMPs and Implementation Procedures for Conditionally Exempted Discharges” that the Water Board approved as part of a permit amendment in 2004.

Based on the evaluation forms submitted following the workshop, attendees were satisfied with the training received. About 83 percent of the attendees who completed the workshop evaluation form indicated that the workshop met their expectations. The other respondents did not answer this question. Attendees particularly liked the field exercises and the packet of information handed out as part of the training.

Inspections and Educational Outreach to Businesses

The Countywide Program has continued to conduct stormwater inspections of businesses as part of other business inspections, such as hazardous waste storage or generation. To this end, 2,584 inspections were completed in FY 2008/09 (Table 3-1). The number of inspections conducted was higher than the average number of annual inspections (2,189) reported during the five years preceding last fiscal year.

Countywide Total Number of Business Inspections & Stormwater Violations Found
Table 3-1

Fiscal Year	No. Inspections	No. Violations	Percentage Violations
2008/09	2,584	170	7
2007/08	2,332	226	10
2006/07	2,059	238	12
2005/06	2,513	169	7

Fiscal Year	No. Inspections	No. Violations	Percentage Violations
2004/05	1,906	227	12
2003/04	2,137	253	12
2002/03	2,004	198	10
2001/02	1,849	Not reported	Not reported
2000/01	1,109	Not reported	Not reported
1999/00	1,142	Not reported	Not reported
1998/99	1,079	Not reported	Not reported
1997/98	1,500	Not reported	Not reported
1996/97	2,809	Not reported	Not reported
1995/96	1,699	Not reported	Not reported
1994/95	918	Not reported	Not reported

The number of inspections conducted annually during the last five years (2,279 inspections per year average) is about 38 percent higher than the 1,648 inspections per year average conducted during the preceding five-year period from FYs 1999/00 to 2003/04. Most of the increase in the number of inspections is attributable to increases accomplished by the County Environmental Health's food facility inspectors. Due to the efforts of County Environmental Health staff during the last seven years, stormwater compliance was more routinely integrated into food facility inspections than in previous years.

In response to the Regional Water Board's request seven years ago, the Countywide Program's municipalities began to track the total number of violations found during business inspections. For reporting purposes the CII Subcommittee agreed that the term violation would be defined as the discharge of pollutants to the storm drain system because pollutants are exposed to stormwater runoff or a discharge to the storm drain system of non-stormwater disallowed by the municipal stormwater NPDES permit. During this seven year period about 10% of the businesses inspected had at least one violation. About 7% of the businesses inspected in FY 2008/09 were found to have a violation. Last fiscal year and FY 2005/06 had the lowest percentage of violations during the seven year period (Table 3-1).

Similar to previous years, County Environmental Health and municipal inspectors continued to provide educational outreach to businesses during stormwater inspections by discussing the Program's requirements with business representatives and by distributing a variety of BMP materials, including the general business version of *Tips for a Cleaner Bay* and the *Vehicle Service Facilities* BMP booklets.

Identification and Elimination of Illicit Discharges

The number of illicit discharges found (356) in FY 2008/09 was less than the 370 found the preceding year. The annual average number of illicit discharges found during the ten years preceding last fiscal year was 294.

As shown in Table 3-3, most municipalities conducted field investigations of their storm drainage system to look for illicit discharges. This proactive, field surveying approach to detect and eliminate illicit discharges complements the business inspections because some of

Effectiveness of Illicit Discharge Elimination

The effectiveness of the illicit discharge field investigations may be measured by the overall decline in the number of illicit discharges found over time. The number of illicit discharges found in FY 2008/09 (356) is less than the number found during FY 2007/08 (370), and it is higher than the annual average number of illicit discharge found (294) during the preceding ten year period. There does not seem to be a trend in the number of illicit discharges being found each year since FY 1995/96 (Table 3-6). Comparing the number of illicit discharges found during FY 2008/09 with the previous four years, two years had very similar numbers of illicit discharges: FY 2007/08 (370) and FY 2004/05 (352).

Countywide Total Number of Reported Illicit Discharges & Screening Point Visits
Table 3-6

Fiscal Year	No. Illicit Discharges	Screening Point Visits
2008/09	356	13,447
2007/08	370	16,429
2006/07	279	13,803
2005/06	244	17,607
2004/05	352	24,373
2003/04	246	17,433
2002/03	271	23,323
2001/02	249	24,913
2000/01	327	12,155
1999/00	306	7,211
1998/99	294	6,650
1997/98	511	4,217
1996/97	463	2,416
1995/96	303	2,045
1994/95	46	Not available

As described in previous annual reports, there does not appear to be a discernible relationship between the reported number of field surveys conducted and the number of illicit discharges detected. One possible explanation for this is that the reported number of screening points visited increased around FYs 2000/01 and 2001/02 as municipal staff increased its familiarity with how to use the reporting forms. The number of reported screening points visited over the years is probably an inaccurate way to evaluate the actual effort to find illicit discharges. Information collected on the reporting forms should be revised or eliminated once the municipal regional stormwater permit is adopted in FY 2009/10.

The information on the most commonly found types of illicit discharges will continue to be used to evaluate effective methods for targeting their elimination. For example, the relatively large number of construction related materials being found as illicit discharges helped some of the Program's municipalities to decide four years ago to participate in the reprinting of BASMAA informational cards about construction-related illicit discharges.