

SMCWPPP Commercial/Industrial/Illicit Discharge (CII Subcommittee) Inspector Training

Commercial/Industrial Stormwater Inspection Basics: Regulatory Overview (Module 1)

August 2020



Outline

- **Regulatory Overview**
 - Stormwater Regulations
 - Industrial General Permit
 - SB 205
 - Municipal Regional Permit
- **Inspection Process (Module 2)**
- **Resources (Module 3)**

Stormwater Regulations



U.S. EPA

Clean Water Act establishes NPDES permit program



State Water Resource Control Board

- NPDES permitting authority in CA
- Issues State Stormwater Industrial General Permit (IGP)



Regional Water Quality Control Board
9 regions

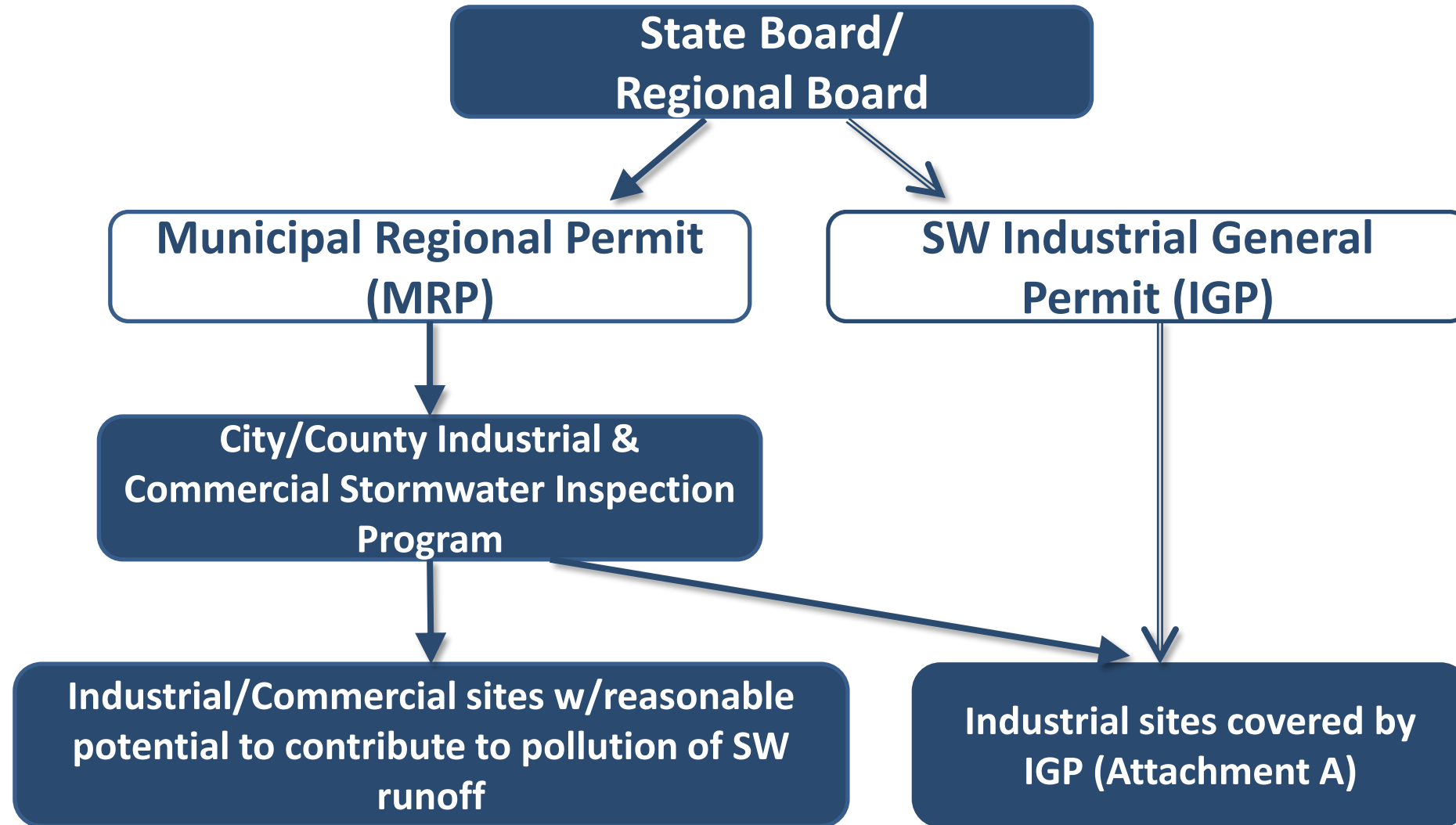
- Issues Municipal Regional Permit (MRP)
- Inspects/Enforces State IGP



Municipal Separate Storm Sewer System (MS4)

Implement Local Stormwater Program

Industrial Site Regulations



Industrial General Permit

- Applies to specific types of industry (Attachment A)
- RWB staff responsible for compliance inspections & enforcement

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 438); 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.

Industrial General Permit

■ Requires

- Stormwater Pollution Prevention Plan (SWPPP)
- Minimum BMPs
- Inspections
- Sampling
- Reporting (SMARTs)
- Numeric Action Levels (NALs)
- QISP and Exceedance Response Actions reports for exceeding NALs



Industrial General Permit

■ Municipal Requirements

- Inspect IGP facilities
- Report facilities that may need coverage under the IGP that have not submitted a Notice of Intent (NOI)

■ Municipal Tips

- Reviewing SWPPP, inspection records, sampling results may help inform your MRP inspection
 - <https://smarts.waterboards.ca.gov/smarts/faces/SwPublicUserMenu.xhtml>
- Overall site compliance reflects on your inspection program

NOI Filers in San Mateo County from SMARTS

City	Manufacturing	Mining	Public Admin	Trans., Comm., Electric, Gas & Sanitary Services	Wholesale Trade	No SIC Code	Total
Belmont						1	1
Brisbane	2	1		7		1	11
Burlingame	2			4			6
Colma	1			2			3
Daly City				1		1	2
East Palo Alto	1			1	1		3
Foster City	1				1		2
Half Moon Bay	4	1		2		1	8
Menlo Park	10		1	3		2	16
Millbrae	1						1
Pacifica					1		1
Palo Alto						1	1
Pescadero						1	1
Portola Valley	1						1
Redwood City	16	2	1	4	1	1	25
San Bruno				1		3	4
San Carlos	13			5	1	12	31
San Gregorio						2	2
San Mateo	2			4	3	2	11
South San Francisco	7	1		7	2	2	19
Woodside	2	1					3
Total	63	6	2	41	10	30	152


Search osha.gov for SICs

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🔒 https://www.osha.gov/pls/imis/sic_manual.html

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SIC Division Structure


- A. Division A: Agriculture, Forestry, And Fishing
 - Major Group 01: Agricultural Production Crops
 - Major Group 02: Agriculture production livestock and animal specialties
 - Major Group 07: Agricultural Services
 - Major Group 08: Forestry
 - Major Group 09: Fishing, hunting, and trapping
- B. Division B: Mining
 - Major Group 10: Metal Mining
 - Major Group 12: Coal Mining
 - Major Group 13: Oil And Gas Extraction
 - Major Group 14: Mining And Quarrying Of Nonmetallic Minerals, Except Fuels
- C. Division C: Construction
 - Major Group 15: Building Construction General Contractors And Operative Builders
 - Major Group 16: Heavy Construction Other Than Building Construction Contractors
 - Major Group 17: Construction Special Trade Contractors
- D. Division D: Manufacturing
 - Major Group 20: Food And Kindred Products
 - Major Group 21: Tobacco Products
 - Major Group 22: Textile Mill Products
 - Major Group 23: Apparel And Other Finished Products Made From Fabrics And Similar Materials
 - Major Group 24: Lumber And Wood Products, Except Furniture
 - Major Group 25: Furniture And Fixtures**
 - Major Group 26: Paper And Allied Products
 - Major Group 27: Printing, Publishing, And Allied Industries
 - Major Group 28: Chemicals And Allied Products
 - Major Group 29: Petroleum Refining And Related Industries
 - Major Group 30: Rubber And Miscellaneous Plastics Products
 - Major Group 31: Leather And Leather Products

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🔒 https://www.osha.gov/pls/imis/sic_manual.display?id=18&tab=group

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SEARCH OSHA

Major Group 25: Furniture And Fixtures

This major group includes establishments engaged in manufacturing household, office, public building, and restaurant furniture; and office and store fixtures. Establishments primarily engaged in the production of millwork are classified in Industry 2431; those manufacturing wood kitchen cabinets are classified in Industry 2434; those manufacturing cut stone and concrete furniture are classified in Major Group 32; those manufacturing laboratory and hospital furniture, except hospital beds, are classified in Major Group 38; those manufacturing beauty and barber shop furniture are classified in Major Group 39; and those engaged in woodworking to individual order or in the nature of reconditioning and repair are classified in nonmanufacturing industries.

Industry Group 251: Household Furniture

- 2511 Wood Household Furniture, Except Upholstered
- 2512 Wood Household Furniture, Upholstered
- 2514 Metal Household Furniture
- 2515 Mattresses, Foundations, and Convertible Beds
- 2517 Wood Television, Radio, Phonograph, and Sewing Machine Cabinets
- 2519 Household Furniture, Not Elsewhere Classified

Industry Group 252: Office Furniture

- 2521 Wood Office Furniture
- 2522 Office Furniture, Except Wood

Industry Group 253: Public Building And Related Furniture

- 2531 Public Building and Related Furniture

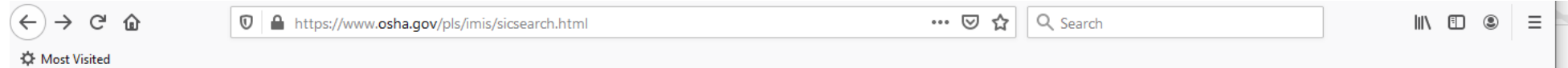
Industry Group 254: Partitions, Shelving, Lockers, And Office And

- 2541 Wood Office and Store Fixtures, Partitions, Shelving, and Lockers
- 2542 Office and Store Fixtures, Partitions, Shelving, and Lockers, Except Wood

Industry Group 259: Miscellaneous Furniture And Fixtures

- 2591 Drapery Hardware and Window Blinds and Shades
- 2599 Furniture and Fixtures, Not Elsewhere Classified

Search osha.gov for SICs



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Standard Industrial Classification (SIC) System Search

[STATISTICS & DATA](#) | [SIC MANUAL](#)

This page allows the user to search the 1987 version SIC manual *by keyword*, to access descriptive information for a *specified 2,3,4-digit SIC*, and to *examine the manual structure*.

Enter a SIC CODE:

Enter the search

keyword(s):

Submit

Clear

Search Help and Examples



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Occupational Safety and Health
Administration
200 Constitution Ave NW
Washington, DC 20210
800-321-6742 (OSHA)
TTY
www.OSHA.gov

FEDERAL GOVERNMENT

White House
Severe Storm and Flood Recovery
Assistance
Disaster Recovery Assistance
DisasterAssistance.gov
USA.gov
No Fear Act Data
U.S. Office of Special Counsel

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SAN MATEO COUNTYWIDE
Water Pollution
Prevention Program

Senate Bill 205

- **Effective January 1, 2020**
- **Applies to process for issuing Business Licenses**
 - Determine if SIC code requires coverage under IGP
 - Verify WDID application #, WDID, NEC, NONA
- **State Board resources**
 - Regulated SIC codes
 - https://www.waterboards.ca.gov/water_issues/programs/stormwater/sb_205_business_license_requirements.html

Municipal Regional Permit

- San Francisco Bay Municipal Regional Stormwater Permit (MRP)
- Applies to 76 cities, counties, and districts

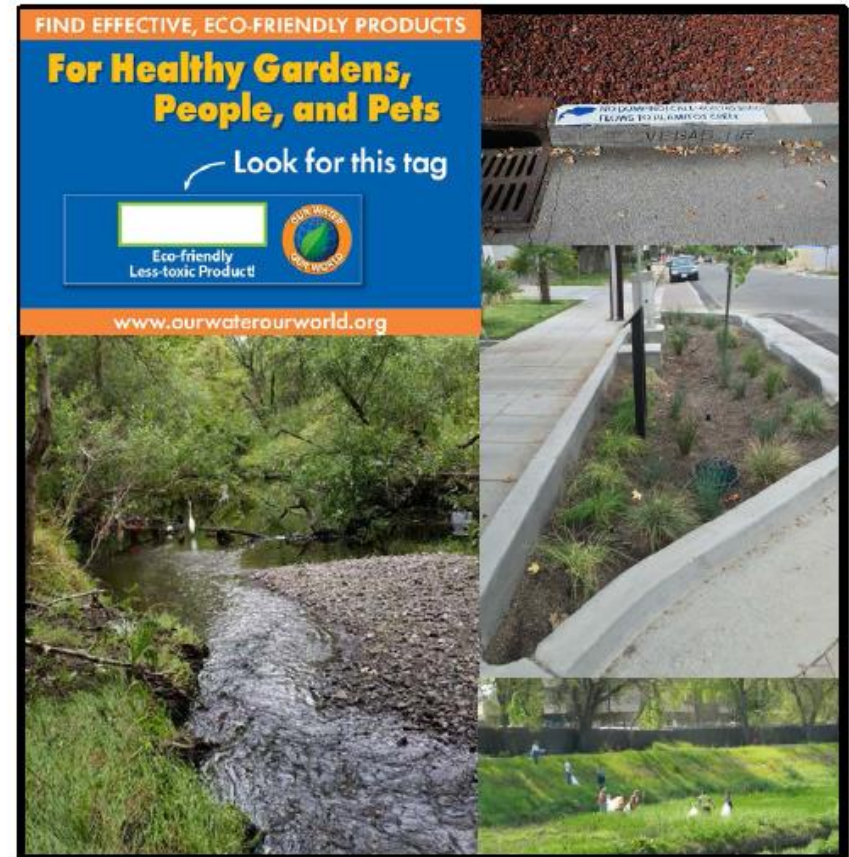


Municipal Regional Permit

- First MRP (1.0) effective 12/1/09
- Reissued MRP (2.0) effective 1/1/16
- MRP 3.0 expected effective date 7/1/21

**San Francisco Bay Region
Municipal Regional Stormwater NPDES Permit**

Order No. R2-2015-0049
NPDES Permit No. CAS612008
November 19, 2015



MRP Permit Provisions

- **C1** **Compliance with Discharge Prohibitions**
 - **C2** **Municipal Operations**
 - **C3** **New Development and Redevelopment**
 - **C4** **Industrial and Commercial Site Controls**
 - **C5** **Illicit Discharge Detection and Elimination**
 - **C6** **Construction Site Control**
 - **C7** **Public Information and Outreach**
 - **C8** **Water Quality Monitoring**
-
- **C9** **Pesticide Toxicity Control**
 - **C10** **Trash Load Reduction**
 - **C11** **Mercury Controls**
 - **C12** **PCBs Controls**
 - **C13** **Copper Controls**
 - **C14** **Bacteria Controls**
 - **C15** **Exempted & Conditionally Exempted Discharges**

Commercial/Industrial Site Control Program

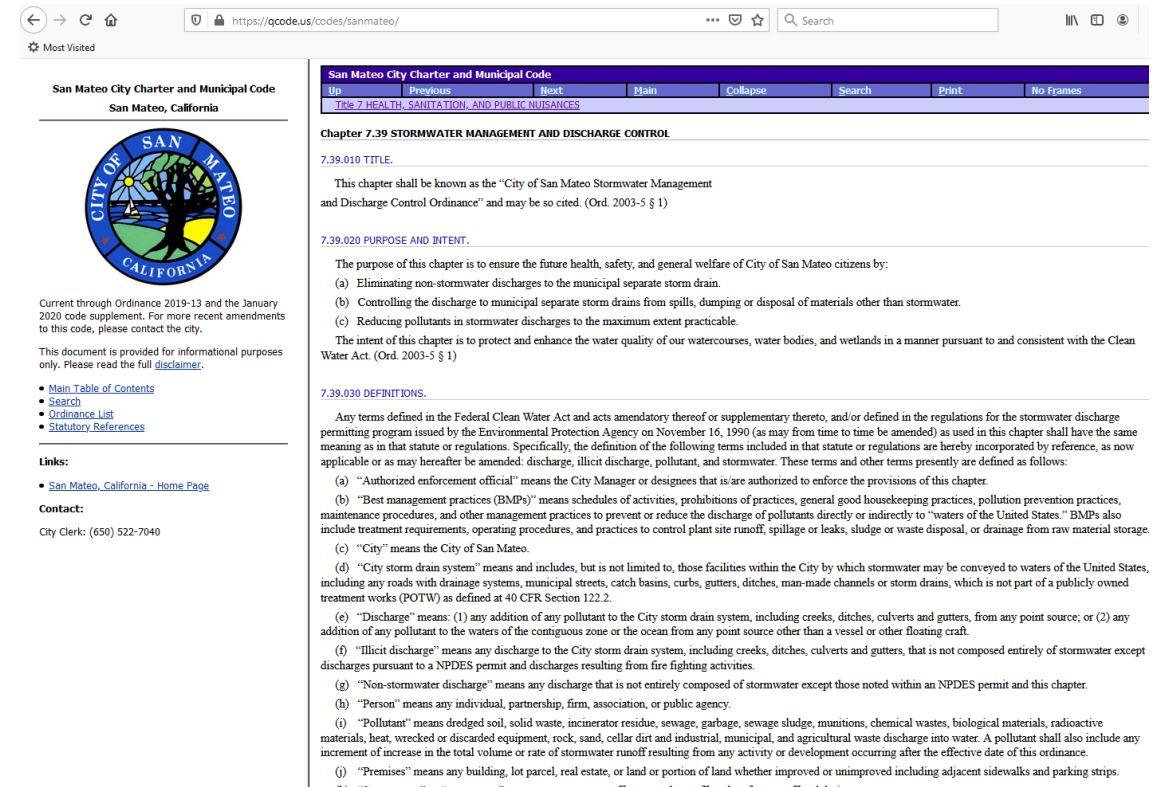
- **Prevent discharges of pollutants and impacts on receiving waters**
- **Regulate by Best Management Practices (BMPs)**
 - Indicative of what they do when you are not there
 - Habits



Commercial/Industrial Site Control Program

■ Legal authority = Municipal Code

- Inspect
- Require BMPs
- Issue enforcement actions



San Mateo City Charter and Municipal Code

San Mateo, California

Current through Ordinance 2019-13 and the January 2020 code supplement. For more recent amendments to this code, please contact the city.

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City Clerk: (650) 522-7040

San Mateo City Charter and Municipal Code

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Title 7 HEALTH, SANITATION, AND PUBLIC NUISANCES

Chapter 7.39 STORMWATER MANAGEMENT AND DISCHARGE CONTROL

7.39.010 TITLE.

This chapter shall be known as the "City of San Mateo Stormwater Management and Discharge Control Ordinance" and may be so cited. (Ord. 2003-5 § 1)

7.39.020 PURPOSE AND INTENT.

The purpose of this chapter is to ensure the future health, safety, and general welfare of City of San Mateo citizens by:

- (a) Eliminating non-stormwater discharges to the municipal separate storm drain.
- (b) Controlling the discharge to municipal separate storm drains from spills, dumping or disposal of materials other than stormwater.
- (c) Reducing pollutants in stormwater discharges to the maximum extent practicable.

The intent of this chapter is to protect and enhance the water quality of our watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the Clean Water Act. (Ord. 2003-5 § 1)

7.39.030 DEFINITIONS.

Any terms defined in the Federal Clean Water Act and acts amendatory thereof or supplementary thereto, and/or defined in the regulations for the stormwater discharge permitting program issued by the Environmental Protection Agency on November 16, 1990 (as may from time to time be amended) as used in this chapter shall have the same meaning as in that statute or regulations. Specifically, the definition of the following terms included in that statute or regulations are hereby incorporated by reference, as now applicable or as may hereafter be amended: discharge, illicit discharge, pollutant, and stormwater. These terms and other terms presently are defined as follows:

- (a) "Authorized enforcement official" means the City Manager or designees that is/are authorized to enforce the provisions of this chapter.
- (b) "Best management practices (BMPs)" means schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- (c) "City" means the City of San Mateo.
- (d) "City storm drain system" means and includes, but is not limited to, those facilities within the City by which stormwater may be conveyed to waters of the United States, including any roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains, which is not part of a publicly owned treatment works (POTW) as defined at 40 CFR Section 122.2.
- (e) "Discharge" means: (1) any addition of any pollutant to the City storm drain system, including creeks, ditches, culverts and gutters, from any point source; or (2) any addition of any pollutant to the waters of the contiguous zone or the ocean from any point source other than a vessel or other floating craft.
- (f) "Illicit discharge" means any discharge to the City storm drain system, including creeks, ditches, culverts and gutters, that is not composed entirely of stormwater except discharges pursuant to a NPDES permit and discharges resulting from fire fighting activities.
- (g) "Non-stormwater discharge" means any discharge that is not entirely composed of stormwater except those noted within an NPDES permit and this chapter.
- (h) "Person" means any individual, partnership, firm, association, or public agency.
- (i) "Pollutant" means dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharge into water. A pollutant shall also include any increment of increase in the total volume or rate of stormwater runoff resulting from any activity or development occurring after the effective date of this ordinance.
- (j) "Premises" means any building, lot parcel, real estate, or land or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Commercial/Industrial Site Control Program

Business Inspection Plan (BIP)

Types of Businesses for inspection,
Priorities,
Inspection Frequency,
List of Businesses

Inspections

Enforcement Response Plan (ERP)

Protocols for enforcement actions,
follow-up inspections,
corrective action
timelines

Enforcement Response Plan

■ Corrective Actions

- Active discharge – cease immediately
- Corrective actions w/in 10 business days or before next rain event (longer if rationale is documented)

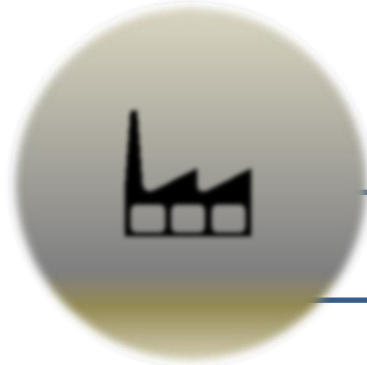


Enforcement Response Plan

- **Verify corrective actions**
 - Problem fixed by end of inspection
 - Follow-up inspection
 - Site submits photographs



MRP Facilities



NOI Facilities

Corp yards, building
trades central facilities



Waste transfer facilities,
Metal/Recycled material collection,
Vehicle salvage yards

Nurseries,
greenhouses



Vehicle repair, fueling or
cleaning facilities

Plastic
manufacturers



MRP Facilities

		Potential Discharge	Actual Discharge	<input type="checkbox"/> Check box if material(s):
ACTIVITY AREAS	N/A	BMP Effect- iveness	NSW	REMARKS: De
A. Outdoor Process/Manufacturing Areas				
B. Outdoor Material Storage Areas				
C. Outdoor Waste Storage/Disposal Areas				
D. Outdoor Vehicle and Heavy Equipment Storage, Maintenance Areas				
E. Outdoor Parking Areas and Access Roads				
F. Outdoor Wash Areas				
G. Rooftop Equipment				
H. Outdoor Drainage from Indoor Areas				
I. Other (describe):				



Food Service



Standard Stormwater Facility Inspection Report Form

Reason for Inspection: ☐ First Inspection ☐ Routine Inspection ☐ Response to Complaint ☐ Follow-up **Re-Inspection Due:** _____

NAME OF FACILITY _____ SITE ADDRESS _____

CONTACT NAME _____ PHONE _____ BUSINESS TYPE/ACTIVITY _____ SIC _____

Pollutants of Concern Used at Facility? ☐ yes ☐ no If yes, indicate which ones: ☐ PCBs ☐ Mercury ☐ Copper ☐ Other _____

Is the facility covered under any other programs or permits? (Check all that apply.) ☐ None ☐ Sanitary sewer

☐ Air quality ☐ Hazmat business plan ☐ Underground storage tanks ☐ Above ground storage tanks

☐ Fire department (hazard storage) ☐ Hazmat waste generator ☐ Retail food facility ☐ Other _____

Is the facility covered under a storm water permit? ☐ Does not need coverage ☐ No, but may need to be (Refer to Water Board staff)

☐ Individual ☐ General Does the facility have a SWPPP? ☐ yes ☐ no

N/A = Not Applicable, NSW = Non-Stormwater Discharge/ Actual Discharge/ Illicit Discharge

BMP effectiveness: 0 = BMPs are effective, 1 = BMPs are fairly/almost effective, 2 = BMPs are not effective, 3 = No BMPs are implemented

ACTIVITY AREAS

Potential Discharge ☐ Check box if educational outreach material is distributed and provide title(s) of outreach material(s):

Actual Discharge ☐ Check box if educational outreach material is distributed and provide title(s) of outreach material(s):

BMP Effectiveness ☐ Check box if educational outreach material is distributed and provide title(s) of outreach material(s):

REMARKS: Describe recommendations, requirements, and time to implement

A. Outdoor Process/Manufacturing Areas

B. Outdoor Material Storage Areas

C. Outdoor Waste Storage/Disposal Areas

D. Outdoor Vehicle and Heavy Equipment Storage, Maintenance Areas

E. Outdoor Parking Areas and Access Roads

F. Outdoor Wash Areas

G. Rooftop Equipment

H. Outdoor Drainage from Indoor Areas

I. Other (describe):

COMMENTS/REMARKS/REQUIREMENTS

Structural control present ☐ Maintenance required in storm drain system ☐ yes ☐ no

☐ See attached for more comments.

PRIORITY ROUTINE INSPECTION: ☐ High ☐ Medium ☐ Low ☐ Referred to:

ENFORCEMENT LEVELS: ☐ None ☐ Verbal Warning ☐ Warning Notice ☐ Admin. Action with Penalty &/or Cost Recovery ☐ Legal Action

Were violations corrected within 10 days or otherwise deemed resolved in a timely manner? ☐ N/A ☐ yes ☐ no or ☐ see Follow-Up Inspection Report

Facility Representative: _____ Inspector: _____



Recordkeeping

- **Track inspection data in database/spreadsheet**
 - Specific inspection data required by MRP
 - Can be requested by RWB at any time
 - Use to complete Annual Report

Facility Information														
Name	Address	Contact Name	Contact Number	Business Type	SIC Code	Priority	Industrial General Permit Reqd?	Filled NOI?	Inspection Date	Inspection Type	Enforcement Actions	Actual (NSW)	Potential	Date Corrected

Contact Information

SMCWPPP CII Subcommittee:

Kristin Kerr



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510-832-2852, X122