

NPDES Industrial Stormwater Dischargers Facility and SWPPP Facility Evaluations Are Due Soon

Preparation Now Pays Off at Annual Inspection Time

IGP Section XV, "The Discharger shall conduct one Annual Evaluation for each reporting year July 1 to June 30." In the General Permit Appendices, within the SWPPP Checklist, there is a helpful Annual Facility Evaluation Checklist (Appendix 1, page 6) to help your facility get started.

What's Required?

Federal regulations require NPDES industrial stormwater Dischargers to evaluate their facility and SWPPP every year. Spring is the optimal time to organize and prepare your Annual Comprehensive Facility Compliance Evaluation (ACFCE) and Annual Report. The deadline to file is July 15, 2017. The ACFCE is comprehensive and requires an inspection of your facility to fulfill these criteria:

- The SWPPP Facility Map accurately reflects current conditions and identifies areas of the facility contributing pollutants to industrial stormwater discharges
- Evaluation of measures to reduce or prevent industrial pollutant loads identified in the Discharger's SWPPP are adequate and properly implemented in accordance with the terms of the IGP
- Evaluation of Best Management Practices (BMPs) implementation and effectiveness based on sampling data and visual observation records to determine if additional BMPs are necessary

An Investigative Approach Works Well

Your Annual Evaluation should be that of an "investigative" approach; the idea is to have Ad Hoc Reports and associated BMPs reviewed ahead of time to help provide answers if there are additional NAL exceedances.

Take advantage of the time to review the facility's non-structural BMPs, and administrative controls (processes, prohibitions and protocols).

QA/QC your lab data one more time during the evaluation while you review the sampling observation form(s). Are there J-flags or items out of holding times, or other sampling issues?

ERA Level 1 and Baseline Status – News on the Horizon

ERA Level 1 facilities should start looking at results vs. drainage areas vs. BMPs. Is the facility near the yearly average and slightly over for a Numeric Action Level (NAL)? The IGP allows for more than four samples, so you may benefit from an additional sample if your BMPs have improved. The additional sampling result may help to lower your yearly average which is derived from all drainage locations multiplied by the samples taken.

If your Ad Hoc Reporting is prepared correctly, SMARTs computes for you and notifies you on or after July 1 if your facility has attained Level 1 or Level 2 status. Current efforts are also underway to ensure SMARTs recognizes current below NAL Ad Hoc. data and moves permittees back down to Baseline Status accordingly.

If the Pollution Prevention Team (PPT) succeeded in returning your facility to Baseline status – congratulations! If the criteria are right, you can now prepare your site for a Sampling Frequency Reduction request. This will enable your team to collect just two samples per year, one in the first half, and one in the second half.

It is of utmost importance to stay at Baseline status if your facility moved to Level 1 and then back to Baseline.

Why? Because you do not get to go back to ERA Level 1 if future NAL exceedances occur for the same parameter(s). Per the IGP, “If future NAL exceedances occur for the same parameter(s), the Discharger’s Baseline status will return to Level 2 status on July 1 in the subsequent reporting year during which the NAL exceedance(s) occurred.” In other words, if there are NAL exceedances that breach the NAL benchmarks again, for the same pollutant, your facility moves straight to ERA Level 2.

State Water Board Alerts

As of April 2017, the State Water Board has advised that so far only approximately 200 Sites are moving back to Baseline Status from Level 1. Part of the reason that number is so low is because of many dischargers have not entered all their 2016-17 data (IGP requires submittal of Ad Hoc Report within 30 days of receiving lab data). The Board has asked to please enter your data! Some Regional Boards have also begun to issue Notice of Violations (NOVs) in this regard. SMARTs indicates there are still a number of facilities that have not prepared or submitted ERA Level 1 Reports, so get all your sampling data in asap.

Preliminary State Water Board information also indicates that so far, at least 50% of ERA Level 1 facilities are moving to Level 2. It is estimated that the number will increase after all Ad Hoc data is submitted for the current stormwater year.

If your facility is potentially moving to ERA Level 2, now is the time to start looking at your options in regards to the required ERA Level 2 Action Plan (for each pollutant of concern over NALs) and the ERA Level 2 Technical Report.

Under the ERA Level 2, there are three (3) paths you can take, and in some cases, the SWRCB also allows exceptions for an extension. If your facility is moving to ERA Level 2, all Action Plans and Technical Reports required in Level 2 status must also be prepared by a Qualified Industrial Stormwater Practitioner (QISP,) and some options a Licensed Engineer is also needed. Now is a good time to explore options and strategies for your Industrial Stormwater Program.

We will provide more information on Level 2 Status and associated requirements, options and potential strategies in the next newsletter, or contact us at service@scsengineers.com

Recommendations for More Productive Results

For an objective review, have an independent consultant perform your Annual Facility Compliance Evaluation. This is basically a yearly industrial stormwater audit, including all observations, inspections, BMP implementation, sampling, etc.

This is also a good opportunity to conduct stormwater training. Combining the evaluation and training reduces the cost overall and better yet; the Trainer can use the site walk to customize the training to your facility, based on observations and additional “boots-on-the-ground” input from your staff. In most cases, the evaluation and training can be wrapped up in a single day and in the end, your facility should be in good shape to file the Annual Report. ERA Level 1 Facilities must have a Qualified Industrial Storm Water Practitioner (QISP) provide training.

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