Course Outline

- Introduction
- Regulatory Background
  - Federal and State Enforcement
  - Industrial General Permit
  - Municipal Permits
- Inspection Protocols for Industrial/Commercial Facilities
- Commercial and Industrial Facility Best Management Practices (BMPs)
# Common Acronym Definitions

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>BMP</td>
<td>Best Management Practice</td>
</tr>
<tr>
<td>DAMP</td>
<td>Drainage Area Management Plan</td>
</tr>
<tr>
<td>IGP</td>
<td>Industrial General Permit</td>
</tr>
<tr>
<td>LIP</td>
<td>Local Implementation Plan</td>
</tr>
<tr>
<td>NEC</td>
<td>No Exposure Certification</td>
</tr>
<tr>
<td>NOI</td>
<td>Notice of Intent</td>
</tr>
<tr>
<td>NONA</td>
<td>Notice of Non-Applicability</td>
</tr>
<tr>
<td>NPDES</td>
<td>National Pollutant Discharge Elimination System</td>
</tr>
<tr>
<td>SMARTS</td>
<td>Storm Water Multiple Application and Report Tracking System</td>
</tr>
<tr>
<td>SWPPP</td>
<td>Storm Water Pollution Prevention Plan</td>
</tr>
</tbody>
</table>
Why Are We Here?

- To comply with permit requirements for training.
- To review municipal permit requirements for commercial / industrial inspections.
- To review BMPs applicable to commercial and industrial facilities.
What pollutants should I be concerned about?
Regulatory Background
Can the Feds issue enforcement actions?

- Yes.
  - Up to $100,000 per day per violation, for a second time offender.

- “Any person who knowingly violates”... shall be punished by a fine of not less than $5,000 nor more than $50,000 per day of violation, or by imprisonment for not more than 3 years, or by both

- CWA Section 309(c)(2)(B)

- 40 C.F.R. 122

Clean Water Act (EPA)
The Clean Water Act has other indirect impacts

- CWA 33 U.S.C. § 1365 (a) (1) gives the public the right to sue
- Non-governmental Groups and Private Citizens
  - NRDC
  - Baykeeper
  - Other Groups

Clean Water Act (EPA)
Typical Enforcement Actions Process

- **Verbal Enforcement**
  - Discussion at site or over the phone

- **Notice of Violation**
  - Letter stating violation
  - Date when changes need to be made
  - Date for written response
  - Warns of further enforcement actions

- **Notice of Non-Compliance**
  - $5000 mandatory minimum penalty for failure to respond to two notifications. (CWC section 13399.25, 04/28/09)

- **Administrative Civil Liability**
  - States maximum and assessed penalties
  - Informs of public hearing, waiver of right to a hearing or meeting with Executive Officer
What’s the magnitude of their fines?

- Under the Porter Cologne Water Quality Act:
  - $10-$20k per day
  - Plus $10-$20 per gallon
  - Plus cost of their time to inspect
What do we need to know about the IGP?

- **General Requirements:**
  - Check if the facility has coverage under the IGP
  - Refer to the IGP for Categories requiring coverage
  - Report if they need to file a NOI for coverage
  - Confirm that they have a Storm Water Pollution Prevention Plan (SWPPP) and a monitoring plan.
    - SWPPP must identify
      - Sources of pollutants
      - The means to manage the sources to reduce storm water pollution
Conditional Exclusion - No Exposure Certification (NEC)

- Conditional exclusion for any type of industry facilities that have no exposure of industrial activities and materials to storm water.
- The previous permit required light industries to obtain coverage only if their activities were exposed to storm water.
- For existing facilities the NEC had to be submitted electronically though the SMART system on or before October 1, 2015.
Notice of Non-Applicability (NONA)

- Facilities who claim “No discharge” or not connected to waters of the United States.
- Facility is engineered and constructed to contain maximum historic precipitation event (or series of events)
- Must prepare a No Discharge Technical Report signed by a registered Professional Engineer (P.E.)
Industrial/Commercial Inspection Programs for Municipalities

- CO-PERMITTEE INSPECTION PROGRAM
  - Follow minimum inspection and enforcement procedures.
  - Follow criteria for characterizing the significance of violations, prioritizing violations, appropriate response actions and enforcement/compliance responses.
  - Standardize the implementation and enforcement of the respective Storm Water Ordinances.
  - Enforce the respective Storm Water Ordinances consistent with the DAMP and the local MS4 Permit.
## Prioritizing Violations

### Table 3-1. Prioritization Factors for Violations

<table>
<thead>
<tr>
<th>Prioritization Factor</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Characteristics of the Potential Pollutant</td>
<td>Based on chemical characteristics and potential to impact Beneficial Uses of Receiving Waters. The more toxic, hazardous, or detrimental to the Beneficial Uses of the Receiving Waters a Pollutant is the higher priority the discharge.</td>
</tr>
<tr>
<td>Sensitivity of the Affected Receiving Waters</td>
<td>The sensitivity of the affected Receiving Waters should be considered directly proportional to the priority of the violation because, for example, a more sensitive Receiving Water may suffer severe adverse effects from the discharge of a particular Pollutant, whereas, a less sensitive Receiving Water may suffer no adverse effects from the same Pollutant discharge. It is also important to consider that a Receiving Water may be highly sensitive to one potential Pollutant discharge while, at the same time, completely insensitive to another potential Pollutant. Examples of Receiving Waters that may be particularly sensitive include those with municipal supply or wildlife habitat designated Beneficial Uses.</td>
</tr>
<tr>
<td>Proximity of Receiving Waters</td>
<td>The closer a Receiving Water is to the discharge, the less chance there is for dispersion, dilution, or degradation of the potential Pollutant. Therefore, the closer the discharge is to Receiving Waters, the higher priority of the violation.</td>
</tr>
<tr>
<td>Magnitude of Discharge (volume and mass)</td>
<td>A larger Illegal Discharge should be of a higher priority than a smaller Illegal Discharge because as the magnitude of the Pollutant discharge increases the extent of impact of the discharge on the environment increases as well.</td>
</tr>
<tr>
<td>Responsiveness of the Discharger in taking corrective actions</td>
<td>A discharger who is responsive and implements a good faith effort to correct a violation is more likely to minimize adverse impacts to surface water quality than a discharger who takes no action to correct a violation. Therefore, the priority of a violation should decrease as the responsiveness of the discharger increases.</td>
</tr>
<tr>
<td>Intent of the Discharger</td>
<td>Is the violation accidental or the result of an accident or a deliberate attempt to circumvent regulations?</td>
</tr>
<tr>
<td>Frequency of the Violation</td>
<td>Violations of local Stormwater Ordinances and erosion control ordinances that are continuous or reoccurring should be of a higher priority than isolated occurrences of violations. The more frequent a violation, the more likely it is that the discharge will impact surface water quality.</td>
</tr>
<tr>
<td>Previous History of Non-Compliance of the Responsible Party</td>
<td>A poor history of non-compliance of a discharger should result in a higher prioritization of subsequent violations as compared to a discharger with a good history of compliance because a history of non-compliance is evidence of a discharger's lack of concern for complying with local stormwater and erosion control ordinances.</td>
</tr>
</tbody>
</table>
### Severity of Violations

#### Table 3-2. Severity of Violations

<table>
<thead>
<tr>
<th>Factors Affecting the Severity of Violations</th>
<th>Severity Priority Level</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>High</td>
</tr>
<tr>
<td>Pollutant characteristics</td>
<td>Hazardous Materials</td>
</tr>
<tr>
<td></td>
<td>(e.g., pesticides and solvents)</td>
</tr>
<tr>
<td>Sensitivity of Receiving Waters</td>
<td>Drinking water source, wildlife refuge, illegal</td>
</tr>
<tr>
<td></td>
<td>Discharges containing Pollutants identified as Impairing the Receiving Water</td>
</tr>
<tr>
<td>Proximity of Receiving Waters</td>
<td>Adjacent</td>
</tr>
<tr>
<td></td>
<td>Several hundred feet away</td>
</tr>
<tr>
<td></td>
<td>Several hundred yards away</td>
</tr>
<tr>
<td>Discharge magnitude</td>
<td>1000's of gallons</td>
</tr>
<tr>
<td></td>
<td>100's of gallons</td>
</tr>
<tr>
<td></td>
<td>10's of gallons</td>
</tr>
<tr>
<td>Responsiveness of discharger</td>
<td>No action to contain or mitigate discharge</td>
</tr>
<tr>
<td></td>
<td>Reactive to control discharge when requested (i.e., cooperative)</td>
</tr>
<tr>
<td></td>
<td>Implements spill control plan at own initiative or shows good faith effort to respond</td>
</tr>
<tr>
<td>Intent of violation</td>
<td>Intentional</td>
</tr>
<tr>
<td></td>
<td>Discharge due to lack of controls or negligence</td>
</tr>
<tr>
<td></td>
<td>Implemented and maintained controls that failed (i.e., accident)</td>
</tr>
<tr>
<td>Frequency of violation</td>
<td>Continuous</td>
</tr>
<tr>
<td></td>
<td>Intermittent</td>
</tr>
<tr>
<td></td>
<td>Isolated incident</td>
</tr>
<tr>
<td>Previous history of discharger</td>
<td>Enforcement and cleanup historically resisted and more than one previous violation</td>
</tr>
<tr>
<td></td>
<td>Enforcement and cleanup performed when threatened and one or less previous violations</td>
</tr>
<tr>
<td></td>
<td>Enforcement and cleanup performed when requested and no previous violations</td>
</tr>
</tbody>
</table>
What do municipalities have to do for Industrial/Commercial facilities? (Santa Ana River Permit)

- Inventory Industrial and Commercial Facilities
  - Includes – hazmat permitted, retail food facilities
  - Based on Municipal Wastewater Pre-Treatment Program
- Prioritize the facilities as high, medium, or low threat to water quality
- Inspect the facilities
- Enforce Local Ordinance and Refer facilities to RWQCB for IGP Enforcement
- Train Inspectors
What does the inventory include? (Santa Ana River Permit)

- The inventory contents shall at a minimum include the relevant site information:
  - Facility name (dba),
  - Facility address, city, zip code, mailing address (if different), location reference (such as, GIS coordinates, cross streets, etc.),
  - Facility contact and phone number,
  - Description of the facility's principle products/services,
  - Pollutants potentially generated by the site/source,
  - SIC(s), State WDID No. (if any),
  - APN, and
  - Site size.
What types of facilities are inspected? (Santa Ana River Permit)

- The type of industrial/commercial establishment that is inspected includes, but is not limited to:
  - Automobile mechanical repair, maintenance, fueling, or cleaning operation
  - Automobile or other vehicle body repair or painting operations
  - Painting or coating operations
  - Restaurants
  - Nurseries and greenhouses
  - Landscape/hardscape installation (base of operations)
  - Managed turf facilities
  - Facilities that transport, store, or transfer pre-production plastic pellets
  - Industrial facilities (defined in Industrial General Permit)
How are facilities prioritized? (Santa Ana River Permit)

- Priority evaluation of facilities should be based on:
  - Type of industrial activities (SIC codes),
  - Wastes generated or materials used or stored outside,
  - Pollutant discharge potential,
  - Facility size and design,
  - Proximity and sensitivity of Receiving Waters,
  - Non-stormwater discharge(s),
  - Frequency of existing inspections, based upon other statutes or regulations, ordinances, or codes, and other factors, and
  - Whether or not the facility is subject to the Industrial General Permit.
High Priority Criteria (Santa Ana River Permit)

- AT A MINIMUM, a high priority shall be assigned to:
  - Industrial Facilities subject to section 313 of Title III of the Superfund Amendments and Reauthorization Act of 1986 (SARA);
  - Industrial Facilities that handle or generate Pollutants for which the receiving water is impaired,
  - Facilities that have a significant potential to release pre-production plastics or nurdles into the environment, and
  - Industrial Facilities with a high potential for or history of unauthorized, non-storm water discharges.
How often are inspections required? (Santa Ana River Permit)

**Frequency of inspection**

- **Industrial/Commercial Facilities**
  - High priority - to be inspected at least once a year
  - Medium priority - to be inspected at least once every other year (biannually)
  - Low priority are to be inspected at least once during the term of the Order.

- In the event that the industrial facility is found to be in violation of the Co-Permittee’s Storm Water Ordinances, an enforcement order shall be issued and a re-inspection frequency must be maintained that is adequate to bring the Industrial Facility into compliance (at a minimum, once a month or within the compliance schedule prescribed by the Co-Permittee in a written notice to the discharger).

*You should also refer to your DAMP and LIP.*
What Industrial Facilities are inspected?

- The Co-Permittees NEED NOT INSPECT Industrial facilities ALREADY INSPECTED by Regional Board staff if the inspection was concluded within the time period.

- Regional Board staff inspection information is available via the Storm Water Multiple Application & Report Tracking System (SMARTS).
  - [https://smarts.waterboards.ca.gov](https://smarts.waterboards.ca.gov)
  - click the "View SW Data" button on the right side of the screen
  - select "Storm Water Overview Reports" to access the information.
What do we inspect for at Industrial Facilities?

Industrial facility compliance surveys and inspections shall at a minimum address the following:

- Check for NOI to comply with the IGP or other permit issued to an industrial facility;
- Confirm compliance with the Storm Water Ordinance;
- Check for active non-storm water discharges, potential illicit connections, and illegal discharges to the MS4;
- Potential for discharge of pollutants in Runoff from material storage, vehicle/equipment fueling, maintenance (including washing), waste handling, hazmat handling or storage, delivery or loading docks, or other outdoor work areas; and
- Implementation and maintenance of appropriate BMPs.
What do we inspect for at Commercial Facilities? (Santa Ana River Permit)

- The commercial facility compliance surveys and inspections shall, at a minimum, address the following:
  - Commercial activity type(s) and SIC(s);
  - Compliance with each Co-Permittee’s Storm Water Ordinances;
  - Check for active non-storm water discharges, potential illicit connections, and illegal discharges to the MS4;
  - Assessment of the implementation, maintenance, and effectiveness of the designated minimum and/or enhanced BMPs; and
  - If applicable, check for submittal of an NOI to comply with the Industrial General Permit or other permit issued by the State or Regional Board.
What do we inspect for at Commercial Facilities? (Santa Ana River Permit)

Inspections at restaurants include, at a minimum, the following:

- Oil and grease disposal to verify these wastes are not discharged onto a parking lot, street or adjacent catch basin;

- Trash bin areas to verify that these areas are clean, the bin lids are closed, the bins are not filled with liquid, and the bins have not been washed out into the MS4;

- Parking lot, alley, sidewalk and street areas to verify that floor mats, filters and garbage containers are not washed in those areas and that no wash water is discharged to MS4s from those areas;

- Parking lot areas to verify that they are cleaned by sweeping, not by hosing down, and that the facility operator uses dry methods for spill cleanup; and

- Violations of the Storm Water Ordinance shall be enforced by the jurisdictional Co-Permittee.
### Food Facility Stormwater Compliance Survey

<table>
<thead>
<tr>
<th>FACILITY NAME</th>
<th>PHONE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Compliance Areas

1. Grease Barrels/Interceptors
   - In good condition and free of leaks.
   - Grease pumped removed from grease interceptors on a regular basis.
2. Equipment Cleaning
   - Filters, strainers, and grease interceptors are cleaned regularly.
   - Equipment is maintained in good condition.
3. Rainwater Management
   - Rainwater is collected and managed properly.
4. Stormdrains
   - Stormdrains are maintained in good condition.

#### Inspecting Areas

1. The area around the facility is clean and organized.
2. The facility is free of debris and litter.
3. Equipment is stored properly.

#### Stormwater Compliance

- Compliance Note:
  - Yes
  - No
  - NA

### Hazardous Waste/ Hazardous Materials Facility

#### Storm Water Compliance Survey Form

<table>
<thead>
<tr>
<th>FACILITY NAME</th>
<th>TELEPHONE</th>
<th>DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Compliance Areas

1. Chemical Storage
   - Chemicals are stored in a safe location.
   - Labels are clearly visible.
2. Baffled Areas
   - Baffles are installed and functioning properly.
3. Stormwater Management
   - Stormwater is managed properly.
4. Spills and Leaks
   - Spills are reported and cleaned up immediately.

#### Inspecting Areas

1. The area around the facility is free of chemicals.
2. The facility is free of hazardous materials.

#### Employee Education Awareness

1. Training records are kept.
2. Emergency response plans are available.

#### Overall Evaluation Comments

- COMMENTS: "The facility is well-maintained and compliant with regulations."
What are the training requirements?

- Co-Permittees will provide training to staff that is involved in the compliance surveys/inspections of industrial/commercial facilities. Staff training will address the requirements of the following:
  - The Storm Water Ordinance;
  - The Riverside County MS4 Permit(s), the DAMP, and LIP;
  - The IGP and any other permit issued to a commercial/industrial facility by the State or Regional Board;
  - Pollution prevention plans; and
  - Implementation and maintenance of appropriate BMPs for commercial and industrial sites.
Question One

Industrial/Commercial inspections should address all, but which of the following?

- a) Implementation of BMPs
- b) Indoor Restrooms
- c) Compliance with SW Ordinance
- d) Trash Facilities
Question Two

Which type of Industrial/Commercial facility would not require inspections?

- a) Restaurant
- b) Manufacturing Facility
- c) RWQCB inspected facility
- d) Automobile Repair Shop
What are Non-Storm Water Discharges?

- Water that doesn’t originate from a storm:
  - Hydrant flush water
  - Hosing, cleaning or wash water
  - Runoff from material storage or receptacles that contain fuel, oil, etc.
  - Septic waste/chemical spills
  - Pet waste/yard waste
  - Food processing waste
What are Illicit Connections and Illegal Discharges?

- **Illicit Connection**
  - any physical connection to a storm drain system which has not been permitted by jurisdiction

- **Illegal Discharge:**
  - discharge to the storm drain system that is not composed entirely of stormwater runoff except:
    - discharges made pursuant to an NPDES Permit or otherwise authorized by the SWRCB or RWQCBs
What are Illicit Connections and Illegal Discharges?

- Some real world examples...
  - Car wash connecting to a storm drain
  - Restaurant hosing down mats... washing into street
  - Parking lot connection to channel without permit

- Law is retroactive
  - Applicable to connections and discharges made in the past
What about Enforcement?

- Each Co-Permittee shall enforce its Storm Water Ordinance prohibiting nonexempt non-storm water discharges at commercial facilities. Sanctions for noncompliance may include:
  - verbal and/or written warnings,
  - notice of violation or non-compliance,
  - obtaining an administrative compliance, stop work, or cease and desist order, a civil citation or injunction,
  - the imposition of monetary penalties or criminal prosecution (infraction or misdemeanor).

- Remember to prioritize violations and determine the severity to help determine the enforcement response.

- Local ordinances describe the city’s legal authority

Read your local ordinance!
IC/ID Reporting:
- Identify and contact responsible agency over the area of the IC/ID.
- Santa Ana River Region: City NPDES Coordinator/Public Works Department

The responsible party must investigate within 24 hours and determine if the IC/ID is an Emergency Situation that poses an immediate threat to human health or the environment:
- sewage spill over 1,000 gallons,
- could impact water contact recreation,
- any oil spill that could impact wildlife,
- any hazardous materials spill where residents are evacuated,
- any spill of reportable quantities of hazardous waste,
- or any spill reportable to Cal EMA.
IC/ID Reporting

- If discharge is determined to be an **Emergency Situation:**
  - It must be reported immediately:
    - Cal EMA at (800) 852-7550
    - Executive Officer of the Santa Ana Regional Board (951) 782-4130, or email at region8info@waterboards.ca.gov
  - Within 10 days, a written report must be submitted
    - Nature of the situation
    - Corrective actions taken by owner
    - Other relevant information
    - Type of enforcement that will be carried out by the Co-Permittee
What about Enforcement?

If discharge is determined to be a Non-Emergency Situation representing a possible violation of the IGP or other permit issued to an industrial facility:

- Provide oral or email notice to RWQCB within two (2) working days, the location where the incident occurred and describing the nature of the incident.
What’s the purpose of the Pollution Control ordinances?

Example Ordinance
754.1- Riverside County

ARTICLE I
TITLE, PURPOSE AND GENERAL PROVISIONS

Section 2. Purpose and Intent. The purpose of this ordinance is to ensure the future health, safety, and general welfare of County citizens by:

A. Reducing pollutants in stormwater discharges to the maximum extent practicable;
B. Regulating illicit connections and discharges to the storm drain system; and
C. Regulating non-stormwater discharges to the storm drain system.
What does a typical ordinance say about pollutants?

- Example Ordinance 754.1- Riverside County
- ARTICLE I section 3.1
- Pollutant shall mean **anything which causes the deterioration of water quality** such that it impairs subsequent and/or competing uses of the water. Pollutants may include but are not limited to paints, oil and other automotive fluids, soil, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal streptococcus, enterococcus, heavy metals, hazardous waste, chemicals, fresh concrete, yard waste from commercial landscaping operations, animal waste, materials that result from the process of constructing a building or structure, nauseous or offensive matter of any kind.

*Covers pretty much everything!*
What does a typical ordinance say about polluting?

- Example Ordinance 754.1 - Riverside County
  - ARTICLE II
  - MANAGEMENT AND DISCHARGE CONTROLS
  - Section 1. Reduction of Pollutants in Stormwater.
  - A. General. It is a violation of this ordinance to throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any pollutant in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private plot of land in the County. The only exception being where such pollutant is temporarily placed in an appropriate container with a spill containment system for later collection and removal. It is a violation of this ordinance to cause or permit any dumpster, solid waste bin, or similar container to leak such that any pollutant is discharged into any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private plot of land in the County.
Would this be considered a pollutant?

Pollutants may include, but are not limited to, paints, oil and other automotive fluids, soil rubbish, trash, garbage, debris, refuse...
Would this be in violation?

It is a violation of this ordinance to.... Leave.... any pollutant in or upon any public or private plot of land... The only exception being where such pollutant is temporarily placed in an appropriate container with a spill containment system...
Would this be in violation?

- It is a violation of this ordinance to deposit, leave, maintain, keep... upon any street...
- It is a violation of this ordinance to cause or permit any dumpster, solid waste bin, or similar container to leak such that any pollutant is discharged into any street....
What teeth do the cities have?

- Ordinances vary from city to city:

  - City of Beaumont Example:
    - 1st offense....$100.00 (and optional misdemeanor)
    - 2nd offense....$200.00
    - 3rd offense.....$1,000.00 and/or 6 months in jail
  
  - Other options: permit revocation

*Read your ordinance!*
The Key Message in the Permit

- Prevent Pollution in Storm Water
- “ONLY RAIN DOWN THE STORM DRAIN”
- Prevent Non-Storm Water Discharges
- Industrial/Commercial Compliance
  Inspection Staff have stormwater responsibilities
- It’s your job to contribute to keeping our waters healthy!
Inspection Protocols for Industrial/Commercial Facilities
General Inspection Procedures

- PREPARING FOR THE INSPECTION

- Review existing information and the regulatory history for each site. This would include the review of:
  - Database of existing permitted facilities
  - Records of illegal discharges
  - Records of violations such as Notices to Comply and Notice of Violations
General Inspection Procedures

GENERAL ENTRY PROCEDURES (Your agency’s procedures may vary):

- Present your credentials to a responsible facility owner/operator, whether or not identification is requested.
- It’s helpful if the inspector is clearly identifiable as an inspector – City badged polo shirt, etc.
- Explain the purpose of the inspection and appropriate laws and regulations that mandate the inspection requirement.
- The facility owner/operator must consent to the inspection. If the inspector is allowed to enter, entry is considered voluntary and consequential. The absence of an expressed denial can be considered authorization to continue the inspection.
General Inspection Procedures

GENERAL ENTRY PROCEDURES (Your agency’s procedures may vary):

- Do not sign any type of “waiver”, “visitor release’ or document with restrictive conditions that would relieve the facility owner/operator of responsibility for injury or limit your rights to use information obtained during the inspection.

- Explain that you cannot sign the form and request a blank sign-in sheet.
GENERAL ENTRY PROCEDURES *(Your agency’s procedures may vary)*:

- If the owner/operator denies entry, ask why. Tactfully probe the reason(s) for denial. In some cases, diplomacy and discussion may be sufficient to overcome the owner/operator’s reluctance.

- Be careful to avoid saying something that can be misconstrued as a threat such as discussing potential penalties. Avoid inflammatory discussions and/or deepening of misunderstandings.

- Document all conditions and circumstances surrounding the denial for entry such as: facility name and exact address, name and title of who refused entry.
GENERAL ENTRY PROCEDURES *(Your agency’s procedures may vary)*:

- If the consent is withdrawn during an inspection, follow the same procedure as above. Information obtained prior to the withdrawal of consent is valid.

- If access is denied to some parts of the facility, document the portion of the inspection that could not be performed, the reason for the denial of access, and proceed with the inspection of other areas.
Background Information
Inspectors Should Be Prepared to Answer

- Inspectors need an in-depth understanding of the background and requirements of the industrial/commercial site inspection program.
- Facility owners/operators will question the need for the inspection and will ask about the specific requirements of the site inspection program.
- It is essential that the inspector be prepared to clearly communicate this information, to help develop a rapport with the owner/operator and help the facility come into compliance.
- The inspector will likely be the first person to inform the facility owner/operator about the industrial/commercial facilities control program; therefore, they play an essential role in promoting the credibility of the program.
Background Information
Inspectors Should Be Prepared to Answer

- Common general questions an inspector should be prepared to answer:
  - What local legal authority do you have to enter the premises and conduct inspections?
  - What is “stormwater” and “non-stormwater”?
  - What is an illicit connection?
  - What is an illegal discharge?
  - What is the difference between storm drains and sanitary sewers?
  - Be able to explain the portion of the NPDES permit that pertains to the industrial/commercial facilities control program.
Background Information
Inspectors Should Be Prepared to Answer

What is “stormwater” and “non-stormwater”? 

- Stormwater means storm water runoff, snow melt runoff, and storm water surface runoff and drainage.
- Non-Storm Water consists of all discharges to and from a storm water conveyance system that do not originate from precipitation events. Non-storm water includes illegal discharges, non-prohibited discharges and NPDES permitted discharges.
- Non-Storm Water Discharge means any discharge to storm sewer systems that is not composed entirely of storm water.
Background Information
Inspectors Should Be Prepared to Answer

- Non-Storm Water Discharges Allowed:
  - Permitted by other NPDES permit
  - Potable water line flushing
  - Rising Groundwater or groundwater infiltration or uncontaminated pumped groundwater
  - Irrigation water
  - Passive foundation drains and footing drains or water pumped from crawl spaces
  - Diverted stream flows
  - Air conditioning condensate
  - Dechlorinated pool water
  - May require BMPs if identified as a source of pollution
Background Information
Inspectors Should Be Prepared to Answer

- What is an illicit connection?
  - Any connection to the storm drain system that is prohibited under local, state or federal statutes, ordinances, codes, or regulations. Includes all connections except those permitted.

- What is an illegal discharge?
  - Any disposal, either intentionally or unintentionally, of material or waste to land or MS4s that can pollute storm water or create a nuisance. Includes any discharge to MS4 that is not entirely made up of storm water.
Background Information
Inspectors Should Be Prepared to Answer

- What is the difference between storm drains and sanitary sewers?
  - MS4 - conveyance that goes directly to a surface water body (lake, stream, ocean, etc.) normally without treatment or without going a POTW.
  - Sanitary sewer is a conveyance that usually flows to a POTW for treatment prior to discharge to a water body.
General Inspection Procedures

- CONDUCTING THE INSPECTION *(Your agency’s procedures may vary)*
- Inspect the facility layout to locate:
  - the storm drain system
  - stormwater drainage path,
  - storage areas,
  - process areas,
  - heavy equipment wash and maintenance areas
  - stormwater sampling locations, if applicable.
General Inspection Procedures

- **CONDUCTING THE INSPECTION** *(Your agency’s procedures may vary)*

- Determine the facility’s impact on stormwater quality. The inspector should answer the following:
  - What is the facility’s potential to impact stormwater quality from pollutant exposure and non-stormwater discharges?
  - Are BMPs effectively applied so that pollutant exposure is minimized and non-stormwater discharges are eliminated?
  - What type(s) of impact does or could the facility have on stormwater quality?
Outdoor Activity Inspection

Answer previous questions by observing these areas of activities:

- Wash and rinsing areas for vehicle and equipment washing
- Outdoor process wash areas
- Processing and manufacturing areas
- Parking areas and access roads
- Maintenance and heavy equipment storage areas
- Waste storage and disposal areas
Outdoor Activity Inspection

Answer previous questions by observing these areas of activities:

- Loading and unloading areas
- Material storage areas
- Outdoor drainage from inside areas
- Vehicle and equipment fueling areas
- Stormwater conveyance system including inlets, open channels, ditches, and roof leaders, where safe.
- Rooftop equipment areas
Outdoor Activity Inspection

Answer previous questions by observing these areas of activities:

- Inspect indoor activities and areas to ensure that pollutants are not spilled, dumped, or allowed to flow outdoors.
- Review the facility’s indoor housekeeping procedures.
- Inspect the material handling areas to determine if there is a direct path to storm drains.
- Inquire about a spill prevention plan and the facility’s cleanup procedure for a spill.
CONDUCTING THE INSPECTION
(Your agency’s procedures may vary)

- Verify SIC to ensure proper classification
- Fill out the Inspection Form
- Determine what follow up actions are required of the facility owner/operator and set a follow up inspection date.
General Inspection Procedures

CONDUCTING THE INSPECTION
(Your agency’s procedures may vary)

- Identify and inform the facility contact about problems and violation(s), if applicable. Set a follow up inspection date with the facility to verify that necessary BMPs had been implemented to correct the identified problems.

- Discuss and distribute appropriate BMP information, public education material. See Section on BMP Implementation.
CONDUCTING THE INSPECTION *(Your agency’s procedures may vary)*

- The inspectors would determine if the facility is in compliance with the County/City Stormwater Ordinance (i.e., there are no unpermitted non-stormwater discharges and pollutant exposure to rain is minimized).
- Document the inspection.
- Inform the facility owner/operator of expectations/requirements.
Example Inspector Reference Binder
- Municipal Permit
- Industrial General Permit (IGP)
- Ordinance
- SICs
- BMPs
- General Inspection Procedures
Essential Knowledge – Getting More of It!

- Riverside NPDES/Municipal Stormwater Management Program
  - [http://www.rcflood.org/NPDES/SantaAnaWS.aspx](http://www.rcflood.org/NPDES/SantaAnaWS.aspx)
- California Storm Water Quality Association Manuals (CASQA)
  - [https://www.casqa.org/resources/bmp-handbooks](https://www.casqa.org/resources/bmp-handbooks)
- California Hazardous Materials Investigators Association (CHMIA)
  - [https://chmia.com/](https://chmia.com/)
- CalEPA Basic Inspector Academy
  - [https://www.arb.ca.gov/training/DisplayCourse.php?SectionNumber=8446](https://www.arb.ca.gov/training/DisplayCourse.php?SectionNumber=8446)
Brochures Offered by the District

Stormwater Pollution
What you should know for...
Industrial & Commercial Facilities

Best Management Practices (BMPS) for:
- Industrial
- Commercial Facilities

To Order Brochures: fbmowrer@rcflood.org
Essential Knowledge – Getting More Of It!

- CASQA’s 2003 and 2009 Handbooks
  - A Great Source of Stormwater Information
- The Handbooks – A 4 Volume Set
- Municipal O&M Staff use these Handbooks the most
  - Municipal
  - Industrial and Commercial
- Municipal O&M Staff may need these Handbooks too
  - New Development and Redevelopment
  - Construction
- Get them at [https://www.casqa.org/resources/bmp-handbooks](https://www.casqa.org/resources/bmp-handbooks)
Break Time

Stretch Your Legs!

Back in 15 Minutes!
Discussion

What have you experienced?
Commercial and Industrial Facility BMPs

Incorporating pollution prevention into everyday activities at commercial and industrial facilities
Let's go through the Hazardous Waste/Hazardous Materials Facility form
Can materials be stored in a containment bin?
Are containers protected from precipitation?
Chemical Storage

Spill containment but no cover
Chemical Storage

Are drip pans, secondary containment, spill control devices implemented
Is there evidence of leaks or spills?
Is the surrounding area maintained clean and free of litter or debris?
Is there a designated, covered and contained waste storage area?
Dumpster

Are waste materials kept away from drainage conveyances?
Dumpster

Nice! Designated waste storage area.
Dumpster

Functioning lids. Stored under cover.
Dumpster

Containment berm.
Aboveground Tanks

Are containers protected from collisions?
Aboveground Tanks

Are practices implemented to minimize contact between stormwater and vehicle fluids?
Aboveground Tanks

Spill containment?
Onsite Storm Drain

Are drains appropriately labeled to indicate whether they flow into a treatment system such as an oil/water separator, the sanitary sewer, or directly to the stormwater drainage system?
Are sump drains properly labeled?
Onsite Storm Drain

Are materials stored on or near drainage system?
Onsite Storm Drain

Look for evidence of illegal discharges or connections.
Onsite Storm Drain

Do storm drain inlets appear to be properly maintained and/or cleaned?
Onsite Storm Drain

Are waste materials kept away from drainage conveyances?

- Location
- Location
- Location!
Power Wash or Steam Clean

Does area properly collect and dispose of wash water?
Power Wash or Steam Clean

Does area properly collect and dispose of wash water?
Is the oil/water separator connected to the sanitary sewer?
Power Wash or Steam Clean

Use dry methods when possible
Power Wash or Steam Clean

Is wash water properly collected and disposed?
Parking Lot/Driveway

Is there evidence of oil or chemical spills?
Parking Lot/Driveway

Is there evidence of past accidental release of material to the storm drain?
Parking Lot/Driveway

Is there evidence of past accidental release of material to the storm drain?
Parking Lot/Driveway

Are storage areas free and clear of leaks or drips?
Parking Lot/Driveway

Are drip pans placed under leaking vehicles and equipment?
Parking Lot/Driveway

Is idle equipment stored under cover?
Other: Non-Stormwater Discharges

Are non-stormwater discharges occurring at the site?
Other: Outdoor Storage of Raw Materials

Are materials stored outdoors protected from precipitation or stormwater flows?
Other: Loading / Unloading Areas

Are loading and unloading areas regularly swept and kept clean?
Other: Outdoor Equipment Operations

Are work areas covered with a permanent roof where possible?
Other: Outdoor Equipment Operations

Are process areas kept clean? Are they protected from stormwater flows?
Other: Outdoor Loading/Unloading

Is there an ample supply of spill clean-up materials readily accessible located in the vicinity of the loading/unloading area?
Wash Water Disposal

Is mop water to sanitary sewer via clarifier?
Employee Education/Awareness

- Brochures or posters displayed?
Industrial Facilities

- Is the SWPPP available for review?
- Has the site filed the Notice of Intent to obtain permit coverage?
Let’s go through the Food Facility form
Grease Handling

- Is outside grease interceptor properly maintained?
  - Grease storage is periodically inspected for leaks and spills
  - Surrounding area is maintained clean and free of residues
  - No evidence of illegal discharges
Grease Handling
Equipment Cleaning

Is wash water from cleaning activities being properly discharged to the sanitary sewer?
Outside Area Cleaning

- Are the following areas being cleaned in such a manner that water and waste is being collected and disposed of properly?
  - Sidewalk and outdoor seating
  - Drive-through
Dumpsters and Recycling Containers

Food/liquid waste bagged and sealed before disposal? Are containers equipped with functioning lids?
Dumpsters and Recycling Containers

Spilled materials picked up regularly? Are there adequate number of trash receptacles?
Dumpsters and Recycling Containers

Wash water discharged to the sanitary sewer or collected for proper disposal?
Dumpsters and Recycling Containers

Are non-stormwater discharges occurring at the site?
Employee Education/Awareness

- Brochures or posters displayed?
Question Three

The main difference between sanitary sewers and storm sewers is...?

a) Treatment
b) One is municipal
c) Odor
d) Sanitary means clean
Question Four

Which of the following is **not** considered a pollutant?

- a) Wash Water
- b) Rain Water
- c) Biodegradable Cleaning Products
- d) Sawcut Slurry
Questions and Answers