An Industrial Perspective

Implementation & Compliance Issues Associated with Numeric Limits for Storm Water Discharges

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July 28, 2006

Numeric Limits: Implementation Issues

- Panel identified current State Water Board database as not suitable for establishing numeric limits
- According to the Panel, numeric limits could be feasible for some industrial categories
- **IF** State board requires "Numeric Limits" what will it mean to the industrial discharger?
- Key Compliance and Implementation Issues that need to be addressed

Implementation, Compliance, and Enforcement Issues That Need to be Addressed:

- Where is compliance measured?
- When is compliance measured?
- How is compliance measured?
- How is compliance determined?

Implementation & Compliance Practical Considerations

- How is compliance of a discharge determined when testing results are provided after the fact?
- What does a facility do if it determines the discharge is not meeting limits and the discharger can no longer retain the stormwater? Dischargers cannot turn off the storm
- Do you plan/design for a certain size storm?
- How are pollutants beyond the control of facility handled?

Challenges to Compliance Sampling

- Reliance on individual grab sampling is not technically defensible for measuring against numeric limits
- More sophisticated sampling, such as automated samplers, will require extensive retrofit
- Automated sampling equipment requires a high level of expertise to install and operate
- Monitoring costs will increase substantially

Challenges to Achieving Limits

- Does the technology exist to achieve limits?
- What is the extent of retrofit necessary to install treatment systems?
- Are there undesirable consequences of “advanced treatment”?

Conclusions

- Support CASQA's recommendations from their July 21, 2006 Presentation
- Support Panel of Experts recommendation that the industrial database is not suitable for establishing numeric effluent limits
- Support development of Action Levels and CASQA's "Progressive Approach"