

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF WATER QUALITY
AUGUST 21, 2013**

ITEM 10

SUBJECT

PUBLIC HEARING OF THE PROPOSED FINAL DRAFT GENERAL NPDES PERMIT FOR DISCHARGES OF STORM WATER ASSOCIATED WITH INDUSTRIAL ACTIVITY (INDUSTRIAL GENERAL PERMIT).

DISCUSSION

The proposed Final Draft Industrial General Permit, when adopted and effective, will replace the 1997 Industrial General Permit currently in effect. State Water Board staff has conducted extensive stakeholder outreach to understand regulatory concerns with the previously issued drafts of the Industrial General Permit. The Final Draft's proposed requirements addresses public comments previously received, and further streamlines and clarifies permitting requirements. Detailed public comments of previous draft permits, and staff responses are included in the permit package (see the Fact Sheet and Significant Changes documents, specifically) available on the following program Web site:

http://www.waterboards.ca.gov/water_issues/programs/stormwater/industrial.shtml

POLICY ISSUE

The Final Draft of the Industrial General Permit contains many policy issues, ranging from the use of numeric action levels, the level and type of monitoring required, and the role of groups and trained persons in the implementation of the proposed requirements. This Item is a public hearing and will not result in a Board action or decision to adopt the permit.

FISCAL IMPACT

The current Industrial General Permit ([Order 97-03-DWQ](#)), in effect, has been administratively extended until a new General Permit is adopted. The Final Draft Industrial General Permit significantly reduces the estimated cost of compliance from the previously proposed draft permits. The result is that, while the Final Draft Industrial General Permit minimizes the cost to comply with the Federal Clean Water Act requirements, the cost to comply may increase over the existing 1997 permit requirements for most enrollees and affected facilities. Staff has prepared a detailed cost analysis report and has coordinated with the "Cost of Compliance" project led by the State Water Board's, Office of Research Planning and Performance.

REGIONAL BOARD IMPACT

The Final Draft Industrial General Permit was drafted to minimize impacts to the Regional Water Boards; however, all Regional Water Boards will be affected due to the implementation of new permitting requirements, and Total Maximum Daily Load (TMDL) implementation requirements to be proposed within the term of the new Industrial General Permit, once adopted. These impacts are associated with tasks necessary to identify no-exposure facilities (estimated to be tens of thousands in California), the mandate that all reports be submitted to the Storm water

Multiple Application and Reporting System (SMARTS), and an increase in compliance evaluation and enforcement workload.

STAFF RECOMMENDATION

This is public hearing. Since the Board is not taking an action, there is no staff recommendation for this item.

State Water Board action on this item will assist the Water Boards in reaching Goal 6 of the Strategic Plan Update: 2008-2012 to enhance consistency across the Water Boards, on an ongoing basis, to ensure our processes are effective, efficient, and predictable, and to promote fair and equitable application of laws, regulations, policies, and procedures. In particular, approval of this item will assist in fulfilling Objective 6.2 to target consistency improvements in program delivery identified through past input, and solicit input to identify consistency issues as they arise.