CALIFORNIA Water Boards

Fact Sheet

Control of Trash Entering Waterways in California

The presence of trash in surface waters, specifically coastal and marine waters, is a prevalent issue in California. According to California's 2008-2010 Integrated Report, there are 73 water bodies listed as having impaired water quality due to the presence of large amounts of trash. Trash discarded on land is frequently transported through storm drains and to waterways and the ocean.

The State Water Board and Regional Water Quality Control Boards (collectively The Water Boards) have attempted to control trash through permits and regulatory limits to the amount of pollutants allowed in water bodies, which are called Total Maximum Daily Loads, or TMDLs.

The Los Angeles Regional Water Board led the way with effective trash management strategies with the Los Angeles River Watershed Trash TMDL and ten other trash and debris TMDLs. The San Francisco Bay Regional Water Board is following this lead with trash components in their use of federal Clean Water Act permits for Municipal Regional Storm Water. The federal permits, administered in California by The Water Boards, are called National Pollution Discharge Elimination System, or NPDES permits. These approaches are not entirely consistent, and there are still ongoing trash problems across the state. These Trash Amendments provide the necessary consistency in governing trash control statewide.

On April 7, the State Water Resources Control Board (State Water Board) adopted an amendment to the Water Quality Control Plan for the Ocean Waters of California (California Ocean Plan) to Control Trash and Part 1 Trash Provisions of the Water Quality Control Plan for Inland Surface Waters, Enclosed Bays, and Estuaries of California (collectively referred to as the "Trash Amendments"). These Trash Amendments will address all water bodies in the state currently listed as "impaired" due to the presence of trash. The Ocean Standards unit is responsible for the development and updating of statewide water quality control plans, policies, and standards involving marine waters. The amendments will take effect following approval by the Office of Administrative Law and the US EPA (anticipated in Fall 2015).

Why Is Trash Management In Waterways A Priority?

The State Water Board's mandate is to protect beneficial uses of the state's water resources; trash threatens virtually all of those uses. Aquatic and marine life can be threatened from ingestion, entanglement and habitat degradation from trash. Trash can jeopardize public health and safety and poses a hindrance to recreational, navigational, and commercial activities. Additionally, trash can serve as a transport medium for pollutants and act as a vector for invasive species.

What Is Trash?

Trash is the improperly disposed junk or rubbish generated by human activity that frequently winds up in waterways. Trash can include cigarette butts, paper, fast food containers, plastic grocery bags, cans and bottles, used diapers, construction site debris, industrial plastic pellets, old tires and appliances.

How Does Trash Get Into The Water?

Trash discarded on land frequently winds up in waterways and the ocean as rain washes it into storm drains and from there into creeks and rivers. Some trash is blown into the water on gusty days; some is deliberately dumped in the water.

Trash Is Everywhere. How Can It Be Kept Out Of The Water?

Just as there are many kinds of trash, there are many methods to prevent it from fouling our waterways. For example: Municipalities can increase street sweeping, launch education programs on littering, and install trash-catching devices on storm drains. Industries and construction sites can closely monitor materials to make sure they do not leave the site.

When crafting the Trash Amendments, Water Board staff studied the pros and cons of various methods and gathered feedback from municipal, industrial and environmental stakeholders on the best and most effective methods to cutoff trash at the source. The State Water Board concluded that the most effective way to control trash was to install full trash capture systems within the storm drain system (Track 1). However, the Water Board recognized that this may not be feasible in all areas and so provided a second track (Track 2) that allows more flexibility.

How Did The State Water Board Formulate The Trash Amendments?

In formulating the Trash Amendments, the State Water Board had an extensive stakeholder engagement process since 2010, including scoping meetings, formation of a public advisory group of stakeholders, focused stakeholder meetings, scientific peer review, a public workshop and public hearing.

What Do The Trash Amendments Do?

The Trash Amendments amend the California Ocean Plan and will be incorporated into the forthcoming Inland Surface Waters, Enclosed Bays, and Estuaries Plan to:

- Establish a narrative water quality objective for trash,
- Establish a prohibition on the discharge of trash,
- Provide implementation requirements for permitted storm water and other dischargers,
- Set a time schedule for compliance, and
- Provide a framework for monitoring and reporting requirements.

The Trash Amendments provide a framework for implementing its provisions that would be incorporated into the respective NPDES storm water discharge permits, waste discharge requirements, and waivers of waste discharge requirements. The storm water discharge permit categories include municipal systems, Caltrans, industrial sites and construction sites.

The municipal and Caltrans permit holders must be in full compliance with the Trash Amendments within ten years of the first implementing permit and fifteen years after the effective date of the Trash Amendments.

A central element of the Trash Amendments is a land-use based compliance approach that targets high trash generating areas, such as high density residential, industrial, commercial, mixed urban and public transportation land uses.

Within this land-use based approach, there are two alternative compliance tracks the permitted agency or entity can choose. Under Track 1, permittees could elect to install a network of systems to capture trash in the storm drains, located in priority land use areas for municipal systems, and the entire facility for industrial and commercial permit holders. Under Track 2, permittees could use any combination of controls (structural and/or institutional) anywhere in their jurisdiction as long as they can demonstrate that their system performs as well as Track 1. This demonstration is called full capture system equivalency.

What Happens Next?

Now that they are adopted, the Trash Amendments will be submitted to both the California Office of Administrative Law and the U.S. Environmental Protection Agency for approval in order to become effective. Once effective, the Trash Amendments outline a time schedule for the Water Boards to implement the Trash Amendments. This includes an 18-month window to incorporate the Trash Amendments into permits. Stakeholders will continue to have a participation role in the implementation of the Trash Amendments.

For more information, visit our Web site: www.waterboards.ca.gov/trash

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