



Fact Sheet

2013 Draft Industrial General Permit

History of Storm Water Regulation

Storm water and urban runoff are significant sources of water pollution and can threaten aquatic life and public health. The debris and pollutants carried by storm water into surface waters that the public uses for recreation, drinking, agriculture and other uses are significant. Storm water pollution is caused by the daily activity of people everywhere. It results from activities associated with daily urban life, construction practices, and industrial operations, making it the most common cause of water pollution in urbanized areas. For nearly two decades, the State Water Resources Control Board (State Water Board) has regulated the runoff and treatment of storm water from industrial, construction and municipal sources in California. The State Water Board is required to issue permits that are consistent with the National Pollutant Discharge Elimination System (NPDES) storm water regulations adopted by the US Environmental Protection Agency (US EPA) in accordance with the federal Clean Water Act.

Background of the Industrial General Permit

The Industrial General Permit (IGP) is a statewide, general NPDES permit that regulates the discharge of storm water associated with industrial activity as defined by the US EPA. The management of storm water at industrial sites in California is currently regulated under a permit issued by the State Water Board in 1997. This permit was originally scheduled to be reissued in 2002, but after two drafts were released and commented upon in 2003 and 2005, the State Water Board delayed further action in response to debates over how to update the permit. The State Water Board formed an expert panel to advise on the role of numeric effluent limitations (NELs) in storm water permits.

The most recent efforts to reissue the IGP occurred with the releases of the January 2011 and July 2012 draft permits. For the July 2012 draft, special effort was made to conduct outreach to industry, environmental non-governmental organizations, property owners, trade associations and others. The State Water Board and its staff held approximately 25 meetings with stakeholder groups to solicit detailed input. The 2012 draft addressed many concerns related to costs and did not propose numeric effluent limitations. In place of numeric effluent limitations, however, the 2012 draft included more detailed training requirements and expanded existing triggers for follow up action (called an "Exceedance Response Action or ERA) if a problem is detected. The State Water Board received more than 2,000 individual comments contained in more than 250 comment letters on its draft permit. Although the majority of the comments focused on the issue of increased costs, some comments also expressed concern over the complexity of the permit. Environmental groups were concerned with permit enforceability, delays in Total Maximum Daily Load (TMDL) implementation, and whether dischargers were being allowed to write their own permit terms.



On July 19, 2013, State Water Board staff released the 2013 Draft IGP based upon stakeholder input. The following compares the recently revised and simplified key sections of the draft 2013 IGP to the 2012 Draft IGP.

- **Training Requirements:** There is only one type of Qualified Industrial Storm water Practitioner (QISP) in the IGP, instead of three as previously proposed. QISP training is not required until exceedance response actions are triggered. Additionally, anyone can prepare No Exposure Certification (NEC) – a QISP is not required anymore.
- **Monitoring Requirements:** The previous requirements to conduct pre-storm visual observations and quarterly authorized and unauthorized non-storm water discharge visual observations are now combined into one, new monthly visual observation requirement. And the previous requirement to conduct monthly storm water visual observations is now tied to the actual sampling events, which are required twice in each half of the year. Rain gauges and measurement of rainfall are no longer required. Litmus paper is allowed to be used for screening of pH exceedances. Lastly, eligibility for a Sample Frequency Reduction only requires data from four storm events instead of eight.
- **Exceedance Response Actions (ERAs):** The permit proposes differing levels of response when water quality is affected, depending on the magnitude and frequency of the exceedance. Level changes in the ERA system now will happen at the start of the reporting year following the exceedance(s). Level 2 ERA requirements now include a two-step process – the discharger must develop a Level 2 ERA Action Plan and then develop a Level 2 ERA Technical Report. The distinct and separate reporting requirements in the previous draft are now consolidated into one Level 2 ERA Technical Report. Dischargers may elect to prepare the Level 2 ERA Action Plan and corresponding Technical Report prior to being assigned Level 2 status.
- **Compliance Groups:** Dischargers from the same or similar industries are encouraged to form Compliance Groups. Only one type of Compliance Group is allowed, instead of two. Participants in Compliance Groups will receive a 50 percent reduction in sampling. Consolidated Level 2 Technical Reports are no longer allowed.
- **Annual Reports:** The 2013 draft IGP greatly reduces annual reporting requirements.
- **No Discharge:** The 2013 draft IGP provides new “No-Discharge” eligibility requirements for dischargers eligible to file a Notice of Non-Applicability.

Next Steps

The State Board staff released the 2013 draft IGP for public comment on July 19, 2013 and scheduled a hearing before the State Water Board in Sacramento on August 21, 2013. Staff will conduct two workshops during the public comment period to explain the proposed requirements of the revised draft IGP and respond to any questions from stakeholders. At the hearing, the State Water Board will hear comments on the draft permit but will not take any action. The comment period ends at noon on Thursday, August 29, 2013. Staff anticipates asking the State Water Board to consider adoption of the final draft IGP in early 2014.

The 2013 Draft NPDES Industrial General Permit and associated documents may be viewed and downloaded from the State Water Board’s website at:

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

(This fact sheet was last updated July 12, 2013)