



SECTION 3

INDUSTRIAL AND COMMERCIAL SITE CONTROL

3. INDUSTRIAL AND COMMERCIAL SITE CONTROLS

INTRODUCTION

This section describes the Program's planned tasks during FY 08-09 to assist Co-permittees in controlling the discharge of pollutants in stormwater from industrial and commercial sources. The planned tasks include Program efforts that are likely to be needed to assist the Co-permittees with compliance with the C.4. Provisions of the Municipal Regional Permit.

BACKGROUND

In December 1996, the Program developed the Industrial/Commercial Discharger Control (IND) Performance Standards to define the level of implementation that Co-permittees should attain to demonstrate that their IND activities reduce pollutants to the maximum extent practicable. The IND Performance Standards were developed to meet an earlier permit requirement and were incorporated into the Program's *Urban Runoff Management Plan* (dated September 1, 1997).

In October 2000, the performance standards were also updated to include the reporting of stormwater infiltration devices (SWIDs) and the preparation of internal summaries which include the type and number of violations reported, and the type of facilities with reported violations.

In early 2001, the Program's Management Committee approved the formation of the Industrial Reporting Ad hoc Task Group (Industrial Inspection AHTG) to develop a Program-wide strategy to comply with the enhanced reporting requirements of the Program's newly adopted NPDES permit dated February 21, 2001. On September 7, 2001, the Industrial Inspection AHTG recommended the adoption of Program-wide categories and enforcement actions developed by the Industrial Inspection AHTG. These categories and procedures are described in the *Continuous Improvement of Industrial Reporting Technical Memorandum*. The Management Committee approved the memorandum as the Program's strategy to implement IND reporting requirements (as required in Permit Provisions C.6.a.i.). The memorandum was included as an attachment within the Program's *FY 00-01 Annual Report* and submitted to the Water Board on September 17, 2001. Each Co-permittee began implementing these procedures immediately thereafter. Implementation of the enhanced reporting requirements by the Co-permittees has been very successful as shown in the past five Program annual reports.

In accordance with the Program's *FY 04-05 Work Plan* submitted to the Water Board on March 1, 2004, the Program committed to updating the IND Performance Standards during FY 04-05. The updates were essentially administrative (e.g., incorporating enhanced reporting requirements and results of Co-permittee evaluations) and were directed at modifying the Program's model IND Performance Standards to reflect Management Committee direction and actual Co-permittee implementation. These administrative updates were provided to the Industrial Inspection AHTG for review during January 2005. The Management Committee approved final updated performance standards on February 17, 2005.

The draft Municipal Regional Permit (MRP) contains requirements for all six Phase 1 municipal stormwater (MS4s) programs in the San Francisco Bay Area. The MRP Tentative Order was released on December 4, 2007. Provision C.4. in the Tentative Order contains requirements for industrial and commercial site controls, including requirements for:

- Sufficient legal authority for effective site management;

- Development and implementation of an Industrial and Commercial Business Inspection Plan;
- Development and implementation of an enforcement response plan; and
- Staff training.

PAST AND CURRENT ACTIVITIES RELATED TO INDUSTRIAL AND COMMERCIAL SITE CONTROLS

Co-permittees continue to implement the IND Performance Standards by conducting inspections of specific industrial and commercial facilities which may be a source of pollutants to stormwater. When necessary, Co-permittees initiate enforcement actions against responsible parties. In addition, Co-permittees continue to provide information on the type of facilities inspected and the level of enforcement taken at inspected facilities, as well as an evaluation of IND program effectiveness, in their annual reports. To supplement individual Co-permittee IND inspection data, Program staff prepares IND summary tables for Co-permittee inspections that have occurred during a specific fiscal year. The categories presented within the summary tables are consistent with the strategy provided in the IND Performance Standards dated February 17, 2005. IND summary tables have been included in each annual report since September 2002.

Since the fall 2005, Program staff has been involved with Water Board staff and environmental NGO representatives in a process to develop the MRP. Work on the MRP is expected to continue through FY 07-08.

FY 08-09 IMPLEMENTATION TASKS

Table 3-1 presents a list of ongoing and anticipated MRP tasks that will be implemented in FY 08-09, their associated due dates, and the deliverables that will be completed for each task. These tasks include:

- Summarize Co-permittee reports of industrial/commercial inspections conducted, including types of violations and enforcement actions, through problem resolution.
- Develop guidance for developing or updating current Industrial and Commercial Business Inspection Plans. A description of the process for prioritizing inspections and frequency of inspection will be included.
- Work with Co-permittees on standardizing inspection forms and data collection, data management, and reporting.
- Review existing Program industrial/commercial database and revise, as appropriate.
- Maintain Program database to ensure current list of industrial/commercial facilities with Program's jurisdiction. List will include date of previous inspection, inspection priority and inspection comments.
- Assist Co-permittees with development of or revisions to their Enforcement Response Plans (ERP) to include a range of enforcement actions and guidelines.
- Conduct training on urban runoff pollution prevention, inspection procedures, illicit discharge detection and elimination, BMP implementation, lessons learned, local agency requirements and other inspection-related topics.

**Table 3-1
Schedule and Deliverables for FY 08-09 Industrial and Commercial Site Control Tasks**

Task from MRP Tentative Order	Schedule	Deliverables
Industrial and Commercial Business Inspection Plan		
<ul style="list-style-type: none"> Develop guidance for developing or updating current Industrial and Commercial Business Inspection Plans. A description of the process for prioritizing inspections and frequency of inspection will be included. Submit in FY 08-09 Annual Report. Work with Co-permittees on standardizing inspection forms and data collection, data management, and reporting. Review existing Program database and revise, as appropriate. Maintain Program database to ensure current list of industrial/commercial facilities within Program's jurisdiction. List will include date of previous inspection, inspection priority and inspection comments. Submit in FY 08-09 Annual Report. 	<p align="center">12/08</p> <p align="center">12/08</p> <p align="center">12/08</p> <p align="center">Ongoing- future Annual Reports starting with FY 08-09 Annual Report Ongoing</p>	<ul style="list-style-type: none"> Memorandum on developing an Industrial and Commercial Business Inspection Plan. Standard inspection form, model database fields, annual report guidance Revised Program database Updated Program database Guidance on data collection and submittal for inclusion in Annual Report.
Enforcement Response Plan		
<ul style="list-style-type: none"> Assist Co-permittees with development of or revisions to their Enforcement Response Plan (ERP) to include a range of enforcement actions and guidelines. Summarize Co-permittee reports of industrial/commercial inspections conducted, including types of violations and enforcement actions, through problem resolution. 	<p align="center">12/08</p> <p align="center">Ongoing- FY 07-08 Annual Report and future ARs</p>	<ul style="list-style-type: none"> Model Enforcement Response Plan Guidance on data collection and submittal for inclusion in Annual Report.
Staff Training		
<ul style="list-style-type: none"> Conduct training on urban runoff pollution prevention, inspection procedures, illicit discharge detection and elimination, BMP implementation, lessons learned, local agency requirements and other inspection-related topics. Report in FY 08-09 Annual Report. 	<p align="center">6/09</p>	<ul style="list-style-type: none"> Workshop, guidance materials, evaluation summary