

3. INDUSTRIAL AND COMMERCIAL SITE CONTROLS

INTRODUCTION

This section describes the Program's planned tasks during FY 09-10 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. The performance standards were again updated in February 2005 with administrative changes (e.g., incorporating enhanced reporting requirements and results of Co-permittee evaluations).

In early 2001, the Program's Management Committee formed the Industrial Inspection 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.

The Municipal Regional Permit (MRP) will contain requirements for all six Phase 1 municipal stormwater (MS4s) programs in the San Francisco Bay Area. The draft MRP was released on December 4, 2007. It is anticipated that the revised draft MRP Tentative Order will be released in February 2009. 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, and providing outreach to facility owners. 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. IND summary tables have been included in each annual report since September 2002.

FY 09-10 IMPLEMENTATION TASKS

Table 3-1 presents the list of tasks that will be implemented in FY 09-10, their associated due dates, and the deliverables that will be completed for each task. These tasks include:

- Update the Program's Industrial/Commercial Discharger Control Program Performance Standards, as necessary.
- Continue to summarize Co-permittee reports of industrial/commercial inspections conducted, including types of violations and enforcement actions.
- Continue to assist Co-permittees with 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, once annual reporting requirements are defined for the MRP.
- Continue to maintain the Program database to include the current list of industrial/commercial facilities with Program's jurisdiction and modify to reflect new reporting requirements/formats, as appropriate.
- Continue to assist Co-permittees with evaluating and strengthening Enforcement Response Plans (ERPs), as appropriate.
- Continue to provide 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 09-10 Industrial and Commercial Site Control Tasks**

Task	Schedule	Deliverables
Update Industrial/Commercial Discharger Control Performance Standards		
<ul style="list-style-type: none"> Update the Program's Industrial/Commercial Discharger Control Program Performance Standards, as necessary. 	6/10	<ul style="list-style-type: none"> Updated Performance Standards
Industrial and Commercial Business Inspection Plan		
<ul style="list-style-type: none"> Continue to assist Co-permittees with 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, once annual reporting requirements are defined for the MRP. Continue to maintain the Program database to include current list of industrial/commercial facilities within Program's jurisdiction and modify to reflect new reporting requirements/formats, as appropriate. 	<p align="center">12/09</p> <p align="center">6/10</p> <p align="center">Ongoing- future Annual Reports starting with FY 09-10 Annual Report if required</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 Updated Program database Guidance on data collection and submittal for inclusion in Annual Report, if necessary.
Enforcement Response Plan		
<ul style="list-style-type: none"> Continue to assist Co-permittees with evaluating and strengthening Enforcement Response Plans (ERPs), as appropriate. Continue to summarize Co-permittee reports of industrial/commercial inspections conducted, including types of violations and enforcement actions. 	<p align="center">12/09</p> <p align="center">Ongoing- FY 08-09 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.
Inspector Training		
<ul style="list-style-type: none"> Continue to provide 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. 	6/10	<ul style="list-style-type: none"> Guidance materials, workshop