Irrigated Lands Regulatory Program and Statewide Permit for Industrial Storm Water Discharges

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Industrial and Construction Storm Water Unit Chief
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Irrigated Lands Regulatory Program (ILRP)
- Scope of Impact
- Regulations
- Moving forward

Statewide Permit for Industrial Storm Water Discharges
- Scope of Impact
- Regulations
- Management practices for wineries
Regulating Discharges from Irrigated Lands

The California Water Code authorizes State and Regional Water Boards to regulate discharges that impact, or may have the potential to impact, waters of the state.

**Issue**
- Discharges from agricultural operations can affect water quality by transporting pollutants, including pesticides, sediment, nutrients, salts (including selenium and boron), pathogens, and heavy metals, from cultivated fields into surface water and groundwater.

**Impact**
- Many surface water bodies are impaired because of pollutants from agricultural sources and groundwater bodies have suffered from pesticide, nitrate, and salt contamination.
ILRP is about dialogue

- Getting people to the resources they need

- Objective of identifying best management practices that will bring the most benefit to the grower while protecting water quality and the environment
Impacts of Pesticide Use

Pesticide-impaired waters that are 303(d) listed:

- 4,582 miles of rivers, streams and coastline
- 793,253 acres of lakes, reservoirs, bays, estuaries, ocean and wetlands
- These impairments are largely due to agricultural sources, but also may be from urban runoff
Central Coast Region

- 2014 303(d) List assessment results
- 388 California water body segments assessed
### 2014 303(d) List Assessment Results

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<th>Category</th>
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**Scope of Impact**

Note: These spatial representations are in DRAFT form, subject to change, and should not be considered final until USEPA approval.
Strategy to Regulate Discharges from Irrigated Lands

- Irrigated Lands Regulatory Program regulates discharges from irrigated agricultural lands.

- Issue waste discharge requirements or conditional waivers of WDRs to coalitions and/or individual growers.

- Require water quality monitoring and corrective actions when impairments are found.
Getting people to the resources they need

- Partner with agricultural agencies and technical service providers to assist growers with:
  - Developing and implementing farm water quality management plans, practices, and demonstration projects.
  - Monitoring performance of management practices.
Identifying Best Management Practices

- State Water Board activities to assist growers address water quality impairment include:
  - Support the use of coalitions, third-party certification groups, technical service providers, academia, and farm advisers
  - Multi-Agency Agreement and MOU with DPR and CDFA
  - Multi-Agency Partnership Forum with NRCS and USEPA
  - Interface with County Agriculture Commissioners
  - California Association of Pest Control Advisers/Certified Crop Advisers (CAPCA/CCA) Board of Directors
What is the state’s goal moving forward?
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Statewide Industrial Storm Water General Permit
Storm water does not go through wastewater treatment facilities, directly into water bodies in California.

Permit sets measures to protect California waterbodies from pollutants in industrial storm water discharges (point sources).

Iterative approach implemented by facility staff and storm water professionals.
Statewide Industrial Storm Water General Permit

- Regulates industrial storm water discharges to a waters of the united states

- The California Water Boards have delegated authority to implement this federal program for the United States Environmental Protection Agency

- "storm water associated with industrial activity" federally defined and identifies facility types subject to permitting
Statewide Industrial Storm Water General Permit

- One permit for many dischargers, first permit adopted in 1992

- Attachment A of the Industrial General Permit identifies applicable activities

- Primarily determined by Standard Industrial Classification (SIC) Code

- California Water Code defines enforcement for non-filing and compliance
ATTACHMENT A

FACILITIES COVERED BY NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITIES (GENERAL PERMIT)


2. Manufacturing Facilities:
   Facilities with Standard Industrial Classifications (SICs) 20XX through 39XX, 4221 through 4225. (This category combines categories 2 and 10 of the previous general permit.)

3. Oil and Gas Mining Facilities:
   Facilities classified as SICs 10XX through 14XX, including active or inactive mining operations (except for areas of coal mining operations no longer meeting the definition of a reclamation area under 40 Code of Federal Regulations. 434.11(1) because the performance bond issued to the facility by the appropriate Surface Mining Control and Reclamation Acts authority has been released, or except for areas of non-coal mining operations which have been released from applicable State or Federal reclamation requirements after December 17, 1980) and oil and gas exploration, production, processing, or treatment operations, or transmission facilities that discharge storm water contaminated by contact with or that has come into contact with any overburden, raw material, intermediate products, finished products, by-products, or waste products located on the site of such operations. Inactive mining operations are mining sites that are not being actively mined, but which have an identifiable owner/operator. Inactive mining sites do not include sites where mining claims are being maintained prior to disturbances associated with the extraction, beneficiation, or processing of mined material, or sites where minimal activities are undertaken for the sole purpose of maintaining a mining claim.

4. Hazardous Waste Treatment, Storage, or Disposal Facilities:
   Hazardous waste treatment, storage, or disposal facilities, including any facility operating under interim status or a general permit under Subtitle C of the Federal Resource, Conservation, and Recovery Act.

5. Landfills, Land Application Sites, and Open Dumps:
   Landfills, land application sites, and open dumps that receive or have received industrial waste from any facility within any other category of this Attachment, including facilities subject to regulation under Subtitle of the Federal Resource, Conservation, and Recovery Act, and facilities that have accepted wastes from construction activities (construction activities include any clearing, grading, or excavation that results in disturbance).

6. Recycling Facilities:
   Facilities involved in the recycling of materials, including metal scrapyards, battery reclaimers, salvage yards, and automobile junkyards, including but limited to those classified as Standard Industrial Classification 5015 and 5093.

7. Steam Electric Power Generating Facilities:
   Any facility that generates steam for electric power through the combustion of coal, oil, wood, etc.

8. Transportation Facilities:
   Facilities with SICs 40XX through 49XX (except 4221-25) and 5171 with vehicle maintenance shops, equipment cleaning operations, or airport deicing operations. Only those portions of the facility involved in vehicle maintenance (including vehicle rehbuilding, mechanical repairs, painting, fueling, and lubrication) or other operations identified under this Permit as associated with industrial activity.

9. Sewage or Wastewater Treatment Works:
   Facilities used in the storage, treatment, recycling, and reclamation of municipal or domestic sewage, including land dedicated to the disposal of sewage sludge, that are located within the confines of the facility, with a design flow of one million gallons per day or more, or required to have an approved pretreatment program under 40 Code of Federal Regulations part 403. Not included are farm lands, domestic gardens, or lands used for sludge management where sludge is beneficially reused and are not physically located in the confines of the facility, or areas that are in compliance with Section 405 of the Clean Water Act.

Attachment A of the Industrial General Permit: Facilities Requiring Coverage
Wineries SIC Code 2084

- 2084 Wines, Brandy, and Brandy Spirits
  Establishments primarily engaged in manufacturing wines, brandy, and brandy spirits. This industry also includes bonded wine cellars which are engaged in blending wines. Establishments primarily bottling purchased wines, brandy, and brandy spirits, but which do not manufacture wines and brandy, are classified in Wholesale Trade, Industry 5182.
  - Brandy
  - Brandy spirits
  - Wine cellars, bonded: engaged in blending wines
  - Wine coolers (beverages)
  - Wines
Production areas:
Storm Water regulated in the Irrigated Lands Program

Industrial Storm Water Permit (immediate access, equipment and bin cleaning, material storage, crushing, wine making etc.)
Production areas: Storm Water regulated in the Irrigated Lands Program

Winery operations:
Industrial Storm Water Permit (immediate access, equipment and bin cleaning, material storage, crushing, wine making etc.)

Collection Ponds: wastewater/commingled storm water: Waste Discharge Requirement or Waste NPDES Permit
Permit Coverage: Notice of Intent (NOI)

- Electronic application
- Storm water pollution prevention plan,
- Site map,
- Visual and analytical monitoring
- Reporting requirements
- Best management practices
- ~$1,282 annual fee

330 Wineries with active NOI
Permit Coverage: No Exposure Certification (NEC)

- Electronic Application,
- Site map,
- Annual recertification,
- Compliance with NEC checklist all-year and for entire industrial facility,
- $200 annual fee

339 Wineries with active NEC
Have to meet all NEC criteria in section XVII:

- Is your crush pad exposed to rain water?
- Are your tanks exposed to rain water?
- Do you land apply pomace without special permit?
- Do you irrigate with wash water without a special permit?
- Do you store used barrels outdoors?
- Do you load and unload bins outdoors?
- Do you clean your tanks or barrels outdoors?
- (Have all unauthorized Non Storm Water Discharges been eliminated?)
- Do you have material tracking at the facility?
• Water Code 13399.30
  Respond to the regional board, within 30 days from the date on which a notice is sent by the regional board, the appropriate notice of intent to obtain coverage or a notice of non-applicability that specifies the basis for not needing to obtain coverage under an NPDES permit.

• Industrial General Permit defines no discharge to a waters of the United States:

  Technical Report signed by a California Licensed Professional Engineer **Required**

• No fee

  **30 Wineries with submitted NONAs**
Resources

- Industrial General Permit Website:
  Permit, news, electronic reporting help guides, videos, email subscription

- Irrigated Lands Regulatory Program Website:
  http://www.waterboards.ca.gov/water_issues/programs/agriculture/
  Permit, news, guidance, funding, email subscription
Thank You

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I hereby certify that none of the following industrial materials or activities are, or will be in the foreseeable future, exposed to precipitation and no discharge is expected from areas of the facility subject to this General Permit, and certify that all unauthorized NSWDs have been eliminated and all authorized NSWDs have been designated as SWPPPs. Note: No SWPPP is required for and NEC to meet the conditions for the Authorized NSWDs.

**Total Area of Industrial Activities and Materials Exposed to Storm Water (Definition)**

1. Using, storing or cleaning industrial machinery or equipment, and areas where residuals from using, storing or cleaning industrial machinery or equipment remain and are exposed.
2. Materials or residuals on the ground or in storm water inlets from spills/leaks.
3. Materials or products from past industrial activity.
4. Material handling equipment (except adequately maintained vehicles).
5. Materials or products during loading/unloading or transporting activities.
6. Materials or products stored outdoors (except final products intended for outside use, e.g., new cars, where exposure to storm water does not result in the discharge of pollutants).
7. Materials contained in open, deteriorated or leaking storage drums, barrels, tanks, and similar containers.
8. Materials or products handled/stored on roads or railways owned or maintained by the Discharger.
9. Waste material (except waste in covered, non-leaking containers, e.g., dumpster).
10. Application or disposal of processed wastewater (unless already covered by an NPDES permit).
11. Particulate matter or visible deposits of residuals from roof stacks/vents evident in the storm water outflow.