TMDL's & Its National Effects

California's TMDL Amendment and the National Impact

Guest: Laurel Warddrip





Ryan Janoch, PE

Mapistry Co-founder & COO





Laurel Warddrip

State Water Resources Control Board Industrial and Construction Unit Chief





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7

Inspect and collect chemical tanks info anytime, anywhere

Piping Condition * Is piping free of leaks, corrosion, and damage? No Corrective Action Needed? * Yes Corrective Action Description Corrective Action Corrective Action Correctiv		alS Common Name Diesel	CAS Number 68334- 30-5	Physical State Liquid	Maxi Daily , 10,000			views to drii tails by loca		.0
Stop leaking supply line Assign Someone to Complete the Corrective Action (Image: Ryan Janoch (Organization Admin)	Records SPCC: Frequen	Motor Oil	64742- 65-0	Liquid	500 1S Common Name	CAS Number	Physical State	Maximum Daily Amount	1 Units	
Photo(s) Upload Photo	SPCC: Bermed SPCC: Plan HMBP: Regular			 Diesel No. 2 10W30 	Diesel Motor Oil	68334- 30-5 64742-	Liquid	10,000 500	gallons	
	HMBP: Regular Inspections HMBP: Chemic HMBP: Plan			Motor Oil		65-0				
	Rain Log Lab Reports									0
Roprietary and Confidential	Documents Tasks									

Completely painless and intuitive

Easily manage tasks, log inspections, perform swppp updates, more...

Centrally monitor weather changes, required actions, and compliance status

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Proprietary and Confidential

V LUN ✓ 2017 August ✓ 2017 September 2017 October A - Manufacturing 2017 November 2017 December CA - Richmond Action Required CA - Wilmington Unhandled Corrective Action in Container/Equipment NC - Pittboro 2018 June NH - Manchester buquerque Easily log issues and corrective actions

anytime, anywhere

Instantly prepare and submit properly formatted regulatory reports to state and federal electronic reporting systems

Piping Condition * (2) Is piping free of leaks, corrosion, and damage? No Corrective Action Needed? * (2) Yes Yes Corrective Action Description Stop leaking supply line

Assign Someone to Complete the Corrective Action

Ryan Janoch (Organization Admin)

Photo(s)

Upload Photo



	□ ► Industrial Materials	BMP Name * 🕜
	Extra Materials Details	29 chars left
	□ ▶ Spills and Leaks	Trash & Debris Pickup
	Non-Stormwater Discharges	
	Erodible Surfaces	BMP Description *
	Minimum BMPs	165 chars left
	 Best Management Practices 	Daily debris pickup around the y
	Trash & Debris Pickup	BMP Pollutant Reduction *
	Spill Kits	Select all that apply and/or enter your
	Sampling and Analysis	95 chars left
	Attachments	×trash
		Frequency of BMP Implementation Select an option.
		daily
Tasks		BMP Associated Industrial Activi
TASKS		80 chars left
Upcoming		Recycling activities
Routine Ob	servation (Due Feb 2)	BMP Responsible Team Member
Sampling O	bservation #1 (Due ,	
Sampling O	bservation #2 (Du	
As	sign, manage, and track	
	mpliance tasks &	
de	adlines	

Intelligent site mapping

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TMDL's & lt's National Effects





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Is this just crazy California?

Probably not. The National Academy of Sciences included several recommendations to the EPA around sampling and effluent limits.



National Academy of Sciences Report

2

Improving the EPA Multi-Sector General Permit

BOX S-1 Statement of Task

Three permit programs under the Clean Water Act are used to regulate discharges of stomwater to receiving waters—one for municipalities, one for industrial facilities, and one for construction sites. Of these, industrial stormwater is particularly challenging to control because of the wide range of industrial sectors that must be accounted for, each of which produces a unique suite of contaminants in stormwater. The industrial stormwater permit program includes a small number of individual facility permits as well as general permits that are issued to groups of industries at the state and federal level. The current Multi-Sector General Permit (MSGP) for industrial stormwater covers more than 2,000 facilities nationwide and is used as a framework for dozens of similar state programs.

The National Academies of Sciences, Engineering, and Medicine conducted a study to provide input to EPA as it revises its MSGP for industrial stormwater. The National Academies' committee was tasked to

- 1. Suggest improvements to the current MSGP benchmarking monitoring requirements. Areas to examine could include
 - · Monitoring by additional sectors not currently subject to benchmark monitoring;
 - · Monitoring for additional industrial-activity-related pollutants;
 - · Adjusting the benchmark threshold levels;
 - · Adjusting the frequency of benchmark monitoring;
 - Identifying those parameters that are the most important in indicating whether stormwater control measures are operating at the best-available-technology or best-conventionaltechnology (BAT/BCT) level of control; and
 - · New methodologies or technologies for industrial stormwater monitoring.
- Evaluate the feasibility of numeric retention standards (such as volumetric control standards for a
 percent storm size or standards based on percentage of imperviousness).
 - Are data and appropriate statistical methods available for establishing such standards as both technology-based and water quality-based numeric effluent limitations?
 - Could such retention standards provide an effective and scientifically defensible approach for establishing objective and transparent effluent limitations?
 - What are the merits and faults of retention versus discharge standards, including any risks of groundwater or surface water contamination from retained stormwater?
- 3. Identify the highest-priority industrial facilities/subsectors for consideration of additional discharge monitoring. By "highest priority" EPA means those facilities/subsectors for which the development of numeric effluent limitations or reasonably standardized stormwater control measures would be most scientifically defensible (based upon sampling data quality, data gaps and the likelihood of filling them, and other data quantity/quality issues that may affect the calculation of numeric limitations).

"...highest priority EPA means those facilities/subsectors for which <u>the development of</u> <u>numeric effluent</u> <u>limitations</u> would be most scientifically defensible."

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Mandated online reporting exposes your environmental deficiencies <u>to the world</u>



Number of Industrial Stormwater Lawsuits Filed in California







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Laurel Warddrip

State Water Resources Control Board Industrial and Construction Unit Chief Division of Water Quality



AMENDED INDUSTRIAL STORMWATER GENERAL PERMIT (IGP)

JUNE 11, 2019

LAUREL WARDDRIP

INDUSTRIAL AND CONSTRUCTION STORMWATER UNIT CHIEF

DIVISION OF WATER QUALITY

STATE WATER RESOURCES CONTROL BOARD



AMENDED IGP TOPICS

*Sufficiently Sensitive Test Methods

Total Maximum Daily Loads (TMDL) Timeline

TMDL Definition

TMDL Implementation in the IGP (process, applicability, and compliance)

Optional Capture and Use Compliance "Incentives"



TOTAL MAXIMUM DAILY LOAD (TMDL) TIMELINE



GENERAL PERMIT REQUIREMENTS TO IMPLEMENT TMDLS

• Findings 38 of the 2014 IGP:

Discharges addressed by this general permit are considered to be point source discharges, and therefore must comply with effluent limitations that are "consistent with the assumptions and requirements of any available waste load allocation for the discharge prepared by the state and approved by U.S. EPA pursuant to 40 code of federal regulations section 130.7. (40 C.F.R. § 122.44 (d)(1)(vii).)

- Water code section 13263, subdivision (a), requires that waste discharge requirements implement any relevant water quality control plans. Many TMDLs in water quality control plans include implementation requirements in addition to waste load allocations.
- Findings Section F of the IGP order cites additional TMDL implementation regulations.





TMDL IMPLEMENTATION PROCESS

• 303(d) impairment list developed

TMD

- One solution to address impairments: Total Maximum Daily Loads (TMDLs) developed by U.S. EPA or Regional Water Board
- State also develops Statewide Policies to address impairments
 - A TMDL goes through a separate public comment period and adoption process
 - Adopted TMDLs are implemented by required permits (e.g. IGP) and incorporated into the Regional Water Board Basin Plans
 - April 1, 2014 IGP adopted by the State Water Board, included amendment reopener to include TMDLs with industrial sources
 - IGP amendment reopener goes through Regional and State Water Board public comment period and process. Focused stakeholder outreach also included. ~2016-2018
- IGP amendment adopted by the State Water Board November 6, 2018
 - IGP amendment requirement go into effect July 1, 2020



TMDL DEFINITION



KEY TERMS

- 'TMDL' means total maximum daily loads adopted by the regional water quality control boards and the U.S. EPA.
- Adopted TMDLs are incorporated into the corresponding water quality control plans (basin plans).
- 'Applicable TMDL' means the TMDL had identified industrial stormwater sources and waste load allocation(s).



TOTAL MAXIMUM DAILY LOADS (TMDL)

- Defined as:
 - The maximum amount of a pollutant from potential sources in the watershed that a water body can receive while attaining water quality standards
 - The sum of the allowable loads of a single pollutant from all contributing sources, plus the contribution from background sources (40 C.F.R. § 130.2, subd. (I).)
- IGP Attachment E contains the TMDL-specific requirements for watersheds/water bodies with U.S. EPA-approved and U.S. EPA-established TMDLs for IGP dischargers.





Table E-1: Lis	t of Applicable TMDLs	TMDL	Pollutant			
TMDL Pollutant San Francisco Bay Regional Water Quality Control Board		Machado Lake Nutrient TMDL	Nutrient			
		Machado Lake Toxics TMDL	Toxics			
Napa River Sediment TMDL Sediment		Marina del Rey Harbor Mothers'	Bacteria			
Sonoma Creek Sediment TMDL Sediment		Beach and Back Basins TMDL				
Walker Creek Mercury TMDL Mercury		Marina Del Rey Harbor Toxics	Copper, Lead, Zinc, and Chlordane, and			
Los Angeles Regiona	I Water Quality Control Board	TMDL	Total PCBs			
Ballona Creek Metals TMDL Metals		Oxnard Drain 3 TMDL	Pesticides, PCBs and Sediment Toxicity			
Ballona Creek Estuary Toxics TMDL	Toxic Pollutants	San Gabriel River Metals and Selenium TMDL	Metals and Selenium			
Ballona Creek, Ballona Estuary	Bacteria	Santa Clara River TMDL	Bacteria			
and Sepulveda Channel TMDL		Santa Clara River Chloride TMDL	Chloride			
Calleguas Creek Salt TMDL	Salts	Santa Clara River Nitrogen TMDL	Nutrients			
Calleguas Creek Watershed	Metals and Selenium	Santa Monica Bay	Dichlorodiphenyltrichloroethane and			
Metals and Selenium TMDL		Dichlorodiphenyltrichloroethane	Polychlorinated Biphenyls			
Colorado Lagoon TMDL	Pesticides, Polycyclic aromatic hydrocarbons, PCBs, and Metals	and Polychlorinated Biphenyls TMDLS	i filo			
Harbor Beaches of Ventura	Bacteria	Santa Monica Bay Debris TMDL	Nearshore Debris			
County TMDL		Santa Ana Regional Water Quality Control Board				
Long Beach City Beaches and	Indicator Bacteria	San Diego Creek and Newport	Toxic Pollutants			
Los Angeles River Estuary		Bay Toxics TMDL	X			
TMDL		San Diego Regional Water Quality Control Board				
Los Angeles and Long Beach	Toxic and Metals	Baby Beach and Shelter Island	Indicator Bacteria			
Harbors Waters TMDL		Indicator Bacteria TMDL				
Los Angeles Area Lakes TMDL	Nitrogen, Phosphorus, Mercury, Trash,	Chollas Creek Diazinon TMDL	Diazinon			
	Organochlorine Pesticides and PCBs	Chollas Creek Metals TMDL	Copper, Lead, and Zinc			
Los Angeles Harbor (Inner Cabrillo Beach and Main Ship	Bacteria	Los Peñasquitos Lagoon Sediment TMDL	Sediment			
Channel) TMDL		Rainbow Creek Watershed TMDL	Total Nitrogen and Total Phosphorus			
Los Angeles River Nitrogen TMDL	Nutrients	Shelter Island Yacht Basin Copper TMDL	Dissolved Copper			
Los Angeles River Metals TMDL	Metals	Twenty Beaches and Creeks	Indicator Bacteria			
Los Cerritos Channel TMDL	Metals	Bacteria TMDL				

Water Boards

TMDL IMPLEMENTATION IN THE IGP



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Walker Creek Mercury TMDL Mercury		Marina Del Rey Harbor Toxics	Copper, Lead, Zinc, and Chlordane, and			
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Los Angeles River Metals TMDL	Metals	Twenty Beaches and Creeks	Indicator Bacteria			
Los Cerritos Channel TMDL	Metals	Bacteria TMDL				

Water Boards

APPLICABILITY OF TMDL-SPECIFIC REQUIREMENTS

- Attachment E of the general permit includes approved TMDLs applicable to industrial storm water discharges
- The 36 TMDLs are within the following Regional Water Boards:
 - San Francisco Bay (3 TMDLs)
 - Los Angeles (25 TMDLs)
 - Santa Ana (1 TMDL)
 - San Diego (7 TMDLs)



TMDLS TRANSLATION PROCESS

- Step 1: Determined whether the TMDL applies to industrial storm water discharges and authorized non-stormwater discharges regulated by the IGP;
- Step 2: Identified the specific TMDL requirements that are applicable to discharges regulated by the IGP;
- Step 3: Translated the TMDL requirements into TMDL-specific numeric action levels or numeric effluent limitations;
- Step 4: Determined a compliance schedule that corresponds with the compliance date of the TMDL;
- Step 5: Developed monitoring and reporting requirements to determine compliance with waste load allocations;
- Step 6: Identified existing IGP requirements applicable to each TMDL constituent and evaluated if additional TMDL-specific requirements were required to implement the TMDL; and,
- Step 7: Provided explanations of the TMDL translations into IGP-specific requirements



TRANSLATED TMDL-SPECIFIC REQUIREMENTS

- Some TMDLs translated into the requirement to comply with the general permit
- TMDLs with concentration-based waste load allocation translations for industrial sources are implemented into this general permit as TMDLs numeric action levels (TNALs) or numeric effluent limitations (NELs)
- TNALs and NELs apply in addition to general permit numeric action levels. An exceedance is two sampling results over the value within a reporting year
- TMDL-specific general permit requirements are in <u>Attachment E table E-2 of the IGP</u> and on the program webpage:

https://www.Waterboards.Ca.Gov/water_issues/programs/stormwater/docs/industrial/unof <u>f igp_amend.Pdf</u>



KEY TERMS

'Responsible Discharger' Means:

"A discharger with notice of intent (NOI) coverage under this general permit who discharges storm water associated with industrial activities (and authorized non storm water dischargers [NSWDS]) either directly or through a municipal separate storm sewer system (MS4) to impaired waterbodies identified in a U.S. EPA approved TMDL with a waste load allocation assigned to industrial storm water sources."



APPLICABILITY OF TMDL-SPECIFIC REQUIREMENTS ATTACHMENT E TABLE E-2

TMDL	Impaired Waterbody/ Watershed	Pollutants	Additional TMDL-related Numeric Action Level or Numeric Effluent Limitation	Required Actions	Compliance Due Date
Name of TMDL with industrial stormwater sources	TMDL impaired waterbody(ies) or watershed/tri butaries	-TMDL Pollutants -Assessment and Monitoring required for industrial pollutants	Applicable TMDL numeric action level or TMDL numeric effluent limitation	Required TMDL compliance actions	Compliance assessed on or after the date in this column



APPLICABILITY OF **TMDL-SPECIFIC** REQUIREMENTS IGP Dischargers need to:

- ٠
 - Complete a facility industrial pollutant source assessment (IGP Order Section X)
 - Implement best management practices (BMPs) to reduce/prevent the pollutant discharge
 - Develop and implement a monitoring implementation plan
 - Conduct sampling and analysis for all applicable parameters (IGP Order Section XI.B.6)
 - Develop and implement an updated storm water pollution prevention plan (IGP Order Section X)



Water Boards

APPLICABILITY OF TMDL-SPECIFIC REQUIREMENTS

- IGP Dischargers in Region 2, 4, 8, or 9 need to determine if they are a Responsible Discharger by identifying the:
 - Facility's watershed
 - Facility's receiving water body(ies) per the definition of Responsible Discharger
 - Identify if the receiving water body is tributary to a larger watershed system (e.g., un-named urban creek)
 - TMDL-specific pollutants in the industrial stormwater discharging from the facility
 - TMDL-specific actions applicable in the Attachment E of the IGP
 - Revise their storm water pollution prevention plan when significantly changed (IGP Section X.B)





IMPLEMENTATION OF AMENDED IGP IN SMARTS

- Reporting requirements will continue to be electronically through SMARTS
- Dischargers complying with TMDL-specific requirements will need to self-identify and report compliance
- Dischargers implementing a capture and use compliance-option will report electronically using SMARTS
- SMARTS will not calculate exceedances of TMDL-related numeric action levels or effluent limitations





Resources Available For New TMDL Requirements

 Mapping tool featuring the TMDL waterbody(ies) and watersheds

https://www.waterboards.ca.gov/water_issues/p rograms/stormwater/industrial.html

- Guidance Flow Chart for dischargers with TMDL requirements
- Fact Sheet summarizing new requirements

https://www.waterboards.ca.gov/water_issues/p rograms/stormwater/igp_20140057dwg.shtml


OPTIONAL CAPTURE AND USE COMPLIANCE "INCENTIVES"



ATTACHMENT I OF THE IGP

- On-site compliance: dischargers may install best management practices (BMPs) designed to capture and use the daily 85th percentile 24-hour storm event volume of industrial storm water and authorized non-storm water
 Or
- 2. Off-site compliance: dischargers may participate in agreements with municipalities or other dischargers to install BMPs meeting the above requirements.



One of the first projects in LA County to capture storm water is being built in Long Beach



The Los Centros Channel Sub Basin 4 Stormwater Capture Project, one of the largest in Los Angeles County, nears completion at its Long Beach Airport loc November 16, 2017. The project will collect local rain runoff and direct it to the underground aquifer. (Photo by Leo Jarzomb, SGV Tribure/ SCNG)



By STEVE SCAUZILLO | sscauzillo@song.com | San Gabriel Valley Tribune PUBLISHED: November 16, 2017 at 4:14 pm | UPDATED: November 17, 2017 at 4:49 pm

ATTACHMENT I OF THE IGP

- The On-Site and Off-Site Compliance Options include requirements for groundwater protection applicable to infiltration BMPs.
- The Off-Site Compliance Option requires an agreement between parties be approved by the Regional Water Quality Control Board.
- Dischargers complying with one of these options are deemed in compliance with the IGP discharge prohibitions, action levels, effluent limitations, and receiving water limitations (e.g. TMDLs) once the BMPs are implemented and operational
- The proposed capture and use incentives are available statewide to dischargers with IGP coverage able to meet the applicable Attachment I criteria. Dischargers with Level 2 Exceedance Response Action status can begin planning today.





TIMELINE



ON-SITE COMPLIANCE GROUNDWATER PROTECTION

Compliance Demonstration	Maximum Contaminant Levels (MCLs)*	Constituents of Concern	Dry well	Sedimentation Chamber Pretreatment Stormwater Runoff Feature Grating Low-permeability (clay) layer
Non-dry well BMPs	BMP influent or measured in groundwater	Prevent identified constituents in Table B from	Perforations in dry well casing	Settled Sediment
Dry well BMPs	BMP influent	impacting groundwater beneficial uses		Vadose Zone
			Δ	Water Table
*APPLIES TO ALL	PRIMARY MCLS A	ND	VACUUM PUMP	
SECONDARY MCI	S FOR TOTAL DIS	SOLVED		41
SOLIDS, CHLORIE	DE, SPECIFIC CON	IDUCTANCE,	PORUS STAINLESS STEEL ← ← ←	
AND SULFATES			www.soilmeasurement.com/lysimeter.html	

ATTACHMENT I

Clerk

COMPLIANCE OPTIONS

	TABLE B: Constituents of Concern Pollutant/Constituent ²³
17	
1	,1-Dichloroethane (1,1-DCA)
1	,1-Dichloroethylene (1,1-DCE)
1	,2,3-Trichloropropane (1,2,3 TCP)
1	,2-Dichloroethane (1,2-DCA)
1	,4 Dioxane (as Dioxane)
A	Arsenic
E	Benzene
C	Cadmium
C	Carbon Tetrachloride *
C	Chromium, Total
C	ils-1,2-Dichloroethylene *
¢	Cyanide
C	DBCP
C	Di(2-ethylhexyl) phthalate (DEHP) *
F	Fluoride
L	ead
٨	Manganese /
N	Methylene Chloride
-	Nickel
	Nitrite Plus Nitrate (as N)
	N-Nitrosodimethylamine (NDMA)
1	Perchlorate *
F	Polychlorinated Biphenyls (PCBs)
F	Polycyclic Aromatic Hydrocarbons (PAHs)
1	ertiary Butyl Alcohol (TBA) *
T	fetrachloroethylene (PCE) *
T	fotal Trihalomethanes *
	richloroethylene (TCE) *
Т	riclosan *
1	/anadium
N	/invl chloride

- IV. Protection of Waters of the State
 - A. The following discharges are prohibited for any Discharger implementing a Compliance Option:
 - Water related to the cleaning and maintenance of the BMP is an unauthorized NSWD; and,
 - Storm water associated with industrial activities occurring below the 85th percentile 24-hour storm event and/or sources of non-storm water authorized by this General Permit in Section IV.
 - B. The migration of pollutants that cause or contribute to the exceedance of a water quality objective in groundwater is prohibited. The Discharger shall ensure infiltration BMP(s) implemented for compliance with a Compliance Option shall be designed and operated to:
 - Prevent captured and/or infiltrated storm water from causing or contributing to the exceedance of a water quality objective in groundwater;
 - Prevent the constituents in Table B from causing a threat to the attainment of the groundwater's beneficial use(s) if identified and have the potential to discharge to groundwater.

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²³ Constituents currently without a 40 C.F.R. 136 approved test method. The Discharger may request approval from the appropriate Regional Water Board or the State Water Board to review and approve a proposed test method for sampling and analysis.

Again...is this just crazy California?

Probably not. The EPA National Enforcement Initiatives and eReporting will affect facilities nationally.



EPA National Enforcement Initiatives

Keeping Raw Sewage and Contaminated Stormwater Out of Our Nation's Water Keeping Industrial Pollutants Out of Our Nation's Water

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https://www.epa.gov/enforcement/national-compliance-initiatives

66

"...e-reporting will allow regulated entities, government agencies and the public to more quickly identify violations..."

-EPA Next Generation Compliance Strategic Plan 2014-2017





"increased transparency and real time information...help us to better protect public health and the environment, [and] **assure a level playing field for businesses that play by the rules...**"

66

-EPA Next Generation Compliance Strategic Plan 2014-2017

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Those who embrace technology, automation, and real-time analytics **avoid violations.**



The public has unprecedented access to the details of your stormwater program



How do we build a **world-class** environmental program?





For TMDL's Analytics & Reminders



Mapistry Software Analysis





Rain Event Monitoring & Alerts

Upcoming QSE for your site(s) Inbox × -Mapistry to me 🔻 ∧ mapistry Hello Page Rossen! The National Oceanic and Atmospheric Administration (NOAA) weather forecast indicates the following site(s) may have a qualified storm event tomorrow: Seattle Transfer Station High chance of rain between Jun 7, 5:00AM PDT and Jun 7, 5:00PM PDT High chance of rain between Jun 7, 5:00PM PDT and Jun 8, 5:00AM PDT Concord Transfer Station High chance of rain between lun 7, 5:00AM PDT and lun 7, 5:00PM PDT High chance of rain between Jun 7, 5:00PM PDT and Jun 8, 5:00AM PDT A gualified storm event is a storm producing a minimum amount of discharge preceded by a 48 - 72 hour dry period depending on your state requirements. Your Sampling Observation Form can be found online or on the mobile app. Happy sampling, -The Mapistry Team Reply Forward

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Did you take stormwater w O No Yes	vater samples	?	
Total Rainfall (in inches):			
0.51			
Storm Start Time:		Storm End Time:	
2016-10-25 14:45	©	2016-10-27 02:45	C
Notes			
discharging			
1	- Manager		
	25		
	-		
uppoad Photo			

Sediment Removal = Metals Removal

Linear Correlation between Fe and TSS



Log of Fe Concentration (mg/L)



Sampling Status (and Risk)







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"Mapistry is a **complete and smart solution** for managing stormwater compliance. The interface along with continued training and staff support eliminate all the guesswork and give complete confidence that we are doing the right thing."

Josh Neff - Folsom Ready Mix

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Questions?

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