



March 2008

NEWSLETTER

Remember the days when you looked forward to a rain event? Now, rain storms are a matter of concern because the runoff water is required to contain less metals than drinking water.

Over the recent years, storm water compliance has gone from "just another regulatory program" to a main economic driver. In addition to auto recyclers it impacts all manufacturing entities, construction sites (both small and large), and municipalities.

Home construction costs include between \$2,000 and \$10,000 per home every year to comply with storm water regulations. Some cities have banned grading during the wet season, from October 1 to April 15. Construction Storm Water non compliance fines have reached over \$1 million, with jail time for some of the worst offenders.

A new Municipal Permit was passed by the San Diego Water Board. It will become the model for the Santa Ana and Los Angeles Water Boards. These Permits require the municipalities to visit every business with a city business license, and verify that each business is storm water compliant. Those businesses that are not in compliance will be found in violation of the General Storm Water Permit as well as sections of the city's municipal code.

The business down the street that has been working without a storm water program will now be located and possibly issued a notice of non compliance from either or both the city and the Regional Water Board.

The Industrial Permit expired about three years ago and is in the process of being rewritten and will contain some new elements. In the present draft form, several major elements have been added to the permit.

New Permit

Presently, if the water discharged off site contains pollutants that exceed the EPA Bench Marks it is not a Permit violation. Existing BMPs are to be improved to attain benchmark levels of compliance. The new Permit establishes Effluent limits. If an effluent limit is exceeded a Permit violation has occurred. Exceedances are to be reported electronically, which can expose the Permittee to litigation from the Regulators or concerned citizens. Other Permit changes could require sampling within the 24 hours of the beginning of discharge as opposed to the present time requirement of within the first hour.

Staffing

The Los Angeles Regional Water Executive Officer has moved on to the State Water Board Office in Sacramento. He has been replaced by Ms. Tracy Egoscue, Esq., the former executive director of the Santa Monica BayKeeper.

Inspections

As previously noted, the municipalities are now required to perform more business related site inspections as required by the Municipal Permit. With the slow down in the construction industry and the cities' tendency to avoid staff reductions it would appear that Industrial Permittee inspections will be increasing.

BMPs

The Construction Permit is requiring advanced treatment systems, which includes the use of filters, chemicals, pumps, and holding and treating tanks. Some industrial sites are also starting to consider treatment of their storm water discharges.

Perchlorate

By now the Perchlorate warning statement should be on parts being sold or their associated invoice.

Mercury Switches

Collect them and ship them.