

STATE WATER RESOURCES CONTROL BOARD
ORDER WQ 2015-0122-DWQ
AMENDING
NPDES NO. CAS000001
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)
ORDER WQ 2014-0057-DWQ
GENERAL PERMIT FOR STORM WATER DISCHARGES ASSOCIATED WITH
INDUSTRIAL ACTIVITIES

The California State Water Resources Control Board (hereafter State Water Board) finds:

1. The general permit for storm water discharges associated with industrial activities¹ (General Permit) was issued by the State Water Board as a National Pollutant Discharge Elimination System (NPDES) permit under the authority delegated by the U.S. Environmental Protection Agency. The General Permit was adopted on April 1, 2014, and became effective on July 1, 2015.
2. The General Permit requires Dischargers to submit permit registration documents to obtain Notice of Intent (NOI) coverage under the General Permit using the State Water Board's Storm Water Multiple Application and Report Tracking System (SMARTS) website by July 1, 2015. Leading up to the July 1, 2015 deadline, SMARTS experienced technical difficulties that rendered SMARTS inaccessible to Dischargers attempting to file permit registration documents as well as State Water Board staff who were assisting Dischargers with enrollment. State Water Board staff diligently worked to resolve the technical issues before the July 1, 2015 deadline, but technical problems persisted, particularly as there was a surge in online traffic on SMARTS in the days before the July 1, 2015 effective date.
3. Because of ongoing technical difficulties, a large number of Dischargers were unable to submit the required permit registration documents through SMARTS by July 1, 2015 despite repeated attempts to use SMARTS. The deadline for Existing Dischargers to electronically submit permit registration documents for NOI coverage is extended to August 14, 2015 in accordance with Attachment A to this Order so that State Water Board staff has additional time to resolve technical issues with SMARTS. The filing date for Dischargers who file for NOI coverage on or before August 14, 2015 will be deemed to be July 1, 2015. The deadline for New Dischargers registering for NOI coverage to electronically submit permit registration documents is extended to August 14, 2015 or at least seven (7) days prior to commencement of industrial activities, whichever is later, in accordance with Attachment A to this Order. The filing date for New Dischargers who file for NOI coverage on or before August 14, 2015 will be deemed to be July 1, 2015 or seven (7) days prior to commencement of industrial activities, whichever is later.


¹ [State Water Board Order 2014-0057-DWQ](#)

4. While technical issues are being resolved, the General Permit is in effect. The deadline extension does not affect any of the other requirements or deadlines in the General Permit. Dischargers must maintain permit registration documents on site until they are able to submit the documents using SMARTS, and they must submit permit registration documents electronically by August 14, 2015. Any other information required by the General Permit to be submitted electronically, such as monitoring data, must also be kept on site until Dischargers are able to submit the information using SMARTS, and that information must be submitted electronically by August 14, 2015. Until August 14, 2015, the permit registration documents maintained onsite by the Discharger shall determine compliance with Section II (Receiving General Permit Coverage) of the General Permit.
5. [State Water Board Order 97-03-DWQ](#) was rescinded (except for Order 97-03- DWQ requirements that annual reports be submitted by July 1, 2015 and except for enforcement purposes) as of July 1, 2015. Because of technical difficulties in SMARTS the deadline to submit Annual Reports under Order 97-03-DWQ is extended to August 14, 2015.
6. Per Code of Federal Regulations, part 40, sections 122.62 and 124.10, the State Water Board issued a Public Notice on July 3, 2015 for a 30-day public review and comment period on the proposed amendment to Order WQ 2014-0057-DWQ, as specified in Attachment A to this Order. Formal comments were due by August 3, 2015.

IT IS HEREBY ORDERED THAT:

Order WQ 2014-0057-DWQ is hereby amended as shown in Attachment A of this Order. The amended Order shall become effective on August 4, 2015.

August 5, 2015
Date


Jeanine Townsend
Clerk to the Board

ATTACHMENT A
TO
ORDER WQ 2015-0122-DWQ
AMENDING
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Permit Order

I.A.6, (p.2)

6. State Water Board Order 97-03-DWQ is rescinded as of the effective date of this General Permit (July 1, 2015) except for Order 97-03-DWQ's requirement that annual reports be submitted by August~~July 14~~, 2015 and except for enforcement purposes.

Section II.B.1.b, (p.14)

- b. The Discharger shall register for coverage under this General Permit by certifying and submitting PRDs via SMARTS (<http://smarts.waterboards.ca.gov>), which consist of:*

Section II.B.4.a-b (p.16)

4. Schedule for Submitting PRDs - Existing Dischargers Under the Previous Permit.
 - a. Existing Dischargers with coverage under the previous permit shall register for NOI coverage by or on August~~July 14~~, 2015 or for NEC coverage by or on October 1, 2015. The filing date for Existing Dischargers that register for NOI coverage by or on August 14, 2015 shall be deemed July 1, 2015. Existing Dischargers previously listed in Category 10 (Light Industry) of the previous permit, and continue to have no exposure to industrial activities and materials, have until October 1, 2015 to register for NEC coverage.
 - b. Existing Dischargers with coverage under the previous permit, that do not register for NOI coverage by or on August~~July 14~~, 2015, may have their permit coverage administratively terminated as soon as August~~July 14~~, 2015.

* [Note: This paragraph was deleted inadvertently in the version of this Order that was adopted by the Board. It has been restored.]

Section II.B.5.a (p.17)

5. Schedule for Submitting PRDs - New Dischargers Obtaining Coverage On or After July 1, 2015
 - a. New Dischargers registering for NOI coverage on or after July 1, 2015 shall certify and submit PRDs via SMARTS at least seven (7) days prior to commencement of industrial activities or on ~~August~~ July 14, 2015, whichever comes later. The filing date for New Dischargers that register for NOI coverage by or on August 14, 2015 shall be deemed July 1, 2015 or seven (7) days prior to commencement of industrial activities, whichever comes later.

Fact Sheet

Section II.A.3 (p.12)

This General Permit requires all Dischargers to electronically certify and submit PRDs via SMARTS to obtain: (1) regulatory coverage, or (2) to certify that there are no industrial activities exposed to storm water at the facility and obtain regulatory coverage under the NEC provision of this General Permit. Facilities that were eligible to self-certify no exposure under the previous permit (see category 10 in Attachment 1 of the previous permit) are required to certify and submit via SMARTS PRDs for NOI coverage under this General Permit by ~~or on August July 14~~, 2015 or for NEC coverage by ~~or on~~ October 1, 2015. The Water Board is estimating that 10,000 – 30,000 Dischargers may be registering for NOI or NEC coverage under this General Permit. Separate registration deadlines, one for NOI coverage and one for NEC coverage, provides Dischargers better assistance from Storm Water Helpdesk and staff.

Section II.A.3 (p.12)

~~All Existing Dischargers who certify and submit PRDs via SMARTS for NOI coverage on or after July 1, 2015 or for NEC coverage on or after October 1, 2015, who previously obtained regulatory coverage under Order 97-03-DWQ the current permit, shall immediately comply with the provisions in this General Permit by July 1, 2015. All Existing Dischargers who previously obtained regulatory coverage under Order 97-03-DWQ the current permit are required to certify and submit PRDs via SMARTS for NOI coverage on or after August 14, 2015 or for NEC coverage on or after October 1, 2015. All Dischargers who did not previously obtain regulatory coverage under Order 97-03-DWQ who certify and submit PRDs via SMARTS for NOI coverage on or after July 1, 2015 shall immediately comply with the provisions in this General Permit.~~

Attachment C Glossary (p.2)

Effective Date

The date, set by the State Water Resources Control Board (State Water Board), when at least one or more of the General Permit requirements take effect and the previous permit expires. This General Permit requires most of the requirements (such as SMARTS ~~submittals~~ minimum BMPs, sampling and analysis requirements) to take effect on July 15, 2015.

Attachment D PRDs

Section D. (p.1)

D. When and How to Apply

Dischargers proposing to conduct industrial activities subject to this General Permit must electronically certify and submit PRDs via the Storm Water Multiple Application Reporting and Tracking System (SMARTS)¹ no less than seven (7) days prior to the commencement of industrial activity. Existing Dischargers must submit PRDs for NOI coverage by or on August July 14, 2015 or for NEC coverage by or on October 1, 2015.

¹ The State Water Board has developed the SMARTS online database system to handle registration and reporting under this General Permit. More information regarding SMARTS and access to the database is available online at <https://smarts.waterboards.ca.gov>. [as of June 26, 2013].