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A Seismic Change Is Coming to California's General Industrial Stormwater Permit.

California is considering the first-in-the-nation general industrial stormwater permit incorporating Total Maximum Daily Load (TMDL)-related numeric action levels (TNALs) and numeric effluent limitations (NELs). These new standards have the potential to further ramp up federal Clean Water Act (CWA) citizen suit litigation. Under the State Water Resources Control Board's (State Board) [proposed amendment to its stormwater general industrial permit](#) (IGP), a "Responsible Discharger" whose stormwater discharge exceeds an applicable NEL automatically will be in violation of the IGP. Unless it complies with the permit's existing exceedance response action process, it also will be in non-compliance if its discharge exceeds an applicable TNAL.

Recognizing these consequences, and the difficulties some dischargers have complying with existing IGP requirements, the State Board is proposing two alternative compliance options. Touted as an effort to promote green infrastructure and water reuse, these options could revamp how industry manages stormwater. Both alternatives involve capture and reuse of the runoff from the 85th percentile 24-hour storm event, with the difference being the stormwater retention location. Under the "on-site" option, retention occurs at the facility. Under the "off-site" option, retention occurs at the local publicly owned treatment works (POTW).

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