

**4.1 Introduction**

Best Management Practices (BMPs) may consist of schedules of activities, prohibitions of actions, maintenance procedures, treatment requirements, operating procedures and structural controls that prevent or reduce water pollution. BMPs focus on preventing pollutants from entering stormwater runoff and/or treating stormwater on-site to remove contaminants that are absent.

For each of the facility's areas of activity, the Permittee should determine if BMPs are in place and whether they are effectively applied so that pollutant exposure is minimized and non-stormwater discharges are eliminated. Appendix B contains BMPs for each SIC code covered under this permit. It serves as a reference guide on BMPs that should be in place for different types of activities. The activities to ensure critical source compliance are listed in table 4-1.

**Table 4-1  
Permit Requirements-Critical Source Compliance**

<b>Report Section</b>	<b>Requirement</b>	<b>Permit Section</b>
4.2.1	Permittees are to determine the need and proper implementation of BMPs	Part 4.C.3.a
4.2.2	Environmentally Sensitive Areas (ESAs) and Impaired Waters	Part 4.C.3.b
4.2.3	Progressive Enforcement	Part 4.C.3.c
4.2.4	Interagency Coordination	Part 4.C.3.d

**4.2 Program Implementation****4.2.1 BMP Implementation**

In the event that a Permittee determines that a facility needs to implement specific BMPs, the Permittee should communicate their recommendation to the facility's representative. Source control BMPs should be recommended as a first step in BMP implementation before requiring the facility to implement costly Structural BMPs. The Permittee should inform the facility representative of their responsibility to prevent pollutant discharges even if the recommended BMP is unsuccessful. The Permittee is responsible to point out the sources of pollutants or discharges that must be eliminated, however, the manner in which this is to be accomplished should be left to the facility owner/operator.

The Permittee has the authority to determine whether a BMP specified by the SQMP or Regional Board Resolution 98-08 is infeasible at any site, the Permittee can authorize the implementation of other BMPs that will achieve the same reduction of pollutants in the stormwater discharges. Additionally, for those BMPs that are not adequate to achieve water quality objectives, Permittees may require additional site-specific controls,

such as Treatment Control BMPs. Refer to Appendix B for a list of BMP's applicable to designated facility types. Copies of fact sheets can be obtained by contacting the Los Angeles County Department of Public Works at 1-888-CLEANLA

#### **4.2.2 Environmentally Sensitive Areas (ESAs) and Impaired Waters**

For facilities tributary to ESAs and California Water Act 303(d) impaired waterbodies, Permittees shall consider requiring operators to implement additional controls to reduce pollutants in storm water runoff that are causing or contributing to the exceedances of the water quality objectives.

#### **4.2.3 Progressive Enforcement**

If potential violations were identified during the initial site inspection, the Permittee should give the facility adequate time to explore all available options and BMPs and implement those necessary to meet compliance standards. A progressive enforcement policy to ensure facilities are brought into compliance with all storm water requirements within a reasonable timeframe should be implemented as specified below:

- A follow up inspection should be conducted after four weeks of the initial site inspection. The Permittee must determine if the facility has made progress in implementing the required BMPs stated in the initial site inspection. The Permittee will need to decide whether the owner/operator has made his/her best effort to complete the requirements.
- If the potential problem is not resolved, the inspector should decide whether there is enough progress to warrant a second follow up-inspection to allow the owner/operator more time to meet the requirements, to initiate enforcement actions or to refer the facility to Regional Board for further actions. The Permittee's actions will be determined by the legal authority established in its municipal code and ordinances.
- The Permittee must maintain records of site inspections that include inspection reports, warning letters, notices of violations, and other enforcement records, to demonstrate a good faith effort to bring facilities into compliance.

#### **4.2.4 Interagency Coordination**

##### **4.2.4.1 Referral of Violations of the SQMP**

Violations of the SQMP, Regional Board Resolution 98-08, Municipal Storm Water Ordinances may be referred to the Regional Board provided that the Permittee has made a good faith effort of progressive enforcement. At a minimum this consists of two follow-up inspections, and two warning letters or notices of violations.

##### **4.2.4.2 Referral of Violations of the GIASP**

Permittee may escalate referral of facilities in violation of the General Industrial Activities Stormwater Permit (GIASP) to the Regional Board after one inspection and one written notice to the operator regarding the violation. Permittees should include, at a minimum, the following information:

- Name of facility
- Operator of the facility
- Owner of the facility
- Industrial activity being conducted at the facility that is subject to the GIASP
- Records of communication with the facility operator regarding the violation, which shall include at least an inspection report and one written notice of violation.

Permittees shall, at a minimum, make such referrals on a quarterly basis.

#### 4.2.4.3 Investigation of Complaints Regarding Facilities

Permittees shall initiate, within one business day, investigation of complaints (other than non-storm water discharges) regarding facilities within its jurisdiction. The initial investigation shall include, at a minimum, a limited inspection of the facility to confirm the complaint to determine if the facility is effectively complying with the SQMP and municipal storm water/urban runoff ordinances, and to oversee corrective action.

#### 4.2.4.4 Support of Regional Board Enforcement Actions

As directed by the Regional Board Executive Officer, Permittees shall support Regional Board enforcement actions by: assisting in identification of current owners, operators, and lessees of facilities; providing staff, when available, for joint inspections with Regional Board inspectors; appearing as witnesses in Regional Board enforcement hearings; and providing copies of inspection reports and other progressive enforcement documentation

#### 4.2.4.5 Participation in a Task Force

The Permittees, Regional Board, and other stakeholders may form a Storm water Task Force, the purpose of which is to communicate concerns regarding special cases of storm water violations by industrial and commercial facilities and to develop a coordinated approach to enforcement action.