

SECTION FIVE Reporting Hazardous Substances Entering the Storm Drain System

5.1 INTRODUCTION

The goal of this program is to facilitate appropriate reporting of hazardous substances as a result of an illicit discharge.

The baseline objective of the program is:

- A program will be implemented to report and document reportable quantities of hazardous substances entering the storm drain system.

5.2 DEFINITIONS OF HAZARDOUS SUBSTANCES AND REPORTABLE QUANTITIES

The 1996 NPDES Permit defined a hazardous substance as a material defined under 40 Code of Federal Regulations (CFR) § 302. These are categorized as either “listed” or “unlisted” hazardous substances. Listed hazardous substances are contained in a table, Table 302.4, which is included in Appendix L. Unlisted hazardous substances are certain items of solid waste that exhibit characteristics identified in 40 CFR § 261.20 through 261.24. Copies of these sections are also included in Appendix L. Examples of hazardous substances include any substance or chemical product for which one or more of the following applies:

- A material safety data sheet (MSDS) is required
- The substance is listed as radioactive by the Nuclear Regulatory Commission
- The substance is listed as hazardous by the U.S. Department of Transportation
- The material is listed in Labor Code § 6382(b)

The above four categories are described in the California Health and Safety Code, Division 20, Chapter 6.95, Hazardous Materials Release Response Plans and Inventory.

The 1996 NPDES Permit defined a reportable quantity of hazardous substance as the quantity set forth in 40 CFR § 302. For listed hazardous substances, this amount is the quantity listed in the column “Final RQ” on Table 302.4. For unlisted hazardous substances, this amount is generally 100 pounds.

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5.3 PROGRAM IMPLEMENTATION ELEMENTS

5.3.1 Notification Procedures

Procedures will be implemented to report incidents of “reportable quantity” of hazardous substances entering the storm drain system. The procedures include:

- When spill/illicit discharge/disposal materials are suspected to be hazardous, notify the appropriate Administering Agency.
- The Administering Agency will conduct a material investigation.
- If the material is hazardous, the Administering Agency will notify local, state and federal agencies and private contractors as necessary.
- If the material equals or exceeds the reportable quantity in a 24-hour period, the Administering Agency (or a designated individual/department) will notify the California Office of Emergency Services (OES) and the National Response Center.

A complete description of procedures for handling releases of hazardous substances is contained in each agency’s *Emergency Response Procedures* manual. Additional guidance is included in Appendix M.

5.3.2 Record Keeping and Documentation

As discussed in Section 2, Illicit Discharge Elimination, a standardized record keeping system will be implemented to document illicit discharges detected within the local jurisdiction, including hazardous substances. Staff involved with reporting hazardous substances will forward all necessary information to a designated individual/department for incorporation into illicit discharge records.

Other reporting requirements for hazardous substances, unrelated to stormwater quality, are covered in a number of federal and state regulations. Details are contained in each agency’s *Emergency Response Procedures* manual. Guidance is included in Appendix M.