MS4 Self-Assessment

Commercial and Industrial High Risk Program

Module 8

Name of the Permittee: City of San Antonio, San Antonio Water System, Texas Department of Transportation	MS4 Permit Number: WQ0004284000 / EPA ID TXS001901
Assessment Period: 2014	

Permittee Instructions: Please complete the worksheet below. Please note that upon opening this Module, some content may be disabled such as the capacity to check inside the "boxes." The content can usually be activated by pressing "Enable Content" which will appear below the Toolbar in "MS Office."

ATTACHMENTS REQUESTED	Document attached
1. Attach an organizational chart.	☑ YES ☐ NO
2. Attach a flow chart that illustrates how the enforcement plan is implemented.	☑ YES ☐ NO
3. Attach five inspection reports, each one completed for different facilities, inspected by the permittee within the reporting period, to determine compliance with state/municipal requirements. Include photos of each facility and violations found during that inspection.	☑ YES ☐ NO

COMMERCIAL AND INDUSTRIAL HIGH RISK RUNOFF

Control Measure to minimize the impact of storm water discharges from commercial and industrial facilities. The program should also include identifying and controlling pollutants in storm water discharges to the MS4 from hazardous waste treatment, disposal and recovery facilities; industrial facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge the Permittees determines are contributing a substantial pollutant loading to the MS4.

1. In accordance with 40 CFR §122.26 [Phase I] has the permittee developed a *Storm Water Management Program (SWMP),* that describes how the **Commercial and Industrial High Risk Runoff** Control Measure will be implemented?	☑ YES ☐ NO
2. What pollutants of concern (POC) are targeted for reduction through the **Commercial and Industrial High Risk Runoff** program?	
Response: The POC targeted are those listed in the benchmark requirements for each Sector. Review of the facilities sampling data is done as part of the overall inspection process. If exceedances of the benchmark levels are noted during the inspection, then the resulting report will reference that additional BMPs should be researched and implemented to bring the POC levels down. Either a Corrective Action Required (CAR) letter is issued or comments are included in the inspection report requiring corrective action be taken to address the POC issue.	
ORGANIZATIONAL STRUCTURE	
1. Is there a storm water team in place to ensure that the **Commercial and Industrial High Risk Runoff** program is properly implemented?	☑ YES ☐ NO
2. Describe the organizational structure and staff responsibilities necessary to implement the **Commercial and Industrial High Risk Runoff** program. Include the name, title, contact information, department name and key responsibilities of each team member.	

Response: Resource Protection & Compliance Department at SAWS is responsible for the implementation of the program. Martin Miller is the Industrial Compliance Supervisor (210.233.3557 martin.miller@saws.org) that coordinates the inspection process including staff training, inspection process development, annual reporting and supervision of the inspection staff. The Environmental Protection Specialist 3 positions are responsible for the actual inspection of those facilities regulated under the TCEQ MSGP. They are also responsible for completing the database entries, enforcement and compliance letters, reports, and photo documentation needed to pursue and enforce cases when necessary. The staff dedicated to this portion of the SWMP is 5.5 FTE which includes portions of time for the Manager, Supervisor, Environmental Protection Specialist III positions and for administrative support. Andrew Wiatrek is the Section Manager (210.233.3572 andrew.wiatrek@saws.org) and Scott Halty is the Department Director (210.233.3536 scott.halty@saws.org).
3. What co-permittee(s) and or interagency departments will participate in the implementation of the **Commercial and Industrial High Risk Runoff** Program?
Response: SAWS is the agency that implements this program throughout the MS4 within the City Limits. The RPC department is responsible for its implementation. Coordination is done with smaller MS4s on an individual basis. TxDOT and the COSA refer industrial and commercial related complaints to SAWS for investigation for compliance with the MSGP.
4. Describe any formal agreements and key areas of responsibility shared by the permittee, co-permittee(s) and or interagency departments in the implementation of the **Commercial and Industrial High Risk Runoff** program.
Response: There is an interlocal agreement that places this program responsibility with SAWS. RPC produces a work plan each year and submits the information for budget approval. Annual report information is produced and supplied to the COSA for inclusion each year. See attached interlocal agreement.
5. Do program participants *(e.g., permittee, co-permittee, and other departments)* meet regularly to discuss the progress of the program? ☑ YES ☐ NO
6. Describe the frequency of these meetings.
Response: An annual budget meeting is held with the COSA and SAWS to discuss budget, positions and the overall program. There are other meetings held to discuss items as needed with both COSA and TxDOT. Things such as changes to the SWMP, responsibilities, permit changes, annual report information and individual complaints or other issues may cause additional meetings, emails and phone conversations to coordinate work orders or other information as needed.
LEGAL AUTHORITY
1. Does the permittee have legal authority to implement the **Commercial and Industrial High Risk Runoff** Control Measure? ☑ YES ☐ NO
2. What ordinances, codes, or policies provide this legal authority?
Response: Chapter 34, Article VI, Division 5, Subdivision C, Sections 34-750 to 756 is specific for enforcement of this permit requirement. Division 9 is specific towards enforcement and grants SAWS enforcement authority and does not diminish the authority or responsibility of the COSA Municipal prosecutor's office for enforcement. See attached (Art VI Div. 5 Sub C Municode SW Industrial.pdf).
3. Who *(e.g., specific staff, department, etc.)* has the authority to enforce this legal authority?
Response: Chapter 34-9.1 of the City Code grants authority to SAWS for enforcement of Chapter 34. Under Ordinance No. 80574 passed on 8/4/1994. SAWS RPC staff performs the specific enforcement of these code provisions for storm water enforcement. Section 34-756 of City Code.

4. What exemptions does the ordinance or other legal authority allow?
Response: No exemption for permit requirements. The city code requires those facilities regulated by the TPDES MSGP permit to obtain an industrial discharge permit from the TCEQ and to implement a SWP3. There is an allowance those facilities that meet the "no exposure exemption" as long as the TCEQ No Exposure permit is obtained and the exemption requirements are met.
5. Who *(e.g., specific staff, department, etc.)* has the authority to enforce the ordinances and inspect commercial and industrial high risk facilities?
Response: SAWS RPC Department

FISCAL RESOURCES

1. What is the budget for the implementation of the **Commercial and Industrial High Risk Runoff** program?	**REPORTING PERIOD 2014**	**NEXT REPORTING PERIOD**
	Response: $530,664	**Response: $534,296**

SECTION I: MEASURABLE GOALS

1. What are the Measurable Goals for the **Commercial and Industrial High Risk Runoff** program and Best Management Practices *(BMP)* in place to reduce pollutants? Include expected quantifiable results.	
Measurable Goal 1	**Number of facilities inspected and cataloged.**
Expected Quantifiable Results	**Staff has a production number that they are expected to meet.**
Measurable Goal 2	**Follow up to make sure that the facility achieves compliance with the permit requirements or that enforcement take place as appropriate.**
Expected Quantifiable Results	**Staff is expected to pursue compliance with an industry by using the inspection flow chart to continue site visits until compliance or legal enforcement is achieved.**
Measurable Goal 3	**Reduction in pollutants discharged.**
Expected Quantifiable Results	**Checking the benchmark levels and making sure that facilities are implementing BMPs that result in a reduction of pollutants discharged to the MS4. Corrective Actions are issued when BM levels are not met.**
Measurable Goal 4	
Expected Quantifiable Results	
2. Are these Measurable Goals described in the SWMP? **1 and 2 are in the SWMP**	☑ YES ☐ NO

SECTION II: TRAINING/EDUCATION

STAFF

1. Does permittee require staff *(e.g., storm water team, inspectors)* to complete special, continuous and or annual training or obtain certification or licensing to implement and manage the **Commercial and Industrial High Risk Runoff** program?	☑ YES ☐ NO
2. If yes, describe the applicable training, certification and or licensing and the required frequency for each.	
Response: The EPS 3 position requires levels of training for both Pretreatment and Storm Water requirements; most of the staff has obtained a Registered Environmental Manager (REM) certification from NREP.org or is in process of obtaining. In addition, they maintain a TCEQ license for Collection Systems. Training is also done in house at weekly staff meetings by the Supervisor. Items include permit requirements, Industrial inspection processes, webinars, and review of materials occurs on a regular basis. As the budget permits staff is also sent to training; (e.g. Region 6 EPA MS4 workshop or TCEQ	

inspector training).	
3. Does the permittee provide training and educational materials for staff on Best Management Practices (BMPs) for **Commercial and Industrial High Risk Runoff**?	☑ YES ☐ NO
CONTRACTORS	
1. Is any part of the program contracted? If yes, describe that part of the program that is contracted.	☐ YES ☑ NO
Response: N/A	
INDUSTRIAL OPERATORS	
1. Does the permittee provide training for industrial operators on BMPs to reduce pollutants in storm water discharges associated with industrial activities?	☐ YES ☑ NO
2. Describe the training and educational materials provided by the permittee for industrial operators on industrial permit requirements and pollutant control.	
Response: We have done training specific to Storm Water operations in the past and annually SAWS participates in an Environmental Seminar each fall. This is done in conjunction with the SA Manufactures Association. The presentation includes both Storm Water and Pretreatment updates for regulatory compliance with the programs. Individual inspections include an educational component during the inspection. Suggestions are made concerning BMPs and their implementation. SAWS web site (www.saws.org/environment/resourceprotcomp) also includes information in regards to Storm Water and provides links to other sites (such as TCEQ small business and local government site) that are helpful to Industry. The SAWS web site also provides downloadable forms that can be used in the SWP3 for obtaining compliance. The COSA also includes information on their website http://www.sanantonio.gov/RemembertheRiver/Home.aspx	
3. Does the permittee require industrial operators to attend training or is it voluntary?	
Response: No training beyond the specific requirements in the MSGP is required. Any outside training attendance is voluntary	
4. What are the consequences for not attending required training?	
Response: N/A	
5. Has the permittee developed and made available technical guidance on BMPs?	☑ YES ☐ NO
6. Describe the technical guidance that the permittee makes available to industrial operators.	
Response: The COSA has developed a web site that includes specific information on BMPs http://www.sanantonio.gov/RemembertheRiver/Commercial/IndustrialFacilities/BMPsForIndustrialFacilities.aspx	
SECTION III: INSPECTIONS	
1. Has the permittee identified its universe of the industrial facilities by Standard Industrial Classification Code and the pollutants associated with their storm water discharges into the MS4?	☑ YES ☐ NO
2. Has the permittee identified its municipal facilities?	☑ YES ☐ NO
3. How many municipal facilities are active?	
Response: SAWS has three permitted POTWs (Dos Rios, Leon Creek, and Medio Creek Water Recycling Facilities). We also inspect the City of San Antonio's solid waste facilities (trash can washing and storage), San Antonio Airport operations (SAT), Stinson Field Airport and the CPS Energy - Steam Electric power generating plants (the power plants have individual direct discharge permits and	

cooling lakes). All municipal owned landfills have been closed for a number of years being converted into City Parks. Solid waste transfer stations and waste recycling facilities are operated by contractors holding a MSGP permit. All private landfills also hold MSGP permits. SAWS and the COSA have also moved forward with incorporating Best Management Practices for Municipal Operations at both our Service Centers (ahead of the future permit requirements) and are working to develop an inspection process for their other municipal operations not currently required under the current MS4 permit.

FACILITY	Active or Inactive	How many of these municipal facilities exist?
Municipal landfills	☐ YES ☑ NO	**None all closed**
Municipal Waste Water Treatment Plants	☑ YES ☐ NO	**Three active plants**
Municipal Storage facilities	☐ YES ☑ NO	
Municipal Disposal facilities	☐ YES ☑ NO	**None**
Municipal Recovery facilities	☐ YES ☑ NO	**None**
Facilities that are subject to Emergency Planning and Community Right-to-Know Act *(EPCRA)* Title III, Section 313	☐ YES ☑ NO	**No municipal facilities**
Other, *(Specify)*:		

4. Has the permittee obtained storm water permit coverage and developed and implemented a Storm Water Pollution Prevention Plan for its municipal facilities? *(Check all that apply)*	☑ YES ☐ NO
Municipal landfills	☐ YES ☐ NO
Municipal Waste Water Treatment Plants	☑ YES ☐ NO
Municipal Storage facilities	☐ YES ☐ NO
Municipal Disposal facilities	☐ YES ☐ NO
Municipal Recovery facilities	☐ YES ☐ NO

5. Describe how frequently these facilities are inspected.

Response: At least annually an inspection is done at all POTWs. If there are corrective actions required then more frequent inspections are done until compliance is achieved as outlined in our inspection flow chart.

6. How many fulltime inspectors or other personnel are assigned to inspect commercial and industrial high risk facilities? Also, describe the extent to which other departments may be involved in conducting these inspections.

Response: SAWS has 4.5 FTE (Environmental Protection Specialist 3) positions which are budgeted for in this program. The Industrial Compliance Supervisor oversees the program and the Manager coordinated the budget.

7. Does the permittee make industrial/commercial storm water management a central element of the inspector's job description?	☑ YES ☐ NO
8. Do the inspectors use a Standard Operational Procedure and standard checklist to conduct inspections?	☑ YES ☐ NO

9. Are these inspectors trained in industrial/commercial storm water management *(e.g., Multi-Sector permit language, BMPs, inspections)*?	☑ YES ☐ NO
10. Do the inspectors have the authority to enforce the full extent of the municipal ordinance *(e.g., Notice of Violations and administrative citations)*?	☑ YES ☐ NO
11. Are inspectors: (*Check all that apply*)	
•Informed of Federal, state, and local storm water regulations that may apply to industrial/commercial facilities?	☑ YES ☐ NO
•Informed of various types of BMPs commonly used for industrial facilities required to obtain storm water permit coverage and implement an SWPPP?	☑ YES ☐ NO
•Informed enough to educate facility operators about BMPs?	☑ YES ☐ NO
•Trained on the enforcement procedures and how and when to apply them?	☑ YES ☐ NO
•Trained on how to properly document and photograph violations?	☑ YES ☐ NO
•Trained on how to document enforcement actions in a database?	☑ YES ☐ NO
•Informed on where to find receiving stream data, rainfall data and the necessary resources to support an enforcement action?	☑ YES ☐ NO
12. What "In-Field" tools do inspectors use to inspect commercial and industrial high-risk facilities? *(Check all that apply)*	
•Standard checklist during inspections	☑ YES ☐ NO
•Inspection Report form	☑ YES ☐ NO
Other, *(Specify)*: SAWS currently uses an industrial inspection format that is modeled after the current TCEQ permit requirements. An update will be done with passing of the new MSGP in 2016. The current inspection form includes reference to all of the elements in the MSGP and follows the same format for ease of review.	
13. Which practices do inspectors make a part of their commercial and industrial high-risk facility inspections? (Check all that apply)	
•Verify that the facility has storm water permit coverage issued by a federal or State agency under the National Pollutant Discharge Elimination System	☑ YES ☐ NO
•Review the SWPPP to determine compliance with the permit and that it reflects current changes at the facility	☑ YES ☐ NO
•Review monitoring data	☑ YES ☐ NO
•Provide educational materials during inspections	☑ YES ☐ NO
•Look for problems with poor housekeeping at industrial sites	☑ YES ☐ NO
•Look for problems with containing potential storm water contaminants?	☑ YES ☐ NO
•Look for problems with materials exposed to storm water such as batteries, chemicals, grease, oils	☑ YES ☐ NO
•Look for problems with spills and leaks	☑ YES ☐ NO
•Look for problems with irregular sweeping	☑ YES ☐ NO
•Look for problems with regular cleaning of storm drains and discharge point sources?	☑ YES ☐ NO
•Look for problems with long-term storage of oily scrap equipment and other	☑ YES ☐ NO

materials	
•Look for unauthorized discharges of facility wash water (vehicle or yard) to the street/storm drain	☑ YES ☐ NO
•Provide guidance or written materials on developing and implementing a SWPPP and BMPs	☑ YES ☐ NO
•Offer training	☐ YES ☑ NO
SECTION IV: ENFORCEMENT	
1. Is an enforcement policy in place that clearly describes the enforcement action *(e.g., verbal and written warnings, fines, and "stop work" orders)* to be taken for violations?	☑ YES ☐ NO
2. Is there an enforcement escalation procedure for violations?	☑ YES ☐ NO
3. Describe how the enforcement plan is implemented	
Response: See attached inspection flow chart. The field inspector has the ability to escalate the actions straight to a NOV by bringing a serious issue up with the Supervisor for his approval. The process gives the inspector discretion on the timing and options available for purposes of enforcement, yet provides consistency for the regulated community.	
4. Describe the type of enforcement actions developed to achieve compliance from commercial and industrial and high-risk facilities.	
Response: Inspections done at facilities result in either compliance or enforcement. These notices are labeled Compliance letter, Corrective Action Letter, Advisory Letter, and Notice of Violation. The inspection flow chart outlines these options and the time line for reinspection or verification of the results.	
5. Describe the type and number of enforcement actions issued this reporting period.	
Response: In the 2014 reporting period 158 Corrective Action Required letters were issued. 2 Advisory Notices were issued and 4 Notices of Violation were issued.	
6. What percentage of compliance has the permittee achieved from the enforcement actions issued?	
Response: 81% compliance in 2014 reporting year, 18.97% on going corrective actions, and 0.35% NOVs	
7. Are there limitations on enforcement authority (e.g., limits on the dollar amount of fines, inability to issue civil penalties)?	☑ YES ☐ NO
8. Are inspectors authorized to administer enforcement actions for permit noncompliance at commercial and industrial high-risk facilities *(e.g., fines)?*	☐ YES ☑ NO
8. Do inspectors conduct follow-up inspections or phone calls after an enforcement action has been issued to verify compliance?	☑ YES ☐ NO
SECTION V: RECORDS MANAGEMENT	
1. Does the permittee have a database in place to track the activities of the **Commercial and Industrial High Risk Runoff** program?	☑ YES ☐ NO
2. What information *(e.g., universe of commercial and industrial facilities, inspections, enforcement actions, training)* is tracked in a database for the **Commercial and Industrial High Risk Runoff** program?	
Response: Inspector name, date of inspection, activity (SW or PT), compliance status (COM, CAR, ADV, NOV, Closed, NPR), TPDES permit number, Was there a SWP3 present?; Was it a no exposure facility?; site id, Name, address, phone number, contact information, watershed, receiving stream, lat/long, If facility was located outside the City Limits?; map grid.	

3. Who has access to the database?	
Response: RPC Staff and Supervisor, Manager, data staff	
4. Who is responsible for updating the database?	
Response: RPC Staff and Supervisor	
5. Does the permittee update its SWMP to reflect current changes and progress made with the **Commercial and Industrial High Risk Runoff** program?	☑ YES ☐ NO
SECTION VI: ASSESSMENT	
1. Does the permittee assess the effectiveness of the **Commercial and Industrial High Risk Runoff** program?	☑ YES ☐ NO
2. Based on the results of the effectiveness assessment, describe the positive results of the **Commercial and Industrial High Risk Runoff** program.	
Response: Effectiveness is measured based upon how many sites are visited. The percentage of compliant companies vs. noncompliant companies has risen over the years. The incorporation of the SWP3 requirements into city code licensing for Salvage Yards and Recycling facilities has eliminated the vast majority of issues within the City Limits for that sector. How many permits that TCEQ now has registered within COSA city limits.	
3. Based on the results of the effectiveness assessment, what changes are proposed to enhance the **Commercial and Industrial High Risk Runoff** program?	
Response: No changes to the SWMP are proposed at this time. The last update was done in 2010. Upon issuance of the new MSGP a review of the program will be made and changes incorporated as necessary.	
4. Does the permittee have adequate staff and equipment to implement the **Commercial and Industrial High Risk Runoff** program?	☑ YES ☐ NO
5. Does the permittee assess the **Commercial and Industrial High Risk Runoff** program to determine if it meets Measurable Goals and other indicators?	☑ YES ☐ NO
6. Does the permittee assess the **Commercial and Industrial High Risk Runoff** program's compliance with the permit requirements?	☑ YES ☐ NO
7. Does the permittee generate an assessment report of the **Commercial and Industrial High Risk Runoff** program for its records?	☑ YES ☐ NO
8. What departments are involved in the **Commercial and Industrial High Risk Runoff** program assessment?	
Response: (4) SAWS has eight inspectors that inspect facilities for both Pretreatment and Storm Water requirements. The measurable goal for the staff is the number of facility inspections per month for each program. (6) Yes, the program meets the current TCEQ permit requirements as outlined in our MS4 permit. (7) An annual report is done and includes a record of all of the individual facilities inspected and their compliance status. The RPC Department produces a summary for each of the programs outlining the overall program results for the annual report each year. The overall assessment is how many facilities were inspected, how many of them had permits (as required), and what was the compliance status for each facility as far as the permit requirements. (8) The RPC Department sends the information to the COSA for inclusion in the annual report.	

Completed by (Print Name): Martin Miller		
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