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Industrial/Commercial Stormwater Inspection Program

SWMP BMP: Screen Existing and New Industrial Facilities

SWMP BMP: Conduct Inspections of High Priority Facilities

December 1, 2023

BACKGROUND

Consistent with Schedule A(3)(g) in the Oak Lodge Water Services (OLWS) National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) Permit (No. 101348, effective date May 5, 2023), OLWS must continue to reduce the discharge of pollutants from the stormwater sewer system to the MS4 from industrial and commercial facilities. OLWS has implemented an Industrial/Commercial Facility Inspection Program since 2013, as referenced in their approved 2022 Stormwater Management Program (SWMP) Document. This Industrial/Commercial Facility Strategy document represents an update to that Inspection Program document.

PURPOSE

The purpose of this document is to fulfill requirements of Schedule A(3)(g)(i) and (ii) in the NPDES MS4 Permit by describing OLWS' program for screening and inspecting industrial and commercial facilities. This process is targeted at the following categories of facilities, listed here:

- a. 1200-Z permitted facilities
- b. Hazardous waste treatment, disposal and recovery facilities (OLWS currently has none of these facilities)
- c. Industrial facilities that are subject to section 313 of title III of SARA of 1986; (OLWS currently has none of these facilities)
- d. Facilities subject to Section 313 of the Emergency Planning and Community Right-to Know Act, 42 U.S.C. 110; (OLWS currently has none of these facilities)
- e. Sites flagged by a pretreatment program or the *Industrial User Survey* as potentially contributing, or housing activities that may contribute, pollutants to the MS4
- f. Facilities or activities that have been identified by the co-permittee as potentially contributing a significant pollutant load to the MS4.

PERMIT LANGUAGE:

Per Schedule A(3)(g)(i), screening of existing and new industrial facilities must:*assess whether they may be subject to the DEQ-issued 1200-Z industrial stormwater NPDES general permit or have the potential to contribute a significant pollutant load to the MS4. The screening must be done on a routine basis, and in no case may screening for new facilities take place less often than once a year. Within 30 days after determining a facility may be subject to a DEQ-issued industrial stormwater permit, the co-permittees must notify the industrial facility and DEQ.*

Per Schedule A(3)(g)(ii), the Industrial and Commercial Facility Strategy Document must include, at a minimum:

- A. *The facility types or activities, rationale, and priorities for entities that the co-permittee has determined may have high potential to discharge pollutants of concern to the MS4,*
- B. *Inspection procedures, documentation standards, and frequency of inspections; and*
- C. *Description of the assessment and tracking of compliance with municipal ordinances related to discharges to the MS4 at industrial and commercial facilities that are potential sources of pollutants in stormwater runoff.*

GENERAL INFORMATION

As of January 2023, Oak Lodge Water Services billed nearly 300 commercial and industrial customer accounts. Many of those businesses are professional services conducted indoors. OLWS has only a small number of commercial and industrial businesses that may conduct pollutant generating activities with potential to impact the MS4.

OLWS does not have a Business License application/renewal process to actively identify and screen for new businesses or evaluate existing businesses for potential impacts to the MS4. Because of this, OLWS developed the *Industrial / Commercial Users List* to help screen and validate businesses with the potential to contribute high pollutant loads to the MS4. The list was originally created based on information from the commercial and industrial customer accounts and Development and Permitting applications/reviews, and supplemented based on field screening results, customer complaints, and noted changes in water consumption. This list is updated annually as described in detail below.

As of January 2023, one facility within OLWS had an active industrial stormwater NPDES 1200Z permit. The OLWS Wastewater Treatment Plant (facility # 62795) acquired a no exposure certification in 2020 and no longer has an active 1200Z permit.

Facility Details	
Facility #:	WQ File Number: 101733
SIC Code:	3531
Facility Location:	STANLEY BLACK AND DECKER (aka STANLEY HYDRAULIC TOOLS) 3810 SE NAEF RD., MILWAUKIE, OR 97267

Permit Type:	NPDES General 1200Z	
Initial Permit Assigned:	GEN12Z	
Current Permit Issued:	11/5/1997	
Expiration Date:	7/1/2026	

FACILITY SCREENING

Annually, the OLWS Water Quality Coordinator collects information to update the *Industrial/ Commercial Users List* to screen existing and new businesses. This list reflects all customer accounts in OLWS including schools, post office, fire department, police station, small and large businesses, and industry. The screening process informs inspection needs for priority industrial and commercial facility inspections, as well as assisting in determining 1200Z applicability.

The screening effort includes the following activities:

1. Staff review of the most recent OLWS commercial account information, which includes business name and location.
2. New commercial accounts are then researched on the web to inform the type of business or industry.
3. Staff review the OLWS *Industrial Users Survey*, which is created by the Pollution Prevention Specialist to focus on pretreatment efforts for industrial customers. This list is also updated annually with businesses and industries that have the potential to contribute significant pollutant loads to the MS4.
4. Applications for new/redevelopment permits showing the potential for activities that could contribute pollutant load to the MS4, as flagged by the OLWS Development Review Specialist.
5. Existing DEQ permit holders, including General and 1200-Z types are reviewed via the permit database maintained by Oregon DEQ and searchable online.
6. Facilities with reported illicit discharges or complaints during the last reporting year.

Next, the OLWS Water Quality Coordinator amends the *Industrial/ Commercial Users List* with any new facilities subject to one of the priority category flags. The priority category flags include businesses where a “watch” is recommended in the context of this program; materials handling and storage; excavation and grading; pesticide application; equipment washing; scrap metal storage; equipment storage; vehicle repair; and fueling or fuel transfer. Additionally, businesses may be removed based on previous inspections or follow-up efforts.

Although Standard Industrial Classification (SIC) codes are not readily noted on the available documentation, the OLWS Water Quality Coordinator refers to DEQ’s guidance document, “Municipal Stormwater Program Guidance: Screening Industrial Facilities to Assess Potential for Industrial Stormwater NPDES Permit Applicability” (dated June 2013) to help identify facilities subject to a 1200Z permit, along with a windshield survey and inspection as needed.

Finally, a minimum of once over the permit term, OLWS staff will perform a search of the EPA’s

Toxic Release Inventory (“TRI”) database to confirm whether there are any additional facilities that may be classified as a hazardous waste treatment, disposal and recovery facility or are subject to section 313 of title III of SARA of 1986. OLWS staff also performs a search of the Oregon State Fire Marshall’s Community Right to Know (“CR2K”) database which tracks reporting under Section 313 of the Emergency Planning and Right-to-Know Act (EPCRA). These additional databases ensure applicable facilities are included in the OLWS Industrial/Commercial Inspection program.

All flagged facilities are subject to windshield inspections and follow-up through site inspections, depending on the nature of the commercial or industrial activity.

FACILITY INSPECTIONS

The OLWS SWMP Document (2022) requires inspection of the facilities identified to the potential to contribute pollutants to the MS4 over the permit term. The goal of the facility inspections is to identify water quality impairments and work with facility owners and operators to remove any discharge.

OLWS will conduct windshield surveys annually prior to formal business inspections to help inform the need for such inspections. Windshield surveys will be conducted by the OLWS Water Quality Coordinator or other qualified staff. Results of the windshield surveys, including the need for a formal business inspection, will be documented on the *Industrial/ Commercial Users List*. If a formal business inspection is required, the following actions will occur:

- First, staff will use windshield surveys to qualify businesses.
- The OLWS Water Quality Coordinator will set up an inspection date with the owner/operator of the business;
- During the inspection, staff will inspect the business using the *Oak Lodge Water Services’ Industrial/Commercial Site Inspection Form* and updated GIS maps showing localized storm water infrastructure.

If the business is found **not** to pose a threat of discharge to the MS4 following the formal business inspection, the inspector will log the findings and inspection form. This data will be entered onto the *Industrial/Commercial Users List* and a note of the inspection and findings in the business account records under the *UB Accounts File* on the OLWS “I:Drive”.

If the business is found to **have a potential to pollute the MS4** the following procedures will take place by the OLWS Water Quality Coordinator:

- Educate the business of the *OLWS Surface Water Code*, potential violations, and penalties.
- Ensure the business has the correct SIC code assigned (if applicable) or North American Industry Classification System (NAICS) code.
- Address **any current violations during the initial site inspection.**
- **Document any violations on the *Oak Lodge Water Services’ Industrial/Commercial Inspection Form*** and follow the *OLWS Spill and Illicit Discharge Program Enforcement Procedures*.

FOLLOW-UP ACTIONS

Any observed illicit discharges will be recorded on the *Oak Lodge Water Services' Industrial/Commercial Program Site Inspection Form* and appropriate follow-up procedures initiated.

For businesses where a formal onsite inspection was conducted that do not appear to contribute significant pollutant loads to the MS4, the Water Quality Coordinator will prepare a follow-up email, thanking the business for participating in the OLWS Industrial/Commercial Facility Inspection Program. The *Oak Lodge Water Services' Industrial/Commercial Inspection Form* will be filed electronically, and the inspection date noted. No additional follow-up actions are required.

For businesses that are observed to be contributing significant pollutant loads to the MS4 and/or appear to require coverage under a general industrial stormwater permit (1200-Z permit), OLWS staff will prepare a notification letter. If the business may be subject to a 1200-Z permit, the notification letter will be sent to both the business license applicant and DEQ's NW Region Office within 30 days. OLWS is not currently an agent of the industrial stormwater NPDES program. It is ultimately the responsibility of DEQ and the facility owner/operator to determine whether an industrial stormwater NPDES permit is required for a given facility.

If the business is observed to be contributing significant pollutant loads to the MS4 (but does not appear subject to a 1200-Z permit), the notification letter will outline observed concerns and refer to DEQ's "Industrial Stormwater Best Management Practices Manual" (DEQ, February 2013). The letter will indicate that a follow-up inspection will be conducted to determine whether the pollutant discharge is an ongoing problem.

The Water Quality Coordinator will conduct a follow-up inspection, utilizing the same *Oak Lodge Water Services' Industrial/Commercial Inspection Form* that was completed for the initial formal business inspection. Observations and findings will be recorded, and a follow-up action will be identified. Ongoing pollutant source problems will be referred to the illicit discharge program for follow-up and enforcement.

LEGAL AUTHORITY

OLWS Rules and Regulations contain multiple references related to the prohibition and enforcement against illicit discharges to the MS4. Detailed code references can be found in the OLWS Spill and Illicit Discharge Enforcement Response Plan.

PROGRAM TRACKING AND RECORDKEEPING

OLWS maintains records of Industrial/Commercial Inspection activities and follow-up actions to meet annual reporting requirements of the MS4 Permit. This data is entered onto the *Industrial / Commercial Users List* and a note of the inspection and findings in the business account records. Copies of all documents, emails, and forms are retained in the OLWS electronic filing system and retained according to the state retention schedules.

ATTACHMENTS

- Attachment A: Industrial/ Commercial Inspection Form

ATTACHMENT A:
INDUSTRIAL/COMMERCIAL INSPECTION FORM

Oak Lodge Water Services' Industrial / Commercial Site Stormwater Quality Inspection Form:

Inspections must be conducted by a person with the knowledge and skills to assess conditions and activities that could impact stormwater quality and evaluate the effectiveness of best management practices. Retain a copy of the completed form.

I. INSPECTION SUMMARY		
FACILITY NAME:	INSPECTION DATE: TIME:	
FACILITY ADDRESS:	INSPECTOR(S) NAME:	
BUSINESS TYPE:	WEATHER INFORMATION:	
CONTACT INFORMATION:	PERSONS PRESENT DURING INSPECTION:	
II. FACILITY OVERVIEW		
DESCRIBE SITE ACTIVITIES:		
ONSITE STORMWATER SYSTEM: (catch basins, trench drains, floor drains, roof drains, ditches, drywells, treatment facilities, etc.)		
III. POTENTIAL POLLUTANT SOURCE AREA INSPECTION AND BMP EVALUATION		
Good Housekeeping BMPs:	Y N N/A	Findings and Follow Up Actions:
? Are paved surfaces free of accumulated sediment and debris?		
? Waste receptacles located outdoors covered and in good condition?		
? External surfaces and areas free of excessive contaminant buildup?		
? Methods in place to prevent erosion and sediment discharge to storm drains?		

<p>Spill Response and Equipment:</p> <p>? Spill kits available and properly stocked?</p> <p>? Any evidence of leaks or spills?</p> <p>? Any vehicles and/or equipment leaking fluids?</p>	<p>Y N N/A</p>	<p>Findings and Follow Up Actions:</p>
<p>Vehicle/Equipment Areas:</p> <p>? Is equipment washed and/or cleaned in ways that are protective of stormwater?</p> <p>? Fueling areas free of contaminant buildup and evidence of chronic leaks/spills?</p> <p>? Tools, equipment and materials stored in designated areas?</p> <p>? Drums and containers of fluids stored with proper cover and containment?</p>	<p>Y N N/A</p>	<p>Findings and Follow Up Actions:</p>
<p>Material Storage Areas:</p> <p>? Potential pollutants stored inside a building or another type of storm resistance shelter?</p> <p>? Material piles secured to protect storm drainage system?</p> <p>? Are outdoor containers covered?</p> <p>? Are empty containers cleaned and stored properly?</p>	<p>Y N N/A</p>	<p>Findings and Follow Up Actions:</p>

<p>Stormwater BMPs and Treatment Structures:</p> <p>Visually inspect all stormwater infrastructure and treatment BMPs. Complete private facility inspection forms where applicable.</p>	<p>Y N N/A</p>	<p>Findings and Follow Up Actions:</p>
<p>Observation of Non-Stormwater Discharges:</p> <p>Visually inspect the site for illicit discharges and/or evidence of dumping or washing into the storm drainage system.</p>	<p>Y N N/A</p>	<p>Findings and Follow Up Actions:</p>
<p>Additional Findings: Describe additional inspection findings and follow-up actions, if needed.</p>		
<p>IV. FOLLOW-UP ACTION (check all that apply):</p>		
<p><input type="checkbox"/> Daily operations of the site are not a concern for significant pollutant discharge to the MS4; Close File</p> <p><input type="checkbox"/> Site activities/conditions are a concern for pollutant discharge to the MS4; Prepare letter and schedule follow-up inspection</p> <p><input type="checkbox"/> Observed illicit discharge; Refer for enforcement</p> <p><input type="checkbox"/> Other: _____</p>		

<p>FOLLOW-UP INSPECTION (IF NEEDED)</p>	
<p>INSPECTION DATE: TIME:</p>	<p>INSPECTOR(S) NAME:</p>
<p>WEATHER INFORMATION:</p>	<p>PERSONS PRESENT DURING INSPECTION:</p>
<p>OBSERVATIONS/FINDINGS:</p>	<p>FOLLOW-UP ACTION:</p> <p><input type="checkbox"/> Problem Resolved; Close File</p> <p><input type="checkbox"/> Problem Persists; Refer for Enforcement</p> <p><input type="checkbox"/> Other: _____</p>