

SECTION A-9  
EXISTING DEVELOPMENT COMPONENT



FOR THE COUNTY OF ORANGE  
AND  
THE ORANGE COUNTY FLOOD CONTROL DISTRICT



## SECTION A-9, EXISTING DEVELOPMENT

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### A-9.0 EXISTING DEVELOPMENT

The existing development component of this plan is composed of the following elements:

1. **Section A-9.1**, Program Summary
2. **Section A-9.2**, Industrial/Commercial Program
3. **Section A-9.3**, Food Facility Inspection Program
4. **Section A-9.4**, Mobile Business Program
5. **Section A-9.5**, Residential Program
6. **Section A-9.6**, Common Interest Area/Homeowners Association Activities Program
7. **Section A-9.7**, Retrofitting Existing Development Program
8. **Section A-9.8**, Training Program Details

### A-9.1 PROGRAM SUMMARY

#### A-9.1.1 Overview

The existing development component of this plan is comprised of eight programs: industrial, commercial, food facility, mobile business, residential, common interest and homeowner association areas, retrofitting existing development, and a training program.

The following outlines and describes County departments and staff that are responsible for implementation of the existing development component.

#### **OC Public Works**

##### **1. *OC Environmental Resources***

(714) 955-0600  
2301 N. Glassell St.  
Orange, CA 92865

Responsible for County Stormwater Program management. OC Environmental Resources oversees implementation of the County's Existing Development program. In addition, OC Environmental Resources inspectors are responsible for inspecting industrial and commercial facilities for compliance with the industrial/commercial program.

##### **2. *OC Operations & Maintenance***

(714) 955-0200  
2301 N. Glassell St.  
Orange, CA 92865



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Responsible for the operation and maintenance of flood control facilities. Field crews should receive training to identify industrial and commercial facilities and activities and residential activities that have potential to threaten receiving water quality.

### 3. *OC Development Services*

(714) 667-8888  
300 N. Flower Street  
Santa Ana, CA 92702

Staff oversees community and business development within the County unincorporated areas, including residential community development.

### 4. *OC Development Services/Code Enforcement Services*

(866) 552-8120  
300 N. Flower Street  
Santa Ana, CA 92702

Responsible for County code enforcement and associated regulations for industrial, commercial, and residential facilities in unincorporated areas.

## **Orange County Health Care Agency (HCA)**

### 1. *Environmental Health/Certified Unified Program Agency (CUPA)*

(714) 433-6000  
1241 East Dyer Rd., Suite 120  
Santa Ana, CA 92705

The Environmental Health Division of the Orange County Health Care Agency inspects businesses within the City that generate hazardous waste for compliance with State and Federal regulations. Proper storage and care of hazardous waste is an important component of pollutant source control.

### 2. *Environmental Health/Food Protection Program*

(714) 433-6000  
1241 East Dyer Rd., Suite 120  
Santa Ana, CA 92705

Conducts inspections of all food facilities within the City as described in **DAMP Section 9.3**.

## **Public Agencies**

In addition to the County Departments described above, the County relies on certain public agencies for successful implementation of the industrial program.

### 1. **Orange County Fire Authority/Hazardous Materials Section**

(714) 573-6250  
P.O. Box 57115  
Irvine, CA 92619-7115



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Inspects businesses within the City for compliance with the Uniform Fire Code and responds to 911 calls that may involve industrial and commercial discharges, spills, chemical emergencies, accidents, etc. Refers problems associated with non-stormwater discharges to City for enforcement.

### A-9.1.2 Program Commitments

The major program commitments and the subsections in which they are described in detail include:

- Inspection of industrial and commercial facilities (**A-9.2**)
- Inspection of Food Service Establishments (**A-9.3**)
- Regulation of mobile businesses (**A-9.4**)
- Oversight of residential areas (**A-9.5**)
- Oversight of Common Interest Area/Homeowners Association Activities Program (**A-9.6**)
- Existing development retrofitting (**A-9.7**)
- Training (**A-9.8**)

### A-9.1.3 Regulatory Requirements

The program described in this section was developed pursuant to Section F.3.b of the Fourth Term San Diego Region MS4 Permit (Order No. R9-2009-0002), Sections IX and X of the Fourth Term Santa Ana Region MS4 Permit (Order No. R8-2009-0030), and **DAMP Section 9.2**, where applicable.

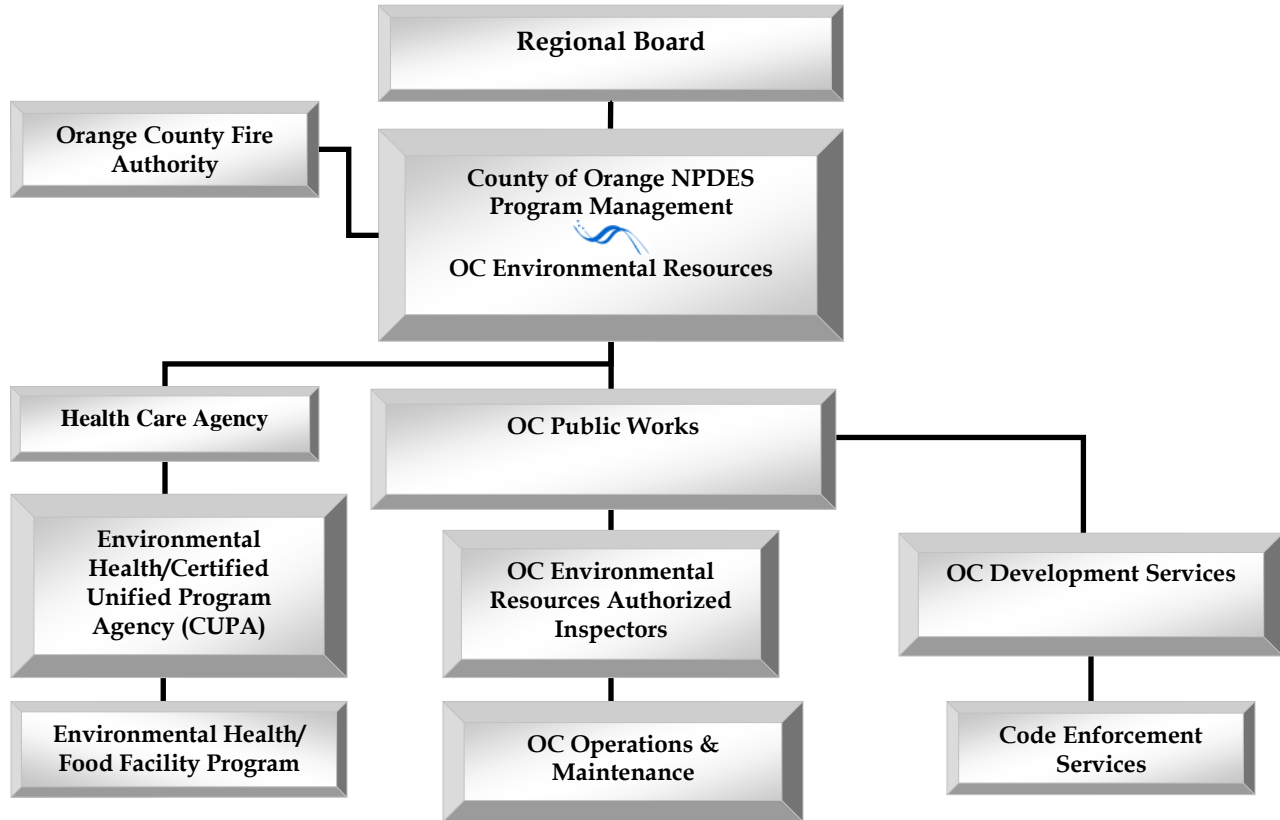
## **A-9.2 INDUSTRIAL/COMMERCIAL PROGRAM**

The County's Industrial/Commercial Program includes specifications for pollution-prevention methods for industrial and commercial areas and activities located within its unincorporated jurisdiction. Specific pollution prevention practices that are generally recognized as being effective and economically advantageous have been developed by the County in conjunction with the other Permittees (see **Section A-9.2.2**). The County, through an inspection program summarized in **Section A-9.2.3**, will verify implementation of pollution-prevention methods by industries and commercial facilities. Inspectors will use a checklist for their inspections, which will also include appropriate pollution-prevention methods.

The County intends to implement the industrial and commercial program through various County agencies/departments that are currently involved in some inspection function. **Figure A-9.1** below illustrates how these different agencies/departments will interact.



Figure A-9.1.  
Industrial and Commercial Program Organization Chart



#### A-9.2.1 Source Identification and Facility Inventory

The County develops and annually updates a watershed-based inventory of all industrial sites within its jurisdiction, regardless of site ownership. The process for conducting the inventory is explained in the **DAMP Section 9.2.1**. The components that comprise the inventory include:

- All industrial facilities located within the County's jurisdiction (unincorporated areas).
- All commercial facilities listed in **Table 9-2** from **DAMP Section 9.2.1** that are located within the County's jurisdiction.
- All commercial facilities listed in **Table 9-3** from **DAMP Section 9.2.1** that are located within the County's jurisdiction.
- Watersheds where each industrial or commercial facility is located
- Identified potential pollutants and activities with the potential to discharge pollutants
- Identified industrial or commercial discharges into, or adjacent to, an Environmentally Sensitive Area (ESA).



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- Identified industrial or commercial discharges into, or adjacent to, an Area of Special Biological Significance (ASBS).
- Identified industrial or commercial discharges into an ESA that include pollutants of concern.

The County's inventory database includes the following information (where available) about each identified industry or commercial facility within its jurisdiction:

- Business Name;
- Physical Address Information;
- Mailing Address Information;
- Business Contact Name
- Emergency Contact
- Lot Size
- SIC Code;
- Industrial-Specific Information
- Commercial-Specific Information
- Watershed;
- GIS Information;
- Local Licensing/Permits
- Potential pollutants
- Proximity to and/or discharge to ESA and/or ASBS
- Pollutants of concern into an ESA
- Comments/Notes.

The current watershed-based inventory of industrial and commercial facilities within the County's jurisdiction is provided in **Exhibit A-9.I**. GIS maps showing the location of industrial and commercial facilities in unincorporated Orange County are also maintained by the County.

### A-9.2.2 Prioritization for Inspection

The County of Orange contains industrial and commercial sites in both the Santa Ana and San Diego regions. Prioritization procedures discussed in this section exclude food facilities and mobile businesses, which are discussed in **Section A-9.3** and **A-9.4**, respectively. The following sections describe how facilities are prioritized in each region.

In the San Diego Region, the County prioritizes industrial and commercial facilities within its inventory as needed based on the findings of the City's inspection program and the following factors:



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1. Type of activity conducted and SIC code;
2. Materials used at the facility;
3. Amount and type of wastes generated;
4. Pollutant discharge potential;
5. Non-stormwater discharges;
6. Size of facility;
7. Proximity to receiving water bodies;
8. Sensitivity of receiving water bodies;
9. Whether the facility is subject to the General Industrial Permit or an individual NPDES permit;
10. Whether the facility has filed a No Exposure Certification/Notice of Non-Applicability;
11. Facility design;
12. Total area of the site, area of the site where industrial or commercial activities occur, and area of the site exposed to rainfall and runoff;
13. The facility's compliance history; and
14. Any other relevant factors

In the Santa Ana Region, the County prioritizes industrial and commercial sites and sources as *high*, *medium*, and *low*, based on their respective threat to water quality and the procedures set forth in **DAMP Section 9.2.2.2**. A classification of High Priority indicates that the facility contains a site or sources with a high potential threat to the water quality. Permit requirements classify some industries as mandatory High Priority facilities. For industries that were not pre-classified, the prioritization process, which is consistent with permit requirements as outlined in **DAMP Section 9.2.2.2**, consisted of assigning a score to each facility based on the following factors:

- Type of Activity
- Material Used
- Waste Generated
- Pollutant Discharge Potential
- Non-Stormwater Discharges
- Size of Facility
- Proximity to an Environmentally Sensitive Water Body

Industries that received a score of greater than or equal to 25 were ranked as High Priority, those with a score below 25 and greater than 15 were ranked as Medium Priority, and those with a score less than or equal to 15 were ranked as low priority.



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### A-9.2.3 BMP Implementation

In conjunction with the other Permittees, the County has designated a minimum set of activity-specific BMPs for industrial and commercial facilities as set forth in **DAMP Section 9.2.3**. The County has designated the BMPs shown in **Table A-9.1** (Industrial Activity BMPs) and **Table A-9.2** (Commercial BMPs) below that are appropriate to prevent or mitigate pollution generated from the specific activities at each site. Certain industrial and commercial facilities may have multiple on-site activities, which will require the implementation of relevant BMPs for each corresponding activity type. The corresponding fact sheets are presented in **Exhibit A-9.II**.

**Table A-9.1**  
**Industrial Activity BMPs**

<b>BMP Fact Sheet</b>	<b>Activity</b>
IC1.	AIRPLANE MAINTENANCE AND REPAIR
IC2.	ANIMAL HANDLING AREAS
IC3.	BUILDING MAINTENANCE
IC4.	CARPET CLEANING
IC5.	CONCRETE AND ASPHALT PRODUCTION, APPLICATION, AND CUTTING
IC6.	CONTAMINATED OR ERODIBLE SURFACES AREAS
IC7.	LANDSCAPE MAINTENANCE
IC8.	NURSERIES AND GREENHOUSES
IC9.	OUTDOOR DRAINAGE FROM INDOOR AREAS
IC10.	OUTDOOR LOADING/UNLOADING OF MATERIALS
IC11.	OUTDOOR PROCESS EQUIPMENT OPERATIONS AND MAINTENANCE
IC12.	OUTDOOR STORAGE OF RAW MATERIALS, PRODUCTS, AND CONTAINERS
IC13.	OVER WATER ACTIVITIES
IC14.	PAINTING, FINISHING, AND COATINGS OF VEHICLES, BOATS, BUILDINGS, AND EQUIPMENT
IC15.	PARKING AND STORAGE AREA MAINTENANCE





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IC16.	POOL AND FOUNTAIN CLEANING
IC17.	SPILL PREVENTION AND CLEANUP
IC18.	VEHICLE AND EQUIPMENT FUELING
IC19.	VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR
IC20.	VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING
IC21.	WASTE HANDLING AND DISPOSAL
IC22.	EATING AND DRINKING ESTABLISHMENTS
IC23.	FIRE SPRINKLER TESTING/MAINTENANCE
IC24.	MOBILE WASTEWATER DISPOSAL

**Table A-9. 2  
Commercial BMPs**

<b>Activities/Sources</b>	<b>BMP Fact Sheets</b>
Transport, storage or transfer of pre-production plastic pellets	IC9. OUTDOOR DRAINAGE FROM INDOOR AREAS IC10. OUTDOOR LOADING/UNLOADING OF MATERIALS IC11. OUTDOOR PROCESS EQUIPMENT OPERATIONS AND MAINTENANCE IC12. OUTDOOR STORAGE OF RAW MATERIALS, PRODUCTS, AND CONTAINERS
Automobile mechanical repair, maintenance, fueling, or cleaning	IC18. VEHICLE AND EQUIPMENT FUELING IC19. VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING
Airplane mechanical repair, maintenance, fueling, or cleaning	IC1. AIRPLANE MAINTENANCE AND REPAIR IC18. VEHICLE AND EQUIPMENT FUELING IC19. VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR



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Activities/Sources	BMP Fact Sheets
	IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING
Boat mechanical repair, maintenance, fueling, or cleaning	IC13. OVER WATER ACTIVITIES IC18. VEHICLE AND EQUIPMENT FUELING IC19. VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING
Equipment repair, maintenance, fueling, or cleaning	IC18. VEHICLE AND EQUIPMENT FUELING IC19. VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING
Automobile (or other vehicle) body repair or painting	IC14. PAINTING, FINISHING, AND COATINGS OF VEHICLES, BOATS, BUILDINGS, AND EQUIPMENT IC19. VEHICLE AND EQUIPMENT MAINTENANCE AND REPAIR
Mobile automobile or other vehicle washing	IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING IC24. MOBILE WASTEWATER DISPOSAL
Automobile (or other vehicle) parking lots and storage facilities	IC15. PARKING AND STORAGE AREA MAINTENANCE
Retail or wholesale fueling	IC18. VEHICLE AND EQUIPMENT FUELING
Pest control services and service facilities	IC7. LANDSCAPE MAINTENANCE IC21. WASTE HANDLING AND DISPOSAL
Eating or drinking establishments, including food markets and restaurants	IC22. EATING AND DRINKING ESTABLISHMENTS
Mobile carpet, drape or furniture cleaning	IC4. CARPET CLEANING IC24. MOBILE WASTEWATER DISPOSAL
Cement mixing or cutting	IC5. CONCRETE AND ASPHALT PRODUCTION, APPLICATION, AND CUTTING
Mobile high pressure or steam cleaning	IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING IC24. MOBILE WASTEWATER DISPOSAL



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Activities/Sources	BMP Fact Sheets
Masonry	IC5. CONCRETE AND ASPHALT PRODUCTION, APPLICATION, AND CUTTING
Painting and coating	IC14. PAINTING, FINISHING, AND COATINGS OF VEHICLES, BOATS, BUILDINGS, AND EQUIPMENT
Botanical or zoological gardens and exhibits	IC2. ANIMAL HANDLING AREAS IC7. LANDSCAPE MAINTENANCE IC8. NURSERIES AND GREENHOUSES
Landscaping (and hardscape installations)	IC7. LANDSCAPE MAINTENANCE
Nurseries and greenhouses	IC8. NURSERIES AND GREENHOUSES
Golf courses, parks and other recreational areas/facilities	IC6. CONTAMINATED OR ERODIBLE SURFACES AREAS IC7. LANDSCAPE MAINTENANCE
Cemeteries	IC7. LANDSCAPE MAINTENANCE
Pool and fountain cleaning	IC16. POOL AND FOUNTAIN CLEANING
Marinas	IC13. OVER WATER ACTIVITIES
Portable sanitary service facilities	IC21. WASTE HANDLING AND DISPOSAL
Building material retailers and storage	IC3. BUILDING MAINTENANCE IC5. CONCRETE AND ASPHALT PRODUCTION, APPLICATION, AND CUTTING IC6. CONTAMINATED OR ERODIBLE SURFACES AREAS IC10. OUTDOOR LOADING/UNLOADING OF MATERIALS IC12. OUTDOOR STORAGE OF RAW MATERIALS, PRODUCTS, AND CONTAINERS
Animal Facilities (includes animal facilities such as petting zoos and boarding and training facilities)	IC2. ANIMAL HANDLING AREAS IC7. LANDSCAPE MAINTENANCE
Mobile pet services	IC2. ANIMAL HANDLING AREAS IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING IC24. MOBILE WASTEWATER DISPOSAL
Power washing services	IC20. VEHICLE AND EQUIPMENT WASHING AND STEAM CLEANING IC24. MOBILE WASTEWATER DISPOSAL



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The County encourages the implementation of the designated BMPs at each industrial and commercial facility based on site-specific conditions in order to limit that facility's impact upon receiving water quality. If particular BMPs are infeasible at any specific site, other equivalent BMPs will be implemented.

### **Additional Controls**

Within the San Diego Region, additional BMPs may be required if an industrial or commercial facility is:

- Tributary to a 303(d) impaired water body (where the facility generates the pollutant for which the water body is impaired); or
- Within, directly adjacent to or discharging directly to an ESA.

If a facility falls within this category, then a site assessment should be conducted in order to determine if the existing BMPs are effective and/or if additional BMPs should be implemented in order to prevent pollutants from being discharged from the facility. If the facility is subject to the Statewide General Industrial Permit then the Stormwater Pollution Prevention Plan (SWPPP) can be referenced since this type of assessment should have already been completed.

The site assessment will assist the facility owner/operator in determining which activities and/or locations within the facility may contribute the particular pollutant(s) of concern as well as identifying which BMPs may be most appropriate in preventing the pollutant(s) from being discharged from the facility.

The site assessment may include the following activities:

- Identification of the types of materials and wastes that are used and generated on site;
- Identification of the facility activities, potential pollutant source(s) and potential pollutants that could be discharged;
- Identification of any potential non-stormwater discharges; and
- If applicable, an evaluation of the water quality monitoring data to determine the relative effectiveness of the BMPs that are already implemented. Water quality data will only typically be available for high threat industrial facilities.

The site assessment and BMP fact sheets will be used to identify the BMPs that are already implemented at the facility, those BMPs that should be revised/enhanced and/or additional BMPs that should be implemented. This may include both structural and non-structural BMPs depending upon the types of BMPs that are already implemented and their relative effectiveness. Since the selection of the appropriate BMPs is a site-specific process, the types and numbers of BMPs will vary for each facility.



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### A-9.2.4 Inspection, Monitoring, and Enforcement

#### *A-9.2.4.1 Inspection*

Inspection frequencies vary between the Santa Ana and San Diego regions. In the San Diego Region, the County annually inspects at least 20 percent of the industrial and commercial sites inventoried as described in **Section A-9.2.1** (excluding food facilities, which are addressed by **Section A-9.3**, and mobile businesses, which are addressed by **Section A-9.4**). Other inspection frequencies are based on the factors described in **Section A-9.2.2**. A summary of required inspection frequencies is shown in **Table A-9.3** for both industrial and commercial facilities.

In addition, the County investigates all complaints of illegal discharges from industrial facilities made by the public, or by another agency, or those violations arising from the results or dry-weather field screening, or through an analytical monitoring program. In the event that a site is found to be non-compliant, inspection frequency is increased to, at a minimum, once per month. Once a facility has been brought into compliance, an inspection frequency of once every four months is maintained for the next calendar year following the date at which the facility is deemed to be in compliance.

In the Santa Ana Region, inspection frequencies for industrial facilities are based on permit requirements and the priority ranking assigned to each facility as described in **Section A-9.2.2**. A summary of required inspection frequencies based on priority ranking is shown in **Table A-9.3** for both industrial and commercial facilities. In addition to the inspection frequencies described, the County investigates all complaints of illegal discharges from industrial facilities made by the public, or by another agency, or those violations arising from the results or dry-weather field screening, or through an analytical monitoring program. In the event that a site is found to be non-compliant, inspection frequency will be increased to, at a minimum, once per month. Once a facility has been brought into compliance, an inspection frequency of once every four months will be maintained for the next calendar year following the date at which the facility is deemed to be in compliance.

**Table A-9.3**  
**Inspection Schedules Based on Priority Ranking**  
**Industrial Facility Inspection Frequency**

<b>Priority</b>	<b>Santa Ana Region</b>	<b>San Diego Region</b>
<b>High</b>	Annually	Annually
<b>Medium</b>	Biennially (Once every 2 years)	As-needed
<b>Low</b>	Once Per Permit Cycle (5 years)	As-needed



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Commercial Facility Inspection Frequency

Priority	Santa Ana Region	San Diego Region
High	Annually - Minimum of 10%*	No Prioritization Required: A minimum of 20% of the Combined Commercial/Industrial Inventory* must be inspected annually.
Medium	Biennially - Minimum of 20%* (Once every 2 years)	
Low	Once Per Permit Cycle (Once every 5 years)	

\* Eating or drinking establishments are not included in calculating these inventory and percent completion totals.

The County inspects industrial facilities to determine if they are in compliance with County ordinances, to review BMP implementation, to assess BMP effectiveness and to verify inventory information used for facility prioritization. Such inspections include review of:

- Material and waste handling and storage practices,
- Pollution control BMP implementation and maintenance, and
- Evidence of past or present unauthorized, non-storm water discharges.

The inspection form provided in **Exhibit A-9.III** will be used and provides a series of questions about specific activities taking place at a facility, as well as a list of suggested corrective actions that can be implemented should a problem be found.

In general the County will conduct one of two types of inspections:

▪ **Compliance Inspections**

Initial compliance inspections will be announced so that the inspector can meet with responsible facility official(s) (e.g., owner, superintendent, compliance manager, engineering consultant, etc.) in order to provide more efficient communication of the storm water requirements and inspection goals. The inspection will focus on current facility operations and activities, BMPs currently in use, and the effectiveness of those BMPs. This inspection will also focus on verifying inventory spreadsheet information and, whenever possible, provide outreach education to facility staff. All re-occurring compliance inspections will cover the same information as an initial compliance inspection, but will typically be unannounced in order to verify compliance and that BMPs are being effectively implemented. Unannounced inspections will be subject to consent to inspect being granted by the industrial or commercial facility.

▪ **Follow-up Inspections**

For those facilities deemed to be non-compliant, the Permittee will perform compliance inspections once a month until said facilities are shown to be compliant, and then once every four months for a full calendar year after the facility achieves compliance. Generally, these inspection will be similar to Advisory Inspection except that a) they will



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focus primarily on areas where a facility was deemed to be non-compliant and b) the inspections may be announced or unannounced, depending on which course of action the County deems will be most conducive to continued facility compliance. As with compliance inspections, unannounced inspections will be subject to consent to inspect being granted by the industrial or commercial facility.

Should an inspected site demonstrate non-compliance, the County will coordinate the notification of appropriate agencies. An incident or practice of non-compliance that requires a hazardous materials emergency response will be considered a threat to human or environmental health and will be reported to the RWQCB and to appropriate hazardous waste management agencies. The County will provide oral notification to the RWQCB within 24 hours of the discovery of a non-compliant site meeting the criteria listed below. This will also be followed by written notification within 5 days of the discovery.

Criteria to be used to determine whether an event of non-compliance poses a threat to human or environmental health include the following:

- The event poses a significant or imminent threat to the quality of surface or ground waters and/or their beneficial uses.
- The event results in a spill or discharge of hazardous materials in excess of reportable quantities (as listed in 40 CFR Part 117 or 302).
- The event results in a spill or discharge of hazardous materials requiring a hazardous materials emergency response (see **DAMP Section 10**).

### *A-9.2.4.2 Monitoring*

The General Industrial Permit requires high threat to water quality industrial sites to conduct individual or group stormwater monitoring within the San Diego Region. High priority industrial facilities within the County's unincorporated San Diego Region jurisdiction are included in the inventory database contained in **Exhibit A-9.I**.

As part of the County's standard industrial/commercial inspection procedures, authorized inspectors will ask for copies of available facility monitoring data if the site monitors its runoff. County inspectors will review the facility monitoring data to evaluate the need for additional BMPs to prevent stormwater pollution. As with other types of deficiencies, if the facility monitoring data suggests potential violations, the County will notify the San Diego Regional Board staff in accordance with San Diego Region permit requirements.

### *A-9.2.4.3 Enforcement*

County inspectors with enforcement authority will issue enforcement actions to industrial and commercial facility owners and operators determined to be out of compliance as detailed in **DAMP Section 9.2.4**. The inspectors will document each observed violation. Depending on the severity of the violation, enforcement actions can range from a verbal warning to civil or criminal court actions with monetary fines.



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If a County inspector observes a significant and/or immediate threat to water quality, action will be taken to require the facility owner and/or operator to immediately cease the discharge.

The enforcement mechanisms available to inspectors, as detailed in **DAMP Section 9.2.4**, are as follows (in increasing order of severity):

- Notice of Non-compliance
- Administrative compliance orders
- Infractions and misdemeanors

While these enforcement measures typically escalate in severity, they are not required to be issued in the exact order listed above. County inspectors will apply or recommend any of the enforcement steps as appropriate based on the enforcement consistency guide (included as an **Exhibit 4.I of DAMP Section 4**). The County will ensure that violations of a similar nature are subjected to similar types of enforcement remedies. More severe enforcement options may be selected when a violator has either a history of noncompliance, or has failed to take good faith actions to eliminate continuing violations, or to meet a previously imposed compliance schedule.

These enforcement forms and mechanisms are also utilized for the Illegal Discharges/Illicit Connections program, which is discussed in **Section A-10** of the LIP.

### A-9.2.5 Outreach and Education

The outreach strategy for reaching industrial and commercial businesses includes efforts such as providing stormwater information on the County's webpage, conducting mass mailings, holding regional workshops, and development and distribution of brochures, posters, fact sheets, etc. The outreach component of **DAMP Section 6.0** goes into specific detail on requirements for the approach of outreach efforts, and the materials that have currently been developed are included in **DAMP Appendix B, Section B-6**.

### **A-9.3 FOOD SERVICE FACILITIES INSPECTION PROGRAM**

The program described in this section was developed pursuant to Section F.3.b(3)(d) of the San Diego Order, Section X.9 of the Santa Ana Order, and **DAMP Section 9.3**.

On behalf of the Permittees, the Orange County Health Care Agency (OCHCA) conducts the annual water quality inspection on all food service facilities, per the Food Facility Inspection Program described in **DAMP Section 9.3**. Water quality issues are documented and included in the OCHCA's monthly reports. The County is responsible for conducting follow-up investigation on food facilities in unincorporated areas with water quality issues to confirm the implementation of BMPs for pollution prevention and to address the following activities:

1. Trash storage and disposal;





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2. Grease storage and disposal;
3. Maintenance of trash collection area and grease interceptors;
4. Proper discharge of wash water (e.g., from floor mats, driveways, sidewalks, etc.);
5. Identification of outdoor sewer and MS4 connections; and
6. Education of property managers when grease and/or trash facilities are shared by multiple facilities.

Follow up investigation to observed deficiencies may include facility inspection, correspondence with the responsible site manager on proper BMPs, enforcement, or some combination of these approaches to achieve compliance. For example, the County has transitioned to a standard "Records" enforcement letter when a lack of grease interceptor maintenance records is the only issue identified at a restaurant. The County has found that this enforcement action has resulted in better upkeep of maintenance records, which translates to less potential for the grease interceptors to become a source of pollutants.

### **A-9.4 MOBILE BUSINESS PROGRAM**

The program described in this section was developed pursuant to Section F.3.b(3)(a) of the San Diego Order, Section X.8 of the Santa Ana Order, and DAMP Section 9.4.

The mobile surface cleaner businesses addressed in this program are those which provide one or more of the following services:

1. Cleaning (e.g., power sweeping, washing) driveways and parking lots;
2. Cleaning building exteriors (except sand blasting, window cleaning);
3. Driveway cleaning (e.g., power sweeping, washing) services;
4. Parking lot cleaning (e.g., power sweeping, washing); services;
5. Power washing building exteriors;
6. Pressure washing (e.g. buildings, decks, fences); and
7. Steam cleaning building exteriors

An Implementation Strategy was developed to identify the framework for the mobile business pilot program and is maintained by the County.

#### A-9.4.1 Mobile Business Inventory

The County updates as needed the list of mobile surface cleaner businesses that report their business address as being within unincorporated County areas per the inventory protocol described in **DAMP Section 9.4**.



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### A-9.4.2 BMP Implementation

The County has designated a minimum set of activity-specific BMPs for mobile surface cleaner businesses, per **DAMP Section 9.4.2**. These BMPs are presented in the form of a Surface Cleaner BMP Fact Sheet, which is maintained by the County.

### A-9.4.3 Inspections/Self-certifications

On a biennial basis, the County will ensure that each known mobile surface cleaner business whose headquarters is listed within the County's jurisdiction achieves one of the following end points:

1. Successful completion of an online training program; or
2. Completion of a self-certification form; or
3. Inspection conducted by the Permittee

### A-9.4.4 Enforcement

County inspectors with enforcement authority will issue enforcement actions to mobile business owners and operators determined to be out of compliance as detailed in **DAMP Section 9.2.4**. The inspectors will document each observed violation. Depending on the severity of the violation, enforcement actions can range from a verbal warning to civil or criminal court actions with monetary fines.

If a County inspector observes a significant and/or immediate threat to water quality, action will be taken to require the mobile business owner and/or operator to immediately cease the discharge.

The enforcement mechanisms available to inspectors, as detailed in **DAMP Section 9.2.4**, are as follows (in increasing order of severity):

- Notice of Non-compliance
- Administrative compliance orders
- Infractions and misdemeanors

While these measures typically escalate in enforcement action, they are not required to be issued in the exact order presented here. County inspectors will apply or recommend any of the enforcement steps as appropriate based on the enforcement consistency guide (included as **DAMP Exhibit 4.I**). The County will ensure that violations of a similar nature are subjected to similar types of enforcement remedies. More severe enforcement options may be selected when a violator has either a history of noncompliance, or has failed to take good faith actions to eliminate continuing violations, or to meet a previously imposed compliance schedule.

These enforcement forms and mechanisms are also utilized for the Illegal Discharges/Illicit Connections program, which is discussed in **Section A-10** of the LIP.



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### A-9.5 RESIDENTIAL PROGRAM

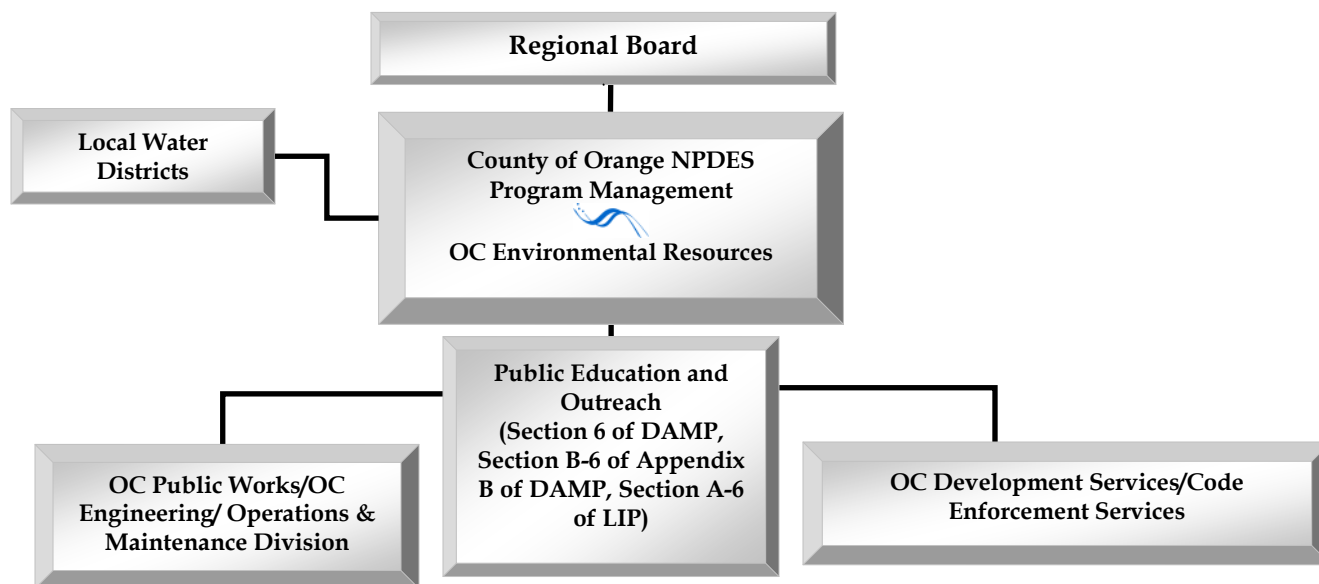
The program described in this section was developed pursuant to Section F.3.c. of the San Diego Order, Section XI of the Santa Ana Order, and **DAMP Section 9.5**.

#### A-9.5.1 Program Overview

The County's Residential Program includes specifications for pollution-prevention methods for residential areas and activities located within the unincorporated areas. Specific pollution prevention practices that are generally recognized as being effective and economically advantageous are provided in the activity fact sheets presented in **Exhibit A-9.II** for each residential activity with high potential to impact water quality. The County will use the implementation strategies discussed in **Section A-9.5.4** to encourage pollution prevention.

The County intends to implement the residential program as illustrated in **Figure A-9.3** below.

**Figure A-9.2**  
**Residential Program Organization Chart**



#### A-9.5.2 Source Identification and Inventory

The County has identified the following potential areas and activities that pose a high threat to water quality by following the procedure outlined in **DAMP Section 9.5.2**.

- Residential automobile repair, maintenance, washing, and parking;
- Home and garden care activities and product use (including the use and disposal of pesticides, herbicides, and fertilizers);



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- Collection and disposal of trash, pet waste, green waste, and household hazardous waste (e.g., paints, household cleaning products);
- Any other residential source that the County determines may contribute a significant pollutant load to the MS4;
- Any residential areas tributary to a CWA section 303(d) impaired water body, where the residence generates pollutants for which the water body is impaired; and
- Any residential areas within or directly adjacent to or discharging directly to a coastal lagoon, the ocean, or other receiving waters within an environmentally sensitive area.

These residential activities are assumed to occur with equal likelihood in all residential areas within the County’s jurisdiction. The implementation of the residential program is designed to address these activities on a countywide basis.

The County has developed and will update annually as appropriate, a watershed-based GIS map of residential land use areas within the unincorporated County. Specific layers of the map include residential land use areas, watersheds, drainage facilities, and environmental sensitive areas (ESAs) including 303(d) listed water bodies. Based on an analysis of the County’s unincorporated areas, residential activities of concern have been identified potentially impacting the water bodies presented in **Table A-9.4** below.

**Table A-9.4**  
**Environmentally Sensitive Areas and Residential Activities**  
**Potentially Contributing to Impacts**

ESA Water Body	303(d) listed	Region	Pollutants of Concern	Residential Activities of Concern
<i>Aliso Creek</i>	<i>Yes</i>	<i>San Diego</i>	<i>Bacterial Indicators</i>	<i>Home and Garden Activities</i>
<i>Silverado Creek</i>	<i>Yes</i>	<i>Santa Ana</i>	<i>Pathogens</i> <i>TDS/Salinity/</i> <i>Chlorides</i>	<i>Disposal of Pet Waste</i> <i>Disposal of Green Wastes</i> <i>Equestrian Activities</i>

A-9.5.3 BMP Requirements

The County, in conjunction with the other Permittees, has designated a minimum set of activity-specific BMPs for residential activities, as set forth in **DAMP Section 9.5**. The County has designated the BMPs shown in **Table A-9.5** below that are appropriate to prevent or mitigate pollution generated from the specific activities typical of residences within its jurisdiction. The corresponding BMP fact sheets are included as **Exhibit A-9.II**. The County will facilitate the implementation of the designated BMPs in each residential area to limit the potential impact of the residential activities on receiving water quality.



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**Table A-9.5  
Designated Residential Activities BMPs**

ACTIVITY	BMP Fact Sheet
Automobile Repair and Maintenance	<u>R-1</u>
Automobile Washing	<u>R-2</u>
Automobile Parking	<u>R-3</u>
Home and Garden Care Activities	<u>R-4</u>
Disposal of Pet Wastes	<u>R-5</u>
Disposal of Green Wastes	<u>R-6</u>
Household Hazardous Waste BMPs	<u>R-7</u>
Water Conservation	<u>R-8</u>
Equestrian Activities	<u>Equestrian-Related Water Quality BMPs</u>

### A-9.5.4 Program Implementation

The implementation of the residential program will rely on education and outreach to notify and urge residents to observe the designated sets of BMPs for each of the high threat activities. The County will encourage the implementation of the designated BMPs for each residence within its jurisdiction by conducting the following as appropriate:

- *Training County Personnel* who have regular contact with residential areas (e.g. park maintenance personnel, street sweepers, code enforcement officers, etc.) to serve as informal inspectors performing field reviews.
- *Responding to County Hotline Calls* (1-877-89-SPILL) by activating trained field review response personnel. The hotline is monitored 24 hours per day, 365 days per year by Authorized Inspector staff.
- *Updating the County's Website* ([www.ocwatersheds.com](http://www.ocwatersheds.com)) by providing the BMP fact sheets and information on residential stormwater pollution prevention. Website reports are monitored 24 hours per day, 365 days per year by Authorized Inspector staff.
- *Conducting Annual Mailings* which include the BMP fact sheets as well as information on household hazardous waste collection sites, and dates and times of operation. Included in mailings will be the County's contact information, the County hotline number 1-877-89-SPILL, and a statement to call 911 in an emergency situation. Each mailing will be posted on the County's website.
- *Public Service Announcements* reminding residents that the storm drain system conveys untreated water to the ocean using the established theme, "The Ocean



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begins at your front door.” Announcements shall also include reminders that the County hotline number is a 24-hour service year round.

### A-9.5.5 Enforcement

Enforcement actions may be initiated by the County as a response to hotline reports and complaints, or by observations by County representatives. All enforcement actions will be documented and recorded for subsequent inclusion in the County’s annual progress report. The enforcement mechanisms available to field reviewers, as detailed in **DAMP Section 10** and the Water Quality Ordinance are as follows (in increasing order of severity):

- Notice of Non-compliance;
- Administrative Compliance Order;
- Infractions and Misdemeanors.

While these measures typically escalate in enforcement action, they need not be issued in the exact order presented here. County officials will apply or recommend any of the enforcement steps as appropriate based on the enforcement consistency guide, **DAMP Section 4, Exhibit 4.I**. The County will ensure that violations of a similar nature are subjected to similar types of enforcement remedies.

## **A-9.6 COMMON INTEREST AREAS/HOMEOWNERS ASSOCIATION ACTIVITIES PROGRAM**

The common interest area and homeowners association (CIA/HOA) program described in this section was developed pursuant to Section F.6 of the San Diego Order, Section XI.4 of the Santa Ana Order, and **DAMP Section 9.6**.

### A-9.6.1 Program Overview

The County’s Common Interest Area (CIA) / Homeowner Association Area (HOA) Activities Program includes specifications for pollution-prevention methods for CIA/HOA areas and activities located within the County. Specific pollution prevention practices that are recognized for each CIA/HOA activity with high potential to pose a threat to water quality, as being effective and economically advantageous, are provided in the activity fact sheets presented in **Exhibit A-9.II**. The County will use the implementation strategies discussed in **Section A-9.6.5** to encourage pollution prevention.

### A-9.6.2 Current Practices and Activities of Concern

**DAMP Section 9.6.2.2** lists high priority activities that commonly occur in CIA/HOA areas, and describes the potential pollutants generated by these activities. **Table A-9.6**, presented below, illustrates the relationship of these activities and the potential pollutants they generate.



**Table A-9.6  
Potential Pollutants from CIA/HOA Activities**

Activity	Potential Pollutants									
	Sediments	Nutrients <sup>a</sup>	Pathogens/ Coliform <sup>b</sup>	Foaming Agents	Metals	Hydrocarbons	Hazardous Materials <sup>c</sup>	Pesticides and herbicides	Other <sup>d</sup>	
Sidewalk, plaza and fountain cleaning	X	X	X	X			X			
Landscape maintenance	X	X	X				X	X		
Home and garden care	X	X	X	X	X		X	X	X	
Pet waste	X	X	X							
Garden waste	X	X	X				X	X		
Automobile parking	X				X	X	X			
Community center O&M	X	X	X						X	
Recreation area O&M	X	X	X					X		
Maintenance yard operation	X	X	X	X	X	X	X	X	X	

<sup>a</sup>Nitrogen and Phosphorous compounds.

<sup>b</sup>Including fecal and total coliform, E. coli, etc.

<sup>c</sup>Including chlorinated hydrocarbons, paint, etc.

<sup>d</sup>Including bleach, etc.

A-9.6.3 Prioritization of Locations

As part of its residential program, the County will attempt to develop a watershed-based map of residential areas. Specific layers to the map may include:

- Residential land use areas
- Watershed(s) within municipality boundaries
- Drainage facilities
- Environmentally sensitive areas (ESAs), including 303(d) water bodies

The process for conducting the mapping effort is detailed in **DAMP Section 9.6.3.1**. A residential area which includes CIA/HOA areas, will be prioritized based on whether it is:

- Directly tributary to 303(d) listed water bodies, where pollutant causing impairment is present in discharge (i.e., flows from the CIA/HOA discharge directly to 303(d) listed water bodies)
- Discharging to environmentally sensitive areas (ESAs)



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- Found to be contributing significant pollutant loads to the storm drain system, through analysis of monitoring data
- Determined to be responsible for maintenance of streets and storm drains within the CIA/HOA

A-9.6.4 BMP Implementation

The County has designated a minimum set of activity-specific BMPs for CIA/HOA areas listed in **Table A-9.7** and **Table A-9.8**, and these are presented in the fact sheets included in **Exhibit A-9.II**. Each CIA/HOA area is expected to implement those BMPs that are associated with the activities being conducted. If the desired result is not being achieved, the BMPs will be assessed and modified or, if necessary, changed.

**Table A-9.7  
BMPs for CIAs/HOAs with Publicly-Owned and  
Maintained Streets and Stormdrains**

ACTIVITY	BMP	Fact Sheet <sup>1</sup>
Parking vehicles on residential streets, in driveways, or in common area parking lots	Automobile parking BMPs	R-3
Washing vehicles in residential driveways or street	Automobile washing BMPs	R-2
Disposal of household hazardous wastes such as paint, bleach, etc.	Household Hazardous waste BMPs	R-7
Cleaning of CIA/HOA sidewalks, plaza, and entry monuments and fountains	Sidewalk, plaza, and entry monument and fountain maintenance BMPs	FP-4
Landscape maintenance including irrigation and fertilization	Landscape maintenance BMPs	FP-2 IC-7
Operation and maintenance of community pools	Pool cleaning BMPs	IC-16
Operations and maintenance of recreation areas such as stables, golf courses, and parks	Disposal of Pet Waste BMPs Landscape Maintenance BMPs Disposal of Green Waste BMPs	R-5 FP-2 R-6
<b>Maintenance Yard BMPs</b>		
Activity	BMP	Fact Sheet
Vehicle maintenance and repair	Equipment maintenance and repair BMPs	FF-3





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Vehicle fueling	Vehicle fueling BMPs	FF-4
Storage of vehicles and equipment	Vehicle and equipment storage BMPs	FF-12
Cleaning of vehicles and equipment	Vehicle and equipment cleaning BMPs	FF-11
Storage, handling, and disposal of various materials such as cleaners	Material storage, handling, and disposal BMPs	FF-13
Loading and unloading of materials	Material loading and unloading BMPs	FF-6

<sup>1</sup> Fact sheets labeled with a DF, FF, or FP are included in Section 5.0 of this LIP.

**Table A-9.8**

**BMPs for CIAs/HOAs with Privately-Owned and Maintained Streets and Storm Drains**

Includes all the BMPs listed for Publicly-owned CIAs/HOAs from **DAMP Table 9-11** plus the following:

ACTIVITY	BMP	Fact Sheet <sup>1</sup>
Street sweeping	Street sweeping BMPs	FP-3
Trash collection, recycling, and disposal	Solid waste handling BMPs	FF-13
Inspection and cleaning of storm drains	Drainage system operation and maintenance BMPs	DF-1
Operation and maintenance of water and sewer lined (not controlled by utility company)	Water and sewer utility operation and maintenance BMPs	FP-6

<sup>1</sup> Fact sheets labeled with a DF, FF, or FP are included in Section 5.0 of this LIP.

A-9.6.5 Implementation Strategy

The County’s plan for implementing the CIA/HOA Program follows the process outlined in **DAMP Section 9.6.5.2**. The County’s implementation plan includes education and outreach as described both in that section and in **DAMP Section 6.0**.

The County began outreach efforts to HOAs within its jurisdiction in March of 2003. Through a partnership with Santa Margarita Water District and other local water districts the goal is to combine pollution prevention education with a water conservation message.

Implementation efforts will vary depending on whether high priority activities occur within a CIA/HOA area, or if the area is located within an area selected for enhanced implementation as part of the residential program.



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### A-9.6.6 Enforcement

Enforcement mechanisms available to the County, as detailed in **DAMP Section 10.0** and the Water Quality Ordinance, are as follows (in increasing order of severity):

- Notice of Non-compliance (verbal and/or written warnings, to individual resident or CIA/HOA Board)
- Administrative Compliance Order (written notice to CIA/HOA Board)
- Civil or Criminal Enforcement (includes fines and assessments levied on CIA/HOA Board and/or individual resident)

While these measures typically escalate in enforcement action, they need not be issued in the exact order presented here. County officials will apply or recommend any of the enforcement steps as appropriate based on the enforcement consistency guide (see **DAMP Sections 4.0 and 10.0**). The County will ensure that violations of a similar nature are subjected to similar types of enforcement remedies.

### **A-9.7 RETROFITTING EXISTING DEVELOPMENT PROGRAM**

The retrofitting existing development program described in this section was developed pursuant to Section F.3.d of the San Diego Order and **DAMP Section 9.8**. This program will be developed and implemented in the San Diego Region for the Fourth Term Permit cycle.

The goals of the existing development retrofitting program are to reduce impacts from hydromodification, promote low impact development, support habitat restoration, reduce the discharges of stormwater pollutants from existing development, and to protect applicable water standards. Where applicable, this program may be included with County flood control enhancements and other related infrastructure improvement projects.

#### A-9.7.1 Source Identification

The County will identify and inventory existing developments within its jurisdiction as candidates for retrofitting through this program, including municipal, industrial, commercial, and residential sites. Potential retrofitting candidates include, but may not be limited to, the following:

- Development that contributes pollutants of concern to a TMDL or ESA;
- Receiving waters channelized or otherwise hardened;
- Development tributary to receiving waters that are channelized or otherwise hardened;
- Developments tributary to receiving water that are significantly eroded;
- Developments tributary to an ASBS or SWQPA; and
- Development that causes hydraulic constriction.



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### A-9.7.2 Prioritization of Retrofitting Projects

As part of this program development, the County will evaluate and rank the inventoried existing development in its jurisdiction to prioritize retrofitting opportunities. Retrofit criteria that will be utilized for this evaluation will include, but not be limited to, the following:

- Feasibility
- Cost effectiveness;
- Pollutant removal effectiveness;
- Impervious area potentially treated;
- Maintenance requirements;
- Landowner cooperation;
- Neighborhood cooperation;
- Aesthetic qualities; and
- Efficacy at addressing concern.

The County will use the evaluation results to develop retrofitting project work plans within its jurisdiction. Highly feasible projects expected to benefit water quality will be given a higher priority for implementing source and treatment control BMPs. Where feasible, these retrofitting projects will be developed in accordance with applicable Standard Stormwater Mitigation Plan and hydromodification requirements as specified in the San Diego Region permit.

Where applicable, the County will cooperate and encourage private landowners to conduct beneficial retrofitting projects. The County may consider using the following techniques to facilitate these types of private retrofit projects:

- Demonstration retrofit projects;
- Retrofits on public land and easements;
- Education and outreach;
- Subsidies for retrofit projects;
- Requiring retrofit projects as mitigation or ordinance compliance;
- Public/private partnerships; and
- Other related strategies.

Upon completion of these projects, the County will track and inspect applicable BMPs in accordance with the post construction BMP portions of the permit. The County will incorporate the retrofit data with its post construction BMP data in the GIS database system recently implemented in 2010.



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### A-9.7.3 Regional BMP Retrofit Projects

The use of localized, on-site retrofit BMPs may not always be the most advantageous approach when evaluating a potential high priority retrofit project for existing development. For example, the suitability of infiltration-dependent, bio-filtration, or retention/detention BMPs may depend on several critical factors, including soil type, soil classes, depth to groundwater, landslide risk, and/or other geotechnical factors. If infiltration conditions are found to be most likely ineffective, alternative approaches to improve existing development can be implemented. Therefore, the San Diego Region permit allows for flexibility in selecting a regional watershed improvement project when on-site constraints preclude effective retrofit BMP deployment.

To address these types of issues, the County may consider regional projects that may include, but not be limited to the following:

- Regional water quality treatment BMPs;
- Urban creek or wetlands restoration and preservation;
- Daylighting and restoring underground creeks;
- Localized rainfall storage and reuse to the extent such projects are fully protective of downstream water rights;
- Hydromodification projects; and
- Removal of invasive plant species.

A retrofit project or regional mitigation project may qualify as a Watershed Water Quality Activity provided it meets the requirements of Section G of the San Diego Region permit.



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### A-9.8 TRAINING PROGRAM

To assist responsible municipal and contract staff in understanding the DAMP's Model Existing Development Program, annual training sessions will be conducted for the Permittees. In addition to Permittee-sponsored training, County staff may also attend other applicable training seminars or workshops related to general water quality and stormwater management conducted by other organizations. The County will maintain records of relevant training provided to its inspectors in order to monitor staff development, plan when training sessions should be conducted, and document evidence of training for enforcement and compliance purposes.

#### A-9.8.1 Training Modules

To support implementation of the Existing Development Program element, six training modules were developed during the Third Term Permits as described in **DAMP Appendix B, Section B-9**. These modules include *Existing Development Program Management Module (Appendix B, Exhibit B-9.I)*, *Field Implementation of Existing Development Program Module (Appendix B, Exhibit B-9.II)* and *Industrial Stormwater Monitoring Module (Appendix B, Exhibit B-9.VI)*. The modules will be substantially updated in 2010-11 to reflect the requirements of the Fourth Term Permits.