

Waste & Water Update

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THE STORM WATER 2025-2026 REPORTING YEAR IS OVER – OR IS IT?

Confirming Your Discharger Status

For facilities subject to the California Storm Water Industrial General Permit (IGP), Annual Reports were completed in July, seemingly putting the 2025-2026 reporting year to rest. But is it really over? Not so fast! The reporting year is not behind you until you have confirmed whether or not you are required to complete an Exceedance Response Action (ERA) Report or Plan or Water Quality-Based Corrective Action (WQBCA) Report.

But Doesn't SMARTS Do That for Us?

Yes and no. The Storm Water Multiple Application and Report Tracking System (SMARTS) uses the data entered to calculate your Numeric Action Level (NAL) status, but if you enter data incorrectly, then it may not be accurate. In addition, miscalculations by SMARTS have occurred in the past. SMARTS does not track your Total Maximum Daily Load NALs (TNALs) or Numeric Effluent Limits (NELs) status. It is your responsibility as a Discharger to track your status.

How Do You Start?

First, gather all your storm water sampling data, as well as Table 2 and Attachment E of the IGP. Then compare your results to the thresholds in Table 2 to see if you exceeded any NALs, and review Attachment E to see if you exceeded any TNALs or NELs for your water body or watershed.

An annual NAL exceedance occurs when the average of all results for a

given parameter is greater than the applicable annual NAL in Table 2. An instantaneous maximum NAL, TNAL, or NEL exceedance occurs when two or more individual samples exceed the values listed in Table 2 or Attachment E.

The IGP can be found on the State Water Resources Control Board's (SWRCB's) website at:

https://www.waterboards.ca.gov/water_issues/programs/storm-water/igp_20140057dwq.html

If Your Calculations and SMARTS Do Not Match, What Do You Do?

Reach out to the SMARTS Help Desk to make any data entry corrections and to ask about incorrect status assignments.

If any applicable NALs or TNALs are exceeded, you must complete an ERA Plan or Report. Start by determining your ERA requirements. If your exceeding parameter was in baseline and has never been in Level 1 before, then your parameter moved into Level 1 status, and you must submit a Level 1 Report. If your exceeding parameter was already in Level 1, then the parameter moved into Level 2 status, and you must complete an ERA Level 2 Action Plan and ERA Level 2 Technical Report. If your exceeding parameter is already in Level 2, then you must complete an ERA Level 2 Technical Report Update.

If any applicable NELs are exceeded, you must complete a WQBCA Report upon notice from the Regional Water Board. Keep in mind that NEL violation notifications often arrive 1-2 years after the exceedance. NEL exceedances will require your facility to pay a fine and submit a WQBCA Report within a specified timeframe.

All ERA Plans and Reports and Level 1 training must be completed by

a Qualified Industrial Storm Water Practitioner (QISP).

Waste & Water Tip

California Code of Regulations (CCR) Title 23, Section 2650(c), outlines the requirements for an underground storage tank (UST) facility's monitoring site plan. As of January 1, 2026, new requirements mandate that your site plan be drawn to scale and that each vacuum, pressure, or hydrostatically monitored zone (if applicable) are identified. Certified Unified Program Agencies (CUPAs) are reviewing these site plans and rejecting submittals that do not meet the new requirements. One common reason for rejection is the absence of a scale bar on the monitoring site plan. Site plans are still required to show the layout of tanks, piping, and sumps, to the extent known, as well as the locations of all release detection equipment.

Upcoming Online EH&S Training Offered by Yorke Engineering (4-Hour Sessions)

- California Multi-Media Environmental Regulations: Permitting, Compliance, and Reporting Seminar:
October 6, 8, 13, and 15, 2026
- California Industrial Hygiene and OSHA Safety Regulations Seminar:
October 20, 21, 27, and 28, 2026
Class Info at: <https://yorkeengr.com/classes>

Upcoming Due Dates for 2026/2027*

- SWRCB CGP Annual Report..... 9/1/26
- SWRCB IGP NEC Recertification 10/1/26
- SWRCB Small/Non-Traditional MS4 Permit Annual Report 10/15/26
- CDTFA Haz. Waste G&H Fee 11/30/26
- SWRCB Level 1 ERA Report 1/1/27
- SWRCB Level 2 ERA Action Plan... 1/1/27
- SWRCB Level 2 ERA Tech. Report... 1/1/27
- DTSC Annual Reports for E-Waste Handling and Recycling Activity..... 2/1/27
- CDTFA Haz. Waste G&H Fee 2/28/27

**Due dates listed are statutory dates; sometimes dates are extended when on a weekend/holiday.*

UPCOMING COMPLIANCE DEADLINES

CDTFA Generation & Handling Fee Prepayment

The California Department of Taxes and Fees Administration (CDTFA) Hazardous Waste Generation and Handling (G&H) Fee is due twice per year: a prepayment is due by November 30th, and a final payment is due by February 28th the following year. Determining your prepayment can be tricky, but here are some tips to ensure you make the correct payment to avoid any late penalty fees.

Step 1: Understand the Correct Waste Generation Year

The CDTFA G&H Prepayment Fee is based off of the previous reporting year, not the current year. For example, the prepayment due by November 30, 2026, is for hazardous waste generated during the 2025 calendar year.

Step 2: Determine the Amount of Waste Subject to Prepayment

To determine the amount of waste to use for your prepayment calculation, check the electronic Verification Questionnaire (eVQ) that you submitted for the 2025 reporting year (the eVQ due by March 30, 2026). The eVQ report includes a section that outlines the hazardous waste applicable to the G&H Fee. If you do not have a copy of your eVQ report, you can also use your manifests, the Department of Toxic Substances Control (DTSC) Hazardous Waste Tracking System (HWTS) summary, or the Resource Conservation and Recovery Act database (RCRAInfo) to determine the amount of hazardous waste generated. Remember to add in the wastes sent off on a consolidated manifest.

Step 3: Calculate Your Prepayment Fee

Once you have the amount of waste you generated, round up to the whole ton and multiply it by the current G&H Fee rate (which is published by

October 1st of each year and can be found on the DTSC's website or at 22 CCR Section 66269.42). The prepayment amount will be one-half of this calculation.

It is recommended that you overpay the prepayment to allow for any potential reporting errors, so you do not receive a penalty on your prepayment amount.

G&H Fee Rate:

<https://dtsc.ca.gov/generation-and-handling-fee>



HMBP Submittal Dates

There is no statewide required Hazardous Materials Business Plan (HMBP) submission date in California; local CUPAs or Participating Agency (PAs) are allowed to set their own submittal date. While March 1st remains the most common due date, some CUPAs have different deadlines, e.g.,:

- January 15th for San Joaquin County;
- First business day in March for Contra Costa County;
- March 15th for Los Angeles County; and
- Anniversary date of prior submittal for various CUPAs.

Unfortunately, there is no central database that lists the required submittal dates for each CUPA. To determine

your required submittal date, check your CUPA's website, look for notifications in the California Environmental Reporting System (CERS), ask your local CUPA inspector, or ask the CUPA contact who reviews your CERS submissions. The good news is that once the CUPA establishes a renewal cycle, it is unlikely to change.

IGP No Exposure Annual Report

Facilities permitted under California's IGP with an active No Exposure Certification (NEC) are required to complete an annual evaluation to ensure that no exposure conditions are still met. The annual evaluation is completed through SMARTS and includes completion of an 11-point checklist certifying that no industrial activities or materials are exposed to precipitation. The Legally Responsible Person (LRP) or Duly Authorized Representative (DAR) must complete the NEC recertification by October 1st.

U.S. EPA Electronic Manifesting Rule

The U.S. Environmental Protection Agency (EPA) has proposed to end paper manifests. When approved, this will phase out all paper-only and image-only manifests over a period of 24 months from the final rule. This would require all generators and transporters to register in RCRAInfo to initiate, sign, and review manifests. In addition, paper manifest copies will cease to be mailed.

California will likely be required to adopt this for shipments of RCRA hazardous waste. It is likely, but not certain, that California will also extend this change to shipments of State-only hazardous waste.

Yorke Engineering, LLC has assisted over 2,350 industrial and government facilities with air, waste, and water regulatory compliance and permitting throughout California. Our staff are very experienced and specialized in assisting customers with their specific EH&S needs related to the local air districts, CARB, DTSC, Water Boards, CUPAs, U.S. EPA, and other regulatory agencies.

COMMERCIAL, INDUSTRIAL, AND INSTITUTIONAL (CII) STORM WATER PERMIT

Summary and Updates

On July 23, 2026, the Los Angeles Regional Water Quality Control Board (LA Water Board) approved the revised Commercial, Industrial, and Institutional (CII) Storm Water Permit. The permit establishes storm water management, monitoring, and compliance requirements for certain privately owned facilities located within the Dominguez Channel, Los Angeles and Long Beach Inner Harbor, and Los Cerritos Channel/Alamitos Bay watersheds (see Figure 1). The permit is scheduled to take effect on October 31, 2026.

The CII Permit will affect commercial, industrial, and institutional facilities that meet the following criteria:

- Located within the Dominguez Channel, Los Angeles and Long Beach Inner Harbor, or Los Cerritos Channel/Alamitos Bay watersheds;
- Falls within one of the following Los Angeles County Tax Assessor land use codes: 1000-2900, 3000-3920, 6000-6910, 7000-7710, and 8100-8400;
- Privately owned; and
- Meets one of the following criteria based on size and permit coverage:
 - Five (5) or more acres of impervious surface and are not already covered by another National Pollutant Discharge Elimination System (NPDES) permit; or
 - Five (5) or more total acres and are already covered by another NPDES permit (such as the IGP), including:
 - Facilities that have filed an NEC under the IGP; or
 - Portions of a facility excluded by a Notice of Non-Applicability (NONA).

Note: If a facility has a site-specific NPDES permit with requirements that are at least as stringent as those outlined in the CII Permit, then that facility is not required to obtain coverage under the CII Permit.

Permit Requirements

Facilities subject to the CII Permit will be required to take the following steps to achieve compliance with the permit requirements:

1. File a Notice of Intent (NOI) in SMARTS;
2. Prepare a Storm Water Pollution Prevention Plan (SWPPP) and Monitoring Implementation Plan (MIP);
3. Choose one of the following three compliance options:
 - Option 1: Off-Site Compliance Agreement with a local watershed management group (Water Board-recommended);
 - Option 2: On-Site Compliance Site-Specific Design Standard to reduce storm water runoff; or
 - Option 3: On-Site Compliance Demonstration;
4. Pay the annual permit fee; and

5. Complete a one-time initial sampling consisting of the following parameters: ammonia, biochemical oxygen demand (BOD), indicator bacteria, methylene blue activated substances (MBAS), nitrogen/biostimulatory substances, oil and grease, polycyclic aromatic hydrocarbons (PAHs), pesticides, pH, temperature, total residual chlorine, total suspended or settleable solids, zinc, and copper.

Timing of Permit Enrollment

The CII Permit will become effective 100 days after adoption. The motion to adopt was approved on July 23, 2026, meaning that the estimated effective date is October 31, 2026. Based on the estimated effective date, the schedule for facility enrollment is as follows:

- NOI and SWPPP: Within 12 months of the effective date (by October 31, 2027);
- Initial Sampling Results: Within 18 months of the effective date (by April 30, 2028); and
- Compliance Option Documents: Within 3.5 years of the effective date (by April 30, 2030).

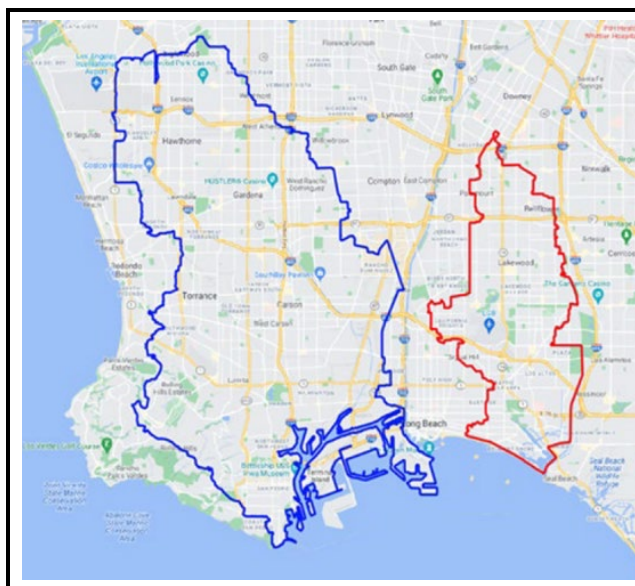


Figure 1: CII Permit Jurisdiction

Blue: Dominguez Channel and Los Angeles and Long Beach Inner Harbor

Red: Los Cerritos Channel and Alamitos Bay