



SENATE BILL NO. 205

BUSINESS LICENSES: STORMWATER DISCHARGE COMPLIANCE

Frequently Asked Questions - Industrial Businesses

This Frequently Asked Questions document provides background information and guidance on California Legislative Senate Bill (SB) No. 205 and the new requirements adding sections 16000.3 and 16100.3 to the California Business and Professions Code and Section 13383 to the California Water Code.

SECTION 1: ABOUT SB 205

1. What is SB 205 about?

- a. Under existing law, the State Water Resources Control Board (State Water Board) and the California Regional Water Quality Control Boards (Regional Water Boards) prescribe waste discharge requirements for the discharge of stormwater by municipalities and industries in accordance with the National Pollutant Discharge Eliminations System (NPDES) permit program established by the Federal Clean Water Act and the California Water Code. The existing law requires regulated municipalities and industries to obtain a stormwater permit.
- b. Senate Bill 205 (2019) requires a person applying to a city or county for a new or renewed business license to demonstrate enrollment in an NPDES permit, if such a permit is required.

2. What is the purpose of SB 205?

- a. To protect water quality, including the health and safety of drinking water sources statewide, the regulated industry is required to provide proof of enrollment in the NPDES permit program.

3. When was SB 205 signed into law?

- a. SB 205 was signed into law by Governor Newsom on October 12, 2019. It takes effect January 1, 2020.

4. Where can I find the full text and additional information about the law?

- a. Visit <http://leginfo/legislature.ca.gov> and search Bill Number "SB 205" in the 2019-2020 legislative session.

SECTION 2: BUSINESS REQUIREMENTS

1. What does SB 205 require?

- a. SB 205 requires a business license applicant to provide, where applicable, their facility's Waste Discharge Identification (WDID) number, WDID application number, Notice of Non-Applicability (NONA) identification number, or No Exposure Certification (NEC) identification number when applying for an initial business license or when renewing its business license with the city or county of jurisdiction.

2. Does SB 205 impact all businesses?

- a. No. Only those businesses with primary Standard Industrial Classification (SIC) codes that are identified in or are applicable to the General NPDES Permit for Storm Water Discharges Associated with Industrial Activities (Excluding Construction Activities), also known as the Stormwater Industrial General Permit or IGP.

3. What SIC codes are impacted by SB 205?

- a. The State Water Board maintains an electronic list of regulated SIC Codes
 - (1) Alphabetical: [Alphabetical list of SIC codes](#)
 - (2) Numeric: [Numeric list of SIC codes](#)
- b. Attachment A of the IGP identifies nine categories of facilities subject to enrollment under the IGP, including the following:
 - (1) Feedlots of a specific size (SIC codes 0211-0272): [Feedlot SIC codes](#)
 - (2) Manufacturing Facilities (SIC codes 20XX-39XX and 4221-4225);
 - (3) Oil and Gas/Mining Facilities (SIC codes 10XX-14XX);
 - (4) Hazardous Waste Treatment, Storage, or Disposal Facilities (often SIC code 4953);
 - (5) Landfills, Land Application Sites, and Open Dumps (SIC code 4953);
 - (6) Recycling Facilities (SIC codes 5015 and 5093);
 - (7) Steam Electric Power Generating Facilities (specific activities under SIC code 4911);
 - (8) Transportation Facilities (SIC codes 40XX-45XX [except 4221-25] and 5171); and
 - (9) Sewage or Wastewater Treatment Works (SIC Code 4952).
- c. To access a copy of Attachment A of the IGP, click on the following link: [IGP Attachment A](#)

4. How do I find my SIC code to determine if I am impacted by SB 205?

- a. Visit [U.S. Department of Labor SIC code search](#), and search by keyword(s) (for example: metal recycling).
- b. Your insurance broker should also know your SIC code.
- c. If you only have your North American Industry Classification System (NAICS) code and not your SIC code, the NAICS Association has developed a tool to convert NAICS codes to SIC codes: [NAICS to SIC crosswalk](#).
- d. Additionally, the United States Environmental Protection Agency's Industrial Multi-Sector General Storm Water NPDES Permit has an appendix that lists SIC codes and their corresponding NAICS codes found by clicking the following link: [USEPA Multi-Sector Permit](#).

5. What if my business has more than one SIC code?

- a. Establishments with one or more primary SIC codes that are regulated require stormwater permit coverage. See also Questions 2 and 3 above.

6. My business falls under the regulated SIC codes, and I have a Stormwater Permit, No Exposure Certification or Notice of Non-Applicability...so, what's next?

- a. When you apply for a business license renewal to a city or county, provide the name(s) and location(s) of the facilities operated by your business, all corresponding primary SIC codes, and one of the following:
 - (1) Stormwater permit number, known as the Waste Discharge Identification number (WDID), issued for the facility by the State Water Board;
 - (2) WDID application number issued for the facility by the State Water Board;
 - (3) Notice of Non-Applicability (NONA) identification number issued for the facility by the State Water Board;
 - (4) No Exposure Certification (NEC) identification number issued for the facility by the State Water Board.
- 7. My business falls under the regulated SIC codes, and I DO NOT have a Stormwater Permit, No Exposure Certification or Notice of Non-Applicability...so, what's next?**
- a. In order to complete your business license application or renewal, you need to enroll under the Stormwater Industrial General Permit and provide the city or county with your permit number as described in Question 6 above.
 - b. For guidance on how to apply for coverage under the Stormwater Industrial General Permit, contact the local Regional Water Board for the State Water Board. See links in Questions 11 below.
- 8. What if I have a regulated SIC code for a facility but am not required to obtain coverage?**
- a. Contact your local Regional Water Board, a Notice of Non-Applicability may need to be submitted.
- 9. What if the city or county I am located in does not issue business licenses?**
- a. SB 205 only applies to cities and counties that issue business licenses.
 - b. Contact the State Water Board or local Regional Water Board to inquire about stormwater permit requirements or regulations, as you may still be required to enroll in the Stormwater Industrial General Permit based on your SIC codes(s).
- 10. Are there resources to help me learn more information about permit coverage?**
- a. See the State Water Board Industrial Storm Water Toolbox: [IGP Toolbox](#)
 - b. See the State Water Board Storm Water Multiple Application and Report Tracking System (SMARTS) Help Guides: [SMARTS help guides](#)
 - c. The California Storm Water Quality Association (www.casqa.org) and Metals Industry Storm Water Group (www.stormwatergroup.org) are also good resources.
- 11. How do I apply for coverage under the Stormwater Industrial General Permit?**
- a. Contact the State Water Board or local Regional Water Board to apply for a stormwater permit: [State and Regional Water Boards map](#)
 - b. State Water Board storm water contacts, general inquiries:
 - (1) Email: stormwater@waterboards.ca.gov
 - (2) Toll Free: 1-(866)-563-3107

- c. State and Regional storm water contacts: [State and Regional Storm Water Contacts](#)
- d. Types of IGP coverage: [IGP Types of Coverage \(PDF\)](#)
- e. Contact the local Regional Water Board or visit their website for contact information: [Regional Water Board Directory](#)