

Incentives Ideas

Points within the Permit (An Idea/Example)

Five working concepts:

1. Don't punish good deeds
2. Reward proactive and positive results
3. Don't over-punish occasional failures for high compliance sites
4. Offer rewards for good deeds but not for what you should be doing
5. Keep the playing field level

There are three basic elements of the permit that can be affected by rewards and punishment (the three Ps):

1. Procedures or Process – Do your DMRs, good SWPPPs, Inspections, Annual Reports, etc.
2. Presumption – BMP application and coverage (full coverage of BMPs; zero discharge; controlled critical runoff; small or insignificant volume or load; full practicable LID; etc.)
3. Proof – meet BMs or action levels; show full coverage and implementation; independent inspection reports; etc.

The Good and the Bad:

Things for which you can be rewarded:

- Not exceeding numbers
- Following procedures
- Good, consistent proofs
- Your site is controlled
- Zero discharges

Things for which you can be punished:

- Exceeding levels
- Failure to submit reports
- Failure to submit on time
- Failure to follow procedures (SWPPP)
- Failure to follow commitments (inspections and maintenance)

Things that are deterrents:

- Fines

- Capital costs
- Delays
- Work/effort/ staff time
- Studies/consultants
- Monitoring
- Fees
- Uncertainty

Point Systems

The idea is that good and bad are deducted and awarded points. If you exceed points (or have negative points) you are moved into actions levels. If you don't, you stay away from actions and you keep building points. Let's say points are bad. For example, if we set the Action Level at the 75th percentile, then we might expect that one of every four samples would exceed it. For that reason, each time you get a sample that meets, you lose a point. For each that doesn't, you get 4 points. If you get above 6 points, you kick into an action level. Every time you do something else positive, say treat 25% of your site, you get a "permanent" minus point. And so on. I think you get the picture, but the idea is that *you get credit for the good* as well as the bad, and you are awarded "safety points" for proactive measures (I think the point thing could be done, but it is really for illustration). And if you stay below zero, you get a gold star that you can brag about, a silver for x months below something else, etc.

Clean Water Business Program (A Second Idea/Example)



Certified 3rd Party Stormwater Permit Assessor (similar to CESCL)

- Assessor paid for by Business interested in applying
- Assessor Certifies results, penalties for falsifying

Criteria:

Level	Example Criteria	Example Possible Benefits
★ Basic Permit Compliance	<ol style="list-style-type: none"> 1. Implement the 5 basic bmps. 2. Perform all monitoring and complete all DMRs. 3. Implement sector specific bmps. 4. Complete Ecology or 3rd party training for all stormwater personnel. 5. Completes all visual Inspections 6. Working on implementation of all benchmark and action level corrective actions. 7. Etc. 	<ol style="list-style-type: none"> 1. Attracts customers, 2. Improve the environment, 3. Reduce insurance cost 4. Reduce long term liability from stormwater discharges (sediment clean ups) 5. Web site listings 6. X % SWM Fee reduction 7. Reduce the chance for 3rd party lawsuit
★ ★ Excelling in Permit Compliance	<p>Level one plus</p> <ol style="list-style-type: none"> 1. Complete Ecology or 3rd party training for all personnel. 2. Bmps implemented for entire site or <ol style="list-style-type: none"> a. Achieves Certificate Of No Exposure b. Discontinues sampling because of 8 consecutive samples below the bench mark. c. Or Eliminates the large Discharge from site 3. Etc. 	<ol style="list-style-type: none"> 8. First in line for grant monies 9. Pollution offsets?? With a goal of ultimately reducing offsets available (Cap and Trade). 10. Additional X % SWM Fee reduction
★ ★ ★ Above and Beyond Permit Compliance	<p>Level two plus</p> <ol style="list-style-type: none"> 1. Low Impact Design installed or 2. Innovative technology installed (e.g. Seaview Boatyard) 3. Etc. 	<ol style="list-style-type: none"> 11. Option for permittees that legitimately cannot meet limits. <ul style="list-style-type: none"> • In Lieu of Fee Option – contribution to City improvements instead, if unable to implement. 12. Additional X % SWM Fee reduction.

How the Program Works:

1. Ecology raises permit fees to set program up for ALL permittees.
2. Participants get a reduction in elevated fee upon achieving each level.
3. Ecology creates the 5 (or some number of) basic bmps that ALL site should implement.
4. Ecology creates Sector specific bmps.
5. Ecology creates a 3rd party assessor program – Certified Stormwater Permit Assessor

- a. 3rd party Certified Stormwater Assessor (CSA) program similar to CESCL.
 - i. CSA would be certified. Criteria would have to be established including a no conflict of interest requirement. Penalties for falsifying.
 - ii. Visit facilities for a fee paid by business and certify that business has completed the requirements of a CWB.
6. Business interested in achieving Clean Water Business status pay for Assessor site inspection and certification. Periodic re-assessment required. **Fee should be sufficient to create a sustainable program.**
7. Etc.

How the Program Changes Current Permit Dynamics:

Current Dynamics:

1. Avoid the permit, save money.
2. Permit unachievable, so why try. (This issue should also be addressed through re-evaluating actions levels and bench marks.)
3. Continued bench mark and action level exceedance without corrective actions.

Encourages, through branding, liability and permit fee reduction:

1. The Implementation of BMPs – The Main Goal.
2. DMR submittals so that real data is acquired.
3. Information on implemented BMPs. Whose actually implementing and what.
4. Creates a branding that Business want.
5. Reduces the number of permittees that need to be “looked at” by Ecology to help manage work load.
6. Etc.

Other Potential Incentives

Ability to Submit Discharge Monitoring Reports (DMRs)

Permittee could be allowed to submit discharge monitoring reports once per year instead of what's currently required, provided data used to verify compliance is adequately maintained and available upon request. Instances of noncompliance or exceedance of discharge limits must be reported to the agency within 24 hours.

Reduction in NPDES Permit Sampling Frequency

Permittees could be given the opportunity to reduce NPDES permit sampling frequency where sustained compliance is demonstrated and sampling results remain measurably below applicable limits.

Streamlined and Expedited NPDES Renewal Application Process

Permittees could have access to accelerated review of NPDES permit renewals when requested. Members will also be eligible for streamlined application submission for renewed permits including the existing permit and only those applicable forms needed to address modifications and additions in lieu of a complete permit renewal application.

Assign Same NPDES Permit Writer

Permittees could request the same NPDES permit writer to a member's permit when feasible.

Assign Same NPDES Inspector

Permittees could request the same NPDES inspector to member's sites when feasible.

Low Priority for Routine NPDES Inspections

Membership in the Clean Water Business Program will be a consideration when selecting which sources to inspect in a given year. Members will be lower priority for routine inspections.

Advanced Announcement of Routine Inspections