

Applying for a Business License in 2020? You May Need to Consider Your Water Quality Impacts

With a new year comes changes. And one change is a law tying business license applications to California's water quality laws.

Beginning January 1, 2020, Senate Bill 205 will require that certain applicants for either a new business license or a renewal from cities or counties show that they are complying with the federal Clean Water Act and California's Porter-Cologne Water Quality Control Act.

The new business license application process now requires that certain businesses provide any of the following for each facility they operate:

1. a storm water permit number, known as a Waste Discharge Identification number, or "WDID";
2. a WDID application number;
3. a Notice of Non-Applicability identification number; or
4. a No Exposure Certification identification number.

Each applicant must also provide the names and locations of all facilities they operate, as well as all corresponding primary Standard Industrial Classification codes.

This new business license requirement applies only to a handful of "regulated industries" that are subject to California's Storm Water Industrial General Permit, or IGP. These regulated industries include, but are not limited to: manufacturing facilities; transportation facilities; recycling facilities; sewage or wastewater treatment works; oil and gas/mining facilities; landfills; or hazardous waste treatment, storage, or disposal facilities.

If your business is in a "regulated industry," then you should act before applying for a business license. It takes time to develop information showing that a business is either enrolled with or exempt from the federal and state water quality permit program (known as the National Pollution Discharge Elimination System permit program).

And since applicants must submit this information under penalty of perjury, accuracy is vital. The penalty for perjury, of course, is severe. As is discharging pollutants without an IGP: each violation can impose a penalty of up to \$54,833 per day. Thus, if

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you believe that these new application requirements may affect your business, then you should seek help from an experienced environmental attorney or consultant.

Please contact our water law attorneys, [Nathan Metcalf](#) and [Sean Herman](#), with any questions about whether Senate Bill 205 applies to your business.

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