



# Florida Department of Environmental Protection

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2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

May 4, 2009

Subject: Palm Beach County Municipal Separate Storm Sewer System (MS4)  
NPDES Permit No. FLS000018  
Year 6 Audit Notification and Annual Report Comments

Dear Permittee:

Science Applications International Corporation (SAIC), contractor to the Florida Department of Environmental Protection (Department), has reviewed the Palm Beach County MS4 NPDES Permit Year 6 Annual Reports. The Department has determined that not all of the reports fully satisfy Part V of the referenced permit and Rule 62-624.600, F.A.C., and, therefore, are administratively incomplete. The reports will be considered administratively complete when the permittees provide satisfactory responses to the Department's Year 6 Annual Report Comments (see Appendix A). **Please provide the responses in writing either to the Department prior to the Year 6 Audit date or to the inspector during the audit.**

SAIC plans to conduct the **Year 6 Audit on June 8 - 12, 2009** at selected permittees' offices. **Please see Appendix B for the audit schedule.** The Year 6 Audit will consist of the following activities:

- **Joint Meeting (All Permittees) on June 10<sup>th</sup> at 9:00 a.m.** at the Palm Beach County Emergency Operations Center in Jupiter. All permittees are strongly encouraged to attend the Joint Meeting to discuss the following topics:
  - The Department's process for annual report reviews and audits, and general items of interest related to the Department's NPDES Stormwater Program.
  - Collection of the Year 6 Annual Report missing information from the permittees.
  - The status of the permit renewal.
- **Records Review of the Activities and Legal Authorities Required Under Part III of the Referenced Permit (City of Belle Glade, Town of Haverhill, Indian Trail Improvement District, Town of Jupiter Inlet Colony, Palm Beach County, Town of Palm Beach Shores, South Indian River Water Control District, and Town of South Palm Beach).** The review will address the status of your implementation of the Stormwater Management Program (SWMP) elements as included in Part III of the permit. You will need to make the documentation specified in Section VII, Column D of your Year 6 Annual Report and in your response to the Year 6 Annual Report Comments in Appendix A available to the inspector for review. The documentation must reflect the SWMP activities performed during the Year 6 reporting period, which is October 1, 2007 through September 30, 2008. In addition, you need to provide documentation of appropriate

legal authority and procedures for the implementation and enforcement of the illicit discharge detection and elimination program and the construction program.

- **Site Visits (City of Belle Glade, Town of Haverhill, Indian Trail Improvement District, Town of Jupiter Inlet Colony, Palm Beach County, Town of Palm Beach Shores, South Indian River Water Control District, Town of South Palm Beach).** The site visits may include the following:
  - Municipal stormwater structures (Part III.A.1)
  - Municipal equipment storage and vehicle maintenance yards (Part III.A.3)
  - Municipally-operated construction sites (Part III.A.9)
  - Privately-operated construction sites (Part III.A.9)

Based on the review of your Year 6 Annual Reports, your responses to the attached Year 6 Annual Report Comments and the Year 6 Audit Report (to be developed by SAIC), the Department will provide an overall assessment of your compliance with the annual reporting requirements and audited SWMP elements specified in the referenced permit. The assessment will be provided, along with the audit report as an attachment, after completion of the audit or, if applicable, upon receipt of satisfactory written responses to a request for additional information following the audit.

Please address any written submittals or questions to:

NPDES Stormwater Section  
Florida Department of Environmental Protection  
Mail Station 2500  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

If you have any questions, please contact Robert van den Akker, with SAIC, by phone at (407) 243-3978 or by email at [vandenakkerr@saic.com](mailto:vandenakkerr@saic.com). Please coordinate with Mr. van den Akker concerning any logistical arrangements or preparation of the information the Department has requested to be provided during the audit.

Sincerely,



Steven Michael Kelly  
Program Administrator  
NPDES Stormwater Section

SMK/rvda

Enc: Appendix A - Palm Beach County MS4 NPDES Permit Year 6 Annual Report Comments  
Appendix B - Palm Beach County MS4 NPDES Permit Year 6 Audit Schedule

Addressees: Mo Thornton, City of Atlantis  
Lomax Harrelle, City of Belle Glade  
Robert DiChristopher, P.E., City of Boca Raton  
Kafi Boateng, P.E., City of Boynton Beach  
Dorothy C. Gravelin, Town of Cloud Lake

David Harden, City of Delray Beach  
James Wolfe, P.E., Florida Department of Transportation (FDOT) District Four  
Jose Quintana, P.E., FDOT Florida's Turnpike Enterprise  
Carlos Cedeño, City of Greenacres  
William Thrasher, Town of Gulf Stream  
James Woods, Town of Haverhill  
Dale Sugerman, Town of Highland Beach  
Chris King, Indian Trail Improvement District  
Joseph Lo Bello, Town of Juno Beach  
David Rotar, Town of Jupiter  
John Zuccarelli, Town of Jupiter Inlet Colony  
Joann Hatton, Town of Lake Clarke Shores  
Maria Davis, Town of Lake Park  
Joseph Kroll, City of Lake Worth  
Michael Bornstein, Town of Lantana  
Greg Dunham, Town of Manalapan  
Lee Leffingwell, Town of Mangonia Park  
Jorge Santos, Village of North Palm Beach  
O'Neal Bardin, Northern Palm Beach County Improvement District  
Kenneth Schenck, Town of Ocean Ridge  
Matthew Brock, City of Pahokee  
Peter Elwell, Town of Palm Beach  
Robert Weisman, Palm Beach County  
Todd Engle, P.E., City of Palm Beach Gardens  
Cynthia Lindskoog, Town of Palm Beach Shores  
Bob Hennes, Village of Palm Springs  
Vincent Akhimie, City of Riviera Beach  
Paul Webster, P.E., Village of Royal Palm Beach  
Virginia Walker, City of South Bay  
Gale M. English, South Indian River Water Control District  
Rex Taylor, Town of South Palm Beach  
Russell White, Village of Tequesta  
Mitchell Fleury, Village of Wellington  
Benny Rodgers, City of West Palm Beach

Cc: Steven Mazuk, City of Atlantis  
Mickey McGahee, City of Belle Glade  
Anthony Puerta, City of Boca Raton  
Christopher Roschek, P.E., City of Boynton Beach  
Jack Horniman, JLH Associates, consultant to Town of Cloud Lake, Town of Glen Ridge, Town of  
Jupiter Inlet Colony and Town of Palm Beach Shores  
Randal Krejcarek, P.E., City of Delray Beach  
Ivette Leiva, FDOT District Four  
Jeremiah Marek, FDOT Florida's Turnpike Enterprise  
Wade Neilson, City of Greenacres  
Joseph Roche, Town of Haverhill  
Jack Lee, Town of Highland Beach  
Jennifer Davison, Engenuity Group, Inc., consultant to Indian Trail Improvement District and  
Village of North Palm Beach and Town of Ocean Ridge and Village of Palm Springs  
Anthony Meriano, Town of Juno Beach  
Kevin Varney, Town of Lake Clarke Shores  
John Lamb, City of Lake Worth

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Jerry Darr, Town of Lantana  
Lisa Peterson, Town of Manalapan  
Kenneth Roundtree, Northern Palm Beach County Improvement District  
Derrek Moore, City of Pahokee  
Martin Gauthier, Town of Palm Beach  
Bonnie Finneran, Palm Beach County  
Prince Alexander, City of Palm Beach Gardens  
Jevon White, City of Riviera Beach  
Surina Woodson-Browns, City of South Bay  
John Alford, City of West Palm Beach  
Robert van den Akker, SAIC (via email)  
SAIC Contract File  
DEP Permit File

## APPENDIX A

### Palm Beach County MS4 NPDES Year 6 Annual Report Comments

The Department has determined that additional information is needed to properly assess the Palm Beach County MS4 NPDES Permit Year 6 Annual Reports and deem them administratively complete. The annual reports will be considered administratively complete when the permittees provide satisfactory written responses to the comments detailed below. Please provide the responses in writing either to the Department prior to the Year 4 audit date or to the inspector during the audit.

#### City of Atlantis

- 1) Section IV, Fiscal Analysis: Please confirm if the figure provided includes all of the expenses incurred for all of the activities reported on in Section VII of the Annual Report
- 2) Section VII, Part III.A.3 "Roadways": The permittee reported "0" for the number of applicable municipal equipment yards and maintenance shops, and the frequency or number of inspections performed of those yards/shops. However, the permittee also provided a comment that there is one storage yard. Please provide an explanation of why the storage yard is not considered by the permittee to be an applicable municipal equipment yard/maintenance shop for the purposes of Part III.A.3 of the permit.

*Note: This was also a Year 5 Annual Report Comment.*

#### City of Belle Glade

- 1) Section VII, Parts III.A.6 "Pesticides, Herbicides, and Fertilizer Application" and III.A.7.e "Illicit Discharge and Improper Disposal – Public Reporting": Please provide an explanation of why no public education and outreach activities occurred.

*Note: This was also a Year 3, Year 4, and Year 5 Annual Report Comment.*

- 2) Section VII, Part III.A.7.c "Illicit Discharges and Improper Disposal – Investigation of Suspected Illicit Discharges and/or Improper Disposal": The permittee reported "0" illicit discharge training activities and "0" municipal personnel and field staff trained. Please provide an explanation of why no training occurred and confirm if staff has been trained to perform illicit discharge and improper disposal inspections.
- 3) Section VII, Part III.A.9 "Construction Site Runoff": The permittee reported "482" construction site plan/permit applications reviews for private sites, but "0" construction projects requiring a Notice of Intent (NOI), "0" inspections of construction sites performed, and "0" for the number of building permit applicants notified. The permittee also included the comment "Building Inspector is no longer employed with City." Please clarify whether the permittee conducted no activities under the Construction Program in Year 6 or the records could not be found for reporting purposes because the Building Inspector left.

*Note: This was also a Year 5 Annual Report Comment.*

#### City of Boca Raton

- 1) Section VII, Part III.A.9.a "Construction Site Runoff – Site Planning and Non-Structural and Structural Best Management Practices": Please provide the number of activities performed for the following reporting item: Construction projects requiring an NOI (municipal sites).

- 2) Section VII, Part III.A.9.c "Construction Site Runoff – Site Operator Training": Please provide the number of activities performed for each of the following reporting items:
  - a. Training courses provided
  - b. Private participants trained
  - c. Municipal construction inspectors trained
  - d. Municipal construction site plan reviewers trained
  - e. Municipal construction site operators trained

**City of Boynton Beach**

- 1) Section VII, Part III.A.9.c "Construction Site Runoff – Site Operator Training": The City reported "0" and commented "None notified" for the number of building permit applicants notified. However, the City also reported under Part III.A.9.a that "6" construction projects required an NOI. Please provide an explanation for why the City did not notify building permit applicants of their responsibilities under the State NPDES stormwater permitting program for construction site runoff.

*Note: This was also a Year 5 Annual Report Comment.*

**Town of Cloud Lake**

No comments.

**City of Delray Beach**

No comments.

**Florida Department of Transportation (FDOT) District Four**

No comments.

**FDOT Florida's Turnpike Enterprise**

No comments.

**City of Greenacres**

- 1) Section VII, Part III.A.7.a "Illicit Discharges and Improper Disposal – Inspections, Ordinances, and Enforcement Measures": Please provide an explanation of why no pro-active inspections for suspected illicit connections/discharges/dumping occurred.

*\*Note: This was also a Year 3, Year 4, and Year 5 Annual Report Comment.*

- 2) Section VII, Part III.A.7.c "Illicit Discharges and Improper Disposal – Investigation of Suspected Illicit Discharges and/or Improper Disposal": The permittee reported "0" training activities and commented "A system for investigations, fines, record retention, and reporting by the Building Department shall be proposed and implemented in FY 08." Please provide an explanation of why no training occurred and confirm if the Building Department inspectors are trained to perform illicit discharge and improper disposal inspections.

*\*Note: This was also a Year 3, Year 4, and Year 5 Annual Report Comment.*

- 3) Section VII, Part III.A.9.c “Construction Site Runoff – Site Operator Training”: The permittee reported “0” for the number of building permit applicants notified. However, the permittee also reported under Part III.A.9.a that “11” construction projects required an NOI. Please provide an explanation for why the permittee did not notify building permit applicants of their responsibilities under the State NPDES stormwater permitting program for construction site runoff.

*\*Note: This was also a Year 3, Year 4, and Year 5 Annual Report Comment.*

**Town of Gulf Stream**

No comments.

**Town of Haverhill**

No comments.

**Town of Highland Beach**

No comments.

**Indian Trail Improvement District**

No comments.

**Town of Juno Beach**

No comments.

**Town of Jupiter**

No comments.

**Town of Jupiter Inlet Colony**

No comments.

**Town of Lake Clarke Shores**

No comments.

**Town of Lake Park**

- 1) Section VII, Part III.A.1 “Structural Controls and Stormwater Collection Systems Operation”: Please provide an explanation of why no activities occurred for each of the following reporting items:
- a. Stormwater treatment pond (dry retention) inspections
  - b. Stormwater treatment pond (dry retention) maintenance
  - c. Exfiltration trench inspections
  - d. Exfiltration trench maintenance

**City of Lake Worth**

No comments.

**Town of Lantana**

No comments.

**Town of Manalapan**

No comments.

**Town of Mangonia Park**

No comments.

**Northern Palm Beach County Improvement District**

No comments.

**Village of North Palm Beach**

No comments.

**Town of Ocean Ridge**

No comments.

**City of Pahokee**

- 1) Section VII, Part III.A.4 Flood Control Projects: Please provide the number of activities performed, the title of the documentation/record, and the entity performing the activity for each of the following reporting items:
  - a. Projects started/active
  - b. Projects completed

**Town of Palm Beach**

- 1) Section VII, Part III.A.1 "Structural Controls and Stormwater Collection Systems Operation": Please provide the number of inlet/catch basin/grate maintenance activities performed.

*\*Note: This was also a Year 5 Annual Report Comment.*

**Palm Beach County**

- 1) Section VII, Part III.A.1 "Structural Controls and Stormwater Collection Systems Operation": Please provide an explanation of why no exfiltration trench inspection and maintenance activities occurred.

**City of Palm Beach Gardens**

- 1) Section VII, Part III.A.9.a "Construction Site Runoff - Site Planning and Non-Structural and Structural Best Management Practices": The permittee reported "508" private construction projects requiring a Notice of Intent (NOI) but reported "0" construction site plan/permit application reviews. Please provide an explanation of why no construction site plan/permit application reviews were performed.

**Town of Palm Beach Shores**

No comments.

**Village of Palm Springs**

No comments.

**City of Riviera Beach**

No comments.

**Village of Royal Palm Beach**

No comments.

**City of South Bay**

No comments.

**South Indian River Water Control District (SIRWCD)**

No comments.

**Town of South Palm Beach**

No comments.

**Village of Tequesta**

No comments.

**Village of Wellington**

No comments.

**City of West Palm Beach**

No comments.

**APPENDIX B**

**Palm Beach County MS4 NPDES Permit Year 6 Audit Schedule**

<b>Date</b>	<b>Time</b>	<b>Activity</b>	<b>Permittee</b>	<b>Location</b>
June 8 <sup>th</sup> MON.	8:30 - 12:00	Records Review/ Site Visits	Town of Palm Beach Shores	247 Edwards Lane Palm Beach Shores
	1:00 - 4:30	Records Review/ Site Visits	Town of Jupiter Inlet Colony	1 Colony Road Jupiter Inlet Colony
June 9 <sup>th</sup> TUE.	8:30 - 12:00	Records Review/ Site Visits	Indian Trail Improvement District	13472 61 <sup>st</sup> Street North West Palm Beach
	1:00 - 4:30	Records Review/ Site Visits	City of Belle Glade	Public Services Offices 2050 West Canal Street South Belle Glade
June 10 <sup>th</sup> WED.	9:00 - 11:00	<b>Joint Meeting</b>	<b>All Permittees</b>	Palm Beach County Emergency Operations Center Jupiter
	1:00 - 4:30	Records Review/ Site Visits	South Indian River Water Control District	15600 Jupiter Farms Jupiter
June 11 <sup>th</sup> THURS.	8:30 - 12:00	Records Review/ Site Visits	Town of Haverhill	4585 Charlotte Street Haverhill
	1:00 - 4:30	Records Review/ Site Visits	Town of South Palm Beach	3577 South Ocean Blvd. South Palm Beach
June 12 <sup>th</sup> FRI.	8:00 - 12:00	Records Review / Site Visits	Palm Beach County	ERM Offices 2300 North Jog Road West Palm Beach