

**PALM BEACH COUNTY NPDES
STEERING COMMITTEE
AT NORTHERN PALM BEACH COUNTY
IMPROVEMENT DISTRICT OFFICES
WEDNESDAY, SEPTEMBER 16, 1998
MEETING MINUTES
(Our Ref. No. 98029.01)**

I. ATTENDEES/INTRODUCTIONS

The attached sign-in sheet provides a listing of the individuals present at the September 16, 1998 NPDES Workshop. Approximately 25 of the 39 co-permittees were represented at the meeting, including Committee Members: Laurent Van Cott (Chairman), Ken Ferry (Vice Chairman), Randall Krejcarek (Secretary), Allen Trefry (Member), Rebecca Travis (Member) and John Bonde (Member). The minutes for the July 15, 1998 meeting were approved, with specific date corrections being noted as follows: the date of the last meeting was actually July 15th (not the 16th) and the date of the Sediment Erosion Control Training and Certification Program will actually be January 20, 1999 (not January 20, 1998).

II. FIRST ANNUAL JOINT REPORT

The annual report consisting of 39 individual co-permittees' annual reports and the joint annual report was submitted to the U.S. Environmental Protection Agency on schedule in August of 1998. Copies of these reports were also sent to the Florida Department of Environmental Protection and each co-permittee received a copy of the joint annual report. The joint annual report summarized the activities of all the municipal NPDES permittees. Nine stormwater management programs were required to be developed and implemented within the first three years of the permit. Within these 9 programs, there are 143 activities that are required to be executed by the co-permittees. During our first year of the permit, the co-permittees performed 100 of these activities. These activities concentrated on 5 of the 9 programs and included ongoing activities associated with inspection and maintenance of structural controls, implementation of development regulations, water quality criteria for flood control projects, pesticides/herbicide training and certification procedures and illicit discharge inspections, investigations and enforcement. The municipal solid waste management program for the most part is handled by Palm Beach County and is covered under other federal and state requirements. The remaining three programs require concentration of efforts by each of the co-permittees during the second and third years of our permit. For roadways, co-permittees should be addressing programs for swale restoration, street sweeping and Best Management Practices/good housekeeping measures for maintenance yards. The inventory and inspection of high-risk facilities will be discussed at our October Steering Committee meeting. Construction sites require special consideration and some of these items will be discussed at this Steering Committee meeting and at future meetings.

III. FDEP INSPECTOR CERTIFICATION COURSE

The FDEP currently has a train the trainer course for municipal inspectors and is in the process of developing a similar program for contractors. Alan Wertepny and Dave Rotar (Town of Jupiter) attended the August 1998 FDEP train the trainer inspection certification program. FDEP is providing this training course to assist the municipalities in fulfilling their obligations for the NPDES program relating to training of the municipal inspectors.

Once the trainers have gone through the FDEP course and are certified, they can set up a training session with a state certification for municipal inspectors. Requirements by the state for this certification include (1) an erosion and sediment control inspector's manual/handbook or reference material for the inspectors, (2) 8 hours of videotapes, (3) a one-day refresher course, (4) an open-book exam and finally, (5) a state certification. FDEP is very adamant that municipal inspectors must review all the above materials and pass the examination to receive the certification. Alan Wertepny recommended that we obtain 40 copies of the videotapes and the erosion and sediment control inspector's manual, the exam, and copies of any additional training materials directly from FDEP. These materials will be provided to us at no cost. Each co-permittee would be provided one copy of the videotape and erosion and sediment control manual. Since these materials are public and have no copyright requirements, each permittee can make as many additional copies as they need. It will be the responsibility of the co-permittees to provide these materials to their prospective inspectors and require they review these materials prior to attending a one-day seminar. Additionally, each co-permittee will determine how many individuals they wish to receive training. Initially, two training sessions may be established and more if necessary to accommodate the inspectors. Most likely there will be annual training sessions to continue with this certification program. More details of the training sessions will be discussed at future Steering Committee meetings.

IV. SUB-COMMITTEE STATUS REPORTS

A. FORMS SUB-COMMITTEE

The materials provided in the handouts packets for this meeting were explained. These items included an outline for the Storm Water Pollution Prevention Plan (SWPPP), a site operator's inspection checklist, the certification statements for the SWPPP, a maintenance yard inspection checklist and a municipal inspector's checklist, EPA's guidelines to preparing SWPPPs and Best Management Practices (BMPs), a portion of the Federal Register containing the EPA Region 4 general permit for storm water discharges from construction activity, along with an outline of that document. **Staff requested that these documents be reviewed by the co-permittees and comments returned to Alan Wertepny at Mock, Roos within two weeks (by September 30th).**

Clarification of "site operator" was made, with reference given to the last section of the EPA Region 4 general permit (p. 15670). Laurent Van Cott explained that the site operator was responsible for a specific schedule of inspections, while the municipal (or co-permittee) inspectors were not.

Discussion was held concerning whom is responsible for SWPPP site inspections. During construction, the site operator is responsible for conducting the required inspections. Co-permittees within whose jurisdiction a construction activity is taking place, may choose to inspect construction sites at their discretion.

Laurent Van Cott presented the issue that site inspections at construction sites are required to be performed once per week and after any rain event of 1/4 inch or more. It was clarified that while these inspections and reports are required to be completed at these intervals, the reports themselves do not need to be submitted to anyone, but must be kept with the SWPPP on site. Laurent Van Cott requested that Kenneth W. Edwards, Esq., look into the feasibility of this requirement being altered, due to the excessive rain events experienced in south Florida.

B. EDUCATION SUB-COMMITTEE

Alan Wertepny gave a status report on the Education Sub-Committee's stenciling program. The sub-committee's recommendation was that the co-permittees, as a group, not participate in the Lake Worth Lagoon catch basin labeling program. Only 27 of the 39 co-permittees actually drain to the Lagoon and therefore it was deemed inappropriate that the financial resources of the group be used in this manner. The sub-committee also discussed the possibility of developing a parallel program with a more generic plate for use throughout the County. Co-permittees would individually have the option of participating in either, both or neither of the programs. During sub-committee meetings the possibility of the County acting as the lead for a generic plate was discussed. The idea being that other co-permittees could "piggy-back" orders onto that of the County in order to receive a bulk purchase price reduction. The County is to advise the sub-committee if this is acceptable to their purchasing department. Dave Hunt (City of Lake Worth) with the assistance of Ginny Powell (FDEP) gave an explanation of the Lake Worth Lagoon Steering Committee's plan to implement a pilot project which will affix a plastic placard identifying that those inlets drain to the Lake Worth Lagoon. The placard will be attached to the catch basin with an epoxy compound. The selection of the exact placard has not been made, however the group had decided to go with their logo (a mangrove tree) as the image on the placard. Ginny further explained that the LWL group is hoping to order placards in the near future but that the actual application of the placards to the catch basins was still quite some months away. Laurent Van Cott indicated that in his opinion the placard should have a very bold image of something like a paint can with the universal "NO" symbol (circle with cross bar through it) superimposed over it.

V. BUDGET UPDATE

Review of the first year budget indicated that we are \$20,000 below the original budget projections. The first year funds have a balance of \$60,733.21. This amount is attributed to previous year's rollover of excess funds and interest earned. A discussion occurred regarding the distribution of these funds. The Steering Committee unanimously approved the following distribution of these funds:

- Establishing a construction and training program in the second year in the amount of \$20,000. This program is for initiation of the inspector's certification program and preparing general guidance manual for the NPDES construction permit activity.
- Transfer of an additional \$10,000 from the first year program to the second year contingency fund.
- Assigning the balance (\$30,733.21) to each of the co-permittees. Pro-rata sharing for the third year billing.

The general guidance manual for NPDES general construction activity will include a description of the co-permittees' NPDES permit responsibilities, a description of the requirements for a general construction permit as approved by the state and EPA, required application forms (notice of intent, notice of termination), outline of general permit requirements, copies of Federal Register requirements, copy of the latest EPA guidance manual for Pollution Prevention Plans and Best Management Practices, certifications, inspection checklist for site operators and municipal inspectors, and a sample PPP.

The reasoning behind the increase in the second year contingency fund of \$10,000 was a result of discussions among the steering committee members regarding potential funds for

establishing interlocal agreements between co-permittees for implementation and enforcement problems. John Bonde indicated there may be a need to develop a generic interlocal agreement to address responsibilities of identifying pollutant sources discovered during inspections of the co-permittee's stormwater facilities. There may be instances where a pollutant is discovered in a system which is traced to either another co-permittee's stormwater system or other governmental jurisdictions having land use controls. For an example, suppose the county allows a low residential area to contain a nursery operation without requiring any additional permits or land use change. This facility may be utilizing pesticides and herbicides/fertilizers which could discharge into adjacent stormwater systems. How can we identify these entities and who has the responsibility for enforcement for any water quality related problems? The sub-committee agreed to discuss it further at future meetings.

The co-permittees will be receiving a billing from Northern Palm Beach County Improvement District within the next two weeks to start the third year program. This billing invoice will identify the credit to their bill from the first year program's excess fund balance.

The Steering Committee approved a line-item transfer for the second year program of \$4,000 from the Steering Committee Workshop to the sub-committee workshops. The budget for the steering committee workshops is now \$44,000 and that for the sub-committee workshops is \$10,000.

VI. MEETING SCHEDULE

The next scheduled meeting will be on October 21, 1998 at 9:00 A.M. at the offices of Northern Palm Beach County Improvement District. The meeting agenda will consist of the following:

- Sub-committee reports
- Inventory of high-risk facilities
- General discussion – Interlocal agreements and enforcement responsibilities between co-permittees.

I believe these minutes accurately reflect the discussions and decisions of this meeting; however, additions and/or corrections will be accepted in writing within seven days of the receipt of these minutes.

Very truly yours,

MOCK, ROOS & ASSOCIATES, INC., as
Engineer for Northern Palm Beach County
Improvement District

Alan D. Wertepny, P.E.
Project Manager

ADW:kmm

Enclosure

Copies: All Co-permittees
Peter L. Pimentel
Tracy O. Bennett