

October 29, 1999

Memorandum

TO: Palm Beach County NPDES Permittees
FROM: Alan D. Wertepny, P.E.
SUBJECT: Minutes of NPDES Steering Committee Meeting Held On October 20, 1999
(Our Ref. No. 99022.01)

I. Attendees/Introductions

Approximately 28 of the 40 NPDES permittees were represented at the October 20, 1999 meeting. Members present included Laurent Van Cott (Chair), John Bonde (Vice Chair), Allen Trefry (Member), Brian Sullivan (Member), Rebecca Travis (Member) and Angela Rowe sitting in for Randal Krejcarek (Secretary). The Committee approved the minutes of the July 21, 1999 meeting. A list of those present at the meeting is available on request.

II. Joint Annual Report Update

Alan Wertepny gave a status update on the annual reports. The Environmental Protection Agency (EPA) has assigned a new permit reviewer to Palm Beach County, Bob McCann. He has reviewed the reports and had some questions on our proposal for prioritizing high-risk facilities. Alan was able to resolve some of his questions. Mr. McCann stated that the report submittal to the EPA for Palm Beach County was of higher quality than other submittals that he had reviewed so far. His only critique is that the group should expand in the report on educational programs (i.e. outreach programs, public reporting, usage/disposal of chemicals, etc.) and integration of monitoring results (dry weather screening, high-risk facilities, ambient sampling and sediment sampling) with evaluation of the effectiveness of the stormwater management programs. Mr. McCann's comments have been forwarded to his supervisor. A formal response from the Environmental Protection Agency is forthcoming.

III. Website

The Palm Beach County NPDES group Website has been updated and is up and running. As a reminder, the address is: www.pbco-npdes.org

IV. Budget Report and Budget Transfers

The second and third year quarterly budget reports were reviewed. The second year program has a fund balance of \$70,312.07 as of September 8, 1999. The estimated second year obligation remaining is \$10,000. Staff recommends that the remaining second year funds be distributed to fund activities in the third and fourth years. These activities included budgets for subcommittee programs, coordination with the Florida Department of Environmental Protection (FDEP), the inspector training program and the permit re-application to FDEP/EPA. The Steering Committee approved transferring \$56,000 for the second year funds to specific programs in the third and fourth year (an adjusted second year fund balance table is available on request). Any remaining second year funds are to be credited to the fourth year reserve fund for contingencies.

V. Sub-Committee Status Report

Draft reports for the third year sub-committee programs were sent out with the September meeting agenda. These programs included High-risk Facility Inspections and Monitoring, Maintenance programs and Illicit Investigations. The intent is to use these write ups in the third year joint annual report. Below is a brief synopsis of these programs as discussed at the meeting:

- High-risk Facility Inspections and Monitoring – The High-risk Industrial Facilities section from the second year joint annual report was modified to include inspections and monitoring activities. The report gives options on how the co-permittee can perform these tasks. **It is the responsibility of the co-permittee to update their listings through the methods provided in the report and by using the links provided on the group Website.** An updated list should appear in each co-permittee's third year annual report.
- Operation and Maintenance of Public Streets, Roads and Highways – The maintenance program includes street sweeping, maintenance of catchbasins and swales, litter control, and proper operation of equipment yards and maintenance shops. A list of all co-permittee maintenance programs, Table 1, Operation and Maintenance of Public Streets, Roads and Highways, was previously distributed to all co-permittees. This information was gathered from available information and needs to be updated by the co-permittees.
In response to the Steering Committee's September 27, 1999 letter to the Chairman of the Solid Waste Authority (SWA), Palm Beach County Commissioner Warren Newell, the SWA has established a \$10,000 allowance for reducing streetsweeping tipping fees. An official letter will be forthcoming. Details of this tipping fee allowance require further development.
- Illicit Inspections, Investigations and Enforcement – This report develops a program to detect and eliminate discharges and improper disposal into the MS4. The main elements of the report include identification, source tracking, responsible party, enforcement and documentation to the EPA. A report from Polk County for their MS4 NPDES Permit has been obtained and will be reviewed for possible incorporation of portions into our report.

VI. Inspector Training

The steering committee voted and approved holding the training session at a local hotel (with only one dissenting vote from Allen Trefry). December 1, 1999 is the date set for the first Palm Beach County NPDES Inspector Training Program, which will take place at the Crowne Plaza Hotel (formerly known as the Omni West Palm Beach Hotel), 1601 Belvedere Road, West Palm Beach, Florida 33406, 561-689-6400). All co-permittees will have an opportunity to send at least one inspector to the first training session.

VII. FDEP Issues

On behalf of the Palm Beach County municipal NPDES permittees, we have provided comments to the FDEP on their proposed rules for NPDES stormwater delegation. We have requested notification of any public workshops, draft rule revisions, and have invited the FDEP to attend a steering committee meeting. We have polled eight other MS4 NPDES lead permittee to obtain their concerns.

Generally, their concerns with the draft rules fall into four major areas, as follows:

- Annual Fees – fairness of a fee schedule to all MS4 permittees
- Retrofitting to meet pollutant Load Reduction Goals is inappropriate at this time. The State has not established any goals or Total Maximum Daily Load (TMDL) allocations.
- Inspection of high-risk facilities – Is consistent with the permittee's NPDES permit.
- Annual Reporting Requirements – Are confusing, redundant, and should be reformatted.

Laurent Van Cott introduced Lisa Tropepe, P.E., who is an associate with Shalloway, Foy, Rayman & Newell, Inc. (1201 Belvedere Road, West Palm Beach, Florida 33405)

and a Commissioner appointed by the Governor to the FDEP's Environmental Regulatory Commission (ERC), which will eventually review and approve FDEP's NPDES stormwater delegation rule. Lisa offered her assistance to the group and requested we keep her informed. The steering committee and municipal permittee present discussed various approaches and decided the following (in consequential order):

- Contact FDEP to obtain:
 - A written response to our letter
 - Any updates/revisions to the proposed rules
 - Schedule of FDEP public workshops
 - Schedule of rule implementation
 - An audience with FDEP representative
- Encourage participation in FDEP rule making process
- If needed, prepare a position paper for a municipal resolution
- Obtain support from other organizations (Municipal League, Florida MS4 permittees, Florida League of Cities, Florida Association of Stormwater Facilities, etc.)

The steering Committee will discuss progress on this issue at the December meeting.

VIII. Meeting Schedule

The next Steering Committee meeting is scheduled for Wednesday, December 8, 1999 at 9:00 a.m. at the offices of Northern Palm Beach County Improvement District. Activities to be discussed at this meeting include:

- Illicit Investigation Procedures
- Inspector Training Update
- **FDEP NPDES Stormwater Delegation – A workshop with Michael Bateman, FDEP Coordinator**

We believe that these minutes accurately reflect the discussions and decisions of this meeting; however, the writer will welcome additions and/or corrections in writing within seven days of the date of these minutes. Should you have any questions, please call me at extension 231.

TBE/ADW:kmm

Copies: Peter L. Pimentel
Tracy C. Robb
Kenneth W. Edwards, Esq.
Michael Bateman
Anne Capelli
All Attendees