

May 30, 2003  
Revised June 6, 2003

## **Memorandum**

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TO: Palm Beach County NPDES Permittees  
FROM: Alan D. Wertepny, P.E.  
REF. NO. A2026.01  
SUBJECT: Minutes of NPDES Steering Committee Meeting Held on May 21, 2003

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### **I. Attendees/Introductions**

Approximately 27 of the 39 co-permittees were represented at the May 21, 2003 NPDES Steering Committee meeting. Steering Committee members present included: Laurent Van Cott (Chair), Jay Foy for ITID (Vice Chair), Randal Krejcarek (Secretary), Tony Puerta for City of Boca Raton (Member), Allen Trefry (Member) and Karen Brandon (Member). A copy of the sign-in list is available upon request.

### **II. Administrative Activities**

- a. Steering Committee Members** – Jay Foy will be representing Indian Trail Improvement District as replacement for John Bonde and Tony Puerta will be representing City of Boca Raton as replacement for Rebecca Travis. The Steering Committee approved appointments of Jay Foy and Tony Puerta to the Steering Committee.
- b. Approval of April 16, 2003 Meeting Minutes** – Jay Foy recommended approval of the minutes for the April 16, 2003 meeting. It was seconded by Randal Krejcarek and approved by the Steering Committee.
- c. Interlocal Agreements for Second Term Permit** – Betsy Burden reported that twenty-seven of the thirty-eight Interlocal Agreements have been executed by both parties. Of the remaining eleven, no responses have been received from the City of Lake Worth, City of Pahokee, Village of Tequesta, and City of South Bay. Tequesta's representative indicated that the Village had executed the Agreement and will be forwarding it to Betsy Burden's office. Municipalities are encouraged to process the Interlocal Agreement as quickly as possible.
- d. Sunshine Law** – Betsy Burden's office received an inquiry from Jay Foy regarding whether the Steering Committee is subject to the State's Sunshine Law. Because the NPDES Steering Committee appears to be possibly more than just an advisory board and makes **recommendations** for the thirty-nine co-permittees, it may be subject to the State's Sunshine Law. The Steering Committee has been operating in compliance with the State's requirements. Meetings are publicized both in our mailings and website.

Staff members coordinate with the Steering Committee members regarding fact finding and recommendations. The Steering Committee decided it will continue to follow the State's Sunshine Laws. No activities will be conducted in private among the Steering Committee members outside of our publicized Steering Committee meetings. Steering Committee members may discuss items with the staff but not among themselves outside of our meetings.

- e. **Budget Reports** – Financial reports for the first and second year of the second permit term were provided to all attendees. The first year program has a fund balance of \$158,889.55 and the second year program has a fund balance of \$214,233.01. Copies of the financial reports and billings for the first and second year program are available upon request.
  
- f. **State Certified Stormwater Inspector Training Course** – Approximately forty people attended the May 6 & 7, 2003 Sediment Control Inspector Training Certification Course sponsored by the National Association of Women in Construction (NAWIC). Steering Committee members and attendees were provided with a handout identifying the requirements in our permit for conducting annual stormwater erosion and sediment control training programs for site operators, engineers, and inspectors. One annual course a year is required. However, the Steering Committee has set a goal of three courses a year in Palm Beach County. Per discussions with Michael Bateman on April 24, 2003, this requirement may be satisfied by cooperative efforts with public or private entities. Publication and support of programs conducted by NAWIC may be an acceptable alternative. NAWIC has conducted two FDEP State Certified Erosion and Sediment Control training certification courses this year in Palm Beach County. We have provided notices of the training courses to our co-permittees at our Steering Committee meetings. We also have documentation in our minutes of the meetings, and the information on these courses has been posted on our website. After some discussion, the Steering Committee decided to continue to promote the private sector efforts to providing the two-day FDEP State certified erosion and sediment inspector training certification course. We will continue to provide notification of these types of programs to our co-permittees on our website ([www.pbco-npdes.org](http://www.pbco-npdes.org)). For training courses in Palm Beach County, we will obtain the number of participants so that this information can be reported in our Annual Report to FDEP.
  
- g. **FDEP's Annual Reporting Streamlining Workshop** – On behalf of the Palm Beach County Co-Permittees, Alan Wertepny attended FDEP's Reporting Streamlining Workshop held on April 24, 2003 in Orlando, Florida. Currently the Annual Report requirements are identified in Florida Administrative Code Rule No. 62-624.600. FDEP would like to streamline the documentation in the Annual Report. FDEP would prefer an executive type summary submittal which would include the numerical summary table with quantifiable items and a brief text, all provided electronically. A series of workshops will be conducted within the next six months to develop the requirements. These requirements will require rule making/modifications to Rule 62-624.600. Consequently the process will take approximately one-year. Therefore, for our first year of the second permit term Annual Report, we will follow the guidelines and requirements identified in the Florida Administrative Code and for

the second year report, a revised format may be available.

- h. **Outline for Co-Permittees Annual Report** – Based on the requirements in the Florida Administrative Code and incorporating comments we have received from FDEP regarding our Annual Reports, we have prepared and distributed the following documents to all attendees:

- Guidance Information – Outline for Co-Permittees Reports
- Template for Co-Permittees Reports
- Numerical Summary Table

Copies of these documents are available on our website under “What’s New”. These documents have been provided to the co-permittees and will be discussed in more detail at the July 16, 2003 Steering Committee meeting. Additionally, the outline for the Joint Report summarizing the activities of the co-permittees and our monitoring program will be provided at the July meeting.

### III. **FDEP’s Comments on the 5<sup>th</sup> Year Program – 1<sup>st</sup> Permit Term Annual Report**

a. **5<sup>th</sup> Year Annual Reports**

A handout was provided which grouped the 5<sup>th</sup> Year Annual Report comments from FDEP into eight areas. These items were discussed and the following comments were made.

- The surface water management plan evaluations in the Annual Reports should address only the findings and accomplishments for that reporting year and not for all previous years. On behalf of all the co-permittees, our joint response will address this item. Our response will be that for all future Annual Reports (e.g., 1<sup>st</sup> Year of the 2<sup>nd</sup> Permit Term) the SWMP Evaluations will be limited to only that reporting period. This will include updates regarding major findings, accomplishments, program strengths, program weaknesses and future plans.
- All co-permittees were advised to expand their information on the numerical summary table to include requested information such as the number of illicit inspections and citations issued, the number of spills, the number and type of public educational activities and the number of construction inspection enforcement activities conducted during the 5<sup>th</sup> Year. For all co-permittees for which this type of information was requested by FDEP’s letter dated April 16, 2003, an attempt should be made to respond and provide this information.
- Some co-permittees allow non-stormwater discharges (such as swimming pools and pressure cleaning) that are not approved by the EPA and FDEP (unless the swimming pool discharges are dechlorinated and pressure cleaning is classified as uncontaminated residential pressure cleaning). These co-permittees should review

and/or revise their listings of non-stormwater discharges and applicable Municipal NPDES ordinances accordingly. For direct or indirect discharges from the application of pesticides, fertilizer or herbicides (provided the application method is in accordance with the State and Federal Regulations) applicants are advised to remove these from their listing of non-stormwater discharges.

- FDEP requested an updated map and narrative summary of any annexed or vacated areas within the co-permittees jurisdiction. This is a requirement of 62-624.700 Florida Administrative Code and the 2<sup>nd</sup> Term Permit. However, it is not a requirement that was included in the NPDES 1<sup>st</sup> Permit Term (e.g., 5<sup>th</sup> Year Annual Report). Consequently, our joint response will address this item. The joint response will indicate that in the 1<sup>st</sup> Year of the 2<sup>nd</sup> Permit Term Annual Report will include an updated map and written description of all newly annexed and de-annexed areas pursuant to 62-624.700. All subsequent Annual Reports will also include any revisions to the co-permittees jurisdictional area.
- For some of the co-permittees, FDEP is requiring an explanation of why budget reductions occurred from the 4<sup>th</sup> to the 5<sup>th</sup> Year. Please provide your explanation in your response.
- FDEP requested information on the inventory, prioritized high risk facilities and inspections of the high priority sites. Discussions with Michael Bateman indicated that the affected co-permittees should follow the procedures developed by the NPDES Steering Committee (refer to the 4<sup>th</sup> Year Joint Annual Report) to develop the inventory of the high-risk facilities, establish a low and high priority ranking, and, for those identified as priority high-risk facilities, conduct an inspection of those facilities.
- FDEP requested a schedule from the four co-permittees that have not completed the required dry weather field screening. These co-permittees are Palm Beach County, Town of Lake Clarke Shores, City of Pahokee and South Indian River Water Control District. The City of Pahokee and South Indian River Water Control District have completed their dry weather field screening. Palm Beach County has addressed this issue in previous annual reports to FDEP. A response from Lake Clarke Shores is needed on this item.
- FDEP identified some minor clerical errors with the Joint and Co-Permittees Annual Report.

All co-permittees are reminded that responses to FDEP's request for additional information are to be sent to Alan Wertepny (Mock•Roos) on or before June 4, 2003. These responses will be added to the joint response and submitted to FDEP by June 18, 2003.

b. 5<sup>th</sup> Year Inspection

- A handout was provided which identified the seventeen co-permittees required to submit additional information to FDEP. Typical information requested included the following:
  - Structural Controls – Copies of inspection reports and maintenance reports.
  - Roadway and Municipal Waste – Copies of inspection reports on maintenance shops, invoices for trash disposal (litter and street sweeping).
  - Illicit Discharge – Number of spills, number of calls from residents reporting illicit, copies of incident reports, copies of staff pesticides and herbicides licenses, number of staff trained to do illicit discharge inspections.
  - Public Education – Dates of events, copies of newsletters with stormwater articles.
  - High-Risk Facilities – Copies of inspection reports.
  - Construction Sites – Numbers of inspections conducted, copies of inspection logs, number of inspectors trained for erosion and sediment controls.

All co-permittees are reminded that this is the type of information that should be available and provided at the annual inspection/interview with FDEP's consultant (SAIC – Vista Stewart). The seventeen co-permittees required to submit additional information are reminded that responses are due to Alan Wertepny by June 4, 2003.

**IV. Next Scheduled Meeting**

The next Steering Committee meeting is scheduled for Wednesday, July 16, 2003, 9:00 a.m. at the offices of Northern Palm Beach County Improvement District. The items on the agenda will include discussion of the format for the Annual Report (individual and joint) and the status of the proposed monitoring program submitted to FDEP for review and comments.

I believe 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.

ADW:jeh

Copies: Tracy C. Robb  
All Co-Permittees  
Anne Capelli