

## City of West Palm Beach

### Proactive Inspection Program

#### Section III.A.7.c – Illicit Discharges and Improper Disposal – Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal

This permit element requires a written **proactive inspection program** for identifying and eliminating sources of illicit discharges, illicit connection or illegal dumping, to our MS4.

- Portions of our MS4 that have a reasonable potential of containing illicit discharges/connections/dumping are inspected annually. The FDEP has indicated that the portions of our MS4 that have a reasonable potential of containing illicit discharges/connections/dumping should be considered to be the commercially zoned areas/properties that could potentially discharge into our MS4.
- FDEP allows these inspections to be combined with other inspection programs, but the inspections must include specific inspection for potential stormwater contamination.

**City of West Palm Beach**  
**Proactive Inspection Program (Written Procedures)**

**1. Procedure and Criteria for identifying priority areas/facilities**

For consistency with the Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) permit, the following areas are considered a priority in the inspection program:

- Industrial, commercial, or mixed use areas
- Areas with history of past illicit discharges and/or illegal dumping
- Areas with on-site sewage disposal systems
- Areas upstream of sensitive or impaired water bodies

The attached map depicts the areas zoned as industrial or commercial, that lie within our MS4 contributing area or in an area that discharges from an outfall for which we are responsible. The map is updated each year, typically in the month of June, by the Public Utilities department and saved as a PDF format file for use by all.

**2. List of identified priority areas/facilities**

Each year, a list of addresses is created from an overlay of the map above and the County's current parcel map and associated database. This list is cross-referenced with the Florida Department of Environmental Protection (FDEP) list of facilities that have coverage under the Multi-Sector Generic Permit (MSGP). If any facilities that appear to require an MSGP are not on the FDEP list, the names and addresses of those businesses are referred to FDEP. The annual creation of the list of addresses and cross-referencing with the FDEP MSGP database is done by Public Utilities, typically in the month of June each year.

**3. Annual schedule for inspections**

All priority areas are inspected at least once within the current five-year permit term. The inspection area has been divided into five zones. One zone will be inspected during each year of the permit term. If an area is found to have illicit discharges/connections/dumping, it is re-inspected for compliance and if warranted, specific facilities within that area are considered for placement on the high risk facility list for more frequent inspection.

In addition, inspections for signs of illicit discharges are part of the Standard Operating Procedure for all structural control inspections and maintenance. A "checkbox" for this activity is included on the inspection forms for those activities. If a suspected illicit is identified, it is reported to Code Compliance for investigation under the Reactive Investigations program. These inspections take place throughout the year.

Finally, all appropriate field personnel receive illicit discharge and illegal dumping identification and notification training. If a suspected illicit is identified during the course of performing their regular activities, it is reported to Code Compliance for investigation under the Reactive Investigations program.

#### **4. Procedure for conducting inspections**

The inspector(s) patrols the prioritized area searching for indications of illicit discharges/connections/dumping into the City's MS4, in accordance with the training received. If any are identified, the inspector makes a cursory attempt at identifying the source of the illicit. If the source is identified, the inspector makes the decision to either approach the facility owner or refer the finding to his supervisor for further action. In speaking with the facility owner or operator, the inspector advises of the findings and cites the ordinance which prohibits such discharges. The inspector may use photo documentation to support the inspection. The inspector indicates his/her intention to return to verify that the problem has been corrected. If no source is identified, the findings are reported to the inspector's supervisor for further investigation.

Pro-active inspections also take place during the inspection of structural controls and other MS4 components by Stormwater Drainage & Canal Maintenance personnel that are trained in illicit discharge identification and reporting.

#### **5. Procedure for tracing source of discovered illicit discharge**

Visual observation, investigation, and testing if necessary, are used to identify the source of an illicit discharges/connections/dumping.

#### **6. Procedure for eliminating the discharge**

If an illicit connection to the MS4 through a pipe is identified, it is immediately terminated (plugged or removed). If the illicit is traced back to a property owner/operator, the owner of the property is contacted by Code Compliance. The owner is notified of the problem and asked to address the situation immediately. The owner is also notified of the re-inspection date, typically one week.

#### **7. Procedure for documenting the inspections and enforcement activities**

The MSGP coverage research and reporting is documented by copies of the lists generated during steps one and two above (list of facilities within MS4 that are commercial/industrial, list of facilities in the City with MSGP coverage, list of facilities that appear to need MSGP coverage but appear not to have it). These lists will be maintained with other back-up documentation to support the annual permit activities conducted by the City. The list of facilities that appear to need MSGP coverage will be sent to FDEP for follow-up.

The attached inspection form is used for pro-active inspections and the subsequent follow-up. (Photo documentation will also be provided, as needed.) Selected activity related to the pro-

active inspection program is logged into a database (Community Plus) for management. The electronic files facilitate follow-up, referrals and year-end summarizing.

**8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)**

For cases within West Palm Beach's MS4 contributing area, an unresolved matter is handled by the code compliance division. Code compliance assigns a case number and follows through to resolution. For cases outside West Palm Beach's MS4, the appropriate entity is notified (FDOT, Palm Beach County, etc.) by Code Compliance.

**9. Identification of staff /department/outside entity responsible for inspections and for enforcement**

Inspection activities are carried out by Code Compliance (two inspectors and one senior inspector). The pro-active inspections that take place during the inspection of structural controls and other MS4 components, are the responsibility of Stormwater Drainage & Canal Maintenance. Follow-up and management are provided by the Utilities O&M Superintendent of Stormwater. Documentation is handled by the Records Manager/Data Analyst. Code officers are called in as needed.

**10. Description of resources allocated to implement this permit element**

Approximately \$150,000.00 has been allocated for this program for the 2011/2012 fiscal period. See the Stormwater Utility Budget document.

**City of West Palm Beach**

**Proactive Illicit Discharge/Illegal Connection Inspection Form**

(Use as many sheets as necessary)

Date of Inspection: \_\_\_\_\_ Inspector Name: \_\_\_\_\_

☐ New Inspection

☐ Follow-up Inspection

Description of inspection area: \_\_\_\_\_

Identification of MS4 component that could receive discharge from this site/area: \_\_\_\_\_

**Findings:**

Evidence of illicit connections to storm sewer? Yes\_\_\_ No\_\_\_

Evidence of dumping/spills to storm sewer? Yes\_\_\_ No\_\_\_

Evidence of wash water going to storm sewer? Yes\_\_\_ No\_\_\_

Storage tanks leaking or improperly contained? Yes\_\_\_ No\_\_\_

Stockpiles/debris piles uncontained? Yes\_\_\_ No\_\_\_

If "yes," to any above, describe:

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Type of Enforcement Action Taken: \_\_\_\_\_

Date to verify correction: \_\_\_\_\_