



AECOM  
2090 Palm Beach Lakes  
Boulevard  
Suite 600  
West Palm Beach, FL 33409  
www.aecom.com

561 684 3375 tel  
561 689 8531 fax

May 24, 2012

Eric Livingston  
Program Administrator  
NPDES Stormwater Section  
Florida Department of Environmental Protection  
2600 Blair Stone Road – MS2500  
Tallahassee, FL 32399-2400

Subject: Palm Beach County MS4 NPDES Permit FLS00018 (Cycle 3)  
Initial Year 1 SOP Comments for  
South Indian River Water Control District

Dear Mr. Livingston:

Attached for your review is the revised Standard Operating Procedure (SOP) for the Proactive Inspection Program. The SOP has been revised per FDEP's comments in the letter dated April 23, 2012.

Should you have any questions, please feel free to call.

Sincerely,

Karen D. Brandon, P.E.

KDB/dw

Encl.

cc: Mike Dillon, SIRWCD  
Ken Kuhl, FDEP  
Alan Wertepny, MRA



## 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 your 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.

#### Proactive Inspections Written Program Components

1. Procedure and Criteria for identifying priority areas/facilities
2. List of identified priority areas/facilities
3. Annual schedule for inspections
4. Procedure for conducting site inspections (include checking for MSGP)
5. Procedure for tracing source of discovered or suspected illicit discharge
6. Procedure for eliminating the discharge
7. Procedure for documenting the inspections and enforcement activities  
(See form)
8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)
9. Identification of staff /department/outside entity responsible for inspections and for enforcement
10. Description of resources allocated to implement this permit element

## **Proactive Inspection Program (Written Procedures)**

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

For consistency with the MS4 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(s) depicts the extent of our MS4 contributing area; areas zoned as industrial, commercial or mixed use; areas with on-site septic systems; and, currently identified impaired water body segments. There are no facilities that have been identified as the source of illicit discharges in the past. The map(s) will be reviewed annually and updated if necessary, typically in October by the District Engineer.

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

Each year, a list of addresses is created from an overlay of the map created 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 typically done in the month of October each year.

### **3. Annual schedule for inspections**

All priority areas/facilities will be inspected at least once within the current five-year permit term. If a facility or area is discovered to have illicit discharges/connections/dumping, it will be placed on the schedule for re-inspection the following year. The proposed schedule for inspecting the following priority areas/facilities is once per year:

- Jupiter Park of Commerce
- Publix Shopping Center
- 8 plant nurseries

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 Palm Beach County ERM for investigation.

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 Palm Beach County ERM for investigation.

**4. Procedure for conducting site inspections (include checking for MSGP)**

Priority Facility inspections: For proactive facility inspections, the trained inspector conducts an unannounced visit to the facility. A standardized inspection form is used (see attached).

Priority Area inspections: For general areas that have been designated to have a reasonable potential of containing illicit discharges/connections/dumping, a drive-around procedure is followed. The trained inspector(s) patrols the prioritized area searching for indications of illicit discharges/connections/dumping. If any are identified, the inspector either stops to do a Facility Inspection, a reactive investigation, or completes a work order form for the appropriate personnel to complete the investigation.

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

(See Illicit Investigation Procedures)

**6. Procedure for eliminating the discharge**

(See Illicit Investigation Procedures)

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

The MSGP coverage research and reporting is documented by the copies of the lists generated during each step (list of facilities within MS4 that are commercial/industrial), list of facilities in SIRWCD 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 SIRWCD. 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 is also provided, as needed.

**8. Procedures for referrals to appropriate jurisdictional authority:**

Contact Brian Gentry of Palm Beach County Environmental Resources Management (PBCERM)

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

The SIRWCD General Manager will work with PBCERM for follow-up inspections and enforcement, if necessary.

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

- District Engineer research of MSGP website (annually)
- Inspection time by SIRWCD staff (annually)



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

Date of Inspection: \_\_\_\_\_

Address of Facility OR General Description of Area Inspected: \_\_\_\_\_

Identification of SIRWCD canal/storm sewer that could receive discharge from this site/area:

\_\_\_\_\_

If Facility inspection, does type of business require an MSGP? Yes\_\_\_ No\_\_\_

If yes, does this facility have one? Yes\_\_\_ No\_\_\_

**Findings:**

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

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

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

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

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

If "yes," to any above, describe:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date referred to Palm Beach County Environmental Resources Management: \_\_\_\_\_

Date to verify elimination: \_\_\_\_\_

Date of Referral to FDEP of facility that may require MSGP: \_\_\_\_\_

## **SIRWCD Illicit Investigation Procedures**

The intent of the illicit investigation program is to identify the existence, location, source and responsible party, and to terminate the illegal connection. Investigative procedures to identify and terminate illicit discharges can be divided into five processes: Identification, Source Tracking, Responsible Party, Enforcement and Documentation.

### **Identification**

Illicit discharges enter the MS4 through either direct connections (wastewater piping, wash water, floor drains, etc.) or indirect connections (infiltration, direct dumping, spills collected by storm drains, etc.). Identification of potential illicit discharges can be accomplished by using several existing inspection and monitoring programs, including surface water quality monitoring, dry weather field screening of municipal outfalls, responding to citizen complaints, stormwater facilities operation and maintenance activities, public education activities, and utilities inspections.

Following the identification of an illicit discharge or illegal connection, an inspection and report must be completed. The report provides details of violations and subsequent corrections. A written report should be made for every inspection to document site conditions. The report should be written legibly, accurately, and in clear and concise language. All violations observed for each inspection should be documented. It is recommended that photographs, noting the date and time, and any water quality testing information be included with the inspection report.

### **Source Tracking**

Once a suspected illicit discharge has been identified, the source of the discharge needs to be located. The source tracking process may consist of the following:

- Determining if the discharge is definitely an illicit discharge.
- Determining the source of the discharge.
- Conducting a site inspection and documenting the findings.
- Writing a notification to the owner with the findings/results of the inspection report.

Illicit discharges can occur in any segment of the MS4 at any given time, and they can be continuous or intermittent flows. Detection of illicit discharges requires adequate knowledge of the MS4. The following is a list of items that could be instrumental in determining the source of illicit discharges.

- SIRWCD complaint logs of suspected illicit discharges.
- Outfall location maps.
- MS4 piping (pipes, manholes and catch basins) and canal system maps.
- Utility maps.
- Land use maps.
- High-risk facility inventory.

- Tax maps.

Illicit discharges should be tracked within the MS4, to find the location/owner of the source. Using outfall maps and MS4 maps, the flow of the illicit discharge can be tracked back through the MS4. Ideally, these field investigations would be done in dry weather so as not to confuse an illicit discharge with stormwater flow. Starting from the outfall or point of illicit discharge identification, visual observations using manholes and catch basins can be used to trace the flow and isolate the section of MS4 that is receiving the illicit discharge. A written report of the site inspection and conclusions should be prepared.

Further site assessment of the surrounding drainage area and suspected facilities by a competent environmental professional may be necessary to determine the party responsible for the illicit discharge.

### **Responsible Party**

Once the source of the illicit discharge has been determined, the party responsible for the discharge can be identified with tax or landowner maps, or through the Palm Beach County Property Appraisers Office website ([www.co.palm-beach.fl.us/papa/index/htm](http://www.co.palm-beach.fl.us/papa/index/htm)). The owner should be notified in writing of the illicit discharge and be provided a copy of the investigation report.

### **Enforcement**

SIRWCD is responsible for the water quality of the discharge from their MS4. When an illicit discharge or illegal connection is detected, it is the responsibility of SIRWCD to determine the appropriate legal authority and to ensure that the connection is terminated.

Once a violation has been identified and documented by an inspection report, steps must be taken to eliminate the illicit discharge. The violation must be brought to the attention of the responsible party and they should be provided with a copy of the inspection report. Discussion with the responsible party should be held regarding the observed cause of the violation and the requirements for its correction. Attempts should be made to achieve voluntary compliance by the responsible party. Generally, voluntary compliance at the time of the inspection can resolve most investigations.

Following the allotted correction period another re-inspection should be scheduled to ensure that all items have been addressed.

If voluntary compliance is not achieved official code enforcement actions should be taken by PBC ERM. They are the appropriate legal authority to proceed with enforcement actions to eliminate the illicit discharge. For more serious offenses, enforcement may include local consent orders or referrals to the Florida Department of Environmental Protection, Palm Beach County Department of Environmental Resources Management, or Department of Health and Human Resources. The investigator and compliance officer should always be prepared for code

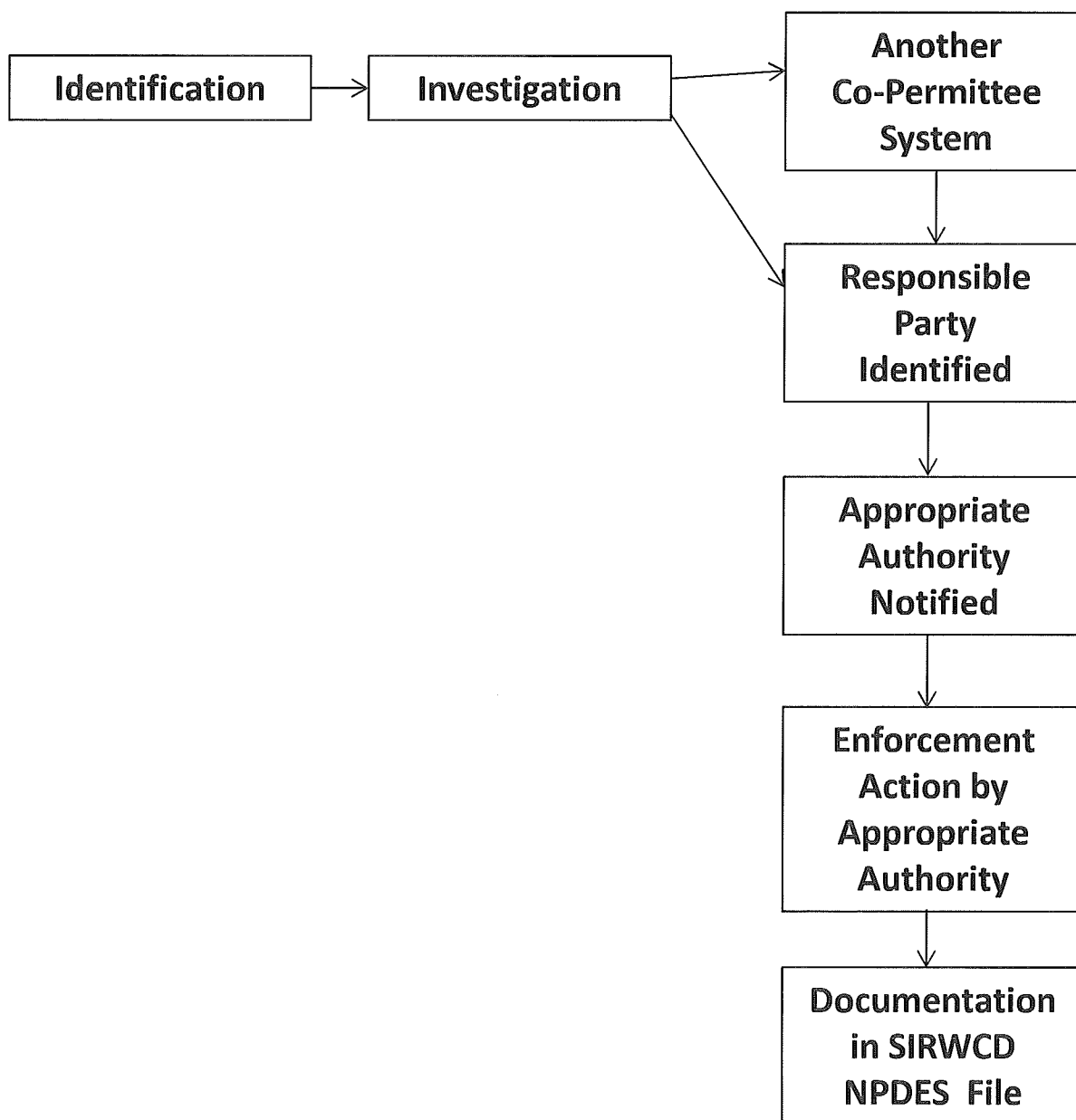


enforcement hearings with inspection records, pictures, water quality information, violations courtesy letters, and Notice of Violation.

### **Documentation**

Records of enforcement action will be maintained and be documented in the NPDES annual report.

# **SIRWCD Responsibility for Pollution Source Tracking**



\*Appropriate Authority - Municipality (City, Village, Town)  
- County (DERM, Health Dept.)  
- State (FDEP, SFWMD)