



# FLORIDA DEPARTMENT OF Environmental Protection

Bob Martinez Center  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

Sent via ePost

January 31, 2020

Subject: FDOT District Four Municipal Separate Storm Sewer System (MS4)  
Cycle 4 Year 2 Audit Reports

The Department conducted the Cycle 4 Year 2 audits on December 18-19, 2019 for FDOT District Four, which covered Broward County (FLS000016) and Palm Beach County (FLS000018). The audit report is attached.

Thank you for your efforts in implementation of your stormwater management programs and for your cooperation during the audits. If you have any questions or need any assistance, please contact Sarah Ketron at (850) 245-8495, [Sarah.Ketron@floridadep.gov](mailto:Sarah.Ketron@floridadep.gov).

Sincerely,

A handwritten signature in blue ink that reads "Michelle Bull".

Michelle Bull  
NPDES Stormwater Program  
MB/sk/bca

Enclosures: FDOT District Four Cycle 4 Year 2 Audit Report

Addressees: Paul A. Lampley, P.E. MS, FDOT District Four  
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## Phase I Municipal Separate Storm Sewer System (MS4) NPDES Stormwater Audit Report

### I. BACKGROUND INFORMATION

**MS4 Permit Name:** Palm Beach County; Broward County  
**Permittee:** FDOT – District 4  
**Permit Number:** Palm Beach County FLS000018-004  
Broward County FLS000016-004  
**Annual Report Year/Reporting Period:**  
Palm Beach County Year 2 10/01/2017 – 09/30/2018  
Broward County Year 2 01/01/2018 – 12/31/2018  
**Audit Date/Time:** December 18, 2019 8:00 am – 12:00 pm  
December 19, 2019 8:30 am – 10:00 am (Operations Center)

#### Inspector(s):

Name	Title	Phone/ Email
Michelle Bull	Environmental Consultant	850-245-7561 <a href="mailto:Michelle.Bull@floridadep.gov">Michelle.Bull@floridadep.gov</a>
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#### Permittee Representative(s):

Name	Title	Phone
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### II. GENERAL COMMENTS

The purpose of the MS4 audit and DEP's increased Level of Service was discussed. The audit was conducted concurrently with the FDOT District 4 Phase II MS4 audit. The Phase II MS4 audit is captured in a separate report.

Ashok Raichoudhury with Broward County attended the audit. Broward County performs many activities on behalf of MS4 co-permittees such as proactive illicit discharge inspections, high-risk facility inspections, water quality monitoring and EMC calculations. The County has an excellent working relationship with FDOT and their contractors. They respond to audit questions and work together well.

### III. SWMP IMPLEMENTATION REVIEW

#### Assessment Program

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Palm Beach County:** Assessment Plan approved.

**Broward County:** Broward Assessment Plan approved.

#### Fiscal Analysis

Explanation of difference in spending and budget was included in the Broward and Palm Beach County annual reports.

#### TMDL Prioritization

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**TMDL Prioritization Plan:** Both permits prioritized Fecal Coliform TMDLs.

Permit Number	Waterbody	WBID	Due Date
Broward County FLS000016	C-11 East Canal	3281	6/30/2020
Palm Beach County FLS000018	E-1 Canal	3264A	3/31/2020

**Broward:** District 4 has prioritized the C-11 East Canal and is partnering with Cooper City on implementation. The City of Davie and City of Hollywood are addressing the same WBID separately. County and FDOT staff and consultants have talked with Anita Nash in DEP's Basin Management Action Plan Program about chemical source tracing.

Discussed the Cycle 3 Fecal Coliform BPCP for 3279A FC North Fork Snake Creek in Broward County. One FDOT road, Flamingo Road, discharges into the WBID. The District performed video and visual inspection of the MS4 and found no potential sources of bacteria.

**Palm Beach:** District 4 is partnering with the County and is participating in the Loxahatchee River Reasonable Assurance Plan.

### Part III.A.1: Structural Controls and Stormwater Collection Systems Operation

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Major Outfall Inventory:** Reviewed outfall maps for both counties.

**Structural Control Inventory:** Tracking of inventory and tracking of inspections are in different ways (length vs. number of segments), so the data is not comparable to calculate the percent inspected.

**Structural Control Inspections:** E Sciences, Inc. performs inspections of **stormwater ponds, treatment swales, exfiltration trenches, pollution control boxes and major outfalls**. Inspection reports are forwarded to applicable operations centers for any needed maintenance. The applicable operations center (Ops Center) creates a work order and maintenance is performed in-house or contracted depending on the type and size of the project. The District 4 office may receive complaints from the public or other contractors which also get work orders from the Ops Center. Any work done (in-house or contracted) is entered into a Maintenance Management System (MMS). Any maintenance required due to an inspection is reported back to E Sciences, Inc. when completed, then E Sciences, Inc. performs a quality assurance (QA) inspection.

**Conveyances and control structures** are inspected through FDOT's Maintenance Rating Program (MRP). District 4 has a crew that inspects 1/10<sup>th</sup> of a mile daily and grades road based on five elements. The rating system is pass/fail and includes drainage, roadway, roadside, traffic services (signage) and vegetation/aesthetics. MRP crew is FDOT staff out of the District 4 office, not the Ops Center.

**Inlets / catch basins / grates:** Maintenance is reported as linear feet; and inspections are reported by structure.

Reviewed E Sciences inspection reports and QA reports which included any follow up maintenance required. Reviewed MRP Evaluation Period reports with drainage activities linked to permit requirements.

### Part III.A.2: Areas of New Development and Significant Redevelopment

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Enforcement referrals:** None

### Part III.A.3: Roadways

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

Ops Centers schedule maintenance similarly in both counties.

**Litter Control:** Asset Maintenance contractors maintain I-95, US-1, AIA etc. and may hire contractors to perform activities. All contractors are required to have IDDE and Spill Response training. Contractors Activities are tracked through MMS codes; 482 and 485 for mowing, 541 for litter control, 542 and 543 for street sweeping. Reviewed Palm Beach County summary of expenditures, which includes acres of litter control performed and miles swept. Most litter control and mowing are contracted, and all sweeping is contracted.

**Adopt-A-Highway:** Reviewed memo of data with number of groups, number bags collected, estimated miles cleaned, and estimated trash weight.

**Street Sweeping:** See “Litter Control” above. Contracted by Asset Maintenance and Ops Centers. Reviewed total miles swept. Information on which companies sweep which sections of roads is maintained in the contracts.

**Road Maintenance Yards:** The Department inspected the Treasure Coast Operations Center in Ft. Pierce. Results are listed in Phase II MS4 Audit Report. Facility inspection reports (Palm Beach County) are very thorough and include a narrative section of each area, recommendations, images, and checklist.

#### Part III.A.4: Flood Control Projects

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Projects:** One project did not include water quality treatment; an explanation was provided in the annual report.

#### Part III.A.5: Municipal Waste Treatment, Storage, and Disposal Facilities Not Covered by an NPDES Stormwater Permit

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Waste Storage Facilities:** No facilities.

#### Part III.A.6: Pesticides, Herbicides, and Fertilizer Application

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**FDACS Pesticide License:** Ops Center maintenance personnel have pesticide public applicator licenses in both counties.

**FDACS Fertilizer License:** Contractor has a Limited Urban Landscape Commercial Fertilizer license, but do not apply fertilizer for FDOT.

**GIBMP Certification:** Contractors have certifications, but do not apply for FDOT.

#### Part III.A.7.a: Illicit Discharges and Improper Disposal — Inspections, Ordinances, and Enforcement Measures

☐ Satisfactory ☐ Unsatisfactory ☒ Not Applicable

#### Part III.A.7.c: Illicit Discharges and Improper Disposal — Investigation of Suspected Illicit Discharges and/or Improper Disposal

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Proactive Inspections:** Inspections reported include E Sciences, Inc. inspections and QA, MRP (278), mowing, etc. During the reporting period, the inspection checklists did not include illicit discharge, but the most current inspection checklist includes those elements. All staff and contractors have illicit discharge training. If an illicit discharge is discovered during a maintenance event, staff are trained to report to their Ops Center. Ops centers forward reports of suspected illicit discharge to Ivette Leiva, and E Sciences, Inc. investigates the area, history, etc. to confirm the illicit discharge. E Sciences, Inc. staff will contact the construction operator, if applicable, or send a certified letter to the business owner notifying them of an illicit discharge. If the letter is not responded to appropriately, FDOT refers the violation to the appropriate city or county for handling.

**Broward:** Reviewed ten FDOT investigations; most were construction or dewatering-related. One unclaimed pipe has been plugged. Reviewed the Broward County proactive inspections and findings tracking sheet. Broward County issued a NOPEA (Notice of Potential Enforcement Action) for some sites but did not require enforcement to return to compliance.

FDOT does not maintain I-595 Express as it is a “Design, Build, Operate” road (in operation in 2017), where a contractor maintains the road for 30 years. I-595 has a citizen complaint system, maintenance, etc. The contractor reports to District 4, who includes in MS4 reporting. Reviewed complaints log for I-595.

**Palm Beach:** Did not include mowing in proactive inspection count, so it was significantly reduced the number of inspections performed. FDOT will include in future reports.

**Enforcement:** In Palm Beach County, one illicit discharge was forwarded to the City of West Palm Beach who administered fine(s) against a business for industrial kitchen cleaner discharge.

**Training:** Reviewed contractor and Ops center training sign in sheets.

#### **Part III.A.7.d: Illicit Discharges and Improper Disposal — Spill Prevention and Response**

☒ Satisfactory                      ☐ Unsatisfactory                      ☐ Not Applicable

**Spills:** One-Stop Permitting replaced the PITS tracking system.

**Broward:** Reviewed same FDOT complaint log as above, and spill tracking log by FDOT Environmental Health and Safety Officer. List may include duplicate spills, which are not included in the annual reports.

**Palm Beach:** Reviewed list of spills with clean up actions and possible illicit connections list. Reviewed complaint tracker, which includes all calls to FDOT about roadway issues.

**Training:** See information reported for Part III.A.7.c above.

#### **Part III.A.7.e: Illicit Discharges and Improper Disposal — Public Reporting**

☐ Satisfactory                      ☐ Unsatisfactory                      ☒ Not Applicable

#### **Part III.A.7.f: Illicit Discharges and Improper Disposal — Oils, Toxics, and Household Hazardous Waste Control**

☒ Satisfactory                      ☐ Unsatisfactory                      ☐ Not Applicable

**Recommendation:** Update the DEP web address to <https://floridadep.gov/water/stormwater> on notifications issued.

### **Part III.A.7.g: Illicit Discharges and Improper Disposal — Limitation of Sanitary Sewer Seepage**

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Referrals:**

**Broward:** There are 26 utilities with collection systems in Broward County that cross FDOT roads. Reviewed Broward County Emergency Notification tracking list of all SSOs within the County. Actions taken include corrective actions to clean MS4 if needed. Spills that had the potential to impact FDOT MS4s were highlighted. FDOT has not discovered any SSOs. They are generally notified of spills that impact their MS4 by Broward County.

**Palm Beach:** One SSO was reported in the possible illicit connections list.

### **Part III.A.8.a: Industrial and High-Risk Runoff — Identification of Priorities and Procedures for Inspections**

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Broward:** Reviewed Toxics Release Inventory (TRI) list which includes facilities that are on the TRI if they had a spill within 2 years. The High-Risk Facility (HRF) list also includes facilities as part of other Broward County inspection criteria even if they are no longer on the TRI list. Some HRFs are inspected annually or every two years, based on Small Quantity Generator (SQG) guidance. Broward hasn't found any need to sample or perform enforcement at these HRFs.

**Palm Beach:** All HRFs were inspected in 2015. E Sciences, Inc. will be refreshing the HRF list for Cycle 4.

There is a fenced FDOT stormwater pond by the airport that is often broken into by staff that use the area for parking. FDOT considers this area as high risk because of the potential for vehicles to leak chemicals adjacent to the stormwater pond.

### **Part III.A.8.b: Industrial and High-Risk Runoff — Monitoring for High Risk Industries**

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Monitoring:** See above.

### **Part III.A.9.a: Construction Site Runoff — Site Planning and Non-Structural and Structural Best Management Practices**

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Discharge Connection Permit (DCP):** Applications are submitted to and reviewed by Ops Center Permits Department through One-Stop Permitting. Permits are also reviewed by the District's Drainage Department to confirm no offsite stormwater discharge to the FDOT MS4, and best management practices to protect the MS4 during construction. Ops Centers send out final permit packages with the notification flyer. Staff did not have a list of projects at the audit because it is maintained by Ops Centers; however, the list was provided after the audit.

### Part III.A.9.b: Construction Site Runoff — Inspection and Enforcement

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

**Inspections:**

**FDOT Sites:** Reviewed list of active FDOT projects, which includes large projects such as I-95 interchanges and pushbutton contracts: smaller, capped projects that may cover a wide area. Reviewed Monthly progress reports for FDOT projects. District Construction Environmental Coordinators perform inspections. Reviewed a blank inspection checklist for FDOT sites. After the audit, staff provided a completed inspection report.

**Private sites:** All active private construction sites are DCP-issued sites.

### Part III.A.9.c: Construction Site Runoff — Site Operator Training

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

Discussed reporting of staff training. After the audit, staff submitted a revised annual report with corrected training numbers.

**Inspector E&SC Training:**

**Broward:** Some staff have existing FDEP Erosion and Sediment Control Training and some staff were new and received training during the reporting year. Existing staff attended refresher training.

**Palm Beach:** All inspectors have FDEP Erosion and Sediment Control Training and received annual training.

**Site Plan Reviewer Training:**

**Broward:** All site plan reviewers have FDEP Erosion and Sediment Control Training. While refresher training was performed, it was not tracked. Staff will report training in Year 3.

**Palm Beach:** The revised annual report lists the number of reviewers that received annual training.

**Site Operator Training:** For both counties, the revised annual reports list the number of operators that received annual training through pre-construction meetings.

## IV. SITE VISITS

☒ Satisfactory ☐ Unsatisfactory ☐ Not Applicable

The Treasure Coast Operations Center Maintenance Facility in Ft. Pierce was inspected on December 19, and Sarah Ketron sent an email with eight required improvements on January 2, 2020. Required improvements were responded to on January 9, 2020. See the Phase II MS4 Audit Report for details and additional comments.