



Florida Department of Environmental Protection

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Secretary

April 23, 2012 (via email)

Subject: Palm Beach County Municipal Separate Storm Sewer System (MS4)
NPDES Permit No. FLS000018 (Cycle 3)
Initial Year 1 SOP Review and Comments

Dear Addressees:

Thank you very much for your submittal of the Standard Operating Procedures (SOPs), attached to your Year 1 Annual Report, and required by Section VII, Parts III.A.7.c (Illicit Discharge – Proactive Inspections) and III.A.9.b (Construction Site Runoff – Inspections) of the Annual Report form. Attached in Appendix B, please find the Department's guidelines for SOP development. These guidelines are utilized by the Department to evaluate SOPs submitted by permittees statewide, and may be utilized by permittees to develop, modify, or update their SOPs. The sections of the SOP guidelines relevant to Illicit Discharge – Proactive Inspections and Construction Site Runoff – Inspections are highlighted in yellow.

The Department has summarized an initial determination related to each permittee's SOPs, either "approved" or "not approved", in Appendix A of this letter. For those SOPs which are approved, no further action is required and the Department will include final approval in the annual assessment package. For those SOPs which have not been approved, permittees must resubmit a modified SOP which satisfies the missing elements identified by the Department in Appendix A. Comments for each unapproved SOP reference the applicable required elements (by permit Part and line item contained in the guidance document).

Permittees with "unapproved" SOPs must resubmit a modified version within 35 days of the date of this letter. If you have any questions, regarding the guidelines or comments by the Department, please contact me or any other member of the Phase I MS4 Team.

Sincerely,

Eric H. Livingston
Program Administrator
NPDES Stormwater Section

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Enclosures: Appendix A – Palm Beach County MS4 NPDES Permit Year 1 SOP Review and Comments – SOP Approval and Requests for Additional Information
Appendix B – Proactive Illicit Discharge and Construction Site Runoff Inspections – Template for Developing and Reviewing SOPs

Addressees: Mo Thornton, City of Atlantis
Lomax Harrelle, City of Belle Glade
Tony J. Puerta, City of Boca Raton
Kofi A. Boateng, P.E., City of Boynton Beach
David T. Harden, City of Delray Beach
Carlos Cedeno, City of Greenacres
Jamie B. Brown, City of Lake Worth
Derrek Moore, City of Pahokee
Todd Engle, P.E., City of Palm Beach Gardens
Brynt Johnson, City of Riviera Beach
Corey Alston, City of South Bay
David Hanks, City of West Palm Beach
Maria Connolly, FDOT District Four
Jose Quintana, P.E., FDOT Florida's Turnpike Enterprise
Tanya Quickel, Indian Trail Improvement District
O'Neil Bardin, Northern Palm Beach County Improvement District
Robert Weisman, Palm Beach County
Michael A. Dillon, South Indian River Water Control District
Donna Erisey, Town of Cloud Lake
Michelle Suiter, Town of Glen Ridge
William H. Thrasher, Town of Gulf Stream
Jay Foy, Town of Haverhill
Kathleen D. Weiser, Town of Highland Beach
Kenneth M. Schultz, Town of Hypoluxo
Joseph F. Lo Bello, Town of Juno Beach
David Rotar, Town of Jupiter
Daniel J. Comerford III, Town of Jupiter Inlet Colony
Daniel P. Clark, Town of Lake Clarke Shores
Jamie S. Titcomb, Town of Lake Park
Michael Bornstein, Town of Lantana
Linda Stumpf, Town of Manalapan
William H. Albury III, Town of Mangonia Park
Kenneth Schenck, Town of Ocean Ridge
Peter B. Elwell, Town of Palm Beach
John Workman, Town of Palm Beach Shores
Rex Taylor, Town of South Palm Beach
Jorge Santos, Village of North Palm Beach
Bob Hennes, Village of Palm Springs
Paul L. Webster, P.E., Village of Royal Palm Beach
Russel White, Village of Tequesta
Mitchell W. Fleury, Village of Wellington

Ccs: Steven Mazuk, City of Atlantis
Mickey McGahee, City of Belle Glade
Christopher J. Roschek, P.E., City of Boynton Beach
Randal Krejcarek, P.E., City of Delray Beach

Michael Grimm, City of Greenacres
Horace Towns, City of Lake Worth
Alvin Johnson, City of Pahokee
Jevon White, City of Riviera Beach
Edgar Kerr, City of South Bay
Benny Rodgers, City of West Palm Beach
Ivette Leiva, FDOT District Four
Jeremiah Marek, FDOT Florida's Turnpike Enterprise
Lina Camacho, Indian Trail Improvement District
Jared Kneiss, Northern Palm Beach County Improvement District
Karen Brandon, South Indian River Water Control District
Bonnie Finneran, Palm Beach County
Dorothy C. Gravelin, Town of Cloud Lake
Joseph Roche, Town of Haverhill
Jack Lee, Town Highland Beach
Leonard G. Rubin, Town of Hypoluxo
Anthony Meriano, Town of Juno Beach
John Pruitt, Town of Jupiter Inlet Colony
Kevin Varney, Town of Lake Clarke Shores
David Hunt, Town of Lake Park
Jerry Darr, Town of Lantana
Lisa Petersen, Town of Manalapan
Lee Leffingwell, Town of Mangonia Park
Lina Camacho, Town of Ocean Ridge
Martin Gauthier, Town of Palm Beach
Walter Fleming, Town of Palm Beach Shores
Jodi Nentwick, Village of North Palm Beach
Lina Camacho, Village of Palm Springs
Alan Wertepny, P.E., Mock Roos and Associates, Inc.
Jane Hayes, Mock Roos and Associates, Inc.

APPENDIX A

Palm Beach County MS4 NPDES Permit Year 1 SOP Review and Comments - Requests for Additional Information

Permittee	SOP Approved	SOPs Disapproved	Comments	SOP Template ¹
BOTH SOPS APPROVED				
City of Belle Glade	Parts III.A.7.c & III.9.b			
City of Boca Raton	Parts III.A.7.c & III.9.b			
City of Delray Beach	Parts III.A.7.c & III.9.b			
Town of Gulf Stream	Parts III.A.7.c & III.9.b			
Town of Haverhill	Parts III.A.7.c & III.9.b			
Town of Highland Beach	Parts III.A.7.c & III.9.b			
Indian Trail Improvement District	Parts III.A.7.c & III.9.b			
Town of Juno Beach	Parts III.A.7.c & III.9.b			
Town of Lake Park	Parts III.A.7.c & III.9.b			
City of Lake Worth	Parts III.A.7.c & III.9.b			
Town of Manalapan	Parts III.A.7.c & III.9.b			
Village of North Palm Beach	Parts III.A.7.c & III.9.b			
Town of Ocean Ridge	Parts III.A.7.c & III.9.b			
Village of Palm Springs	Parts III.A.7.c & III.9.b			
Part III.A.7c Approved; Part III.A.9.b requires revision				
Palm Beach County	Part III.A.7.c	Part III.A.9.b	Lacks construction inspection checklist	Part III.A.9.b, #3
Village of Royal Palm Beach	Part III.A.7.c	Part III.A.9.b	Lacks procedures for prioritizing, frequency & timing of inspections	Part III.A.9.b, #1 & 2

¹ Refers to the template of required SOP elements prepared by DEP and attached in Appendix B

Part III.A.9.b Approved; Part III.A.7.c requires revision				
City of Atlantis	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
City of Boynton Beach	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
Town of Cloud Lake	Part III.A.9.b	Part III.A.7.c	Lacks clear procedures to identify and prioritize facilities for inspection	Part III.A.7.c, #1
FDOT District 4	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation & inspection checklist	Part III.A.7.c, #3 & #5
City of Greenacres	Part III.A.9.b	Part III.A.7.c	Inspection checklist has no reference to MSGP status	Part III.A.7.c, #5
Town of Hypoluxo	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation & inspection checklist	Part III.A.7.c, #3 & #5
Town of Jupiter	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
Town of Jupiter Inlet Colony	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
Town of Lake Clarke Shores	Part III.A.9.b	Part III.A.7.c	Lacks procedures for confirming MSGP- Claims there are no commercial areas	Part III.A.7.c, #3
Town of Lantana	Part III.A.9.b	Part III.A.7.c	Lacks schedule for annual inspection, procedures for MSGP confirmation, enforcement procedures & responsible personnel	Part III.A.7.c, #2, 3, 6, & 7
City of Pahokee	Part III.A.9.b	Part III.A.7.c	Inspection checklist lacks MSGP confirmation	Part III.A.7.c, #5
Town of Mangonia Park	Part III.A.9.b	Part III.A.7.c	Lacks procedures for source elimination, enforcement, & responsible personnel	Part III.A.7.c, #4, 6, & 7
Town of Palm Beach	Part III.A.9.b	Part III.A.7.c	Lacks proactive inspection checklist, procedures for tracing & elimination, and enforcement or referral procedures	Part III.A.7.c, #4, 5, & 6
Northern Palm Beach Improvement District	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation, enforcement should include referral to another entity	Part III.A.7.c, #3 & 6
Town of Palm Beach Shores	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
City of Palm Beach Gardens	Part III.A.9.b	Part III.A.7.c	Lacks illicit discharge inspection checklist	Part III.A.7.c, #5
City of Riviera Beach	Part III.A.9.b	Part III.A.7.c	Lacks procedures for MSGP confirmation	Part III.A.7.c, #3
City of South Bay	Part III.A.9.b	Part III.A.7.c	Lacks procedures to confirm MSGP	Part III.A.7.c, #3
South Indian River WCD	Part III.A.9.b	Part III.A.7.c	Lacks procedures to confirm MSGP	Part III.A.7.c, #3
Village of Wellington	Part III.A.9.b	Part III.A.7.c	Lacks procedures to confirm MSGP	Part III.A.7.c, #3

Part III.A.7.c and Part III.A.9.b require revisions / submittal				
Town of South Palm Beach	Neither SOP was approved.	Part III.A.7.c and Part III.A.9.b	Lacks procedures to identify & prioritize facilities for inspection, schedule for annual inspections, & procedures to confirm MSGP.	Part III.A.7.c, #1,2, & 3
Town of South Palm Beach	Neither SOP was approved.	Part III.A.7.c and Part III.A.9.b	Part III.A.7.c required revision. Part III.A.9.b not submitted.	Part III.A.7.c, # 1-7
City of West Palm Beach	Neither SOP was approved	Part III.A.7.c and Part III.A.9.b	Inspection checklist lacks MSGP confirmation. Lacks construction inspection checklist	Part III.A.7.c, #5 and Part III.A.9.b, #3
FDOT Turnpike	Neither SOP was approved.	Parts III.A.7.c & III.9.b	SOPs are not complete	All sections of Part III.A.7.c and Part III.A.9.b
Town of Glen Ridge	Neither SOP was approved.	Parts III.A.7.c & III.9.b	Ordinances & inspection checklist attached, but no SOPs	All sections of Part III.A.7.c and Part III.A.9.b

APPENDIX B

**TEMPLATE FOR REVIEW OF SUBMITTED SOPS WITH YEAR 1 ANNUAL REPORTS
ILLICIT DISCHARGE (PART III.A.7.c) & CONSTRUCTION RUNOFF INSPECTIONS (PART III.A.9.b)
SOPs Required to be Submitted with the Year 1 Annual Report**

7.c.-All	ILLICIT DISCHARGE – PROACTIVE INSPECTIONS	In	Out	Comments
“	(*) Develop, implement, and annually review written plan to perform illicit discharge inspections in Year 1, to include:			
“	1. Procedures to identify and prioritize facilities for annual inspection			
“	2. An schedule for annual inspections			
“	3. Procedures for conducting inspections and MSGP evaluation including reporting MSGP non-filers to FDEP			
“	4. Procedures for tracing source & elimination			
“	5. Procedures for tracking and documenting inspections including the inspection checklist used			
“	6. Procedures for enforcement or referral including standard form/report			
	7. Identification of responsible personnel/entities involved in program			
7.c.-All Except FDOT	ILLICIT DISCHARGE – REACTIVE INSPECTIONS			
“	Annually review and implement written SOPs to conduct reactive investigations of illicit discharges and eliminate them, to include:			
“	1. Procedure for public, staff, & contractors to report suspected improper discharges to the MS4			
“	2. Procedures for conducting inspection and MSGP evaluation including reporting MSGP non-filers to FDEP			
“	3. Procedures for tracing the source of the illicit discharge			
“	4. Procedures for eliminating the source, including enforcement actions			
“	5. Procedures for documenting and tracking reactive reports, inspections, and actions taken to eliminate the discharge including inspection checklist used			
New permittees	The written description of your reactive investigation program which incorporates the above SOP requirements must be submitted with your Year 1 Annual Report			

9.b. - All	CONSTRUCTION SITE RUNOFF - INSPECTIONS	In	Out	Comments
“	(*)Annually review and implement a written plan for conducting construction-site inspections of permitted and private sites, or, for FDOT of outfalls to their MS4 from projects issued a DCP , to include:			
“	1. Timing of construction site inspections (e.g., phases of construction, etc.) with a minimum of three inspections			
“	2. Procedures to prioritize inspections based on criteria in permit and to determine the frequency of inspections			
“	3. Procedures for conducting inspections including documentation such as inspection checklists, log books, or tracking systems			
“	4. Description of enforcement procedures and measures to be used to ensure compliance at the site, including notification of other agencies if permit violations are occurring			
9.c. - All	CONSTRUCTION SITE RUNOFF - TRAINING			
“	Annually review and implement a written plan for training Construction Site plan reviewers, Inspectors, and Site Operators , to include:			
“	1. Identification of permittee staff/contractors and private site operators that work for the permittee to be trained			
“	2. Description of topics to be covered			
“	3. Description of Procedures and Materials to be used			
“	4. Identifying staff/entities performing the training			
“	5. Procedures for documenting and tracking training activities			
“	6. A schedule for annual training			
“	7. Procedures to train new hires and conduct refresher training			