

ATTACHMENT 3

- Town of Cloud Lake -

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.

- You must inspect portions of your MS4 that have a reasonable potential of containing illicit discharges/connections/dumping. The FDEP has indicated that this should be considered to be the commercial and industrial zoned areas/properties within your MS4 contributing area.
- 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

According to the MS4 NPDES permit, priority areas for inspection should include:

- Areas with older infrastructure
- 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

There are only three (3) lots in the Town of Cloud Lake that are designated for Commercial land use and zoning. One (1) lot is owned by the Town and is used exclusively for a billboard. It fronts both Southern Boulevard and Shannondale Road. The remaining two (2) lots also front Southern Boulevard (SR 80) and are currently Vacant. Central water and sewer are available to these properties and will be required to connect to those systems when developed. There is no past history of illicit discharges and/or illegal dumping from these lots. The Town will maintain regular proactive inspections of the Residential and limited amount of Commercial areas in Cloud Lake by canvassing the entire Town at least 4 times per year (quarterly) for illicit. If illicit discharges are discovered they shall be recorded on an "Proactive Illicit Discharge/Illicit Connection Inspection" Form attached hereto and reported to the Town's Building Official and Town Clerk for immediate administrative action.

2. **List of identified priority areas/facilities** Priority facilities are checked against the list of facility types associated with the FDEP MSGP Sectors (see attached list) to determine their need to be covered by a MSGP.

Priority facilities will be checked against the list of facility types associated with the FDEP MSGP Sectors to determine their need to be covered by a MSGP prior to their development.

3. **Annual schedule for inspections**

All areas/facilities will be inspected at least once within the current permit term. If a facility or area is discovered to have illicit discharges/connections/dumping, after enforcement actions have been taken and issues are addressed, it will be placed on the schedule for re-inspection the following year. The schedule for inspecting the priority areas/facilities is at least one time during the permit year (annually) unless otherwise defined by the Town's MS4 permit.

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/site. A standardized inspection form will be used (see attached 'Proactive Illicit Discharge/Illicit Connection Inspection Form').

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 will be 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 to issues noted in the field, or completes a work order form for the appropriate personnel to complete the investigation.

5. **Procedure for tracing source of discovered illicit discharge (include checking for MSGP)**

Based on items observed, if discharge has obviously entered the drainage system, each drainage structure will be inspected and traced to the outfall point. The reverse will be performed if discharge is noted at outfall, drainage structures will be inspected back to the source.

6. **Procedure for eliminating the discharge**

Property Owner to be put on notice with time frame for compliance. Enforcement shall be in accordance with the Town's Code Enforcement procedures, including fines allowed by Law, until discharge is eliminated. In some cases if contamination cleanup is severe, the Town may seek funds from the designated offender. Should discharge be determined to be immediately detrimental to Public Health and Safety (i.e. large fuel spill) Palm Beach County (PBC) Fire Hazmat and Sheriff's Department may need to be notified. Town to coordinate all agencies involved in an incident and obtain and record under this section any and all reports generated by outside agencies.

- 7. Procedure for documenting the inspections and enforcement activities**
Reference the 'Proactive Illicit Discharge/Illicit Connection Form' at end of section. The initial Form and inspections shall be processed through the Town's Code Enforcement Officer.
- 8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)**
Shall be in accordance with the Town's Code Enforcement procedures, as revised from time to time. In the case where outside agency may have jurisdiction that jurisdiction shall be notified in writing explaining the violation being observed.
- 9. Identification of staff /department/outside entity responsible for inspections and for enforcement**
The departments/officials within the Town that may be involved in this effort:
 - 1) City Clerk***
 - 2) Code Enforcement Officer***
 - 3) Planning Consulting***
Outside Agencies that have potential involvement:
 - 1) Palm Beach County***
 - 2) PBC Health Department***
 - 3) PBC Fire Rescue-Hazmat Division***
 - 4) PBC Sheriff's Dept.***
- 10. Description of resources allocated to implement this permit element**
Town budget and special assessments, if needed, of violators. The Town's budget should cover all personnel and contractors initially involved.

Proactive Illicit Discharge/Illegal Connection Inspection Form

Date of Inspection: _____

Address of Facility OR General Description of Area Inspected: _____

Identification of MS4 component 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? 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:

Type of Enforcement Action Taken: _____

Date to verify elimination: _____

Date of Referral to FDEP of facility that may require MSGP: _____