

Illicit Discharge

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.

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 map attached to the annual report depicts the areas zoned as industrial or commercial, that are 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 January, by the Planning and Engineering 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 the map and the City's GEO database. This list is cross-referenced with the FDEP list of facilities that have an 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 Permit/Licensing Coordinator, typically in the month of January of each year.

3. Annual schedule for inspections

All priority areas/facilities are inspected at least once within the current 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 included as part of the procedures for Code Enforcement, Business Tax Receipt and all structural control inspections and maintenance. A “checkbox” for this activity is included on the inspection forms for those activities. If a suspected illicit discharge is identified, it is reported to the Building Department for investigation under the Reactive Investigations program.

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

The field inspections are the primary responsibility of the Building Department. The proactive inspections that take place during the inspection of structural controls and other MS4 components, is the responsibility of Public Works. Inspections are carried out throughout the year.

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 discharge. 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. If speaking with the facility owner or operator, the inspector advises of the findings and cites the ordinance which prohibits such discharges (Sec 7-103). 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.

The pro-active inspections that take place during the inspection of structural controls and other MS4 components, is the responsibility of Public Works. Inspections are carried out throughout the year.

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. The owner is notified of the problem and asked to address the situation immediately. The owner is notified of the re-inspection date, typically one week.

7. Procedure for documenting the inspections and enforcement activities

The attached inspection form is used for pro-active inspections and the subsequent follow-up. A hard copy is filed in drawer 11b at the Building Department. Selected activity related

to the pro-active inspection program is logged into an Excel database for management and reporting purposes. 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 the city's MS4 contributing area, an unresolved matter is handled by the Code Enforcement. Code Enforcement assigns a case number and follows through to resolution. For cases outside the city's MS4, the appropriate entity is notified (FDOT, Palm Beach County, etc.) by Code Enforcement.

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

Inspection activities are carried out by three Inspectors and two Code Enforcement Officers. Follow-up and management are provided by the Building Official. Documentation is handled by the Permit Licensing Coordinator.

10. Description of resources allocated to implement this permit element

The Building Department does not currently have separate line items in the budget for these items for the 2011/2012 fiscal period. Employee time and expenditures are to be tracked on an Excel spreadsheet for the fiscal year.

Proactive Illicit Discharge/Illegal Connection Inspection Form

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:

Type of Enforcement Action Taken:

Date to verify correction: _____

Reactive 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 **reactive investigation program** for suspected illicit discharges that are reported by others.

Reporting Illicit Discharges

Illicit discharges may be reported through the hotline (561)642-2049, regular calls to Building Department or Code Enforcement staff, e-mail to any Building Department staff, verbally while inspectors in field or at office, through link on city website or through WebQA.

After receiving a report of a suspected illicit discharge Building Department staff will fill out the below form, determine the location and zone of the site, and refer the report to the inspector for that zone. Inspection and enforcement procedures will follow the Proactive Inspection Program 5-10.

Reactive Investigation of Reported Illicit Discharge/Illegal Connection/Illegal Dumping

Date suspected illicit discharge was reported: _____

Date of investigation: _____

MS4 potential Receiving system:

If not within MS4, date and to whom referral made: _____

Verification of problem: _____

Type of discharge/connection/dumping:

Determined Source:

Type of enforcement action taken:

Date to verify elimination: _____

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