



May 3, 2012
VIA EMAIL

Mr. Ken Kuhl
NPDES Stormwater Section
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Email: Kenneth.Kuhl@dep.state.fl.us

***Palm Beach County Municipal Separate Storm Sewer System (MS4)
NPDES Permit No. FLS000018 (Cycle 3)
Year 1 Annual Report Comments
Town of Lantana***

Dear Mr. Kuhl,

Please accept this letter in response to your comments dated April 23, 2012 with regards to the Town of Lantana as follows:

Comment:

- 1) Part III.A.9.c Approved; Part II.A.7.c #2, 3, 6, & 7 requires revision. Lacks schedule for annual inspection, procedures for MSGP confirmation, enforcement procedures & responsible personnel.

Response:

Please find attached our revised Standard Operating Procedures for the Town of Lantana's Proactive Inspection Program. This will replace the last 4 pages of Attachment #3 as previously submitted with our Annual Report.

We hope this addresses your comments. If you have any further questions, please contact me.

Sincerely,

MATHEWS CONSULTING, INC.

A handwritten signature in black ink, appearing to read "Rebecca Travis". The signature is fluid and cursive, with a small dot at the end.

Rebecca Travis, P.E.
Principal

Attachment

Cc: Mr. Eric Livingston – FDEP, Eric.Livingston@dep.state.fl.us
Mr. Jerry Darr – Town of Lantana, jdarr@lantana.org
Mr. Alan Wertepny – Mock Roos & Assoc., alan.wertepny@mockroos.com
MC File #1621

Town of Lantana

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.

Town of Lantana
Proactive Inspection Program (Written Procedures)

1. Procedure and Criteria for identifying priority areas/facilities

For consistency with the Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (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 **(Not applicable to Lantana)**
- Areas upstream of sensitive or impaired water bodies **(ICW)**

The only areas zoned commercial that lie within our MS4 contributing area are the parcels along Dixie Highway draining to Outfall #2 and the southernmost area that drains into BMP C. There are no industrial zoned areas which lie within our MS4. The remaining areas are zoned either Residential or Public Ownership District (park). The zoning map was last updated in March 2011 by the Town and is available on the Town's website.

2. List of identified priority areas/facilities

Each year, a list of addresses is created from an overlay of the Town's MS4 map 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 December each year.

3. Annual schedule for inspections

All priority areas/facilities are inspected at least once during 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 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 Mr. Jerry Darr, Utilities Director, 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 is identified during the course of performing their regular activities, it is reported to Mr. Jerry Darr, Utilities Director, for investigation under the Reactive Investigations program.

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 illicit. 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. In speaking with the facility owner or operator, the inspector advises of the findings and cites the ordinance which prohibits such discharges. The inspector may use photo documentation to support the inspection. 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.

Pro-active inspections also take place during the inspection of structural controls and other MS4 components by Utilities personnel that are trained in illicit discharge identification and reporting.

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 by Mr. Jerry Darr, Utilities Director. The owner is notified of the problem and asked to address the situation immediately. The owner is also notified of the re-inspection date, typically one week.

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 the City 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 the Town. 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. All inspection forms shall be maintained at

the Utilities Department. Once a violation is documented and the required correction discussed verbally with the property owner/operator, a follow-up visit is done in one week. The visit is documented and filed with the Utilities Department. If the violation is not corrected, the Mr. Jerry Darr, Utilities Director, contacts the Code Enforcement Department. Contacting Code Enforcement is documented and filed. Follow-up is again completed and documented.

8. Procedures for enforcement actions (or referrals to appropriate jurisdictional authority)

For cases within the Town of Lantana's MS4 contributing area, an unresolved matter is handled by the Code Enforcement Department. For cases outside Town of Lantana's MS4, the appropriate entity is notified (FDOT, Palm Beach County, etc.) by Mr. Jerry Darr, Utilities Director.

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

Inspection activities are carried out by Utilities and Public Works staff. Follow-up and management are provided by Mr. Jerry Darr, Utilities Director. Documentation is handled by the Utilities Director.

10. Description of resources allocated to implement this permit element

No specific resources are allocated to implement the proactive inspection for illicit connections to the Town's MS4. Each trained Utilities and Public Works staff member is expected to be on the lookout for illicit connections during their typical work day.

Town of Lantana

Proactive Illicit Discharge/Illegal Connection Inspection Form

Date of Inspection: _____ Inspector Name: _____

- New Inspection Follow-up Inspection

Description of inspection area/address:

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: _____