



FLORIDA DEPARTMENT OF Environmental Protection

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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
Permittee: Town of Lantana
Permit Number: FLS000018 (Cycle 4)
Annual Report Year: Year 2
Reporting Period: 10/2017 – 9/2018
Audit Date/Time: June 13, 2019 8:30 am - 12:00 pm

Inspector(s):

Name	Title	Phone/ Email
Stephen Cioccia	Environmental Specialist	850-245-8568 Stephen.Cioccia@floridadep.gov

Permittee Representative(s) Maintenance Yard Site Visit & Records Audit:

Name	Title	Phone
Jerry Darr	Assistant Utilities Director	561-540-5758 jdarr@lantana.org
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Courtney Marshall	Mathews Consulting	561-425-7731 cmarshall@baxterwoodman.com
Alan Wertepny	MS4 Coordinator, Mock-Roos	561-683-3113 Alan.Wertepny@mockroos.com

II. GENERAL COMMENTS

The unsatisfactory element is the failure of the permittee to retain the required documentation of the construction site inspections conducted for the Private active construction site during this reporting period (Part III.A.9.b: Construction Site Runoff - Inspection and Enforcement).

The purpose of the MS4 audit was discussed. The annual report submitted for year 2 was reviewed. The upcoming Year 3 Annual Report submittal requirements were discussed. During the audit, a records review was conducted to verify the Cycle 4 Year 1 Annual Report and confirm the status of the permittee’s implementation of the Stormwater Management Program (SWMP) elements specified in Part III.A of the MS4 permit. The review required the permittee to make available all documentation/ records specified in Section VII, Column D of its Cycle 4 Year 1 Annual Report.

A group meeting for all co-permittees was held at the Northern Palm Beach County Improvement District’s Offices from 10 – 11 am on 6/11/2019. The meeting addressed annual reporting requirements, common challenges/remedies and the Assessment Program.

III. SWMP IMPLEMENTATION REVIEW

- A. **Ordinances/Codes Providing Adequate Legal Authority:** Ordinances reviewed
 N/A (Ordinance have been previously reviewed)

B. **Records/Procedures Documenting Implementation of the SWMP per the Annual Report**

1) **Major MS4 Outfalls Map & Inventory (per Section II and V of the AR):**

- N/A Satisfactory Unsatisfactory, explain why:

2) **Records/Procedures Verification (per Section VII of the AR):**

Assessment Program

- Satisfactory Unsatisfactory Not Applicable

Not discussed during audit.

Fiscal Analysis

Not discussed during audit.

TMDL Prioritization

- Satisfactory Unsatisfactory Not Applicable

Not discussed during audit.

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

- Satisfactory Unsatisfactory Not Applicable

General Comments: The permittee's structural inventory is well defined and all required inspection frequencies were achieved. The permittee reported no major outfalls in their MS4 inventory during the reporting period.

SOP Review: Reviewed the permittee's SOP for "Part III.A.1 -Structural Controls and Stormwater Collection Systems Operation' in association with the audit. The SOP appeared to contain the required elements upon cursory examination. The SOP checklists were in use and contained the essential observations to confirm nominal operation of the structural control BMPs.

Major Outfall Inventory: There has been no changes following the yr. 1 AR major outfalls map & inventory submittal.

Structural Control Inventory: The permittee's structural inventory is well defined.

Structural Control Inspections: The permittee achieved or exceeded all minimum required structural inventory inspection frequencies required for their inventory elements.

Structural Control Inspection Documentation:

The permittee achieved all required inspection frequencies for their MS4 inventory. Reviewed the inspection documentation for required inspections of the permittee's MS4 inventory elements of: Dry Retention Systems, Pump Stations and Pollution Control Boxes. The Pump Stations and Pollution Control Boxes are located together. The inspection checklists contained essential observations, adequate inspection documentation was present to confirm nominal function of BMPs, presence/absence of illicit discharge is recorded and the number of inspections agreed with AR reported value.

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

Satisfactory Unsatisfactory Not Applicable

New/Redevelopment Projects: Not discussed during audit.

Summary of Year 2 Codes Review: Review submitted with the Annual reporting activity was adequate.

Part III.A.3: Roadways

Satisfactory Unsatisfactory Not Applicable

General Comments: None.

Litter Control / Street Sweeping: Adequate activity as reported in the current Annual Report. There are no roadways with curb/gutter within the MS4, the permittee does not and is not required to conduct street sweeping.

Part III.A.4: Flood Control Projects

Satisfactory Unsatisfactory Not Applicable

Not reviewed during audit.

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: Not reviewed during audit.

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

Satisfactory Unsatisfactory Not Applicable

General Comments: Annual reporting activity was adequate. The permittee employs contractors for the application of pesticides, herbicides and fertilizer.

SOP Review: The permittee provided their SOP for this SWMP element in association with the audit. The SOP appeared to contain the required elements.

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

Satisfactory Unsatisfactory Not Applicable

Not reviewed during audit.

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

Satisfactory Unsatisfactory Not Applicable

General Comments: Staff are observant for illicit discharges/improper disposal when conducting daily field activities. The permittee’s proactive inspections are concentrated on identified priority areas/facilities within the MS4.

SOP Review: Reviewed the permittee’s SOP in association with the audit. The SOP appeared to contain the required elements. The permittee submitted post-audit their revision to ‘Town of Lake Clarke Shores Proactive Inspection Program SOP’ 7/1/2019.

Proactive Inspections: Pro-active inspections are conducted by personnel, including inspection for evidence of illicit discharges/improper disposal. A standardized inspection form is used. For general areas that have been designated to have a reasonable potential of containing illicit discharges/connections/dumping, a drive-around procedure is followed. The trained inspector(s) patrols the prioritized area searching for indications of illicit discharges/connections/dumping.

Reactive Inspections: Not reviewed during audit.

Enforcement: Not reviewed during audit.

Training: The permittee provided confirmation of attendance of inspectors during the required annual training (via attendance log) and provided examples of the training materials. It was discussed that any staff performing inspections should have training. Permittee personnel are trained through Mock-Roos training events/videos.

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

Satisfactory Unsatisfactory Not Applicable

Spills: Adequate activity conducted during reporting period.

Training: The permittee conducted the required annual training.

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

Satisfactory Unsatisfactory Not Applicable

Website/Phone: Not reviewed during audit.

Public Education: Not reviewed during audit.

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

Satisfactory Unsatisfactory Not Applicable

Solid Waste department: Not reviewed during audit.

Public Education: Not reviewed during audit.

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

Satisfactory Unsatisfactory Not Applicable

General Comments: Permittee has attempted to obtain information from the sanitary system owner (P.B. County) re: activities to reduce I/I & SSOs, have not been able to obtain details on I/I & SSOs from the sanitary system owner.

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

Satisfactory Unsatisfactory Not Applicable

High risk facilities: The permittee indicated in the AR there are zero HRF facilities within the MS4 system’s area during this reporting period. Discussed with the permittee the option to designate local sources/activities with a high potential to discharge to the MS4 or problematic activities as ‘Facilities determined as high risk by the permittee’.

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

Satisfactory Unsatisfactory Not Applicable

Monitoring: Not reviewed during audit.

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

Satisfactory Unsatisfactory Not Applicable

General Comments: The permittee’s MS4 service area is predominately built-out, only minor re-development activities occur.

Site Plan Review: The permittee indicated there were no construction site plan reviews conducted during the reporting period.

CGP/ERP Permit Notification/Confirmation Process: Notification/confirmation process is active and adequate for the review of site plan applicants for CGP/ERP MS4 permit requirements for construction activity applicants.

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

Satisfactory Unsatisfactory Not Applicable

SOP Review: Reviewed the permittee’s current SOP ‘Site Construction Review and Inspection Plan’ in association with the audit. The SOP appeared to contain the required elements. The SOP provides the following process for documentation of E&SC construction BMPs inspections: “the inspector shall utilize the attached Construction Site Inspection Form. The intent of the inspection is to verify that BMPs are performing and to document the inspections. All completed inspection forms are maintained at the Town's Water Treatment Plant”.

General Comments: Construction site inspections for E&SC BMPs are conducted under the responsibility of the NPDES Program. The permittee's current SOP states "Inspections are conducted under the responsibility of the Town of Lantana's NPDES Program and the inspector shall utilize the attached Construction Site Inspection Form. The intent of the inspection is to verify that BMPs are performing and to document the inspections. All completed inspection forms are maintained at the Town's Water Treatment Plant at 510 W. Pine Street, Lantana."

Private construction sites: The permittee indicated there was 1 Private construction site project conducted during the reporting period (Water Tower Commons Residential) for which the construction site inspector conducted the required E&SC inspections. However, the permittee could not present the documentation of the E&SC inspections conducted.

The unsatisfactory element is the failure of the permittee to retain the required documentation of the construction site inspections conducted for the Private active construction site during this reporting period. The permittee stated the construction site inspector had conducted the MS4 permit's required E&SC inspections. However, the permittee could not present the documentation of the E&SC inspections conducted. It was discussed that the inspection checklist submitted with the Standard Operating Procedure (SOP) be used to document E&SC inspections conducted. The requirement for the permittee to ensure that E&SC inspections are being performed and documented throughout the life of each construction project was discussed, along with the permit's inspection frequency minimum requirement.

Enforcement: Instances of non-compliance will be handled with successively more rigorous enforcement measures. The permittee's enforcement actions include the issuance of NOV, imposition of Stop Work order and fines. Enforcement process is described in the permittee's SOP.

Required Improvement:

- **Within 30 days of receipt of the audit report, the permittee shall submit to the Department a corrective action plan to ensure the permittee shall retain the required documentation of the construction site inspections conducted for all construction site(s) active during the reporting period. A process revision(s) within the SOP shall be developed and implemented which shall ensure retention of the required documentation for all construction site inspections conducted during future reporting periods.**

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

Satisfactory Unsatisfactory Not Applicable

Inspector E&SC Training: Confirmed documentation of E&SC certification for all active construction BMP inspectors. Adequate annual training was conducted during the reporting period. Documentation of annual/refresher training for inspectors was confirmed.