



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: Village of Tequesta
Permit Number: FLS000018 (Cycle 4)
Annual Report Year: Year 2
Reporting Period: 10/2017 – 9/2018
Audit Date/Time: June 14, 2019 8:30 am - 12:30 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
Jay Wickham	Stormwater Supervisor	561-768-0484 jwickham@tequesta.org
Janet McCorkle	Administrative Assistant	561-768-0482 jmccorkle@tequesta.org
James Weinand	Acting Village Manager	561-768-0463 jweinand@tequesta.org
Sam Graybill	Consultant, Kimley-Horn	561-845-0665 Samantha.Graybill@Kimley-Horn.com
Alan Wertepny	MS4 Coordinator, Mock-Roos	561-683-3113 Alan.Wertepny@mockroos.com

II. GENERAL COMMENTS

The unsatisfactory elements are the failure of the permittee to achieve the required inspection frequency for MS4 structural controls (Part III.A.1: Structural Controls) and achieve annual training for construction site inspectors and plan reviewers (Part III.A.9.c: Construction Site Runoff - Site Operator Training) during this reporting period.

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:

The permittee submitted a revised major outfalls map and inventory post-audit, after completing verification of MS4 major outfalls.

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 four major outfalls in their MS4 inventory during the reporting period. The permittee submitted a revised major outfalls map and inventory post-audit.

SOP Review: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019.

Reviewed the permittee's SOP in association with the audit. The SOP appeared to contain the required elements. The SOP checklists contained the essential observations to confirm nominal operation of and presence/absence of illicit discharges/dumping into the structural control BMPs. The SOP contains a clear process to ensure permit required inspection documentation is compiled and retained.

Major Outfall Inventory: The permittee submitted a revised major outfalls map and inventory post-audit, after completing verification of MS4 major outfalls. The permittee reported four major outfalls.

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

Structural Control Inspections: The unsatisfactory element is the failure of the permittee to retain documentation of required inspections for their 'Major Outfalls'. The permittee failed to conduct inspections

for three of their four major outfalls and retain the required documentation of these required inspections. The permittee failed to achieve the required inspection frequency for all major outfalls. The permittee commented that due to mis-identification some of the inspections conducted during the reporting period were mistakenly performed on non-major outfalls. The permittee also pro-actively completed a revision to this SWMP element SOP on 7/2/2019.

Required Improvement:

Within 30 days of receipt of the audit report, the permittee shall submit to the Department copies of completed Structural Control inventory inspections completed during year 3 for their Major Outfalls. This is requested to ensure the permittee has corrected the above insufficient inspection documentation and ensure retention of the required documentation for inspections conducted during future reporting periods.

Structural Control Inspection Documentation Review:

Reviewed the inspection documentation for required inspections of the permittee's MS4 inventory elements of: Major Outfalls, Dry Retention Systems and Dry Detention Systems. 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 Codes Review: Review submitted with the Annual reporting activity was adequate.

Part III.A.3: Roadways

Satisfactory Unsatisfactory Not Applicable

General Comments: Not discussed during audit.

SOP Review: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019.

Litter Control / Street Sweeping: Adequate activity as reported in the current Annual Report.

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. The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019.

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: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019. Reviewed the permittee's SOP in association with the audit. The SOP appeared to contain the required elements.

Proactive Inspections: Pro-active inspections are conducted 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: The permittee's SOP contains a process for implementing enforcement actions.

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. SOP states Fire Department responds to spills.

SOP Review: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019.

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.

SOP Review: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019.

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: Not reviewed during audit.

**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.

SOP Review: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019. The SOP appeared to contain the required elements.

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

CGP/ERP Permit Notification/Confirmation Process: Staff provide brochures for ERP/CGP requirements as part of the application packages. 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: The permittee submitted post-audit their revision to this SWMP element SOP on 7/2/2019. The SOP appeared to contain the required elements.

General Comments: The permittee’s current SOP states “Inspections are the responsibility of the Village and are conducted using 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 Water Utilities Managers office.”

Permittee and Private construction sites: The permittee indicated their prior SOP mistakenly required one inspection per construction site project active during the reporting period. The permittee has pro-actively revised/corrected their SOP to ensure sufficient construction site inspections are conducted.

**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.

The unsatisfactory element is the failure of the permittee to achieve annual training for their construction site E&S BMPs inspectors and plan reviewers. This does not meet the permit requirement for providing annual refresher training for the permittee’s construction site E&S BMPs inspectors and plan reviewers: “*Refresher training shall be provided annually.*” The permittee has pro-actively revised/corrected their SOP to ensure annual training was conducted for the next reporting year.

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 AAP, the permittee shall submit to the Department an updated procedure (SOP for Construction Site Inspectors and Operators Training) which shall identify how the permittee will ensure, through the procedure's implementation, the required annual training is achieved for their construction site E&S BMPs inspectors and plan reviewers during each reporting year. The revision shall detail the procedure to be employed to schedule, conduct, and document the required annual training. For future annual reporting, the permittee shall ensure the required annual refresher training is conducted for the permittee's construction site E&S BMPs inspectors during each reporting year.