

Town of Lantana - NPDES Permit No. FLS000018 - Cycle 4

Part III.A.9.b: Construction Site Runoff – Inspection & Enforcement Corrective Action Plan & Standard Operating Procedure (SOP) Revisions

Background

The Town of Lantana is built-out and there are very few large sites available for re-development. Within the past few reporting periods, one of the first private development sites in many years that meets ERP and CGP requirements began in the Town. The private Water Tower Commons Site (located within the Town's MS4) went through the proper plan review and drainage permit procedures as required by the Town and construction has been completed on-site. The Town's inspectors have visited the site and been in correspondence with the private developer to receive their inspection reports; however, the Town failed to maintain the proper inspection forms per the Town's Standard Operating Procedures (SOP) for the NPDES reporting. In order to provide a clearer directive and procedure for maintaining the required inspection forms for private construction sites that meet ERP & CGP requirements, the following corrective action plan, timeline and amended Standard Operating Procedure (SOP) will be implemented by the Town.

Corrective Action Plan

In order to address the deficiency in the required maintenance of inspection forms for private construction sites that meet ERP and CGP requirements, the Town plans to incorporate additional measures to the Town's existing site plan review process. The Town has a Plan Review Committee that meets monthly to review all proposed site plans within the Town. The Town's Director of Operations and NPDES Program Coordinator both sit on this Committee. As part of this corrective action plan, the Town has updated the Site Construction Review and Inspection SOP to include Item #4 under "Notification of Land Disturbance" to detail the lines of communication for both the Town's Director of Operations and NPDES Program Coordinator to provide written correspondence to Town stormwater inspectors regarding the required inspections for private construction sites that meet the ERP / CGP threshold. Refer to **Appendix A** for the updated SOP.

After a site plan undergoes review by the Town's Plan Review Council, the private developer must apply for a Town drainage permit. The Town Engineer reviews the proposed site plans for compliance with the Town's Code of Ordinances as it relates to stormwater. Upon drainage permit approval, the Town Engineer issues copies of the approval letter to the private developer, NPDES Program Coordinator, and the Town Building Official. The private developer must then submit for a Town Building Permit following drainage permit approval. As part of this corrective action plan, the Town has updated the Site Construction Review and Inspection SOP to include Item #3 under "Drainage Plan Review Application" to include additional notification provisions in the drainage permit approval letter. The updates to the SOP include addition of a statement to the drainage approval letter stating whether the private construction site meets ERP / CGP requirements, and the Town's associated required inspections and record-keeping for compliance with the NPDES permit. As stated previously, copies of the drainage permit approval letters are provided to the private developer, Town NPDES Program Coordinator, the Town Building Official, and the Town Engineer retains a record copy. This provides further communication to all involved parties stating the required inspections. Refer to **Appendix A** for the updated SOP.

Timeline for Implementation

The timeline for implementation of this corrective action plan will be during the Year 4 permit cycle upon concurrence of approval of this Corrective Action Plan by FDEP. Upon approval by FDEP, the Town will be able to immediately enforce these additional measures outlined in the updated SOP as these are simply additional steps added to to procedures that the Town already has in place.

Additionally, the Town has already made efforts to correct the deficiency noted in the Year 2 Audit. **Appendix B** includes Town construction inspection reports for the Water Tower Commons site that were completed in subsequent reporting periods.

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**Appendix A – Site Construction Review & Inspection Plan Standard
Operating Procedures – Revised March 2020**

Site Construction Review and Inspection Plan
Drainage Plan Review Form
Drainage Plan Review Procedures
Construction Site Inspection Form

Notification of Land Disturbance Application

1. A developer comes before the Plan Review Committee (PRC) with a Site Plan Review / Concurrency Review application that includes surface water management and erosion protection requirements. Refer to the application information forms on the Town's website. The Town's Development Services Director (N. Dritz) notifies the Town's NPDES Program Director (J. Darr), the Town's Director of Operations (E. Crockett), the Town's Building Official (B. Denison) and the Town's Engineer (R. Travis) via email of the application. Attendance by these parties at the PRC meeting constitutes notification.
2. A developer applies to the Town for a Construction Plans/ Plat Review application that includes surface water management and erosion protection requirements. Refer to the application information forms on the Town's website. The Town's Development Services Director (N. Dritz) notifies the Town's NPDES Program Director (J. Darr), the Town's Director of Operations (E. Crockett), the Town's Building Official (B. Denison) and the Town's Engineer (R. Travis) via email of the application.
3. Once a developer submits an application for any type of construction project that disturbs land (i.e. land clearing, single family site development with demolition and/or new building or building expansion, commercial or industrial site construction, etc.) the Town personnel that accepts the application shall notify all parties listed in #1 and #2 above.
4. Upon receipt of notification for a submitted application, the Town's NPDES Program Director (J. Darr) and the Town's Director of Operations (E. Crockett) shall notify the Town's stormwater inspectors of any site applications that disturb greater than one (1) acre of land. The Town's NPDES Program Director (J. Darr) is responsible for ensuring that the construction site inspection forms included in this SOP are filled out for a pre-, during, and post-construction inspection of the site as required by the NPDES permit.

Drainage Plan Review Application

1. Application is made to the Building Department. If the project is a Residential project that is located within Flood Hazard Zone A, any commercial or industrial project, or any site development project that exceeds one (1) acre in size, the Building Official shall notify the applicant that a Drainage Plan Review approval is required. The applicant pays the fee to the Town and submits the application to the Town Engineer. Refer to the attached application forms for Residential Development and for Commercial Development.

2. The Town Engineer shall review the project according to the Drainage Plan Review Procedures, attached. The approved permit, plan and drainage calculations are submitted to the Building Official and a copy sent to the Town's NPDES Program Director. Copies of the approved drainage permit transmittal letter are provided to private owner, the Town's NPDES Program Director, the Town's Building Official, and a copy is retained by the Town Engineer.
3. The approved drainage permit application transmittal letter shall include a statement from the Town Engineer noting if the project meets the ERP / CGP threshold, and the associated required inspection frequency and records maintenance required by the Town per the NPDES permit.

Construction Site Inspections

1. Prior to the start of construction and based upon notification by the developer, the Building Official notifies the NPDES Program Director. The Program Director determines whether a pre-construction meeting is required and assigns a site inspector to the project. The site inspector shall be adequately trained in construction site inspections as required under the NPDES program. The inspector shall have the Construction Site Inspector certification or be working under the direction of Town personnel who are certified.
2. Construction site inspections are conducted:
 - Before the start of construction, after the placement of temporary BMPs (i.e. silt fence, fabric over inlets, etc.)
 - During construction (one or more inspections, based on the project's potential for discharge to our MS4)
 - At the end of the construction
3. Site Priority: All construction sites are considered priority if they have the potential to discharge into water bodies or our MS4. Sites will be inspected with a frequency deemed appropriate during the site plan review process and with consideration to rainfall events. In addition any sites, where compliance is a concern, will be inspected more frequently.
4. Inspection Procedure:
 - 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, Florida, 33462.
 - In the event that development projects utilized their own Florida registered, professional engineer to inspect and certify the construction of the site work and BMPs, the Building Official and/or the NPDES Program Director shall request a final, signed and sealed certification of completion from the engineer-of-record.

The certification shall be maintained with the inspection files at the Water Treatment Plant.

Enforcement

1. Instances of non-compliance will be handled with successively more rigorous enforcement measures.
 - Notice of Violation - verbal and written with recordation in the TrackIt software and/or on the inspection form. This may be issued by the Town's inspector, the Building Official or Code Enforcement.
 - Stop work order - written with recordation in the TrackIt software and/or on the inspection form. This may be issued by the Town's inspector, the Building Official or Code Enforcement.
 - Fines - written with recordation in the TrackIt software. This may be issued by Code Enforcement.
2. Note that "life safety" issues shall be immediately referred to the Building Official, Code Enforcement or the Fire Department, as circumstances warrant.

Drainage Plan Review Procedures

Residential projects within Flood Hazard Zone A and Commercial development projects within the Town of Lantana are required to apply for a Drainage Plan Review permit.

Residential developments must maintain a 3 year-1 hour runoff (2.8") onsite if within Flood Zone A. The Commercial development projects must meet the design and permitting requirements of an *Environmental Resource Permit* (ERP) from SFWMD. If the project exceeds 1.0 acres, the applicant is notified of the requirement for meeting the coverage under the *NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities* (CGP).

Drainage reviews are conducted after the applicant applies for a Building Permit and is directed by the Town's Building Official that a Drainage Plan Review permit is required. The Town Engineer reviews and approves the application. Once approved, a copy of the paving/grading/drainage plans are provided to the Building Department for use in inspections.

Applicants are advised that permission/a permit/authorization to perform clearing, grading or construction activities will not be granted until proof of a SFWMD or FDEP ERP and/or coverage under the CGP is provided, if required.

The following checklist is used when performing site plan reviews:

YES NO N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed work requires coverage under CGP. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed work appears to require an ERP. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed temporary stormwater sedimentation & erosion control BMPs appear to be appropriate for the project. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed permanent stormwater system and site grading meet local requirements. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Proposed permanent stormwater system and site grading does not adversely impact adjacent properties. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Copy of confirmed coverage under CGP provided. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Copy of ERP provided. |

Construction Site Inspection Form

Project Name: _____ Date of Inspection: _____

Site Address: - - - - -

Owner/Operator's Contact information: _____

Outfall Number: _____ Receiving waterbody: _____

Project owner: Private Town of Lantana

YES NO N/A

- | | | | |
|--------------------------|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion & Sedimentation Controls are installed as shown on plan. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion is being controlled on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sedimentation is being contained on site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No indication of sedimentation leaving the site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPP & completed inspection forms are on site & available. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prior non-compliance issues have been addressed. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All other sources of pollution are being controlled. |

Comments:

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**Appendix B – Town Construction Site Inspection Forms Completed
for Water Tower Commons Site**

Construction Site Inspection Form

Project Name: Water Tower Commons Date of Inspection: 10/12/18

Site Address: 1199 W Lantana Pkwy

Owner/Operator's Contact information: _____

Outfall Number: #3, BMP #B Receiving water body: ICWW

Project owner: Private Town of Lantana

YES NO N/A

- Erosion & Sedimentation Controls are installed as shown on plan.
- Erosion is being controlled on site.
- Sedimentation is being contained on site.
- No indication of sedimentation leaving the site.
- SWPP & completed inspection forms are on site & available.
- Prior non-compliance issues have been addressed.
- All other sources of pollution are being controlled.

Comments:

O.F. #3 + BMP-T3 belong to "Palm Beach County"
- Palm Beach County Utility

RALSTON
40359

Construction Site Inspection Form

Project Name: Water Tower Commons Date of Inspection: 3/10/19

Site Address: 1199 W Lantana RD

Owner/Operator's Contact information: _____

Outfall Number: BMP-B, #3 Receiving water body: ICWW

Project owner: Private Town of Lantana

YES NO N/A

- Erosion & Sedimentation Controls are installed as shown on plan.
- Erosion is being controlled on site.
- Sedimentation is being contained on site.
- No indication of sedimentation leaving the site. (poorly worded question)
- SWPP & completed inspection forms are on site & available.
- Prior non-compliance issues have been addressed.
- All other sources of pollution are being controlled.

Comments:

BMP-B "Palm Beach County Utility"

Outfall #3 "Palm Beach County Utility"

Alston 40359

Construction Site Inspection Form

Project Name: Water Tower Commons Date of Inspection: 2-24-20

Site Address: 1299 Lantana Rd.

Owner/Operator's Contact information: _____

Outfall Number: _____ Receiving water body: ICWW

Project owner: Private Town of Lantana

YES NO N/A

- | | | | |
|-------------------------------------|--------------------------|--------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion & Sedimentation Controls are installed as shown on plan. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Erosion is being controlled on site. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Sedimentation is being contained on site. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | No indication of sedimentation leaving the site. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | SWPP & completed inspection forms are on site & available. |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Prior non-compliance issues have been addressed. |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | All other sources of pollution are being controlled. |

Comments:

construction at this site is presently on hold. its perimeter
is contain @ 85% of property with chain link fencing.
E+S controls in place.
no pollution observed at this site.

OF # 3 Palm Bch. Co. C. Hinzey