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OTTAWA

OTTAWA COUNTY & OTHERS

2GQ00022 2009/10/20

TEBBE, PATRICIA

PORT CLINTON



State of Ohio Environmental Protection Agency

Northwest District Office

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Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

Re: Ottawa County
Ottawa County – Allen Township –
Clay Township
Stormwater - MS4

October 19, 2009

Ms. Crystal Dymond
Admin Asst/Stormwater Technician
Ottawa Soil & Water Conservation District
240 West Lake Street, Unit B
Oak Harbor, Ohio 43449

Dear Ms. Dymond:

On June 29, 2009, I conducted an audit of the Ottawa County/Allen Township/Clay Township's Municipal Separate Storm Sewer System (MS4) program which is authorized under the National Pollutant Discharge Elimination System (NPDES) permitting program for storm water discharges under the US EPAs Phase II storm water regulation.

The audit consisted of an evaluation of the Storm Water Management Plan which followed a worksheet issued by USEPA and an interview with you. Questions in the worksheet which were discussed during the audit are denoted by (✓) with answers in bold. Any additional remarks are also in bold. Many questions were not answered because the program had not been developed enough to be able to answer the questions. Occasionally a question did not pertain to this program. These questions can be used as guidance for developing the MS4 stormwater program. The complete guidance can be found on the USEPA web site at:
http://cfpub.epa.gov/npdes/docs.cfm?program_id=6&view=allprog&sort=name#ms4_guidance

The MS4 permit requires that a storm water management plan (SWMP) be developed, implemented and enforced in order to reduce the discharge of pollutants from the community in order to satisfy the appropriate water quality requirements of Ohio Revised Code (ORC) 6111, and the Clean Water Act. The SWMP is to include best management practices (BMPs) along with measurable goals for each of the BMPs along with an appropriate timetable to implement the BMPs for each of six minimum control measures which are as follows:

- 1) Public Education and Outreach on Storm Water Impacts
- 2) Public involvement/Participation
- 3) Illicit Discharge Detection and Elimination
- 4) Construction site Storm Water runoff Control
- 5) Post-Construction Storm Water Management in New Development and Redevelopment
- 6) Pollution Prevention/Good Housekeeping for Municipal Operations

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In each of these areas, the County and Townships have not met their chosen BMPs which are violations of the small MS4 NPDES permit. It appears that very little attention has been paid to the MS4 program until very recently with your assignment as a stormwater technician. We discussed how the SWMP may not have been tailored to the County and Township's needs and how you were trying to implement a new plan that would be more effective.

The following are some of the areas that were not met in this permit cycle and will need to be completed in the new permit cycle:

1. Development of ordinances or other legal means for the implementation of the construction, post-construction, and illicit discharge portions of the SWMP. While we recognize that the Townships may have some limited ability to enact a legal means for these requirements and enforcement, they must implement the SWMP to the extent they are legally allowed. Ordinances or other legal means must meet the requirements of the MS4 permit including requirements for developers and enforcement procedures and actions that will allow the County and Townships to implement and fully meet the requirements of the MS4 permit.
2. Inspection procedures for construction and post-construction controls before, during and after construction. While we recognize that there has been little in the way of construction in the regulated areas, a procedure should be documented.
3. Maintenance program for any post-construction controls that may already be installed or for future controls.
4. Completion of the mapping of the storm sewer system.
5. Program to locate and eliminate illicit discharges.
6. An active, continuing program for public education and participation.

Some additional requirements from the renewed permit that your program must include are:

7. A Table of Organization including a primary point of contact for each part of the program, which identifies how implementation across multiple positions, agencies, and departments will occur.
8. Performance Standards for each of the minimum controls are now listed in the renewed permit. These are to be listed as a part of the SWMP.
9. Annual Report must be on the form provided by Ohio EPA unless an alternate report form or format has been approved for your use.

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If you have any questions, please contact me at 419-373-3016 or by e-mail at patricia.tebbe@epa.state.oh.us.

Sincerely,



Patricia A. Tebbe, P.E.
Division of Surface Water

/lb

Enclosure

pc: ~~DSW-NWDO~~
Ottawa County Commissioners
Ottawa County Engineer
Allen Township Trustees
Clay Township Trustees

ec: Jason Fyffe, DSW-CO

Ottawa County – Allen Township – Clay Township

MS4 Inspection

6/10/09

For Ottawa County et al:

Crystal Dymond, Storm Water Coordinator, Ottawa SWCD

OEPA

Patricia A. Tebbe

1. Program Management Component Worksheet

Comprehensive Stormwater Management Planning SWMP Planning

Interview Questions:

- √ SWMP Plan developed? **YES**
New plan has been developed as old plan was not adequate for area
- If not, what is used to guide planning and implementation?
- √ If multiple co-permittees, does each have a SWMP document? **YES**
- √ Is there an MS4-wide document if multiple co-permittees? **YES**
- Were stakeholders included in the planning process?

Applicable Documents:

- SWMP Plan – **The SWMP was not implemented and was basically dropped due to change in personnel. In July, 2008, a storm water technician was hired to implement the program and to make sure that there was continuity in the program**

Comprehensive Stormwater Management Planning Intergovernmental, Agency, Departmental Coordination

Interview Questions:

- √ Are roles and responsibilities for multiple co-permittees established? **NO**
- √ If multiple co-permittees, is there an “umbrella group” to coordinate activities?
YES, now there is a storm water coordinator and a county wide storm water committee
- √ Are the MOUs between co-permittees and outside agencies? **NO**
How are in-house departments coordinated?
- √ Is there a stormwater task force or committee in place? **Resurrected in 2008**
- √ Are outside groups used to implement the SWMP?
 - Name of group(s)

Applicable Documents:

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- MOUs or other agreements
- Meeting schedules for in-house or inter-agency task forces or committees

Comprehensive Stormwater Management Planning Staff Inventory & Organization

Interview Questions:

- √ Has an organizational chart been developed? **NO**
- √ Have roles and responsibilities been assigned? **New plan assigns roles and responsibilities.**

Applicable Documents:

- Stormwater program staff lists, responsible parties, contact names, organizational charts

Comprehensive Stormwater Management Planning Performance Standards or Goals

Interview Questions:

- √ Have measurable goals or standards been developed for each SWMP program component? **YES**
- Do the goals address water quality impact or effectiveness? How?

Applicable Documents:

- Performance standards, measurable goals, schedule

Comprehensive Stormwater Management Planning Prioritization of Resources

Interview Questions:

- √ Have pollutants of concern (POC) been established? If yes, based on what? **YES, no basis**
 - 303(d) list?
 - TMDLs?
 - Land uses of concern?
 - Existing watershed planning efforts?
- Have POC-specific strategies been developed in the SWMP?
- How does the permittee decide program implementation priorities for resource allocation?

Assessment and Evaluation

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Interview Questions:

- √ Is the SWMP regularly measured against goals or standards? **NO**
- √ Have load reduction goals been established or assessed? **NO**
- √ Have other types of improvements been assessed? **NO**
 - Riparian habitat?
 - Stream corridor?
 - Aquatic habitat?
 - Groundwater?

Wetland installation help is available from NRCS along with a filter strip program.

Data Collection and Reporting

Interview Questions:

- Are reporting requirements in the MS4 permit for the following:
 - Co-permittees?
 - An umbrella organization/group?
- How are data or information from outside groups obtained?
- Have internal reporting deadlines been established?

Applicable Documents:

- Reporting or assessment procedures

No data collection.

2. Public Education/Involvement Component Worksheet

Goals and Objectives

Interview Questions:

- √ Outreach strategy document developed? **NO**
- √ Measurable goals included in the document? **NO**

Applicable Documents:

- Outreach strategy

Message Development

Interview Questions:

- √ Specific stormwater messages been developed? Describe. **YES, "Keep Our Creeks Clean"**
- Based on what?
 - Pollutants of concern
 - Target audience
 - Behavior of concern
 - Other
- √ Illicit discharges being addressed? **NO**
- √ Pesticides, herbicide, and fertilizer education being conducted? **NO**

Applicable Documents:

- Materials containing central messages

Target Audience

Interview Questions:

- √ Target audiences established? **YES**
- Based on what:
 - Behavior?
 - Location/neighborhood?
 - Business?
 - Age?
 - Other?
- √ Target audiences regularly reevaluated? **NO**
- Homeowners a target for pesticide, herbicide, and fertilizer education?

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Applicable Documents:

- Studies to establish target audiences

Message Packaging

Interview Questions:

- √ Types of message “packaging”: **Brochures, done by Health Dept and SWCD**
- Different language materials distributed?

Applicable Documents:

- Bi-lingual materials
- Materials used and distributed

Distribution Mechanisms

Interview Questions:

- Methods and location of materials distribution:
- Distribution tracked?

Applicable Documents:

- Tracking information

Public Involvement Activities

Interview Questions:

- √ Public participation obtained during stormwater management program changes? **NO**
- √ Stormwater related volunteer activities sponsored or endorsed? **NO**

Applicable Documents:

- Evidence of public participation in planning
- Volunteer activities descriptions

Evaluation Methods

Interview Questions:

- Public Education and Involvement assessment methods:
- √ Public awareness survey been performed? **NO**
- Describe most effective materials used.

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Applicable Documents:

- Public awareness survey(s) Plans to implement this in new plan

MS4 Maintenance Component Worksheet

MS4 Mapping

Interview Questions:

- Outfalls and receiving waters mapped?
- Catch basins?
- Pipes, ditches, other conduits?
- Public stormwater facilities (BMPs)?
- Private stormwater facilities (BMPs)?
- How are maps used (i.e. tracking illicit discharges)?

Applicable Documents:

- Map(s) of MS4 system

Done as part of Portage River Grant, sanitary engineer, health department

Catch Basin Cleaning

Interview Questions:

- √ Schedule established for inspections and cleaning? **In the regulated areas**
- √ Is cleaning and maintenance of catch basin tracked: **NO**
- √ How are spoils materials disposed of? **Landfill**
- Are storm drain pipes inspected?
 - Proactive or only in response to blockage event?

Applicable Documents:

- List of active construction projects
- List of projects covered under a state/EPA general permit

Good housekeeping training recently completed.

Stormwater Management Facilities Operation and Maintenance

Interview Questions:

- √ Public facilities inspected? **NO**
 - Frequency:
- √ Private facilities inspected? **NO**
 - Frequency:
- Checklist used for inspections?

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Maintenance standards and procedures established?
- Data evaluated to target maintenance resources?

Applicable Documents:

- Inspection checklist

Road Maintenance

Interview Questions:

- √ Streets regularly swept?
 - Frequency: **As needed, no documentation**
- Frequency based on water quality factors (e.g. proximity to streams)?
- How are spoils disposed of?
- BMPs used during road maintenance activities? Describe.
- BMP guidance available to field staff?
- Deicers used by MS4?
- Type and amount of deicer tracked?
- Sand/salt swept up after application?
 - How soon?

Applicable Documents:

- BMP guidance
- Street sweeping records

Follow ODOT standards for type and amount of deicer used and sand /salt use.

Flood Management

Interview Questions:

- √ Inventory of flood management structures completed? **NO**
- √ Structures been assessed for stormwater retrofit? **NO**
- √ New structures include water quality considerations? **NO**

Applicable Documents:

- Inventory

Facilities Operation & Maintenance

Interview Questions:

- √ Inventory of MS4 facilities complete (i.e. facilities owned and operated by the MS4)? **NO**
 - Types of facilities included: **Maintenance Garage**
- √ Facilities inspected? **Facility not in regulated area**

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

• Frequency:

- Checklist used?
- Staff which perform the inspections (department or agency):
- Facilities required to have stormwater pollution prevention plan (SWPPP)?
- Is there a designated stormwater contact person for each facility?
- Describe enforcement procedures used to address noncompliance on a MS4-owner facility:
- Parking lots owned/operated by the permittee swept?
- Sanitary sewer systems evaluated to determine storm sewer cross-connections or overflow locations?
- Extent of infiltration and inflow into storm sewer system:
- Sewer spill and cleanup procedures in place?

Applicable Documents:

- Facility inventory
- Facility SWPPP

Pesticides, Herbicides & Fertilizers

Interview Questions:

- √ Certified applicators used? **YES**
- Integrated Pest Management (IPM) practices used?
- Storage location of pesticides, herbicides, and fertilizers:
- BMPs used during application.
- Fertilizer/pesticide application plan utilized?

Applicable Documents: 0

- Fertilizer/pesticide application plan

Standards, BMPs, & Outreach

Interview Questions:

- BMP technical guidance document available to maintenance staff?
- MS4 use contractual staff to complete MS4 maintenance activities?
- BMP guidance materials provided to contracted staff?
- Requirement to consider stormwater impacts and utilize appropriate BMPs in contracts?
- Materials used to educate the public regarding stormwater impacts on MS4 property (if applicable, i.e. public spaces).

Applicable Documents:

- BMP manual or guidance document
- Contract language for MS4 operation and maintenance activities

Staff Education and Training

Interview Questions:

- Staff trained to identify illicit discharges?
 - Frequency.
- Materials used to train staff.

Applicable Documents:

- Training materials

3. Construction Component Worksheet

Ordinance/Legal Authority

Interview Questions:

√ Ordinance used to require stormwater BMPs at construction sites? **Ottawa County does have subdivision regulations which references a subdivision manual from the Ottawa County Engineer's office. This manual does reference a NPDES permit and that erosion and sedimentation controls are recommended however there are few guidelines for design, no performance standards or penalties for noncompliance.**

- Name and/or code section(s).
- Threshold for coverage (e.g., 1 acre, 100 cubic yards, etc.)
- Exclusions from coverage allowed.
- √ Other pollutants regulated on construction sites (e.g., construction wastes, trash, chemicals, etc.): **No**
- √ Permitting mechanism used to require appropriate BMPs (i.e. grading permit, building permit): **No**
- √ Is a plan required (erosion control plan or SWPPP)? **Engineer's office - yes**
- √ Are minimum construction site BMPs specified? **No**
 - What types?
- √ Types of enforcement mechanisms available. **None specified**
 - Notices of Violations
 - Administrative fines
 - Stop-work orders
 - Civil penalties
 - Criminal penalties
 - Other:
- √ Official enforcement escalation plan or procedures in place? **No**

Applicable Documents:

- Grading, Erosion and Sediment Control, Stormwater or other related Ordinance(s)
- Enforcement escalation plan or procedures

Construction Project Inventory

Interview Questions:

- √ Construction projects tracked? **No**
 - Projects <1 acre?
- Updated at what frequency?
- Information tracked:
 - Project status
 - Inspection Findings

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Enforcement Actions
- Complaints
- NOI submittal
- Other:
- Projects prioritized to determine inspection frequency?
 - Criteria used:
 - Proximity to waterbody
 - Waterbody impairment
 - Size of project
 - Slope of project site
 - Other:
- Number of active projects:

Applicable Documents:

- List of active construction projects
- List of projects covered under a state/EPA general permit

There have been no construction projects in the regulated area. However, a program needs to be in place if a project should be proposed.

Construction Requirements and BMPs

Interview Questions:

- Technical guidance provided or required?
- Does guidance include selection criteria?
- Does guidance include operation and maintenance requirements?
- Does guidance have different requirements or standards for different times of the year (i.e. rainy vs. dry seasons)?

Applicable Documents:

- BMP guidance or technical document

Plan Review Procedures

Interview Questions:

√ Who performs erosion and sediment control plan review (i.e. planning department, building department)? **It appears this is done by the engineer's office however there are no guidelines for review, standards, or compliance.**

- Training received and frequency:
- Size threshold for plan review (i.e. 1 acre, 10,000 square feet)?
- NOI submittal verified during review?
 - How (i.e. canceled permit fee check)?
- Pre-project meetings conducted with developer?
- Standard conditions of approval include erosion and sediment control and/or general stormwater requirements?

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Plan review criteria or checklist used?

Applicable Documents:

- Copy of standard conditions of approval
- Example of standard conditions applied to an approved project
- Checklist used by plan reviewers

Private Project Name:

Interview Questions:

- BMPs adequately incorporated into the plan to address erosion control, sediment control, housekeeping?
- Design specifications and details for all BMPs included on the plans?
- Standards conditions include erosion and sediment control or stormwater provisions?
- Maintenance requirements specified?

Private Project Name:

Interview Questions:

- BMPs adequately incorporated into the plan to address erosion control, sediment control, housekeeping?
- Design specifications and details for all BMPs included on the plans?
- Standards conditions include erosion and sediment control or stormwater provisions?
- Maintenance requirements specified?

Private Project Name:

Interview Questions:

- BMPs adequately incorporated into the plan to address erosion control, sediment control, housekeeping?
- Design specifications and details for all BMPs included on the plans?
- Standards conditions include erosion and sediment control or stormwater provisions?
- Maintenance requirements specified?

Construction Project Inspections

Interview Questions:

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Who performs construction stormwater inspections (i.e. building inspector, dedicated stormwater inspector)? List all if different phases or areas of project are inspected by different staff. (i.e. public right-of-way, building footprint, grading phase, construction phase).
- Training received and frequency:
- How many inspectors for stormwater issues at construction projects? On average, number of projects each inspector is responsible for?
- How often are sites inspected?
 - What determines frequency?
- Inspections triggered by rain events?
 - What size rain event?
 - How soon after the event?
- Standard inspection checklist used?
- Findings tracked in a database?

Applicable Documents:

- Most recent inspection staff training records
- Example of active construction project inspection checklist
- Records from inspection tracking database or filing system

Enforcement/Referrals

Interview Questions:

- Can construction inspectors administer enforcement actions?
 - If no, who can?
 - If yes, what types of enforcement actions?
- Enforcement action is most commonly used:
- Enforcement actions tracked?
 - How?
- Average number of enforcement actions (by type) issued in the previous year:
 - Notices of Violations (NOV)
 - Administrative fines
 - Stop-work orders
 - Civil penalties
 - Criminal penalties
 - Other:
- Most common compliance issue on construction projects (i.e. tracking on streets, litter, inadequate concrete washout BMPs)?
- Adequate legal authority and tools available to inspectors to enforce stormwater requirements on construction projects?
 - If no, how could the program be improved?
- Who does follow up on enforcement actions?

Applicable Documents:

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Enforcement cases files both active and closed
- Example of most typical enforcement action documentation (i.e. NOV)
- List of enforcement actions used in the last year

Outreach and Education

None Done

Interview Questions:

- Type of training provided to construction operators:
- Attendance required?
- Training frequency?
- Number of operators trained:
- Training topics:
- Presentations given by MS4 staff to professional groups?
- Brochures or outreach materials targeted at operators:
- How/when is the information distributed?
- Website used to educate operators?
 - Web address:

Applicable Documents:

- Training materials
- Brochures, outreach materials

MS4-Owned Construction Projects

Interview Questions:

- Projects designed in-house or contracted?
- Designers trained in stormwater BMP implementation?
- Checklist used during the design and/or review of public construction projects?
- Are projects greater than one acre covered a general construction permit (has an NOI been submitted)?
- If contracted planners and engineers are used for the design of MS4-owned projects, does the contract language specify that stormwater BMPs be incorporated into the design?
- In-house inspection staff inspect projects? If so, which department?
- Project inspectors trained?
 - Frequency:
- If contracted inspectors are utilized, are minimum inspection, maintenance and reporting requirements specified in the contract?

Applicable Documents:

- MS4-owned project stormwater design standards and/or checklist
- Contract language for active public project not developed or inspected in-house

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Project Name:

Interview Questions:

- BMPs adequately incorporated into the plan to address erosion control, sediment control, housekeeping?
- Design specifications and details for all BMPs included on the plans?
- Standards conditions include erosion and sediment control or stormwater provisions?
- Maintenance requirements specified?

4. Post-Construction Component Worksheet

Ordinance/Legal Authority

Interview Questions:

- √ Ordinance used to require post-construction stormwater BMPs on new development or redevelopment projects? **None in place**
 - Name and/or code section(s).
- Threshold for coverage (e.g., 1 acre, 100 cubic yards, etc.)
- Exclusions from coverage allowed:
- Permitting mechanism used to require appropriate BMPs (i.e. building permit):
- Is a plan required (erosion control plan or SWPPP)?
- Are minimum post-construction site BMPs specified?
- What types?

Applicable Documents:

- Ordinance(s)

Comprehensive or Master Planning

Interview Questions:

- Is there an overall comprehensive or watershed plan with detailed information on current and planned development and redevelopment?
- If the permittee is a municipality, does the comprehensive plan include stormwater elements? If so, what types?
 - Imperviousness
 - Public infrastructure/drainage
 - Open space
 - Water body protection
- Are there programs and design guidelines to assist in current and future development and redevelopment (including funding programs)?
- Audit or review of existing codes completed?

Applicable Documents:

- Comprehensive or general plan
- Economic development plans

Construction Requirements and BMPs

Interview Questions:

- Technical guidance provided or required?
- Does guidance include selection criteria (i.e. based on land use, location)?

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Does guidance include operation and maintenance requirements?

Applicable Documents:

- BMP guidance or technical document

Plan Review Procedures

Interview Questions:

- Who performs post-construction BMP plan review (i.e. planning department, building department)?
- Training received and frequency:
- Size threshold for plan review (i.e. 1 acre, 10,000 square feet)?
- Pre-project meetings conducted with developer?
- Standard conditions of approval include post-construction stormwater requirements?
- Plan review criteria or checklist used?
- Maintenance agreement required?

Applicable Documents:

- Copy of standard conditions of approval
- Example of standard conditions applied to an approved project
- Checklist used by plan reviewers

Post-Construction BMP Inventory

Interview Questions:

- Post-construction structural BMPs tracked?
- Information tracked:
 - Location
 - Maintenance Requirements
 - Inspection findings
 - Other:
- Nonstructural BMPs tracked?
- Database used?
- Number of private post-construction structural BMPs:

Applicable Documents:

- List of active construction projects
- List of projects covered under a state/EPA general permit

Post-Construction BMP Inspection and Maintenance

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Interview Questions:

- Who performs post-construction BMP inspections?
- Training received and frequency:
- Are “as built” inspections performed?
- How often are BMPs inspected?
 - What determines frequency?
- Standard inspection checklist used?
- Findings tracked in a database?

Applicable Documents:

- Most recent staff training records
- Example of BMP inspection checklist
- Records from inspection tracking database or filing system

Enforcement/Referrals

Interview Questions:

- Can inspectors administer enforcement actions if private post-construction BMPs are not maintained?
 - If no, who can?
 - If yes, what types of enforcement actions?
- Enforcement action is most commonly used:
- Enforcement actions tracked?
 - How?
- Average number of enforcement actions (by type) issued in the previous year:
 - Notices of Violations (NOV)
 - Administrative fines
 - Stop-work orders
 - Civil penalties
 - Criminal penalties
 - Other:
- Adequate legal authority and tools available to inspectors to enforce post-construction stormwater requirements?
 - If no, how could the program be improved?
- Who does follow up on enforcement actions?

Applicable Documents:

- Enforcement cases files both active and closed
- Example of most typical enforcement action documentation (i.e. NOV)
- List of enforcement actions used in the last year

Outreach and Education

Interview Questions:

- Type of training provided to designers and engineers:
- Attendance required?
- Training frequency?
- Number trained:
- Training topics:
- Presentations given by MS4 staff to professional groups?
- Brochures or outreach materials targeted at designers and engineers:
- How/when is the information distributed?
- Website used to educate designers and engineer?
 - Web address:

Applicable Documents:

- Training materials
- Brochures, outreach materials

MS4-Owned Construction Projects

Interview Questions:

- Projects designed in-house or contracted?
- Designers trained in post-construction stormwater BMP implementation?
- Checklist used during the design and/or review of post-construction BMPs?
- If contracted planners and engineers are used for the design of MS4-owned projects, does the contract language specify that post-construction stormwater BMPs be incorporated into the design?
- In-house inspection staff inspect post-construction BMPs? If so, which department?
- Post-construction inspectors trained?
 - Frequency:
- If contracted inspectors are utilized, are minimum inspection, maintenance and reporting requirements specified in the contract?

Applicable Documents:

- Project stormwater design standards and/or checklist
- Contract language for active public project not developed or inspected in-house

Ordinance/Legal Authority

Interview Questions:

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Ordinance which requires industrial/commercial facilities to install BMPs or minimize pollutant discharge?
 - Name and/or code section(s).
- Types of facilities covered:
- Facilities exempted:

Applicable Documents:

- Ordinance(s)

5. Industrial/Commercial Component Worksheet

Facility Inventory

Interview Questions:

- Industrial/Commercial facilities inventoried?
- Types of facilities included in the inventory:
- Facilities prioritized according to risk?
 - Criteria used:
 - Proximity to waterbody
 - Waterbody impairment
 - Type of facility
 - Materials produced on-site
 - Materials stored on-site
- Facilities mapped?
 - GIS?

Applicable Documents:

- Facility inventory
- Facility map

Standards, BMPs & Outreach

Interview Questions:

- Standards adopted which require industrial/commercial facilities to install BMPs (e.g., all car dealerships must install a wash rack plumbed to the sanitary sewer)? Describe.
- Standards for new development only or do they apply to improvements as well?
- Additional criteria which determine whether BMPs are required (e.g. facilities determined to be “high priority”, facilities within 100 feet of stream):
- Specific guidance document or manual utilized:
- Materials developed to educated operators about required or recommended BMPS:
- Training for operators:
 - Frequency of training:

Applicable Documents:

- BMP standards or guidance document
- Outreach materials

Inspections

Interview Questions:

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

- Industrial/Commercial facilities inspected?
 - Frequency:
- Staff (department or agency) responsible for inspections:
- If multiple departments perform inspections (i.e. health department inspects restaurants, pretreatment staff inspects heavy industrial), are the stormwater findings compiled?
- Checklist used during inspection?
- Types of data collected:
 - Proximity to waterbody
 - Type of facility
 - Materials produced on-site
 - Materials stored on-site
 - Hazardous waste on-site
 - NOI submittal
 - Other
- Are non-filers reported to permitting authority?
- Method of tracking inspection findings?
- Educational materials provided to operators during inspections?

Applicable Documents:

- Example checklist
- Examples of outreach materials

Enforcement

Interview Questions:

- Enforcement escalation plan or procedures adopted?
- Can industrial/commercial inspectors administer enforcement actions?
 - If no, who can?
 - If yes, what types of enforcement actions?
- Enforcement action is most commonly used:
- Enforcement actions tracked?
 - How?
- Average number of enforcement actions (by type) issued in the previous year:
 - Notices of Violations (NOV)
 - Administrative fines
 - Civil penalties
 - Criminal penalties
 - Damage abatement
 - Other:
- Adequate legal authority and tools available to inspectors to enforce stormwater requirements at industrial/commercial facilities?
 - If no, how could the program be improved?
- Who does follow up on enforcement actions?

APPENDIX B – PROGRAM EVALUATION WORKSHEETS

Applicable Documents:

- Enforcement escalation plan or procedures

Staff Education and Training

Interview Questions:

- Staff trained to inspect industrial/commercial facilities?
 - Frequency:
- Materials used to train staff:

Applicable Documents:

- Training materials
- Training records

6. Illicit Discharge Component Worksheet

No program or procedure in place

Ordinance/Legal Authority

Interview Questions:

- √ Ordinance which prohibits illicit discharges? **None**
 - Name and/or code section(s).
- Exclusions (non-stormwater discharges) allowed:
- Types of enforcement mechanisms available:
 - Notices of Violations (NOV)
 - Administrative fines
 - Stop-work orders
 - Civil penalties
 - Criminal penalties
 - Other:
- Official enforcement escalation plan or procedures in place?

Applicable Documents:

- Ordinance(s) prohibiting illicit discharges
- Enforcement escalation plan or procedures

Dry-Weather Screening

Interview Questions:

- Map of MS4 system complete?
 - If yes, hard copy or electronic?
- Who can access the map and for what purpose?
- Dry-weather field screening used to detect illicit discharges?
- Frequency and extent of field screening (i.e. 30 percent of major outfalls annually):
- Areas for screening prioritized?
 - Criteria used:
 - Land use(s) in watershed
 - Waterbody impairment
 - Spills/Dumping incidents
 - Other:
- Checklist or reporting form utilized?
- Dry-weather flows sampled and analyzed?
 - Parameters:
- Dry-weather screening findings tracked?
 - Database used?
 - Data tracked:

Applicable Documents:

- Summary of field screening findings from previous year
- Written description of dry-weather field screening procedures
- Checklist or reporting form

Investigation of Illicit Discharges

Interview Questions:

- Investigation procedure adopted?
- Summary of process used:
- Staff (departments/agencies) utilized:
- Enforcement mechanisms available:
 - Notices of Violations (NOV)
 - Administrative fines
 - Civil penalties
 - Criminal penalties
 - Abatement charges for damage
 - Other:

Applicable Documents:

- Investigation procedures

Illicit Discharge Location or Case File Name #1:

Interview Questions:

- Summarize illicit discharge event:
- Full investigation process documented?
- Source determined?
- Enforcement action taken?
- Describe:
- Notes:

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Interview Questions:

- Summarize illicit discharge event:
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Public Awareness & Reporting

Interview Questions:

- Spill reporting hotline?
- Complaint tracking database or system? Describe.
- Outreach materials used to educate public about illicit discharges:
- Subwatersheds or neighborhoods prioritized for outreach based on complaints or land use?

Applicable Documents:

- Examples of outreach materials
- Print out of complaint database or tracking system files

Spill Prevention & Response

Interview Questions:

- Spill response plan or procedures adopted?
 - Who responds?
- Adequate equipment and training for staff?
- Tracking of spills and response?
 - Database used?

Applicable Documents:

- Spill tracking system

Used Oil & Toxics Management

Interview Questions:

- Types of waste managed:
 - Household Hazardous Waste
 - Used oil/filters
 - Batteries
 - Thermometers
 - White goods (e.g. refrigerators)
 - E-waste (e.g. computers)
 - Paint
 - Other
- Describe public outreach materials used:

Applicable Documents:

- Outreach materials

Sanitary Sewer Discharges

Interview Questions:

- Sanitary sewer systems evaluated to determine storm sewer cross-connections or overflow locations?
- Extent of infiltration and inflow into storm sewer system:
- Sewer spill and cleanup procedures in place?

Applicable Documents:

- Sewer spill and clean procedures

Staff Education and Training

Interview Questions:

- Staff trained to identify illicit discharges?
 - Frequency:
- Materials used to train staff:

Applicable Documents:

- Training materials
- Training records