



**CHAMPAIGN COUNTY BOARD ENVIRONMENT and LAND USE COMMITTEE
(ELUC) Addendum**

County of Champaign, Urbana, Illinois

Thursday, April 7, 2016 - 6:30 p.m.

Lyle Shields Meeting Room

Brookens Administrative Center, 1776 E. Washington St., Urbana

Committee Members:

Aaron Esry – Chair

C.Pius Weibel – Vice-Chair

Astrid Berkson

Stan Harper

Pattsi Petrie

Jon Schroeder

Sam Shore

VII. For Information Only

- C. Illinois Environmental Protection Agency Non-Compliance Advisory Letter received April 4, 2016

Champaign County strives to provide an environment welcoming to all persons regardless of disabilities, race, gender, or religion. Please call 217-384-3776 to request special accommodations at least 2 business days in advance.



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397
BRUCE RAUNER, GOVERNOR LISA BONNETT, DIRECTOR

NON-COMPLIANCE ADVISORY LETTER

March 24, 2016

Mr. John Hall
Champaign County Planning & Zoning
1776 East Washington Street
Urbana, IL 61802

Dear Mr. Hall:

On January 22, 2016 Holly Hirchert representing the Champaign Regional Office visited the Champaign County Department of Planning and Zoning to perform an audit of the County's stormwater management plan and assess compliance with the General Storm Water Permit for Small Municipal Separate Storm Sewer Systems. A copy of the inspection report is included for your information.

This Non-Compliance Advisory concerns apparent noncompliance with the Illinois Environmental Protection Act. The violations/deficiencies are set forth in Attachment A.

Please submit in writing, within fifteen (15) days of the receipt of this letter, the necessary steps taken or to be taken to address the concerns of this noncompliance advisory. Please send your response to Ms. Holly Hirchert at the Champaign Regional Office.

This Non-Compliance Advisory is not a violation notice as specified in Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1). However, if you do not adequately respond to this Noncompliance Advisory, the Illinois EPA may issue a formal violation notice pursuant to Section 31(a)(1) of the Act.

Please direct questions concerning this letter to Ms. Hirchert at 217-278-5800.

Sincerely,

ENVIRONMENTAL PROTECTION AGENCY

James L. Miles
Acting Manager, Field Operation Section
Bureau of Water
Division of Water Pollution Control

JLM: HNH

cc: BOW/DWPC/RU
BOW/ DWPC/FOS-Champaign

RECEIVED

APR 04 2016

CHAMPAIGN CO. P & Z DEPARTMENT

ATTACHMENT A

Apparent Violation(s)

1. The Notice of Intent (NOI) and the annual report have not been posted on the Champaign County website.

Recommendations:

1. Post the notice of intent and the most recent annual report on the Champaign County website.
2. Prepare a schedule with milestones for completing the storm sewer system map as required by Part IV, Section B, Paragraph 3.b. of the ILR40 permit.
3. Develop a web page to provide access to information and educational materials about stormwater runoff as indicated in your notice of intent.
4. Develop a plan for sampling outfalls to the eight receiving streams. This can be coordinated with the other MS4s in Champaign County.
5. Develop training for personnel who work outside to recognize illicit discharges into ditches and storm sewers in Champaign County.
6. Establish a procedure for tracking illicit discharges that are reported by the public or are identified by county workers.
7. Approach local community groups and offer to present a program about the importance of improving stormwater quality.



United States Environmental Protection Agency
Washington, D.C. 20460

Water Compliance Inspection Report

Section A: National Data System Coding (i.e., PCS)

Transaction Code 1 N	NPDES 2	3 L R	4 0 0	5 2 5 6	11	12 1 6 0 1 2 2	17	Inspection Type 18 >	Inspector 19 S	Fac Type 20 *	
Remarks											
21											
66											
Inspection Work Days 67 8 5 69	Facility Self-Monitoring Evaluation Rating 70 3		BI 71 -	QA 72 -	Reserved			73	74	75	80

Section B: Facility Data

Name and Location of Facility Inspected (For industrial Users discharging to POTW, also include POTW name and NPDES number) Champaign County MS4 Brookens Administrative Center 1776 E. Washington Street Urbana, IL 61802	Entry Time/Date 9:30 AM 01/22/2016	Permit Effective Date April 1, 2009
	Exit Time/Date 12:10 PM 01/22/2016	Permit Expiration Date March 31, 2014**
Name(s) of On-Site Representative(s)/Title(s)/ Phone and Fax Number(s) John Hall, Director of Planning and Zoning Champaign County Phone: 217/384-3708	Other Facility Data (e.g. SIC NAICS, and other descriptive information) * MS4 **General Permit	
Name, Address of Responsible Official/Title/Phone and Fax Number Pattsi Petrie, Chair Champaign County Board Champaign County MS4 1776 E. Washington Street Urbana, IL 61802	Contacted <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Section C: Areas Evaluated During Inspection (Check only those areas evaluated)

<input type="checkbox"/> S Permit	<input type="checkbox"/> Self-Monitoring Program	<input type="checkbox"/> Pretreatment	<input checked="" type="checkbox"/> M MS4
<input type="checkbox"/> M Records/Reports	<input type="checkbox"/> Compliance Schedules	<input type="checkbox"/> Pollution Prevention	
<input type="checkbox"/> Facility Site Review	<input type="checkbox"/> Laboratory	<input type="checkbox"/> Storm Water	
<input type="checkbox"/> Effluent/Receiving Waters	<input type="checkbox"/> Operation & Maintenance	<input type="checkbox"/> Combined Sewer Overflow	
<input type="checkbox"/> Flow Measurement	<input type="checkbox"/> Sludge Handling/Disposal	<input type="checkbox"/> Sanitary Sewer Overflow	

Section D: Summary of Findings/Comments

(Attach additional sheets of narrative and checklists, including Single Event Violation codes, as necessary)

SEV Codes	SEV Description

Name(s) and Signature(s) of Inspector(s) <i>Holly Hirschert</i> Holly Hirschert	Agency/Office/Phone and Fax Numbers 217/278-5806 217/278-5808	Date 03/14/2016
Signature of Management Q A Reviewer <i>James L Miles</i> James L. Miles	Agency/Office/Phone and Fax Numbers 217-782-1564	Date 3/23/2016

AUDIT NOTES

Facility Name: County of Champaign Small Municipal Separate Storm Sewer System

NPDES Permit Number: ILR400256

Bureau of Water Site ID: W0190100067

Date of Inspection: January 22, 2016

Inspection Type: Small Municipal Separate Storm Sewer System (MS4) Audit

Inspected By: Holly Hirschert,
EPE, BOW/DWPC/FOS-Champaign

Interviewed: John Hall, Director and Zoning Administrator
Champaign County Department of Planning and Zoning

GENERAL INFORMATION

Responsible Official and Mailing Address:

Patti Petrie
Champaign County Board Chair
1776 East Washington Street
Urbana, IL 61802

MS4 Location

The Champaign County MS4 includes all areas within Champaign County that are not within the municipal limits of the City of Champaign, the City of Urbana, and the Village of Savoy.

NPDES Permit Information

Permit number: ILR400256
Issue Date: April 1, 2009
Expiration Date: March 31, 2014

Champaign County submitted the first notice of intent (NOI) in March 2003 and a notice of coverage letter was sent on September 20, 2004. The NOI for the second MS4 permit cycle (due in 2008) was received by the Agency on April 1, 2013 after a violation notice was issued on February 4, 2013. A third NOI was received by the Permit Section on September 20, 2013. This audit is based on the goals and milestones that were set by the second NOI and the requirements of the current permit.

Receiving Waters:

The County of Champaign MS4 discharges stormwater to eight streams.

- Kaskaskia River
- Saline Branch
- Two-Mile Slough
- Unnamed Tributary to Salt Fork
- Copper Slough
- Phinney Branch
- Embarras River
- Salt Fork Vermilion River

General Information:

According to the 2010 census, the population of Champaign County was 201,081. The total area of the County is 998 square miles. About 10 square miles are included in the urbanized area.

Partnership Agreements:

Although not a formal partnership, representatives of the permitted MS4s in Champaign County meet regularly to discuss issues related to compliance with the ILR40 permit. Responsibility for the chairing the meetings is rotated each year.

A jointly sponsored stormwater forum is organized every two years. The next conference is scheduled for September 16, 2016.

STORM WATER MANAGEMENT PROGRAM

The permittee has chosen to focus on several BMPs (Best Management Practices) within the six minimum control measures.

A. Public Education and Outreach

A.1 Distribute Paper Material

This BMP involves providing flyers and information sheets at the Planning and Zoning permit counter. The goal is to develop and distribute one new educational material handout each year.

In June 2015, a new handout was prepared to be given to developers of new construction projects. The document, entitled "Erosion Control Requirements in Rural Champaign County," explains the erosion and sediment control requirements for land disturbance activities in the unincorporated areas of Champaign County.

The number of handouts distributed is not tracked.

A.2 Speaking Engagement

This BMP entails informing business groups about the MS4, NPDES, and BMPs. The goal was to conduct one presentation per year.

There had been four BMPs that required presentations to developers, contractor, architecture groups, 4-H groups, agricultural groups, the Champaign County Farm Bureau, environmental groups, conservation groups, and citizen groups. The milestones for all four were revised to say "conduct one presentation per your upon request" and there is now only one BMP.

To date, no presentations have been given to any of the listed groups because no requests have been received.

A.6 Educational and Informational Material on Web Page

This BMP requires the development of a web page to provide informational and educational materials. The goal is to provide annual updates to the web page.

As of the date of this audit, a web page had not been developed to provide access to information and educational materials about stormwater runoff.

B. Public Participation/Involvement

B.6 Program Coordination

For program coordination, someone from the County attends meetings of the Intergovernmental Stormwater Management Group meetings. These meetings occur at least once per calendar quarter.

Mr. Hall attends four to five meetings each year. A copy of the minutes from these meetings is provided to me by a representative of the MS4 that is currently chairing the committee.

B.7 Other Public Involvement

For this BMP, the County chose to include requirements of the ILR40 permit in the Champaign County Land Resource Management Plan and the annual long range work plan as required. It was not included in the NOI, but was added in 2011 "with the intent being to garner more resources for MS4 implementation by elevating it to a formal County policy and then including it as a specific work item in the annual planning contract with the Regional Planning Commission."

The Champaign County Land Resource Management Plan (LRMP) was adopted by the Champaign County Board on April 22, 2010. Incorporating the IR40 permit requirements ensures that the Environmental Land Use Committee will follow the requirements of the permit when approving County projects.

C. Illicit Discharge Detection and Elimination

C.1 Storm Sewer Map Preparation

The County set a goal to map storm drainage outfalls into streams and rivers. Information is to be updated as new information is available and the plan is to complete a system wide update every 3 years.

The County is in the early stages of developing a storm sewer map.

C.2 Regulatory Control Program

The purpose of this BMP is to prohibit illegal dumping and illicit discharges into the drainage system. To achieve this objective, the goal was set to review the existing ordinance and revise it to include illegal dumping and illicit discharges into drainage systems. A new ordinance would be implemented or the existing ordinance would be amended.

The Public Nuisance Ordinance is being revised to include new sections on illegal dumping and illicit discharges. Adoption of the revised ordinance was to be pursued after the Erosion and Sediment Control Ordinance was adopted so that effort is in progress.

C3. Detection/Elimination Prioritization Plan

C.3.1 Establish a citizen complaint telephone line for reporting illegal dumping and illicit discharges. The goal was to develop and maintain the complaint line.

C.3.2 Establish a citizen complaint phone line for non-complying and/or non-functioning private sewage treatment systems

C.3.3 Create a database of existing private sewage treatment systems and develop a plan to bring non-compliant systems into compliance.

Employees in Planning and Zoning Office receive complaints by phone, but I did not find a listing on the Champaign County web site that indicates how to report instances of illegal dumping/illicit discharges or file complaints. Mr. Hall said they could add something to the web site. He will also contact the publishers of local phone directories to find out if a something can be added to the government listings.

Mr. Hall said a list of private sewage treatment systems in the county has been obtained by from the County Health Department and a GIS database is under development, but a plan has not been developed to achieve compliance by all systems.

C6. Program Evaluation and Assessment

This BMP requires an annual report to the Environment and Land Use Committee (ELUC) (of the Champaign County Board) and the Champaign County Board.

Mr. Hall has presented the Champaign County MS4 Annual Facility Inspection Report to the ELUC and the County Board since 2012. The ELUC has policies for preserving natural areas, promoting the creation of parks and open space areas, and restoration of natural areas.

D. Construction Site Runoff Control

D.1 Regulatory Control Program

The goal for the first permit cycle was to review existing erosion and sediment control regulations, prepare draft regulations for the County Board, and have the revised regulations approved.

This was supposed to occur in the fifth year of the permit, 1998-99. It was finally achieved in June 2015 when the Storm Water Management and Erosion Control Ordinance was approved by the County Board.

Section 12 of the ordinance requires a Land Disturbance and Erosion Control (LDEC) permits for construction projects that disturb greater than 10,000 square feet. The permits are of two types depending on the area to be disturbed.

- A major LDEC permit is required for any land disturbance of one acre or more of land within the Champaign County MS4 jurisdiction.
- A minor LDEC permit is required for any land disturbance of less than one acre of land but greater than 10,000 square feet that is part of a common plan of development or sale of record or that is part of any other use, district, or lot designated by the applicability section of the ordinance or is not exempt.

Section 4 of the ordinance says Sections 12, 13, 14, 15 (LDEC permits) apply only to land disturbance within the Champaign County Jurisdictional Area. In Section 3, Jurisdictional Area is defined as the limits of the Urbanized Area as defined by the Bureau of the Census.

D.2 Erosion and Sediment Control BMPs

The stated measurable goal since 2003 has been: Review and evaluate existing BMPs to determine which should be included in the erosion and sediment control ordinance. Review existing regulations and develop new regulations for the ordinance.

The 2013-2014 annual report says, "Erosion and Sediment Control BMPs are included in the draft Erosion and Sediment Control Ordinance and details are included as technical appendices." The Storm Water Management and Erosion Control Ordinance was finally adopted on June 18, 2015.

Requirements for erosion control BMPs are stated in several sections of the ordinance. Appendix F of the ordinance includes selected standards from the Illinois Urban Manual.

D.3 Other Waste Control Program

This BMP is a prohibition of illegal dumping and illicit discharges into storm drain systems from construction activities and the measurable goal is "Review existing Nuisance Ordinance and revise Ordinance language to illegal dumping and illicit discharges to drainage systems from construction activities.

Some of the annual reports say appropriate BMPs are included in the draft Erosion and Sediment Control Ordinance and details are included as technical appendices.

Section 6.4.C of the adopted ordinance says,

"All waste and debris generated as a result of construction activities including discarded building materials or packaging materials, concrete truck washout, chemicals, litter, sanitary waste, or any other waste, shall be placed in an appropriate waste container in a timely manner, and shall be properly disposed of and shall be prevented from being carried off the site by either wind or water."

D.4. Site Plan Review Procedures

Two BMPs were proposed.

4.1 Develop procedures and processes to evaluate proposed construction site runoff mechanisms

4.2 Training class/workshop for evaluating and inspection construction site runoff control mechanism

The development of procedures was "on hold" until the Storm Water Management and Erosion Control Ordinance was adopted. These items are included in the ordinance.

Susan Chavarria, Senior Planner, attended training on "Fundamentals of Storm Water Pollution and Erosion and Sediment Control" at the Illinois Center for Transportation. This included in the 2014-2015 annual report.

D.6 Site Inspection/Enforcement Procedures

The stated BMP for site inspections was "Develop procedures and processes to inspect construction sites for compliance with construction site runoff control mechanisms."

Mr. Hall provided copies of LDEC Permit Status Logs for both minor and major LDEC permits. These forms list all of the milestones that must be met for a developer to obtain a permit as well as the requirements for terminating the permit. He also provided a copy of the LDEC Permit Inspections Log form. There were not any completed forms for review as the County has not issued any LDEC permits.

E. Post-Construction Runoff Control

E.2 Regulatory Control Program

This BMP requires annual inspections of publicly-owned stormwater management facilities (post-construction). The measurable goal is to establish and implement procedures for annual inspections of publicly-owned stormwater management facilities (post-construction) to ensure facilities function as designed (post-construction) in the County SWPPP.

Since the County SWPPP has not been developed, this goal has not been met.

Champaign County owns stormwater management facilities at the County Highway Department and Weaver Park.

E.3 Long Term O & M Procedures

Develop procedures to ensure that storm water management facilities are maintained to function as designed (post-construction).

Section 12.7 of the Storm Water Management and Erosion Control Ordinance requires ongoing maintenance of stormwater management facilities. It says, "After construction is complete, the owner or their agent shall maintain erosion control facilities and other drainage structures. This shall include cleaning inlets at least once a year during spring time and sediment shall be removed every 15 years or as needed.

Mr. Hall said most of the stormwater management facilities in Champaign County are or will be located within the jurisdictional boundaries of the Village of Savoy and the Cities of Champaign and Urbana as new subdivisions are annexed by those municipalities.

E.4 Pre-Construction Review of BMP Designs

This BMP calls for a training class or workshop for evaluating and inspecting construction site runoff control mechanisms (post-construction). The measurable goal is for the Zoning Officer (or Director's designee) to attend a training class or workshop for evaluating and inspecting site runoff control mechanisms (post-construction). The 2014-2015 report lists this as incomplete.

Mr. Hall said Ms. Chavarria is the Director's designee. She has attended training as mentioned in the discussion of Site Plan Review Procedures on page 5 of this report. Post-construction site runoff control plans will be reviewed prior to issuing LDEC permits.

E.5 Site Inspections During Construction

This BMP requires the development of procedures and processes to inspect construction sites for compliance with approved post-construction site runoff control.

These procedures are being developed.

F. Pollution Prevention/Good Housekeeping

F.1 Employee Training Program

This section has four BMPs listed:

- F.1.1 Spill prevention protocol: Conducting annual spill prevention training with appropriate staff.
- F.1.2 Spill response protocol: Conducting annual spill response training with appropriate staff.
- F.1.3 Pesticide storage, application, and disposal training: Conduct annual pesticide storage, application, and disposal training with appropriate staff. Track meeting agenda, materials, and attendee sign-in sheet. Review licensing annually. Review license and complete training.
- F.1.4 Hazardous material and storage management training: Conduct annual hazardous material and storage management training with appropriate staff.

Mr. Hall said spill prevention and response training are conducted regularly, but the individual departments maintain the records. Pesticides are employed when necessary by a licensed commercial applicator. Herbicides are applied by County Highway personnel along county highways to control weeds where mowing is not possible. Training is conducted annually by University of Illinois Extension.

In June 2015, Marathon Pipeline Company presented a functional tabletop exercise involving a simulated pipeline release in Champaign County. Twenty-eight firefighters, contractors, and various county employees participated in the exercise.

In October 2015, AMTRAK presented training on Passenger Train Emergency Response that was attended by personnel from the Champaign County Emergency Management Agency and several fire departments in Champaign County.

F.2 Inspection and Maintenance Program

The milestone is "Begin development of a SWPPP for all County owned facilities including a timeline for proposed implementation."

Champaign County is contracting with the Champaign County Regional Planning Commission to develop a stormwater pollution prevention plan for the Champaign County Campus. The campus includes the Brookens Administrative Center, the Champaign County Jail, and the County Highway Department.

F.3 Municipal Operations Storm Water Control

The description of this BMP is: "Investigate feasibility and effectiveness of integrated, bio-detention and filtering for County campus redesign."

The milestone for several years has said "Champaign County Environment and Land Use Committee to review and consider whether this goal should be retained."

I told Mr. Hall that the committee should investigate other green infrastructure projects that could improve stormwater runoff from the campus.

MONITORING, RECORD KEEPING AND REPORTING

Monitoring:

Champaign County has not done any monitoring since development of the storm sewer map is in the early stages. When the sewer map is complete, outfalls must be designated for monitoring and visual inspections. A database should be created to track inspection dates and results of the inspections. Outfalls to the eight receiving streams have not been identified for monitoring purposes.

Record Keeping:

Marginal. Champaign County does not track the number of flyers or informational sheets that are distributed at the permit counter. The notices of intent and the annual reports lack information on measurable quantities to indicate the effectiveness of their program on reducing storm water pollution.

Part V, Section B of the ILR40 permit says: "You must post your notice of intent (NOI), your storm water management plan, and your annual reports on your website." The County has not developed a stormwater website even though there has been a BMP listed in the NOI under "Other Public Education" since 2003. The notice of intent and the annual reports are not posted on the Champaign County website.

Reporting:

Since the 2013-2014 reporting period, the annual reports have been submitted as required. The most recent report was received via email On May 28, 2015. These reports lack sufficient information on measurable quantities to gauge the effectiveness of the program in improving water quality.

The NOI for the third permit cycle was received by the Permit Section on September 20, 2013.

SUMMARY

Based on the audit conducted at the Champaign County, the Champaign County MS4 has been slow to achieve the goals described in the first two notices of intent. Most of the work has been done by the Champaign County Department of Planning and Zoning.

Some of the responsibility for meeting the requirements of the ILR40 NPDES permit and achieving the BMP milestones should be assigned to other departments of Champaign County.

Apparent Violation(s):

1. The notice of intents and annual reports have not been posted on the Champaign County website as required by the ILR40 permit.

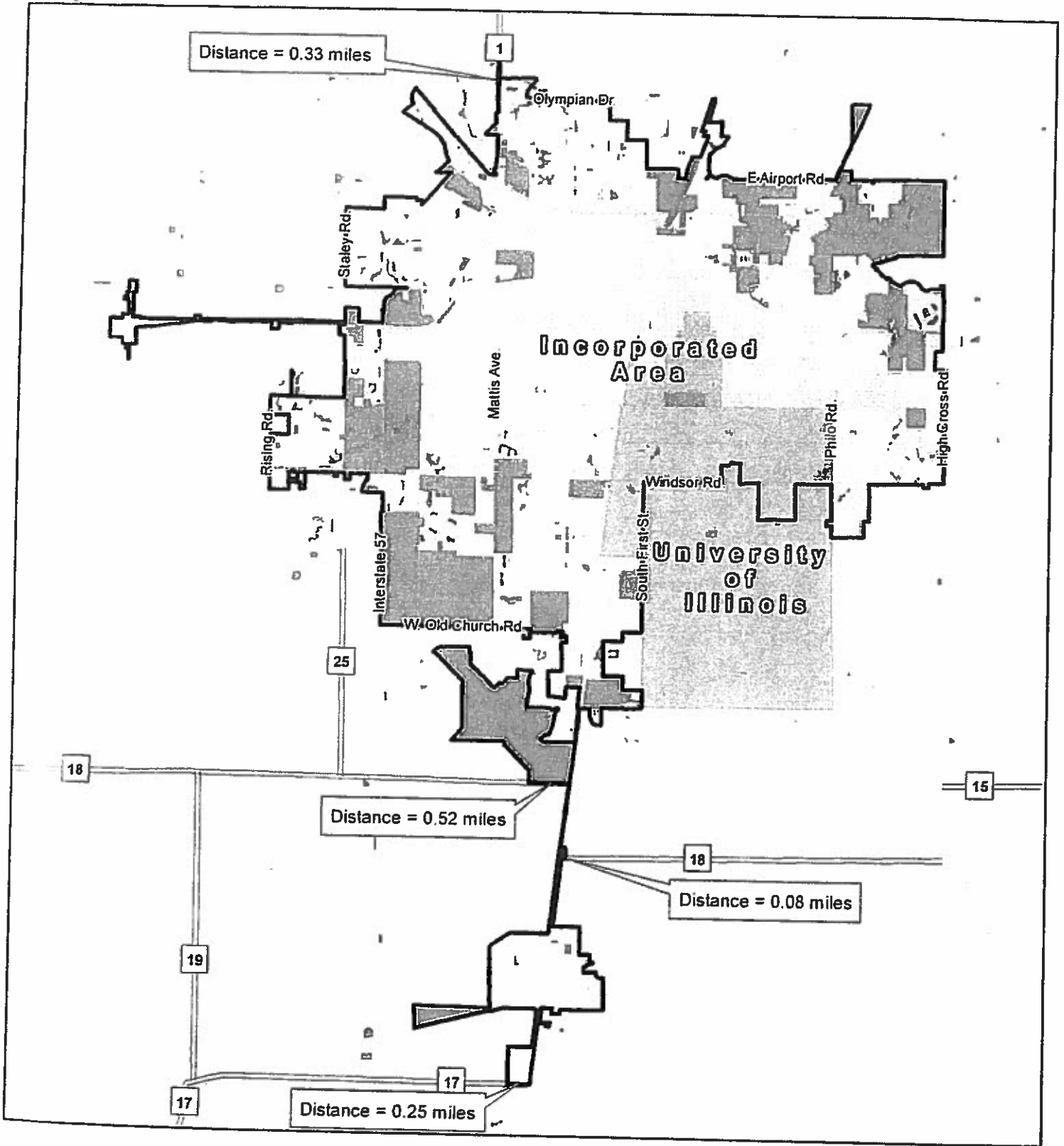
Recommendations:

1. Post the notice of intent and the most recent annual report on the Champaign County website.
2. Prepare a schedule with milestones for completing the storm sewer system map as required by Part IV, Section B, Paragraph 3.b. of the ILR40 permit.
3. Develop a web page to provide access to information and educational materials about stormwater runoff as indicated in your notice of intent.

4. Develop a plan for sampling outfalls to the eight receiving streams. This can be coordinated with the other MS4s in Champaign County.
5. Develop training for personnel who work outside to recognize illicit discharges into ditches and storm sewers in Champaign County.
6. Establish a procedure for tracking illicit discharges that are reported by the public or are identified by county workers.
7. Approach local community groups and offer to present a program about the importance of improving stormwater quality.



Holly Hirschert
Champaign Regional Office






Champaign County MS4 Jurisdiction

Urbanized Area based on the 2010 Census

This map shows the defined MS4 jurisdiction including 10.4 square miles of unincorporated County. Location and size of County stormwater facilities are noted (Ex: Distance = 0.25 miles).

MS4 Related Boundaries

-  Streets
-  Urbanized Area 2010
-  County MS4 Area 2012



Map Created 7/17/14

