

BASWG Meeting Minutes

December 11, 2014

9:00 am – 11:30 am

Orono Town Office, Orono, Maine

**PLEASE NOTE: THIS DOCUMENT HAS NOT YET BEEN REVIEWED BY BASWG MEMBERS,
DEP OR THE EXERCISE PARTICIPANT TOWN OF MILFORD**

Meeting Attendees

Wynne Guglielmo, David Ladd, Andy Fish, Andrea Dickinson, Rob Yerxa, Amy Polyot, Patrick Decker, Mark Faulkner, Tracy Drew, Phil Ruck, Philip Winchester, Kyle Severance, LaMarr Clannon, Bob Osborne, Mike Gladu, Belle Ryder. Facilitator: Brenda Zollitsch.

Welcome and Introductions

Bob O. called the meeting to order. Meeting attendees introduced themselves.

BASWG 2015 Meetings

Meetings in 2015 will continue to be held from 9:00 am – 11:30 am on the second Thursday of the month, unless formally changed by the Executive Committee due to extenuating circumstances. Meeting locations are rotated among the MS4 locations and will be announced at least one week prior to the meeting via email with the circulation of the agenda. BASWG meeting dates for 2015 were circulated with the meeting handouts and are: January 8, February 12, March 12, April 9, May 14, June 11, July 9, August 13, September 10, October 8, November 12 and December 10.

Update on Completed Audits

EPA Audit of Scarborough:

- DEP participated; full daylong audit
- Scarborough received 10-day notice (Bangor received 5-day notice)
- Priority watersheds - Scarborough and Higgins Beach (very small urbanized areas)
- Have CSOs, SSO and beaches
- Note: York was audited 6 months into their first regulatory year
- According to David Ladd (DEP) an informal summary of the audit:
 - Scarborough was well organized and prepared, but still had some issues identified
 - The audit revealed two poor construction sites – looked great on paper, but not on the ground (almost clogged catch basin, etc.)
 - Did not have all their outfalls mapped
 - Did not do follow-up on some identified continuous flows
 - Public works facility was (and always has been) super clean
 - SPCC issues (not all containers labeled, not on palette)
 - Issues with a heating oil depository tank that did not have a in it.

- Additional comments by David Ladd:
 - Important to note that don't get notification until project is complete. Need to be getting real-time information about the site.
 - Need to have a system that lead to: "If X, then Y type of testing) – be as specific as possible
 - Can clean and take the lids off LABELED containers that clarify that nothing is stored in them; but will count towards total gallons otherwise (<13,200 gallons needs a SWPP and all empty drums are added towards that total)
 - Cub tanks are dangerous (not sure if I captured this correctly)
 - There were new SPCC regulations in 2011 – nothing is grandfathered in now.
 - If there is an issue that comes up during an audit – fix it, document the fix(es) and send to both DEP and EPA.

DEP Audit of City of Brewer

(The following are some informal thoughts about the audit from Brewer staff to help share the experience with BASWG MS4s)

- Took place the week before Thanksgiving
- Audit lasted approximately 8:30 am – 1:30 pm
- Seemed to go quite well
- Very thorough
- Three DEP staff who split up (SW coordinator could not be in all locations simultaneously)
- Key things they looked at:
 - SPCC plans
 - SWPPP and documentation
 - Mapping of the SW system (direction of lines and size on maps). Also looked to see if items were in GPS.
 - Pre- and post-inspections of construction sites
 - Public works inspection – One person focused on this (included discussion of use of fertilizers, length of grass, etc.)
 - Review of SW requirements at cemeteries (salting. Sanding, storm drains, lawn care)
 - Talked with Park and Rec re: mowing practices, where repairs made, washing of equipment, if/when fertilizing, use of pesticides.

Audit Preparation Scenario Exercises:

The BASWG members participated in a self-planned exercise of responding to potential scenarios to informally “test” whether or not efforts to prepare would be seen as adequate by DEP and stimulate discussion about compliance work. For this session, the volunteer MS4 was the Town of Milford (represented by Mike Gladu and Andy Fish). Before the exercise began, Brenda Z. (BASWG’s Facilitator) formally requested and received confirmation from David L. before the session started that this is an

informal exercise for educational purposes only. The session does not represent any formal evaluation or represent material to be used as part of an audit.

Scenario 1: Response to citizen complaints during non-business hours, weekends and holidays. Who takes and documents the call? Is there any agreement with emergency response – police and fire? What is the follow-up investigation procedure and documentation? How is the location identified and what are the corrective actions?

Complaints made to Town Office, Fire Department Covers during non-business hours. Sewer phone number posted for all.

Sharing of Town Process:

- Receive citizen complaint.
- Complaint immediately given a tracking number with a date of the initial incident which follows the issue through its lifecycle.
- Comes into the Town office during business hours, but to the Fire Department during non-business hours.
- Fire department is tasked with identifying if the incident is urgent and manages the immediate response if it is (including reporting during the non-business hours) and determines if it is not urgent otherwise.
- The incident report form lists the order of response steps.
- Stormwater coordinator takes over report process on first regular business day.
- Town posts the number of an electrician at the pump station and has agreements with every company they work with to have coverage during non-business hours.
- Incident report is managed by the municipal staff (stormwater coordinator), but the town may get an engineering firm to go look at the site to see if additional steps need to be taken.
- Follow-up: The town ends up with both an incident report and an illicit discharge report as part of the paper trail.

DL: If the stormwater coordinator is not on-call or able to respond immediately, who is called?

A: The phone gets forwarded to the sewer department, which has staff onsite 24/7. If there are additional decisions to make, there is a prioritized list of staff to start calling in order (including by position, not just name).

DL Comments (aggregated):

- Make sure calls don't go into a "dead zone" due to non-business hours.
- Also make sure that there is a paper trail for anything that gets into the system.
- If it can't be pumped directly into the sewer system, it needs to be put into a truck and carried for disposal at the treatment plant.

DL: What kind of forms are folks using?

Group Discussion: Most of the MS4s in the group are using either “incident forms” or “complaint forms”. Some MS4s do not have form processes that trigger connection with the stormwater coordinator/reporting system – this needs to be changed. Some of the MS4s use tracking by address and reporting in a GIS database.

DL: Important to get this information into one spot and have everyone knows where that spot is. Also need to understand when an incident report is closed/no more actions need to take place.

DL: Remember that records need to be kept for EIGHT YEARS (3 years after permit term). Recommends holding onto hazardous release incident reports in perpetuity.

ACTION: MS4s agreed to bring their incident/complaint forms to the January meeting to share with each other and discuss strengths/weaknesses/create commonality.

DL: What kind of training does staff get on this?

A: The staff has annual training, but also a ten-minute training at the beginning of each day (procedures and responses are included in this training).

DL: This must be documented in notes for an audit (who, when and what covered). If it’s not documented, it didn’t happen. One option is to have a clipboard at each meeting stating what was covered and have attendees sign it.

Q. Is annual training adequate?

DL: It may be, if documented (this was a somewhat non-committal response)

Comment: In Milford, every job is started by a work order that is signed by the employee

DL: This is a good documentation process.

DL: Make sure that first responders know who to call and that they document what is done.

DL: Make sure to call EPA or NRC if petroleum hits a “water of the state”. If it is just a ditch, call DEP.

DL: Make sure people understand the connection between the emergency response and the environmental response.

Scenario 2: Heating Oil/Fuel Truck Accident or spill that conveys pollutants to a non-regulated MS4 that connects to a regulated MS4. The same scenario when both MS4s are regulated, but includes municipalities, transportation, state and federal MS4s.

Sharing of Town Process:

- Milford has a green light to go into neighboring municipality to address an incident that releases a pollutant into MS4. There is an agreement to respond.
- As soon as an incident is identified, DEP is contacted by the Town.
- Triggers the incident process detailed in Scenario #1.

DL: Make sure that you have mapped where other systems come into your MS4 system.

DL: You are responsible for what comes out of your system, regardless of its origin.

Group Comments:

- Most MS4s in the BASWG have arrangements with their abutting non-regulated municipalities and understand what the expectations are for such incidences.
- Issues with nesteds, transportation and linear systems are more difficult.
- BASWG members would like to be more closely in contact with their local DOT contact, not just state-level.

DL Comments (aggregated):

- Need to make sure that you get a call at stormwater if there is an incident.
- Know your system and where everything comes from as well as your next steps to address issues.
- Make sure phone is answered and that there is a paper trail.
- Make sure the fire department knows that is needed as follow-up, what shouldn't be draining into the system.
- GIS tracking is useful to understand where complaints are recurring
- Communications should take place between municipal MS4s and nesteds to understand the activities and incidences that could potentially take place and responses to them.
- If there is a petroleum incident in a nested MS4, should contact the municipal MS4 they are in and inform them.

Group Comments:

- What are DOT's SOPs for IDDE? What is their accountability?
- Bangor has DOT catch basins mapped; rest of group did not receive the information initially as going to be sent to BASWG from DOT about connections.

Review of the Scenario Exercise and Planning for Upcoming Meetings

- At the end of the scenario exercise, the group discussed whether they like this exercise, what could be improved, and next steps for the January meeting.
- Members shared that they thought that the exercises were a big help, that they liked the exchange, they were able to think about situations they had not previously thought about, benefitted from the sharing of information, and allowed them to expand their thinking across MS4s.
- They would like to continue this exercise at coming meetings, with the next set of scenarios continuing on IDDE, but in the future also include construction and post-construction exercises.
- One suggested improvement was that the volunteer communities bring handouts sharable items, which everyone agreed would be helpful.
- Orono and Old Town agreed to be the next volunteer MS4s: Orono will look at the steady flow from an outfall in dry weather scenario and Old Town will let Brenda Z. know their selected scenario closer to the meeting date.
- The group decided they want the room set up in a large U and to have the speakers use a microphone when talking.

Regulatory and Other Updates

Wynne G. shared that a new document has been published by DEP that MS4s should review. The document is entitled, "Clean Water Act National Pollutant Discharge Elimination System Compliance Monitoring Strategy (2014)" and outlines a variety of compliance/audit/inspection details. This report will be discussed at one or more the BASWG's upcoming meetings. In the meantime, the document can be found at: <http://www.epa.gov/compliance/resources/policies/monitoring/cwa/npdescms.pdf>

Organizational Business

- **Minutes:** Belle moved to accept the draft meeting minutes from November 2014. Phil seconded the motion and the minutes were accepted unanimously.
- **Interim Secretary:** BASWG Secretary John Cronin is no longer the representative to the BASWG for the ANG to the BASWG and his replacement Philip Winchester is not available for critical periods during the year due to training requirements. DECISION: Rob Y. made the motion to accept the Executive Committee's recommendation and vote in Mike Gladu as interim BASG Secretary (an executive committee position) until formal elections at the February meeting of the BASWG. The motion was seconded by Wynne G. and approved unanimously by the members.
- **Contract Extension:** The Executive Committee also made the recommendation to the group to extend the SEE/NEMO contract for provision of E&O consulting services until June 30, 2015, with an increase of funding in the amount of \$13,000. The Executive Committee has reviewed the proposal and makes the recommendation for the following reasons:
 - 1) The EC would like to see the contract come into cycle with the permit year. Some of the PY2 activities will not be completed until June 30, 2015.
 - 2) The increase in funding request has been adequately justified due to changes in the work for the stream clean-ups, garden show and the re-development of the BASWG.org website.Patrick D. reviewed the BASWG's finances, which showed adequate funding to support the additional \$13,000 expense.
DECISION: Belle R. made the motion to approve the contract extension and proposed increased amount through June 30, 2015. Andy F. seconded the motion, which was passed unanimously.
ACTION: The BASWG will hold formal group discussion of a new contract (potentially a three-year renewable annual contract to match up with the 5-year permit dates) this coming March to ensure that a procurement process is in place in time for a July 1, 2015 start date for a new contract.

FY2015-2016 BASWG Budget Approval: Rob Y. presented the proposed annual budget to the group for PY2015-2016. The budget begins July 1, 2015 and ends June 30, 2016. This draft budget was prepared by the Executive Committee based on the discussion with the full membership at the November meeting. The budget reflects a flat-funding request to member MS4s. The budget includes flat funding for regional coordination, website hosting/domain name expenses, participation in the statewide salt collaboration. The budget represents a decrease in line items for financial/tax audit preparation (based on estimates from vendors), grant writing (since the group has not used the full line item for the last two

years). A substantial increase was made to the education and outreach line item to reflect the projected costs for compliance with the regional plan during the PY3 period. The legal fees funding line item is being included in the contingency fund line item and has been removed as a separate line item. The BASWG is also reducing the contribution to the BASWG's contingency fund, as there is some funding carrying over from the past year. *The total budget for FY15-16 is \$38,400 which represents the same ask as last year from each member MS4 billed using the revised FY13-14 funding formula.*

DECISION: Belle made the motion to accept the proposed budget as presented with the understanding that some adjustment may need to be made by the group to line items over the coming year. Tracy D. seconded the motion. The members approved the budget unanimously.

Education and Outreach Update

- **Chloride Outreach Planning:** Tyler C. is working with Wynn G. and City of Bangor Staff to schedule a municipal leadership training/planning session for the chloride project. Wynne has provided email addresses and Tyler will send out a doodle. Brenda Z. is working on the PowerPoint for the presentation. All project materials will be shared with the full group, including the presentation, draft notes and draft plan as soon as they are available.
- **Intern Hired:** Phil R. reports that the BASWG E&O Committee has hired an intern. They will be having a first planning meeting with him in the coming weeks to discuss the website design process.
- **Social Media Use:** LaMarr C. reports that BASWG's Facebook page has seen a significant rise in friends/views. She will provide a full report at the February annual meeting of the BASWG.
- **Stream Clean-up Planning:** The January meeting will include a planning session on advance work for the stream clean-ups. Discussion will include clarifications on consultant support services and plans for fundraising.

Upcoming BASWG Meetings

The January BASWG meeting will be held at Veazie Town Hall. Agenda items include part two of EPA Audit Scenarios, sharing of incident report forms, sharing of the EPA Compliance report, sharing of the new chloride manual and discussion of E&O work, including clean-ups, new intern and website decisions. BASWG meetings will be held at EMCC in February, Orono in March and Bangor in April.