



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION



PAUL R. LEPAGE
GOVERNOR

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COMMISSIONER

January 12, 2017

Kate Pelletier, Planning Assistant
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Sent via email to: Kate Pelletier at: kpelletier@eliotme.org

RE: Municipal Separate Storm Sewer System (MS4) Annual Report Review PY Three 2015-2016, Town of Eliot, permit number MER041013.

Dear Kate,

The Department has reviewed the Town of Eliot's permit year ("PY") Three MS4 annual report for the Department's 2013 MS4 GP. This reporting period covers from July 1, 2015 to June 30, 2016. This review is for General Permit number MER041029. The purpose of the annual report is to provide a regular opportunity for the municipality to report on their compliance with the MS4 permit. The Department's review, including comments, questions and requests for additional information, are based solely on information the municipality has provided within the annual report. Because this review is based on self-reporting, it is in no way a validation of said information by the Department, nor a finding by the Department of the municipality's actual compliance with the MS4 permit. Any MS4 permit non-compliance identified during a municipal MS4 audit will be addressed by separate correspondence. Our comments on your annual report are summarized for each Minimum Control Measure ("MCM") below.

Minimum Control Measure 1. Education & Outreach

a. Required Strategies.

- i. Raise Awareness (Goal 1): Beginning July 1, 2013, the permittee shall continue their outreach efforts from the previous permit cycle while developing or revising an existing Awareness Plan.
 1. Develop or revise a Plan to Raise Awareness: By February 1, 2014, each permittee or stormwater group of which the permittee is a member shall have a new Awareness Plan or revise an existing Plan to raise awareness of stormwater issues. The Plan's goal must be to raise awareness of polluted stormwater runoff issues such as the path stormwater runoff takes, sources of stormwater pollution, and the impact that polluted stormwater runoff has in the community or communities.
 2. By December 1, 2013, the permittee shall submit a draft Awareness Plan to the Department for review and approval. The Stormwater Awareness Plan is considered approved as of February 1, 2014, unless the permittee receives written communication from the Department indicating non-approval. The permittee shall begin implementation of the Stormwater Awareness Plan within one week of its approval.
The Stormwater Awareness Plan must identify:
 - a) The target audience

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688 FAX: (207) 287-7826

BANGOR
106 HOGAN ROAD, SUITE 6
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769
(207) 764-0477 FAX: (207) 760-3143

- b) The outreach tool(s) to be used
 - c) The message
 - d) The distribution system
 - e) The time line and implementation schedule
 - f) The person(s) responsible for implementation
 - g) An impact evaluation protocol
 - h) A plan modification protocol (this must include DEP approval of significant plan modifications)
 - i) The goals (e.g., the targeted level of change sought as a result of the education and outreach effort)
 - 3. The permittee shall include a review of the Stormwater Awareness Plan in each of its Annual Reports. The review must include process indicators which assess the permittee's execution of the Stormwater Awareness Plan. The permittee shall also include impact indicators according to the following schedule unless otherwise indicated in the approved Stormwater Awareness Plan; in Year 1 the permittee will assess the target audience to set the baseline and inform the development of the Stormwater Awareness Plan. In Year 3, the permittee will do a cursory evaluation and assessment on both the progress of implementing the plan as well as the impact the efforts are having on the target audience. In Year 5 the permittee shall provide an in-depth assessment of both the implementation and the impact of the Stormwater Awareness Plan.
 - 4. The permittee shall include a comprehensive review of the Stormwater Awareness Plan in its fifth year Annual Report. The review must include an analysis of the process indicators and impact indicators.
 - ii. Raise Awareness of Both Stormwater Pollution and the MS4 program requirements for municipal staff including municipal employees, volunteers, council members and other elected officials.
 - 1. Develop or revise a Permit Awareness Plan to raise awareness and permit implementation and compliance : By March 1, 2014, each permittee shall have a new Permit Awareness plan or revise an existing Plan to raise awareness of stormwater issues including MS4 permit requirements for municipal employees, elected officials and volunteers within municipal government. The Permit Awareness Plan's goal is to raise awareness of polluted stormwater runoff such as the sources of stormwater pollution, the path polluted stormwater runoff takes from the pollution source to waters of the State, the impact polluted stormwater runoff has on the community, potential measures to reduce or eliminate pollution sources, and General Permit obligations and the permittee's obligations and responsibility to ensure permit compliance.
 - 2. By January 6, 2014, the permittee shall submit the draft Permit Awareness Plan to the Department for review and approval. The Permit Awareness Plan is considered approved as of March 1, 2014, unless the permittee receives written communication from the Department indicating non-approval. The permittee shall begin implementation of the Permit Awareness Plan within one week of its approval.
- The Permit Awareness Plan must identify:
- a) The target audience
 - b) The outreach tool(s) to be used
 - c) The distribution system

- d) Method to address turnover of employees, elected officials and volunteers
 - e) The time line and implementation schedule
 - f) The person(s) responsible for implementation
 - g) An impact evaluation protocol
 - h) A plan modification protocol (this must include DEP approval of significant plan modifications)
 - i) The goal (e.g., the target level of awareness for each audience)
3. The permittee shall include a review of the Permit Awareness Plan in each of its Annual Reports. The review must include process indicators which assess the permittee's execution of the Permit Awareness Plan. The permittee shall also include impact indicators according to the following schedule unless otherwise indicated in the approved Permit Awareness Plan: IN year 3, the permittee will do an evaluation and assessment on both the progress of implementing the plan as well as the impact the efforts are having on the target audience. In year 5 the permittee shall provide an in-depth assessment of both the implementation and the impact of the Permit Awareness Plan.
4. The permittee shall include a comprehensive review of the Permit Awareness Plan in its permit year five (5) Annual Report. The review must include an analysis of the process indicators and impact indicators.
- iii. Targeted BMP Adoption (Goal 2): Beginning July 1, 2013, the permittee shall continue outreach efforts from the previous MS4 permit cycle while developing or revising a new BMP Adoption Plan.
1. By January 15, 2014, each permittee shall have a new or revised Adoption Plan with the goals of promoting behavior change through the implementation of BMPs. Each permittee or stormwater group of which the permittee is a member shall select at least one specific BMP to target for a focused outreach plan. In order to facilitate statewide consistency and efficient use of resources, permittee may work collaboratively where applicable to develop and implement a Statewide BMP Adoption Plan that allows for regional flexibility. The permittee shall target at least 15% of the segmented audience to adopt the targeted BMPs.
2. By November 1, 2013, the permittee shall submit the draft BMP adoption Plan to the Department for review and approval. The BMP Adoption Plan is considered approved as of January 15, 2014, unless the permittee receives written communication from the Department indicating non-approval. The permittee shall begin implementation of the BMP Adoption Plan within one week of its approval.

The BMP Adoption Plan must identify:

- a) The BMP
- b) The target audience
- c) The outreach tool(s) to be used
- d) The message
- e) The distribution system
- f) The time line
- g) The person(s) responsible for implementation
- h) An impact evaluation protocol
- i) A plan modification protocol (this must include DEP approval of significant plan modifications)
- j) The Goal (e.g., the targeted level of change as a result of the outreach effort)

3. The permittee shall include a review of the BMP Adoption Plan in each of its Annual Reports. The review must include process indicators which assess the permittee's execution of the BMP Adoption Plan. The permittee shall also include impact indicators according to the following schedule unless otherwise indicated in the approved BMP Adoption Plan: in Year 1, the permittee will assess the target audience to set the baseline and inform the development of the BMP Adoption Plan. In year 3, the permittee will conduct a preliminary evaluation and assessment on both the progress of implementing the plan as well as the impact the efforts are having on the target audience. In year 5 the permittee shall provide an in-depth assessment of both the implementation and the impact of the BMP Adoption Plan.
 4. The permittee shall include in its fifth year Annual Report a comprehensive review of the BMP Adoption Plan. The review must include an analysis of the process indicators and impact indicators.
- iv. Permittees will enhance their education and outreach efforts in their impaired or priority watershed or work to address a stormwater pollutant issue of regional or statewide significance.
1. Permittees with an impaired waterbody may either target a specific activity that if successfully addressed will improve and/or protect water quality in the priority or impaired watershed(s) or the permittee may implement option 2 below. The effort can be undertaken individually or collectively by MS4s. Examples include developing an outreach effort to encourage stormwater BMPs Owners to properly maintain their BMPs or target an audience to increase the use of LID practices within the priority watershed.
 2. Permittees may choose instead to work singly or collaboratively on a common regional or statewide stormwater pollutant issue. Such issues include but are not limited to elevated chloride in waterbodies from winter salt applications or the toxic constituents associated with the application of coal tar sealants. The goal of the effort should be to reduce or eliminate the pollutants(s) of concern.
 3. By July 1, 2014, each permittee shall provide a draft plan on how it plans to meet either permit requirements iv 1 or 2 with elements a-h below, by November 1, 2014, each permittee shall provide a final plan with implementation to begin by January 5, 2015.
 - a. Identify the specific stormwater activity or pollutant to be addressed
 - b. The target audience(s)
 - c. The outreach tool(s) to be used
 - d. The message and the BMPs to be encouraged
 - e. The time line and implementation schedule
 - f. The person(s) responsible for implementation
 - g. The goal of the outreach effort
 - h. An impact evaluation protocol
 4. The permittee shall report the progress and results of the Targeted outreach effort in the Annual Report. In the fifth year Annual Report will include a comprehensive review of the outreach effort. The review must include an analysis of the process indicators and impact indicators.
- v. Compliance with this minimum control measure will be based upon whether the permittee:
- a) Continued existing education and outreach efforts
 - b) Developed both an Awareness Plan and a BMP Adoption Plan
 - c) Successfully executed the plans

- d) Reported process and impact indicators, and Completed annual reports and a 5-year analysis of the plans.

Ultimately, the adoption and use of BMPs by the targeted audience(s) to reduce polluted stormwater runoff is the goal of this section but is not a condition of compliance with the education and outreach minimum control measure.

b. Suggested Strategies.

- i. Schools. Each permittee or regional stormwater group is encouraged to develop an outreach plan directed at its school age population. It is recommended that students receive information regarding:
 - The definition of stormwater
 - The path stormwater takes
 - The sources of pollution in stormwater
 - The harmful effects of polluted stormwater
 - BMPs in age appropriate concepts and materials
- 1. The permittee is encouraged to include in each of its Annual Reports, a review of the plan. the review could include process indicators which assess the permittee's execution of the school Outreach Plan, and impact indicators which assess the effectiveness of the plan.
- 2. The permittee is encouraged to include in its fifth year Annual Report a comprehensive review of the school Outreach Plan. The review could include an analysis of the process indicators and an analysis of the impact indicators.
- ii. Partnering with local organizations: A critical mass of community (e.g., a neighborhood, a social group, or some sort of group with identifiable and similar characteristics) must accept new ideas and behaviors for those new ideas and behaviors to spread. With this in mind, a permittee may wish to include in its outreach efforts various local organizations which may be able to assist in helping to spread the stormwater message. Examples of potential partner organizations include: girl and boy scouts, fish & game clubs, water districts, conservation commissions, garden clubs, rotary, religious organizations, ethnically based groups, and watershed associations.
- iii. Involving members of the community in the implementation of BMPs.

CONDITION FOUND:

- (i) Raise Awareness: The Town meets the permit requirements contingent on the finalization of the agreement outlined at the December 5, 2016 meeting with CCSWCD for amendments to the impact evaluation strategy for the Statewide Awareness Plan.
- (ii) Raise Awareness of Both Stormwater Pollution and MS4 program requirements for municipal staff: a fact sheet was delivered to a number of municipal committees and representatives. Municipal/Permit Stormwater Awareness Plan PY3 elements were met.
- (iii) Targeted BMP Adoption: The report shows that the BMP Adoption PY 3 elements have been met. See comments in MCM 2 on broken links in the stormwater page.
- (iv) Enhanced Education and Outreach for impaired or priority watershed or stormwater pollutant of significance: As a member the York County MS4s and in collaboration with ISWG, the report shows that the Town of Eliot met the plan elements relative to the stormwater pollutant- coal tar sealants.

MCM 2. Public Involvement Participation

a. Required Strategies.

- i. Public notice requirements. The permittee shall comply with applicable state and local Public Notice requirements using effective mechanisms for reaching the public, and comply with the public notice requirements of the Maine Freedom of Access Act, 1 M.R.S.A. §§ 401 et seq. ("FOAA") when the permittee involves stakeholders in the implementation of this General

Permit. The permittee shall document the meetings and attendance through the annual report as a way of measuring this goal.

- ii. **Public Event.** The permittee or regional stormwater group of which the permittee is a member shall annually host/conduct or participate in a public event (for example, storm drain stenciling, stream clean-up, household hazardous waste collection day, volunteer monitoring, neighborhood educational events, conservation commission outreach program, urban Impaired Stream outreach program, or adopt a storm drain or local stream program). The event must include a pollution prevention and/or water quality theme. The target audience does not need to be the entire urbanized area but should be aimed at a segment of the population that the permittee wishes to reach. The permittee is encouraged to plan this event and consult with the Department to ensure it will satisfy this permit's requirements.
 1. The permittee shall include a report of the public event in each of its Annual Reports. The report must include process indicators which assess the permittee's planning and execution, as well as impact indicators which assess the effectiveness of the event.
 2. The permittee shall include a comprehensive review of the public events in its fifth year Annual Report that must include an analysis of the process indicators and impact indicators.

b. Suggested Strategies.

If there are a variety of ethnic or economic groups in the community, the permittee could develop specific public participation outreach opportunities for these communities.

CONDITION FOUND:

Public Notice: Eliot meets the permit requirements. Town meeting agendas and minutes, and public notices are accessible on the Eliot Town website (though none were required to be posted this year). The webpage with stormwater program information is relatively easy to locate, and has links to useful resources. However, a number of links were broken on this page:

http://www.eliotmaine.org/index.asp?SEC=1DB3BBCF-44DF-4B4B-AD92-4FA16FC951BA&Type=B_BASIC

Droplet Game- didn't see it listed on the linked page

rain barrels- broken

rain gardens-broken

Think Blue- broken

Lawn care- broken

Yardscaping 2014 pdf- is it necessary since it lists 2014 classes?

Also, on the "Departments" drop down menu, under "Planning Assistant", the Think Blue link in the drop down is broken, and the link to the Ducky ad doesn't run.

Public Event: Eliot hosts quarterly Household Hazardous Waste collection days. Eliot met the permit requirements.

Request 2A: Please update the broken links mentioned above.

MCM 3. Illicit Discharge Detection and Elimination

- a. **Required Strategies.** Each permittee shall develop, implement and enforce a program to detect and eliminate illicit discharges and non-stormwater discharges, as defined in 06-096 CMR 521 (9)(b)(2), except as provided in Part IV(H)(3)(c) of this permit.

- i. By June 30, 2018 Permittees not subject to the 2008 MS4 General Permit shall develop a

watershed based storm sewer system infrastructure map or series of maps for its regulated area. The map(s) must show the location of all stormwater catch basins, connecting surface and subsurface infrastructure and depict the direction of in-flow and out-flow pipes, and the locations of all discharges from all stormwater outfalls operated by the small regulated MS4 to receiving waters or to an interconnected MS4. Each catch basin must be uniquely identified to facilitate control of illicit discharges, and to ensure proper operation and maintenance of these structures. For each outfall the following information must be included: type (e.g. culvert or ditch), material, size of conveyance, the name and location of the nearest named waterbody to which the outfall eventually discharges.

- ii. Permittees subject to the 2008 MS4 General Permit shall to the extent allowable under State or local law, continue to implement, and provide annual reporting of the permittee's non-stormwater discharge ordinance that effectively prohibits, unauthorized non-stormwater discharges into the permittee's storm sewer system.
- iii. Permittees subject to the 2008 MS4 General Permit shall continue to implement its prioritized dry weather outfall inspection plan based on drainage areas such as an urban impaired stream watershed, or based on a watershed or sub-watershed that the permittee has identified as having the greatest potential threat to the receiving water. (*See guidelines and Standard Operating Procedures For Stormwater Phase II Communities in Maine* Volume 1 and 2) The SOP can be obtained from the following website <http://www.thinkbluemaine.org/docs/index.htm> under the illicit discharge detection and elimination section.

Permittees subject to the 2008 MS4 General Permit shall revise their outfall inspection plan and continue conducting dry weather inspections in different watersheds or sub-watersheds as approved by the Department and evaluate discharges for illicit connections.

- iv. Permittees not subject to the 2008 MS4 General Permit shall, by no later than June 30, 2018, develop and implement a strategy to detect any illicit discharges to their open ditch system within their highest priority watershed, to the extent allowable under State or local law. Permittees subject to the 2008 MS4 General Permit shall continue to implement an illicit discharge /illicit connection detection program based upon a schedule approved by the Department.
 - v. By June 30, 2016, each permittee shall develop a list of septic systems in its highest priority watershed that are 20 years old or greater and which may discharge to the MS4 if the system fails. By June 30, 2017, each permittee shall implement a drive-by evaluation and documentation program of septic systems in its highest priority watershed that are 20 years old or greater and which have the potential to discharge into the MS4. This septic system inspection and documentation program must include a mechanism for addressing any discharges to the MS4 from malfunctioning septic systems.
- b. Suggested:** Each permittee may develop and implement an annual municipal household Hazardous waste collection, or participate in an annual regional household hazardous waste collection program.
- c. Non-Stormwater Discharges.** This permit authorizes the following non-stormwater discharges provided they do not contribute to a violation of water quality standards as determined by the Department. These discharges must be addressed in the Plan if they are identified by the permittee as significant contributors of pollutants to the regulated small MS4.
- Landscape irrigation
 - Diverted stream flows
 - Rising ground waters
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20))

- Uncontaminated pumped ground water
- Uncontaminated flows from foundation drains
- Air conditioning condensate
- Irrigation water
- Flows from uncontaminated springs
- Uncontaminated water from crawl space pumps
- Uncontaminated flows from footing drains
- Lawn watering runoff
- Flows from riparian habitats and wetlands
- Residual street wash water (where spills/leaks of toxic or hazardous materials have not occurred unless all spilled material has been removed and detergents are not used)
- Hydrant flushing and firefighting activity runoff
- Discharges from potable water sources and water line flushing
- Individual residential car washing
- Dechlorinated swimming pool discharges

CONDITION FOUND: The Town's annual report states that the Town continues to check and map infrastructure in the GIS and make updates after construction projects. The Town has 23 mapped MS4 outfalls and added one new outfall associated with Pleasant Street construction project. The Town has 110 catch basins/drain manholes mapped and did not make changes to its ditch system. The Town is maintaining an itemized account of its MS4 infrastructure.

Question 3A: How many catch basins, excluding drain manholes, within the U.A. does the Town have mapped?

The Town's annual report states that it inspected all of its outfalls during PY3, and found that five outfalls exhibited some evidence of illicit discharge such as high nutrient condition. Sampling for human bacterioides was conducted for the five outfalls and two outfalls are currently under further investigation based on the presence of human bacterioides.

Question 3B: Has the Town conducted a visual inspection of the connecting infrastructure and evaluated the surrounding land use of the outfalls which received sampling but did not have the presence of human bacterioides to determine the source or potential source of nutrients?

The Town inspected 102 of its catch basins during cleaning operations; the Town's annual report states that eight catch basins were not accessible. No evidence of illicit discharges was observed during the opportunistic inspections.

Question 3C: Why were eight of the catch basins not accessible?

The Town's annual report states that it has a ditch inspection program, and that it has inspected approximately 80% of its ditches and these inspections revealed no evidence of illicit discharges.

Question 3D: Has the Town mapped private pipes and discrete conveyances which enter its ditches/MS4 within the U.A.?

The Town has collected data on septic systems and concluded that it has 214 parcels which have leach fields older than 1997, and another 593 parcels that have insufficient septic system data to assess the date of installation or location.

Hydrant flushing: the Town has coordinated with the Kittery Water District to discuss MS4 permit requirements. The annual report states that hydrants have been added to the Town's MS4 infrastructure map.

Question 3E: Are all the hydrants added to the Town's Stormwater infrastructure map prioritized?

The Town's annual report states that the Town will revise its non-stormwater discharge ordinance to ensure that the allowable non-stormwater discharges from hydrant flushing will cause or contribute to a water quality violation.

The Town continues to coordinate with DMR on shoreline surveys and with the Shellfish Commission on sampling and analysis. Eliot's Public Works Director is coordinating these efforts for the Town. The Town's annual report states that the Town continued to collect samples for DMR.

Question 3f: What type, and how many samples did the Town collect in PY 3?

MCM 4. Construction Site Stormwater Runoff Control

Each permittee shall develop, implement, and enforce a program, or modify an existing program, to reduce pollutants in any stormwater runoff to the regulated small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Reduction of stormwater discharges from construction activity disturbing less than one acre must be included in the program if that construction activity is part of a larger common plan of development or sale that would disturb one acre or more. The program must include, but not be limited to, the development and implementation of:

- a. If the permittee chooses to rely on either the Maine Construction General Permit ("MCGP") and if applicable Chapter 500, Stormwater Management, the program must include the development and implementation of:
 - i. Procedures for notifying construction site developers and operators of the requirements for registration under the Maine Construction General Permit or Chapter 500, Stormwater Management for the discharge of stormwater associated with construction activities; and
 - ii. Document every construction activity that disturbs one or more acres within the UA.
 - iii. Implement site inspections procedures to ensure projects are in compliance with the MCGP and Chapter 500, Stormwater Management. In watersheds of Urban Impaired Streams, and in the permittee's highest priority watershed, inspect the construction activity at least three times with one inspection at project completion to ensure that all post construction BMPs were properly installed, and that final stabilization of the site has been completed. All construction inspections must be properly documented. For other watersheds, inspect the construction activity a minimum of twice, with one inspection at project completion to ensure that all post construction BMPs were properly installed, and that final stabilization of the site has been completed.

CONDITION FOUND: The Town has a notification process alerting applicants the disturbance of one acre or more requires a State permit per Chapter 500. The Town also implements a tracking mechanism to track construction activity that disturbs one or more acres. The Town is implementing an inspection program to meet the terms and conditions of Maine's MS4 General Permit. During PY 3 no sites triggered permit inspection requirements.

MCM 5. Post Construction Stormwater Management

a. Required Strategies.

- i. Each permittee shall develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects that disturb greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, that discharge into the MS4. This program shall ensure that controls are in place that will prevent or minimize water quality impacts.
- ii. To ensure adequate long-term operation and maintenance of post construction BMPs, each permittee subject to the 2008 MS4 General Permit shall continue to implement a post construction discharge ordinance, or similar measure approved by the Department. This ordinance or similar measure must stipulate that the owner or operator of a post construction BMP described in Part IV(H)(5)(a)(i) provide the permittee with an annual report documenting that the BMP is adequately maintained and is functioning as intended or requires maintenance. If the post construction BMP requires maintenance, the owner or operator shall provide a record of the deficiency and corrective action(s) taken to the permittee. In permit year two and in subsequent permit years, each permittee shall include the following in their annual report:
 - the cumulative number of sites that have post construction BMPs discharging into their MS4;
 - a summary of the number of sites that have post construction BMPs discharging into their MS4 that were reported to the municipality;
 - the number of sites with documented functioning post construction BMPs; and
 - the number of sites that required routine maintenance or remedial action to ensure that the post construction BMP is functioning as intended.
- iii. Each permittee shall annually inspect a percentage of post construction BMPs located in the direct watershed of a lake most at risk from new development or in watersheds of an urban impaired stream. If the owner or operator of a post construction BMP hires a qualified third party inspector, the permittee will have no inspection requirements. If the owner or operator of a post construction BMP does a "self" inspection, the permittee is required to conduct the following inspection schedule.
 - 1-10 post construction sites: inspect at least one site, or 40% (whichever is greater)
 - 11-30 post construction sites: inspect at least four sites, or 30% (whichever is greater)
 - 31-60 post construction sites: inspect at least nine sites, or 25% (whichever is greater)
 - 61-100 post construction sites: inspect at least fifteen sites, or 20% (whichever is greater)
 - 101-160 post construction sites: inspect at least twenty sites, or 17% (whichever is greater)
 - Over 160 post construction sites: inspect at least twenty seven sites, or 11% (whichever is greater)
- iv. Develop and implement a procedure for notifying site developers to consider incorporating low impact development techniques.

CONDITION FOUND: The Town has a post-construction ordinance to ensure post-construction BMPs are functioning. Currently there are two sites with BMPs which discharge to the MS4 and both sites have functioning BMP and did not require maintenance or remedial action.

The Town of Eliot encourages developers to use LID where possible, and provides an EPA brochure describing water quality benefits.

MCM 6. Pollution Prevention/Good Housekeeping for Municipal Operations

a. Required Strategies.

- i. Permittees subject to the 2008 MS4 General Permit shall continue to maintain their inventory of properties, facilities and activities, and continue implementation of their operation and maintenance plans. These procedures must address as applicable:
 - Proper use, storage and disposal of petroleum and non-petroleum products, hazardous materials, waste materials, pesticides and fertilizers including minimizing the use of these products, and an alternative product analysis;
 - Spill response and prevention;
 - Vehicle and equipment storage, maintenance and fueling;
 - Amount and type(s) of deicing materials used each deicing season
 - Landscaping and lawn care including, where applicable, an evaluation of reduced mowing frequencies, establishing and maintaining buffers, cutting vegetation within 100 feet of a stormwater conveyance or surface water;
 - Erosion and sedimentation control;
 - Feeding gulls, waterfowl or other wildlife.
- ii. Using training materials that are available from the EPA, the State, regional stormwater groups or other organizations, *Guidelines and Standard Operating Procedures For Stormwater Phase II Communities in Maine* volumes 1 and 2, and the Think Blue Maine website, www.thinkbluemaine.org this program must include employee training to prevent and reduce stormwater pollution from municipal operations and facilities. The permittee shall report annually on the types of trainings presented, the number of municipal and contract staff that received training, the length of the training, and training effectiveness.
- iii. The permittee shall develop and implement a program to sweep all publicly accepted paved streets and publicly owned paved parking lots maintained by the permittee at least once a year as soon as possible after snowmelt.
- iv. The permittee shall develop and implement a program to evaluate and, if necessary, clean catch basins and other stormwater structures that accumulate sediment at least once every other year and dispose of the removed sediments in accordance with current state law. The permittee shall clean catch basins more frequently if inspections indicate excessive accumulation of sediment. Excessive accumulation is greater than or equal to 50 percent filled.
- v. The permittee shall evaluate and implement a prioritized schedule, as necessary, for repairing or upgrading the conveyances, structures and outfalls of the regulated small MS4.
- vi. Permittees not subject to the 2008 MS4 General Permit shall by June 30, 2015, develop and implement a stormwater pollution prevention plan ("SWPPP") for the following municipal operations: public works facilities, transfer stations, and school bus maintenance facilities operated by the permittee unless the facility is currently regulated under Maine's Industrial Stormwater Program. The SWPPP must meet the conditions and requirements including quarterly visual monitoring per Maine's Multi-Sector General Permit ("MSGP") Stormwater Discharge Associated with Industrial Activity, published April 26, 2011. The SWPPP outlines sources of potential stormwater pollutants and the methods by which these pollutants will be reduced or prevented from entering Waters of the State, other than groundwater, or to an MS4. The Plan identifies in writing a SWPPP team of facility personnel as well as a SWPPP team leader who is ultimately responsible for SWPPP implementation. The Department has developed a generic SWPPP for municipal operations which can be modified by the permittee for individual facilities as

required by this permit. Contact the Municipal and Industrial Stormwater Coordinator for an electronic copy of the SWPPP, Quarterly inspection forms, visual monitoring forms or for technical assistance, including on-site assistance, to meet this permit obligation. Permittees subject to the 2008 MS4 General Permit shall continue to implement and update their SWPPP(s) to ensure it meets Maine's April 26, 2011 MSGP requirements including visual monitoring. The Department shall honor request for technical assistance including on-site technical assistance inspections and SWPPP training.

CONDITION FOUND: The Town has reviewed its inventory of municipal properties as required by the permit. The O & M Plans were last updated in 2013.

Question 6A: Do all O & M Plans reflect current conditions?

During PY 3 the Town provided or participated in the following trainings for SPCC, SWPPP, PPGH, IDPE, and a general MS4 awareness training was provided to all 5 Recycling Center Employees, and the planner and code officer on 6/8/2016. All 7 DPW employees were trained on the same topics on 6/1/2016. The Town's annual report also states that municipal employees attended the following: the Maine Stormwater Conference, an erosion and sedimentation control workshop, and a construction job site protection workshop in 2015.

Municipal staff from the transfer station and DPW received SWPPP and SPCC training from the Town's stormwater coordinator during PY3. The stormwater coordinator participated in seven different trainings or meetings during PY3. The Town's annual report states that the Town of Kittery's DPW conducted a sweeping program for Eliot, and sweeping materials were deposited at the Kittery Recycling Center/Transfer Station. The Town collected approximately 8 cubic yards of material from its sweeping activities.

The Town inspected and cleaned 102 catch basins from 10/14 to 10/19/15, and found three catch basins, 5, 21, and 303 had excess sediment. The Town is currently investigating access issues which prevented eight catch basins from being inspected. Approximately 48 cubic yards of sediment was removed in PY3, and disposed of at the Kittery Recycling Center/Transfer Station. The Town conducted stormwater infrastructure upgrades along Pleasant Street which included a first flush storage system to allow infiltration. Other repairs included approximately 6.8 miles of ditching. The Town continued its efforts at Riverview Estates which included dye testing and televising lines to determine sources of an illicit discharge. The Town also updated its SWPPP in June of 2016.

Conclusion

The Town has done a good job developing its 2015-2016 MS4 annual report; the report is well organized and for the most part supplied necessary supporting information for the Department to evaluate compliance based on a reviewing the document. The Department has inserted in bold font individually numbered "**Questions:**" and "**Requests:**" for items that must be addressed in the Town's response to this review letter. Please answer all questions and request the Department has asked as part of its review by no later than March 5, 2017.

If you have any questions regarding this report or Maine's municipal stormwater program do not hesitate to call me.

Sincerely,



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