

Item #4:
Ordinance Amending Village Budget Re: NPDES Compliance

**VILLAGE OF LONG GROVE
ORDINANCE NO. 2012-O-__**

**AN ORDINANCE AMENDING THE FY 2012-13
BUDGET (ORDINANCE NO. 2012-O-13) RE:
NPDES COMPLIANCE UNFUNDED MANDATE**

Adopted by the
President and Board of Trustees
of
the Village of Long Grove
this 11th day of September 2012

Published in pamphlet form by direction
and authority of the Village of Long Grove,
Lake County, Illinois
this 11th day of September, 2012

**VILLAGE OF LONG GROVE
ORDINANCE NO. 2012-O-__**

**AN ORDINANCE AMENDING THE FY 2012-13
BUDGET (ORDINANCE NO. 2012-O-13) RE:
NPDES UNFUNDED MANDATE COMPLIANCE**

WHEREAS, in accordance with 65 ILCS 5/8-2-9.1 *et seq.*, the President and Board of Trustees of the Village of Long Grove have previously passed and approved Ordinance No. 2012-O-13, which established the Village's FY 2012-13 Budget ("**FY 2012-13 Budget**"); and

WHEREAS, since 2003 all Illinois municipalities have been required to submit to the Illinois Environmental Protection Agency ("**IEPA**") a National Pollutant Discharge Elimination System II MS4 Report ("**NPDES Report**"); and

WHEREAS, since 2003 the President and Board of Trustees of the Village of Long Grove (an Illinois municipality) have submitted the required annual NPDES Report to the IEPA; and

WHEREAS, in 2012 the IEPA notified the President and Board of Trustees that the Village was not in compliance with the numerous requirements of NPDES; and

WHEREAS, in 2012 the President and Board of Trustees approved the annual budget with \$37,000 budgeted for complying with the requirements of the NPDES within three fiscal years in order to maintain a balanced Village Budget; and

WHEREAS, in 2012 the IEPA notified the President and Board of Trustees that the approved plan was insufficient and was required to be fully implemented by September 2013, two fiscal years; and

WHEREAS, in 2012 the IEPA notified the President and Board of Trustees that the approved plan was insufficient and was required to be fully implemented by September 2013, two fiscal years; approved the annual budget with \$37,000 budgeted for complying with the requirements of the NPDES within three fiscal years in order to maintain a balanced Village Budget; and

WHEREAS, the President and Board of Trustees have previously resolved that implementation of such plan would be in the best interests of the Village and its residents, and in so doing the Village Board has determined that it may be necessary to expend Village funds to comply with these requirements; and

WHEREAS, in furtherance of such resolution, the President and Board of Trustees have determined that it is necessary, appropriate, and in the best interests of the Village and its residents to amend the FY 2012-13 Budget to increase the NPDES Compliance Unfunded Mandate line item from \$37,000 to \$78,000.00 to pay for activities necessary to be in compliance by the September 2013 deadline; and

WHEREAS, the President and Board of Trustees hereby find that the Village has sufficient fund balances available to cover this increased amount in the FY 2012-13 Budget;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Long Grove, Lake County, Illinois, as follows:

SECTION ONE. **Recitals.** The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

SECTION TWO. **Amendment to FY 2012-13 Budget.** The Village of Long Grove's FY 2012-13 Budget, as approved by Village Ordinance No. 2012-O-13, is hereby amended to increase expense line item, to-wit: "NPDES Compliance Unfunded Mandate ... \$78,000.00." Ordinance No. 2012-O-13 shall otherwise remain in full force and effect except as specifically amended herein.

SECTION THREE. **Effective Date.** This Ordinance shall be in full force and effect after its passage by two-thirds of the corporate authorities and publication in pamphlet form in the manner provided by law.

PASSED this 11th day of September, 2012.

AYES:

NAYS:

ABSTAIN:

ABSENT:

APPROVED this 11th day of September, 2012.

Village President, Maria Rodriguez

ATTEST:

Village Clerk, Karen Schultheis



September 5, 2012

David Lothspeich
Village Manager
Village of Long Grove
3110 RFD
Long Grove, Illinois 60047

Re: Proposal for Consulting Services
Proposal for IEPA NPDES MS4 Permit Requirements
Long Grove, Illinois

Dear Mr. Lothspeich:

On behalf of ESI Consultants, Ltd. we are pleased to submit this proposal for MS4 Permit Compliance. While we have divided the work into two (2) stages (one of which has previously been authorized) based upon our meetings with IEPA representatives in August 2012, we understand that this work should be completed within one (1) year to avoid any violations and associated fines from the Village. We understand that you are in conversation with IEPA representatives to potentially split this work out into subsequent years, but our proposal assumes a one year completion schedule.

If you find this proposal to be acceptable, the executed copies of this letter will constitute an agreement between the Village of Long Grove (CLIENT) and ESI Consultants, Ltd. (ENGINEER) for services on this project.

I. Project Understanding

The Village of Long Grove desires to develop the MS4 compliance proposal as follows over a two stage program. The first stage of which is already underway. The general tasks are as follows:

Stage 1:

- Water Quality/ Stormwater Public Education- PREVIOUSLY AUTHORIZED
- Village Ordinance Modifications- PREVIOUSLY AUTHORIZED
- Creation of Standard forms for the Village- PREVIOUSLY AUTHORIZED
- Location of Outfalls and Receiving Waters Stage 1- PREVIOUSLY AUTHORIZED
- Creation of Map Stage 1- PREVIOUSLY AUTHORIZED
- Screening of approximately 33% of all outfalls- PREVIOUSLY AUTHORIZED

Stage 2:

- Staff Water Quality/ Stormwater Education
- Program Evaluation and testing
- Location of Outfalls and Receiving Waters Stage 2-3
- Creation of Map Stage 2-3
- Screening of approximately 66% of all outfalls
- Village Website Enhancement Material

II. Scope of Services

ur proposed services are for the completion of Stage 2-3 activities which are described as follows:

A. Staff Water Quality / Stormwater Public Education

1. Notification of Long Grove Staff of publicly available educational opportunities
2. Work with Village Staff to create section in the newsletter regarding environmental awareness – draft 1 article for publication by the Village
3. Assist the Village in Maintaining an Illicit Discharge/ Construction complaint Hotline

B. Program Evaluation and Testing

1. Testing or causing to be tested, locations within the Village of Long Grove that are subject to TMDL limits. Currently there are no locations that are required to be tested due to TMDL requirements. The testing is required due to evaluation requirements. If TMDL limits become required during the duration of this contract, the Village will be notified before additional testing takes place
2. Testing or causing to be tested, locations within the Village of Long Grove that will allow evaluation of the program . Currently this is anticipated to be 5 locations. If there will be more than 5 locations, the Village of Long Grove will be notified before additional testing takes place.

C. Location of Outfalls and Receiving Waters Stage 2 -3(approximately two thirds of the Village)

1. Maintain contact with Long Grove personnel. Inform them of progress on the project as well as any cost or quality related issues that may develop.
2. Provide field checks of areas mapped out as current storm water discharge areas, and incorporate these locations on GIS maps:
 - discharges qualifying under the MS4 permit, whether through storm sewer or ditch drainage.
 - Map location of these outfalls using GIS technology
3. Keep an inspectors daily log in a appropriate format, recording the latitude and longitude of each outfall

D. Creation of Map Stage 2-3

1. Provide Long Grove with a map created using GIS showing the storm water outfalls in Long Grove found during Stage 2-3.
2. Provide an inspection log showing conditions and photographs of stormwater discharge locations found using the standard Village form.

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E. Screening of approximately two thirds of all outfalls

1. After creating the stage 2-3 portion of the outfall map, conduct further investigation of outfalls for the Village of Long Grove.
2. Inspect these locations for developing the IDDES (illicit discharge detection elimination system).
 - Perform Dry-weather Screening
 - Take photographs of all discharge locations – develop a photo log
 - Create a log of all inspections using the standard Village form previously developed
3. Inform the following responders of these locations:
 - Village EMA Manager,
 - Village Manager,
 - Long Grove Fire District,
 - Countryside Fire District,
 - Lake County Police Department
 - SMC

F. Village Website Enhancement Material

1. Notification of Long Grove Staff of publicly available educational opportunities
2. Work with Village Staff to create section in the newsletter regarding environmental awareness – draft 1 article for publication by the Village
3. Assist the Village in Maintaining an Illicit Discharge/ Construction complaint Hotline
4. Gathering materials used at professional development opportunities for posting on Village Website.

Exclusions

ENGINEER's services under this proposal assume the following:

1. There are assumed to be no permits required to perform this work

The following tasks are not included in the scope of work but may be completed under this contract for an additional fee:

1. Topographic Survey / Boundary Survey (previously prepared surveys will be utilized)
2. Revisions to previously-completed and approved phases of the Scope of Services.
3. The services of additional consultants.
4. Meetings with you or presentations to other parties not specified in the Scope of Services.
5. Detailed quantity estimates and/or construction cost opinions using data or formats other than our own.
6. Services rendered after the time limitations set forth in this contract.
7. Services required due to the discovery of concealed conditions, actions of others, or other circumstances beyond our control.
8. Services required to restart the project if you suspend our work at your convenience for more than 30 days during the performance of our services.

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III. PROJECT SCHEDULE

Based on a notice to proceed of not later than September 25, 2012, timely progression of the reviews and favorable weather conditions, all services shall be completed by October 1, 2013.

IV. FEE PROPOSAL

For the aforementioned Scope of Services, ESI Consultants, Ltd. shall be paid based on the actual hours worked times current standard billing rates for the prime and / or sub consultant plus direct expenses as a not to exceed fee of **\$64,840** for stage 2-3. These fees are based on the attached cost estimate of consultant services. The actual hours may vary.

The prime compensation may be increased or decreased by subsequent agreement between the parties if there is a change in the scope, character or complexity of the work by the Village.

The Village will be invoiced monthly for professional services and reimbursable expenses. The above financial arrangements are on the basis of prompt payment of invoices and the orderly and continuous progress on the project.

Whole Agreement

This work will be performed pursuant to the aforementioned Scope of Services and in accordance with ESI Consultants Ltd's Standard Terms and Conditions attached hereto. These documents combined shall constitute the Whole Agreement for this work. If there are protracted delays for reasons beyond ENGINEER's control, an equitable adjustment of the above-noted compensation shall be negotiated, taking into consideration the impact of such delay on the pay scales applicable to the period when ENGINEER's services are, in fact, being rendered.

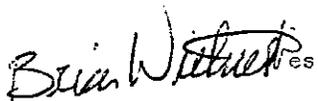
We appreciate the opportunity to present this proposal and look forward to working with the Village of Long Grove on this project.

Sincerely,

ESI Consultants, Ltd.

Accepted For:

Village of Long Grove



Brian Witkowski
Project Manager

By: _____

Title: _____

Date: _____

Enclosures

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www.esiltd.com

ESI Consultants LTD
 MS4 Compliance Proposal
 Village of Long Grove
 September 5, 2012

| Description | Personnel Category | Labor Rate | Hours | Labor Cost | Subtotal Item |
|---|--------------------|------------|-------|-------------|---------------|
| Screening 66% of Outfalls | Project Principal | \$ 162.00 | 12 | \$ 1,944.00 | \$22,840.00 |
| | Project Manager | \$ 122.00 | 80 | \$ 9,760.00 | |
| | Engineer 3 | \$ 87.00 | 128 | \$11,136.00 | |
| Location of Outfalls and Receiving Waters Stage 2-3 | Project Principal | \$ 162.00 | 8 | \$ 1,296.00 | \$17,922.00 |
| | Project Manager | \$ 122.00 | 45 | \$ 5,490.00 | |
| | Engineer 3 | \$ 87.00 | 128 | \$11,136.00 | |
| Creating Map 2-3 | Project Manager | \$ 122.00 | 90 | \$10,980.00 | \$10,980.00 |
| Village Website Enhancement Material | Project Principal | \$ 162.00 | 4 | \$ 648.00 | \$4,602.00 |
| | Project Manager | \$ 122.00 | 21 | \$ 2,562.00 | |
| | Engineer 3 | \$ 87.00 | 16 | \$ 1,392.00 | |
| Staff Water Quality/ Stormwater Education | Project Principal | \$ 162.00 | 2 | \$ 324.00 | \$1,996.00 |
| | Project Manager | \$ 122.00 | 8 | \$ 976.00 | |
| | Engineer 3 | \$ 87.00 | 8 | \$ 696.00 | |
| Program Evaluation and Testing | Project Principal | \$ 162.00 | 10 | \$ 1,620.00 | \$6,500.00 |
| | Project Manager | \$ 122.00 | 40 | \$ 4,880.00 | |

| | |
|--------------|--------------------|
| TOTAL | \$64,840.00 |
|--------------|--------------------|



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/782-9720

CERTIFIED MAIL # 7009 2820 0001 7487 1499
RETURN RECEIPT REQUESTED

August 23, 2012

David Lothspeich, Village Manager
Village of Long Grove
3110 RFD Old McHenry Road
Long Grove, IL 60047-9635

RECEIVED

AUG 27 2012

VILLAGE OF LONG GROVE

Re: Village of Long Grove MS4 Permit ILR400219
Violation Notice No.: W-2012-50126

Dear Mr. Lothspeich:

The Illinois Environmental Protection Agency ("Illinois EPA") wishes to acknowledge that you requested a meeting and confirm that the meeting was held on August 16, 2012. A party that meets with the Illinois EPA is given 21 days after the meeting to submit proposed terms for a Compliance Commitment Agreement ("CCA") pursuant to Section (31)(a)(5) of the Environmental Protection Act, 415 ILCS 5/31(a)(5). The Village of Long Grove has requested an extension of the meeting response due to the fact that the Village Board will need to meet to approve the response. Your meeting response is therefore due on or before September 17, 2012.

The Illinois EPA will make its decision regarding issuance of a proposed CCA within 30 days of receipt of the meeting response. See Section 31(a)(7).

Questions regarding this matter should be directed to Susan Lee at the 217/782-9720 at the Environmental Protection Agency, Bureau of Water, CAS #19, P.O. Box 19276, Springfield, Illinois 62794-9726 and e-mail address of Susan.Lee@Illinois.gov. All communications shall include reference to your Violation Notice number, W-2012-50126.

Sincerely,

Roger Callaway
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

BOW ID: ILR400219

4302 N. Main St., Rockford, IL 61103 (815)987-7760
595 S. State, Elgin, IL 60123 (847)608-3131
2125 S. First St., Champaign, IL 61820 (217)278-5800
2009 Mall St., Collinsville, IL 62234 (618)346-5120

9511 Harrison St., Des Plaines, IL 60016 (847)294-4000
5407 N. University St., Arbor 113, Peoria, IL 61614 (309)693-5462
2309 W. Main St., Suite 116, Marion, IL 62959 (618)993-7200
100 W. Randolph, Suite 11-300, Chicago, IL 60601 (312)814-6026

David Lothspeich

From: Brian Witkowski [bwitkowski@esiltd.com]
Sent: Tuesday, August 21, 2012 5:24 PM
To: susan.lee@illinois.gov
Cc: David Lothspeich; MDR4159@aol.com; Joe Chiczewski; Kallis, Chris
Subject: Official extension request- Village of Long Grove

Susan,

Thank you for taking the time to have a conference call regarding the MS4 permit for the Village of Long Grove. We appreciate your candor and explanation of the options available to Long Grove at this time. During the conference call on August 16th, Long Grove requested an extension to their 21 day response period until September 17, 2012. Per that agreement Long Grove was required to send an e-mail officially requesting this extension. It is our understanding that with the delivery of this e-mail the Village of Long Grove has fulfilled their responsibilities and do intend on supplying a response to IEPA by the agreed upon September 17, 2012 deadline.

Please contact me if you have any questions or concerns regarding our understanding of this agreement. Otherwise if we do not hear a response within 48 hours we consider our understanding to be correct and that the Village of Long Grove does have until September 17, 2012 to respond.

thanks,

Brian

Brian Witkowski, P.E.
ESI Consultants, Ltd.
1979 N. Mill Street, Suite 100
Naperville, IL 60563

Office 630.420.1700 x2104
Cell 630.918.1082
Fax 630.420.1733
www.esiltd.com

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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

PAT QUINN, GOVERNOR

JOHN J. KIM, INTERIM DIRECTOR

217/782-9720

CERTIFIED MAIL # 7009 2820 0001 7485 8285
RETURN RECEIPT REQUESTED

June 1, 2012

David Lothspeich, Village Manager
Village of Long Grove
3110 RFD Old McHenry Road
Long Grove, IL 60047-9635

Re: Violation Notice: Village of Long Grove ILR400219
Violation Notice No.: W-2012-50126

Dear Mr. Lothspeich:

This constitutes a Violation Notice pursuant to Section 31(a)(1) of the Illinois Environmental Protection Act ("Act"), 415 ILCS 5/31(a)(1), and is based upon a review of available information and an investigation by representatives of the Illinois Environmental Protection Agency ("Illinois EPA").

The Illinois EPA hereby provides notice of alleged violations of environmental laws, regulations, or permits as set forth in Attachment A to this notice. Attachment A includes an explanation of the activities that the Illinois EPA believes may resolve the specified alleged violations, including an estimate of a reasonable time period to complete the necessary activities. Due to the nature and seriousness of the alleged violations, please be advised that resolution of the violations may also require the involvement of a prosecutorial authority for purposes that may include, among others, the imposition of statutory penalties.

A written response, which may include a request for a meeting with representatives of the Illinois EPA, must be submitted via certified mail to the Illinois EPA within 45 days of receipt of this letter. If a meeting is requested, it shall be held within 60 days of receipt of this notice. The response must include information in rebuttal, explanation, or justification of each alleged violation and a statement indicating whether or not the facility wishes to enter into a Compliance Commitment Agreement ("CCA") pursuant to Section 31(a) of the Act. If the facility wishes to enter into a CCA, the written response must also include proposed terms for the CCA that includes dates for achieving each commitment and may include a statement that compliance has been achieved for some or all of the alleged violations. The proposed terms of the CCA should contain sufficient detail and must include steps to be taken to achieve compliance and the necessary dates by which compliance will be achieved.

Page 2 of 2
Village of Long Grove
VN W-2012-50126

The Illinois EPA will review the proposed terms for a CCA provided by the facility and, within 30 days of receipt, will respond with either a proposed CCA or a notice that no CCA will be issued by the Illinois EPA. If the Illinois EPA sends a proposed CCA, the facility must respond in writing by either agreeing to and signing the proposed CCA or by notifying the Illinois EPA that the facility rejects the terms of the proposed CCA.

If a timely written response to this Violation Notice is not provided, it shall be considered a waiver of the opportunity to respond and meet, and the Illinois EPA may proceed with referral to a prosecutorial authority.

Written communications should be directed to:

Illinois EPA – Division of Water Pollution Control
Attn: Susan Lee / CAS#19
P.O. Box 19276
Springfield, IL 62794-9276

All communications must include reference to this Violation Notice number, W-2012-50126.

Questions regarding this Violation Notice should be directed to Susan Lee at 217/782-9720.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Callaway for". The signature is fluid and cursive, written over a horizontal line.

Roger Callaway
Compliance Assurance Section
Division of Water Pollution Control
Bureau of Water

Attachment

BOW ID: ILR400219

ATTACHMENT A

Village of Long Grove

VIOLATION NOTICE NO. W-2012-50126

Questions regarding the violations identified in this attachment should be referred to Susan Lee at (217) 782-9720.

An inspection of the Village of Long Grove's MS4 (Storm Water Management Plan) was conducted on February 24, 2012, by a representative of the Illinois EPA. Per that inspection, the Village has not developed, implemented or enforced an Illicit Discharge Detection and Elimination program as part of the Stormwater Management Program requirements. In addition, the Village has not implemented the best management practices defined in the stormwater Management Plan nor has it complied with the monitoring requirements.

A review of information available to the Illinois EPA indicates the following violations of statutes, regulations, or permits. Included with each type of violation is an explanation of the activities that the Illinois EPA believes may resolve the violation including an estimated time period for resolution.

Failure to comply with the conditions of NPDES Permit ILR400219

Develop procedures to comply with all conditions specified in NPDES Permit ILR400219. The Stormwater Management Programs requirement of the MS4 includes developing, implementing and enforcing an Illicit Discharge Detection and Elimination program. In addition, best management practices defined in the stormwater Management Plan must be implemented and comply with the monitoring requirements. Compliance is expected to be commenced immediately.

| Violation | Violation |
|--------------------|---|
| <u>Date</u> | <u>Description</u> |
| 02/24/2012 | Failure to comply with NPDES Permit ILR400219 |
| On-going | |
| Rule/Reg.: | Section 12(a) and (f) of the Act, 415 ILCS 5/12(a) and (f) (2010); 35 Ill. Adm. Code 309.102(a) and NPDES Permit ILR400044 |

FIELD REPORT

Facility Name: Village of Long Grove
NPDES Permit No.: ILR400219
Inspection Date: February 24, 2012
Inspected By: Chris Kallis
Interviewed: Brian Witkowski, ESI Consultants
Anthony Malone, ESI Consultants

GENERAL INFORMATION

This Village is located in south central Lake County and covers both Ela and Vernon Townships. The Village Hall is located at 3110 RFD Old McHenry Road. The Village Manager is David Lothspeich who can be reached at 847/634-9440. The Village, which covers 17.4 square miles, is mostly residential (6,735 last census) and commercial. Only one industry, an Abbott Laboratories pesticide and agricultural research facility, is noted to be located within the Village. The Village is located entirely in the Des Plaines River watershed. The two main sub basins are Indian Creek and Buffalo Creek. The eastern edge also is tributary to Aptakisic Creek.

PROGRAM MANAGEMENT

The Village completed a written Storm Water Management Plan in 2011. The plan appears to be generic with boiler plate language, some of which does not apply to the Village. For instance, when describing watersheds it covers in great detail, included along with the Des Plaines River are the Fox River, Lake Michigan and Chicago River watersheds. The plan does list some measurable goals. The Village lists the manager and the engineer as the main contacts but specifies it's the Village Board of Trustees that has the main responsibility for policy and budget setting authority. It also relegates much of the responsibility for four of the minimum controls to the Local Qualifying Program which is the Lake County Storm Water Management Commission.

IEPA - DIVISION OF RECORDS MANAGEMENT
RELEASABLE

MAY 31 2012

REVIEWER EAV

PUBLIC EDUCATION AND PARTICIPATION

As noted, the Village relies on the LCSMC for covering much of the examples of the public education and participation requirements that would apply to the Village's target audience. These include public service announcements, community events, public panels, stakeholder meetings and other public education which LCSMC does adequately cover. The annual report does refer to the fact that LCSMC does send mailings and maintains a website. The Village now has links on its site to the SWPP and annual Ms4 reports. It also includes information on SWALCO household waste collection events. It is recommended LCSMC workshops be included in Long Grove website announcements and commercial also be subject of focus..

ILLICIT DISCHARGE DETECTION AND ELIMINATION

The Village has not met the requirements for compliance with the IDDE conditions of the NPDES permit. To this date, they have not conducted any monitoring for the detection of storm water discharges and illegal dumping. This includes any dry weather investigations and associated water quality testing. In the latest annual report they write that they received a quote to perform the sampling and testing of the water bodies. However, it was too high to be included in the budget for the Village. Such an endeavor would be difficult even with adequate funding because they have not completed a drainage system map as required. They wrote in the annual report, "getting equipment to perform the GIS location for outfalls in other areas of the Village was not in the budget for the Village". During the inspection, a description of the Village's specific legal authority to prohibit illicit discharges and illegal dumping other than from ongoing construction sites could not be produced.

CONSTRUCTION ACTIVITIES:

The Village has adopted the most LCSMC's most recently amended Water Development Ordinance. As a result, the Village can enforce all ILR requirements from construction sites and initiate penalties. During the permitting process, the Village reviews plans and specifications to assure compliance with WDO requirements. No construction projects were active at the time of the inspection. The Village representatives did provide documentation of tracking, inspections and follow-up correspondence regarding construction sites in the Village. In addition, documentation was provided confirming that ESI personal in behalf of the Village has taken applicable training,

POST-CONSTRUCTION CONTROLS

The Village is relying on the LCSMC and the WDO for much the development of criteria in the SWMP. The SWMP has a Post Construction Stormwater Management System Checklist, but the Village could provide no documentation

that such inspections are conducted. At this time, the LCSMC is proposing a package of 83 amendments to the WDO, some of which to addresses additional conditions added to the MS4 permit at last renewal. Through the Watershed Management Board (WMB), SMC provides partial funding for flood control and water quality improvement projects. In the annual report, the Village reported, "WMB meeting was held on Thursday, December 9, 2010. At the annual WMB meeting, 11 flood reduction and water quality improvement projects, including stormwater retrofit projects, were selected to receive \$146,000 of funding through the WMB". It was not mentioned whether or not they received any of this funding. In order to fully comply with permit, the Village must adequately fund and implement long term operation and maintenance of BMP controls.

POLLUTION PREVENTION/GOOD HOUSEKEEPING FOR MUNICIPAL OPERATIONS

This Village does not have a public works. All applicable activities are contracted out. The SWMP does list activities such as inspecting drainage ways and pond outlets but such endeavors would be difficult to accomplish adequately at this time due to lack completed storm conveyance maps. The Village does now have catch basins located in the downtown parking lot and the Sunset Grove Center. However, there is no documentation of a cleaning schedule. The Village appears to leave up any street sweeping up to individual homeowners associations. The SWMP has specific BMPs listed for roadway de-icing, snow removal, and landscape maintenance and fertilizer application. However, no attempts are made to insure that contractors are complying with BMPs. In addition, there is no insurance that private entities such as Sunset Grove are implementing the BMPs. Like most training, the Village depends on LCSMC. In the annual report, the Village wrote, "SMC continues to pass along information on training opportunities and training resources and to make available the Excal Visual Storm Watch Municipal Stormwater Pollution Prevention software to Lake County MS4s. According to records, between March 1, 2010 and February 28, 2011, 1 MS4 borrowed the Excal Visual software". They did not say whether the Village was Long Grove or not.

MONITORING, RECORDKEEPING AND REPORTING

As noted, required monitoring has not been conducted. The recordkeeping has Ben adequate on some of few items that the Village has taken responsibility for such as construction. The annual reports have been submitted in accordance with NPDES conditions.

SUMMARY:

The Village of Long Grove has been shown to be in violation of Sections 12a and f of the Illinois Environmental Protection Act for violating the terms and conditions

of the NPDES Permit. The Village has been shown to be in violation of the following conditions of the NPDES permit.

-The Village has not developed, implemented or enforced an Illicit Discharge Detection and Elimination program as required by the Storm Water Management Program Requirements of Part IV B3 of the NPDES Permit. In order to comply, the Village must adequately fund a plan to address illicit discharges, develop and storm system map, conduct periodic inspections of storm outfalls, inform businesses and general public of hazards associated with illicit discharges and develop a regulatory mechanism to address non storm water and unpermitted discharges to the system.

-The Village has not implemented the Pollution Prevention/Good Housekeeping requirements of Part V B6 of the NPDES Permit. In order to comply, the Village must implement the BMPs defined in the Storm Water Management Plan that was developed to insure NPDES compliance.

-The Village has not complied with the monitoring requirements of Part V A of the NPDES permit. In order to comply, the Village must conduct monitoring of receiving waters upstream and downstream of the Village discharges to gauge the effects of storm water discharges on the physical /habitat -related aspects of the receiving water and /or monitoring effectiveness of BMPs.

In addition to the violations noted, it is recommended that the Village fully implement and/or make improvements to the post construction control as well as the public information and participation programs. Attached to this report is the Post-Construction Stormwater Management Program checklist, the Long Grove Permit Tracking Sheets, Inspection Report Example, Violation Notice Examples and a copy of Village Ordinance covering Private Sewage Disposal systems , Lawn Fertilizer Use and Application and Garbage and Trash.

CK: ck