



ANNUAL REPORT

FOR

CALENDAR YEAR 2008

**MENOMONEE RIVER GROUP MUNICIPAL STORM WATER DISCHARGE
PERMIT
WPDES PERMIT NO. WI-S050130-1**

March 2009

1. General Information

A. Municipal Information

Village of Butler
12621 West Hampton Avenue
Butler, WI 53007-1791

B. Municipal Contact Information

Timothy Rhode
Administrator/ Clerk
12621 West Hampton Avenue
Butler, WI 53007-1791
Main Phone: 262-781-2525
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C. Annual Report Review Process

The following efforts have been undertaken by the Village of Butler to allow the governing body, municipal staff, interest groups, and the general public to review and comment on the annual report:

1. The annual report was available for review at the Village Hall.
2. A copy of the annual report was given to the DPW, the Administrator, the Engineer and the Building Inspector.
3. The final annual report will be posted on the Village's website.

D. Municipal Storm Water Discharge Permit Requirements

Elected municipal officials and municipal staff have been kept informed of the Wisconsin Pollutant Discharge Elimination Program (WPDES) Permit requirements through Village Board meetings and staff meetings. The Village Engineer met with the Village staff to discuss the requirements of the WPDES permit on March 5th 2008 and February 18th 2009.

E. Municipal-Wide Storm Water Management Plan

The Village of Butler has a storm water management plan which was created by Camp, Dresser & McKee in 1998. The Village also has a storm water utility which helps fund storm water related projects in the community.

F. Municipality Website

www.butlerwi.gov

2. Status of Compliance with Permit Schedules

The Village of Butler has completed the following permit items and transmitted them to the WDNR in calendar Year 2008.

- A. Evaluation of Flood Control Structures – March 10th 2008
- B. No Controls and 20% TSS Reduction SLAMM Modeling – March 10th 2008
- C. Permit Group Storm Water Monitoring Program Proposal – March 31st 2008
- D. Proposed Illicit Discharge Ordinance – March 31st 2008
- E. Proposed Construction Site Pollutant Control Ordinance – March 31st 2008
- F. Proposed Post-Construction Site Pollutant Control Ordinance – March 31st 2008
- G. Storm Sewer System Map – March 31st 2008
- H. CY2007 Annual Report – March 31st 2008
- I. Pollution Prevention Program Proposal – June 30th 2008
- J. Permit Group Public Education & Outreach Program Proposal – September 30th 2008
- K. Public Involvement & Participation Program Proposal – September 30th 2008
- L. Illicit Discharge Response Procedures Proposal – September 30th 2008
- M. Construction Site Inspection & Enforcement Procedures Proposal – September 30th 2008
- N. Long-term Maintenance Procedures Proposal – September 30th 2008
- O. Illicit Discharge Program Initial Field Screening – December 31st 2008

3. Status of Implementing Permit Requirements

A. Public Education and Outreach – Part II.A

The Menomonee River Watershed Group of municipalities has agreed to complete this permit requirement as a group. Currently the group is working with the Southeast Wisconsin Watershed Trust (SWWT) to obtain funding to create a comprehensive and high quality education program. The Group Public Education and Outreach Plan proposal was submitted to the WDNR for the September 30th 2008 permit deadline.

Implementation of this program is set for March 31st 2009; therefore, none of the programs or measurable goals for the 8 topics listed in Part II.A. of the WPDES permit were tracked in Calendar Year 2008. However, the Village has begun to use its website and Village newsletters to distribute educational information on storm water issues. The Village was also represented by Project Engineer Jessica Henderson of R.A. Smith National, Inc., at the Milwaukee River Basin South/Menomonee Group Public I&E workshop on January 20th 2009 held at the Greenfield Park Pavilion.

B. Joint Storm Water Monitoring – Part II.B

The Menomonee River Watershed Group of municipalities has agreed to perform a storm water monitoring plan in conjunction and cooperation with the Milwaukee Metropolitan Sewerage District (MMSD) called the Surface Water Quality Monitoring Program for the

Menomonee River Watershed Plan. The group submitted the program proposal for the March 31st 2008 deadline.

C. Public Involvement and Participation – Part III.A

The Village of Butler submitted their Public Involvement and Participation Program proposal on September 30th 2008. This program proposal identified the Village's target audiences, methods of information distribution and the program's measurable goals. Implementation of this program is set for March 31st 2009; therefore, none of the programs or measurable goals for the 8 topics listed in Part II.A. of the WPDES permit were tracked in Calendar Year 2008. However, as stated earlier, the Village has begun to use its website and Village newsletters to distribute educational information on storm water issues and the Village was represented by Project Engineer Jessica Henderson of R.A. Smith National, Inc., at the Milwaukee River Basin South/Menomonee Group Public I&E workshop on January 20th 2009 held at the Greenfield Park Pavilion.

The Village received an email from WDNR representative Matt Aho on October 15th 2008 regarding the program's lack of specific measurable goals. The Village revised this program proposal and met with Matt Aho on February 17th 2009 to discuss this program in further detail. See the revised program proposal attached (Exhibit A).

D. Illicit Discharge, Detection and Elimination Program – Part III.B

The Village of Butler has taken the following actions to date to create an Illicit Discharge, Detection and Elimination Program:

1. An Illicit Discharge Ordinance was created to prevent and eliminate illicit discharges and connections to the municipal separate storm sewer system as required by the WPDES permit. This ordinance also established inspection and enforcement authority for the Village. The proposed ordinance draft was submitted to the WDNR on March 31st, 2008 and was adopted on May 27th 2008.
2. All major outfalls in the Village of Butler were identified as shown in the attached Exhibit B. An initial field screening of these major outfalls was completed in August of 2008 as required by the WPDES permit. These field screenings were documented with an inspection form and a photo for each major outfall. The Village's IDDE program inspection form includes a visual observation for active flow, color, odor, turbidity, and surface sheen. The Village submitted all inspection forms and photos in December of 2008.

The Village received an email from WDNR representative Matt Aho on December 23rd 2008 stating that the inspection forms did not include a list of acceptable parameter ranges for field analysis and that since flow was observed in some of the outfalls during the initial inspection a field analysis should have been completed. The Village met with Matt Aho on February 17th 2009 to discuss these issues. Since the Village has multiple industrial facilities with non-contact cooling water permits,

flow is very likely to be present during these annual inspections. Although field analysis was not completed during the initial field screening, the Village will be purchasing an IDDE test kit for future inspections to ensure there are no illegal discharges into their MS4 conveyance system. The IDDE inspection form was also revised to include a section to report any water sampling results required when flow has been observed. The recommended range of acceptable levels for pH, total chlorine, total copper, total phenol and detergents is now also included on the inspection form. See the revised inspection form attached (Exhibit C).

3. Response procedures for responding to known or suspected illicit discharges were developed and submitted to the WDNR on September 30th 2008.

E. Construction Site Pollutant Control Program – Part III.C

The Village of Butler has taken the following actions to date to create a Construction Site Pollutant Control Program:

1. The Village of Butler created a Construction Site Pollutant Control Ordinance to require erosion and sediment control at construction sites and establish applicability, jurisdiction, design criteria, design standards, permitting procedures, and inspection and enforcement authority. The proposed ordinance draft was submitted to the WDNR on March 31st 2008 and was adopted on May 27th 2008.

The Village received an email from WDNR representative Matt Aho on October 15th 2008 regarding an error in the adopted ordinance which exempted regulation of land disturbing activities under the jurisdiction of the Department of Commerce. However, the Village of Butler is a delegated community, which means that all commercial development is regulated under the Village's Ordinance. Therefore, the Village revised the adopted ordinance and is awaiting Village Board approval. See the revised Construction Site Pollutant Control Ordinance attached (Exhibit D).

2. The Village also submitted their proposed Construction Site Inspection and Enforcement Procedures Proposal to the WDNR on September 30th 2008. These procedures establish what staff is responsible for construction site inspections and enforcement, inspection frequency, and enforcement mechanisms that will be used to achieve compliance.

F. Post-Construction Storm Water Management Program – Part III.D

The Village of Butler has taken the following actions to date to create a Post-Construction Storm Water Management Program:

1. The Village of Butler created a Post-Construction Storm Water Management Ordinance to regulate the quantity and quality of discharges from areas of new development and redevelopment after construction is complete as required by the WPDES permit. This ordinance also established applicability, jurisdiction, design

criteria, design standards, permitting requirements, long-term maintenance requirements, and inspection and enforcement authority for the Village. The proposed ordinance draft was submitted to the WDNR on March 31st 2008 and was officially adopted on May 27th 2008.

2. The Village also submitted their Long-Term Maintenance Procedures Proposal to the WDNR on September 30th 2008. These procedures establish who is responsible for inspection and maintenance of storm water management facilities, inspection frequency and enforcement procedures if and when necessary.

G. Pollution Prevention – Part III.E

The Village of Butler submitted their Pollution Prevention Program Proposal on June 30th 2008. This program proposal outlines inspection and maintenance procedures, street sweeping and catch basin cleaning frequencies, roadway deicing procedures, yard waste management procedures, pollution prevention planning for municipal properties, fertilizer application guidelines, and method and frequency of education of municipal personnel. More details on the measurable goals of this program are included in Section 4 of this report.

Implementation of this program began on December 31st 2008; therefore inspections for the DPW yard will begin in 2009 and an inspection form will be submitted as part of the Calendar Year 2009 Annual Report.

H. Storm Water Quality Management Program – Part III.F

The Village of Butler took the following actions to implement a Storm Water Quality Management Program that would meet the requirements of the WPDES permit:

1. The evaluation of existing municipality owned or operated structural flood control facilities for the purpose of retrofitting to increase total suspended solids removal from runoff was completed by the March 10th 2008 deadline.
2. The Village-wide pollutant loading analysis was completed using the WinSLAMM model. The No Controls and the 20% TSS reduction analysis were completed by the March 10th 2008 deadline. The Village of Butler's existing TSS removal rate was found to be 7.93%. Analysis results are summarized in attached Table 1. Since this removal rate does not meet the 20% TSS reduction goal required, a compliance plan was also submitted (See attached Exhibit E).

I. Storm Sewer System Map – Part III.G

The Village of Butler was required to create a storm sewer system map which was submitted on March 31st 2008. The storm sewer system map included the following:

1. Identification of waters of the state, watershed boundaries, name of receiving waters, identification of Outstanding Resource Waters (ORW), Exceptional Resource Waters (ERW), Impaired or 303(d) listed water bodies, drainage basin boundaries for each MS4 outfall and MS4 conveyance systems.
2. Identification of all known municipal storm sewer system outfalls discharging to waters of the state or other municipal separate storm sewer systems.
3. Location of any known discharge to the municipal separate storm sewer system that has been issued a WPDES permit by the Department.
4. Location of municipally owned or operated structural storm water facilities.
5. Identification of publicly owned parks, recreational areas, and other open lands.
6. Location of municipal garages and other public works facilities.
7. Identification of streets.

4. Pollution Prevention Program Summary

A. Inspections and Enforcement

Inspection of erosion control measures for all residential and commercial developments was completed by the Building Inspector on a site by site basis. There were two project sites that were monitored for proper erosion control measures by the Village's building inspector in 2008. The following is the name and address of the project sites inspected:

1. Evergreen Fuel Stop and Mini-Mart – 4539 N 124th Street
2. Commercial Development Authority Building Demolition – 125th & Hampton Ave.

No enforcement actions were taken by the Village in 2008.

B. Spill Responses

There were no spills reported in the Village of Butler in the year 2008.

C. Street Sweeping

The Village performed high efficiency regenerative air sweeping of all streets and alleys within the Village boundary twice a month from April through November using a Vac-Haul street sweeper. The waste collected by the street sweeper is stored at the DPW Yard to dry out before it is disposed of at Waste Management. In 2008, the Village crews recorded that a total of approximately 91 tons of solids were collected.

D. Catch Basin Cleaning

Catch Basin cleaning is done on an as-needed basis. Solids captured from catch basin cleaning are stored at the DPW Yard to dry out before it is hauled to Waste Management. Approximately 80 cubic yards of waste was collected in 2008 from catch basin cleaning.

E. Pollutant Loading Removal Rates and Status of Meeting Standards

The No Controls and Existing Controls SLAMM modeling and the Assessment of Compliance were completed and submitted by the March 10, 2008 deadline. This analysis, as mentioned previously, resulted in a Village wide TSS removal rate of 7.93%.

F. Leaf and Grass Collection and Disposal Program

The Village's Leaf Collection Program consists of one pick up date in the time frame of late September to November. In 2008, Village crews collected approximately 1200 cubic yards of leaves and grass clippings. These collections were hauled to the public works yard and then eventually hauled to a local farmer to use for compost.

G. Applications of Fertilizer

The Village of Butler uses very little fertilizer applications. Fertilizer for weed control is applied once per year at yard areas at the municipal buildings and the baseball diamonds at Frontier Park, which are all less than 5 acre sites. The following is a list of actions taken in 2008 in an effort to pursue safe fertilizer application on these sites:

1. Applied fertilizer in the spring only. Avoided applying fertilizer to frozen ground.
2. Grass clippings are left on the lawn areas as fertilizer.
3. Any fertilizer spilled on roads or sidewalks was promptly cleaned up.
4. Left a buffer strip of unfertilized lawn along ditches, waterways and ponds.

5. Impaired Waterbodies:

As shown on the WDNR's Surface Water Data Viewer webpage, the Village of Butler does not have an impaired 303(d) listed water body within the Village boundary.

5. Fiscal Analysis of Expenditures for 2008

The annual expenditures in 2008 consisted of village staff and outside consultant services to implement and track the numerous programs and procedures listed above. Expenditures also reflect labor, equipment rental and material costs involved with maintenance of the sewer collection system. The Village of Butler has a storm water utility that brings in \$194,000 annually to cover the costs of these expenditures. The 2008 Stormwater Expenditures have been summarized on Exhibit F.

6. Fiscal Budget for 2009

The proposed budget for storm water management activities in 2009 are also shown in the attached Exhibit F.