Commonwealth of the Northern Mariana Islands
Office of the Secretary of Public Works
2nd Floor-Joeten Commercial Building, Gualo Rai
Saipan, MP 96950

February 07, 2012
Serial No. PW50132

Mr. Eugene Bromley
NPDES Permits Office (WTR-5)
EPA Region 9
75 Hawthorne Street
San Francisco, CA 94105

Reference: Notice of Intent to Re-Apply - NPDES Small Municipal Separate Storm Water Sewer Systems (MS4); Permit No. MPS040000

Dear Mr. Bromley:

This is in response to EPA's letter to the Department of Public Works dated June 1, 2011 informing our office that Permit No. MPS040000 has expired and reapplication deadline was September 21, 2011.

Unfortunately, we have encountered some unforeseen setbacks due to loss of staff and reduction in work hours. However, we have recently hired a new staff who is assigned to monitor and manage all federal permit requirements including the MS4 along with other individuals within DPW and inter-agencies. DPW has already made significant progress by conducting public outreach activities with the Division of Environmental Quality regarding coordination of activities on Illicit Discharge, Maintenance of Storm Drains, Stenciling of Storm Drains, Watershed Planning, and will continue to improve monitoring efforts and activities in the very near future.

Currently, our permit has expired and therefore we hereby transmit the following documents in support of our request for permit reapplication. As described in the Annual Report for the period August 2010 through August 2011, there are no changes to the original permit conditions with the exception of the names of the contact person and staff assigned to manage the compliance requirements of the permit.

Thank you for your understanding and we look forward to your approval. Should you have any questions or concerns, please feel free to contact Mr. Vicente Cabrera, Environmental Planner or Mr. Anthony A. Camacho, Director of Technical Services Division at 670-235-9570/5827.

Sincerely,

MARTIN C. SABLAN
Secretary of Public Works

xc: Director of Technical Services Division
Environmental Planner
Sgt Highway Administrator

Tel Nos: (670) 235-5827 / 235-9570 Fax: (670) 235-6346 www.dpw.gov.mp

NATIONAL POLLUTANT DISCHARGE ELIMINATIN SYSTEM (NPDES) FOR STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4), SAIPAN

ANNUAL REPORT
FEBRUARY 6, 2012

Agency/Organization Co-Agency	: Department of Public Works Division of Environmental Quality
EPA NPDES Permit No.	: PERMIT NO. MPS040000
Annual Report No.	: Report No. 001
Reporting Period	: August 2010 – February 2012
Expiration Date	: September 21, 2011

BACKGROUND: On September 22, 2006, the United States Environmental Protection Agency issued the CNMI Department of Public Works (DPW) an authorization to discharge storm water runoff and specified non-storm water discharges from the municipal separate storm sewer system (MS4) operated by DPW, into waters of the United States from all MS4 outfalls within the permitted area of the Island of Saipan.

This authorization to discharge is set forth under the National Pollutant Discharge Elimination System (NPDES) Permit No. MPS040000 for Municipal Separate Storm Sewer Systems (MS4).

The DPW NPDES permit and authorization to discharge had expired on September 21, 2011. Whereas, DPW should have submitted a new application (reapply) 180 days before the existing permit expires.

DPW failed to reapply for a new permit as stated under the permit conditions. Therefore, this report shall serve as an annual report to be submitted with the Notice of Intent to Reapply for a new NPDES permit for DPW's MS4.

Intent:
The intent of this annual report is to notify the permitting agency, U.S. EPA Region 9, of the following:

- assessment of program,
- any changes to the permit issued on September 6, 2006,
- what are the near and long-term performance goals of the program,
- progress and accomplishments,
- compliance with monitoring and reporting,
- what are the violations (if any), and
- future plans to improve DPW's NPDES MS4 Program

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1. GENERAL INFORMATION

Contact Person	Martin C. Sablan Secretary of Public Works
Address	Department of Public Works Commonwealth of the Northern Mariana Islands 2nd Floor, Joeten Commercial Building, Gualo Rai Saipan, MP 96950
Telephone No's.	(670)235-9570/5827/1090
Copy To	Frank M. Rabauliman, Director Division of Environmental Quality Commonwealth of the Northern Mariana Islands 1st Floor, Gualo Rai Center Building Saipan, MP 96950
Telephone No's.	(670)664-8500

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment of knowing violations.

MARTIN C. SABLAN
Secretary of Public Works

2/7/12
Date

2. ASSESSMENT

The Department of Public Works (DPW) has completed the required assessment of the permit requirements and has determined that our department needs to work on the implementation of program policies in order to meet permit compliance conditions. The DPW recognizes that additional efforts are required for improving program development and implementation, and progress towards achieving the identified measurable goals for each of the minimum control measures. Over the past couple of years, the agency has experienced a significant reduction in workforce due to the declining economic condition of the CNMI, making it difficult to implement and enforce permit compliance. The following is an overview of the steps taken to address key issues.

During the assessment, the Department of Public Works identified several key areas that needed to be addressed in order to develop a successful program:

►First, is the need to identify a program manager/compliance officer to monitor the day to day activities and operation of the NPDES MS4 program. DPW is currently working on this effort and target date of having a program manager/compliance officer on board is 3-4 months. **Action Taken:** A Highway Environmental Planner has been assigned to monitor the program. The individual will be on board by March 2012.

►Secondly, a Memorandum of Understanding will be developed between the Department of Public Works and the Division of Environmental Quality to establish an understanding that the Stormwater Management Program will be developed and enforced cooperatively by both agencies with a description of the roles and responsibilities to be carried out by each agency. **Action Taken**: DPW and DEQ has had several meetings to discuss goals and projects. MOU will be developed this year. DPW has partnered with the Coastal Resource Management Office and Department of Public Lands for assistance and support as necessary.

The Department of Public Works is relying on other government agencies to satisfy some of the permit conditions and the department has determined that a program coordination team must be established to ensure that program activities are properly coordinated and implemented to maintain permit compliance.

►DPW will develop a brochure to provide information regarding DPW's NPDES MS4 Program and begin developing additional materials for educational purposes. **Action Taken**: DPW has developed a sample brochure describing the roles and responsibilities of DPW's Highway Section which includes information regarding the NPDES MS4 Program. Additional materials will be prepared and distributed as part of the public outreach activities.

► See enclosed DPW brochure.

3. SUMMARY OF CHANGES

Authorization - The following individuals, under the previous authority of Mr. Juan S. Reyes, former Secretary of Public Works, developed the Draft Notice of Intent to comply with the Phase II Storm Water Management Program in 2004:

Phil Sablan, DPW (Phase II Program Coordinator)
Roy Reyes, DPW
Brian Bierden, Division of Environmental Quality

Phil Sablan and Roy Reyes have not been employed with the Department of Public Works since 2006 and 2005, respectively.

Under the authority of Mr. Jose S. Demapan, Secretary of Public Works, the following individuals were assigned to oversee the permit requirements and maintain compliance with permit terms and conditions. Effective February 1, 2008, the Secretary of the Department of Public Works created a group of individuals with specific responsibilities to ensure proper administration and compliance with the terms and conditions of the (MS4) NPDES Permit requirements. These individuals are listed below with their respective titles, program responsibilities, and contact information as follows:

1. Jose S. Demapan, DPW	Secretary of Public Works Authorized Officer (670) 235-9570 / 5827 Ext. 103
2. Joseph M. Inos, DPW	Director, Technical Services Division Lead Program Coordinator
3. Sonya P. Dancoe, DPW	Engineer/Acting Highway Administrator Program Coordinator (670) 235-9570 / 5827 Ext. 126/127
4. Joel Puyat, DPW	Highway Engineer II Program Coordinator (670) 235-9570 / 5827 Ext. 126/127
5. Isagani Salazar, DPW	Highway Engineer II Alternate Program Coordinator (670) 235-9570 / 5827 Ext. 126/127
4. Dennis Davis, DPW	Field Operation Supervisor (670) 322-9451 Radio: Romeo-2

Other local government agency representatives involved were:

1. Brian Bierden, Environmental Engineer	Division of Environmental Quality
2. John San Nicholas, Compliance	Coastal Resource Management Office

Under the current authority of Mr. Martin C. Sablan, Secretary of Public Works, the following individuals are assigned to oversee the permit requirements and maintain compliance with permit terms and conditions. Effective August 11, 2011, the administration and compliance group were identified as follows:

1. Martin C. Sablan, DPW	Secretary of Public Works Authorized Officer (670) 235-9570 / 5827 Ext. 103
2. Sonya P. Dancoe, DPW	Engineer/Highway Administrator Authorized Technical Representative (670) 235-9570 / 5827 Ext. 126/127
3. Vicente Cabrerra, DPW	Highway Environmental Planner Program Manager / Compliance Officer ► **(New staff recently assigned to the program)**
4. Isagani Salazar, DPW	Highway Engineer II Technical Coordinator (670) 235-9570 / 5827 Ext. 126/127
4. Dennis Davis, DPW	Field Operation Supervisor (670) 322-9451 Radio: Romeo-2

Other local government agency representatives currently involved are:

1. Manuel P. Borja, Environmental Engineer	Division of Environmental Quality
2. Luis T. Duenas	Coastal Resource Management Office
3. Patricia Rasa	Department of Public Lands

Program/Permit Requirements, Terms & Conditions – DPW does not have any request to modify or change the requirements, terms, or conditions as stated in the previous permit. DPW recommends that the requirements as stipulated under Permit No. MPS040000 be maintained for the duration of the new permit term.

4. PERMIT COMPLIANCE UPDATE

The following provides informational updates to the referenced permit and is formatted in the same order as listed in permit no. MPS040000.

Part I. DISCHARGES AUTHORIZED UNDER THIS PERMIT
No additional information is required or amendments have been issued.

Part II. STORM WATER MANAGEMENT PROGRAM
1. Operators of regulated Small MS4 Storm Water Program are required to:

A. Apply for NPDES permit coverage. The permittee has met the NPDES permit coverage requirement upon issuance of Permit No. MPS04000.

B. Develop a storm water management program which includes the six minimum control measures. The permittee has met the development of a storm water management program which includes the six minimum control measures, dated October 25, 2004.

C. Implement the storm water management program using appropriate storm water management controls, or best management practices (BMP's). The Department of Public Works through inter-agency coordination with the Division of Environmental Quality require that all proposed structures and facilities located in the CNMI meet the requirements of the One-Stop permitting process and other various local/federal regulatory agency permit requirements. CNMI law requires all construction of proposed development projects, both public and private, obtain permits or clearances from the following local regulatory agencies as applicable:

Local Levels	Federal Levels
Division of Environmental Quality	U.S. EPA
Division of Fish and Wildlife	U.S. DFW
Coastal Resource Management Office	Army Corps of Engineers
Historic Preservation Office	
Department of Public Works, Technical Services Division	
Department of Public Works, Building Safety Office	
Department of Public Lands	
Zoning Office (Effective Feb. 1, 2008)	

Storm water management practices to be implemented into proposed design and construction activities are based on the latest Storm Water Management Manual, which has been adopted and is currently being enforced by the Division of Environmental Quality. The one-stop permit process is administered by the Division of Environmental Quality, which also incorporates permit terms and conditions as directed by Historic Preservation Office (HPO), Coastal Resource Management (CRM), Division of Fish and Wildlife (DFW), and other applicable agencies.

This permitting process has improved the CNMI's storm water management infrastructure planning and implementation of best management practices (BMP's).

Permits for various programs and activities such as solid waste management, hazardous waste management, above storage fuel tanks, air emissions, earthmoving and erosion control, individual waste water disposal systems, and water quality permits are also regulated by the Department of Environmental Quality.

D. Develop measurable goals for the program.

1. Develop a comprehensive mapping system in Auto Cad of all existing storm water systems by the Department of Public Works based on the list of discharge sites.

   Target completion dates: March 2012
   Status: IN PROGRESS

2. The Department of Public Works has issued a Request for Proposal for the Garapan Water Quality Restoration Project. This project is funded through 702 Capitol Improvement Projects funding source. This project requires the consultant to develop an urban drainage master plan within the Garapan watershed area. The master plan shall identify current storm water management problems and approach to include priority projects to be constructed within a 5 year period. The scope of work consists of Phase I (Development of Master Plan), Phase II (30% Planning and Design Phase), and Phase III (Preparation of an Environmental Assessment Report in compliance with NEPA requirements). This project was cancelled by the Legislature. DPW and DEQ should work together to revitalize the project.

   Target completion date: 2013
   Status: IN PROGRESS

3. The Army Corps of Engineers is preparing an EA for 3 watershed locations under the direction of the CNMI Coastal Resource Management Office. DPW is working with CRM on this project. The project will minimize runoff into the MS4.

   EA target completion date: April 2012
   Status: IN PROGRESS

   Design & Construction completion date: January 2013
   Status: Planning Phase

4. Develop maintenance program under the Department of Public Works to include scheduling, storm drain stenciling, repairs, cleaning of

storm drains and cleaning of sediments along beach road and other territorial routes.

Stenciling of Storm Drain Dates
November 2011 & January 2012

Storm Drain and Roadway Clean Up
Start date: December 2011
Completion date: April 2012
Status: IN PROGRESS
► See attached handout – Storm Drain and Road Clean Up Project

5. Public outreach/education program activities to be developed by the Division of Environmental Quality and coordinated with Department of Public Works for FY 2012.

   Start Date: November 2011
   Completion Date: March 2012
   Status: IN PROGRESS

   As of November 2011, DPW and DEQ has been working cooperatively on public outreach and activities regarding Watershed Planning, Illicit Discharge, and Storm Drain Stenciling, and Storm Drain and Drainage System Clean Up projects.

6. Public participation and involvement activities to be developed by the Division of Environmental Quality and Department of Public Works.

   Same as above.

7. Illicit discharge and elimination activities to be developed by the Division of Environmental Quality and Department of Public Works.

   Same as above.

8. Construction site storm water runoff control policies and permit requirements are currently being enforced by the Division of Environmental Quality and Coastal Resource Management Office.

   All public facilities projects implemented through the Department of Public Works are required to meet DEQ requirements and storm water design standards.

9. Post construction storm water management in new development and re-development projects are currently being regulated by the Division of Environmental Quality through permitting requirements.

All public facilities projects implemented through the Department of Public Works are required to meet DEQ requirements and storm water design standards.

10. Minimum control measures for pollution prevention/good housekeeping for municipal operations:

    Pollution prevention for DPW operations program will be developed by the Department of Public Works through an established maintenance program.

    Status: Maintenance program started in December 2011.

    The Department of Public Works specifies all new projects must meet the DEQ regulatory requirements and design standards.

11. Overall storm water management program shall be reviewed by inter-agencies to discuss, review, improve, and implement storm water management program.

E. Evaluate effectiveness of the program.

1. Conduct periodic peer review and discussions with inter-agencies every 6 months or as necessary. Peer review will be scheduled in June 2012.

Part III. SPECIAL CONDITIONS

A. Requirements Pertaining to TMDL Allocations. No new updates were available for this part of the permit as of this reporting date. The Department of Public Works will request updates from the Division of Environmental Quality and shall be included in the next annual report.

B. Water Quality Based Requirements. No new updates were available for this part of the permit as of this reporting date. The Department of Public Works will request updates from the Division of Environmental Quality and shall be included in the next annual report.

C. Endangered Species Act Requirements. All new and re-development projects must meet the Endangered Species Act Requirement and must get clearance from the Division of Fish and Wildlife. This process is cleared during the one-stop permitting process.

D. Reviewing and Updating the SWMP. The Department of Public Works shall conduct periodic peer review and discussions with inter-agencies every 6 months as necessary.

E. CNMI Water Quality Certification. None to report.

Part IV. MONITORING, RECORDKEEPING AND REQUIREMENTS

A. Monitoring requirements shall be maintained and coordinated with the Division of Environmental Quality.

B. Recordkeeping shall be maintained and reported in accordance with the permit requirements to the greatest extent possible.

C. Annual reports shall be prepared and submitted in accordance with the permit requirements to the greatest extent possible. Should U.S. EPA find this reporting format acceptable, the Department of Public Works shall update all future annual reports in the same exact format to the greatest extent possible. Inter-agencies shall be furnished copies of annual reports for reference and information.

PART V. PROGRAM COORDINATION & ACTIVITIES REPORT

Activity No. 001-2011 No recorded Activity after February 1, 2008

Activity No. 002-2011
Date: August 11, 2011
Location: DPW, Saipan
Purpose: Permit Conditions/Compliance/Updates
Attendees: Sonya P. Dancoe, DPW, DPW Maintenance Crew

Activity No. 003-2011
Date: November 2011
Location: DEQ Conference Room
Purpose: Meet with DEQ Lab Manager, DPW Clean Up Committee, DEQ Water Quality Managers, Department of Public Lands Planner
Attendees: Various agency representatives
Discussion: Planning and Execution of Tasks for Storm Drains, Canals, Waterways, and Road Clean Up Project; Assistance from DEQ for funding of fuel for equipment and permit compliance; DPL for designation of temporary stockpile location of green waste; CRM for equipment rental and supervisory assistance; Hawaiian Rock for donating traffic cones and various equipment as needed.

Activity No. 004-2011
Date: December 2011 – Current
Location: Garapan District/Beach Road Route 33
Purpose: Clean of storm drains, culverts, roadways, shoulders
Attendees: DEQ Crew and CRM Supervisor
Discussion: DPW cleaning is on-going.

Additional Discussions:

Sonya P. Dancoe left the department in 2008 and returned to DPW in February 2011. After receiving the reapplication notice from U.S. EPA, Sonya conducted an assessment of the current state of the Storm Water Management Program and has identified key

areas to improve the program and has identified the following action items to be implemented or completed:

Activity Status:

1. DPW and the Division of Environmental Quality agree to work together to fulfill monitoring and sampling requirements for water quality measures. DPW has met with DEQ's lab manager and will coordinate future plans for developing a monitoring and reporting of TMDL program. – **ON GOING**

2. Revise Annual Report for reapplication submittal – **COMPLETE**

3. Schedule progress meetings for storm drain clean up – **COMPLETE**

4. Storm drain and roadway clean up project consists of 3 phases. Phase 1 – Storm Drain Clean Up in Garapan Area **COMPLETE**; Phase 2 – Beach Road Clean Up of Sedimentation and Waterways **80% COMPLETE**; Phase 3 – Beach Road scraping of overgrown vegetation along shoulders – **60% COMPLETE. See Attached Project Handout.**

5. DPW will develop map based on coordinate locations shown on Table 2 of discharge sites as indicated on the SWMP dated October 2005. Progress map will be reviewed at the next meeting.

6. Dennis Davis will develop proposed schedule of site inspections of all discharge sites also based on Table 2. To be reviewed at the next meeting – **COMPLETE**

7. Sonya P. Dancoe will obtain samples of inspection forms from U.S. EPA websites for review and to be adopted for field inspections. To be reviewed at next meeting.

8. Next meeting shall include representatives from inter-agencies.

END OF REPORT

Prepared By:

Sonya P. Dancoe, P.E.
Department of Public Works

Reviewed/Concurred By:

Martin C. Sablan
Secretary of Public Works