

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION**

THE UNITED STATES OF AMERICA and)

THE STATE OF ILLINOIS)

Plaintiffs,)

v.)

THE CITY OF ROCKFORD, ILLINOIS,)

Defendant.)

Civil Action No. 3:15cv50250

**CONSENT DECREE
APPENDIX M**

Appendix M:

Annual Reporting Requirements Under Paragraph 32 of the Consent Decree in
United States and the State of Illinois v. City of Rockford, Illinois

The Annual Reports required under Paragraph 32 of the Consent Decree shall conform to the requirements of the Permit at Part V.C and shall include the information specified below. Annual Reports shall summarize progress in meeting all measurable goals identified in the Permit and in the City's Standard Operating Procedures (SOPs) which implement the stormwater program components in Part II and Part V of the Permit and which have been incorporated into the City's Stormwater Master Plan. In general, the information described below shall cover the activities conducted and results achieved during each annual reporting period. Where a duration is associated with a measurable goal (e.g., annual, every two years, the construction season, or the permit cycle), each Annual Report shall identify activities and results for the specific reporting period as well as the cumulative activities and results appropriate to the specific measurable goal.

1. **Municipal Operations including Structural Controls, Roadways, Flood Control, and Pesticide, Herbicide and Fertilizer Application** (*Appendix B¹*: Standard Operating Procedures for Detention Basins; *Appendix C*: Standard Operating Procedures for Street Sweeping; *Appendix D*: Right-of-Way & Drainageway Inspection & Maintenance Standard Operating Procedures; *Appendix E*: Standard Operating Procedures for City of Rockford Pesticide, Herbicide, and Fertilizer Applications)
 - a. A report summarizing the inspection and maintenance database. This shall include a summary of inspection findings, follow-up needed, enforcement actions, and date corrective actions completed. The summary shall include:
 - i. The following measureable goals in Section 5.0 of the *ROW and Drainage Inspection and Maintenance SOP*:
 1. Number of proactive inspections of stormwater infrastructure including inlets and pipes;
 2. Number of reactive inspections of stormwater infrastructure including inlets and pipes;
 3. Summary of findings from all inspections and status of required follow-up (e.g., cleaning, repair, replacement) including summary of the type and approximate amount of debris deducted and number of feet of storm sewer cleaned, and a summary of all structures repaired/replaced;
 4. List of current known problem areas susceptible to sediment and debris accumulation or flooding pursuant to Section 5.2 (inlet and pipe cleaning), and status of routine maintenance/cleaning in these

¹ All Appendix references are to other Appendices to the Consent Decree.

- areas (number and percent of inlets cleaned; number of feet of laterals or mains cleaned; type and approximate amount of debris deducted);
5. Identify any changes to the list of known problem areas.
- ii. Pursuant to Section 6.0 of *ROW and Drainage Inspection and Maintenance SOP* and Part II.A.2.d of the Permit:
 1. Number/summary of inspections of all publicly and privately maintained ditches and creeks;
 2. Summary of findings including number of miles in each maintenance category;
 3. Clearly identify stream channels inspected and inspection findings including stream miles experiencing horizontal and/or vertical erosion; if Rockford's system is capable of identifying these inspections and findings on its mapping system, produce the mapping with inspections and findings;
 4. Status of required follow-up (privately and publicly-maintained) including summary of maintenance work completed, type of activity, nature of debris removal or bank stabilization performed, approximate amount of debris removed, and status of all projects to stabilize and minimize erosion of stream channels.
 - iii. Summary of inspections and maintenance of dams and levees.
 - iv. Summary of inspections and maintenance of publicly-owned and/or maintained detention ponds, including amount of sediment and debris removed (see j. below)
 - v. Summary of inspection and maintenance of box culverts including both rain event and routine.
 - vi. Summary of inspections and maintenance of publicly-owned and/or operated trash racks including summary of the major rain event inspections (including date and size of rain events, dates debris and floatables removed, amount and type of debris/floatables removed).
 - vii. For the two floatables monitoring points, a summary of the amount of floatables materials collected and date(s) collected.
 - viii. Snow and De-Icing Operations: Summary of the annual evaluation of deicing operations pursuant to Section 11 of the *ROW and Drainage Inspection and Maintenance SOP* and Part II.A.4.c of the Permit including a description of any changes implemented to minimize the discharge of pollutants.
 - ix. Detention Basins:
 1. Number and percent of public and priority private basins inspected.
 2. Number and percent of non-priority private basins inspected during the reporting period and cumulatively over the two-year cycle.
 3. Number and percent of basins inspected in response to a public complaint or other concern identified by the city.

4. Number and description of storm event inspections including dates and size of rain events and dates of inspections for publicly-owned or operated basins, priority private basins, and non-priority private basins.
 5. Summary of inspection findings and required follow-up including number of basins in each maintenance category, status of follow-up actions and corrective actions.
 6. A summary of enforcement actions initiated including status.
 - x. Street Sweeping:
 1. Dates of street sweeping in each category (arterial, central business district, etc.) and tonnage swept.
 2. Description/rationale for any schedule deviations, schedule adjustments or changes.
 - xi. Pesticides, Herbicides and Fertilizer SOP:
 1. Status of training and certification of City employees who apply pesticides, herbicides and fertilizers.
 2. Description of reported spills including findings from the City's illicit discharge investigation pursuant to Section 3.1 of the *Pesticide, Herbicide and Fertilizer Applications SOP*.
2. **Construction Site Runoff Program** (*Appendix F*: Erosion and Sediment Control Plan Review and Regulatory Inspections and *Appendix G*: Erosion and Sediment Control Guidance Manual for City of Rockford Projects)
- a. A report summarizing the number of construction sites in the inventory, the number of new sites added and terminated since the last report, the number of erosion and sediment control plans reviewed and approved and the number of plans that required revisions, the number of inspections conducted and the number that required enforcement follow-up, and the number and type of enforcement actions initiated and concluded.
 - i. The inventory should identify City-owned projects, private projects, and projects located in or adjacent to an environmentally sensitive area.
 - ii. A summary of inspections conducted shall include pre-construction inspections, routine field inspections (including the initial inspection to be conducted within the first two weeks of the construction start date), routine drive-by inspections, final inspections (or certifications) and inspections completed in response to citizen complaints.
 - iii. Identify any missed inspections pursuant to the frequencies specified in the *Erosion and Sediment Control Plan Review and Regulatory Inspections SOP*.
 - b. A summary of employee training.
 - c. A report summarizing the existing training opportunities and/or newly developed training for construction operators on control measure selection, installation, implementation, and maintenance as well as overall program compliance.

- d. A summary of enforcement actions taken as required under Section VII of the Consent Decree including status of all actions.
3. **Industrial and High Risk Runoff Program** (*Appendix H: Industrial High Risk Runoff Facility Inspection Program Standard Operating Procedures*)
 - a. A report summarizing the status of all municipally-owned and operated facilities and their development and implementation of appropriate storm water control measures via a Stormwater Pollution Plan to ensure the discharge of pollutants in storm water is minimized or eliminated, and are in compliance with Rockford's Chapter 109 Ordinance, Storm Water and Surface Water Management. As part of each annual report, describe any changes to high priority facilities' stormwater plan following each annual evaluation pursuant to Section 5.8 of the *Industrial High Risk Runoff Facility Inspection Program SOP*.
 - b. A summary of its inspection and monitoring program including the inspections conducted in each priority category. Identify facility name and type pursuant to the table in Section 4.0 of the *Industrial High Risk Runoff Facility Inspection Program SOP*. For the high priority facilities, identify which are routine inspections and which are inspected in follow-up to citizen complaints, staff observations or flows observed during outfall inspections. Specify the percentage of high, medium and low facilities inspected to date up through the end of the reporting period.
 - c. A summary of inspection findings including any required follow-up actions.
 - d. A summary of monitoring results where the City has required monitoring at a facility pursuant to Section 6.0 of the *Industrial High Risk Runoff Facility Inspection Program SOP*
 - e. Describe any changes or updates to the facility inventory and prioritization based on the annual evaluation and the reviews of the databases and other resources identified in Section 5 of the *Industrial High Risk Runoff Facility Inspection Program SOP*.
 - f. A summary of enforcement actions taken and deficiencies corrected.
 4. **Illicit Discharge and Improper Disposal** (*Appendix I: Illicit Discharge Detection and Elimination Program Standard Operating Procedures*)
 - a. For reports covering even years, a summary of its dry weather screening activities as required under Part VII of the Consent Decree, including the number and percentage of outfalls that were screened, findings, the number and type of follow-up actions including initiation of an illicit discharge investigation (including type(s) of investigation), a description of the illicit discharge (e.g., pollutant, volume if known), and the dates each illicit discharge identified was eliminated.
 - b. A summary of the number of reports received (e.g., citizen complaints), what type of follow-up actions were conducted including initiation of an illicit discharge investigation (including type(s) of investigation), whether illicit discharges were

identified, description of any illicit discharges, and whether/when an identified illicit discharge was eliminated.

- c. A summary of any enforcement actions initiated to eliminate an illicit discharge including the status.
 - d. A summary of the dates training was provided, the number of employees required to be trained, and the number of employees actually trained as required under Part VII of the Consent Decree.
5. **Monitoring** (*Appendix J*: Monitoring and Sampling Program Standard Operating Procedures): The results of the wet weather and in-stream monitoring shall be described, including any deviations from the *Monitoring and Sampling Program SOP*, trends analysis and any changes to the City's stormwater management plan resulting from monitoring results or trends analysis.
 6. **Enforcement Response Plan** (*Appendix L*): A summary of all enforcement actions initiated, active and concluded under the City's *Enforcement Response Plan*, including type of action, and status.
 7. **Stormwater and Environmental Education** (*Appendix K*): A summary of the activities completed under the training program described in the *Stormwater and Environmental Education SOP*.
 8. A description of any staffing changes.
 9. A description of any proposed changes to the City's stormwater management plan including the justification or rationale for any proposed changes.