**STATE OF FLORIDA**

**MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT**

FACILITY NAME: Palm Beach County MS4

**PERMIT NUMBER:** FLS000018-003 **⎯** MAJOR Facility

**ISSUANCE DATE:** October 1, 2016

**EXPIRATION DATE:**  September 30, 2021

**PERMITTEES:**

|  |  |
| --- | --- |
| Atlantis, City of | Belle Glade, City of |
| 260 Orange Tree Drive | 110 Dr. Martin Luther King, Jr. Boulevard |
| Atlantis, Florida 33462-1193 | Belle Glade, Florida 33430 |
|  |  |
| Boca Raton, City of | Boynton Beach, City of |
| 2500 NW 1st Avenue | 124 East Woolbright Road |
| Boca Raton, Florida 33431 | Boynton Beach, Florida 33435 |
|  |  |
| Cloud Lake, Town of | Delray Beach, City of |
| 100 Lang Road | 100 NW 1st Avenue |
| Cloud Lake, Florida 33406 | Delray Beach, Florida 33444 |
|  |  |
| Florida Department of Transportation | Florida Department of Transportation |
| District Four | Florida’s Turnpike Enterprise |
| 3400 West Commercial Boulevard | Post Office Box 9828 |
| Fort Lauderdale, Florida 33309 | Fort Lauderdale, Florida 33310 |
|  |  |
| Glen Ridge, Town of | Greenacres, City of |
| 1501 Glen Road | 5750 Melaleuca Lane |
| Glen Ridge, Florida 33406 | Greenacres, Florida 33463 |
|  |  |
| Gulf Stream, Town of | Haverhill, Town of |
| 100 Sea Road | 4585 Charlotte Street |
| Gulf Stream, Florida 33483 | Haverhill, Florida 33417-5911 |
|  |  |
| Highland Beach, Town of | Hypoluxo, Town of |
| 3614 South Ocean Boulevard | 7580 South Federal Highway |
| Highland Beach, Florida 33487 | Hypoluxo, Florida 33462 |
|  |  |
| Indian Trail Improvement District | Juno Beach, Town of |
| 13476 61st Street North | 340 Ocean Drive |
| West Palm Beach, Florida 33412-1915 | Juno Beach, Florida 33408 |
|  |  |

|  |  |
| --- | --- |
| Jupiter, Town of | Jupiter Inlet Colony, Town of |
| 210 Military Trail | 1 Colony Road |
| Jupiter, Florida 33458 | Jupiter Inlet Colony, Florida 33469-3507 |
|  |  |
| Lake Clarke Shores, Town of | Lake Park, Town of |
| 1701 Barbados Road | 535 Park Avenue |
| West Palm Beach, Florida 33406 | Lake Park, Florida 33403 |
|  |  |
| Lake Worth, City of | Lantana, Town of |
| 1749 3rd Avenue South | 500 Greynolds Circle |
| Lake Worth, Florida 33460 | Lantana, Florida 33462 |
|  |  |
| Manalapan, Town of | Mangonia Park, Town of |
| 600 South Ocean Avenue | 1755 East Tiffany Drive |
| Manalapan, Florida 33462 | Mangonia Park, Florida 33407 |
|  |  |
| North Palm Beach, Village of | Northern Palm Beach County Improvement District |
| 645 Prosperity Farms Road | 359 Hiatt Drive |
| North Palm Beach, Florida 33408 | Palm Beach Gardens, Florida 33418 |
|  |  |
| Ocean Ridge, Town of | Pahokee, City of |
| 6450 North Ocean Boulevard | 171 North Lake Avenue |
| Ocean Ridge, Florida 33435 | Pahokee, Florida 33476 |
|  |  |
| Palm Beach, Town of | Palm Beach County |
| 360 South County Road | 301 North Olive Avenue |
| Palm Beach, Florida 33480 | West Palm Beach, Florida 33401 |
|  |  |
| Palm Beach Gardens, City of | Palm Beach Shores, Town of |
| 10500 North Military Trail | 247 Edwards Lane |
| Palm Beach Gardens, Florida 33411 | Palm Beach Shores, Florida 33404 |
|  |  |
| Palm Springs, Village of | Riviera Beach, City of |
| 226 Cypress Lane | 2391 Avenue L |
| Palm Springs, Florida 33461 | Riviera Beach, Florida 33404 |
|  |  |
| Royal Palm Beach, Village of | South Bay, City of |
| 10996 Okeechobee Boulevard | 335 S.W. Second Avenue |
| Royal Palm Beach, Florida 33411 | South Bay, Florida 33493 |
|  |  |
| South Indian River Water Control District | South Palm Beach, Town of |
| 15600 Jupiter Farms Road | 3577 South Ocean Boulevard |
| Jupiter, Florida 33478-9399 | South Palm Beach, Florida 33480 |
|  |  |
| Tequesta, Village of | Wellington, Village of |
| 136 Bridge Road | 14000 Greenbriar Boulevard |
| Tequesta, Florida 33469 | Wellington, Florida 33414 |
|  |  |
| West Palm Beach, City of |  |
| 1045 Charlotte Avenue |  |
| West Palm Beach, Florida 33402 |  |

This permit is issued pursuant to Section 403.0885, Florida Statutes (F.S.), and rules promulgated thereunder. The Department of Environmental Protection (Department) implements the stormwater element of the federal National Pollutant Discharge Elimination System (NPDES). The stormwater element of the federal NPDES program is mandated by Section 402(p) of the Clean Water Act (CWA), which is set out in the federal statutes at 33 U.S.C. Section 1342(p) and implemented through federal regulations including 40 Code of Federal Regulations (CFR) 122.26.

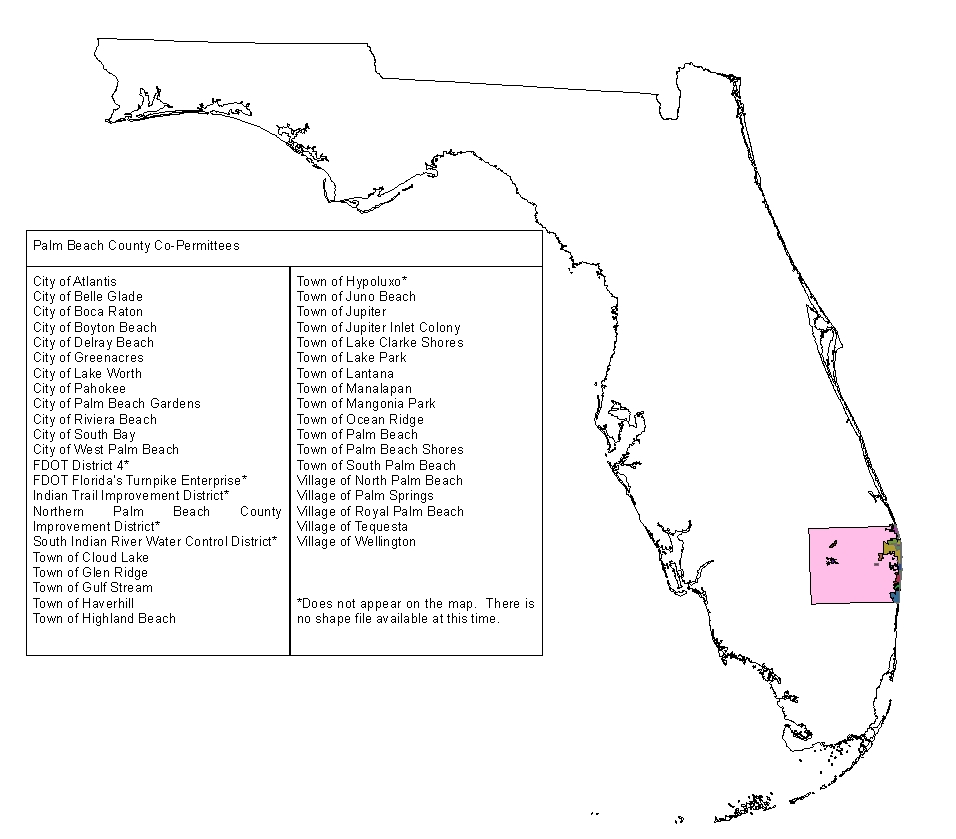
Authorized by Section 403.0885, F.S., the Department’s federally approved NPDES stormwater program is set out in various provisions within Chapters 62-4, 62-620, 62-621 and 62-624 of the Florida Administrative Code (F.A.C.). Chapter 62-624, F.A.C., specifically addresses Municipal Separate Storm Sewer Systems (MS4s).

The above named permittees are hereby authorized to discharge stormwater to waters of the State, in accordance with the approved Stormwater Management Programs (SWMPs), effluent limitations, monitoring requirements, and other provisions as set forth in this permit, the application and other documents attached hereto or on file with the Department and made a part hereof, from all portions of the MS4 owned or operated by any permittee listed above.

##### PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT

**A. Permit Area.**

This permit covers all areas located within the political boundary of Palm Beach County that are served by the MS4s owned or operated by the permittees identified above.



**B. Authorized Discharges.**

Except for discharges prohibited under Part I.D, this permit authorizes all existing stormwater point source discharges to waters of the State from those portions of the MS4s owned or operated by the permittees. New stormwater discharges are authorized provided they meet all applicable requirements of the South Florida Water Management District environmental resource permitting program authorized pursuant to Part IV of Chapter 373, F.S.

**C. Permittee Responsibility.**

1. Permittees are individually responsible for:

a. Compliance with permit conditions relating to discharges from portions of the MS4 where they are the operator;

b. Implementation of their SWMP on portions of the MS4 where they are the operator;

c. Where permit conditions are established for specific portions of the MS4, the permittees need only comply with the permit conditions relating to those portions of the MS4 for which they are the operator;

d. A plan of action to assume responsibility for implementation of stormwater management and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements allocating responsibility between permittees be dissolved or in default. (See Part II.G.3 of this permit also.); and

e. Submission of annual reports as specified in Part VI (Reporting Requirements).

2. Permittees may be jointly responsible for:

a. Collection of monitoring data as required by Part V.B; and

b. Implementation of system-wide management program elements, including any system-wide public education efforts and training programs.

**D. Limitations on Coverage.**

Pursuant to Section 403.0885, F.S., and rules promulgated thereunder, and consistent with Section 402(p)(3)(B)(ii) of the CWA, this permit must include a requirement to effectively prohibit non-stormwater discharges into the storm sewers within each permittee’s MS4. Consequently, this permit does not authorize the following discharges:

1. *Non-stormwater:* Discharges of non-stormwater, except where such discharges are:

a. Authorized under the provisions of Chapter 373 or 403, F.S., or rules promulgated thereunder; or

b. Identified by and in compliance with Part II.A.7.a.

2. *Spills*: Discharges of material resulting from a spill, except where such discharges are:

a. The result of an Act of God where reasonable and prudent measures have been taken to minimize the impact of the discharge; or

b. An emergency discharge required to prevent imminent threat to human health or prevent severe property damage, where reasonable and prudent measures have been taken to minimize the impact of the discharge.

**PART II. STORMWATER POLLUTION PREVENTION AND MANAGEMENT PROGRAMS**

Each permittee shall implement a Stormwater Management Program (SWMP) that shall include pollution prevention measures, treatment or removal techniques, stormwater monitoring, use of legal authority, and other appropriate means to control the quality of stormwater discharged from the MS4.

The SWMP shall identify areas of permittee jurisdiction. The SWMP shall include controls necessary to effectively prohibit the discharge of non-stormwater into the MS4 and reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable (MEP). Compliance with the SWMP shall be reported annually in the ANNUAL REPORT discussed in Part VI of this permit.

Implementation of the SWMP may be achieved through participation with other permit holders, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part II and Part III of the permit in lieu of creating duplicate program elements for each individual permittee. However, each permittee remains responsible for annually reporting on the program elements conducted by the other entity within its jurisdictional area and maintaining documentation of the activity. Each SWMP, taken as a whole, shall achieve the "effective prohibition" requirements and "MEP" standards from Section 402(p)(3)(B) of the CWA, as implemented pursuant to Section 403.0885, F.S., and rules promulgated thereunder.

Each SWMP covers the term of the permit and shall be updated as necessary, or as required by the Department, to ensure that it complies with Section 403.0885, F.S., and rules promulgated thereunder, and is consistent with Section 402(p)(3)(B) of the CWA. Modifications to the SWMP shall be made in accordance with Part II.G of this permit. Compliance with the SWMP and the compliance schedules in Part III shall be deemed in compliance with Parts II.A and II.B of the permit. The Florida Department of Transportation’s (FDOT) 2012 Statewide Stormwater Management Program for MS4 Permits, or the subsequent revised program that is submitted and approved by the Department, is hereby incorporated into this permit by reference, and thus its contents are enforceable elements of the permit. Specific components to be included in each SWMP are identified in Parts II and III to serve as measurable and enforceable elements of this permit.

**A.** **Stormwater Management Program (SWMP) Requirements.**

1. *MS4 Operation and Maintenance:* The MS4 shall continue to be operated by the permittees in a manner to reduce the discharge of pollutants (including floatables) to the MEP.

a. Each permittee, except FDOT District Four and FDOT Florida’s Turnpike Enterprise, shall comply with the applicable inspection and maintenance requirements in Table II.A.1.a **⎯** Inspection And Maintenance Schedule For Structural Controls And Roadways for those controls operated by the permittee. FDOT District Four and FDOT Florida’s Turnpike Enterprise shall comply with the inspection and maintenance requirements in Table II.A.1.a, or with the inspection and maintenance schedule as included in the revised and approved FDOT Statewide Stormwater Management Program that specifies minimum inspection frequencies.

| **TABLE II.A.1.a ⎯ INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS** | | | | |
| --- | --- | --- | --- | --- |
| STRUCTURAL  CONTROL (1) | FREQUENCY OF  INSPECTION | POSSIBLE INSPECTION ACTIVITIES | FREQUENCY  OF  MAINTENANCE | POSSIBLE MAINTENANCE ACTIVITIES (2) |
| Dry Retention Systems  New systems (i.e., those in operation after the effective date of the permit) →  Existing  systems without chronic problems →  Existing systems with chronic problems that affect the permitted operation of the system → | Annually the first two years of operation  Once every three years  Annually until  the chronic problems are corrected | * Inspect the system for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass on the bottom and/or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. * Inspect and monitor sediment accumulation on the bottom or inflow/outflow to prevent loss of storage volume, clogging of the system or the inflow/outflow pipes. * Inspect vegetation of bottom and side slopes to assure it is healthy, maintaining coverage, and that no erosion is occurring within the system. * Inspect inflow and outflow structures, trash racks, and other components for signs of undercutting or piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact operation of the system. * Inspect the system for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. * Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately (3). | As needed based on inspection to assure proper operation | * + - * If needed, restore the infiltration capacity of the system by scraping, discing or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume.       * Remove accumulated sediment from the bottom and inflow and outflow pipes and dispose of properly. If possible, sediment removal should be done when the system is dry and when the sediments are cracking.       * Maintain healthy vegetative cover to prevent erosion in the bottom, side slopes or around inflow and outflow structures (4). Vegetation roots also help to maintain soil permeability. Mow as needed.       * Conduct repairs to prevent undercutting or piping. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow.       * Eliminate mosquito breeding habitats. |
| Exfiltration Trench / French Drains  New systems (i.e., those in operation after the effective date of the permit) →  Existing  systems without chronic problems →  Existing systems with chronic problems that affect the permitted operation of the system → | Annually the first two years of operation  Once every three years  Annually until  the chronic problems are corrected | * Inspect facility for sediment accumulation in the pipe (when used) and for storage volume recovery (i.e., drawdown capacity). If present, observation wells and inspection ports should be checked following 3 days minimum dry weather. Failure to percolate stored runoff to the design treatment volume level within 72 hours indicates binding of soil in the trench walls and/or clogging of geotextile wrap with fine solids. * Inspect appurtenances such as sedimentation and oil and grit separation traps or catch basins as well as diversion devices and overflow weirs when used. Diversion facilities and overflow weirs should be free of debris and ready for service. Sedimentation and oil/grit separators should be scheduled for cleaning when sediment depth approaches cleanout level. Cleanout levels should be established not less than 1 foot below the invert elevation of the chamber. | As needed based on inspection to assure proper operation | * Conduct minor maintenance measures to restore infiltration rates to acceptable levels. This may include removal of accumulated sediments by mechanical or manual means. * Major maintenance (total rehabilitation) is required to remove accumulated sediment in most cases or to restore recovery rate when minor measures are no longer effective or cannot be performed due to design configuration. * Remove trash and debris from diversion facilities and overflow weirs. Clean out sedimentation and oil/grit separators when sediment depth approaches cleanout level and dispose of properly (3, 5). * Remove debris from the outfall or “smart box” (diversion device in the case of off-line facilities). |
| Grass Swales  (Dry)  New systems (i.e., those in operation after the effective date of the permit) →  Existing  systems without chronic problems →  Existing systems with chronic problems that affect the permitted operation of the system → | Annually the first two years of operation  Once every three years  Annually until  the chronic problems are corrected | * Inspect the swale for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass, cattails/aquatic vegetation in the swale and/or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. * Inspect the swales for debris or litter accumulation or damage to structures including diversion devices, inflow pipes, driveway culverts, and swale blocks. * Inspect and monitor sediment accumulation in the swale or at inflows to prevent clogging of the swale or the inflow pipes. * Inspect vegetation of bottom and side slopes to assure it is healthy, maintaining coverage, and that no erosion is occurring within the swale. * Inspect the swale for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. * Inspect the swale to determine if parking, filling, excavation, construction of fences, or other objects are damaging or obstructing stormwater flow in the swales. | As needed based on inspection to assure proper operation | * + - * If needed, restore the infiltration capacity of the swale system by scraping, discing or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume.       * Remove trash and debris, especially from inflow or outflow structures, to prevent clogging or impeding flow. Repair any damages to structures within the swale system as needed to maintain proper operation. * Remove accumulated sediment from the swale and inflow or outflows and dispose of properly (3, 5). If possible, sediment removal should be done when the swale is dry and when the sediments are cracking. * Maintain healthy vegetative cover to prevent erosion of the swale bottom or side slopes (4). Mow grass as needed. * Eliminate mosquito breeding habitats. * Repair any damage to the swale system and remove fences or other obstructions that may have been built in the swale system. |
| Dry Detention Systems  New systems (i.e., those in operation after the effective date of the permit) →  Existing  systems without chronic problems →  Existing systems with chronic problems that affect the permitted operation of the system → | Annually the first two years of operation  Once every three years  Annually until  the chronic problems are corrected | * Inspect the system for storage volume recovery within the permitted time, generally less than 72 hours. Dead or dying grass on the bottom and/or standing water following three or more days of dry weather is an indication of potential clogging and reduced infiltration capacity. * Inspect and monitor sediment accumulation on the bottom and at the inflow/outflow to prevent loss of storage volume, clogging of the system or the inflow/outfall pipes. * Inspect vegetation of bottom and side slopes to assure it is healthy and maintaining coverage, no erosion is occurring, and excessive seepage that may indicate excessive ground water inflow is not occurring. * Inspect inflow and outflow structures, trash racks, and other system components for signs of undercutting, piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact proper operation. * Inspect the system for potential mosquito breeding areas such as where standing water occurs after 72 hours or where cattails or other invasive vegetation becomes established. * Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately (3). | As needed based on inspection to assure proper operation | * + - * If needed, restore the infiltration capacity of the system by scraping, discing or otherwise aerating the bottom so that it meets the permitted recovery time for the required treatment volume.       * Remove accumulated sediment from the system and inflow/outflow pipes and dispose of properly (3, 5). If possible, sediment removal should be done when the system is dry and when the sediments are cracking.       * Maintain healthy vegetative cover to prevent erosion in the bottom, side slopes or around inflow and outflow structures (4). Mow as needed. Monitor seepage and repair if needed.       * Conduct repairs to prevent undercutting, piping, or damage. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow.       * Eliminate mosquito breeding habitats. |
| Wet Detention Systems  New systems (i.e., those in operation after the effective date of the permit) →  Existing  systems without chronic problems →  Existing systems with chronic problems that affect the permitted operation of the system → | Annually the first two years of operation  Once every three years  Annually until  the chronic problems are corrected | * + - Inspect the system for storage volume recovery within the permitted time frame.     - Inspect the system for excessive sediment accumulations that cause a 20% or more decrease in the wet detention system’s permitted storage volume. * Inspect inflow and outflow structures, trash racks, and other system components for signs of undercutting, piping, settling, or damage, and for accumulation of debris and trash that would cause clogging and adversely impact proper operation.   + - Inspect vegetation on side slopes to assure it is healthy and maintaining coverage, and that no erosion is occurring. * Inspect the wet detention system and, if applicable, littoral zone to assure that cattails or other invasive vegetation are not becoming established. | As needed based on inspection to assure proper operation | * If required, take actions to assure that storage volume is recovered within the permitted time frame. * Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). * Conduct repairs to prevent undercutting, piping, or damage. Remove trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging or impeding flow. * Maintain healthy vegetative cover to prevent erosion of side slopes or around inflow and outflow structures (4). Remove any trees or shrubs that may have become established on the discharge structure embankment, if applicable. * Remove cattails and other exotic vegetation from the littoral zone, if applicable, and replant appropriate vegetation if needed to meet littoral zone requirements (4). |
| Pollution Control Boxes (e.g., baffle boxes, CDS units, hydrodynamic separators, catch basin inserts, etc.) | Quarterly, unless historic clean out operation records demonstrate that a more or less frequent schedule is appropriate | * Inspect inlets, outlets, and other system components for damage that would prevent proper flow conditions and operation. * Inspect and monitor sediment accumulation in the pollution control box and at the inflow/outflow to prevent loss of storage volume, clogging of the inflow/outfall pipes. * If applicable, inspect and monitor vegetation and debris accumulation in the pollution control box screens to prevent loss of storage volume or clogging of the system. * If applicable, inspect absorbent materials used to trap hydrocarbons or bacteria to determine if they need replacement. | As needed based on inspection to assure proper operation | * Repair any damage to assure proper flow conditions and operation. * Remove accumulated sediment and dispose of properly. * Remove accumulated vegetation and debris and dispose of properly (3, 5). * Replace absorbent materials as required for proper operation. * Follow all manufacture’s recommended maintenance schedule and activities. |
| Stormwater  Pump Stations | Semi-annually and more frequently as needed | * Inspect pump for proper operation. * Inspect inlets, bar screens (if used) and other associated components for debris or litter to assure that pump operates properly. | As needed based on inspection to assure proper operation | * Maintain or repair pump as needed to assure proper operations. * Remove debris, litter, and sediments as needed to assure proper operations. Properly dispose of the litter and debris collected. Properly dispose of sediment collected (3, 5). |
| Major Stormwater Outfalls | Annually unless historic operation records demonstrate that a more or less frequent schedule is appropriate | * Inspect outfalls to assure they are not clogged with litter, debris, or sediment and they are flowing properly. * Inspect for damaged headwalls, seepage around pipe, erosion of bank around outfall, erosion or sedimentation at outfall discharge point, and damage or clogged riprap. | As needed based on inspection to assure proper operation | * Remove debris, litter, and sediments as needed to assure proper operations. Properly dispose of the litter and debris collected. Properly dispose of sediment collected (3, 5). * Repair any structural damage to assure proper operation. * Maintain healthy vegetative cover to prevent erosion of banks or areas near outfalls (4). * Assure that discharges from outfalls are not causing erosion and sedimentation. |
| Weirs or Other Control Structures Associated with Stormwater Structural Controls | Same as specified in this column for the type of stormwater control with which it is associated | * Inspect weirs/control structures for damage that would prevent proper flow conditions and operation. * Inspect and monitor sediment accumulation behind weirs/control structures to prevent loss of storage volume and adverse impacts on flow and operation. * Inspect and monitor litter/debris accumulation behind weirs/control structures to prevent loss of storage volume and adverse impacts on flow and operation. | As needed based on inspection to assure proper operation | * Repair any damages to weirs/control structures as needed to assure proper flow conditions and operation. * Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). * Remove litter/debris as needed to assure proper flow conditions and operation and dispose of properly. |
| Pipes/ Culverts | Inspect a minimum of 10% of the total number of structures each year. All of the structures shall be inspected at least once over two consecutive permit cycles (every 10 years). | * Inspect pipes and culverts for structural deficiencies or damage that would prevent proper flow conditions and operation. * Inspect pipes and culverts to monitor sediment accumulation to prevent loss of storage volume and adverse impacts on flow and operation. * Inspect pipes and culverts to monitor vegetation and litter/debris accumulation to prevent loss of storage volume and adverse impacts on flow and operation. * Inspections of pipes and culverts can be done through a variety of methods, such as visual observations during normal operating conditions, TVing, mirroring, or other appropriate methods as set forth in the stormwater system operation and maintenance SOPs. | As needed based on inspection to assure proper operation | * Repair any damages to pipes or culverts as needed to assure proper flow conditions and operation. * Remove accumulated sediments as needed to assure proper flow conditions and operation. Dispose of collected sediments properly (3, 5). * Remove vegetation and litter/debris as needed to assure proper flow conditions and operation and dispose of properly. |
| Storm Sewer Inlets, Catch Basins, Grates, Ditches, and Other Stormwater Conveyances | Inspect a minimum of 10% of the total number of structures each year. All of the structures shall be inspected at least once over two consecutive permit cycles (every 10 years). | * Inspect for damage that would prevent proper flow conditions and operation. * Inspect and monitor sediment accumulation to prevent loss of storage volume and adverse impacts on flow and operation. * Inspect and monitor litter/debris accumulation to prevent loss of storage volume and adverse impacts on flow and operation. * Inspect vegetation on bottom and side slopes of conveyances to assure it is healthy, maintaining coverage, and that no erosion is occurring within the conveyance system. | As needed based on inspection to assure proper operation | * Repair any damages to weirs/control structures as needed to assure proper flow conditions and operation. * Remove accumulated sediments to restore permitted storage volume and dispose of properly (3, 5). * Remove litter/debris as needed to assure proper flow conditions and operation and dispose of properly. * Maintain healthy vegetative cover to prevent erosion of the conveyance bottom or side slopes (4). |
|  |

**Notes:** (1) The structural controls listed herein are not intended to be a complete listing of all stormwater structures owned and operated by the permittee. The permittee is responsible to perform and record inspections and maintenance of all structures that comprise its municipal separate storm sewer system.

(2) The inspection and maintenance activities in the third and fifth columns of this table are not intended to address every possible inspection need or maintenance activity that may be required to assure that an existing structural control continues to function properly or as permitted.

(3) Excessive petroleum hydrocarbon contamination can present severe sediment disposal/cleanup problems. Evidence of such pollution includes very dark oily stains, particularly at inlet and outlet structures and strong odors of gasoline, etc. The source of such pollutant discharges to the MS4 should be determined and removed if possible. Otherwise, pretreatment practices should be used as necessary to insure that stormwater runoff is not contaminated beyond levels normally observed in runoff from highways and parking lots.

(4) Use only pesticides approved by USEPA and FDACS for aquatic sites to control weed pests in and around treatment facilities. Use of pesticides and chemicals for the control of invasive species and common undesirable aquatic plants should be minimized. Careful herbicide selection and application is essential to minimize harm to desirable plants and animals. If done on a routine basis mechanical removal can help control unwanted aquatics and minimize the use of chemicals. However, experienced trained applicators can selectively control many undesirable plants with minimum harm to desirable vegetation and possible downstream contamination. The Florida Fish and Wildlife Conservation Commission’s Bureau of Invasive Plant Management and/or the County Extension Office should be contacted for assistance.

Supplemental nutrients (fertilizer) should be used as needed to establish and maintain healthy and vigorous cover on the banks of treatment facilities. However, normal rates of fertilization should be lowered in the immediate vicinity of treatment facilities to avoid over-enrichment of the soil and adjacent waters. Apply supplemental nutrients only when grass shows signs of distress once ground cover is well established. Clippings should not go into the water and should be removed periodically to prevent the buildup of nutrients in vegetation subject to periodic or frequent inundation.

Problem areas susceptible to chronic erosion require more intense measures for protection and establishment of permanent vegetative cover. These special considerations may include the use of sod in lieu of seeding and/or the use of higher rates of soil amendments and supplemental moisture during dry weather conditions to insure more rapid establishment or vigorous growth in bank vegetation. Experts in soil conservation are available for assistance by contacting the Natural Resources Conservation Service with the USDA.

(5) Solids disposal. Stormwater system sediments including street sweepings, catch basin sediments, collected screenings, slurry, sludge, and other solids shall be handled and disposed of pursuant to Department rules and guidance, which is available at: www.dep.state.fl.us/waste/quick\_topics/publications/shw/solid\_waste/GuidanceForSt-Sweep050304Final.pdf.

1. *MS4 Operation & Maintenance:* (continued)

b. Additionally, to satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.1 of this permit.

2. *Areas of New Development and Significant Redevelopment:* The permittees shall continue the comprehensive master planning process (or equivalent) to reduce the stormwater discharge of pollutants from MS4s, which receive discharges from areas of new development and significant redevelopment, after construction is completed to the MEP.

a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.2 of this permit.

3. *Roadways:* Public streets, roads, and highways, including rights-of-way, shall continue to be operated and maintained by the permittees in a manner to reduce the discharge of pollutants in stormwater to the MEP.

a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.3 of this permit.

4. *Flood Control Projects:* The permittees shall continue to assure that flood management projects assess the impacts on the water quality of receiving water bodies and meet current Environmental Resource Permitting rules of the South Florida Water Management District for stormwater treatment. Existing structural flood control devices shall be evaluated to determine if retrofitting the device to provide additional pollutant removal from stormwater is needed or feasible.

a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.4 of this permit.

5. *Municipal Waste Treatment, Storage, or Disposal Facilities Not Covered By An NPDES Stormwater Permit:* The permittees shall continue to implement a program to reduce pollutants in stormwater discharges from facilities that handle municipal waste not covered by an NPDES stormwater permit through procedures to evaluate, inspect, and monitor these facilities to the MEP.

1. To satisfy the requirements of this section, the permittees shall continue to implement a program as identified in Part III.A.5 of this permit.

6. *Pesticide, Herbicide, and Fertilizer Application:* The permittees shall continue to implement controls to reduce the stormwater discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied by employees or contractors to public property to the MEP.

a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.6 of this permit.

7. *Illicit Discharges and Improper Disposal:* The permittees shall continue the ongoing program to detect and eliminate (or require the discharger to the MS4 to eliminate) illicit discharges and improper disposal into the MS4 to reduce pollutants discharged to the MS4 to the MEP.

a. *Authority and Enforcement:* Permittees shall maintain the legal authority to prohibit and enforce non-stormwater discharges to the MS4 through the use of inspections, ordinances or other local regulations . The permittees, however, may allow the following non-stormwater discharges to the MS4 where they are not identified as a source of pollutants to waters of the State:

* Water line flushing;
* Landscape irrigation;
* Diverted stream flows;
* Rising ground waters;
* Uncontaminated ground water infiltration (as defined at

40 CFR 35.2005(20)) to separate storm sewers;

* Uncontaminated pumped ground water;
* Discharges from potable water sources;
* Foundation drains;
* Air conditioning condensate;
* Irrigation water;
* Springs;
* Water from crawl space pumps;
* Footing drains;
* Lawn watering;
* Individual residential car washing;
* Flows from riparian habitats and wetlands;
* Dechlorinated swimming pool discharges;
* Street wash waters;
* Discharges or flows from emergency fire fighting activities;
* Reclaimed water line flushing authorized pursuant to a permit issued under the authority of Rule 62-610, F.A.C.; and
* Flows from uncontaminated roof drains.

To satisfy the requirements of this section, the permittees identified in Part III.A.7.a of the permit shall:

(1) Continue assessment of the non-stormwater discharges listed under Part II.A.7.a (above), as well as any other non-stormwater discharges, which will be allowed to be discharged to the MS4.

(2) Continue to enforce ordinances that prohibit illicit connections and illegal dumping into the MS4, as per the schedule in Part III.A.7.a of this permit.

b. *Dry Weather Field Screening Program:* \*\*\*RESERVED\*\*\* Florida’s hydrologic and water table conditions make dry weather field screening impossible in many areas. Instead, the Department has concluded that more environmental benefits can be achieved through the implementation of an illicit discharge detection program, which is set forth in the remaining sections of Part II.A.7 of this permit. The permittees performed dry weather field screening during their first permit term.  The Department shall incorporate additional dry weather field screening into the permit as necessary.

c. *Inspection and* *Investigation:* The permittees shall continue to identify and eliminate source(s) of illicit discharges, illicit connections and dumping to the MS4 through a proactive inspection and reactive investigation program.

(1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.c of this permit.

d. *Spill Prevention and Response:* The permittees shall continue to implement procedures to prevent, contain, and respond to spills that may discharge into the MS4.

(1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.d of this permit.

e. *Public Outreach:* The permittees shall continue to implement a program to promote, publicize, and facilitate public reporting of suspected illicit discharges.

(1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.e of this permit.

f. *Oils, Toxics, and Household Hazardous Waste Control:* The permittees shall continue to effectively prohibit the discharge or disposal of used motor vehicle fluids, household hazardous wastes, and lead acid batteries into the MS4.

(1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.f of this permit.

g. *Sanitary Sewer Seepage Elimination:* The permittees shall continue to prevent (or advise the operator of the sanitary sewer to eliminate) unpermitted discharges of dry and wet weather overflows from sanitary sewers into the MS4. Each permittee shall eliminate the inflow/ infiltration from collection/ transmission systems and/or septic tanks into the MS4 to the MEP.

(1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.g of this permit.

8. *Industrial and High Risk Runoff:* The permittees shall continue to implement a program to identify and control pollutants in stormwater discharges to the MS4 to the MEP from any operating municipal landfill(s); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge that the permittees determine is contributing a substantial pollutant loading to the MS4.

To satisfy the two (2) requirements of this section:

1. *Identification of Priorities and Procedures for Inspections:* The permittees shall implement the SWMP elements identified in Part III.A.8.a of this permit.

b. *Monitoring of High Risk and Industrial Facilities:* The permittees shall implement the SWMP elements identified in Part III.A.8.b of this permit.

9. *Construction Site Runoff:* The permittees shall continue to implement a program to reduce the discharge of pollutants from construction sites to the MEP.

a. *Site Planning and Best Management Practices:* The permittees shall continue to require the use and maintenance of appropriate structural and non-structural best management practices to reduce pollutants discharged to the MS4 during the time of construction.

(1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.a of this permit.

b. *Inspection and Enforcement:* The permittees shall continue to implement a program for inspecting construction sites and enforcing the requirements for stormwater runoff control measures.

(1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.b of this permit.

c. *Site Operator Training:* The permittees shall continue to provide appropriate education and training measures for those associated with the review, implementation, and inspection of proper stormwater, erosion, and sedimentation control measures at construction sites.

(1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.c of this permit.

**B. Area-specific Stormwater Management Program Requirements.**

\*\*\*RESERVED\*\*\* This section may be reopened or revised in accordance with Part VII of this permit.

**C. Deadlines for Program Compliance.**

Except as provided in Part III, compliance with the SWMP shall be required upon permit issuance.

**D. Roles and Responsibilities of Permittees.**

The SWMP, together with any interagency agreements or interagency agreements developed subsequent to the effective date of the permit, shall clearly identify the roles and responsibilities of the permittee, where applicable.

**E. Legal Authority.**

To the extent allowed by law, each permittee shall continue to ensure legal authority to control discharges to and from those portions of the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, order or inter-jurisdictional agreements between permittees with adequate existing legal authority to accomplish Items 1 - 6 below. A permittee can rely on the legal authority of another entity if it allows the permittee, or another entity under a written agreement, to effectively prohibit and enforce as necessary.

1. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activity, including construction sites, and the quality of stormwater discharged from these facilities/sites;

2. Prohibit illicit discharges and illicit connections to the MS4;

3. Control the discharge of spills and the dumping or disposal of materials other than stormwater (e.g., industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;

4. Control through interagency or inter-jurisdictional agreements between permittees the contribution of pollutants from one portion of the MS4 to another;

5. Require compliance with conditions in ordinances, permits, contracts or orders; and

6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.

**F. Stormwater Management Program Resources.**

Each permittee shall undertake annually an analysis of the financial and staffing resources needed to successfully implement its activities under its SWMP. If program resources have been decreased from the previous year, a discussion of the impacts on the implementation of the SWMP shall be provided. Each permittee shall also have a source of funding for implementing all the other requirements included within this permit.

**G. Stormwater Management Program Review and Modification.**

1. *Program Review:* Each permittee shall continue to participate in an annual review of the current SWMP in conjunction with preparation of the ANNUAL REPORT required under Part VI of the permit.

2. *Program Modification:* Each permittee may modify its SWMP during the life of the permit in accordance with the following procedures:

a. Modifications adding (but not subtracting nor replacing) components, controls, or requirements to the approved SWMP may be made by the permittees at any time. A description of the modification shall be included within the subsequent ANNUAL REPORT.

b. Modifications replacing or deleting components, controls, or requirements (such as an ineffective or unfeasible BMP or maintenance schedule) with an alternate BMP or schedule may be requested by the permittees in any ANNUAL REPORT. A description of the replacement BMP or schedule shall be included in the ANNUAL REPORT along with the following information:

(1) An analysis of why the former BMP or schedule was ineffective or infeasible (including cost prohibitive);

(2) Expectations on the effectiveness of the replacement BMP or schedule; and

1. An analysis of why the replacement BMP or schedule is expected to achieve the goals of the BMP that was replaced.

c. Written approval from the Department must be received prior to implementing a modification requested pursuant to sub-paragraph b., above.

d. Modifications requested within the ANNUAL REPORT shall be signed in accordance with Rule 62-620.305, F.A.C., by the directly affected permittees, and shall include a certification that all affected permittees were given an opportunity to comment on proposed changes.

3. *Transfer of Ownership, Operational Authority, or Responsibility for Stormwater Management Program Implementation:* The permittees shall implement the SWMP on all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as practicable. Transfer of ownership shall be in accordance with Rule 62-620.610(14), F.A.C.

**H. Recordkeeping Requirements.**

The permittees shall maintain the following records for the MS4 for a minimum of three years from the date the report or record was prepared including:

1. Copies of all reports required by this permit;

2. All SWMP operation and maintenance records;

3. All sampling and analytical records;

4. Records of all data, including reports and documents used to complete the application for the permit; and

5. All original recordings for any continuous monitoring instrumentation.

**PART III. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE**

The permittees shall comply with the following schedules for SWMP implementation and permit compliance.

**A.** **Implementation of Stormwater Management Programs.**

| **STORMWATER MANAGEMENT PROGRAM:**   1. ***MS4 Operation and Maintenance.*** | | |
| --- | --- | --- |
| **PERMITTEE** | ACTIVITY | **REPORTING REQUIREMENT** |
| ALL | Maintain an up-to-date inventory of the structural controls and roadway stormwater collection structures operated by the permittee, including, at a minimum, all of the types of control structures listed in Table II.A.1.a of the permit. Update MS4 mapping, as needed. | ANNUALLY: Report the current known inventory . |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the permittee’s written Standard Operating Procedure for conducting inspections and maintenance of the structural controls and roadway stormwater collection systems operated by the permittee, in accordance with Table II.A.1.a of the permit to reduce pollutants, including floatables, in discharges from the MS4.  The written procedure shall include a description of how the permittee’s internal record keeping system for scheduling and documenting inspections and maintenance activities that were conducted on the structural controls and roadway stormwater collection structures operated by the permittee.  If these activities are conducted by another entity under a contractual agreement, permittee shall retain copies of the contractual agreement that specifies the schedule and frequency of the inspection and maintenance activities to be conducted.  Annually review, and revise as needed, the written Standard Operating Procedures.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised. .) | ANNUALLY: Report the number of inspection and maintenance activities conducted for each type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained.  ANNUALLY: Provide, as an attachment, an explanation of why the minimum inspection frequencies set forth in Table II.A.1.a were not met, if they were not, and a description of the actions that will be taken to ensure that they will be met. |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the permittee’s written Standard Operating Procedurefor conducting inspections and maintenance of the structural controls and roadway stormwater collection systems operated by the permittee in accordance with Table II.A.1.a of the permit, or as included in the revised and approved FDOT Statewide Stormwater Management Program (SSWMP) that specifies minimum inspection frequencies, to reduce pollutants, including floatables, in discharges from the MS4.  The written procedure shall include a description of how the permittee’s internal record keeping system for scheduling and documenting inspections and maintenance activities conducted on the structural controls and roadway stormwater collection structures operated by the permittee.  If these activities are conducted by another entity under a contractual agreement, permittee shall retain copies of the contractual agreement that specifies the schedule and frequency of the inspection and maintenance activities to be conducted.  Annually review, and revise as needed, the written Standard Operating Procedures.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised. ) | ANNUALLY: Report the number of inspection and maintenance activities conducted for each type of structure included in Table II.A.1.a, and the percentage of the total inventory of each type of structure inspected and maintained. ANNUALLY: Provide, as an attachment, an explanation of why the minimum inspection frequencies set forth in Table II.A.1.a or the revised and approved SSWMP that specifies minimum inspection frequencies were not met, if they were not, and a description of the actions that will be taken to ensure that they will be met. |

| **STORMWATER MANAGEMENT PROGRAM:**  **2. *Areas of New Development and Significant Redevelopment.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL  Except  Indian Trail Improvement District, Northern Palm Beach County Improvement District, South Indian River Water Control District,  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement permittee’s written procedures for reviewing new development and significant redevelopment projects for compliance with permittee’s current Comprehensive Plan (or similar document) and the requirements of local codes and regulations, as well as development review and permitting procedures, that incorporate stormwater quality considerations into land-use planning and development activities to reduce pollutants in stormwater discharges from areas of new development and significant redevelopment, and guide new development away from environmentally sensitive areas. The comprehensive planning process shall limit the increases in the discharge of pollutants in stormwater as a result of new development, and shall reduce the discharge of pollutants in stormwater from redeveloped areas, consistent with the requirements set forth in the Environmental Resource Permitting rules of the South Florida Water Management District.  Continue to maintain documentation of the new development and significant redevelopment project review activity. | ANNUALLY: Report the number of new development and significant redevelopment projects reviewed. . |
| ALL  Except  Indian Trail Improvement District, Northern Palm Beach County Improvement District, South Indian River Water Control District,  FDOT District Four  and  FDOT Florida’s Turnpike Enterprise | Annually review, and revise as needed, the permittee’s local codes and land development regulations to identify potential changes to existing codes or regulations that will further reduce the stormwater impact of new development and areas of significant redevelopment. In particular, focus on changes to the code that will promote: reductions in impervious surfaces, the use of swales, the incorporation of low impact development principles, reduction in flow and volume of stormwater, increase in natural hydrology, and adherence to the principles of the Florida Yards and Neighborhoods program in new landscaping.  Document any changes adopted as a result of this review and revision process. | AS NEEDED: Provide, as an attachment, an explanation of changes that were adopted as a result of the review and revisions process. |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Continue to employ the FDOT Drainage Connection Permit (DCP) requirements to ensure that appropriate stormwater treatment and permitting occurs prior to discharge into the FDOT system. FDOT shall refer connecting entities failing to meet the DCP requirements or maintain the discharge of acceptable water quality, after sufficient warning by FDOT, to DEP and/or the South Florida Water Management District to regulate the stormwater quality through local or State rules, ordinances, and codes.  Maintain documentation of the enforcement referrals. | ANNUALLY: Report the number of enforcement referrals completed. |

| **STORMWATER MANAGEMENT PROGRAM:**  **3. *Roadways.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Implement the permittee’s written procedures for the litter control program(s) for public streets, roads, and highways, including rights-of-way, employed within the permittee’s jurisdictional area and properly dispose of collected material.  Maintain documentation of the litter control program activities.  Annually review, and revise as needed, the written procedures.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised. If the permittee does not already have written procedures in place, they shall be developed and implemented within 12 months of the date of permit issuance.) | ANNUALLY: Report the frequency of litter collection, an estimate of the total number of road miles cleaned or amount of area covered by the activities, and an estimate of the quantity of litter collected. |
| Consider actively promoting and coordinating an "Adopt-A-Road" (or similar) program where volunteers collect litter and trash along roadways within the permittee’s jurisdictional area. This activity may be accomplished through cooperative efforts with other permittees, public agencies, or private entities.  Maintain documentation of the Adopt-A-Road (or similar) program activities. | If applicable, ANNUALLY: Report the total number of road miles cleaned and an estimate of the quantity of litter collected,. |
|  |  |  |
| ALL | Implement the permittee’s written procedures for the street sweeping program for highways and streets, including rights-of-way, with curbs and gutters employed within the permittee’s jurisdictional area and properly dispose of collected material. The written procedures shall include the criteria for determining which roadways will be swept and the frequency of sweeping, and the method for quantifying and tracking the amount of material removed by the street sweepers.  Maintain documentation of the street sweeping program activities.  Use the results of the Florida Stormwater Association MS4 Project and associated Spreadsheet Tool, to calculate the total nitrogen (TN) and total phosphorus (TP) load reductions as a result of the material collected from street sweeping. (Permittee may also use results from a similar study if it is approved by the Department prior to doing the load calculations.)  Annually review, and revise as needed, the written procedues.\*  A permittee that does not have a street sweeping program shall provide an explanation of why no program is necessary or possible. The explanation shall include the alternate BMPs used or planned to offset the load reductions not achieved through street sweeping.  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised.) ) | ANNUALLY: Report on the street sweeping program, including the frequency of the sweeping, total miles swept, an estimate of the quantity of sweepings collected, and the total nitrogen (TN) and total phosphorus (TP) loadings that were removed.  YEAR 1 ANNUAL REPORT: If no street sweeping program is implemented, provide the explanation of why not. |
| ALL | Implement the permittee’s written standard practices to reduce the pollutants in stormwater runoff from areas associated with road repair and maintenance, and from permittee-owned or operated equipment yards and maintenance shops that support road maintenance activities.  Pollution prevention practices during road repair shall include limiting the amount of soil disturbance to the immediate area under repair and using appropriate stormwater, erosion, and sedimentation control BMPs from the *Florida Stormwater, Erosion, and Sedimentation Control Inspector’s Manual* (Florida DEP, 2008)and from the *State of Florida Erosion and Sediment Control Design and Review Manual,* (FDOT, 2007)(or comparable document) until disturbed areas are stabilized.  The permittee shall identify the equipment yards and maintenance shops that support road maintenance activities, and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections. Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed and the appropriate control measures and procedures implemented or needing to be implemented.  Annually review, and revise as needed, the written practices.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised.) | ANUALLY: Report the number of applicable facilities and the number of inspections conducted for each facility. |

| **STORMWATER MANAGEMENT PROGRAM:**  **4. *Flood Control Projects.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Stormwater treatment shall be provided for all flood management projects undertaken by the permittee, as required by the Environmental Resource Permitting rules of the South Florida Water Management District. Maintain a list of stormwater capital improvement projects proposed by thePermittee. Include in the project list any retrofits of existing structural flood control devices to provide additional pollutant removal from stormwater.  Evaluate existing structural flood control devices to determine if retrofitting the device to provide additional pollutant removal from stormwater is needed or feasible. | ANNUALLY: Report the total number of flood control projects that were constructed by the permittee during the reporting period and the number of those projects that did NOT include stormwater treatment. Provide a list of the projects where stormwater treatment was not included, with an explanation for each of why it was not. Report on any stormwater retrofit planning activities and the associated implementation of retrofitting projects to reduce stormwater pollutant loads from existing drainage systems that do not have treatment BMPs. |

| **STORMWATER MANAGEMENT PROGRAM:**  **5. *Municipal Waste Treatment, Storage, or Disposal (TSD) Facilities Not Covered By An NPDES Stormwater Permit.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL  Except  FDOT District Four  and  FDOT Florida’s Turnpike Enterprise | Implement the permittee’s written procedures for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit:     * operating municipal landfills; * municipal waste transfer stations; * municipal waste fleet maintenance facilities; and * any other municipal waste treatment, waste storage, and waste disposal facilities.   Permittee shall identify the applicable facilities and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections. Site specific monitoring may be required as detailed in Part III.A.8.b.  Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed, and the appropriate pollution control measures and procedures implemented, or needing to be implemented.  Annually review, and revise as needed, the written procedures.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised.) | ANNUALLY: Report the number of applicable facilities and the number of inspections conducted for each facility. |
| FDOT District Four  and  FDOT Florida’s Turnpike Enterprise | Implement written procedures for inspections and the implementation of measures to control discharges from the following facilities that are not otherwise covered by an NPDES stormwater permit:     * FDOT waste transfer stations; * FDOT waste fleet maintenance facilities; and * any other FDOT waste treatment, waste storage, and waste disposal facilities.   Permittee shall identify the applicable facilities and shall determine the necessary control measures and procedures to be employed at each facility through annual site inspections.  Maintain documentation of the inspections that demonstrates the stormwater concerns reviewed and the appropriate pollution control measures and procedures implemented or needing to be implemented.  Annually review, and revise as needed written procedures.\*  \*(The permittee shall continue implementation of any existing procedures until such procedures are revised. ) | ANNUALLY: Report the number of applicable facilities and the number of inspections conducted for each facility. |

| **STORMWATER MANAGEMENT PROGRAM:**  **6. *Pesticides, Herbicides, and Fertilizer Application.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Require proper certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) for:   * all applicators contracted to apply pesticides or herbicides on permittee-owned property * any permittee personnel that apply pesticides or herbicides.   Maintain a list of the permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified/ licensed.  Require proper training through the Green Industry BMP Program and a limited certification for urban landscape commercial fertilizer application under Section 482.1562, F.S., for all applicators contracted to apply fertilizer on permittee-owned property.  Require proper training through the Green Industry BMP Program for all Permittee personnel applying fertilizer.  Maintain a list of the permittee personnel and contractors who have been trained through the Green Industry BMP Program, and a list of the contracted commercial applicators of fertilizer who are FDACS certified/ licensed.  Maintain documentation of the proper FDACS certification/ licensing for all permittee personnel applicators and contracted commercial applicators of pesticides, herbicides, and fertilizer.  If the permittee operates one or more golf courses, the courses shall be operated in a manner that is consistent with the Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses manual (Florida DEP, 2003. | ANNUALLY: Report the number of permittee personnel applicators and contracted commercial applicators of pesticides and herbicides who are FDACS certified/ licensed.  ANNUALLY: Report the number of permittee personnel and contractors who have been trained through the Green Industry BMP Program, and the number of contracted commercial applicators of fertilizer who are FDACS certified/ licensed. |
| ALL  Except  Indian Trail Improvement District, Northern Palm Beach County Improvement District, South Indian River Water Control District,  FDOT District Four  and  FDOT Florida’s Turnpike Enterprise | Pursuant toSection 403.9337 F.S., all local governments are encouraged to adopt a Florida-friendly Landscaping Ordinance similar to the one set forth in the document “Florida-friendly Guidance Models for Ordinances, Covenants and Restrictions.” This model ordinance incorporates Florida-friendly landscaping and irrigation design requirements, Florida-friendly fertilizer requirements, and training and certification requirements.  If the broader Florida-friendly landscape ordinance described above is not adopted, then all local governments within the watershed of a nutrient-impaired water body shall adopt the Department’s Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes pursuant to Section 4003.9337, F.S., or an ordinance that includes all of the requirements set forth in the Model Ordinance. | AS NEEDED: Provide a copy of the adopted ordinance with the subsequent ANNUAL REPORT. |
|  |  |  |
|  |  |  |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the permittee’s written standardized procedures to minimize its use of pesticides, herbicides, and fertilizers on public property and to properly apply, store, and mix these products.  The program shall include items such as incorporating Florida-friendly landscaping and fertilization on all landscape projects; using only properly trained and certified applicators; maintaining an inventory of on-hand pesticides, herbicides, and fertilizers; properly storing products in special chemical storage buildings at each work site; eliminating spraying programs with minimal effectiveness; using non-toxic pesticides where practical; timing applications for maximum effectiveness by considering growth cycles; and using efficient chemical management practices such as drift-retardants and applying during appropriate weather conditions.  Maintain documentation of the procedures.  Annually review, and revise as needed, written standardized procedures.\*  \*(Permittee shall continue implementing any existing procedures until such procedures are revised. ) | AS NEEDED |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the program described in the 2012 FDOT Statewide SWMP (Standard Operating Procedure for Use and Handling of Herbicides and Fertilizer Application Control), or the subsequent revised SWMP that is submitted and approved by the Department, to minimize the use of pesticides, herbicides, and fertilizers and to properly apply, store, and mix these products. | AS NEEDED |

|  |  |  |
| --- | --- | --- |
| **STORMWATER MANAGEMENT PROGRAM:**  **7. a.) *Illicit Discharges and Improper Disposal* ⎯ *Authority*** | | |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise, ITID, NPBCID, and SIRWCD | As needed, strengthen Permittee’s legal authority to conduct inspections, conduct monitoring, control illicit discharges, illicit connections, illegal dumping and spills into the MS4, and to require compliance with conditions in ordinances, permits, contracts, and orders. This includes the legal authority to take legal action to eliminate illicit discharges or connections.  As necessary, assess the non-stormwater discharges listed under Part II.A.7.a of this permit, as well as any other non-stormwater discharges, which will be allowed to be discharged to the MS4. | AS NEEED: Report amendments, in subsequent ANNUAL REPORT. |
|  |  |  |

|  |  |  |
| --- | --- | --- |
| **STORMWATER MANAGEMENT PROGRAM:**  **7. b.) *Illicit Discharges and Improper Disposal* ⎯ *Dry Weather Field Screening.*** | | |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | \*\*\*RESERVED\*\*\*  Florida’s hydrologic and water table conditions make dry weather field screening impossible in many areas. Instead, the Department has concluded that more environmental benefits can be achieved through the implementation of a proactive illicit discharge detection program, which is set forth in the remaining sections of Part III.A.7 of this permit. | As Needed |

| **STORMWATER MANAGEMENT PROGRAM:**  **7. c.) *Illicit Discharges and Improper Disposal* ⎯*Illicit Discharge Detection and Elimination..*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | During Year 1 of the permit, revise Permittee’s written program for identifying and eliminating sources of illicit discharges, illicit connections, or dumping to the MS4.  The program shall include the following:   * the procedures and criteria for identifying priority areas/facilities; * a list of identified priority areas/facilities; * an annual schedule for inspections; * A description of the program for receiving and responding to reports of a suspected illicit discharges and/or connections from others, including permittee personnel, contractors, citizens, or other entities and designation of a single reporting point that maintains the reports received from others * procedures for conducting site inspections (including confirming whether a facility has coverage under the Department’s *NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity* (62-621.300(5), F.A.C.), if applicable); * procedures for tracing the source of an illicit discharge to the individual permittee’s jurisdictional boundary; * procedures for eliminating the discharge; * procedures for documenting the inspections * Procedures for documenting enforcement activities (including use of a standard form/report); procedures for enforcement actions or referrals to the appropriate jurisdictional authority; * identification of the staff/ department(s)/ outside entities responsible for performing the inspections and the enforcement activities; and * a description of the resources allocated to implement the plan.   Priority areas shall include the following, as applicable to the permittee’s jurisdiction:   * Watersheds with bacteria TMDL * High Risk Facilities, as determined by the Permittee * Industrial, commercial, or mixed use areas, * Areas with a history of past illicit discharge and/or illegal dumping, * Areas with on-site sewage disposal systems, and * Areas upstream of sensitive or impaired water bodies.   Annually review, and revise as needed, Permittee’s written program.\* | 1ST YEAR ANNUAL REPORT: Provide a copy of the revised written illicit detection and elimination program. |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement Permittee’s written program to identify and eliminate the source(s) of illicit discharges, illicit connections or dumping to the MS4.  Conduct both proactive inspections of prioritized areas/facilities, and reactive inspections of reported suspected illicit discharges and/or connections. If an illicit discharge or connection is found, the permittee shall take appropriate action(s) under its illicit discharge program (ordinance or other regulatory mechanism), including enforcement actions where necessary, to correct or eliminate the discharge or connection.  If needed, through additional sampling or investigation and systematically tracing the source upstream from the point of initial detection to the limits of permittee’s jurisdictional authority, attempt to identify the source of the problem.  If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department’s *NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity* (62-621.300(5), F.A.C.), referred to as the MSGP, it shall notify the Department’s NPDES stormwater staff and provide the name and address of the facility.  Maintain documentation of the reported suspected illicit discharges and/or connections, as well as the proactiveinspections scheduled and performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, type of enforcement action(s) taken, date of verification of elimination, and any non-permitted MSGP facility referrals completed. The program shall include the use of a standard form/report for documentation purposes. | ANNUALLY: Report on the inspection program, including the numbers of reported suspected illicit activities, number of inspections conducted, the number of illicit activities found, and the number and type of enforcement actions taken. |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Conduct proactive inspections to identify and eliminate the source(s) of illicit discharges, illicit connections or dumping to the MS4. The permittee shall annually update and implement its written proactive inspection program plan.  If an illicit discharge or connection is found within the FDOT right-of-way, the permittee shall further investigate and shall take appropriate action under its illicit discharge program to correct or eliminate the discharge or connection. If an illicit discharge or connection is found outside of the FDOT right-of-way, the permittee shall report it to the applicable MS4 operator, DEP and/or the South Florida Water Management District for further investigation and enforcement action.  If the permittee determines or suspects that an industrial facility does not have coverage as required under the Department’s *NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity* (62-621.300(5), F.A.C.), referred to as the MSGP, it shall notify the Department’s NPDES stormwater staff and provide the name and address of the facility.  Maintain documentation of the proactive inspections scheduled and performed, including the date of the inspection, findings of the inspection, type of illicit discharge(s) found, compliance activity or enforcement referral completed, the date of verification of elimination, and any non-permitted MSGP facility referrals completed. The program shall include the use of a standard form/report for documentation purposes. | Report on the proactive inspection program, including the number of inspections conducted, the number of illicit activities found, and the number of referrals completed, in each ANNUAL REPORT beginning with the Year 2 ANNUAL REPORT. |
|  |  |  |
|  |  |  |
|  |  |  |
| ALL | Implement Permittee’s written plan for the training of all appropriate permittee personnel (including field crews, fleet maintenance staff, and inspectors) and contractors to identify and report conditions in the MS4 that may indicate the presence of illicit discharges/ connections/dumping to the MS4. Instruct personnel and appropriate contractors to be alert for illicit connections and suspicious flows during routine maintenance activities (particularly in priority areas). Include in the training an overview of the NPDES stormwater permitting requirements under the Department’s *NPDES Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity* (62-621.300(5), F.A.C.), referred to as the MSGP, and the types of facilities covered under the MSGP.  The plan shall include the following:   * a description of the topics to be covered; * a description of the personnel and contractors targeted for training; * the methods and materials to be used for the training; * identification of the staff/ department(s)/ outside entities who will perform the training; * the method for documenting the training activities; and * the annual schedule for the training.   The plan shall address comprehensive training for new personnel and follow-up or refresher training for current personnel.  Maintain documentation of the training activities, including the date of the training, the type of training, the topic(s) covered, and the names and affiliations of the participants.  Annually review, and revise as needed, the written training program. | ANNUALLY: Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training). |

| **STORMWATER MANAGEMENT PROGRAM:**  **7. d.) *Illicit Discharges and Improper Disposal* ⎯ *Spill Prevention and Response.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Implement the permittee’s written spill-prevention/spill-response plan and procedures to prevent, contain, and respond to spills that discharge into the MS4. Ensure that spills, regardless of whether they are hazardous, are properly addressed.  Maintain documentation of the spill prevention and response activities.  Annually review, and revise as needed, the written plan.\*  \*(The permittee shall continue implementation of any existing procedures until such procedures are revised. ) | ANNUALLY: Report on the spill prevention and response activities, including the number of spills addressed. |
| Implement Permittee’s written plan for the training of all appropriate permittee personnel (including field crews, firefighters, fleet maintenance staff and inspectors) and contractors on proper spill prevention, containment, and response techniques and procedures. The training shall include how to prevent a spill, recognize and quickly assess the nature of a spill, contain a spill, and promptly report hazardous material and chemical spills to the appropriate authority.  The plan shall include the following:   * a description of the topics to be covered; * a description of the personnel and contractors targeted for training; * the methods and materials to be used for the training; * identification of the staff/ department(s)/ outside entities who will perform the training; * the method for documenting the training activities; and * the annual schedule for the training.   The plan shall address comprehensive training for new personnel and follow-up or refresher training for current personnel.  Maintain documentation of the training activities, including the date of the training, the type of training, the topic(s) covered, and the names and affiliations of the participants. | ANNUALLY: Report the number and type of training activities, and the number of permittee personnel and contractors trained (both in-house and outside training). |

| **STORMWATER MANAGEMENT PROGRAM:**  **7. e.) *Illicit Discharges and Improper Disposal* ⎯ *Public Reporting.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
|  |  |  |

| **STORMWATER MANAGEMENT PROGRAM:**  **7. f.) *Illicit Discharges and Improper Disposal* ⎯ *Oils, Toxics, and Household Hazardous Waste Control.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
|  |  |  |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Begin to include a notice with each FDOT Drainage Connection Permit with information on used oil recycling, proper hazardous waste disposal, stormwater regulations, and spill reporting. | ANNUALLY: Report the number of notices distributed. |

|  |  |  |
| --- | --- | --- |
| **STORMWATER MANAGEMENT PROGRAM:**  **7. g.) *Illicit Discharges and Improper Disposal* ⎯ *Limitation of Sanitary Sewer Seepage.*** | | |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the permittee’s written procedures to reduce or eliminate sanitary wastewater contamination into the MS4, including discharges to the MS4 from sanitary sewer overflows (SSOs) and from inflow/ infiltration from collection / transmission systems and/or septic tank systems.  Advise the appropriate utility owner of a violation if constituents common to wastewater contamination are discovered in the permittee’s MS4.  Maintain documentation of the SSOs and inflow/ infiltration incidents addressed.  Annually review, and revise as needed, the written procedures.\*  \*(Permittee shall continue implementation of any existing procedures until such procedures are revised. ) | ANNUALLY: Report on the type and number of activities undertaken to reduce or eliminate SSOs and inflow/ infiltration, the number of SSOs or inflow/infiltration incidents found and the number resolved, and the name of the owner of the sanitary sewer system within the permittee’s jurisdiction. |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Advise the appropriate utility owner of a violation if constituents common to wastewater contamination are discovered in FDOT’s MS4. | ANNUALLY: Report the number of violations referred to the appropriate utility owner and the name of the utility owner. |

| **STORMWATER MANAGEMENT PROGRAM:**  **8. a.) *Industrial and High Risk Runoff* ⎯ *Identification of Priorities and Procedures for Inspections.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
|  |  |  |
|  |  |  |
|  |  |  |

|  |  |  |
| --- | --- | --- |
| **STORMWATER MANAGEMENT PROGRAM:**  **8. b.) *Industrial and High Risk Runoff* ⎯ *Monitoring for High Risk Industries*.** | | |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
|  |  |  |

| **STORMWATER MANAGEMENT PROGRAM:**  **9. a.) *Construction Site Runoff* ⎯ *Site Planning and Non-Structural & Structural Best Management Practices.*** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL  Except  FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Implement the written pre-construction site plan review procedures that require the use and maintenance of appropriate structural and non-structural erosion and sedimentation controls during construction to reduce the discharge of pollutants to the MS4. Consider innovative structural and non-structural BMPs and new technologies as they evolve for use on permittee projects. The procedures should include:   * Adhering to local codes and/or land development regulations * Notifying each applicant of the need to obtain all required stormwater permits including but not limited to, the Environmental Resource Permit (ERP) from the South Florida Water Management District or DEP Southeast District Office, and the Department’s *NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities* (Rule 62-621.300(4), F.A.C.), referred to as the CGP, as applicable   Maintain documentation of the pre-construction site plan review activity; notifications of the ERP and CGP, and of the confirmations of ERP and CGP coverage.  Annually review, and revise as needed, the written site plan review procedures.\*  \*(The permittee shall continue implementation of any existing procedures until such procedures are revised. ) | ANNUALLY: Report the number of permittee and private pre-construction site plans reviewed for stormwater, erosion, and sedimentation controls, and the number approved. |
|  |  |  |
|  | Develop and implement written procedures that follow the guidelines above. | 1ST YEAR ANNUAL REPORT: Provide copy of written procedures for: construction site plan review; inspection of active construction sites; and training to certify municipal inspectors in stormwater, sedimentation, and erosion control. |
| FDOT District Four and  FDOT Florida’s Turnpike Enterprise | Employ FDOT Drainage Connection Permit (DCP) conditions that include the use of stormwater, erosion, and sedimentation control BMPs during construction to reduce pollutants to the MS4 and receiving waters. | ANUALLY: Report the number of permits issued. |

| **STORMWATER MANAGEMENT PROGRAM:**  **9. b.) *Construction Site Runoff* ⎯ *Inspection and Enforcement*.** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Implement permittee’s written planfor the stormwater, erosion and sedimentation inspection of construction sites discharging stormwater to the MS4. The plan shall apply to both permittee-operated and privately-operated construction projects discharging into the permittee’s MS4, unless the permittee does not have the ability to obtain the legal authority to inspect privately-operated sites. For FDOT District Four and FDOT Florida’s Turnpike Enterprise, privately-operated sites are those sites within FDOT’s right-of-way that were issued a Drainage Connection Permit (DCP), in accordance with Rule 14-86, F.A.C., and the inspections are outfall inspections, not site inspections.  The plan shall cover all aspects of the construction site inspection program performed by the permittee, including the following:   1. The timing of the construction site inspections. The inspections shall occur at multiple phases of construction, and at all phases determined as necessary and appropriate as per the approved site plan. At a minimum, inspections shall occur at least once prior to land disturbance to ensure that BMPs have been properly installed, at least once during active construction, and at the conclusion of active construction, unless otherwise justified by the permittee within the written plan and approved by the Department. 2. A prioritization and frequency schedule for the construction site inspections. The prioritization schedule must clearly identify the priorities for selecting sites to be inspected and the site inspection frequencies deemed by the permittee to be appropriate to provide protection from pollutant discharges to the MS4 and surface waters to the maximum extent practicable.  The priority order and inspection frequencies shall be based on the following criteria:    1. Construction site size. Larger sites (as determined by the permittee) shall be inspected more frequently.    2. Water body status. Sites that discharge to impaired waters or sensitive waters shall be inspected more frequently.    3. Significance of adverse water quality impacts. Sites that have been determined by the permittee to be a significant threat to water quality shall be inspected more frequently. An evaluation of the site’s threat to water quality shall include consideration of factors such as the site’s proximity to receiving waters and adjacent wetlands, its slopes, its soil characteristics, its need to be dewatered, history of non-compliance by site operators, and public complaints. This evaluation shall be performed during the pre-construction site plan review as per Part III.A.9.a of this permit.    4. Seasonality and rainfall. Sites with construction occurring during the wet season or sites where rains greater than one inch occur shall be inspected more frequently.    5. Historical inspection considerations. The permittee may use knowledge gained from past implementation of the construction site inspection program to further establish priorities and inspection frequencies.    6. Other criteria as determined by the permittee. 3. A list of the SOPs that detail the procedures that will be followed when conducting an inspection. This shall include examples of the following methods to be used for tracking the construction site inspections: (1) a construction site inspection checklist, which includes appropriate stormwater management and water quality inspection items that will be used to standardize the inspection process; and (2) a summary log of all the inspections (including the site name and location, site operator, date of inspection, summary of the inspection findings, any enforcement actions or referrals, and name of inspector) to demonstrate the history of the activities for each site for each reporting year and to verify that the sites are inspected at no less than the minimum frequency as described in the permittee’s plan. 4. A description of the procedures, and all available enforcement measures (e.g., Stop Work Orders, Notices of Violation, citations, fines), used to ensure compliance with the permittee’s regulatory requirements for construction sites.  This shall include procedures the permittee will follow to assure that corrective actions are taken where approved erosion and sedimentation control BMPs and permit conditions are not being met. It also shall include an example of the method used for tracking the date and type of all follow-up enforcement actions taken based upon the construction site inspection findings. Finally, the procedures shall include how the permittee will notify other appropriate jurisdictional authorities if possible permit violations are found during an inspection.   Annually review the written construction site inspection plan, and draft a revised plan as needed, for submittal to the Department for approval. Continue to perform inspections in accordance with its previously developed construction site inspection plan until receiving written approval from the Department on the revised plan. | ANNUALLY: Report the number of active construction sites during the reporting year, the number of inspections of active construction sites, the percentage of active construction sites inspected, and the number and type of enforcement actions/ referrals taken. |

| **STORMWATER MANAGEMENT PROGRAM:**  **9. c.) *Construction Site Runoff* ⎯ *Site Operator Training*.** | | |
| --- | --- | --- |
| **PERMITTEE** | **ACTIVITY** | **REPORTING REQUIREMENT** |
| ALL | Implement the written plan for stormwater training/outreach for construction site plan reviewers, site inspectors and site operators. Provide training for permittee personnel (employed by or under contract with the permittee) and private persons involved in the site plan review, inspection or construction of stormwater management, erosion, and sedimentation controls. All inspectors of construction sites shall be certified through the Florida Stormwater, Erosion, and Sedimentation Control Inspector Training program, or an equivalent program approved by the Department.  The plan shall include the following:   * a description of the topics to be covered; * a description of the personnel, contractors and private persons targeted for training; * the methods and materials to be used for the training; * identification of the staff/ department(s)/ outside entities who will perform the training; * the method for documenting the training activities; and * the annual schedule for the training.   The plan shall address comprehensive training for new personnel and follow-up or refresher training for current personnel.  The plan shall be reviewed annually and updated as needed to reflect changes in procedures, techniques, or staffing.  Maintain documentation of the training activities, including the date of the training, the type of training, the topic(s) covered, and the names and affiliations of the participants. | ANNUALLY: Report the number and type of training activities, the number of inspectors, site plan reviewers and site operators trained (both in-house and outside training), and the number of private persons trained. |

**B. Compliance with Effluent Limitations.**

\*\*\*RESERVED\*\*\*

##### PART IV. NUMERIC EFFLUENT LIMITATIONS

\*\*\*RESERVED\*\*\*

PART V. MONITORING REQUIREMENTS

**A. Annual Loadings and Event Mean Concentrations.**

1. The permittees shall provide estimates of the annual pollutant load and of the event mean concentration for the constituents listed in Table V.A.1 **⎯** Parameters for each "major outfall" or “major watershed” within the MS4. The annual pollutant load and event mean concentration (EMC) for each major outfall or watershed shall be estimated using local EMCs derived from storm event monitoring or the State’s EMCs listed in the Statewide Stormwater Rule Applicant’s Handbook, and shall take into consideration land uses within the drainage areas associated with the outfall or watershed. For the purposes of this permit, a “major watershed” is defined as an area bounded peripherally by a water parting (i.e., ridge) and draining to a particular water course or body of water. A major watershed shall encompass a named major water course or may consist of a coastal area draining directly into a lagoon or the ocean. A major watershed must contain at least one major outfall. For the purposes of this permit, a "major outfall" is defined under Rule 62-624.200(5), F.A.C.

| TABLE V.A.1 ⎯ PARAMETERS |
| --- |
| Biochemical Oxygen Demand (BOD5) (mg/L) |
| Total Copper (mg/L) |
| Total Nitrogen (as N) (mg/L) |
| Total Phosphorus (mg/L) |
| Total Suspended Solids (TSS) (mg/L) |
| Total Zinc (mg/L) |

2. The estimates of annual pollutant loadings and EMCs shall be included in the ANNUAL REPORT for Year 3 of the permit cycle. The permittees shall include in the Year 3 ANNUAL REPORT a table comparing the current estimated annual pollutant loadings with the previous permit cycle estimated pollutant loadings, and shall specify the source of the EMCs and data used for each of the estimates. Based on this comparison, the permittees shall indicate whether estimated pollutant loadings are increasing or decreasing for each major outfall or major watershed. This information shall be used in evaluating the effectiveness of each permittee’s SWMP as required by Parts V.B.1 and VI.B.2 of this permit.

3. If the estimated total annual pollutant loadings have increased since the past permit cycle’s estimate for an impaired watershed, each affected permittee shall re-evaluate its SWMP and identify and submit revisions to its SWMP, as appropriate, to reduce pollutant loadings, in the Year 4 ANNUAL REPORT.

**B. Monitoring Program.**

1. *Monitoring Program Objective:*  The monitoring program is intended to assist the permittees in determining the overall effectiveness of the SWMP being implemented under this permit, to assist them in identifying and prioritizing portions of the MS4 requiring additional controls, and to evaluate load reductions that have occurred during the permit period. The monitoring program is also intended to identify local sources where urban stormwater is adversely affecting surface water resources.

2. *Monitoring Program Requirements:* The existing monitoring plan that was approved by the Department on November 10, 2009 (modifications approved onJanuary 24, 2014) shall continue to be implemented by the permittees upon issuance of the permit. Given the new requirements in this permit for water bodies with EPA-established or Department-adopted TMDLs, the permittees may modify or develop a new plan for submittal, review, and approval by the Department.

1. *Submission of the Monitoring Plan for Review:* The permittees shall submit a copy of the existing Monitoring Plan, including any suggested changes to improve the plan, as an attachment to the Year 4 ANNUAL REPORT. The revised plan shall be prepared in accordance with the Department’s *Guidance For Preparing Stormwater Monitoring Plans As Required For Phase I Municipal Separate Storm Sewer System (MS4) Permits (dated August 1, 2009).* The Department will review how well the existing Monitoring Plan measures the effectiveness of the SWMP as part of the permit reissuance process. Specifically, the submission of the monitoring plan shall:
   1. Include any requested changes and the rationale for each change;
   2. Identify any additional monitoring that needs to be completed to assist in the evaluation of the effectiveness of the SWMP;
   3. Based on an analysis of the monitoring results, identify any areas or drainage basins within the boundaries of the MS4 that should be targeted for corrective action(s). If applicable, specify what corrective actions should be completed and a timetable for implementation. Corrective action(s) include but are not limited to retrofits, structural BMPs, and non-structural BMPs (e.g., public education, street sweeping); and
   4. Based on an analysis of the monitoring results, identify any evidence of water quality and/or pollutant loading improvements or degradation over the permit period or a statement indicating that the results are inconclusive.

4. *Changes to Existing Monitoring Plan:* Requests for changes to the permittees’ existing Monitoring Plan shall be made to the Department in writing and shall include the rationale for the requested change.

5. *Monitoring Program Coordination:* The monitoring requirements may be coordinated and shared between MS4 permittees or assigned to selected permittees via an interlocal agreement. The permittees may also work in partnership with non-permitted entities.

6. *Monitoring Data and Recordkeeping:* Field testing, sample collection, preservation, laboratory testing, including quality control procedures and all record keeping, shall comply with Rule 62-160, F.A.C. Records of all monitoring data shall be maintained for at least three years from the date of sampling or measurement. Ambient monitoring data shall be entered into DEP STORET (or successor) at least annually.

7. *Sample Analysis:* All samples shall be collected and analyzed in accordance with the methods specified at 40 CFR Part 136 as incorporated by reference by Rule 62-620.100(3)(j), F.A.C. and the Department’s Quality Assurance requirements as detailed in Rule 62-160, F.A.C.

8. *Sampling Waiver:* In the event a permittee is unable to collect samples due to circumstances beyond the permittee’s control, the permittee must submit in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Circumstances beyond the control of a permittee may include adverse climatic conditions that may prohibit the collection of samples (i.e., drought) and weather conditions that create dangerous conditions for personnel (i.e., local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) that otherwise make the collection of samples impracticable.

9. *Reporting and Assessment of Monitoring Results:*  Each ANNUAL REPORT shall include a monitoring summary. Specifically, the monitoring summary shall:

1. Provide a summary of the monitoring data from the reporting year; and
2. Provide a long-term assessment of water quality and/or pollutant loading improvements or degradation based on data gathered and analyzed as a result of the monitoring program. For the purposes of the annual report monitoring summary, “long-term” can be defined by the permittees (e.g., 5-years, 10-years, 15-years, etc.).

**PART VI. REPORTING REQUIREMENTS**

**A. Annual Report: Reporting Period and Due Date.**

Each permittee shall prepare an ANNUAL REPORT to be submitted by no later than six months following the period covered by the report. The ANNUAL REPORT shall cover the 12-month period from October 1st through September 30th beginning on October 1, 2016 and annually thereafter.

**B. Annual Report: Content.**

1. The ANNUAL REPORT shall be prepared in accordance with the requirements of Rule 62-624.600, F.A.C.

2. The ANNUAL REPORT shall include an evaluation of the effectiveness of the permittee’s SWMP in reducing pollutant loads discharged from the MS4. This includes a summary of the strengths, weaknesses/deficiencies, and recommended SWMP revisions for each of the elements in Part II of the permit as set forth in the ANNUAL REPORT form.

3. The ANNUAL REPORT shall include as an attachment the reporting and assessment of the monitoring results in accordance with Part V.B.9 of the permit.

4. Where a SWMP activity is being performed by another entity on behalf of a permittee, the permittee remains responsible for reporting on the activities performed by the other entity and maintaining documentation of the activities.

5. The Department may require additional reporting in the ANNUAL REPORT for discharges to impaired waters, especially those with an adopted Total Maximum Daily Load (TMDL) or Basin Management Action Plan (BMAP) in accordance with Part VIII.B of the permit.

**C. Annual Report: Certification and Signature.**

All reports required by the permit and other information requested by the Department shall be signed and certified in accordance with Rule 62-620.305, F.A.C.

**D. Annual Report: Where to Submit.**

Signed copies of the ANNUAL REPORT required by Part VI.A and any other reports or information requested by the Department shall be submitted by email to the MS4 coordinator or the MS4 NPDES program administrator. TheDepartment’s email address list is available online at <http://www.dep.state.fl.us/water/stormwater/npdes/contacts.htm>. If files are too large to email, materials may be placed on the Department’s NPDES Stormwater ftp site at: <ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/>. After uploading the ANNUAL REPORT, an email must be sent to the MS4 coordinator or the NPDES program administrator notifying them the report is ready for downloading.

If submitted in hard copy, materials shall be submitted to:

Florida Department of Environmental Protection

NPDES Stormwater Section, Mail Station 2500

2600 Blair Stone Road

Tallahassee, Florida 32399-2400

**E. Additional Notification.**

\*\*\* RESERVED\*\*\*

**PART VII. OTHER SPECIFIC CONDITIONS**

**A. Revision of Permit Conditions.**

The permit may be revised in accordance with Rule 62-620.325, F.A.C. Modifications to the SWMP do not require revision to the permit and can be authorized pursuant to Part II.G of this permit.

**B. Reopener Clause.**

1. This permit may be reopened and revised for good cause as defined in Rule 62-620.325, F.A.C.

1. The permit may be reopened and revised during the life of the permit to:

a. Adjust effluent limitations or monitoring requirements should future adopted total maximum daily load (TMDL), water quality studies, the Department-approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement;

b. Address impacts on receiving water quality caused, or contributed to, by discharges from the MS4;

c. Address changes in State or Federal statutory or regulatory requirements; or

d. Include the addition of a new permittee who is the owner or operator of a portion of the MS4.

**C. Duty to Reapply.**

1. The permittees shall submit an application to renew this permit at least 180 days before the expiration date of this permit, or in the Year 4 ANNUAL REPORT. Reapplication must be in accordance with Rule 62-624.420, F.A.C.

2. A complete application filed in accordance with subsection 1 of this section shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.

3. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete prior to the permit expiration date.

**D. Termination of Coverage for a Single Permittee.**

Permit coverage may be suspended, revoked or terminated, in accordance with the provisions of Rule 62-624.300(4) and Rule 62-620.345, F.A.C., for a single permittee without terminating coverage for the other permittees.

**PART VIII. STORMWATER DISCHARGE COMPLIANCE AND WATER QUALITY STANDARDS**

**A. The Maximum Extent Practicable (MEP) Standard.**

The stormwater management program must be designed and implemented to reduce the discharge of pollutants from each permittee’s MS4 to surface waters of the State to the MEP. Narrative effluent limitations requiring implementation of best management practices (BMPs) are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements (including reduction of pollutants to the MEP) and to protect water quality. Implementation of BMPs consistent with the provisions of the stormwater management program required pursuant to this permit constitutes compliance with the standard of reducing pollutants to the MEP. The MEP standard is applied to MS4s in recognition of the fact that an operator typically does not have total control over the quality or quantity of stormwater entering its system and ultimately entering waters of the State. Stormwater management programs must be assessed and adjusted by the permittee, as part of an iterative process, to maximize their efficiency and make reasonable further progress toward an ultimate goal of reducing the discharge of pollutants to the extent necessary to protect receiving waters.

**B. Requirements for Impaired Waters with DEP-Adopted or EPA-Established Total Maximum Daily Loads (TMDLs).**

The requirements of this section apply only to the permittee’s MS4 discharges to receiving waters with adopted or established TMDLs and associated allocations. It is the intent of this section to ensure that pollutant discharges for those parameters listed in the TMDL are reduced to the MEP through the implementation of the permittee’s SWMP. Adequate progress toward achieving assigned wasteload allocations (WLAs) will be demonstrated through the implementation of structural and nonstructural best management practices and other program activities that are targeted at TMDL-related pollutants within watersheds that discharge to a water body with an EPA-established or DEP-adopted TMDL.

1. The requirements in this section apply to all of the TMDLs that have been adopted by DEP for verified impaired waters as of the effective date of this permit. These TMDLs will be listed in Chapter 62-304, F.A.C., which can be viewed at: [https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-304.](https://www.flrules.org/gateway/ChapterHome.asp?Chapter=62-304.%20%20)  Adopted TMDLs can also be found in the TMDL Tracker Application that can be accessed at: <http://webapps.dep.state.fl.us/DearTmdl/welcomehz.do>. These requirements shall also apply to EPA-established TMDLs. EPA-established TMDLs can be accessed at: [http://iaspub.epa.gov/pls/waters/f?p=ASKWATERS:EXPERT..](http://iaspub.epa.gov/pls/waters/f?p=ASKWATERS:EXPERT..%20%20)  EPA-established TMDLs also can be accessed at: <http://www.epa.gov/region4/water/tmdl/florida/>.
2. **For water bodies with an adopted DEP TMDL and Basin Management Action Plan (BMAP).** 
   1. BMAP Adopted:

In accordance with Section 403.067, F.S., NPDES permits must be consistent with the requirements of adopted TMDLs. Therefore, when a Basin Management Action Plan (BMAP) and / or an implementation plan for a TMDL for a water body into which the permitted MS4 discharges the pollutant of concern is adopted pursuant to Section 403.067(7), F.S., the MS4 operator must comply with the adopted provisions of the BMAP and / or implementation plan that specify activities to be undertaken by the permittee during the permit cycle.

* 1. BMAP in Development and Will Be Adopted Within Two Years of Permit Issuance:

If a BMAP is being developed by DEP and watershed stakeholders, including the permittee, for a water body with an adopted TMDL and the BMAP will be adopted within two years of permit issuance, the permittee shall not be required to undertake the activities in Part VIII.B.3 or 4 below. Instead, the permittee shall continue to participate in the BMAP process and shall comply with the adopted provisions of the BMAP that specify activities to be undertaken by the permittee during the permit cycle.

* 1. For those permittees that discharge to a water body with an adopted TMDL for which a BMAP has been adopted or is scheduled to be adopted within two years of permit issuance, the permittee shall include the water body in the list of adopted TMDLs required in the TMDL Prioritization Report pursuant to Part VIII.B.3.a. However, such a water body does not need to be included in the final prioritized list of TMDLs. If the permittee only discharges to a water body with an adopted TMDL and BMAP, or to a water body with an adopted TMDL where a BMAP is schedule for adoption within two years of permit issuance, their TMDL Prioritization Report shall consist of a letter informing DEP of their participation in the BMAP.

1. **For water bodies with an adopted DEP TMDL or an EPA-established TMDL but without a BMAP.**
   1. TMDL Prioritization Report (Months 1-6):

For the purposes of Parts VIII.B.3 and 4, the term “adopted TMDL” shall mean either a DEP-adopted TMDL or an EPA-established TMDL and the term “point of interconnection” shall mean the point at which the MS4 of one permittee discharges into the MS4 of another permittee whose MS4 discharges to the TMDL water body. This situation is termed an “indirect discharge” to a TMDL water body. Additional guidance and information about direct and indirect discharges are included in the Phase I MS4 Permit Resource Manual.

The Department recognizes the difficulty and expense of undertaking the requirements in this section of the permit. Accordingly, each permittee is required to develop a prioritized list of water bodies with adopted TMDLs and an accompanying schedule for undertaking the tasks that follow. Alternatively, in cases where a Phase I permit covers multiple permittees and one or more permittees are stakeholders in more than one adopted TMDL, then the permittees may act together to prioritize and schedule action on the adopted TMDLs. To accomplish this, the affected permittee(s) shall first develop a list of water bodies with adopted TMDLs that were in effect on the date of permit issuance into which its MS4 discharges either directly or indirectly through an interconnected MS4. Permittees with indirect discharges to a TMDL water body are strongly encouraged to coordinate their priority water bodies and schedule with the MS4 that owns the outfall discharging to the TMDL water body so they can collaborate on the remaining steps in this subsection. The permittee(s) shall then develop a list of factors that will be used to prioritize these water bodies. Using the factors, the permittee(s) shall prioritize these water bodies and include a schedule for completing the remaining tasks set forth in Parts VIII.B.3.b. through VIII.B.3.f., or, for fecal coliform TMDLs, the task in Part VIII.B.4. The permittee(s) shall prepare a final report that includes the final list of prioritized water bodies with adopted TMDLs, the prioritization factors, and the associated schedule for completing the remaining tasks. The report shall be submitted to DEP for review and approval.

The following steps will be applied to all adopted TMDLs except for those that address fecal coliform impairments, which will be addressed in Part VIII.B.4 below.

* 1. TMDL Monitoring and Assessment Plan (Months 6 -12):

Within one year of the effective date of the MS4 permit, the MS4 permittee(s) shall prepare and submit to the Department a TMDL Monitoring and Assessment Plan (“Plan”) for the top priority water body in the DEP-approved TMDL Prioritization Report. Each additional Plan shall be developed and submitted to DEP pursuant to the schedule in the approved TMDL Prioritization Report. Each Plan shall determine, collect, and assess any additional information that is needed to identify either a MS4 stormwater outfall or, for indirect discharges to a TMDL water body, a point of interconnection to the downstream MS4 that will be used to determine progress towards meeting the pollutant load reductions established in the MS4 wasteload allocation of the adopted TMDL. This outfall or point of interconnection shall be referred to as the “load assessment discharge point” Each Plan will, at a minimum, include the following elements:

1. Using appropriate event mean concentrations (EMCs) and estimates of the stormwater volume, the affected permittees shall develop a table showing the estimated annual loadings for the parameter(s) of concern that are discharged directly or indirectly from the MS4(s) into the water body with an adopted TMDL. For permittees that discharge indirectly to the TMDL water body, they will calculate the loads that their MS4 discharges into the downstream MS4(s) which subsequently discharges to the TMDL water body.
2. The affected permittee(s) shall select the load assessment discharge point using factors to include but not be limited to the total annual loading of the pollutant(s) of concern calculated in (1) above; water quality, sediment or biological monitoring results; or planned stormwater retrofitting projects. The permittee(s) shall justify the selection of the load assessment discharge point based on the prioritization factors.
3. The affected permittee(s) shall submit the first draft Plan to DEP for review and approval within twelve months of the effective date of this permit. Subsequent Plans for other prioritized water bodies shall be submitted pursuant to the schedule in the DEP approved TMDL Prioritization Report. DEP shall review the draft Plan and either approve it or provide comments and proposed revisions to the permittees. The permittees shall incorporate proposed revisions, as applicable, and submit a revised Plan to DEP for approval within 60 days of receipt of comments from DEP.
   1. TMDL Monitoring (Months 12 – 36):

After each TMDL Monitoring and Assessment Plan is approved by DEP, the permittee(s) shall:

* + - 1. Conduct storm event monitoring to obtain flow-weighted composite samples from the load assessment discharge point identified in the Plan approved by DEP. A minimum of seven storm events will be monitored at the outfall; or in the alternative,
      2. Develop and conduct a Targeted Water Quality Monitoring Plan for the TMDL waterbody to obtain current estimates of stormwater annual loadings, identify the major sources of the pollutant of concern that are discharging into the waterbody, and evaluate water body health changes over time. The monitoring plan shall include monitoring within receiving waters and outfalls and shall include biological and sediment monitoring if appropriate. The plan shall provide a description of the proposed monitoring locations, methods of monitoring proposed at each location, monitoring frequency, and a narrative detailing the monitoring program’s ability to evaluate changes in stormwater pollutant loadings and water body health over time. The permittee shall submit the Targeted Monitoring Plan to the DEP for review and approval. DEP shall review the draft plan and either approve it or provide comments and proposed revisions to the permittee. The permittees shall incorporate proposed revisions, as applicable, and submit a revised Targeted Monitoring Plan to DEP for approval within 60 days of receipt of comments from DEP.

All monitoring shall be done in accordance with DEP field sampling SOPs. All sample analyses shall be done by a lab that is certified through the DOH Environmental Laboratory Certification Program for the parameters being analyzed. The outfall monitoring data shall be normalized to average annual rainfall to allow calculation of the average annual stormwater pollutant loading for the parameter(s) analyzed. A final report summarizing the monitoring program’s results, including rainfall normalized annual stormwater pollutant loadings, shall be submitted to DEP for review and approval within six months after all analyses have been received from the lab. The normalized annual stormwater loadings measured at the load assessment discharge point shall be used along with other relevant data, such as load reduction data from BMPs that have been implemented in the MS4 drainage basins discharging to the TMDL water body, to evaluate progress over time towards meeting the MS4 wasteload allocation in the adopted TMDL through the implementation of the Supplemental Stormwater Management Program required in Part VIII.B.3.d. below.

* 1. TMDL Implementation Plan (Months 24 – 48):

The affected permittee(s) shall develop a Supplemental SWMP which will constitute the plan for reducing stormwater pollutant loads within the MS4 drainage basins discharging directly or indirectly to the TMDL water body. The Supplemental SWMP shall be submitted to the Department for review and approval by the Department. The permittee(s) shall begin implementing the Supplemental SWMP immediately upon receipt of the approval letter from DEP. In addition, each Supplemental SWMP shall be included as part of the permit reapplication package for inclusion in the next permit cycle. Each Supplemental SWMP will include structural and nonstructural BMPs, as needed, and other program activities to increase the reduction of stormwater pollutant loads of the pollutant(s) of concern to the MEP, and a schedule for their implementation. The Supplemental SWMP shall include, but not be limited to, the following:

1. Modifications to the existing SWMP to implement additional structural and nonstructural BMPs and program activities inMS4 drainage basins served by stormwater outfalls that discharge directly or indirectly to the water body with an adopted TMDL. This will include a table of the BMPs and program activities to be implemented along with the schedule for their implementation and the estimated load reduction associated with the implementation of each of the BMPs or activities.
2. Identification of stormwater retrofitting projects that will be implemented as needed within these drainage basins to reduce stormwater pollutant loads. A table shall be included that lists the project name, the type of BMP to be implemented, the estimated load reductions for each project, and the schedule for their implementation.
3. A specific strategy for implementing periodic monitoring in the manner and method as done in Part VIII.B.3.c to document progress in meeting the load reductions in the WLA over time, along with BMP effectiveness monitoring; or ambient water chemistry, biological, or sediment monitoring, as appropriate; together with other evaluation techniques to enable the permittee to evaluate the effectiveness of the Supplemental SWMP in reducing TMDL pollutant loads to the MEP.
   1. Evaluation of Results (Each ANNUAL REPORT):

Upon approval of a Supplemental SWMP, each ANNUAL REPORT shall include a table summarizing the status of the implementation of the BMPs and other activities in each Supplemental SWMP and their estimated load reduction. The report also shall include a summary of the estimated load reductions that have occurred for the pollutant(s) of concern being discharged from the MS4 to the TMDL water body during the reporting year and cumulatively since the date the Supplemental SWMP was approved.

* 1. Collaboration with Other MS4 Permittees and Pollution Sources within the Drainage Basin:

The permittees are encouraged to collaborate with each other and with other entities that have TMDL-assigned Wasteload Allocations or Load Allocations within the drainage basin of a water body with an adopted TMDL to complete the tasks outlined in (a) through (e) above. The Department recognizes that TMDLs are best implemented on a watershed-wide basis and that no single entity is responsible for developing and implementing a TMDL implementation plan or for meeting the load reductions specified in an adopted TMDL. Additionally, the Florida Watershed Restoration Act requires the equitable allocation of allowable loads and required load reductions among all sources that are causing or contributing to the water body impairment.

1. **Discharging into Waters with an Adopted DEP or EPA-Established Fecal Coliform TMDL that does not have a BMAP.**

If the permittee(s) have prioritized a fecal coliform TMDL in Part VIII.B.3.a, then the permittee(s) shall develop and submit to the Department for approval a Bacterial Pollution Control Plan (BPCP) to identify the sources of bacteria and activities that will be undertaken to reduce fecal coliform loadings from the MS4 to water bodies with adopted fecal coliform TMDLs to the MEP. The BPCP shall be completed in accordance with the schedule set forth in the approved TMDL Prioritization Report but the development of each BPCP shall not take more than 30 months. To develop the plan, the permittee(s) shall use the assessment tools and methodology within the Department’s Fecal Coliform TMDL Guidance On-Line Tool Kit that is available online at: <http://www.dep.state.fl.us/water/watersheds/docs/fcg_toolkit.pdf>. The BPCP shall, at a minimum, include the following elements, as appropriate:

a. Identification of potential sources of bacteria discharged from the MS4 system.

b. Bacteria source tracking or other assessment techniques, including monitoring, to better refine the identification of bacterial sources to the MS4 system and prioritize them for implementation of activities to reduce fecal coliform loadings.

c. Adoption and implementation of a pet waste management ordinance or program.

d. Implementation of an educational program directed at reducing bacterial pollution.

e. Identification of additional structural or nonstructural BMPs or program activities needed to reduce bacterial loadings discharged from the MS4 into water bodies with an adopted fecal coliform TMDL to the MEP. This shall include a summary of BMPs and other activities to be implemented, the schedule for their implementation, and the anticipated load reductions from the implemented activities.

f. The permittee(s) shall include in each ANNUAL REPORT a status report on the implementation of the requirements in this section of the permit and on the estimated load reductions that have occurred.

**PART IX. GENERAL CONDITIONS**

These general conditions apply to all permits subject to Rule 62-620, F.A.C.  These conditions are primarily designed for wastewater facilities and may or may not be appropriate for MS4 stormwater discharges.  Consult with the Department on the applicability of specific provisions.

**A.** The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. *[62-620.610(1), F.A.C.]*

**B.** This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. *[62-620.610(2), F.A.C.]*

**C.** As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringements of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit*. [62-620.610(3), F.A.C.]*

**D.** This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. *[62-620.610(4), F.A.C.]*

**E**. This permit does not relieve the permittee(s) from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee(s) to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee(s) shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee(s) in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5), F.A.C.]*

**F.** If the permittee(s) wishes to continue an activity regulated by this permit after its expiration date, the permittee(s) shall apply for and obtain a new permit. *[62-620.610(6), F.A.C.]*

**G.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee(s) for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8), F.A.C.]*

**H.** The permittee(s), by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:

1. Enter upon the permittee(s) premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;

2. Have access to and copy any records that shall be kept under the conditions of this permit;

3. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

4. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules. *[62-620.610(9), F.A.C.]*

**I.** In accepting this permit, the permittee(s) understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, F.A.C. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-*620.610(10), F.A.C.]*

**J.** When requested by the Department, the permittee(s) shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee(s) shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee(s) becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11), F.A.C.]*

**K.** The permittee(s), in accepting this permit, agrees to pay the applicable regulatory program and surveillance fees in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13), F.A.C.]*

**L.** This permit is transferable only upon Department approval in accordance with Rule 62-620.610(14), F.A.C. The permittee(s) shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. *[62-620.610(14), F.A.C.]*

**M.** Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapter 62-160 and 62-601, F.A.C. and 40 CFR 136, as appropriate.

1. If the permittee(s) monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the ANNUAL REPORT.

2. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.

3. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in “DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities” (DER-QA-001/92). Alternatively, sample collection may be performed by an organization that has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests. *[62-620.610(18), F.A.C.]*

**N.** Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. *[62-620.610(19), F.A.C.]*

**O.** The permittee(s) shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee(s) becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee(s) becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.

(b) Oral reports as required by this subsection shall be provided as follows:

1. For any noncompliance which may endanger public health or the environment, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee(s) becomes aware of the discharge. The permittee(s), to the extent known, shall provide the following information to the State Warning Point:

* + - * 1. Name, address, and telephone number of person reporting;
        2. Name, address, and telephone number of permittee or responsible person for the discharge;
        3. Date and time of the discharge and status of discharge (ongoing or ceased);
        4. Estimated amount of the discharge;
        5. Location or address of the discharge;
        6. Source and cause of the discharge;
        7. Whether the discharge was contained on-site, and cleanup actions taken to date;
        8. Description of area affected by the discharge, including name of water body affected, if any; and
        9. Other persons or agencies contacted.

2. Oral reports, not otherwise required to be provided pursuant to subparagraph (b)1. above, shall be provided to the Department within 24 hours from the time the permittee(s) becomes aware of the circumstances.

(c) If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report. *[62-620.610(20), F.A.C.]*

**PART X. DEFINITIONS**

Where terms are used in this permit, definitions found in Rule 62-620.200, F.A.C. and Rule 62-624.200, F.A.C. shall apply. Other definitions used in this permit are provided below:

**A.** “Best management practices (BMPs)” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, residuals, industrial sludge or waste disposal, or drainage from raw material storage. *[62-620.200(3), F.A.C.]*

**B.** “Co-permittee” means a permittee to an NPDES permit that is only responsible for permit conditions relating to the municipal separate storm sewer that it operates. *[62-624.200(1), F.A.C.]*

**C.** “Major facility” means any NPDES facility or activity classified as such by EPA with the concurrence of the Department. *[62-620.200(23), F.A.C.]*

**D.** “Major municipal separate storm sewer outfall” means a municipal separate storm sewer outfall that discharges from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive stormwater from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), an outfall that discharges from a single pipe with an inside diameter of 12 inches or more or from its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more). *[62-624.200(5), F.A.C.]*

**E.** “Major outfall” means a major municipal separate storm sewer outfall. *[62-624.200(6), F.A.C.]*

**F.** “Municipal separate storm sewer” or MS4 means a conveyance or system of conveyances like roads with stormwater systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains:

1. Owned or operated by a State, city, town, county, special district, association, or other public body (created by or pursuant to State Law) having jurisdiction over management and discharge of stormwater and which discharges to surface waters of the state;

2. Designed or used for collecting or conveying stormwater;

3. Which is not a combined sewer; and

4. Which is not part of a Publicly Owned Treatment Works (POTW). POTW means any device or system used in the treatment of municipal sewage or industrial wastes of a liquid nature which is owned by a “State” or “municipality.” This definition includes sewers, pipes, or other conveyances only if they convey wastewater to a POTW providing treatment. *[62-624.200(8), F.A.C.]*

**G.** “Outfall” means a point source at the location where a municipal separate storm sewer discharges to water of the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels or other conveyances which connect segments of the same stream or other waters of the state and are used to convey waters of the state. *[62-624.200(9), F.A.C.]*

**H.** “Permittee” means the owner, operator or other entity to which a permit for a wastewater facility or activity is issued by the Department. The term “permittee” shall be functionally synonymous with the terms “owner,” “contractor,” and “licensee,” but shall not include licensed individuals, such as State certified operators, unless they are the persons to whom a facility permit is issued by the Department. The term shall extend to a permit “applicant” for purposes of this chapter. *[62-620.200(35), F.A.C.]*

**I.** “Point source” is defined as any discernible, confined, and discrete conveyance, such as any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, or landfill leachate collection system from which pollutants are or may be discharged. *[62-624.200(9), F.A.C.]*

**J.** “Stormwater” means stormwater runoff, surface runoff and drainage. *[62-624.200(12), F.A.C.]*

**K.** “Stormwater Associated with Industrial Activity” is as defined in 40 CFR 122.26(b)(14).

**L.** "Storm sewer," for the purposes of this permit unless otherwise indicated, refers to an MS4.

Executed in Tallahassee, Florida.

