FLORIDA DEPARTMENT OF Environmental Protection

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STATE OF FLORIDA
MUNICIPAL SEPARATE STORM SEWER SYSTEM
PHASE I PERMIT

FACILITY NAME: City of Orlando MS4

PERMIT NUMBER: FLS000014-005

ISSUANCE DATE: DRAFT

EXPIRATION DATE: DRAFT

PERMITTEE: City of Orlando
400 South Orange Avenue
P.O. Box 4990
Orlando, FL 32801-4990

The federal National Pollutant Discharge Elimination System (NPDES) program is mandated by Section 402(p) of the Clean Water Act (CWA), set forth in U.S. Code Title 33 section 1342(p) and implemented through Title 40 Code of Federal Regulations (CFR) Part 122.

Section 403.0885, Florida Statutes (F.S.) authorizes the Florida Department of Environmental Protection (Department, DEP) to implement the federal NPDES program in the state of Florida. The permit is issued pursuant to Section 403.0885, F.S., and various provisions within chapters 62-4, 62-620, 62-621 and specifically 62-624, Florida Administrative Code (F.A.C.), which addresses discharges of stormwater from Municipal Separate Storm Sewer Systems (MS4s) to surface waters of the State.

The permittee listed above is hereby authorized to discharge stormwater to waters of the State from all portions of the MS4 where they are the owner or operator. This shall be in accordance with the approved Stormwater Management Program (SWMP), effluent limitations, monitoring requirements, and other provisions as set forth in this permit, the permit application, and other documents attached hereto or on file with the Department and made a part hereof.

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I. DISCHARGES AUTHORIZED UNDER THIS PERMIT

Except for discharges prohibited under Part I.A, this permit authorizes all stormwater point source discharges to surface waters of the State from those portions of the MS4 owned or operated by the permittee.

A. Prohibited Discharges

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 does not authorize the following discharges:

1. *Non-stormwater*, except where such discharges are:
   a. Authorized under the provisions of chapters 373 or 403, F.S., or rules promulgated thereunder; or
   b. Pursuant to an NPDES permit; or
   c. Included within the following categories of non-stormwater discharges, consistent with subsection 62-624.200(2), F.A.C., provided they do not cause a violation of water quality standards:
      - Water line flushing;
      - Landscape irrigation;
      - Diverted stream flows;
      - Rising ground waters;
      - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
      - 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 runoff;
      - Water from individual residential car washing;
      - Flows from riparian habitats and wetlands;
      - Dechlorinated swimming pool discharges;
      - Residual street wash waters; and
      - Discharges or flows from firefighting activities.

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.

II. STORMWATER POLLUTION PREVENTION AND MANAGEMENT PROGRAMS

This permit, pursuant to Section 402(p)(3)(B) of the CWA, requires the effective prohibition of non-stormwater discharges to the MS4, and requires controls to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP), including management practices, control techniques, system design and engineering methods, and other such provisions for the control of pollutants.

The MEP standard is applied to MS4s in recognition that an operator does not have total control over the quality or quantity of stormwater entering its system and ultimately entering surface waters of the State. Narrative effluent limitations expressed as best management practices (BMPs) to reduce pollutants to the MEP are generally the most appropriate form of effluent limitations when designed to satisfy technology requirements and to protect water quality.

Implementation of BMPs and other activities required by this permit constitutes compliance with narrative effluent limitations identified herein. Specific conditions identified in Part III serve as measurable and enforceable permit conditions. The permittee shall evaluate and, as necessary, adjust its SWMP through a data-driven assessment and iterative approach to make reasonable further progress toward the goal of reducing the discharge of pollutants to the MEP, protecting water quality, and satisfying the appropriate water quality requirements of the CWA.

A. Stormwater Management Program

The permittee shall implement a SWMP that includes use of legal authority, written procedures, operation and maintenance of their MS4, pollution prevention measures, treatment or removal techniques, stormwater monitoring, and other appropriate means to reduce the discharge of pollutants from the MS4 to surface waters of the State to the MEP.

The permittee shall implement SWMP activities on areas for which they become responsible for implementation of stormwater quality controls as expeditiously as practicable.

Implementation of the SWMP may be achieved cooperatively with other public agencies or private entities. Written agreements shall clearly identify the respective agencies'/entities' roles and responsibilities, including the specific conditions of this permit, where applicable.

1. The permittee is responsible for:
    - Implementation of their SWMP in the MS4 service area where they are the owner or operator;
    - Compliance with permit conditions relating to discharges from portions of the MS4 where they are the owner or operator;
    - Creation and retention of documentation of inspection observations and activities performed to implement SWMP elements;
    - Collection of monitoring data as required by Parts V and VI;
    - A plan of action to assume responsibility for implementation of SWMP activities or monitoring programs on their portions of the MS4, should written agreements or contracts allocating responsibility between agencies/entities be dissolved or in default, as applicable; and
    - Submission of annual reports as specified in Part VII.

2. The permittee shall maintain written SWMP Standard Operating Procedures (SOPs) that describe activities identified and required in Part III.A. Additionally, each SOP shall:
    - Identify the department or entity responsible for conducting the activities contained therein;
    - Include copies of any applicable interjurisdictional agreements and/or contracts allocating responsibility for SWMP activities;
    - Be available to the Department upon request in accordance with Rule 62-620.610, F.A.C.;
    - Be reviewed annually and updated as needed to ensure procedures are current; and
    - Include a reviewed or revised upon date.

    The permittee shall develop and/or update all SWMP SOPs to include and/or address all permit-required content specified in Part III, below, within 12 months of permit issuance.

3. The permittee may modify the SWMP during the permit cycle in accordance with the following procedures:
    a. Modifications adding BMPs or increasing frequencies to SWMP activities may be made by the permittee at any time. A description of the modification shall be noted in the subsequent ANNUAL REPORT.
    b. Permittees shall make a written request to the Department for a proposed reduction to a SWMP activity. Reductions shall not be implemented until approved by the Department.
    c. Written SWMP SOPs shall be updated to reflect modifications.

REPORTING

In each ANNUAL REPORT, provide for each SWMP activity:

- Title or description of source documents;
- Responsible department/entity;
- Date each SOP was reviewed; and
- SWMP revisions, if applicable.

B. Legal Authority

The permittee shall effectively prohibit non-stormwater discharges to the MS4 pursuant to Section 402(p)(3)(B)(ii) of the CWA. To the extent allowed by law, the permittee shall maintain legal authority to control discharges to and from the MS4.

This legal authority may be through a combination of statute, ordinance, land development code, permit, contract, policy, order or inter-jurisdictional agreement between permittees, or similar means, provided regulatory mechanisms are established to:

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

2. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activities and the quality of stormwater discharged from these facilities/sites;

3. Control the contribution of pollutants to the MS4 by stormwater discharges associated with new development or redevelopment projects by requiring stormwater quality considerations; requirements shall be at least as stringent as the requirements set forth in Chapter 62-330, F.A.C.;

4. Control the contribution of pollutants to the MS4 by stormwater discharges associated with construction activities by requiring the use and maintenance of appropriate structural and non-structural erosion, sedimentation, and waste controls and the quality of stormwater discharged from these facilities/sites;

5. Control the discharge of spills, illegal dumping, and improper disposal into the MS4;

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

7. Require compliance with conditions in permittee regulatory mechanisms; and

8. Carry out inspection, surveillance, monitoring and enforcement procedures necessary to implement the conditions found in this permit.

If existing regulatory mechanisms are not sufficient to meet these criteria, the permittee shall identify additional authorities necessary to meet the criteria and develop a schedule to seek such authority.

REPORTING
With the Year 4 ANNUAL REPORT and reapplication, submit a copy or citations of the regulatory mechanisms used to accomplish items 1-8 above.

C. Stormwater Management Program Resources

The permittee shall conduct a fiscal analysis of the necessary capital and operation and maintenance expenditures to ensure adequate financial resources to effectively implement the SWMP and comply with permit conditions for each fiscal year. In accordance with 40 CFR 122.26(d)(2)(vi), the analysis shall include a description of the source of funds that are proposed to meet the necessary expenditures, including legal restrictions on the use of such funds.

REPORTING
With the Year 4 ANNUAL REPORT and reapplication, submit a copy of the fiscal analysis.

D. Recordkeeping Requirements

1. The permittee shall maintain records of SWMP activities for a minimum of three years from the date the report or record was prepared in accordance with Rule 62-620.350, F.A.C., including:
    - All reports required by this permit;
    - Records of all data, including reports and documents used to complete the reapplication for the permit and annual reports; and
    - All original recordings for any continuous monitoring instrumentation.

2. The permittee shall maintain all field sampling and analytical records:
    a. Field testing, sample collection, preservation, laboratory testing, including quality control procedures and all recordkeeping, shall be maintained for at least five years from the date of sampling or measurement in accordance with the quality assurance protocols in Rule 62-160.340, F.A.C and Rule 62-160.240, F.A.C.
    b. Ambient monitoring data collected from state waters shall be entered into the Department's

Watershed Information Network within one year of collection in accordance with subsection 62-40.540(3), F.A.C.

E. Area-specific Stormwater Management Program Requirements

TABLE I.E. Existing BMAP and TMDL Activities

Waterbody	Pollutant of Concern	Notes
Lake Jesup Basin	TN & TP	Basin Management Action Plan (BMAP) adopted April 2010
Lake Silver (WBID[1] 3004D)	TN & TP	TMDL implementation plan initiated in Cycle 3
Lake Lawne (WBID 3004C)	TN & TP	TMDL implementation plan initiated in Cycle 4

[1] WBID = Waterbody identification number.

F. Deadlines for Program Compliance

Except where otherwise provided, implementation of the SWMP shall be required upon permit issuance.

TABLE I.F. Permit Compliance Milestones Summary

Deadline	Permit Part	Submission Due
Within six months of permit issuance	V.A	TMDL Prioritization Plan
Within six months of TMDL Prioritization Plan Approval	V.B.1.	MS4 Pollutant Loading Evaluation Plan OR Bacteria Source Identification Plan, if applicable.
Within 12 months of permit issuance	II.A.2.	Develop and/or update all SOPs.
Within 12 months of permit issuance	III.A.8.a.	Develop and implement MS4 Inspector Training.
With the Year 1 Annual Report	III.A.1.c.	Catch basin, inlet, and grate evaluation procedures.
With the Year 1 Annual Report	VI.B.1.	Revised Assessment Program, if applicable.
With the Year 2 Annual Report	III.A.3.c.	Summary of interdepartmental review to further reduce impacts of stormwater discharges to the MS4 from new development and areas of significant redevelopment.
With the Year 2 Annual Report	III.A.4.a.	Citation for Florida-Friendly Fertilizer ordinance, or similar, if applicable.
With the Year 2 Annual Report	III.A.4.a.	Summary of interdepartmental review to further reduce the impacts of pesticides, herbicides, and fertilizer.
With the Year 3 Annual Report	VI.B.3.	Pollutant loading comparison.
With the Year 4 Annual Report	II.B	Copy/citation of all regulatory mechanisms.
With the Year 4 Annual Report	II.C	Fiscal analysis.
With the Year 4 Annual Report	V.B	TMDL Implementation Plan, BPCP, ARP, as applicable.
With the Year 4 Annual Report	VI.B.3.	Plan to address increased loadings, if applicable.
With the Year 4 Annual Report	VI.B.4.	Results of Assessment Program and SWMP Evaluation.
With the Year 4 Annual Report	VII.C.1.	Permit reapplication statement.

III. SCHEDULES FOR IMPLEMENTATION

The specific permit conditions outlined in Part III represent narrative effluent limitations of the permit.

A. Stormwater Management Program

The permittee shall comply with the following specific conditions for SWMP implementation and compliance with this permit:

1. MS4 Operations

Operate and maintain all stormwater conveyance, collection, and treatment systems and components owned or operated by the permittee to ensure proper function and to reduce the discharge of pollutants, including floatables, settleable trash and debris, from the MS4.

a. Major Outfall Mapping

Maintain an up-to-date map or geographic information system (GIS) dataset that depicts all known major outfalls.

The outfall map shall be at a scale to allow the Department to determine the spatial surroundings and show a unique identifier for each outfall.

REPORTING

In each ANNUAL REPORT, provide updates on major outfalls added to or removed from the map, to include:

- Unique object ID for each major outfall; and
- Spatial coordinates (lat/long) or GIS layer/shapefile for each major outfall.

b. Non-major Outfall Mapping

Develop and maintain an up-to-date map or GIS dataset that depicts all known non-major outfalls (outfalls that do not meet the definition of major outfall).

The outfall map shall be at a scale to allow the Department to determine the spatial surroundings and show a unique identifier for each outfall.

The permittee shall complete mapping of non-major outfalls within five years of permit issuance.

REPORTING

In each ANNUAL REPORT, provide updates on non-major outfalls added to or removed from the map, to include:

- Unique object ID for each non-major outfall; and
- Spatial coordinates (lat/long) or GIS layer/shapefile for each non-major outfall.

c. MS4 Inspection & Maintenance

Conduct inspections and maintenance to ensure MS4 components operate as designed and to reduce the discharge of pollutants from the MS4.

Inspections and maintenance for each component of the MS4 shall occur at appropriate frequencies

to ensure the proper operation, and at a minimum according to the inspection frequencies described in Table III.A.1.c., below.

Inspections of each structure shall include the inspection activities described in Table III.A.1.c, below. All MS4 components shall be maintained to ensure proper function and to reduce the discharge of pollutants from the MS4.

All inspections shall include the identification of the presence or absence of illicit discharges, illicit connections, or illegal dumping. Segments or specific components of the MS4 that have a history of illicit discharges, illicit connections, illegal dumping, or a history of debris, sediment, or trash accumulation shall be evaluated for increased inspection frequencies.

The MS4 Inspection & Maintenance Program shall consist of:

- An up-to-date inventory or map of all structural controls, conveyances, collection systems, treatment systems, and other components that comprise the MS4. This includes, but is not limited to, applicable components listed in Table III.A.1.c.;
- A schedule for routine inspections and maintenance for all MS4 components;
- Inspection procedures for each MS4 component type in accordance with Table III.A.1.c.;
- Maintenance procedures for each MS4 component type, as applicable, but not limited to:
    - The identification of thresholds or conditions (including debris levels) that trigger maintenance to ensure that MS4 components are operating as designed;
    - Where individual stormwater management systems are permitted under Chapter 62-330, F.A.C., maintenance shall occur in accordance with the system permit;
    - The removal of trash and debris from inflow and outflow structures, trash racks, and other system components to prevent clogging, impeded flow, or the discharge of pollutants;
    - The removal of accumulated sediment from the bottom of inflow/outflow pipes;
    - Maintaining healthy vegetative cover and stabilizing soil to prevent erosion in the bottom, side slopes or around inflow and outflow structures; mowing as needed;
    - Maintaining substrate/vegetation to ensure appropriate infiltration rates; and
    - Ensuring MS4 maintenance activities do not cause or contribute to surface water quality violations.
- Procedures to ensure MS4 maintenance activities do not cause or contribute to surface water quality violations:
    - Stormwater system sediments and liquids from dewatering shall be handled and disposed of in accordance with the rules and regulations discussed in the Department's *Guidance For The Management Of Street Sweepings, Catch Basin Sediments and Stormwater System Sediments* (2004, or current version);
    - Oils and greases or other materials removed during routine maintenance shall be disposed of at a sanitary landfill or by other lawful means;
    - Litter must be collected before mowing to prevent dispersal of trash.
- Procedures to document and track inspections and maintenance activities;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

Note: The maintenance activities above are not intended to address every possible maintenance

activity that may be required to ensure that an MS4 component operates as designed.

REPORTING

In each ANNUAL REPORT, provide:

- The current known number, area, or linear distance of each component in the MS4 inventory;
- The number, area, or linear distance of inspections conducted for each applicable component identified in Table III.A.1.c.;
- The percentage of each component in the MS4 inventory inspected; and
- The number, area, or linear distance maintained for each applicable component identified in Table III.A.1.c.

TABLE III.A.1.c. MS4 Minimum Inspection Frequencies

MS4 Component: Minimum Inspection Frequency	**Inspection Activities**
Alum Injection Systems: Monthly	• Inspect and maintain as outlined in the system operation and maintenance manual/plan.
Pollution Control Boxes (PCB): Quarterly*	• Inspect for debris/litter/sediment accumulation at inflow/outflow structures, screens, and within the PCB to prevent loss of storage volume or impacts on flow or operation. • Inspect for structural deficiencies that would prevent proper flow conditions or operation. • Inspect absorbent materials to determine if they need replacement, as applicable.
Stormwater Pump Stations: Semi-Annually*	• Inspect pumps as outlined in the system operation and maintenance manual/plan. • Inspect for debris/litter/sediment accumulation in the wet well, at inlets, bar screens, and other associated components to prevent loss of storage volume or impacts on flow or operation.
Major Outfalls: Annually*	• Inspect for debris/litter/sediment accumulation to prevent impacts on flow or operation. • Inspect for damaged headwalls, signs of undercutting or settling, damaged or clogged riprap, as applicable. • Inspect for erosion/subsidence on embankment or side slopes.
Non-Major Outfalls: Once every five years	• Inspect for debris/litter/sediment accumulation to prevent impacts on flow or operation. • Inspect for damaged headwalls, signs of undercutting or settling, damaged or clogged riprap, as applicable. • Inspect for erosion/subsidence on embankment or side slopes.
Canals and Channels: Annually	• Inspect for debris/litter/sediment accumulation and excessive aquatic plant growth that may cause loss of storage volume or impacts on flow or operation. • Inspect for erosion/subsidence on embankment or side slopes.

Dry Retention Systems; Dry Detention Systems; Detention with Filtration Systems; Grass Treatment Swales; Under Drain Filter Systems: Once every three years	• Inspect for debris/litter/sediment accumulation at inflow/outflow structures, trash racks, other associated components and on the bottom to prevent loss of storage volume or impacts on flow or operation. • Inspect for erosion/subsidence on embankment or side slopes. • Inspect for proper storage volume recovery after rainfall. • Inspect for undercutting, settling or damage at inflow/outflow structures, diversion devices and other system components to prevent impacts on operation of the system. • Inspect bottom and side slopes to ensure vegetation is healthy and maintaining coverage. • Inspect for compaction or obstructed flow.
Wet Detention Systems: Once every three years	• Inspect for excessive aquatic plant growth that may cause loss of storage volume or impacts on flow or operation. • Inspect vegetation of side slopes to ensure it is healthy and maintaining coverage. • Inspect littoral plantings and vegetative buffers to ensure they are maintained as designed. • Inspect for debris/litter/sediment accumulation at inflow/outflow structures and on the bottom to prevent loss of storage volume or impacts on flow or operation. • Inspect for erosion/subsidence on embankment or side slopes. • Inspect for storage volume recovery after rainfall. • Inspect for undercutting, settling or damage at inflow/outflow structures.
Exfiltration Trenches; French Drains; Slab Covered Trenches: Once every three years	• Inspect for debris/litter/sediment accumulation at separation traps, catch basins, diversion devices, overflow weirs, pipes and/or other system components, as applicable to prevent loss of storage volume or impacts on flow and operation. • Inspect for storage volume recovery.
Catch Basins; Inlets; Grates: In accordance with Part III.A.1.d., below	• Inspect for debris/litter/sediment accumulation to prevent loss of storage volume or adverse impacts on flow and operation. • Inspect for structural deficiencies that would prevent proper flow conditions or operation.
Ditches; Conveyance swales; Other Conveyances: Once every five years	• Inspect for debris/litter/sediment accumulation to prevent impacts on flow and operation. • Inspect for erosion/subsidence on embankment or side slopes. • Inspect for vegetation that may interfere with proper function.
Pipes; Culverts:	• Inspect for debris/litter/sediment accumulation to prevent impacts on flow and operation.

Once every 10 years	• Inspect for erosion/subsidence on embankment or side slopes. • Inspect for vegetation that may interfere with proper function.
Permeable Pavement: In accordance with design plans or permittee SOP	• Inspect for ponding to ensure they are maintained as designed. • Inspect for sediment accumulation / plant growth that may inhibit infiltration. • Inspect for cracks and raveling. • Inspect for uneven settling or subsidence.
Weirs; Channel control structures; Other appurtenances: In accordance with the frequency for the type of stormwater control or system with which it is associated	• Inspect for debris/litter/sediment accumulation to prevent loss of storage volume or impacts on flow and operation.

*Any inspection frequency less than that identified in Table III.A.1.c. shall be approved by the Department prior to implementation, and not exceed the five-year permit cycle. The permittee shall demonstrate that historic operation and maintenance records indicate a less frequent inspection schedule is appropriate and that the stormwater management system will continue to function as designed and permitted with the reduced inspection frequency. The written SOP shall be updated to indicate approved inspection frequencies and include approval documentation.

d. Catch Basin, Inlet, and Grate Management

Develop procedures to evaluate catch basins, inlets, and grates to determine the appropriate inspection and/or maintenance frequency to reduce the amount of trash, sediment, and other debris collected within, and discharged from, the MS4. Conduct inspections and maintenance according to permittee-developed evaluation criteria.

Inspections for each catch basin, inlet, and grate shall occur a minimum of once every five years and in accordance with the inspection activities in Table III.A.1.c. All catch basins, inlets, and grates shall be maintained to ensure proper operation.

Evaluation procedures shall:

- Include the categorization of catch basins, inlets, and grates based on permittee-identified criteria;
- Identify an inspection frequency for each category as determined by the permittee to be necessary or appropriate, at a minimum once every five years; and
- Incorporate criteria to identify the need and feasibility of upgrading catch basins, inlets, and grates with appropriate upgrades or retrofits to reduce pollutants in stormwater discharges.

The permittee-developed evaluation procedures and inspection frequencies shall be incorporated into the written SOP for MS4 inspection and maintenance identified in Part III.A.1.c., above.

REPORTING

With the Year 1 ANNUAL REPORT, submit a copy of the catch basin, inlet, and grate evaluation procedures.

In each ANNUAL REPORT, provide the number of components upgraded or retrofitted.

2. Roadways and Public Use Areas

Implement controls for permittee streets, highways, rights-of-way, parks and other public-use areas to prevent organic material, sediments, debris, and litter from entering the MS4.

a. Street Sweeping Program

Implement a program to conduct street sweeping on permittee-operated streets, highways, and other rights-of-way that have curb and gutter.

The Street Sweeping Program shall consist of:

- Criteria for determining roadways/areas to be swept and associated frequency of sweeping for each;
- A map or list of the roadways/areas and total miles to be swept;
- Procedures for temporary storage and proper disposal of materials collected in accordance with the rules and regulations discussed in the Department's *Guidance For The Management Of Street Sweepings, Catch Basin Sediments and Stormwater System Sediments* (2004, or current version);
- Procedures to track the total miles swept and quantity of material collected (volume or weight);
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The current known miles of roadways/rights-of-way to be swept;
- The total miles swept; and
- An estimate of the quantity of sweeping material collected.

b. Litter Control Program

Conduct litter control on permittee-operated rights-of-way, as well as parks and other public use areas that have the potential to impact the MS4. Litter shall be collected before mowing to prevent dispersal of trash.

The Litter Control Program shall consist of:

- Criteria for determining collection frequencies for litter control areas;
- A map or list of areas and frequency of activities for each area;
- Procedures for the management of trash in public use areas;
- Procedures for temporary storage and proper disposal of collected litter;
- Procedures to track litter control activities and amount of litter removed;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- An estimate of the linear distance / area cleaned; and
- An estimate of the quantity of litter collected.

c. Road Repair & Maintenance

Use appropriate stormwater erosion, sedimentation, and waste controls for road repair and maintenance activities that may adversely impact the MS4; this includes use of BMPs from the Department's *Florida Stormwater Erosion and Sedimentation Control Inspectors Manuals*, (current versions), and from the *State of Florida Erosion and Sediment Control Design and Review Manual* (State Erosion and Sediment Control Task Force, 2013) until disturbed areas are stabilized.

3. Stormwater Management

Implement controls to reduce the discharge of pollutants from portions of the MS4 that receive stormwater from areas of new development and significant redevelopment.

a. Comprehensive Planning and Development

Adhere to the requirements of local codes and regulations that incorporate stormwater quality considerations into land-use planning and development activities in accordance with Part II.B.3.

Adhere to policies of the local Comprehensive Plan developed in accordance with Chapter 163 F.S.

Maintain a list of stormwater capital improvement projects or flood control projects being considered by the permittee.

b. Post-Construction Stormwater Management

Review new development and significant redevelopment project applications for compliance with codes, land development regulations, and other regulatory mechanisms that require stormwater controls after construction is completed.

The Post-Construction Stormwater Management Program shall consist of:

- A regulatory mechanism in accordance with Part II.B to control the contribution of pollutants to the MS4 by stormwater discharges associated with new development or redevelopment projects by requiring stormwater quality treatment considerations;
- An application review process;
- Notification to applicable project applicants that they may need to obtain Environmental Resource Permit (ERP) coverage pursuant to Chapter 62-330, F.A.C.;
- Confirmation that ERP coverage has been obtained, as applicable (local approvals are not contingent upon obtaining an ERP);
- Procedures for identifying and referring to the appropriate permitting authority those sites suspected of requiring but not having ERP coverage;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of applications reviewed for post-construction stormwater management and the number approved;
- The number of applicants notified of the need to obtain ERP coverage;
- The number of applicable projects confirmed for ERP coverage; and
- The number of referrals completed.

c. Land Development Regulations & Stormwater Ordinances

The permittee shall conduct an interdepartmental review of current codes and land development regulations to:

- Identify potential changes to be considered for adoption to further reduce impacts of stormwater discharges to the MS4 from areas of new development and significant redevelopment;
- Ensure stormwater attenuation and treatment requirements in local land-use planning and development codes and regulations are at least as stringent as the requirements set forth in in Chapter 62-330, F.A.C.;
- Identify language that could be strengthened to require or improve operation and maintenance of private stormwater management systems that discharge to the MS4; and
- Identify existing language that may be prohibitive of low impact development (LID), green stormwater infrastructure (GSI), or adherence to the principles of the UF/IFAS Florida Friendly Landscaping (FFL) program; and identify potential changes to promote or incentivize LID, GSI, and FFL principles.

The review may include strengthening standards to account for receiving waterbody impairment status.

REPORTING

With the Year 2 ANNUAL REPORT, submit a summary of the interdepartmental review that includes:

- All applicable local code and regulation citations reviewed, with a description of each;
- The identification of language that may be strengthened to improve private stormwater management systems operation and maintenance;
- The identification of language that may be prohibitive of LID, GSI, or FFL practices;
- A description of proposed changes recommended for incorporation into codes or regulations; and
- A schedule for reviewing and/or adopting the recommended changes.

4. Pesticides, Herbicides, and Fertilizer

Implement controls to reduce the impact of pesticide, herbicide, and fertilizer application on discharges to and from the MS4.

a. Ordinances

All local governments located within the watershed of a nutrient-impaired waterbody shall adopt the Department's *Model Ordinance for Florida-Friendly Fertilizer Use on Urban Landscapes* pursuant to Section 403.9337, F.S., or an ordinance that includes all of the elements set forth in the Model Ordinance. The requirements in this section apply to impaired waterbodies established as of the effective date of this permit.

If located within a watershed of a nutrient-impaired waterbody, the ordinance shall be adopted within 24 months of the date of permit issuance.

Pursuant to Section 403.9337, F.S., all local governments are encouraged to adopt a Florida-Friendly Landscaping Ordinance similar to the one set forth in the *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.

The permittee shall conduct an interdepartmental review of the permittee's current local codes and ordinances to identify potential changes to further reduce the impacts of pesticides, herbicides, and fertilizer.

REPORTING

With the Year 2 ANNUAL REPORT, submit:

- A citation for the adopted Florida-Friendly Fertilizer ordinance(s);
- A summary of the review activity that includes:
  - All applicable code and regulation citations reviewed, with a description of each;
  - A description of proposed changes identified; and
  - A schedule for reviewing/adopting recommended changes.

b. Pesticide, Herbicide, and Fertilizer Application

Implement procedures to properly store, mix, and apply pesticides, herbicides, and fertilizers on permittee-owned property, including parks and recreation areas, as well as minimize their use.

If the permittee owns or operates one or more golf courses, the courses shall be operated in a manner consistent with the Department's *Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses* (2007, or current version).

The Pesticide, Herbicide, and Fertilizer Application Program shall consist of:

- BMPs to minimize the use and application of pesticides, herbicides, and fertilizer;
- Procedures to maintain an inventory of pesticides, herbicides, and fertilizers;
- Procedures to ensure proper storage and mixing of products;
- Procedures for the use of efficient chemical management practices such as drift-retardants and applying products during appropriate weather conditions;
- Procedures to maintain Restricted Use Pesticide (RUP) application records in accordance with Rule 5E-9.032, F.A.C.;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

c. Certification, Licensing, and Training

Require proper certification and licensing by the Florida Department of Agriculture and Consumer Services for all applicators contracted to apply pesticides or herbicides (commercial applicator) on permittee-owned property, as well as any permittee personnel (public applicator) employed in the application of these products.

All permittee personnel that apply fertilizer shall be trained through the UF/IFAS Green Industry BMP Program. A permittee who contracts the application of fertilizer shall use only commercial applicators that have obtained a limited certification for urban landscape commercial fertilizer application under Section 482.1562, F.S.

Maintain an up-to-date roster of permittee personnel and contractors that apply pesticides,

herbicides, and fertilizer on permittee-owned property or copies of applicable licenses/certifications for each applicator.

5. Illicit Discharges and Improper Disposal

Implement controls to prohibit and eliminate illicit discharges, illicit connections, improper disposal and illegal dumping to the MS4.

The permittee may allow the following non-stormwater discharges or flows provided they do not cause a violation of water quality standards or are not otherwise identified by the permittee as sources of pollutants to the MS4:

- Water line flushing;
- Landscape irrigation;
- Diverted stream flows;
- Rising ground waters;
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
- 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 runoff;
- Water from individual residential car washing;
- Flows from riparian habitats and wetlands;
- Dechlorinated swimming pool discharges;
- Residual street wash water; and
- Discharges or flows from fire fighting activities.

Continue assessments of non-stormwater discharges listed above, as well as any other non-stormwater discharges, allowed to be discharged to the MS4.

a. Dry Weather Field Screening

RESERVED

b. Illicit Discharge Detection & Elimination

Implement a program(s) to detect and eliminate illicit discharges/connections to the MS4 through proactive inspections and investigations of reported illicit discharges, connections or dumping.

If the permittee determines or suspects that a facility does not have coverage as required under the Department's Multi-Sector Generic Permit (MSGP; subsection 62-621.300(5), F.A.C.), it shall refer the facility to the Department's NPDES Stormwater Program.

The Illicit Discharge Detection & Elimination (IDDE) Program(s) shall consist of:

- A regulatory mechanism in accordance with Part II.B to prohibit illicit discharges to the MS4;
- A list of priority areas that have the potential to adversely impact the MS4, or which demonstrate repeated occurrences of illicit discharges/connections/dumping;
- A description of the frequency or schedule for proactive inspections of priority areas;
- Procedures to conduct inspections;
- A reporting mechanism(s) for the public and personnel to report suspected illicit discharges/connections;
- Procedures to investigate reports of illicit discharges/connections/dumping;
- Procedures for elimination or enforcement of illicit discharges, including the use of referrals to the appropriate jurisdictional authority;
- Procedures to document and track inspections, complaints, investigations, referrals and enforcement;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of proactive inspections conducted;
- The number of reports of illicit discharges received from the public;
- The number of investigations conducted;
- The number of illicit discharges/connections found and resolved;
- The number of enforcement actions taken; and
- The number of referrals completed.

c. Spill Prevention & Response

Implement a program(s) to prevent, respond to, and safely contain spills that discharge, or have the potential to discharge, to the MS4, including roadways. Spills may include chemical or sanitary sewer releases.

The Spill Prevention & Response Program(s) shall consist of:

- A regulatory mechanism(s) in accordance with Part II.B;
- A description of actions to be taken to minimize or prevent spills from reaching the MS4 until a spill control or emergency response entity responds;
- Procedures for notifying the control entity responsible for spill response, including the appropriate utility owner if wastewater contamination is suspected in the MS4;
- A description of cleanup procedures for spills that impact the MS4;
- Procedures to document and track spills and spill response;
- Dedicated personnel and resources or identified spill response and control entity; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of spills that impacted the MS4;

- The number of spills that were sanitary sewer overflows (SSOs);
- The number of spills cleaned / SSOs resolved; and
- The number of notifications to the appropriate utility owner if wastewater contamination was suspected to impact the MS4.

d. Limitation of Sanitary Sewer Contamination

Operate and maintain the collection system in accordance with Chapter 62-604, F.A.C. Implement a program to reduce or eliminate sanitary wastewater contamination into the MS4, including discharges from SSO and incidents related to inflow/infiltration (I&I) as defined in subsection 62-620.200(8) and (9), F.A.C. from sanitary sewer collection and transmission systems.

The Limitation of Sanitary Sewer Contamination Program shall consist of:

- Activities to reduce sanitary wastewater contamination from SSOs and I&I;
- Procedures to clean up spills to the MS4 from SSOs;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT provide:

- The type and number of activities undertaken to reduce SSOs and I&I;
- The number of I&Is discovered; and
- The number of I&Is repaired/resolved.

6. High-Risk Runoff

Implement controls to reduce pollutants in stormwater discharged from municipal, industrial, and high-risk facilities to the MS4.

If the permittee determines or suspects that a facility does not have coverage as required under the Department's MSGP, it shall refer the facility to the Department's NPDES Stormwater Program.

a. Municipal Facilities

Identify applicable permittee-owned facilities, determine the necessary stormwater pollution control measures and procedures to be employed at each facility, and conduct inspections for the implementation of these controls. Site specific monitoring, as described in Part III.A.6.c., may be required.

Inspect permittee facilities that handle municipal waste, and facilities from which roadway, MS4, and fleet maintenance is conducted, as applicable:

- Operating municipal landfills;
- Municipal waste transfer stations;
- Municipal waste fleet maintenance facilities;
- Other facilities used for the temporary storage of waste; and
- Facilities that support roadway and MS4 maintenance.

The Municipal Facilities Program shall consist of:

- An inventory of applicable facilities and their activities / potential pollution sources;
- Structural and/or non-structural stormwater BMPs for each activity at each site;
- Procedures to conduct annual inspections for proper implementation of BMPs;
- Procedures to document and track inspections and corrective action;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

*For municipal facilities that have MSGP coverage, the Stormwater Pollution Prevention Plan and inspections/monitoring of the MSGP may be used to meet the program requirements.

REPORTING

In each ANNUAL REPORT, provide:

- The list of facilities;
- The number of inspections conducted for each facility; and
- The identification of deficiencies and/or corrective actions.

b. High-Risk Facilities

Identify facilities that have the potential to contribute substantial pollutant loadings to the MS4.

This includes, as applicable:

- Operating private landfills;
- Hazardous waste treatment, storage, disposal and recovery facilities;
- Facilities that are subject to EPCRA Title III, Section 313 (EPA Toxics Release Inventory); and
- Any other industrial or commercial facilities determined by the permittee to have the potential to contribute a substantial pollutant loading to the permittee's MS4.

Require controls to reduce the impact on MS4 discharges.

Inspect facilities that contribute or have the potential to contribute substantial pollutant loadings to the MS4.

The High-Risk Facility Program shall consist of:

- A regulatory mechanism(s) in accordance with Part II.B;
- An inventory of known high-risk facilities that discharge to the MS4. The inventory shall identify the facility name and address, NAICS/SIC codes, if applicable, and point of connection (lat/long) to the MS4;
- Inspection schedule for each facility to occur a minimum of once every five years;
- Procedures for conducting facility or connection inspections;
- Procedures for referrals to the Department's NPDES Stormwater Program for any facilities suspected of requiring but not having coverage under the MSGP;
- Procedures for monitoring in accordance with Part III.A.6.c., below;
- Procedures for documenting inspections and enforcement action or referrals;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The total number of high-risk facilities in the inventory, including facilities added or removed;
- The number of inspections conducted; and
- The number of enforcement actions or referrals completed.

c. Monitoring of High-Risk Facilities

Evaluate high-risk industrial facilities to determine if the discharge is contributing a substantial pollutant load to the MS4 in accordance with 40 CFR 122.26(d)(2)(iv)(C)(2). The evaluation may include site-specific sampling.

Sampling of facility discharges may be required as needed in the event inspections or investigations indicate that discharges may be impacting the MS4.

The High-Risk Facilities Monitoring Program shall consist of:

- Criteria for determining if a facility needs to be sampled/monitored;
- Procedures for monitoring;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

7. Construction Site Runoff

Implement controls to reduce the discharge of pollutants in stormwater runoff from construction activities to the MS4.

a. Construction Site Plan Review

Review construction site plans/applications for compliance with regulatory mechanisms that require the use and maintenance of appropriate structural and non-structural stormwater erosion, sedimentation, and construction site waste controls, prior to commencement.

The Construction Site Plan Review Program shall consist of:

- A regulatory mechanism(s) in accordance with Part II.B;
- A construction site plan/application review process to ensure compliance with stormwater BMP requirements;
- Notification to applicants that they may need to obtain coverage under the Department's NPDES Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP; subsection 62-621.300(4), F.A.C.), as applicable;
- Confirmation that CGP coverage for applicable sites has been obtained, if not accomplished in Part III.A.7.b. (local approvals are not contingent upon obtaining CGP coverage);
- Referrals to the Department's NPDES Stormwater Program for sites identified as requiring, but that did not obtain, CGP coverage;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of construction site plans/applications for permittee projects reviewed and approved;
- The number of non-permittee construction site plans reviewed and approved;
- The number of applicants notified of CGP coverage requirements;
- The number of applicable sites with confirmed CGP coverage; and
- The number of referrals completed.

b. Construction Site Inspection & Enforcement

Conduct inspections for stormwater erosion, sedimentation, and waste controls at construction sites that have the potential to impact the MS4.

Inspections shall occur at multiple phases of construction to ensure BMPs are properly installed and maintained. Sites shall be inspected at least once prior to land disturbance to ensure that BMPs have been properly installed, once during active construction to ensure BMPs are maintained, and at the conclusion of active construction to ensure final stabilization.

The Construction Site Inspection & Enforcement Program shall consist of:

- A regulatory mechanism in accordance with Part II.B;
- Inspection prioritization factors and frequency schedule;
- Procedures for conducting site inspections;
- Procedures for follow-up inspections to ensure that corrective action is taken, when appropriate;
- Procedures for enforcement, including referrals to the appropriate jurisdictional authorities where responsibility is outside the permittee's jurisdiction;
- Procedures for tracking all inspections and enforcement activity for each site;
- (If not accomplished in Part III.A.7.a.) Procedures to confirm CGP coverage has been obtained, and referrals, as applicable;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of active permittee and non-permittee construction sites;
- The number of inspections of permittee and non-permittee construction sites;
- The percentage of active permittee and non-permittee construction sites inspected; and
- The number of enforcement actions or referrals completed.

8. Employee Training

Implement a training program(s) to ensure that personnel are trained to inspect structural controls, facilities, and priority areas, and respond to spills and illicit discharges to prevent and reduce pollutant impacts on the MS4.

a. MS4 Inspector Training

Within 12 months of permit issuance, develop and implement a training program(s) for personnel that conduct inspections and maintenance of the MS4 to identify and report conditions that trigger maintenance for stormwater components.

Training shall include the inspection activities described in Table III.A.1.c. and maintenance procedures to ensure proper function and to reduce the discharge of pollutants from the MS4 in accordance with the MS4 Inspection & Maintenance Program SOP.

The MS4 Inspector Training Program(s) shall consist of:

- Appropriate topics, including:
  - Inspection and maintenance procedures for applicable stormwater components;
  - Identifying proper operation; and
  - Inspection and maintenance reporting and recordkeeping.
- The identification of staff/positions required to receive training;
- Designated material(s) and training methods;
- Procedures to document training activities, including the date of the training, the type of training, the topics covered, and the names and affiliations of the participants;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

b. IDDE Training

Implement a training program(s) to ensure that personnel are trained to identify and report potential pollutant impacts on the MS4.

The program shall include annual training of appropriate personnel in the detection and elimination of illicit discharges and connections in accordance with the IDDE Program SOP.

The IDDE Training Program(s) shall consist of:

- Appropriate topics, including:
  - The identification of illicit discharges and connections;
  - Reporting procedures for suspected illicit discharges/connections;
  - Elimination/enforcement procedures; and
  - The types of facilities covered under the Department's MSGP.
- Identification of personnel/positions required to attend annual training;
- Designated material(s) and training methods;
- A description of the frequency, schedule, or method to achieve annual training for all appropriate personnel;
- Procedures to document training activities, including the date of the training, the type of training, the topics covered, and the names and affiliations of the participants;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of personnel that received annual IDDE training.

c. Spill Response Training

Implement a training program(s) to ensure that personnel are trained to prevent and respond to potential pollutant impacts on the MS4.

The program shall include annual training of appropriate personnel in spill prevention and response and proper implementation of stormwater BMPs in accordance with the Spill Prevention & Response Program SOP.

The Spill Response Training Program(s) shall consist of:

- Appropriate topics, including:
  - The permittee's spill prevention and response procedures;
  - Reporting procedures for spills; and
  - Pollution prevention and good housekeeping BMPs and their proper implementation.
- Identification of personnel/positions required to attend annual training;
- Designated material(s) and training methods;
- A description of the frequency, schedule, or method to achieve annual training for all appropriate personnel;
- Procedures to document training activities, including the date of the training, the type of training, the topics covered, and the names and affiliations of the participants;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The number of personnel that received annual spill prevention and response training.

d. Construction Training

Implement a certification and training program for personnel involved in the site plan review, site operation, and inspection of construction site stormwater erosion, sedimentation, and waste controls.

All personnel conducting inspections in accordance with Part III.A.7.b. above, shall be certified through the *Florida Stormwater, Erosion and Sedimentation Control Inspector Training and Certification Program* or hold a construction inspection certification or license from a program that covers the same core material.

The program shall include annual training of all personnel involved in the site plan review, site operation, and inspection of construction sites in accordance with the Construction Site Plan Review and Construction Site Inspection & Enforcement Program SOPs. The training shall cover the selection, installation, and maintenance of appropriate construction site stormwater BMPs for erosion, sedimentation, and waste controls. A review of construction site BMPs during pre-construction meetings may serve as training/outreach for operators.

The Construction Training Program shall consist of:

- Appropriate topics, including;
  - Erosion and sedimentation and waste control BMPs;
  - Installation and maintenance of BMPs; and
  - Inspection procedures.
- Identification of personnel/positions required to attend annual training;
- A description of the frequency, schedule, or method to achieve annual training for all appropriate personnel;
- Procedures to document training activities, including the date of training, the type of training, the topics covered, and the names and affiliations of participants;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide:

- The total number of active certified inspectors;
- The number of inspectors that received annual training;
- The number of site plan reviewers that received annual training; and
- The number of permittee site operators that received training/outreach.

9. Public Education & Outreach

Develop and implement a program(s) to educate the community on the impacts of stormwater discharges to the MS4 and on downstream waterbodies and promote ways to reduce pollutants in stormwater runoff.

The program shall include outreach activities for the dissemination of information to the public and businesses to address the requirements identified below during each reporting period.

The Public Education & Outreach Program(s) shall consist of:

- Outreach activities on water quality impacts associated with illicit discharges and illegal connections;
- Promoting, publicizing, and facilitating a public reporting mechanism for illicit discharges, illicit connections and dumping;
- Outreach activities on the impacts of trash/litter;
- Outreach activities on the impacts of pesticide, herbicide, and fertilizer on downstream waterbodies, and ways to reduce their use;
- Outreach activities to encourage the proper maintenance of private stormwater systems and/or the promotion of LID/GSI;
- Outreach activities to encourage the proper use and disposal of used motor vehicle fluids, household hazardous waste (HHW), and lead acid batteries;
- Material distribution quarterly to inform the public of HHW collection facility locations or events, and the types of materials collected;
- Identification of target audiences;
- A method(s) for documenting outreach activities;
- Written agreements if another entity implements activities on behalf of the permittee; and
- A written SOP that describes each of the aforementioned items.

REPORTING

In each ANNUAL REPORT, provide the type and number of activities/materials distributed on:

- The impacts associated with illicit discharges, illegal connections, illegal dumping;
- Illicit discharge public reporting mechanism;
- The impacts associated with trash/litter;
- The impacts associated with pesticide, herbicide, and fertilizer;
- Proper maintenance of private stormwater systems and/or the promotion of LID/GSI;
- Proper use and disposal of HHW; and
- HHW collection events/locations advertised.

B. Compliance with Effluent Limitations

RESERVED

IV. NUMERIC EFFLUENT LIMITATIONS

RESERVED

V. TOTAL MAXIMUM DAILY LOADS

The requirements of this section apply to permittees whose MS4s discharge, either directly or through a point of interconnection, to receiving waters with Total Maximum Daily Load (TMDLs) that are adopted by DEP or established by EPA as of the effective date of this permit, and which are verified as impaired for the pollutant of concern by DEP using the processes defined in the Impaired Waters Rule (Chapter 62-303, F.A.C.).

The Department recognizes that TMDLs are best addressed at the watershed scale, and that no single entity is responsible for addressing all load reductions specified in TMDL reports. The intent of this section is to reduce the TMDL pollutant(s) of concern to the MEP from MS4 discharges. The permittee shall address the Wasteload Allocation (WLA) identified in TMDL reports through the actions outlined in this part of the permit. Additionally, permittees are encouraged to collaborate with other permittees and stakeholders.

DEP adopted TMDLs are listed in Chapter 62-304, F.A.C. DEP adopted TMDLs and EPA-established TMDLs may be found using the ArcGIS map.

A. TMDL Prioritization

A TMDL Prioritization Plan or letter shall be submitted to the Department within six months of date of permit issuance for review and approval and include the prioritized list of applicable Waterbody Identification Numbers (WBID(s)) and a description of the factors used for prioritization determinations.

1. TMDL Prioritization Plan

The permittee shall identify and list all WBIDs with TMDLs to which its MS4 discharges either directly, or through a point of interconnection, and prioritize those WBIDs for implementation of the applicable requirements in Parts V.B – V.E. The TMDL Prioritization Plan shall identify TMDL WBIDs addressed in previous permit cycles with ongoing activities pursuant to MS4 permitting and/or adopted Basin Management Action Plans (BMAP).

The permittee shall prioritize a WBID(s) not previously prioritized by the permittee (listed in Part II.E), including through BMAP activities, in each permit cycle, as applicable. +

If the permittee prioritized a non-bacteria TMDL, develop monitoring and implementation activities according to Part V.B, below. If the permittee prioritized a bacteria TMDL, develop monitoring and implementation activities according to Part V.C, below.

For permittees whose MS4 does not discharge to a TMDL WBID either directly or through a point of interconnection, or has prioritized all receiving TMDL WBIDs, in lieu of a TMDL Prioritization Plan, submit a letter that demonstrates these circumstances for Department review and potential exemption from Parts V.B and V.C.

2. Alternative Restoration Plans

The permittee may prioritize a Category 5 impaired WBID(s) in lieu of a TMDL WBID, provided the WBID is not identified on the DEP TMDL Priority Waters workplan, including those waters on the TMDL draft list for development, and the permittee prioritizes the WBID(s) for the development

of an Alternative Restoration Plan as described in the Department's *Guidance on Developing Water Quality Restoration Plans as Alternatives to Total Maximum Daily Loads – Assessment Category 4b and 4e Plans* (October 2021, or current version).

The WBID shall be included in the TMDL Prioritization Plan described in Part V.A.1, above; the permittee shall demonstrate that the MS4 discharges to the selected WBID(s).

Compliance schedules for permittee Alternative Restoration Plans will be developed on a case-by-case basis between the Department and permittee upon approval of the TMDL Prioritization Plan. The permittee shall coordinate with the Department's Division of Environmental Assessment and Restoration (DEAR) to ensure that sufficient progress is being made in the development of the Alternative Restoration Plan.

The permittee shall submit the draft/adopted/approved Alternative Restoration Plan with the Year 4 ANNUAL REPORT.

B. Prioritized Non-Bacteria TMDLs

This section applies to prioritized TMDL WBIDs with a of pollutant of concern other than bacteria.

The permittee shall address the WLA for the associated TMDL WBID through implementation of activities to evaluate and reduce the contribution of the pollutant of concern discharged from the MS4.

The permittee shall develop an MS4 Pollutant Loading Evaluation Plan and a TMDL Implementation Plan as described below.

1. MS4 Pollutant Loading Evaluation Plan

Implement a plan to conduct, facilitate, or coordinate monitoring and/or modeling of the prioritized TMDL WBID in order to evaluate the contribution of the pollutant(s) of concern by the MS4, and load reductions achieved in relation to the WLA.

A written plan consisting of either Storm Event Outfall Monitoring, Pollutant Load Reduction Modeling, or Targeted Water Quality Monitoring as described below, shall be submitted to the Department within six months of TMDL Prioritization Plan approval.

Data collected from the plans shall be used along with other relevant data, such as load reduction data from BMPs that have been implemented in the MS4 drainage basins that discharge to the TMDL WBID, to evaluate progress over time toward addressing the WLA.

a. Storm Event Outfall Monitoring

Conduct Storm Event Outfall Monitoring to obtain flow-weighted composite samples from an MS4 outfall or point of interconnection that is representative of the MS4 discharge with the purpose of identifying baseline pollutant loads of the pollutant(s) of concern. A minimum of seven storm events shall be sampled at the MS4 outfall or point of interconnection.

Monitoring data results shall be normalized to average annual rainfall to allow calculation of the average annual stormwater pollutant loading for the parameter(s) analyzed.

The Storm Event Outfall Monitoring Plan shall consist of:

- A map depicting relevant drainage areas, MS4 outfalls, and monitoring locations;
- A description of the sampling techniques used at each location;
- A timeline to conduct sampling; and
- A description of how the permittee will evaluate changes in stormwater pollutant loadings over time.

b. Pollutant Load Reduction Modeling

Conduct Pollutant Load Reduction Modeling to obtain estimates of annual pollutant loadings from stormwater runoff as influenced by land-use, stormwater management practices, and other determinants within the MS4 drainage basin(s) that discharge to the prioritized TMDL WBID.

The Pollutant Load Reduction Modeling Plan shall consist of:

- A map depicting the relevant drainage areas and MS4 outfalls;
- A description of the model used;
- A description of model input data that shall be used, including:
    - The total land area and area of associated land-use types within the contributing MS4 drainage area(s);
    - Estimated percent impervious area, estimated percent Directly Connected Impervious Area (DCIA), and/or impervious area runoff coefficients;
    - Local mean annual rainfall;
    - Site-specific event mean concentrations (EMCs) that have been determined to be scientifically valid or a model calibrated with site specific EMC data; data collected must follow quality assurance provisions outlined in Chapter 62-160, F.A.C.;
    - Treatment BMPs/model nodes and pollutant removal efficiencies;
    - Hydraulic or routing paths with associated concentration time, as applicable; and
    - Soil types, as applicable.
- A description of how the permittee will evaluate changes in stormwater pollutant loadings over time.

c. Targeted Water Quality Monitoring

Conduct Targeted Water Quality Monitoring to obtain current estimates of stormwater annual loadings, identify the major sources of the pollutant(s) of concern that are discharging into the waterbody, and evaluate waterbody health changes over time. The plan shall include monitoring within receiving waters and/or outfall locations, and biological and sediment monitoring, as appropriate.

The Targeted Water Quality Monitoring Plan shall consist of:

- A map depicting relevant drainage areas, MS4 outfalls, and monitoring locations;
- A description of the methods and frequency of monitoring at each location;
- A description of other relevant data, such as load reduction data from BMPs implemented in the MS4 drainage areas, that will be used to determine and evaluate reductions;
- A timeline to conduct sampling; and
- A description of how the permittee will evaluate changes in stormwater pollutant loadings and waterbody health over time.

2. TMDL Implementation Plan

The TMDL Implementation Plan shall be submitted to the Department no later than the Year 4 ANNUAL REPORT.

The TMDL Implementation Plan shall consist of:

- Identification of baseline pollutant loading used to evaluate reductions achieved;
- An analysis of water quality trends and/or annual pollutant loadings;
- A description of existing structural and non-structural BMPs currently implemented to achieve WLA reductions and the associated load reductions achieved, if applicable;
- An assessment of identified areas within the MS4 service area where further pollutant reductions are needed;
- The identification of additional structural and/or non-structural BMPs and other activities planned for implementation to achieve reductions of the pollutant of concern, if applicable;
- A schedule for the implementation of additional BMPs and a projected load reduction associated with each; and
- An ongoing monitoring strategy using techniques identified in Part V.B.1 to evaluate the effectiveness of the SWMP and revise activities, as needed, to reduce MS4 discharges of the pollutant of concern.

C. Prioritized Bacteria TMDLs

This section applies to prioritized WBIDs with a TMDL for fecal indicator bacteria.

The permittee shall identify sources of bacterial pollution and implement activities to reduce bacterial loadings from the MS4. The permittee may use the assessment tools and methodology within the Department's *Restoring Bacteria-Impaired Waters – A Toolkit to Help Local Stakeholders Identify and Eliminate Potential Pathogen Problems* (August 2018, or current version).

The permittee shall develop a Bacteria Source Identification Plan and Bacteria Pollution Control Plan (BPCP) as described below.

1. Bacteria Source Identification Plan

Implement a plan to identify and evaluate sources of bacteria pollution discharged from the MS4 to the prioritized WBID. A written plan shall be submitted to the Department within six months of TMDL Prioritization Plan approval.

The Bacteria Source Identification Plan shall consist of:

- A timeline for conducting a Walk-the-Watershed (WTW) or equivalent activity; and
- Water quality monitoring that includes:
    - Monitoring frequency/schedule, to include sampling within the MS4 or receiving waters;
    - A map depicting monitoring locations and MS4 infrastructure; and
    - The identification of exceedance thresholds that trigger source tracking, follow-up monitoring, and/or other bacteria pollution source tracking activities.

2. Bacteria Pollution Control Plan

The Bacteria Pollution Control Plan (BPCP) shall be submitted no later than the Year 4 ANNUAL REPORT and include:

- A summary analysis of the results from the Bacteria Source Identification Plan, including:
  - A description of water quality changes, including reductions achieved to date;
  - Identification of potential sources and/or MS4 focus areas; and
  - A description of any sources identified and eliminated.
- A description of activities implemented to identify, eliminate, or reduce bacteria loadings from the MS4 to include:
  - A description of community education and outreach that is directed at reducing bacteria pollution within the target watershed; and
  - A description of a pet waste program implemented within the target watershed.
- A schedule for the implementation of additional structural and non-structural BMPs and other source management measures to reduce bacteria loadings from the MS4; and
- A strategy for on-going monitoring to evaluate changes in the magnitude and frequency of bacterial exceedances and to revise activities, as needed, to reduce MS4 discharges of the pollutant of concern; this includes a WTW once per permit cycle until target load reductions are achieved.

D. Basin Management Action Plans

In accordance with Section 403.067, F.S., dischargers subject to Department-issued NPDES permits must implement management strategies in accordance with associated schedules established in the Basin Management Action Plan (BMAP). Therefore, when a BMAP is adopted for a waterbody into which the MS4 discharges, the permittee shall comply with the provisions of the BMAP and activities specified therein.

E. TMDL Reporting

1. *TMDL Prioritization Plan* (Part V.A). Within six months of permit issuance, submit the TMDL Prioritization Plan for Department review and approval, or letter that demonstrates the MS4 does not discharge to a TMDL waterbody.

2. *MS4 Pollutant Loading Evaluation Plan* (Part V.B.1) or *Bacteria Source Identification Plan* (Part V.C.1). Within six months following DEP approval of the TMDL Prioritization Plan, submit the MS4 Pollutant Loading Evaluation Plan or Bacteria Source Identification Plan, as appropriate, for Department review and approval.

3. *TMDL Implementation Plan* (Part V.B.2) or *BPCP* (Part V.C.2). With the YEAR 4 ANNUAL REPORT, submit the TMDL Implementation Plan, BPCP, or Alternative Restoration Plan, as appropriate, for Department review and approval.

4. *Annual TMDL Reporting*. With each ANNUAL REPORT, provide an update for each previously approved TMDL Implementation Plan and/or BPCP (listed in Part II.E.) that includes:
   - A summary analysis of water quality and/or pollutant loading data;
   - A description of any pollutant sources eliminated and/or reductions achieved; and

- The identification of additional structural or non-structural BMPs and other activities implemented or revised.

VI. EVALUATION OF THE SWMP

The permittee shall implement an Assessment Program to gather information to evaluate the effectiveness of the SWMP in an iterative process of reducing the discharge of pollutants from the MS4 to the MEP, protecting water quality, and satisfying the appropriate water quality requirements of the CWA.

A. Assessment Program

The Assessment Program shall consist of water quality monitoring, pollutant loading estimates, and a SWMP evaluation, as described in Part VI.A.1-3, below.

1. Water Quality Monitoring

The permittee shall implement a water quality monitoring plan to identify local sources or areas where MS4 discharges are potentially affecting surface water quality. The monitoring plan may 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* (most current version).

All samples shall be collected and analyzed in accordance with the methods specified at 40 CFR Part 136 and the Department's Quality Assurance requirements as detailed in Chapter 62-160, F.A.C.

The water quality monitoring plan shall be described in writing and consist of:

- A map of monitoring locations, major outfalls, and receiving waterbodies;
- A description of the methods of monitoring and parameters monitored at each location; and
- The frequency of monitoring.

2. Pollutant Loading Estimates

The permittee shall develop estimates of the average annual pollutant loading from each major outfall or major watershed for the following parameters:

- Biochemical Oxygen Demand
- Total Copper
- Total Nitrogen
- Total Phosphorus
- Total Suspended Solids
- Total Zinc

The average annual pollutant loading shall be estimated using regional EMCs derived from storm event monitoring or Florida-based EMCs in the Department's *Evaluation of Current Stormwater Design Criteria within the State of Florida* (2007), and shall take into consideration land uses within the associated drainage areas, stormwater treatment BMP pollutant removal efficiencies, and reductions achieved through street sweeping and other material removal activities.

The model or method must normalize the average annual rainfall to reflect variations in pollutant loading estimates.

The process to develop pollutant loading estimates shall be described in writing and include:

- A description of the models or methods used for calculations;
- A description of all input data used; and
- The identification of the source(s) of input data.

3. SWMP Evaluation

The permittee shall use data from Parts VI.A.1, VI.A.2, and other relevant information to evaluate the effectiveness of the SWMP, BMPs, and other activities implemented in accordance with Part III.A. The process to evaluate SWMP effectiveness shall be described in the written Assessment Program. The results of the SWMP Evaluation shall be included as a component of the permit reapplication in accordance with Part VI.B.4, below.

The SWMP evaluation process shall be described in writing and:

- Incorporate an analysis of:
  - Water quality monitoring data; and/or
  - Pollutant loading data; and
  - Relevant information generated through the implementation of the SWMP.
- Facilitate the identification of portions of the MS4 service area to be targeted for further loading reductions and/or corrective action; and/or
- Facilitate the revision and/or retrofitting of existing structural or non-structural BMPs, and the identification of additional BMPs and other activities, as needed.

B. Assessment Program Reporting

1. Updates

The issuance of a permit may introduce additional requirements to assessment programs. The permittee shall review their existing assessment programs for consistency with Parts VI.A.1-3, above, and submit a revised Assessment Program with the Year 1 ANNUAL REPORT, if revised. Requests for changes to the approved Assessment Program may be made to the Department at any time. This shall include revisions or changes to:

- Monitoring locations or frequencies;
- Monitoring methods or parameters monitored;
- Pollutant loading evaluation methods; and
- The SWMP evaluation process.

2. Annual Reporting

With each ANNUAL REPORT the permittee shall provide:

a. The estimated pounds of total nitrogen (TN) and total phosphorus (TP) load reductions from street sweeping. The permittee shall calculate the load reductions using the FSA MS4 Load Reduction Assessment Tool (current version); the permittee may use a similar tool if approved by the Department;
b. A summary of the Assessment Program results for the reporting year that includes an analysis of the water quality monitoring data and/or stormwater pollutant loading changes;
c. A summary of changes to the SWMP in accordance with Part II.A.3., if applicable; and

d. A discussion of any impacts on the implementation of the SWMP if financial resources have decreased from the previous year in accordance with Part II.C.

Note: In the event that a permittee is unable to collect water quality samples due to circumstances beyond their control, the permittee shall submit a description of the circumstances and a plan to resume monitoring.

3. Pollutant Loading Comparison

With the Year 3 ANNUAL REPORT, the permittee shall provide annual pollutant loadings, (Part VI.A.2) and compare the current permit cycle's average annual pollutant loadings to the previous permit cycle's Year 3 pollutant loadings. The permittee shall indicate whether pollutant loadings are increasing or decreasing for each major outfall or major watershed.

With the Year 4 ANNUAL REPORT The permittee shall identify and provide a plan to address MS4 drainage areas that show an increase in pollutant loadings as described in Part VI.B.4, as applicable.

4. Evaluation Results

With the Year 4 ANNUAL REPORT, the permittee shall submit the results of the Assessment Program as a required component of the permit reapplication that includes:

a. A summary analysis of water quality and/or pollutant loading improvements or degradation over the permit period, or a statement indicating that the results are inconclusive; indicate whether stormwater pollutant loadings, as identified in Part VI.B.3 above, have increased or decreased;

b. The results of the SWMP evaluation that includes an evaluation of the effectiveness of the SWMP in reducing pollutant loading from the MS4, and accomplishments in the implementation of MS4 pollutant reduction activities;

c. The identification of recommended revisions or additions to SWMP activities implemented in Part III.A, as needed. This includes the identification of any portions of the MS4 service area where revised or additional BMPs will be implemented to address increased pollutant loadings identified in Part VI.B.3; and

d. A determination of whether the Assessment Program is providing data that can be used to assess the effectiveness of the SWMP in reducing stormwater pollutant loadings; changes or updates to the Assessment Program shall be identified in accordance with Part VI.B.1.

VII. REPORTING REQUIREMENTS

A. Annual Report: Reporting Period and Due Date

The permittee shall prepare an ANNUAL REPORT to be submitted by no later than six months after the end of the reporting period in accordance with Rule 62-624.600, F.A.C.

1. The Reporting Period is the 12-month period from [DATE] to [DATE] of each year.

2. The ANNUAL REPORT must be submitted no later than [DATE] of each year.

B. 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.

C. Permit Reapplication

The permittee shall include with the Year 4 ANNUAL REPORT and reapplication**:**

1. A statement clearly indicating that the Annual Report is being used for reapplication purposes in accordance with Rule 62-624.420, F.A.C.;

2. Results of the SWMP Evaluation in accordance with Part VI.B and Rule 62-624.440, F.A.C., clearly describing proposed revisions to the permittee's activities required under the existing permit;

3. A copy or citation of all regulatory mechanisms for items 1-8 under Part II.B Legal Authority, and a status update to any changes and/or development; and

4. Fiscal analysis in accordance with Part II.C SWMP Resources.

D. Where to Submit

ANNUAL REPORTS and other reports or information requested by the Department may be submitted by email to NPDES-MS4@FloridaDEP.gov. Hard copy materials shall be mailed to:

NPDES Stormwater Program
Mail Station 3585
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

When applicable, all reports submitted in accordance with this section must be submitted electronically to the Department as provided in paragraph 62-620.100(3)(bb) and paragraph 62-620.100(3)(cc), F.A.C.

E. Additional Notification

RESERVED

VIII. ADDITIONAL 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.A.3 of this permit.

B. Reopener Clause

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

2. The permit may be reopened and revised during the life of the permit to:
   a. Adjust effluent limitations or monitoring requirements should future adopted TMDLs, water quality studies, Department-approved changes in water quality standards, or other information show a need for different limitations or monitoring requirements;
   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. Add a new permittee that is the owner or operator of an MS4.]

C. Duty to Reapply

1. The permittee shall submit an application to renew this permit in the Year 4 ANNUAL REPORT or at least 180 days before the expiration date of this permit. 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. [Rule 62-620.335, F.A.C.]

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. [Rule 62-620.335, F.A.C.]

D. Termination of Coverage for a Single Permittee

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

IX. GENERAL CONDITIONS

In accordance with Rule 62-624.310, F.A.C., the permittee is subject to the following conditions set forth in Rule 62-620.610, F.A.C.

(1) 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.]*

(2) 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.]*

(3) As provided in Section 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.]*

(4) 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.]*

(5) This permit does not relieve the permittee 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 to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee 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 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.]*

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

(7) [*General Condition 62-620.610(7), F.A.C. is excepted by 62-624.310, F.A.C.*]

(8) This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee 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.]*

(9) The permittee, 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:

(a) 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;

(b) Have access to and copy any records that shall be kept under the conditions of this permit;

(c) Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and

(d) 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.]*

(10) In accepting this permit, the permittee 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.]*

(11) When requested by the Department, the permittee 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 shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee 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.]*

(12) [*General Condition 62-620.610(12), F.A.C. is excepted by 62-624.310, F.A.C.*]

(13) The permittee, 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.]*

(14) This permit is transferable only upon Department approval in accordance with Rule 62-620.610(14), F.A.C. The permittee 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.]*

(15) *[Not Applicable] [62-620.610(15), F.A.C.]*

(16) *[General Condition 62-620.610(16), F.A.C. is excepted by 62-624.310, F.A.C.]*

(17) *[General Condition 62-620.610(17), F.A.C. is excepted by 62-624.310, F.A.C.]*

(18) 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.

(a) *[Not applicable]*

(b) *[Not applicable]*

(c) *[Not applicable]*

(d) Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified through the Department of Health Environmental Laboratory Certification Program. Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in subsection 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.

(e) Field activities including on-site test and sample collection shall follow the applicable

standard operating procedures described in DEP-QA-001/01 adopted by reference in Chapter 62-160, F.A.C.

(f) Alternate field procedures and laboratory methods may be used where they have been approved in accordance with rules 62-160.220 and 62-160.330, F.A.C. *[62-620.610(18), F.A.C.]*

(19) 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.]*

(20) The permittee 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.

(a) The following shall be included as information which must be reported within 24 hours under this condition:

1. [*Not Applicable*]
2. [*Not Applicable*]
3. [*Not Applicable*]
4. Any unauthorized discharge to surface or ground waters.

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

1. For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph (a)4. that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WATCH OFFICE TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Watch Office:
   a. Name, address, and telephone number of person reporting;
   b. Name, address, and telephone number of permittee or responsible person for the discharge;
   c. Date and time of the discharge and status of discharge (ongoing or ceased);
   d. Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
   e. Estimated amount of the discharge;
   f. Location or address of the discharge;
   g. Source and cause of the discharge;
   h. Whether the discharge was contained on-site, and cleanup actions taken to date;
   i. Description of area affected by the discharge, including name of waterbody affected, if any; and
   j. 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.]*

(21) [*Not Applicable*] *[62-620.610(21), F.A.C.]*

(22) [*General Condition 62-620.610(22), F.A.C. is excepted by 62-624.310, F.A.C.*]

(23) [*General Condition 62-620.610(23), F.A.C. is excepted by 62-624.310, F.A.C.*]

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. These and other definitions used in this permit are provided below:

(1) "Alum Injection System" means a chemical treatment system that injects aluminum sulfate into stormwater to cause coagulation of pollutants. *[Description of Stormwater Structural Controls in MS4 Permits]*

(2) "Best Management Practice (BMP)" means a schedule of activities, prohibition of practices, maintenance procedure, and other management practices to prevent or reduce the pollution of waters. *[62-620.200(3), F.A.C.]*

(3) "Canal" means a man-made trench, the bottom of which is normally covered by water with the upper edges of its sides normally above water. *[403.803(2), F.S.]*

(4) "Catch Basin" for the purpose of this permit means an engineered feature or sump within a stormwater structure (typically an inlet) designed to trap sediment, debris, and other pollutants.

(5) "Channel" means a trench, the bottom of which is normally covered entirely by water, with the upper edges of its sides normally below water. *[403.803(3), F.S.]*

(6) "Conveyance Swale" for the purpose of this permit means a swale that does not meet the definition of grass treatment "swale" in subsection 403.803(14), F.S.

(7) "Culvert" for the purpose of this permit means a pipe or concrete box structure which drains open channels, swales, or ditches under a roadway or embankment, typically with no catch basins or manholes along its length.

(8) "Detention with Filtration System" usually is a permanently wet pond that has a sand filter to provide effluent filtration. Filters usually are in the side banks of the pond but they may be in the bottom of the basin, and may or may not be sodded. *[Description of Stormwater Structural Controls in MS4 Permits]*

(9) "Discharge Connection Permit" (DCP) is a permit issued under Chapter 14-86, F.A.C., to regulate stormwater discharges to the FDOT right-of-way to ensure safety and integrity of FDOT facilities and to prevent an unreasonable burden on adjacent downstream properties. *[Chapter 14-86, F.A.C.]*

(10) "Ditch" or "Drainage ditch" means a man-made trench that is dug for the purpose of draining water from the land or for transporting water for use on the land and that is not built for navigational purposes. *[403.803(7), F.S.]*

(11) "Dry Detention System" is a basin designed to store a defined quantity of runoff and slowly release the collected runoff through an outlet structure. After drawdown of the stored runoff, the storage basin does not hold any water. *[Description of Stormwater Structural Controls in MS4 Permits]*

(12) "Dry Retention System" is an infiltration basin excavated into the ground, and typically vegetated to minimize erosion and maintain the permeability of soils. *[Description of Stormwater Structural Controls in MS4 Permits]*

(13) "Exfiltration Trench" or "French drain" means a shallow, excavated trench in which stormwater is stored in perforated or slotted pipes and percolates out through the surrounding gravel envelope and filter fabric into the soil. *[Description of Stormwater Structural Controls in MS4 Permits]*

(14) Grass Treatment "Swale" means a manmade trench which:

- (a) Has a top width-to-depth ratio of the cross-section equal to or greater than 6:1, or side slopes equal to or greater than 3 feet horizontal to 1 foot vertical;
- (b) Contains contiguous areas of standing or flowing water only following a rainfall event;

(c) Is planted with or has stabilized vegetation suitable for soil stabilization, stormwater treatment, and nutrient uptake; and
(d) Is designed to take into account the soil erodibility, soil percolation, slope, slope length, and drainage area so as to prevent erosion and reduce pollutant concentration of any discharge. *[403.803(14), F.S.]*

(15) "Household Hazardous Waste" (HHW) for the purpose of this permit means household waste generated by individuals at their residence; excluded from hazardous waste regulations of the Resource Conservation and Recovery Act. *[EPA]*

(16) "Illicit Discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to an NPDES permit and the following categories of non-stormwater discharges provided they do not cause a violation of water quality standards:

- Water line flushing;
- Landscape irrigation;
- Diverted stream flows;
- Rising ground waters;
- Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20));
- 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 runoff;
- Water from individual residential car washing;
- Flows from riparian habitats and wetlands;
- Dechlorinated swimming pool discharges;
- Residual street wash water; and
- Discharges or flows from fire fighting activities. *[62-624.200(2), F.A.C.]*

(17) "Inlets" for the purpose of this permit means an opening in a storm drain used to collect stormwater runoff and include, but is not limited to, a grate inlet, curb inlet, slotted inlet, or combination inlet.

(18) "Major 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.]*

(19) "Major Watershed" for the purpose of this permit means 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 bay. A major watershed must contain at least one major outfall.

(20) "MS4 Discharge" for the purpose of this permit means a direct discharge to waters of the State, or

discharge through a physically interconnected MS4.

(21) "Municipal Separate Storm Sewer" (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:
  (a) 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;
  (b) Designed or used for collecting or conveying stormwater;
  (c) Which is not a combined sewer; and
  (d) 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.]*

(22) "Non-Major Outfall" for the purpose of this permit means an outfall that does not meet the definition of major outfall.

(23) "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.]*

(24) "Outreach Activity" for the purpose of this permit may include but is not limited to brochures, pamphlets, fliers, displays, posters, kiosks, newspaper articles, press releases, public service announcements, social media, videos, websites, special events, school programs, tours, targeted group training, workshops, citizen committee meetings, public workshops and volunteer events.

(25) "Permeable Pavement" is a stormwater control that allows stormwater to infiltrate through the surface of the pavement to the ground. Types of permeable pavements include porous asphalt, pervious concrete and permeable interlocking concrete pavement.
  (a) "Porous Asphalt" (pervious, permeable, popcorn or open-graded asphalt) and "pervious concrete" (porous, gap-graded or enhanced porosity concrete) are versions of traditional asphalt or concrete with reduced sand and fines to allow for greater porosity and infiltration.
  (b) "Permeable interlocking concrete pavement" consists of manufactured concrete units (pavers) with small openings between permeable joints that contain highly permeable, small sized aggregates. *[EPA-832-F-21-031W]*

(26) "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. *[62-620.200(35), F.A.C.]*

(27) "Personnel" for the purpose of this permit means permittee staff and contractors employed by or under contract with the permittee.

(28) "Point of Interconnection" for the purpose of this permit means the point at which the permittee's MS4 discharges to another MS4.

(29) "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.]*

(30) "Pollution" is the presence in the outdoor atmosphere or waters of the state of any substances, contaminants, noise, or manmade or human-induced impairment of air or waters or alteration of the chemical, physical, biological, or radiological integrity of air or water in quantities or at levels which are or may be potentially harmful or injurious to human health or welfare, animal or plant life, or property or which unreasonably interfere with the enjoyment of life or property, including outdoor recreation unless authorized by applicable law. *[403.031(7), F.S.]*

(31) "Pollution Control Box" (PCB) refers to a group of BMPs installed underground and contained within a box or vault. Common types of pollution control boxes include:

(a) Baffle boxes are square chambers connected to a storm drain with partitions dividing the box into sections. Stormwater flows into the first section of the box where sediments and debris settle out of the water. As water rises above the next partition, it overflows into the second section to allow further settling. After detention in multiple chambers water overflows the baffle box into the stormwater pipe. Most baffle boxes are buried in-line with the storm drain system, leaving only manhole covers visible from the ground surface. Second generation (nutrient separating) baffle box includes a wire mesh box that captures vegetative debris, litter, and other materials from settling in the water in the bottom of the box, thereby preventing leaching of the nutrients.

(b) Hydrodynamic separators are flow-through devices that remove sediment, trap debris, and separate floating oils from runoff. While their proprietary designs vary, they all primarily rely on swirl action and particle settling to remove pollutants.

(c) Catch basin inserts are devices installed in existing storm drain inlets that provide water quality treatment through filtration, settling, or adsorption. Catch basin inserts are generally configured to remove coarse sediment, oil and grease, and/or litter and debris. *[Description of Stormwater Structural Controls in MS4 Permits]*

(32) "Public Use Area" for the purpose of this permit means permittee-owned parks, playgrounds, trails, paths, and other recreational areas, other public open spaces, scenic and historic sites, and other external areas.

(33) "Redevelopment" means development on previously developed land. *[EPA-832-F-21-031J]*

(34) "Slab-Covered Trench" means a trench cut in rock that is covered with a concrete slab; it serves as a holding chamber for storm water to percolate into the ground.

(35) "Standard Operating Procedure" (SOP) for the purpose of this permit means a set of written instructions that describes the step-by-step process to perform routine tasks and operations.

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

(37) "Stormwater Management Program" (SWMP) means a program that includes pollution prevention measures, treatment or removal techniques, monitoring, use of legal authority, and other appropriate measures to control the quality of storm water discharged to the storm drains and thence to waters of the state. *[EPA]*

(38) "Stormwater Management System" means a system which is designed and constructed or implemented to control discharges which are necessitated by rainfall events, incorporating methods to collect, convey, store, absorb, inhibit, treat, use, or reuse water to prevent or reduce flooding, overdrainage, environmental degradation and water pollution or otherwise affect the quantity and quality of discharges from the system. *[403.031(16), F.S.]*

(39) "Stormwater Pipe" for the purpose of this permit means a stormwater drainage line which hydraulically connects one catchment or catch basin to another.

(40) "Stormwater Pump Station" means a pump station used for the removal of stormwater from areas where gravity drainage is impossible or impractical. *[Description of Stormwater Structural*

Controls in MS4 Permits]

(41) "Total Maximum Daily Load" (TMDL) for an impaired waterbody or waterbody segment means the sum of the individual wasteload allocations for point sources and the load allocations for nonpoint sources and natural background. *[62-303.200(31), F.A.C.]*

(42) "Under Drain Filter System" means a dry basin underlain with perforated drainage pipe that collects and conveys stormwater following percolation from the basin through suitable soil. *[Description of Stormwater Structural Controls in MS4 Permits]*

(43) "Wasteload Allocations" (WLA) means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution. [*40 CFR 130.2(h)*]

(44) "Water Body Identification Number" (WBID) is an assessment unit that is intended to represent Florida's waterbodies at the watersheds or sub-watershed scale; WBIDs have a unique identification number that is tracked by the Department and have a geographic delineation as a polygon layer. *[DEP Basin 411]*

(45) "Watershed" means the land area which contributes to the flow of water into a receiving body of water. *[403.031, F.S.]*

(46) "Water quality standards" shall mean standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria, including Site Specific Alternative Criteria, applied to the specific water uses or classification, the Florida anti-degradation policy, and the moderating provisions, such as variances, mixing zone rule provisions, or exemptions. *[62-302.200(42), F.A.C.]*

(47) "Weir" for the purpose of this permit means an earthen or structural barrier, in an open channel or conveyance that is intended to detain or control the flow of water.

(48) "Wet Detention System" means a permanently wet pond designed to slowly release a portion of the collected stormwater runoff through an outlet structure. *[Description of Stormwater Structural Controls in MS4 Permits]*