



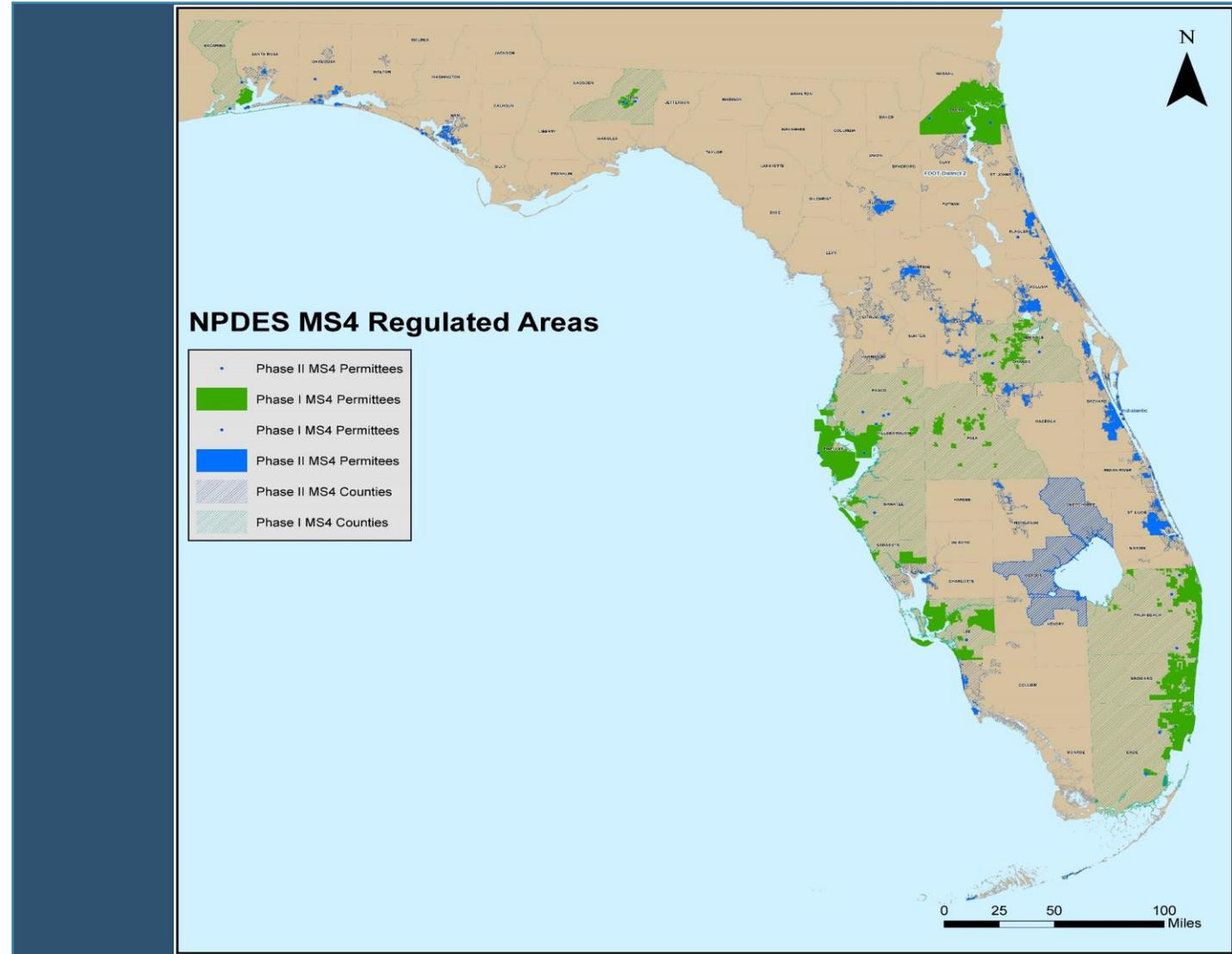
ONGOING DEVELOPMENTS IN PHASE I AND PHASE II PERMITTING REQUIREMENTS FOR MS4s IN FLORIDA

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Florida Department of Environmental Protection
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PRESENTATION AGENDA

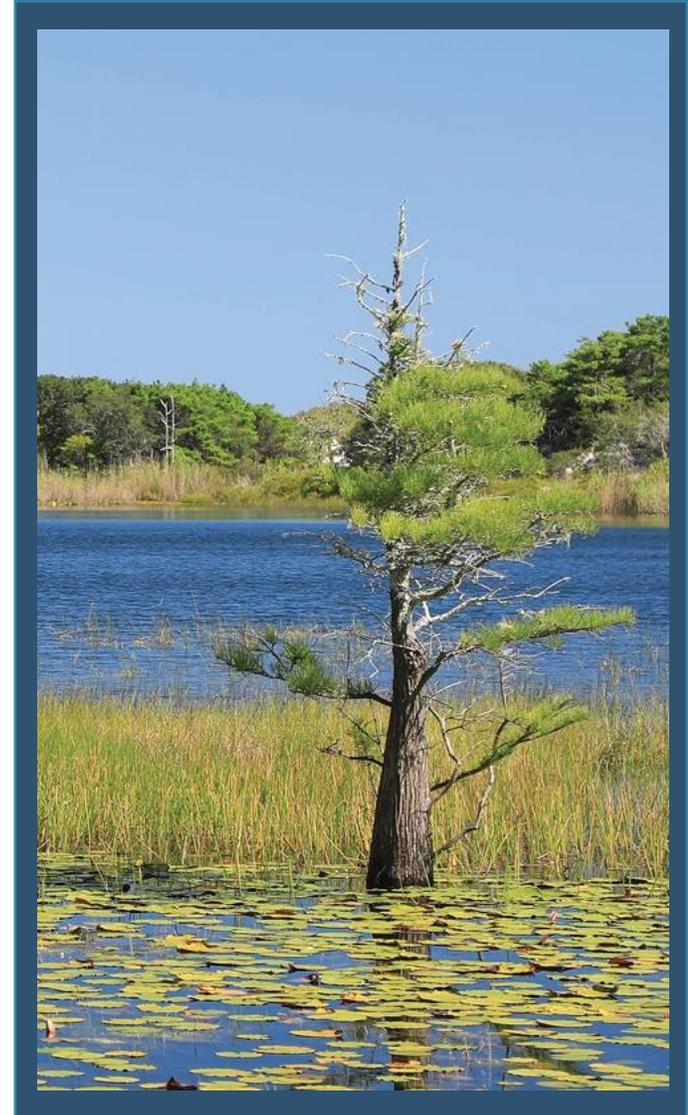
- Permit requirements.
- Permit issuance process.
- Proposed permit updates.
 - Phase I.
 - Phase II.





MS4 PERMIT REQUIREMENTS

- Permits are issued for a five-year period or cycle.
- Permittees are required to develop a stormwater management program (SWMP) and implement best management practices (BMPs).
- Permits are iterative; permittees are required to evaluate and adjust their SWMPs as needed to make reasonable further progress toward permit goals.
 - Reduce the discharge of pollutants to the maximum extent practicable (MEP).
 - Identify portions of the municipal separate storm sewer system (MS4) which can be targeted for loading reduction/corrective action.
- Some permittees have additional water quality related requirements if their MS4 discharges to a total maximum daily load (TMDL) waterbody.

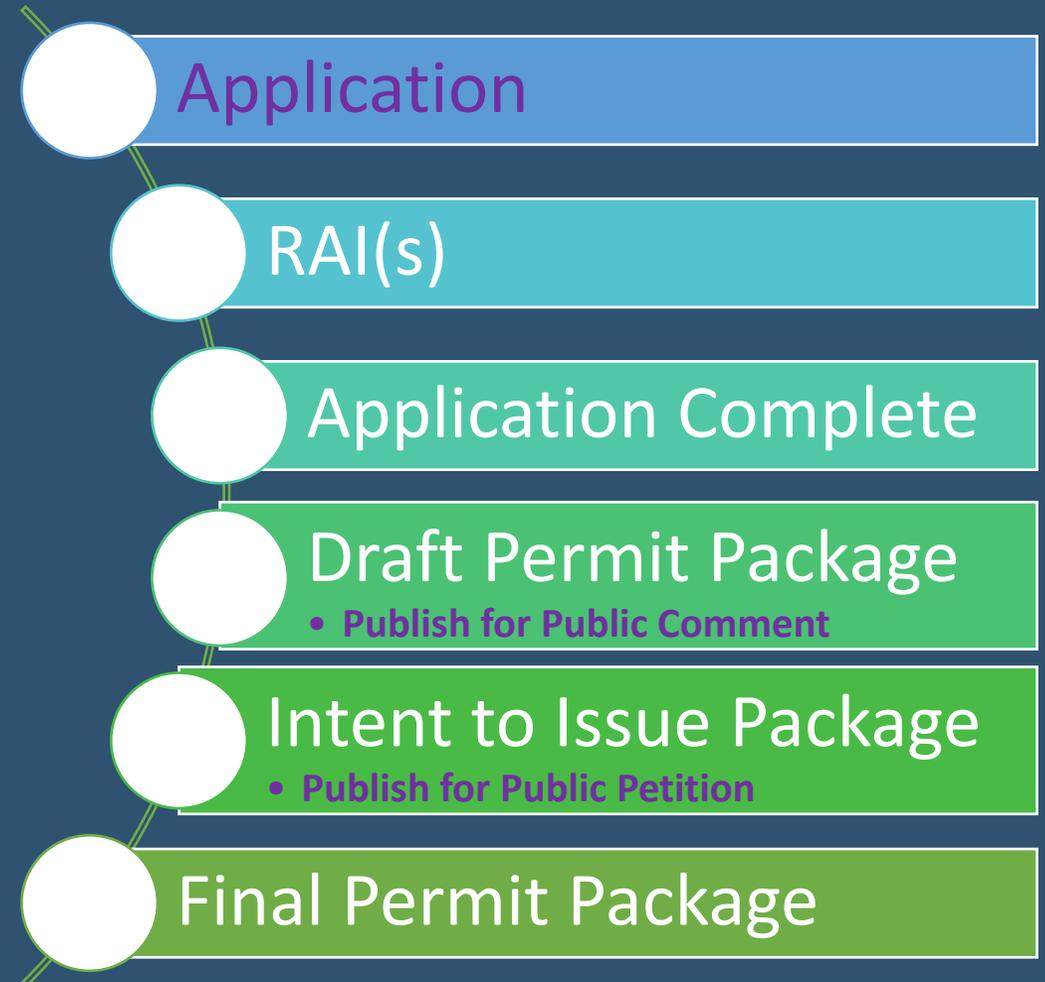




PERMIT ISSUANCE PROCESS

CHAPTER 62-620, F.A.C.

- Phase I and Phase II MS4 permits require public noticing.
- Permittees are required to publish public notices in a newspaper of general circulation.





PROPOSED CHANGES: PHASE I PERMIT

Ongoing Developments in
Phase I and Phase II
Permitting Requirements for MS4s in Florida



PROPOSED CHANGES: PHASE I PERMIT RESTRUCTURE

- Part I Discharges authorized under this permit.
- Part II Stormwater pollution prevention and management programs.
- Part III Schedules for implementation and compliance.
- Part IV Numeric effluent limitations.
- Part V Total maximum daily loads.
- Part VI Assessment program.
- Part VII Reporting requirements.
- Part VIII Other specific conditions.
- Part IX General conditions.
- Part X Definitions.



PROPOSED CHANGES: PHASE I PERMIT

PART II

Introduction.

- A. SWMP.
- B. Legal authority.
- C. SWMP resources.
- D. Recordkeeping requirements.
- E. Area-specific SWMP requirements.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.1 – MS4 OPERATIONS

A. Major outfall mapping.

- Report outfalls added/removed annually.

B. Non-major outfall mapping.

- Report outfalls added/removed annually.

C. MS4 inspection and maintenance.

- Inspection frequency table moved to this section.
- Increased inspection frequency for pipes, ditches, swales and other linear conveyances to once every five years.

D. Catch basin, grate and inlet management.

- New section.



PROPOSED CHANGES: PHASE I PERMIT

TABLE III.A.1.C – MINIMUM INSPECTION FREQUENCY

MS4 Component and Inspection Frequency	Inspection Activities
Major Outfalls: Annually*	<ul style="list-style-type: none">• Inspect for debris/ litter/ sediment accumulation to prevent adverse impacts on flow or operation.• Inspect for damaged headwalls, signs of undercutting or settling around outfall and damaged or clogged riprap, as applicable.• Inspect for erosion or subsidence on embankment or side slopes.

**Proposed inspection frequency less than Table III.A.1.c.*

- Approved by DEP prior to implementation.*
- Historic operation and maintenance records demonstrate a less frequent schedule needed.*
- Not to exceed the five-year permit term.*
- Update standard operating procedure (SOP) with approval documentation.*



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.2 – ROADWAYS AND PUBLIC USE AREAS

A. Street sweeping program.

- Report amount of centerline miles.

B. Litter control program.

- Include public use areas.

C. Road repair and maintenance.

- Moved maintenance facilities from section.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.3 – STORMWATER MANAGEMENT

A. Comprehensive planning and development.

- Adhere to comprehensive plan (or similar); local codes and regulations that incorporate stormwater quality considerations.

B. Land development regulations and stormwater ordinances review.

- Added review of ordinances to identify language that is prohibitive of low impact development (LID), green stormwater infrastructure (GSI), Florida friendly landscaping.

C. Post-construction stormwater management.

- Application review.
- List specific permitting entity/citations.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.4 – PESTICIDES, HERBICIDE AND FERTILIZER

A. Ordinances.

- Added review of local codes and ordinances to identify potential changes that will further reduce the impacts of pesticides, herbicides and fertilizer; due in Year 2 annual report.

B. Pesticide, herbicide and fertilizer application.

- Added reporting requirements for adverse incidents or spills.

C. Training and certification.

- Removed annual reporting requirements.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.5 – ILLICIT DISCHARGES AND IMPROPER DISPOSAL

A. Dry weather field screening.

B. Illicit discharge detection and elimination (IDDE).

- Combined proactive inspections and reactive investigations.
- Moved reporting mechanism from education.

C. Spill prevention and response.

- Moved reporting of sanitary sewer overflows.

D. Limitation of sanitary sewer contamination.

- Applies to owner/operator of sanitary sewer system.

E. Annual training.

- Consolidated IDDE and spill response training.
- Added training topics: facility stormwater BMPs and erosion, sedimentation and waste controls for road repair.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.6 – HIGH RISK RUNOFF

A. Municipal facilities.

- Consolidated municipal road maintenance facilities and waste treatment, storage or disposal facilities.
- List structural and/or non-structural BMPs in SOP.

B. High-risk facilities.

- Identify the North American Industry Classification System / Standard Industrial Classification system codes in inventory.
- Report facilities added to or removed from the inventory.

C. Monitoring of high-risk facilities.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.7 – CONSTRUCTION SITE RUNOFF

A. Site planning and BMPs.

- Clarified site plan review SOP.
- Construction general permit (CGP): confirm during plan review OR inspection.
- Refer sites that did not obtain CGP coverage to DEP.

B. Site inspection and enforcement.

- Clarified pre, during and post construction inspections are required for sites that qualify for CGP coverage.
- Identify frequency for other sites in SOP.

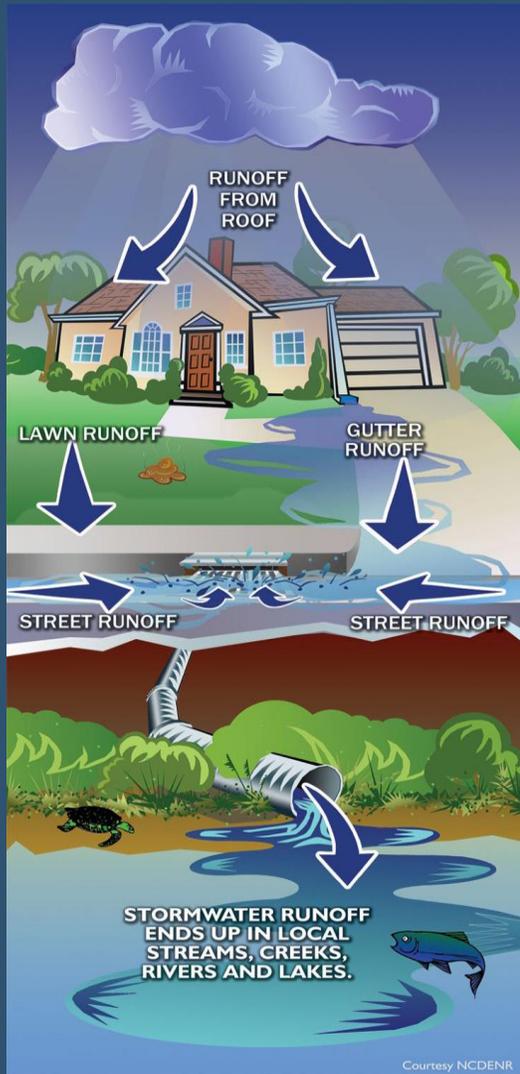
C. Training.

- Removed “equivalent program approved by the department.”
- Clarified reporting: total number of Florida Stormwater, Erosion and Sedimentation Control Inspector AND annual training.



PROPOSED CHANGES: PHASE I PERMIT

PART III.A.8 – PUBLIC EDUCATION AND OUTREACH



- Consolidated education requirements.
- Separated illicit discharge topics.
 - Water quality impacts.
 - Reporting.
- Added education requirements.
 - Impacts of litter/trash.
 - Maintenance of private stormwater systems.
 - Promotion of LID/GSI practices.
- Expanded target audience to general public and businesses.
- Written program (submit with Year 1 annual report).
 - Evaluate/measure program effectiveness.
 - Written agreements.



PROPOSED CHANGES: PHASE I PERMIT

PART V – TMDLs

- A. TMDL prioritization.
- B. Prioritized non-bacteria TMDLs.
- C. Prioritized bacteria TMDLs.
- D. Basin Management Actions Plans (BMAPs).
- E. Reporting.

Moved MEP language to Part II and removed BMAP in development language.



PROPOSED CHANGES: PHASE I PERMIT

PART V.A. – TMDL PRIORITIZATION

1. TMDL prioritization plan.

- Clarified to prioritize a different water body identification number each permit cycle.
- If do not discharge, submit a letter to DEP.

2. Alternative restoration plans.

- Added option to prioritize a Category 5 impaired waterbody in lieu of a TMDL.
- Added standards for prioritizing a 4.b or 4.e plan.
- Schedule will be developed by DEP and permittee.



PROPOSED CHANGES: PHASE I PERMIT

PART V.B. – PRIORITIZED NON-BACTERIA TMDLs

1. MS4 pollutant loading evaluation plan.

- Combined outfall prioritization plan and monitoring.
- Clarified purpose of plan.
 - a. **Targeted water quality monitoring.**
 - b. **Storm event outfall monitoring.**
 - c. **Pollutant load reduction modeling.**
 - Added option.
 - Minimum inputs, including use of regional event mean concentrations.



PROPOSED CHANGES: PHASE I PERMIT

PART V.B. – PRIORITIZED NON-BACTERIA TMDLs (2)

2. TMDL implementation plan.

- Baseline pollutant loading.
- Analysis of water quality trends and/or pollutant loadings.
- Areas wherein pollutant reductions are needed.
- Existing BMPs and load reductions.
- Identification of BMPs planned for further reductions.
- Schedule for BMPs and projected load reductions.
- Ongoing monitoring strategy.
- Proposed corrective action if implementation is ineffective.



PROPOSED CHANGES: PHASE I PERMIT

PART V.C. – PRIORITIZED BACTERIA TMDLS

1. Bacteria source identification and monitoring plan.

- Schedule for walk-the-watershed or equivalent.
- Water quality monitoring.
 - Monitoring frequency within the MS4 or receiving waters.
 - Map of monitoring locations.
 - Exceedance thresholds that trigger source tracking, follow-up monitoring and/or other elimination activities.



PROPOSED CHANGES: PHASE I PERMIT

PART V.C. – PRIORITIZED BACTERIA TMDLS (2)

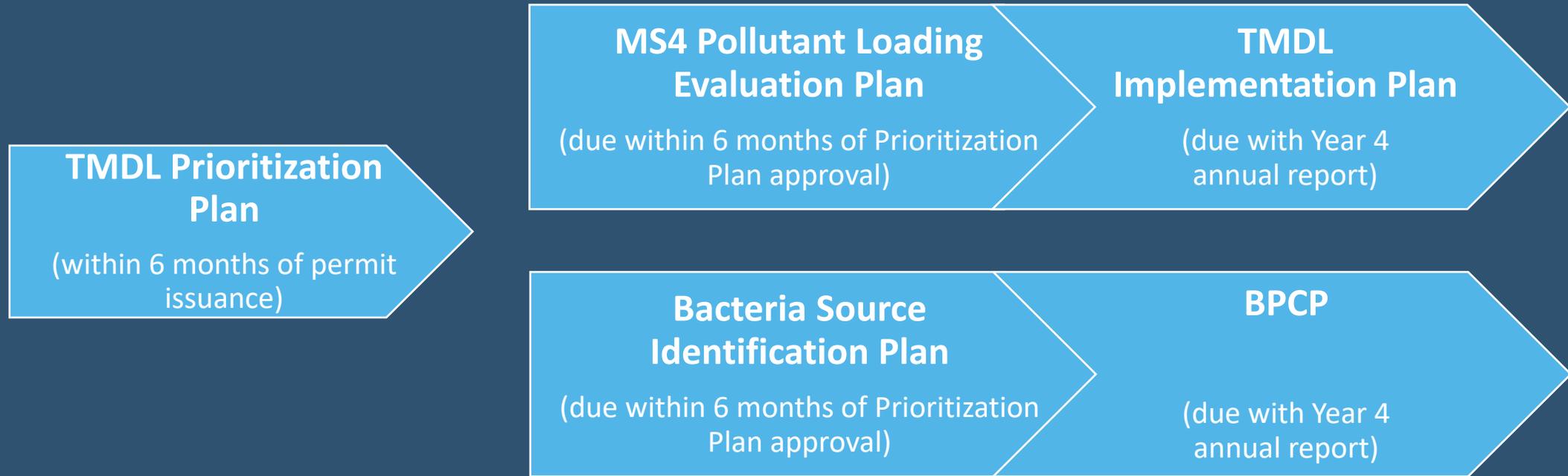
2. Bacteria pollution control plan (BPCP).

- Analysis of water quality monitoring.
- Description of activities implemented to identify, eliminate or reduce bacteria loadings.
- Schedule for BMPs and other source management measures.
- Ongoing monitoring strategy.
- Proposed corrective action if implementation is ineffective.



PROPOSED CHANGES: PHASE I PERMIT

PART V.E. – TMDL REPORTING



ANNUAL REPORTS

- Updates for previously approved TMDL implementation plan(s) and/or BPCP(s).



PROPOSED CHANGES: PHASE I PERMIT

PART VI – EVALUATION OF THE SWMP

A. Assessment program.

1. Water quality monitoring.
2. Pollutant loading estimates.
3. SWMP evaluation.
4. Changes to approved assessment programs.

B. Assessment program reporting.

1. New permit cycle updates.
2. Annual reporting.
3. Pollutant loading comparison.
4. SWMP evaluation results.



PROPOSED CHANGES: PHASE I PERMIT

PART VI.B. – ASSESSMENT PROGRAM REPORTING

1. New permit cycle updates.

2. Annual reporting.

- Florida Stormwater Association MS4 load reduction assessment tool.
- Summary of assessment program results.
- Summary of strengths and weaknesses, SOP revisions.

3. Pollutant loading comparison.

4. SWMP evaluation results.

- Due with Year 4 annual report.
- Summary analysis of water quality and/or pollutant loading improvements or degradation over permit period.
- Results of SWMP effectiveness evaluation.
- Recommended revisions or additions to SWMP.
- Evaluation of assessment program.



PROPOSED CHANGES: PHASE I PERMIT

PART VII – REPORTING REQUIREMENTS

- A. Annual report: reporting period and due date.
- B. Annual report: content.
- C. Permit reapplication.
- D. Annual report: certification and signature.
- E. Annual report: where to submit.
- F. [eReporting](#).
- G. Additional notification.



CHANGES: PHASE II GENERIC PERMIT

Ongoing Developments in
Phase I and Phase II
Permitting Requirements for MS4s in Florida



CHANGES: PHASE II GENERIC PERMIT RULES

DEP Form 62-621.300(7)(a), F.A.C.	NPDES Two-Step Generic Permit for Discharge of Stormwater from Phase II MS4s.
DEP Form 62-621.300(7)(b), F.A.C.	Notice of Intent to Use Generic Permit for Discharge of Stormwater from Phase II MS4s.
DEP Form 62-621.300(7)(d), F.A.C.	Phase II MS4 Annual Report. NPDES Two-Step Generic Permit for Stormwater Discharges from Phase II MS4s.



CHANGES: PHASE II GENERIC PERMIT SOPS

- **Minimum control measure (MCM) 3.c IDDE inspections.**
 - Schedules/protocols for identification of priority areas.
 - Investigation techniques.
 - Procedures for removal and/or correction.
- **MCM 4.f construction site inspections.**
 - Prioritization of sites.
 - Inspection techniques.
 - Enforcement or referrals for non-compliance.
 - Verification of Environmental Resource Permit and CGP coverage.
- **MCM 6.b municipal training.**
 - Topics.
 - Positions/staff.
 - Frequency.



CHANGES: PHASE II GENERIC PERMIT

PART X.B. – REQUIREMENTS FOR TMDLS AND/OR RAPS

Requirements for TMDLs and/or reasonable assurance plans (RAPs) to address impaired waters under section 403.067, F.S. [40 CFR §122.34(c)].

1. BMAPs and RAPs.

- Table 7 summary of BMAP/RAP activities.

2. DEP-adopted TMDL without BMAP.

- Table 8 summary of TMDL implementation activities.
- TMDL prioritization plan in Year 4 annual report.



CHANGES: PHASE II GENERIC PERMIT NOTICE OF INTENT AND APPENDIX A

Appendix A-Stormwater Management Program

I. Public Education and Outreach Minimum Control Measure [Part V.B.1 of the Phase II MS4 generic permit]

- a. Implement a program to distribute educational materials to the community, and/or conduct equivalent outreach activities, about the impacts of stormwater discharges on water bodies, and the steps that the public can take to reduce pollutants in stormwater runoff.

BMP Description and/or Subject or Topics: May include, but are not limited to the following: General Stormwater Information, Pesticide and Fertilizer Application, Pet Waste Management, Recycling, Residential Yard Waste Management (e.g. onsite leaves and grass clippings), Riparian Corridor Protection/Restoration, Storm drain Marking, Trash Management.

Delivery Methods: May include, but are not limited to the following: Brochures, Contests, Displays/Posters/Kiosks, Government Event, Local Public Service Announcement, Meetings, Newspaper Articles, Publication of MS4 Annual Report(s), Publication of Stormwater Management Program, School Programs, Social Media, Special Events/Fairs, Targeted Group Training, Videos, Website.

Target Audiences: May include, but are not limited to: Agricultural, Businesses, Contractors, Industries, Public, Public Employees, Residential, Restaurants, etc.

Measurable Goal: Indicate the information you will collect and use to describe implementation of the corresponding BMP, (e.g. number of web hits, attendees, etc.)

Schedule for Implementation: Provide the permit year(s) and/or frequency at which you will develop and/or implement the BMP (e.g. quarterly, monthly, etc.)

Table 1. Public Education and Outreach BMPs

BMP #	BMP Description and/or Subject or Topic	Target Audience	Delivery Method	Measurable Goal	Schedule for Implementation	Responsible Entity
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.
Choose an item.	Choose an item.	Choose an item.	Choose an item.	Click or tap here to enter text.	Select Schedule	Click or tap here to enter text.



THANK YOU

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