



PROPOSED CHANGES: PHASE I PERMIT

Phase I Quarterly Teleconference
January 25, 2023



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	Evaluation of the SWMP.
Part VII	Reporting requirements.
Part VIII	Other specific conditions.
Part IX	General conditions.
Part X	Definitions.



PROPOSED CHANGES: PHASE I PERMIT PART I

Permit Area

A. Permittee Responsibility

- Permits may reference specific permit-area joint programs

B. Authorized Discharges

C. Prohibited Discharges

- Renamed from Limitations on Coverage
- Relocated list of allowable non-stormwater discharges from Part II



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PART II

Introduction.

- Relocated MEP; Narrative Effluent Limitations from TMDL section.
- Iterative approach.

A. SWMP.

- II.A.1 – II.A.9 requirements incorporated to Part III.A.
- Added requirements for written SOPs.

B. Legal authority.

- Consolidated legal authority requirements of permit.
- Added options for regulatory mechanisms.
- Review authority; submit citations in Year 4 AR



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PART II (continued)

C. SWMP resources.

- Submit fiscal analysis in Year 4 AR.

D. Recordkeeping requirements.

E. Area-specific SWMP requirements:

- Permits will reference all previously approved TMDL implementation plans (including BPCPs) and BMAPs.

F. Deadlines for program compliance.



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PART III.A.1 – MS4 OPERATIONS

A. Major outfall mapping.

- Report outfalls added/removed annually.

B. Non-major outfall mapping.

- New section; develop inventory within 5 years.
- Report outfalls added/removed annually.

C. MS4 inspection and maintenance.

- Increased inspection frequency for linear conveyances to once every five years.
- Added ID component for all MS4 inspections.
- Relocated possible maintenance activities from table to SOP.
- Added evaluation of segments for increased maintenance based on history
- Inspect ERP systems in accordance with ERP requirements.



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

**Proposed inspection frequency if 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 SOP with approval documentation*

***Florida Department of Transportation (FDOT):*

- *comply with the inspection requirements in Table III.A.1.c, or*
- *with the inspection schedule included in the SSWMP (MRP/MMS) for weirs and control structures, and pipes and culverts.*



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PART III.A.1 – MS4 OPERATIONS (continued)

A. Catch basin, inlet, and grate management.

- New section. Develop and identify performance/operations-based inspection frequencies. Evaluate structures for upgrades.
- Increased inspection frequency to once every five years.
- Submit catch basin, inlet and grate management program in Year 1.



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

A. Street sweeping program.

- Clarified that section applies to owners/operators of roadways with curb/gutter.
- Report total miles.
- FSA MS4 Tool TP/TN load reduction reporting moved to Assessment Program section.

B. Litter control program.

- Include public use areas.

C. Road repair and maintenance.

- Moved maintenance facilities to High-Risk Facility section.



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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.

- Added review of ordinances to identify language that is prohibitive of (in addition to changes to promote) low impact development (LID), green stormwater infrastructure (GSI), Florida friendly landscaping.
- Consolidated all code review with Year 4 reporting.

C. Post-construction stormwater management.

- Application review.
- Relocated ERP coverage notification and confirmation.
- Permits will reference applicable local regulations.



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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.
- FDOT: changed reference from SSWMP to “A Guide for Roadside Vegetation Management.”

C. Certification.

- Removed annual reporting requirements.



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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.
- Relocated public reporting mechanism from III.A.7.e.

C. Spill prevention and response.

- Relocated reporting of sanitary sewer overflows from III.A.8.a

D. Prevention of sanitary sewer contamination.

- Clarified that section applies to owners/operators of sanitary sewer systems.



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PART III.A.6 – HIGH RISK RUNOFF

A. Municipal facilities.

- Consolidated pollution prevention, including inspections, at 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.



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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 inspection frequency for other sites in SOP.



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PART III.A.8 – EMPLOYEE TRAINING

A. MS4 inspector training.

- New Section. Added training topics: stormwater components, facility stormwater BMPs and erosion, sedimentation and waste controls for road repair.

B. IDDE training.

C. Spill response training.

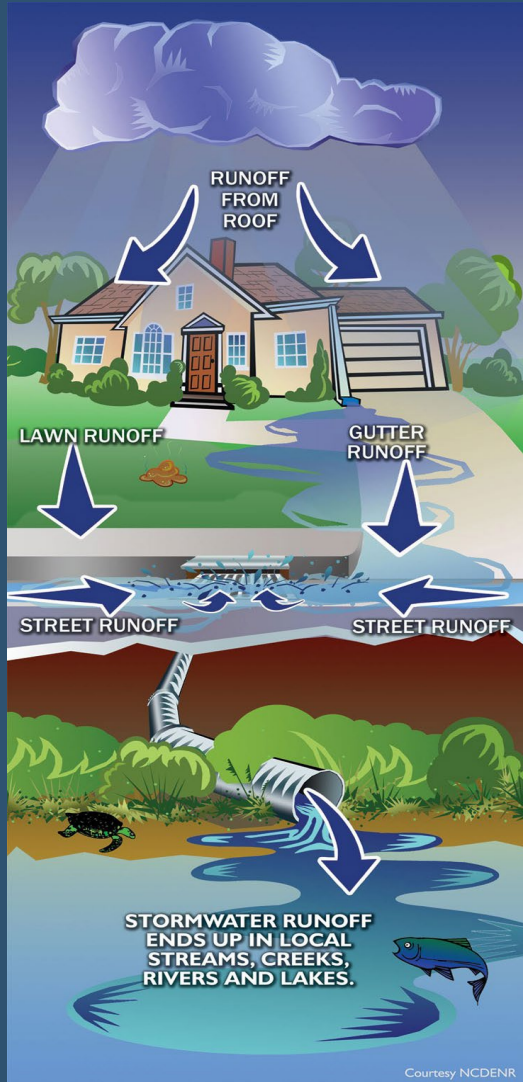
D. Construction training.

- Removed “equivalent program approved by the department.”
- PLACEHOLDER: Reference to 2022 [EPA Construction Inspector training](#).
- Clarified reporting: total number FSESCI AND annual training.



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PART III.A.9 – PUBLIC EDUCATION AND OUTREACH



- Consolidated III.A.6, 7e & 7.f 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 SOP (submit with Year 1 annual report).
 - Evaluate/measure program effectiveness.
 - Written agreements.



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PART V – TMDLs

- Removed "BMAP in development" language.
 - A. TMDL prioritization.
 - B. Prioritized non-bacteria TMDLs.
 - C. Prioritized bacteria TMDLs.
 - D. Basin Management Actions Plans (BMAPs).
 - E. Reporting.



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PART V.A. – TMDL PRIORITIZATION

1. TMDL prioritization plan.

- Clarified to prioritize a different WBID each permit cycle.
- If do not discharge to TMDL WBID, 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.



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PART V.B. – PRIORITIZED NON-BACTERIA TMDLs

1. MS4 pollutant loading evaluation plan.

- Combined outfall prioritization plan and monitoring sections.
 - Clarified purpose of plan.
 - Requires one of three monitoring or modeling approaches.
 - Each option has plan requirements
-
- a. Storm event outfall monitoring, OR**
 - b. Pollutant load reduction modeling, OR**
 - Added option.
 - Minimum inputs, including use of regional event mean concentrations.
 - c. Targeted water quality monitoring.**



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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.



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PART V.C. – PRIORITIZED BACTERIA TMDLS

1. **Bacteria source identification plan.**

- New section. Separated identification activities from BPCP.
- 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.



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

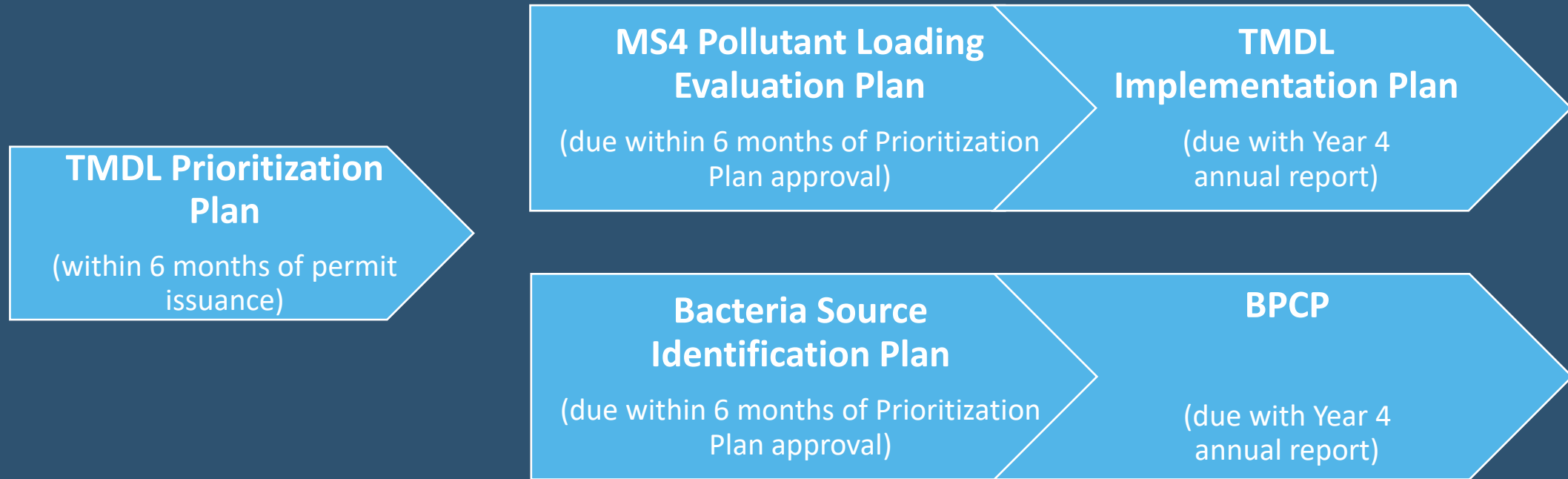
2. Bacteria pollution control plan (BPCP).

- Summary analysis of bacterial source identification plan.
- 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.



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PART V.E. – TMDL REPORTING



Note, alternative restoration plans are not listed on this timeline, as the schedule will be developed between DEP and permittee

ANNUAL REPORTS

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



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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.



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PART VI.B. – ASSESSMENT PROGRAM REPORTING

1. 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.



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PART VII – REPORTING REQUIREMENTS

- A. Annual report: reporting period and due date.
- B. Annual report: certification and signature.
- C. Permit reapplication.
 - Added regulatory mechanisms under Part II.B.
 - Added fiscal analysis Part II.C.
- D. Where to submit.
 - Added eReporting language (tool under development)
- E. Additional notification.

Removed “Annual Report: Content” section.



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PART X – DEFINITIONS

- Added definitions
 - Structural controls ([Description of Stormwater Structural Controls](#)).
 - TMDL, WLA, WBID.
 - Phrases specific to the permit.