



FLORIDA DEPARTMENT OF Environmental Protection

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STATE OF FLORIDA PHASE I MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT

FACILITY NAME: [City/County] MS4

PERMIT NUMBER: FLS0000XX-00X

ISSUANCE DATE: DRAFT

EXPIRATION DATE: DRAFT

PERMITTEES:

Co-permittee, City of

Co-permittee, City of

This permit is issued pursuant to [Section 403.0885, Florida Statutes \(F.S.\)](#), and rules promulgated thereunder. The Department of Environmental Protection (Department, DEP) is authorized to implement the federal National Pollutant Discharge Elimination System (NPDES) in the state of Florida. The federal 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 122.26](#).

Authorized by [Section 403.0885, F.S.](#), the Department's federally approved NPDES Stormwater Program is set out in various provisions within chapters [62-4](#), [62-620](#), [62-621](#) and specifically [62-624, F.A.C.](#) which addresses discharges of stormwater from [Municipal Separate Storm Sewer Systems](#) (MS4s) to surface waters of the State.

The [permittee/permittees] listed above are 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 Programs](#) (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

A. Permit Area

This permit covers all areas located within the political boundary of [City/County] that are served by the [MS4/MS4s] owned or operated by the [permittee/permittees] identified above.

B. Permittee Responsibility

1. [The permittee is / Permittees are individually] responsible for:
 - a. Implementation of their SWMP in the MS4 service area where they are the owner or operator;
 - b. Compliance with permit conditions relating to discharges from portions of the MS4 where they are the owner or operator;
 - c. Where permit conditions are established for specific portions of the MS4, the permittees need only comply with the permit conditions relating to those portions of the MS4 for which they are the owner or operator;
 - d. Creation and retention of documentation of all inspection observations and activities performed to implement SWMP elements;
 - e. A plan of action to assume responsibility for implementation of stormwater management activities and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements or contracts allocating responsibility between permittees/parties be dissolved or in default (see Part II.A); and
 - f. Submission of annual reports as specified in Part VII. Reporting Requirements.
2. [Permittees may be jointly responsible for:]
 - a. Collection of monitoring data as required by Parts V and VI.A; and
 - b. Implementation of permit-area programs in Part III.

TEMPLATE NOTE: permits may reference specific permit-area joint programs

C. Authorized Discharges

Except for discharges prohibited under Part I.D, 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/permittees].

D. 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](#), as implemented through [Section 403.0885, F.S.](#), 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, maintenance activities, 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 components of the SWMP identified in Part III of the permit serve as measurable and enforceable permit conditions. [The/Each] 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/Each] 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.

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

[The/Each] permittee, however, remains responsible for reporting and maintaining documentation of those activities conducted by other entities on behalf of the permittee, and a plan of action in accordance with Part I.B.1.e.

1. [The/Each] 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;
 - Include a plan of action to assume responsibility for implementation of stormwater management activities and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements or contracts allocating responsibility between permittees/parties be dissolved or in default;
 - 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.
2. [The/Each] 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 any proposed modifications to a BMP or schedule with an alternate BMP or schedule, or replacement of any SWMP BMP (such as an ineffective or unfeasible BMP or maintenance schedule).
 - c. Written approval from the Department must be received prior to implementing a modification request pursuant to sub-paragraph b., above. Upon approval, written SWMP SOP(s) shall be updated to reflect modifications.
 3. Modification requests to the permit shall be signed by signatories of any affected permittees and shall include a certification that any affected co-permittees were given an opportunity to comment on proposed changes. Signatories shall meet the description provided in [Rule 62-620.305, F.A.C.](#)
 4. *Transfer of Ownership, Operational Authority, or Responsibility for Stormwater Management Program Implementation:* The permittees shall implement SWMP activities on areas added to their MS4 service area (or areas for which they become responsible for implementation of stormwater quality controls) as expeditiously as practicable. Transfer of ownership shall be in accordance with [Rule 62-620.610\(14\), F.A.C.](#)

B. Legal Authority

[The/Each] permittee shall effectively prohibit non-stormwater discharges to the MS4 pursuant to [Section 403.0885, F.S.](#), and rules promulgated thereunder, and consistent with [Section 402\(p\)\(3\)\(B\)\(ii\) of the CWA](#). To the extent allowed by law, [the/each] 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, illicit connections, and illegal dumping to the MS4;
2. Control the contribution of pollutants to the MS4 by stormwater discharges associated with industrial activities;
3. Control the contribution of pollutants to the MS4 by stormwater discharges associated with new development or redevelopment projects by requiring stormwater quality considerations; regulatory mechanisms 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;

5. Control the discharge of spills into the MS4;
6. Control 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.

[The/Each] permittee shall review their legal authority to accomplish items 1-8 above. 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 submit a copy or citations of the regulatory mechanisms used to accomplish items 1-8 above, and an update to any review activity, changes, and/or development schedules.

C. Stormwater Management Program Resources

[The/Each] 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. 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 submit a copy of the fiscal analysis.

D. Recordkeeping Requirements

1. [The/Each] permittee shall maintain records of SWMP implementation activity 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 application/reapplication for the permit and annual reports; and
 - All original recordings for any continuous monitoring instrumentation.
2. [The/Each] 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 [Chapter 62-160.340, F.A.C.](#)
 - b. Ambient monitoring data collected from state waters shall be entered into the Department's Watershed Information Network (WIN) annually in accordance with [subsection 62-40.540\(3\).](#)

[F.A.C.](#)

- c. 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.](#)

E. Area-specific Stormwater Management Program Requirements

TEMPLATE NOTE: permits will reference all previously approved TMDL implementation plans (including BPCPs) and BMAPs.

F. Deadlines for Program Compliance

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

III. SCHEDULES FOR IMPLEMENTATION AND COMPLIANCE

[The/Each] permittee shall comply with the following conditions for SWMP implementation and permit compliance:

A. Stormwater Management Program

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, from the MS4.

a. Major Outfall Mapping

Maintain an up-to-date map or geographic information system (GIS) and inventory 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) for each major outfall, or GIS layer/shapefile.

b. Non-major Outfall Mapping

Maintain an up-to-date map or GIS 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/Each] 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) for each non-major outfall, or GIS layer/shapefile.

c. MS4 Inspection & Maintenance

Conduct inspections and maintenance to ensure MS4 components function 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. Segments or specific components of the MS4 that have a history of not functioning as designed shall be evaluated for increased inspection frequencies. Where inspection schedules for individual stormwater management systems permitted in accordance with [Chapter 62-330, F.A.C.](#) are more stringent than those in the MS4 permit, the more stringent activities shall be followed and incorporated into written SOPs for those individual systems.

All inspections shall include the inspection activities described in Table III.A.1.c, below, and shall include evaluating the structural integrity of each structure and ensuring it is functioning as designed. 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, or illegal dumping shall be evaluated for increased inspection frequencies.

The program shall consist of:

- An up-to-date inventory of all structural controls, collection systems, conveyances, 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;
- Minimum maintenance procedures for each MS4 component type, including but not limited to:
 - The identification of thresholds or conditions that trigger maintenance to ensure structural integrity and that MS4 components are operating as designed, including debris levels;
 - Where individual stormwater management systems are permitted under [Chapter 62-330, F.A.C.](#) maintenance shall occur in accordance with the system plans and specifications, wherein denoted in 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 and 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 (litter must be collected before mowing to prevent dispersal of trash);
 - Maintaining appropriate infiltration rates;
 - Stormwater system sediments shall be handled and disposed of in accordance with 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 from such a device during routine maintenance shall be disposed of at a sanitary landfill or by other lawful means;
 - Ensuring MS4 maintenance activities do not cause or contribute to surface water quality violations;

- 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 functions properly or as permitted.

REPORTING

In each ANNUAL REPORT provide:

- The current known number of each component in the MS4 inventory;
- The number, area, or linear distance of inspection activities conducted for each applicable component identified in Table III.A.1.c (for FDOT, including the number of Maintenance Rating Program and Maintenance Management System activities);
- The percentage of each component in the MS4 inventory inspected; and
- The number, area, or linear distance of maintenance activities conducted for each applicable component identified in Table III.A.1.c.

TABLE III.A.1.c: Minimum Stormwater Structural Control and Collection System Inspection Frequency	
MS4 Component; Inspection Frequency	Inspection Activities
<u>Alum Injection Systems:</u> Monthly	• Conduct inspections and maintenance as outlined in the system's operation and maintenance manual/plan, as applicable.
<u>Pollution Control Boxes (PCB):</u> 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 • If applicable, inspect absorbent materials to determine if they need replacement
<u>Stormwater Pump Stations:</u> Semi-Annually*	• Inspect pumps in accordance with applicable operation and maintenance manual • 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
<u>Major Outfalls:</u> 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 aquatic plant growth to prevent 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 for vegetation of bottom and side slopes to ensure it is healthy and maintaining coverage • Inspect for compaction or obstructed flow
Wet Detention Systems: Once every three years	• Inspect for aquatic plant growth to prevent 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 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
Pipes; Culverts; Ditches; Conveyance swales; Other Conveyances: Once every five years**	• Inspect for debris/litter/sediment accumulation to prevent loss of storage volume or impacts on flow and operation • Inspect for erosion/subsidence on embankment or side slopes • Inspect for vegetation that may interfere with proper function

Permeable Pavement / Pervious Concrete : In accordance with design plans or permittee SOP	• Inspect for ponding that exceeds one hour • 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.

**Florida Department of Transportation (FDOT) shall comply with the inspection requirements in Table III.A.1.c, or with the inspection schedule included in the Statewide Stormwater Management Program (SSWMP) for weirs and control structures, and pipes and culverts.

d. Catch Basin, Inlet, and Grate Management

Develop procedures to evaluate [catch basins](#), [inlets](#), and grates to determine the appropriate inspection and maintenance frequency to reduce the amount of trash, sediment, and other debris collected within, and discharged from, the MS4. Implement inspections and maintenance procedures for catch basins, inlets, and grates according to permittee-developed evaluation criteria.

Inspections for each catch basin, inlet, and grate shall occur a minimum of once every five years. Inspect catch basins, inlets, and grates for trash, sediment, and debris accumulation to prevent the loss of storage volume, impacts on flow and operation, and impacts on receiving waterbodies; and for structural integrity and to ensure that they are operating as designed. All catch basins, inlets, and grates shall be maintained to ensure proper operation.

These procedures shall:

- Include the categorization of catch basins, inlets, and grates based on permittee-identified criteria;
- Identify a frequency for inspections assigned to each category as determined by the permittee to be necessary or appropriate;
- Assign all catch basins, inlets, and grates to the appropriate categories; and
- Incorporate criteria to identify the need and feasibility of upgrading catch basins, inlets, and grates with a [Gross Solids Removal Device \(GSRD\)](#), trash capture technology, or similar appropriate upgrades or retrofits.

REPORTING

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

In each ANNUAL REPORT provide:

- The current known number of catch basins, inlets, and grates in the MS4 inventory;
- The number of inspection activities conducted in accordance with permittee-developed criteria;
- The number of maintenance activities conducted; and
- The number of components upgraded or retrofitted.

2. Roadways and Public Use Areas

Implement controls for permittee streets, highways, and rights-of-way, as well as parks and other public-use areas, to prevent organic material, sediments, and litter from entering the MS4 and to reduce the impact of MS4 discharges on receiving waters.

a. Street Sweeping Program

For permittees that are the operator of roadways with curb and gutter, implement a program to conduct street sweeping on permittee-operated streets, highways, and other rights-of-way that have curb and gutter.

The program shall consist of:

- Criteria for determining areas to be swept;
- A map or list of the roadways/areas and total miles to be swept and associated frequency of sweeping;
- Procedures for temporary storage and proper disposal of materials collected in accordance with 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

For permittees that operate roadways with curb and gutter, in each ANNUAL REPORT provide:

- The current known miles of roadways with curb and gutter;
- 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 must be collected before mowing to prevent dispersal of trash.

The 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 litter;
- 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

[The/Each] permittee shall 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 Manual*](#), (current version), 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.

(except FDOT) Adhere to policies of [the/each] permittee's current Comprehensive Plan (or similar).

Maintain a list of stormwater capital improvement projects proposed by the Stormwater Management Master Plan, basin master planning studies, or other flood control projects being considered by the permittee.

b. Land Development Regulations & Stormwater Ordinances

(except FDOT) Conduct an interdepartmental review of [the/each] permittee's current codes and land development regulations to identify potential changes that will further reduce impacts of stormwater discharges to the MS4 from new development and areas of 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.](#)

The review shall include the identification of existing language that could be strengthened to improve operation and maintenance of private stormwater management systems that discharge to the MS4.

The review shall also include the identification of 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 changes that would promote or incentivize LID, GSI, and FFL principles.

REPORTING (except FDOT)

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 potential changes recommended for incorporation into codes or regulations; and
- A schedule for implementing the recommended changes.

c. Post-Construction Stormwater Management

(except FDOT) Review new development and [significant redevelopment](#) project applications for consistency and compliance with codes and land development regulations that control stormwater discharges from these sites after construction is completed.

TEMPLATE NOTE: permits will reference applicable local regulations.

FDOT: Employ the FDOT Drainage Connection Permit (DCP) to ensure that appropriate stormwater treatment and permitting occurs prior to discharge into the FDOT drainage system.

The 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 considerations;
- An application review process;
- Notification to applicable project applicants of the need to obtain required

- Environmental Resource Permits (ERP);
- Confirmation that ERP coverage has been obtained, as applicable (local approvals are not contingent upon obtaining an ERP);
- Procedures for referrals to the appropriate permitting authority for those sites identified as needing but not obtaining 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 applicable projects notified of the need to obtain ERP coverage;
- The number of applicable projects confirmed for ERP coverage; and,
- The number of referrals completed.

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 water body 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.

(except FDOT) If located within a watershed of a nutrient-impaired water body, 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.

(except FDOT) [The/Each] permittee shall conduct an interdepartmental review of the permittee's current local codes and ordinances to identify potential changes that will further reduce the impacts of pesticides, herbicides, and fertilizer.

REPORTING (except FDOT)

With the Year 2 ANNUAL REPORT submit:

- A citation for the existing ordinance;
- A summary of the review activity that includes:
 - All applicable code and regulation citations reviewed, with a description of each;
 - A description of potential changes identified; and

- A schedule for implementing the recommended changes.

b. Pesticide, Herbicide, and Fertilizer Application

Implement procedures to properly store, mix, and apply pesticides, herbicides, and fertilizers on permittee-owned property, 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 that is consistent with the Department's [*Best Management Practices for the Enhancement of Environmental Quality on Florida Golf Courses*](#) (current version).

FDOT: Implement the FDOT [*A Guide for Roadside Vegetation Management*](#) (2012).

(except FDOT) The 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;
- Documentation of product application consistent with FDACS requirements;
- Dedicated personnel and resources; and
- A written SOP that describes each of the aforementioned items.

REPORTING (except FDOT)

In each ANNUAL REPORT provide:

- A description of any adverse incidents or spills involving the use or application of pesticides, herbicides, and fertilizer that occurred during the reporting period, and the corrective action taken.

c. Certification

Require proper certification and licensing by the Florida Department of Agriculture and Consumer Services (FDACS) 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 applying 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 a roster or documentation of permittee personnel and contractors that apply pesticides, herbicides, and fertilizer on permittee-owned property that demonstrates the required qualification and licensing for applicators is current.

5. Illicit Discharges and Improper Disposal

Implement controls to prohibit and eliminate [illicit discharges](#), illicit connections, improper disposal and illegal dumping reduce the impact on MS4 discharges.

[The/Each] 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.

a. Dry Weather Field Screening

RESERVED

b. Illicit Discharge Detection & Elimination (IDDE)

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

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 notify the Department's [NPDES Stormwater Program](#) and provide the name and address of the facility, the regulated activity, and the North American Industry Classification System (NAICS)/ Standard Industrial Classification (SIC) code.

The program(s) shall consist of:

- A regulatory mechanism in accordance with Part II.B to prohibit non-stormwater 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;

- 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;
- 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 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, into the MS4, including roadways.

The program(s) shall consist of:

- A regulatory mechanism(s) in accordance with Part II.B;
- Description of actions to be taken to minimize or prevent spills from reaching the MS4 until a spill control entity or emergency response team responds;
- Procedures for notifying the control entity responsible for spill response, including the appropriate utility owner if wastewater contamination is suspected in the MS4;
- Description of cleanup procedures for spills that impact the MS4;
- Enforcement measures for preventable spills;
- 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 occurred in the MS4 service area;
- 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. Prevention of Sanitary Sewer Contamination

For [permittee/permittees] that are the owner/operator of the sanitary sewer system, 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, F.A.C.](#) from sanitary sewer collection and transmission systems.

The 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

For permittees that own/operate a sanitary sewer system, 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 notify the Department's [NPDES Stormwater Program](#) and provide the name and address of the facility, the regulated activity, and the North American Industry Classification System (NAICS) and/or Standard Industrial Classification (SIC) code.

a. Municipal Facilities

[The/Each] permittee shall identify applicable 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.

[The/Each] permittee shall 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 program shall consist of:

- An inventory of applicable facilities and their activities/ potential pollution sources;
- Structural and/or non-structural BMPs for each activity at each site;

- Procedures to conduct annual inspections for proper implementation of stormwater 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 of the MSGP may be used to meet the program requirements.

REPORTING

In each ANNUAL REPORT provide:

- The number of inspections conducted for each facility; and
- The number of inspections resulting in the identification of deficiencies and/or corrective actions.

b. High-Risk Facilities

[The/Each] permittee shall identify applicable facilities and 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. 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 to have the potential to contribute a substantial pollutant loading to the permittee's MS4.

The 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 NAICS/ SIC codes, if applicable;
- Inspections for each facility that occur a minimum of once every five years;
- Procedures for conducting facility or facility outfall/connection stormwater inspections;
- Procedures for referrals to the Department's [NPDES Stormwater Program](#) for any facilities suspected of requiring 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 including for illicit discharge investigation by appropriate program;
- 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;
- The number of inspections conducted; and
- The number of enforcement actions or referrals.

c. Monitoring of High-Risk Facilities

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

(except FDOT) New high-risk industrial facilities shall be evaluated to determine if the new 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.

7. Construction Site Runoff

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

a. Site Planning & Best Management Practices

Review construction site 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 program shall consist of:

- A regulatory mechanism(s) in accordance with Part II.B;
- A site plan review process for implementation of construction site stormwater BMP requirements;
- Notification to applicants of the potential 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 whether 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 for permittee projects reviewed and approved;
- (except FDOT) The number of non-permittee construction site plans reviewed and approved;
- The number of applicants notified of CGP coverage requirements; and
- The number of applicable sites with confirmed CGP coverage.

b. Site Inspection & Enforcement

[The/Each] permittee shall implement a construction site inspection program for stormwater erosion, sedimentation, and waste controls at construction sites that have the potential to impact the MS4.

[The/Each] permittee shall conduct inspections of permittee-operated construction sites and

non-permittee-operated construction sites that have the potential to impact the MS4. FDOT: For construction sites that were issued a DCP, inspections shall occur at the connection to the FDOT right-of-way.

Inspections shall occur at multiple phases of construction to ensure BMPs are properly installed and maintained. At a minimum, sites that qualify for CGP coverage 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 frequency of inspections for sites that do not qualify for CGP coverage shall be identified in the written SOP.

The 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, 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 construction sites;
- The number of active non-permittee construction sites;
- The number of inspections of permittee construction sites;
- The number of inspections of non-permittee construction sites;
- The percentage of active permittee construction sites inspected;
- The percentage of active 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

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.

The program(s) shall consist of:

- Appropriate topics, including:
 - Inspection and maintenance procedures for applicable stormwater components;
 - Identifying proper operation;
 - The use of appropriate stormwater, erosion, sedimentation and waste controls for road repair and maintenance activities; and
 - Inspection and maintenance reporting and recordkeeping.
- 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, prevent, and respond to pollutant impacts on the MS4.

The program shall include annual training of appropriate staff in the detection and elimination of illicit discharges and connections.

The program(s) shall consist of:

- Appropriate topics, including:
 - The identification of illicit discharges and connections;
 - Reporting procedures for suspected illicit discharges/connections; and
 - Elimination/enforcement procedures.
- Identification of staff/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 trained in IDDE during the reporting period.

c. Spill Response Training

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

The program shall include annual training of appropriate staff in spill prevention and response and proper implementation of stormwater BMPs,

The program(s) shall consist of:

- Appropriate topics, including:
 - The permittee's spill prevention and response procedures;
 - Reporting procedures for spills;
 - The types of facilities covered under the Department's MSGP; and
 - Stormwater BMPs associated with facilities and their proper implementation.
- Identification of staff/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 trained in spill prevention and response during the reporting period.

d. Construction Training

Implement a 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.A7.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. The training shall cover the selection, installation, and maintenance of appropriate construction site stormwater BMPs for erosion, sedimentation, and waste controls. A review of site plan BMPs during pre-construction meetings may serve as training for operators.

The program shall consist of:

- Appropriate topics and methods of training;
- Identification of staff/positions required to attend annual training;
- Method for documenting training activities completed;
- 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 annual training.

9. Public Education & Outreach

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

This shall include [outreach activities](#) for the dissemination of information to the public and businesses for the minimum program requirements identified below during each reporting period.

The program(s) shall:

- Include outreach activities on water quality impacts associated with illicit discharges and illegal connections to the MS4;
- Include outreach activities on the impacts of trash/litter on the MS4 and downstream water bodies;
- Promote, publicize, and facilitate a public reporting mechanism for illicit discharges, illicit connections and dumping;
- (except FDOT) Include outreach activities on the impacts of pesticide, herbicide, and fertilizer on downstream water bodies, and ways to reduce their use;
- (except FDOT) Include outreach activities to encourage the proper maintenance of private stormwater systems and/or the promotion of LID/GSI;
- (except FDOT) Include outreach activities to encourage the proper use and disposal of used motor vehicle fluids, [household hazardous waste](#) (HHW), and lead acid batteries;
- (except FDOT) Include material distribution to inform the public of HHW collection facility locations or events, and the types of materials collected quarterly; and
- A written SOP that describes each of the aforementioned items.

REPORTING

With the YEAR 1 ANNUAL REPORT submit a written SOP that describes the current and projected program activities for the permit cycle that includes:

- Identification of objectives and goals;
- Identification of the target audiences;
- Identification of outreach activities and their associated subjects;
- Identification of a schedule or frequency for outreach activities;
- A method(s) for documenting outreach activities;
- Written agreements if another entity implements activities on behalf of the permittee; and
- A method(s) to evaluate/measure program effectiveness.

In each subsequent ANNUAL REPORT provide:

- The outreach activities on the impacts associated with illicit discharges, illegal connections, illegal dumping, and the number of activities, materials distributed, or people reached for each delivery method;

- The outreach activities on the impacts associated with trash/litter, and the number of activities, materials distributed, or people reached for each delivery method;
- (except FDOT) The outreach activities on the impacts associated with pesticide, herbicide, and fertilizer, and the number of activities, materials distributed, or people reached for each delivery method;
- (except FDOT) The outreach activities on the impacts associated with oils, toxics, and HHW, and the number of activities, collection events, materials distributed, or people reached for each delivery method; and
- (except FDOT) The outreach activities to encourage the proper maintenance of private stormwater systems and/or the promotion of LID/GSI, and the number of activities, materials distributed, or people reached for each delivery method.

B. Compliance with Effluent Limitations

RESERVED

IV. NUMERIC EFFLUENT LIMITATIONS

RESERVED

V. TOTAL MAXIMUM DAILY LOADS

The requirements of this section apply to MS4s that 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 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/Each] 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 can be found using the [ArcGIS map](#).

A. TMDL Prioritization

The TMDL Prioritization Plan or letter shall be submitted to the Department within six months of the effective date of the permit 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/Each] permittee shall identify and list all WBIDs for TMDL waterbodies to which its MS4 discharges either directly, or through a point of interconnection, and prioritize those WBIDs for implementation of the applicable requirements in Part V.A – V.E. The Prioritization Plan shall identify TMDL waterbodies addressed in previous permit cycles with ongoing activities pursuant to MS4 permitting and/or adopted Basin Management Action Plans (BMAP).

[The/Each] permittee shall prioritize a different WBID(s) in each permit cycle, as applicable.

For permittees whose MS4 does not discharge to a TMDL waterbody either directly or through a point of interconnection, in lieu of a TMDL Prioritization Plan, submit a letter that demonstrates these circumstances for Department review and potential exemption from TMDL activities.

2. Alternative Restoration Plans

The permittee may prioritize a [Category 5 impaired WBID](#)(s) in lieu of a TMDL waterbody, provided the waterbody is not identified on the DEP TMDL workplan or 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 waterbody 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 DEAR to ensure that sufficient progress is being made in the development of the Alternative Restoration Plan.

The permittee shall submit the draft Alternative Restoration Plan for review and approval with the Year 4 ANNUAL REPORT.

B. Prioritized Non-bacteria TMDLs

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

The permittee shall address the WLA for the associated TMDL waterbody 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 waterbody 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 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 waterbody, to evaluate progress over time toward addressing the MS4 WLA in the TMDL waterbody.

a. Storm Event Outfall Monitoring

Conduct Storm Event Outfall Monitoring to obtain flow-weighted composite samples from the 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 will 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.

This plan shall provide:

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

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 MS4 drainage areas that discharge to a TMDL waterbody. The model shall, at a minimum, include the following inputs:

- The total land area of applicable land-use types within the contributing MS4 drainage area(s);
- The estimated percent impervious area within the applicable MS4 drainage area(s) or appropriate impervious area runoff coefficients by land-use type;
- The use of local mean annual rainfall data;
- The use of site-specific or local EMCs; and
- The incorporation of BMP data and other associated pollutant removal efficiencies.

This plan shall provide:

- A map depicting the relevant drainage areas and MS4 outfalls;
- A description of the model used;
- A description of the sources for all model input data that shall be used, including:
 - The total land area and area of associated land-use types;
 - Estimated percent impervious area, estimated percent Directly Connected Impervious Area (DCIA), and/or impervious area runoff coefficients;
 - Local mean annual rainfall;
 - EMCs;
 - 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 the permit cycle.

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 water body, and evaluate water body health changes over time. The plan shall include monitoring within receiving waters and/or outfall locations, and biological and sediment monitoring, if appropriate.

This plan shall provide:

- 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; and
- A description of how the permittee will evaluate changes in stormwater pollutant loadings and waterbody health over the permit cycle.

2. TMDL Implementation Plan

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

The plan shall include:

- Identification of a baseline pollutant loading used to evaluate reductions achieved;
- An analysis of water quality trends and/or annual pollutant loadings;
- An assessment of identified areas within the MS4 service area where further pollutant reductions are needed;
- A description of existing structural and non-structural BMPs currently implemented to achieve WLA reductions and the associated load reductions achieved, if applicable;
- The identification of additional structural and/or non-structural BMPs and other activities planned for implementation to achieve further reductions of the pollutant of concern, if applicable;
- A schedule for the implementation of additional BMPs and a projected load reduction associated with each;
- An ongoing monitoring strategy using techniques identified in Part V.B.1 to evaluate the effectiveness of the SWMP in reducing MS4 discharges of the pollutant of concern; and
- A description of proposed corrective action if water quality does not improve, if management actions/control measures are determined to be ineffective.

C. Prioritized Bacteria TMDLs

This section applies to prioritized waterbodies with a TMDL for Fecal Indicator Bacteria.

The permittee shall identify sources of bacteria pollution and implement activities to reduce bacterial loadings from the MS4. The permittee shall 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 describing implementation shall be submitted to the Department within six months of prioritization plan approval.

The plan shall include:

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

2. Bacteria Pollution Control Plan (BPCP)

The 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 the waterbody status changes, including reductions achieved to date;
 - Identification of potential sources and/or MS4 focus areas; and
 - A description of any sources identified and/or 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 the 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;
- A strategy for on-going monitoring to evaluate changes in the magnitude and frequency of bacterial exceedances; this includes a WTW once per permit cycle until target load reductions are achieved; and
- A description of proposed corrective action if water quality does not improve, if management actions/control measures are determined to be ineffective.

D. Basin Management Action Plans (BMAP)

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 [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. Reporting

1. *TMDL Prioritization Plan* (Part V.A). Within six months of the effective date of the permit, 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 or BPCP, 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(s) and/or BPCP(s) 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 based on changes in water quality and/or pollutant loadings.

VI. EVALUATION OF THE SWMP

Each permittee, or permittees operating collaboratively, shall implement an Assessment Program to provide information used 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.

If multiple permittees operate under a collaborative Assessment Program, the written program shall clearly identify each permittees' roles and responsibilities for the requirements below and identify how the program will facilitate an evaluation of each permittees' SWMP.

A. Assessment Program

The Assessment Program shall consist of water quality monitoring, pollutant loading estimates, and a SWMP evaluation, as described below.

1. Water Quality Monitoring

The [permittee/permittees] 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 shall be prepared in accordance with the Department's [*Guidance for Preparing Stormwater Monitoring Plans as Required for Phase I Municipal Separate Storm Sewer System \(MS4\) Permits*](#) (most current version).

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

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

2. Pollutant Loading Estimates

Each 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 local event mean concentrations (EMCs) derived from storm event monitoring or Florida-based EMCs listed in the [*NPDES Phase I MS4 Permitting Resource Manual*](#) (most current version), 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 using the FSA Load Reduction Assessment Tool.

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

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

Each permittee shall use data from Parts VI.A.1, VI.A.2, Part III, and other relevant information to evaluate the effectiveness of the SWMP, BMPs, and other activities implemented in accordance with Part III. 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.

4. Changes to Approved Assessment Program

Requests for changes to the approved Assessment Program shall be made to the Department at any time in writing and shall include justification for each requested change. This shall include:

- The identification of changes to monitoring locations or frequencies;
- The identification of changes to monitoring methods or parameters monitored;
- The identification of changes to pollutant loading evaluation methods; and
- The identification of changes to the SWMP evaluation process.

B. Assessment Program Reporting

1. Permit Cycle Updates

The issuance of a permit may introduce additional requirements to assessment programs. [The/Each] permittee shall review their existing assessment programs for consistency with Parts VI.A.1-4, above, and submit a revised Assessment Program with the Year 1 ANNUAL REPORT, as applicable.

2. Annual Reporting

With each ANNUAL REPORT [the/each] permittee shall provide:

- a. The estimated pounds of total nitrogen (TN) and total phosphorous (TP) load reductions from street sweeping and catch basin cleaning. Each permittee shall calculate the load reductions using the [FSA MS4 Load Reduction Assessment Tool](#) (current version); the permittee may 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; and
- c. A summary of strengths and limitations for each subsection in Part III, and if applicable, a description of any revisions to SWMP SOPs. If financial resources have decreased from the previous year, a discussion of any impacts on the implementation of the SWMP shall be provided.

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 plan to resume monitoring.

3. Pollutant Loading Comparison

With the Year 3 ANNUAL REPORT [the/each] permittee shall provide annual pollutant loadings and EMCs, (Part VI.A.2) and compare the current cycle's average annual pollutant loadings to the previous 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/each] 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. SWMP Evaluation Results

With the Year 4 ANNUAL REPORT each permittee shall submit the results of the Assessment Program and SWMP Evaluation 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 of the permit as a result of the SWMP evaluation, 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/Each] 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/Each] 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 rules [62-624.420](#) and [62-624.440, F.A.C.](#);
2. Results of the SWMP Evaluation in accordance with Part VI.B above 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 of all regulatory mechanisms for items 1-8 under Part II.B, and a status update to any regulatory mechanism review activity, changes, and/or development; and
4. Fiscal analysis, in accordance with Part II.C above.

D. Where to Submit

ANNUAL REPORTS and other reports or information requested by the Department may be submitted by email to the [MS4 coordinator](#). Hard copy materials shall be mailed to:

DEP 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 by the owner, operator, or the duly authorized representative of the MS4 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. OTHER SPECIFIC CONDITIONS

A. Revision of Permit Conditions

The permit may be revised in accordance with [Rule 62-620.325, F.A.C.](#) Modifications to the SWMP do not require revision to the permit and can be authorized pursuant to Part II.A.2 of this permit.

B. Reopener Clause

1. This permit may be reopened and revised for good cause as defined in [Rule 62-620.325, F.A.C.](#)
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 TMDL, water quality studies, the Department-approved changes in water quality standards, or other information show a need for a different limitation 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 a portion of the MS4.

C. Duty to Reapply

1. [The/Each] permittee shall submit an application to renew this permit at least 180 days before the expiration date of this permit, or in the Year 4 ANNUAL REPORT. Reapplication must be in accordance with [Rule 62-624.420, F.A.C.](#)
2. A complete application filed in accordance with subsection 1 of this section shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.
3. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete prior to the permit expiration date.

D. Termination of Coverage for a Single Permittee

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

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) Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
 - (b) If the permittee monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR

[ANNUAL REPORT].

- (c) Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 - (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-SOP-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(s) shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee(s) becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee(s) becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- (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 water body 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 Systems” are chemical treatment systems that inject aluminum sulfate into stormwater pipes to cause coagulation of pollutants. These systems include alum storage and a variety of mechanical parts that need regular inspection and maintenance. [[Description of Stormwater Structural Controls in MS4 Permits](#)]
- (2) “Best Management Practices (BMPs)” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, residuals, industrial sludge or waste disposal, or drainage from raw material storage. [[62-620.200\(3\), F.A.C.](#)]
- (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” means an engineered feature within a stormwater structure (typically an inlet) designed to trap sediment and other pollutants. [[Guidance for the Management of Street Sweepings, Catch Basin Sediments and Stormwater System Sediments](#)]
- (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 in [subsection 403.803\(14\), F.S.](#)
- (7) “Co-permittee” means a permittee to an NPDES permit that is only responsible for permit conditions relating to the municipal separate storm sewer that it operates. [[62-624.200\(1\), F.A.C.](#)]
- (8) “Culvert” means a conduit for conveying water through an embankment.
- (9) “Detention with Filtration Systems” usually are permanently wet ponds, but can include dry ones, that have a sand filter to provide effluent filtration. The filters usually are in the side banks of the pond but they may be in the bottom of the basin. The filters are maintenance intensive and do a poor job of removing nutrients. The filter may or may not be sodded to provide protection from erosion and increase longevity. [[Description of Stormwater Structural Controls in MS4 Permits](#)]
- (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 Systems” are designed to store a defined quantity of runoff and slowly release the collected runoff through an outlet structure to adjacent surface waters. After drawdown of the stored runoff is completed, the storage basin does not hold any water, thus the system is normally “dry.” Dry detention basins are similar to retention systems in that the basins are normally dry. They are used in areas where the soil infiltration properties or seasonal high water table elevation will not allow the use of a retention basin. The main difference between the two systems is that retention systems are designed to percolate the stored runoff into the ground while dry detention systems are designed to discharge the runoff through an outlet structure to adjacent surface waters. [[Description of Stormwater Structural Controls in MS4 Permits](#)]
- (12) “Dry Retention Systems” (basins) are infiltration systems that are excavated into the

ground; typically, they are vegetated to minimize erosion and the roots help maintain the permeability of the soils. [[Description of Stormwater Structural Controls in MS4 Permits](#)]

- (13) “Exfiltration Trenches” or “French drains” mean shallow, excavated trenches 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) “Gross Solids Removal Devices” (GSRD) are screening BMPs designed to remove litter, debris, and vegetation from storm water runoff. Screens provide treatment by preventing solids larger than the screen opening from passing through. [[CalTrans](#)]
- (16) “Household Hazardous Waste” (HHW) means household waste generated by individuals at their residence, of wastes generated by consumers in their homes; excluded from hazardous waste regulations of the [Resource Conservation and Recovery Act](#). [[EPA](#)]
- (17) “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.](#)]

- (18) “Inlets” or “storm drain inlets” or “curb inlets” are inlets to storm drain systems that may be found in curbs, ditches, in valley gutters and at other locations that are designed to collect water runoff.
- (19) “Major Facility” means any NPDES facility or activity classified as such by EPA with the concurrence of the Department. [[62-620.200\(23\), F.A.C.](#)]
- (20) “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.](#)]
- (21) “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.
- (22) “MS4 Discharge” for the purpose of this permit, means a direct discharge, or discharge through a physically interconnected MS4.
- (23) “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.](#)]
- (24) “Non-Major Outfalls” for the purposes of this permit, means [outfalls](#) that do not meet the definition of major outfall.
- (25) “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.](#)]
- (26) “Outreach Activities” for the purpose of this permit, may include but are not limited to brochures, pamphlets, fliers, displays, posters, kiosks, newspaper articles, press releases, public service announcements, social media, videos, website, special events, school programs, tours, targeted group training, workshops, citizen committee meetings, public workshops, volunteer events.

- (27) “Permeable Pavements” are a stormwater control that allows stormwater to infiltrate through the surface of the pavement to the ground below—a green infrastructure alternative to traditional impervious surfaces. Types of permeable pavements include porous asphalt, pervious concrete and permeable interlocking concrete pavement. [[EPA-832-F-21-031W](#)]
- (28) “Permittee” means the owner, operator or other entity to which a permit for a wastewater facility or activity is issued by the Department. The term “permittee” shall be functionally synonymous with the terms “owner,” “contractor,” and “licensee,” but shall not include licensed individuals, such as State certified operators, unless they are the persons to whom a facility permit is issued by the Department. The term shall extend to a permit “applicant” for purposes of this chapter. [[62-620.200\(35\), F.A.C.](#)]
- (29) “Personnel” For the purpose of this permit, means permittee personnel and contractors employed by or under contract with the permittee.
- (30) “Pipe” means a culvert having a non-rectangular cross-section, often assumed to be circular unless specified otherwise, which carries stormwater.
- (31) “Point of Interconnection” for the purpose of this permit, means the point at which the MS4 of one permittee discharges into the MS4 of another permittee.
- (32) “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.](#)]
- (33) “Pollutant” means dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials (except those regulated under the Atomic Energy Act of 1954, as amended ([42 U.S.C. 2011 et seq.](#))), heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water. It does not mean:
- (a) Sewage from vessels; or
 - (b) Water, gas, or other material which is injected into a well to facilitate production of oil or gas, or water derived in association with oil and gas production and disposed of in a well, if the well used either to facilitate production or for disposal purposes is approved by authority of the State in which the well is located, and if the State determines that the injection or disposal will not result in the degradation of ground or surface water resources. [[40 CFR 122.2](#)]
- (34) “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.](#)]
- (35) “Pollution Control Boxes” (PCB) are a group of BMPs that usually are installed underground and are contained within some type of housing, such as a box or vault. They typically are used in areas without much land and they provide removal of particles, litter, and sometimes nutrients. 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. Manholes provide access for regular maintenance, which is done with a vac-truck. The 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 small, 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. They appear to be most effective when used for pretreatment in areas where runoff is expected to contain sediment particles greater than 100 microns in diameter.
- (c) Catch basin **inserts** are devices installed in storm drain inlets that provide water quality treatment through filtration, settling, or adsorption. Catch basin inserts are commercially available products and are generally configured to remove one or more of the following contaminants: coarse sediment, oil and grease, and litter and debris. [[Description of Stormwater Structural Controls in MS4 Permits](#)]
- (36) “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. “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](#)]
- (37) “Redevelopment” means development on previously developed land. [[EPA-832-F-21-031J](#)]
- (38) “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 to the ground.
TEMPLATE NOTE: only in Miami-Dade County permit
- (39) “Standard Operating Procedure” (SOP) for the purpose of this permit, means a set of written instructions that describes the step-by-step process to properly perform a routine tasks and operations.
- (40) “Stormwater” means stormwater runoff, surface runoff and drainage. [[62-624.200\(12\), F.A.C.](#)]
- (41) “Stormwater Associated with Industrial Activity” is defined in [40 CFR 122.26\(b\)\(14\)](#).
- (42) “Storm Water 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](#)]
- (43) “Stormwater Pump Stations” are pump stations necessary for the removal of stormwater from areas where gravity drainage is impossible or impractical. [[Description of Stormwater Structural Controls in MS4 Permits](#)]
- (44) “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.](#)]

- (45) “Under Drain Filter Systems” consist of a dry basin underlain with perforated drainage pipe that collects and conveys stormwater following percolation from the basin through suitable soil. Underdrain systems are generally used where high-water table conditions dictate that recovery of the stormwater treatment volume cannot be achieved by natural percolation (i.e., retention systems) and suitable outfall conditions exist to convey flows from the underdrain system to receiving waters. [[*Description of Stormwater Structural Controls in MS4 Permits*](#)]
- (46) “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 C.F.R. § 130.2\(h\)*](#)]
- (47) “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*](#)]
- (48) “Weir” means a structure that extends across the width of a channel and is intended to delay or alter the flow of water through the channel. Alternatively, may be an inverted baffle inside of a catch basin prior to the outfall pipe to prevent sediments and solids from discharging.
- (49) “Wet Detention Systems” are permanently wet ponds that are designed to slowly release a portion of the collected stormwater runoff through an outlet structure. Wet detention systems are the recommended BMP for sites with moderate to high water table conditions. Wet detention systems provide removal of both dissolved and suspended pollutants by taking advantage of physical, chemical, and biological processes within the pond. [[*Description of Stormwater Structural Controls in MS4 Permits*](#)]