

Meeting Notes
Quarterly Teleconference for Florida Phase I MS4 NPDES Coordinators
Wednesday, January 22, 2014
1:30 – 2:30 pm EST

MS4 Team:

Michelle Bull – Phase I MS4
Shirish Bhat – Phase I/II MS4
Borja Crane-Amores – CGP/MSGP
Edward Smith – Program Administrator
Betsy Hewett – Program Attorney

Agenda:

- Street sweeping reporting
- How to determine major outfalls
- Training discussion
- FTP Site navigation
- Open Discussion

Next MS4 Teleconferences:

- Wednesday, April 16th
- Wednesday, July 16th
- Wednesday, October 15th

Notes

STREET SWEEPING REPORTING

It may be common practice to co-mingle tree clipping debris with street sweeping debris. For MS4 reporting, please estimate street sweeping debris amount separately. This will ensure accurate calculation and reporting of nutrient loading reductions for street sweeping.

Q: Keith Fogarty – Dunedin: How should street sweeping sample results be reported?

A: Only submit weight/volume and calculated load reductions. Keep sampling data in-house.

Q: James Hart – Ft. Lauderdale: Has the FSA load reduction spreadsheet been fixed?

A: Yes. The corrected spreadsheet is also linked on DEP's website. Note: TP/TN on the spreadsheet are in a different order than the annual report.

HOW TO DETERMINE MAJOR OUTFALLS – 40 CFR 122.26 and 62-624.200, F.A.C.

1. Do you have an outfall?

40 CFR 122.26

(9) Outfall means a point source as defined by 40 CFR 122.2 at the point where a municipal separate storm sewer discharges to waters of the United States 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 United States and are used to convey waters of the United States.

62-624.200 F.A.C.

(9) 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. 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.

2. Is it your outfall?

40 CFR 122.26

(8) Municipal separate storm sewer means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, or storm drains): (i) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the United States; (ii) Designed or used for collecting or conveying storm water; (iii) Which is not a combined sewer; and (iv) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

62-624.200 F.A.C.

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

3. Is it a Major Outfall?

40 CFR 122.26

(5) Major municipal separate storm sewer outfall (or "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 storm water 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 F.A.C.

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

Q: Ashok Raichoudhury – Broward County: The Draft Permit contained a list of waters of the state. Does DEP have a different/updated list?

A: No. Use the list in the Draft Permit. Ed will confirm that this is the most up to date list.

Q: Diane Waters – City of Miami: Is a drainage area considered industrial based on the entire drainage area being zoned industrial, or is an area that is partially zoned industrial also considered industrial for the definition of major outfall?

A: If any area within the drainage area is zoned industrial, then the drainage area would be considered industrial in reference to the definition of major outfall.

Q: Adolfo Gonzalez – Miami-Dade County: We may have been counting multiple culverts as outfalls. Should we re-evaluate these?

A: There should only be one major outfall at the end of a conveyance. We need to check if intervening water is water of the state. DEP needs more information to make a determination, please email details and an aerial map.

Comment: Eric Livingston – Watershed Management Services: The NPDES Phase I MS4 Permitting Resource Manual discusses definitions of outfalls on page 14.

Q: Richard Campanale – Ocoee: Are 12 inch pipes from a residential area considered Major?

A: No, if it is not industrial, the major determination is based on 36 inches, or the equivalent that is associated with a 50 acre drainage area.

TRAINING DISCUSSION

See the attached Phase I MS4 Training Requirements table.

Q: Curtis Porterfield – Lakeland: How do we perform contractor training? Our engineer, inspectors, construction operators are contracted. Our Engineering supervisors are trained.

A: The SOP should specify when training happens, such as field training during inspections or when reviewing the SWPPP with the contractor during the site plan review.

Q: Diane Waters: What is considered in-house versus DEP training? Miami conducts Erosion and Sedimentation Control (E&S) training annually. Are there standards for refresher training?

A: Refresher and E&S training count as annual training. E&S and existing courses may be used for annual training.

Q: Maria – Pompano Beach: We preform training for contracted site operators, is training required for private sites? Is training required for all sites, regardless of size?

A: Yes. Informal training is required for private and permittee sites. The SOP prioritization should define site size for operator training. DEP is interested in significant dirt-turning activities. Prioritization may be based on the municipality's significant activities as well as closeness to sensitive surface waters, or other factors based on the needs/goals of the municipality.

Q: Carlos Frey – St. Petersburg: What is the status of the operator training DEP was developing?

A: Working to find an intern to convert the Power Point presentation into online training. The PPT is on the DEP FTP website and may be used for training.

Comment: Eric Livingston: The written narration is in the notes of the presentation.

Q: Diane Waters: What is the inspection frequency versus the training frequency?

A: Use BPJ to determine who needs E&S training. Operator training can be on site meeting/training, doesn't have to be "classroom" training.

Q: Maria: it is difficult to get our Building Department to perform construction site inspections. It would be helpful if these requirements were in the Florida Building Code.

A: This is unlikely to happen; however, this is a requirement based on the NPDES Phase I MS4 permit.

Q: John McGee – Hillsborough County: I am concerned about the standard of compliance. Our previous SOP was approved, and now DEP is stating that we have to do more.

A: Different staff may be using BPJ. Suggest having a meeting to discuss whether current training is sufficient.

Q: Richard Campanale: We perform training during the NOI process, SOs inspections, and holding operators to the SWPPP.

A: Correct. Walking with site operators and discussing E&S control meets the intent for training.

Q: Diane Waters: Tracking refresher versus initial training is hard because we invite contractors to regular training events.

A: Use BPJ when tracking. This is a new permit condition, and DEP will revisit its usefulness in future permit cycles.

FTP SITE

There is now a folder for all permits. Co-permittees may create subfolders for submitting documents. DEP regularly downloads documents, and deletes from the FTP site to save space.

Q: D. Gonzalez: Where are files archived?

A: OCULUS is a public access file storage. Once DEP staff has completed review of documents, they are saved to OCULUS. <http://depedms.dep.state.fl.us/Oculus/servlet/login>. The scanning group is currently backlogged 6 months, so if you can't find it on the FTP site, contact us and we will locate the documents.

Q: Mark Winslow - City of Sunrise: Can subfolders be used to submit ARs?

A: Yes. Email your contact person when you have saved documents to the FTP site. The FTP site has limited space, so we regularly clean out the folders. If you previously uploaded something, we may have deleted it after saving to our working files.

OPEN DISCUSSION

Q: Maria: When is DEP starting the next round of audits?

A: We have started. Attached is the tentative audit schedule that was distributed at the previous teleconference.

Q: Diane Waters: Can you provide an eReporting Rule update?

A: DEP has reached out to the EPA to inquire about being a pilot state for EPA's reporting system. We are awaiting instruction from EPA. There has been no update on if Rule has been/will be finalized. **UPDATE:** EPA has asked DEP for a conference call in the next two weeks to discuss if FL is a good state for the pilot program. No rule update at this point.

Q: Heather Ritchie – E-Sciences: Can you provide an update on the CGP?

A: The CGP draft was sent to EPA for review in November. We are waiting on comments to implement. JAPC (state Judicial Administrative Procedures Committee) has reviewed, and had no substantial comments.

The MSGP is being updated and we hope to have the final draft by July 1, 2014.

We hope to have a Phase II MS4 workshop this July and a final draft by December 31, 2014.

Q: Amy Tracy: Will newly designated Phase II MS4s be held to requirements in the draft GP?

A: Conditions of the current GP apply for the full term of the permit. Reapplication would be for new requirements. We are working on a schedule to meet new conditions in the draft rule. Applications from the newly designated Phase IIs are due June 1. Applications are held to the permit coverage of the permit applied to (if the application is received before the draft rule is adopted, permittee must meet conditions of the current permit).

Audit Schedule

Permittee	# Permittees	AR Due	Audit	Auditor
Reedy Creek	1	5/30/2014	Dec-13	Shirish, Ed
Hialeah	1	4/25/2014	Jan-14	Michelle, Ed
Hollywood	1	4/25/2014	Jan-14	Michelle, Ed
Orange Co	11	4/11/2014	Jan-14	Shirish, Ed
Hillsborough Co	3	12/1/2014	Feb-14	Michelle
Tampa	1	4/30/2014	Feb-14	Michelle
Temple Terrace	1	5/30/2014	Feb-14	Michelle
Jacksonville	4	11/30/2014	Feb-14	Shirish
Bradenton	1	5/30/2014	Mar-14	Michelle
Sarasota	6	6/30/2014	Mar-14	Michelle, Ed
Orlando	1	12/28/2014	Mar-14	Shirish
Broward Co	29	3/1/2014	Apr-14	Ed
Palm Beach Co	41	3/30/2014	May-14	Michelle, Ed
Polk Co	20	3/30/2014	May-14	Shirish
Lee Co	21	3/30/2014	Jun-14	Michelle
Miami	1	4/30/2014	Jun-14	Shirish, Ed
Miami-Dade Co	33	12/20/2014	Jun-14	Shirish, Ed
Pasco Co	6	5/30/2014	Jul-14	Michelle
Jacksonville Beach	1	5/30/2014	Jul-14	Shirish
Escambia Co	4	6/30/2014	Aug-14	Michelle
Seminole Co	9	6/30/2014	Aug-14	Shirish
Pinellas Co	23	6/30/2014	Oct-14	Michelle
Manatee Co	6	6/30/2014	Oct-14	Shirish
St. Petersburg	1	8/1/2014	Oct-14	Michelle
Ft. Lauderdale	1	3/1/2014	N/A	Ed
Leon Co	2	4/30/2014	N/A	Shirish
Tallahassee	1	5/30/2014	N/A	Shirish

ADDING FILES TO THE FTP SITE

1. Navigate to the ftp site (ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/).
2. Click on "View" in the tool bar.
3. Select "Open FTP Site in Windows Explorer"
4. Windows Explorer will open and will have the folders for each MS4
5. From your computer, you can drag a file from one of your folders to the file with your corresponding permit number and name.*
6. Close Windows Explorer
7. Send an email to your MS4 point of contact (Cc Ed Smith) letting them know what files were added and request a confirmation email.

* The FTP site has been updated to provide a folder for each Permit ID number. Co-permittees may create individual folders within the main permit folder, but please do not create co-permittee folders on the main FTP site.

PHASE I MS4 TRAINING REQUIREMENTS

Section	Summary of Permit Requirements	Reporting Requirement
III.A.6.	Pesticides, Herbicides, and Fertilizer Application	
	By 1/ 1/2014 permittee personnel and contractors applying fertilizer have GIBMP training.	# personnel GIBMP trained # contractors GIBMP trained
	SOP (Year 1) for training permittee personnel applicators and contractors focusing on stormwater. Follow-up training shall be provided annually.	# personnel and contractors in-house/outside (not GIBMP)
III.A.7.c.	Illicit Discharges and Improper Disposal - Inspection and Investigation of Suspected Illicit Discharges and/or Improper Disposal.	
	SOP (Year 1) for training permittee personnel and contractors focusing on illicit discharges. Follow-up training shall be provided annually.	#/type training activities, # personnel and # contractors in-house/outside trained
III.A.7.d.	Illicit Discharges and Improper Disposal - Spill Prevention and Response	
	SOP (Year 1) for training permittee personnel and contractors focusing on spill prevention and response. Training for new personnel and follow-up or refresher training for current personnel. Follow-up training shall be provided annually.	#/ type training activities, # personnel and # contractors in-house/outside trained
III.A.8.a.	Industrial and High Risk Runoff – Identification of Priorities and Procedures for Inspections	
	SOP (Year 1) a schedule for the training of the inspectors as per Part III.A.7.c If high risk inspections are conducted by a permittee under a contractual agreement with another permittee, one plan may be developed for all the permittee jurisdictions covered by the agreement.	See A.7.c.
III.A.9.c.	Construction Site Runoff - Site Operator Training	
	SOP (Year 1) for training/outreach construction site plan reviewers, site inspectors, site operators for permittee personnel and private involved in (1) site plan review, (2) inspection of erosion and sedimentation controls and (3) construction/mgmt of erosion and sedimentation controls. Training for new personnel and follow-up or refresher training for current personnel.	#/ type training activities # inspectors, # site plan reviewers and # site operators in-house/outside trained
	Inspectors must have FDEP Florida SW Erosion and Sedimentation Control Inspector Training (or equivalent)	# inspectors E&S Control trained

A single plan may address all training required per Parts III.A.6, III.A.7.c, III.A.7.d and III.A.9.c of the permit. This table is meant to be a quick reference and may not be reflective of the Phase I MS4 permit in its entirety. Refer to language regarding each Section referenced above for specific details.