

Meeting Notes

Quarterly Teleconference for Florida Phase I MS4 NPDES Coordinators

Wednesday, September 23, 2015

9:30 - 10:30 am EST

Agenda:

- Staff Update – Borja Crane-Amores
- EMC Revisions – Steve Cioccia
- EPA Audits – Borja
- 319 Grant Review – Borja
- E-Reporting Rule Status – Borja
- MSGP Education Material for elements III.A.7.c & 8.a. – Cierra
- Permit Improvement Workgroup Status – Michelle

Next quarterly teleconference:

December 16 2015 – 9:30am EST (Tentative)

Call in Number: (866) 659-9157

Participant Passcode: 409 944 74#

Submit agenda items at least 2 weeks prior to the teleconference to Robin.Babin@dep.state.fl.us.

NPDES Stormwater Contacts:

Borja Crane-Amores	Program Administrator	(850) 245-7520
Michelle Bull	Phase I MS4 Coordinator	(850) 245-7561
Ken Kuhl	Phase I MS4 Coordinator	(850) 245-8667
Stephen (Steve) Cioccia	Phase I MS4 Coordinator	(850) 245-8568
Candace Richards	Phase II MS4 Coordinator	(850) 245-7523
Cierra Robinson	MS4 Assistance	(850) 245-5742

Staff Update

William “Will” Hansen is the new lead of the Notices Center staff, and will work on CGP, MSGP and NEXs. Cierra Robinson (Notices Center) will transition to MS4 assistant to support MS4 coordinators in various projects.

EMC Revisions

With assistance from MS4 partner Danielle Koury (Lake Mary), it was brought to our attention that the ‘Florida Simple Stormwater Annual Pollutant Loading Spreadsheet’ tool created in 2013 (*Florida Simple Stormwater Annual Pollutant Loading Spreadsheet_Final43013*) contained incorrect calculation formulas for BMP load reductions. The errors were in the multiple ‘X-Land Use w BMPs’ Tabs [TN Reduced=Cell K15 and TP Reduced=Cell K16, within each Tab]. Load reductions from the tabs were under calculated. This resulted in the ‘Net Loads’ shown on the ‘CALCULATE LOADS’ Tab to be larger than actual.

Revisions to the spreadsheet include:

- Expanded Instruction Tab with more user-friendly instructions and clearer ‘User Input’ requirements;
- A listing of the revisions is noted on the ‘INSTRUCTIONS’ Tab;

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- Each 'X-Land Use w BMPs' Tab was modified for: % TN & TP Reduction for Retention BMPs to match BMAP Reduction Credit for "On-line" BMPs. This results in around a 10% lower reduction compared to the original reductions for Retention BMPs;
- Addition of 'Net BMP Reductions' & 'Net Loads' displayed on the 'Calculate Loadings' Tab; and
- Addition of calculations for solids removal (in Tabs 'Instruction Solids' thru 'Calc Solids Load Reductions'). Calculated using the "FSA Assessment Tool".

The corrected and revised spreadsheet tool has replaced the flawed original in the FTP location:

[\[ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/Phase_I_MS4s/EMC_Calculations/FL_Simple Storm Annual Pollutant Load Spreadsheet Rev091515\]](ftp://ftp.dep.state.fl.us/pub/NPDES_Stormwater/Phase_I_MS4s/EMC_Calculations/FL_Simple_Storm_Annual_Pollutant_Load_Spreadsheet_Rev091515).

Also, created within the folder 'EMC_Calculations' a sub-folder titled 'Example FL Load Spreadsheet' which contains the corrected and revised spreadsheet with example data input in order to view calculation results.

We are soliciting additional review of revised spreadsheet and other useful revisions or additions. We have received requests / suggestions for additional enhancements: additional pollutant BMPs reductions for TSS, BOD, Cu & Zn; calculate % total reduction from Gross Loads. Please submit to Steve Cioccia, 850-245-8568 or Stephen.Cioccia@dep.state.fl.us questions and/or suggestions for needed additions or revisions to the 'Annual Pollutant Loading Spreadsheet' tool.

We hope that by making the tool more user friendly and efficient, we can provide a cost-free tool for MS4s to use the annual loading & BMP reductions results in the evaluation of their SWMP.

EPA Audits

EPA's scheduled audit of Pasco County has been canceled. However, DEP is still planning on scheduling an audit this year.

EPA is now focusing on a joint audit of Miami-Dade County the week of December 7, 2015.

Q: Susan Moore, FDOT District 7: Have already received an audit notification letter. Please send the EPA cancelation email.

A: Borja will send.

319 Grant Review

The Nonpoint Source Management Program administers the 319 Federal nonpoint source grant, as well as the state TMDL (Total Maximum Daily Load) urban stormwater grant. They also help to manage state appropriation line item projects and the Water Management District Springs projects statewide. The 319 grant is an annual nonpoint source grant, usually solicited for in late winter and early spring. Typically, Florida has received about \$5.5 million per year in grant funds to allocate.

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New: Per EPA's request, the nonpoint source section reviews, scores, and evaluates project applications. Once chosen, they are sent to the NPDES SW Program to review to ensure/verify that there are no conflicts between the 319 grant application and the approved MS4 permit. If there are conflicts or the criteria does not go above and beyond the MS4 permit, the project will be deemed ineligible for 319 funding. The SW program has developed an extensive protocol for reviewing these projects.

Section VIII.B. of the 2013 NPS guidelines address the eligible stormwater activities fundable under Section 319. The guidelines clarify:

...States may use Section 319 funds for those urban stormwater activities that do not directly implement a final NPDES permit (e.g., not explicitly required in a permit or plan required by the permit) or an order applicable to regulated stormwater discharges under Clean Water Act Section 402(p). These include aspects of Phase I and II activities that may support but do not directly implement activities required by Phase I or Phase II permits, as well as activities that go above and beyond permit requirements. In addition, states may use Section 319 funds for stormwater management activities that are not subject to NPDES permitting requirement under either Sections 402(p)(2) or 402(p)(6).

In addition to not being used to directly implement final NPDES stormwater permits, Section 319 funds may not be used to implement permit application requirements of EPA's stormwater regulations.

Please see the following link for the full text of the 2013 NPS guidelines:

<http://water.epa.gov/polwaste/nps/upload/319-guidelines-fy14.pdf>

Non-Point Source website: <http://www.dep.state.fl.us/water/nonpoint/index.htm>

Grant Material/Application: <http://www.dep.state.fl.us/water/nonpoint/319h.htm>

Please Contact Kate Brackett at (850) 245-2952 or Kathryn.Brackett@dep.state.fl.us

Q: Shawna Jones, Escambia County: can 319 grants be used for education and outreach?

A: The application should clearly state that education and outreach is for the specific nps project. The grant cannot be used for existing E&O used to meet MS4 permit requirements.

E-Reporting Rule Status

Per EPA's latest correspondence, the rule was submitted to the Office of Management Budget (OMB) on **July 1, 2015** and review is to be completed by **September 2015**, with the final rule being published in the Federal Register **October 2015**.

All states and applicable NPDES-regulated facilities are required to fully comply with that regulation, including the reporting to EPA of required NPDES information as identified in existing regulation or its appendices.

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The first year of the rule will require states to implement a plan. The rule will phase in the requirements over a five year period following the effective date of the final rule.

The required data will include:

1. Information from NPDES-authorized states regarding their program implementation activities, such as permit issuance, inspections, violation determinations, and enforcement actions, and
2. Information from NPDES-regulated facilities, if applicable, for NPDES reporting requirements including those associated with Discharge Monitoring Reports, Notices of Intent for coverage under general permits, and various program reports.

Internal discussions to develop an electronic submittal through DEP's business portal for Phase I & II MS4s are on-going. DEP efforts in the pilot study with EPA will be utilized to assist in the development of the portal. DEP has asked EPA for statewide training once the rule goes into effect.

MSGP Education Material

We have created educational materials to benefit MS4 staff, businesses and the public. Materials may be used to train MS4 staff what to look for, so they are able to identify facilities that may need an NPDES MSGP (Multi-Sector Generic Permit, also known as Industrial Stormwater permit) or NEX (No Exposure Exclusion).

Materials are posted at: <http://www.dep.state.fl.us/water/stormwater/npdes/educate.htm>

Materials may be relevant to Phase I MS4 permit elements III.A.7.c Illicit Discharge and 8.a. requirement to identify and notify the Department of potential regulated activities being performed at un-permitted facilities.

Please send suggestions or requests for sector specific information to Cierra.Robinson@dep.state.fl.us or NPDES-Stormwater@dep.state.fl.us.

Permit Improvement Workgroup Status

The workgroup will begin once the Orange County DRAFT permit is sent out, within the next couple weeks. Michelle will email all participants a copy of the permit and a list of comments, and schedule meetings.

All permittees may email Michelle.Bull@dep.state.fl.us with and comments/recommendations to the existing permit.