

**STATE OF FLORIDA
MUNICIPAL SEPARATE STORM SEWER SYSTEM PERMIT**

PERMIT NUMBER: FLS000035 – MAJOR Facility

ISSUANCE DATE: March 11, 2004

EXPIRATION DATE: March 10, 2009

Lee County – Municipal Separate Storm Sewer System Permittees:

PERMITTEES:

Lee County Board of County Commissioners
P.O. Box 398
Fort Myers, FL 33902

City of Bonita Springs
9220 Bonita Beach Rd., St. 111
Bonita Springs, FL 34135

City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027

City of Fort Myers
P.O. Drawer 2217
Fort Myers, FL 33902

Town of Fort Myers Beach
2523 Estero Blvd.
Fort Myers Beach, FL 33931

City of Sanibel
800 Dunlop Road
Sanibel, FL 33957

Bay Creek Community Development District
985 Pelican Marsh Blvd.
Naples, FL 34108

Bayside Improvement Community Development
District
985 Pelican Marsh Blvd.
Naples, FL 34108

Brooks Community Development District

985 Pelican Marsh Blvd.
Naples, FL 34108

East County Water Control District
601 East County Lane
Lehigh Acres, FL 33936

East Mulloch Water Control District
19091 Tamiami Trail, S.E.
Fort Myers, FL 33908

Gateway Services Community Development
District
985 Pelican Marsh Blvd.
Naples, FL 34108

River Ridge Community Development
District
985 Pelican Marsh Blvd.
Naples, FL 34108

San Carlos Estates Drainage District
2216 Altamont Avenue
Fort Myers, FL 33901

Florida Department of Transportation, District
One
P.O. Box 1249
Bartow, FL 33831

This permit is issued pursuant to Section 403.0885, Florida Statutes (F.S.), and rules promulgated thereunder. The Department of Environmental Protection (the Department) implements the stormwater element of the federal National Pollutant Discharge Elimination System (NPDES) as part of the Department's Wastewater Facility and Activities Permitting program. The stormwater element of the federal NPDES program is mandated by Section 402(p) of the Clean Water Act (CWA), which is set out in the federal statutes at 33 U.S.C. Section 1342(p) and implemented through federal regulations including 40 Code of Federal Regulations (CFR) 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 62-624 of the Florida Administrative Code (F.A.C.). Chapter 62-624, F.A.C., specifically addresses Municipal Separate Storm Sewer Systems (MS4s).

The above named permittees are hereby authorized to discharge to waters of the state, in accordance with the approved Stormwater Management Programs (SWMPs), effluent limitations, monitoring requirements, and other provisions as set forth in this permit, the application and other documents attached hereto or on file with the Department and made a part hereof, from all portions of the MS4 owned or operated by any permittee listed above.

PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT

- A. Permit Area.** This permit covers all areas located within the political boundary of Lee County that is served by the MS4 owned or operated by the permittees identified above.
- B. Authorized Discharges.** Except for discharges prohibited under Part I.D, this permit authorizes all existing or new stormwater point source discharges to waters of the state from those portions of the MS4 owned or operated by the permittees.
- C. Permittee's Responsibility.**
1. Permittees are individually responsible for:
 - a. Compliance with permit conditions relating to discharges from portions of the MS4 where they are the operator;
 - b. SWMP implementation on portions of the MS4 where they are the 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 operator; and
 - d. A plan of action to assume responsibility for implementation of stormwater management and monitoring programs on their portions of the MS4 should inter-jurisdictional agreements allocating responsibility between permittees be dissolved or in default. (See Part II.G.3 of this permit also.)
 2. Permittees are jointly responsible for:
 - a. Submission of annual reporting requirements as specified in Part V.C (ANNUAL REPORT);
 - b. Collection of monitoring data as required by Part V.B; and
 - c. Insuring implementation of system-wide management program elements, including any system-wide public education efforts.
- D. Limitations on Coverage.** 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 must include a requirement to effectively prohibit non-stormwater discharges into the storm sewers within each permittee's MS4. Consequently, this permit does not authorize the following discharges:
1. *Non-stormwater:* discharges of non-stormwater, except where such discharges are:

- a. Authorized under the provisions of Chapter 373 or 403, F.S., or rules promulgated thereunder; or
 - b. Identified by and in compliance with Part II.A.7.a.
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.

PART II. STORMWATER POLLUTION PREVENTION AND MANAGEMENT PROGRAMS

As required by Rule 62-624.440(2), F.A.C., which adopts 40 CFR 122.26(d)(2)(iv), each permittee shall implement a comprehensive SWMP that shall include pollution prevention measures, treatment or removal techniques, stormwater monitoring, use of legal authority, and other appropriate means to control the quality of stormwater discharged from the MS4.

Controls and activities in the SWMPs shall identify areas of permittee jurisdiction. The SWMPs shall include controls necessary to effectively prohibit the discharge of non-stormwater into the MS4 and reduce the discharge of pollutants from the MS4 to the Maximum Extent Practicable. Compliance with the SWMPs shall be reported annually in the ANNUAL REPORT discussed in Part V.C of this permit.

Implementation of the SWMPs may be achieved through participation with other permit holders, public agencies, or private entities in cooperative efforts to satisfy the requirements of Part II and Part III of the permit in lieu of creating duplicate program elements for each individual permittee. However, each permittee remains responsible for annually reporting on the program elements conducted by the other entity within their jurisdictional area. Each SWMP, taken as a whole, shall achieve the "effective prohibition" requirements and "Maximum Extent Practicable" standards from Section 402(p)(3)(B) of the CWA, as implemented pursuant to Section 403.0885, F.S., and rules promulgated thereunder.

Each SWMP covers the term of the permit and shall be updated as necessary, or as required by the Department, to ensure that it complies with Section 403.0885, F.S., and rules promulgated thereunder, and is consistent with Section 402(p)(3)(B) of the CWA. Modifications to SWMPs shall be made in accordance with Part II.G of this permit. Compliance with the SWMPs and the compliance schedules in Part III shall be deemed in compliance with Parts II.A and II.B of the permit. The latest approved version of the Florida Department of Transportation's Statewide Stormwater Management Plan for MS4 Permits is hereby incorporated into this permit by reference and thus its contents are enforceable elements of the permit. Specific components of the SWMPs are identified in Parts II and III to serve as measurable and enforceable elements of this permit.

A. Stormwater Management Program (SWMP) Requirements.

1. *Structural Controls and Stormwater Collection System Operation:* The MS4 and any stormwater structural control shall be operated in a manner to reduce the discharge of pollutants to the Maximum Extent Practicable.
 - a. Each permittee, except FDOT District One, shall comply with the inspection and maintenance requirements in Table II.A.1.a for these controls operated by the permittee. FDOT District One shall comply with the inspection and maintenance schedule included in the FDOT Statewide Stormwater Management Plan. In addition, the permittees shall maintain an internal record keeping system to track inspections and maintenance activities performed during the permit term. If these activities are performed by others under a contractual agreement, then the permittees shall retain copies of the contractual agreement that specifies the maintenance activities to be performed and the schedule of frequency. Inspection and maintenance records shall be retained by the permittees in accordance with Part V.G of this permit. Annual evaluations shall be made to assess the appropriateness of the inspection and maintenance schedule and to ensure the optimization of equipment use. A summary of the annual evaluation shall be included within each ANNUAL REPORT required under Part V.C of this permit

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS			
STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Stormwater Treatment Pond (Dry Retention)	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Inspect facility for signs of prolonged wetness and damage to structures including diversion devices and inflow and outflow structures and pipes. • Note any critically eroded areas on banks and pond bottom. Schedule for stabilization. • Note any undercutting at the point of discharge and signs of piping in the vicinity of the control structure or inlets, flumes, diversion structures or pipes and schedule for repair. • Dead or dying grass on the pond bottom are indications of potential clogging and reduced infiltration capacity. Scrapping, discing or otherwise aerating pond bottom may be required to restore the infiltration capacity of the soil. • Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately. (1)
		As Needed	<ul style="list-style-type: none"> • Mow and remove litter and debris. • Stabilize eroded banks. • Repair undercut or eroded areas at inflow and diversion structures or conveyances. • Nutrient and pesticide use management. (2) • Disk or otherwise aerate pond bottom. • Scrape pond bottom and remove sediment with proper sediment disposal. Restore original cross-section and infiltration rate. (1,3) • Seed or sod to restore ground cover.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Storm Water Treatment Pond (Dry Detention w/Sand Filter System)	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Inspect facility for evidence of damage and short-circuiting of the filter. Close attention should be given to the filter box, bed, trench or mound and appurtenant works. Note signs of piping (erosion of filter sand) into underdrain pipes or holes next to junction box and/or discharge control structures or exposure of coarse aggregate or geotextile surrounding the underdrain pipe and schedule for repair. • Note any critically eroded areas on banks, pond bottom or filter. Schedule for stabilization. • Note any undercutting at the point of discharge and erosion in the vicinity of inflow pipes, flumes and diversion structures and schedule for repair. • Dead or dying grass on the pond bottom and/or standing water following 3 days or more of dry weather are indicative of filter "blinding." When observed, the facility should be scheduled for major maintenance. • Note signs of excessive petroleum contamination and handle appropriately. (1) • If so equipped, check "clean out" ports at the end of each underdrain and the junction box or underdrain outlet for evidence of blockage (i.e., standing water in underdrain lateral accompanied by little or no outflow). • Schedule cleaning of underdrain pipes via mechanical means or high pressure water jet as appropriate. Also inspect for damage to caps from mowing accidents or any breaks in seals to prevent short-circuiting of the filter.
		As Needed	<ul style="list-style-type: none"> • Mow. • Remove litter and debris from banks and control structure or screens. Remove sediment buildup obstructing inflows. • Stabilize eroded banks. • Repair undercut and eroded areas in the vicinity of the discharge point or other structures such as inlet flumes, inflow pipes and energy dissipators. • Nutrient and pesticide use management. (2)

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Storm Water Treatment Pond (Dry Detention w/Sand Filter System) [cont.]	Annually	As Needed	<ul style="list-style-type: none"> Minor corrective maintenance of filtration components should be scheduled to maintain drawdown performance as per the original pond design. This activity usually involves simple light discing, raking or aeration of sod cover or the surface of the filter. Confined unit "vault or box" type systems may be backflushed (i.e., fluidized) if these capabilities are available.
		As Needed To Maintain Performance As Per Original Pond Design	<ul style="list-style-type: none"> Maintenance of filtration components is required any time that nuisance conditions (i.e., standing water) persists for more than 3 days following storms. This may involve removal and replacement of ballast gravel and geotextile covers when used. Any sod cover or the top 2-3 inches of sand must be removed in cases involving vegetated or open sand filter beds. All discolored, sediment contaminated sand must be removed and replaced with clean sand of a type equivalent to the original grade. Sediment and contaminated sand must be disposed of or used properly. (1,3) Seed or sod to restore any dead or severely damaged ground cover. Use suitable techniques to protect from erosion and promote more rapid ground cover. At select locations, excavate down to and check underdrain pipe for clogging of the orifices, slots and/or fabric sock surrounding the pipe if used. Clean or otherwise replace pipe as needed to restore drainage capacity.
		As Needed To Maintain Performance As Per Original Pond Design (Confined Unit or Box Type Filter)	<ul style="list-style-type: none"> Maintenance of filtration components associated with "confined unit" type filters is usually more frequent than with other filtration devices. The activities required are facilitated, however, by the unit's compact nature. Complete removal and replacement of geotextile, filter sand, and the ballast stone or gravel when used is normally required. Restore damaged ground cover on the pond bottom and protect from erosion. Fabric wrapped underdrain pipe should be closely inspected and replaced if clogged. Perforated or slotted pipe should be checked for damage or restricted openings. Replace or clean underdrains as needed to restore drainage capacity.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Stormwater Treatment Pond (Wet Detention)	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Inspect facility for damage. Close attention should be given to the control structure and the point of discharge (POD). Note any undercutting at the POD and evidence of piping (erosion of soil into the pipe junctions) and/or erosion in the vicinity of inflow pipes, the outlet control structure, or flumes and schedule for repair. • Note signs of excessive total petroleum hydrocarbon contamination and handle appropriately. (1) • Detention facilities that include constructed wetlands (littoral shelf) components should be monitored carefully to avoid invasive aquatic plant problems. Schedule removal of invasive species or chemical control when necessary to prevent excessive competition with beneficial or desired plants. (2) • Note those areas within the littoral zone where the spread or overcrowding of beneficial plants necessitates management and harvesting.
		As Needed	<ul style="list-style-type: none"> • Repair and stabilize undercut and eroded areas near structures and banks. • Mow side slopes and remove litter and debris from banks. • Nutrient and pesticide management. (2) • Clean and remove debris from orifices, weirs, stand pipes, drop inlets and screens. • Invasive aquatic plant control. (2) • Remove sediment from forebays or sediment sumps and dispose of properly. (1,3) Sediment “clean out” should not be higher than 1 foot below the invert elevation of the bay or sump nor should the storage volume be reduced by more than 60 percent of original design, (i.e., Cleanout Level = .2 in/acre drainage area remaining storage volume in most cases.)
		As Needed To Maintain Adequate Storage Volume and Treatment	<ul style="list-style-type: none"> • Monitor sediment accumulations and remove when ¼ storage volume is filled or when hypereutrophic conditions become apparent. Sediment must be disposed of or used properly. (1,3)

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS			
STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Stormwater Treatment Pond (Wet Detention) [cont.]	Annually	As Needed	<ul style="list-style-type: none"> • Aquatic plant management and harvesting. Manage constructed wetland components to prevent overcrowding of beneficial plants to maintain adequate open water area for aesthetics, light penetration and oxygenation. It is also important to avoid excessive cover for insect (mosquito) larvae, which enhances production and inhibits predation. Not more than a 50 percent reduction in open water area is recommended prior to mechanical harvesting and reduction of macrophyte cover to its original level (i.e., 30-35 percent in most instances). • Constructed wetland management (regular selective harvesting) to encourage sites for active growth and enhanced pollution assimilation is recommended.
Pump Station	Annually	As Needed	<ul style="list-style-type: none"> • Where bar screens are used to protect the pump, clean the screens. Properly dispose of litter and debris collected. • Inspect pump for proper operation and perform necessary mechanical repairs. • Remove any sediment collected and provide proper disposal.
Exfiltration Trench	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Monitor facility for sediment accumulation in the pipe (when used) and storage volume recovery (i.e., drawdown/capacity). Observation wells and inspection ports should be checked following 3 days minimum dry weather. Failure to percolate stored runoff to the design treatment volume level within 72 hours indicates binding of soil in the trench walls and/or clogging of geotextile liner with fine solids. Reductions in storage volume due to sediment in the distribution pipe, also reduces efficiency. Minor maintenance measures can restore infiltration rates to acceptable levels short term. Major maintenance (total rehabilitation) is required to remove accumulated sediment in most cases or to restore recovery rate when minor measures are no longer effective or cannot be performed due to design configuration. • Inspect appurtenances such as sedimentation and oil and grit separation chambers of catch basins as well as diversion devices and overflow weirs when used. Diversion facilities and overflow weirs should be free of debris and ready for service. Sedimentation and oil/grit separators should be scheduled for cleaning when sediment depth approaches cleanout level. Cleanout levels should be established not less than 1 foot below control elevation of the chamber.

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS			
STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Exfiltration Trench [cont.]	Annually	As Needed	<ul style="list-style-type: none"> • Remove sediment from sediment/oil and grease chamber of each catch basin inlets, and dispose of properly. (1,3) • Remove debris from the outfall or “Smart Box” (diversion device in the case of off-line facilities). • Total rehabilitation of trench to maintain storage capacity within 2/3 of the design treatment volume and 72-hour exfiltration rate limit. Excavate and remove perforated or slotted pipe, surrounding coarse aggregate envelope (bedding) and geotextile fabric (wrap). In most cases renovation will require replacement with new material of equivalent grade and quality. Trench walls should be excavated to expose clean soil. Sediment, contaminated soil, coarse aggregate, and filter cloth shall be disposed of properly. (1,3)
		As Needed To Prolong Service	<ul style="list-style-type: none"> • When bypass capability is available, minor maintenance measures such as extended dry periods may be used to provide short-term recovery of exfiltration rate. • Remove accumulated sediment from facilities constructed with manholes or other appurtenant structures to facilitate cleanout. Sediment shall be disposed of properly. (1,3) This process normally involves facilities with large pipes. Cleanout may be performed by suction hose and tank truck and/or by high-pressure jet washing.
Channel Control Structure	Annually	As Needed	<ul style="list-style-type: none"> • Remove litter and debris. • Remove sediment and dispose of properly. (1,3)
Pollution Control Box	Annually	As Needed	<ul style="list-style-type: none"> • Remove oil and grease, litter, debris, and sediment and dispose of properly. (1,3)

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Floodgate	Annually	As Needed	<ul style="list-style-type: none"> • Visually inspect the structure and canal upstream and downstream. Look for: <ul style="list-style-type: none"> --Any obstructions to flow --Aquatic plant growth --Condition of canal bank --Erosion around wingwalls --Condition of water level gages and monitoring devices --Condition of concrete surfaces and paint --Corrosion of culverts, gates or ballast arms and tanks --Extent of leakage around gates --Condition of lubrication of hinges • Record if condition of the floodgate is “OK” or “NEEDS REPAIR.” Perform repairs as needed • Read staff gauge upstream and downstream and record. • Visually inspect for any erosion around wing walls and canal embankments. Stabilize as needed. • Visually inspect trash screens and gate for any obstructions to flow (i.e., aquatic plant growth, debris, etc.). Clean out as needed. • Visually inspect operation of floodgate. Maintain as needed. • Mow grass along structure.
	As Needed	As Needed	<ul style="list-style-type: none"> • Schedule certified SCUBA diver to visually inspect the floodgate noting general observations of both surface and subsurface conditions of: <ul style="list-style-type: none"> --Structure aprons --Gate seating --Wing walls --Trash screens --Corrosion of culverts, gates or ballast arms and tanks --Concrete surfaces and paint --Extent of sediment build-up on upstream and downstream sides of structure --Can bank along structure --Extent of leakage around gates

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS

STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Canals	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Visually inspect for any obstructions to flow (i.e., aquatic plant growth, debris, etc.). Clean out as needed. • Visually inspect appearance of water in canal. Record and address if water appearance indicates problem (i.e., discoloration, fish kill, oil & grease sheen, algae bloom, etc.). • Visually inspect and record general observation of the levee to include: <ul style="list-style-type: none"> --Any evidence of subsidence --Aquatic plant growth --Condition of canal levee bank --Erosion along the levee
		As Needed	<ul style="list-style-type: none"> • Mow along structure. • Stabilize eroded canal embankments. • Perform maintenance or aquatic weed treatment. • Perform dredging.
Grass Swales (Dry)	Annually	Annual Inspection Items	<ul style="list-style-type: none"> • Inspect swales for signs of prolonged wetness and damage to structures including diversion devices, inflow pipes, driveway culverts, and swale blocks. • Note any critically eroded areas on banks and front or back slope and swale bottom. Schedule for stabilization. • Note any undercutting at the point of discharge and paved flumes or pipes and culverts and schedule for repair. • Dead or dying grass and saturation of the swale bottom are indications of potential clogging and reduced infiltration capacity. When observed, the facility should be checked to insure that it percolates completely within 3 days following storms. Scraping, discing or otherwise aerating the bottom may be required to restore the infiltration capacity of the soil. For best performance swales should percolate within one day following storms. • Note any signs of excessive petroleum hydrocarbon contamination and handle appropriately. (1)

TABLE II.A.1.a — INSPECTION AND MAINTENANCE SCHEDULE FOR STRUCTURAL CONTROLS AND ROADWAYS			
STRUCTURAL CONTROL	FREQUENCY OF INSPECTION	FREQUENCY OF MAINTENANCE	MAINTENANCE ACTIVITY
Grass Swales (Dry) [cont.]	Annually	As Needed	<ul style="list-style-type: none"> • Mow and remove litter and debris. • Stabilize of eroded side slopes and bottom. • Repair undercut or eroded areas at culverts, flumes, or swale blocks. • Nutrient and pesticide use management. (2)
Swirl Box	Annually	As Needed	<ul style="list-style-type: none"> • Remove accumulated sediment from structures to facilitate box cleanout. Sediment shall be disposed of properly. (1,3) Cleanout may be performed by suction hose and tank truck and/or by high-pressure jet washing.
Storm Sewer Inlets, Catch Basins, Grates, Ditches, and Other Roadway Stormwater Collection Structures	Annually	As Needed	<ul style="list-style-type: none"> • Inspect for proper operation and perform necessary structural repairs. • Remove litter and debris (including prior to mowing). • Mow. • Remove accumulated sediment from structures to facilitate box or structure cleanout. Sediment shall be disposed of properly. (1,3) Cleanout may be performed by suction hose and tank truck and/or by high-pressure jet washing.

- Notes:** (1) Excessive petroleum hydrocarbon contamination can present severe sediment disposal/cleanup problems. Evidence of such pollution includes very dark oily stains, particularly at inlet and outlet structures and strong odors of gasoline, etc. The source of such pollutant discharges to the MS4 should be determined and removed if possible. Otherwise, pretreatment practices should be used as necessary to insure that stormwater runoff is not contaminated beyond levels normally observed in runoff from highways and parking lots.
- (2) Use only pesticides approved by USEPA and FDACS for aquatic sites to control weed pests in and around treatment facilities. Use of pesticides and chemicals for the control of invasive species and common undesirable aquatic plants should be minimized. Careful herbicide selection and application is essential to minimize harm to desirable plants and animals. If done on a routine basis mechanical removal can help control unwanted aquatics and minimize the use of chemicals. However, experienced trained applicators can selectively control many undesirable plants with minimum harm to

desirable vegetation and possible downstream contamination. The DEP regional biologist, with the Bureau of Aquatic Plant Management and/or County Cooperative Extension Service, should be contacted for assistance.

Soil amendments (fertilizer) should be used, as needed, to establish and maintain healthy and vigorous cover on the banks of treatment facilities. However, normal rates of fertilization should be lowered in the immediate vicinity of treatment facilities to avoid over-enrichment of the soil and adjacent waters. Apply soil amendments only when grass shows signs of distress once ground cover is well established. Clippings should be removed periodically to prevent the buildup of nutrients in vegetation subject to periodic or frequent inundation.

Problem areas susceptible to chronic erosion require more intense measures for protection and establishment of permanent vegetative cover. These special considerations may include the use of sod in lieu of seeding and/or the use of higher rates of soil amendments and supplemental moisture during dry weather conditions to insure more rapid establishment or vigorous growth in bank vegetation. Experts in soil conservation are available for assistance by contacting the Natural Resources Conservation Service with the USDA.

- (3) Sediments associated with stormwater treatment devices may be regarded as contaminated. As such, if disposed of haphazardly, this material may become a source of pollution for substances like heavy metals, petroleum hydrocarbons, other organic compounds and pesticides, as well as infectious organisms, nutrient and oxygen demanding substances. However, absent the regular addition of refuse, paints, solvents cleaning agents, pesticide and fuel spills, etc., there is little probability that these materials would be concentrated to the extent so as to be considered "hazardous waste." Off-site disposal of sediments shall be pursuant to Department rules.

1. Structural Controls and Stormwater Collection System Operation: (continued)
 - b. Additionally, to satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.1 of this permit.
2. *Areas of New Development and Significant Redevelopment:* Continue the comprehensive master planning process (or equivalent) to reduce to the Maximum Extent Practicable the discharge of pollutants from MS4s, which receive discharges from areas of new development and significant redevelopment, after construction is completed. The master planning process shall limit the increases in the discharge of pollutants in stormwater as a result of new development, and shall reduce the discharge of pollutants in stormwater from redeveloped areas, consistent with the requirements set forth in Rule 62-40, F.A.C.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.2 of this permit.
3. *Roadways:* Public streets, roads, and highways shall be operated and maintained in a manner to reduce to the Maximum Extent Practicable the discharge of pollutants in stormwater.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.3 of this permit. The permittees shall continue to implement standard road repair practices to reduce the pollutants in stormwater runoff from areas associated with road repair and maintenance.
4. *Flood Control Projects:* Water quality impacts on receiving water shall continue to be assessed and minimized for all flood management projects identified in the basin master planning process or comparable planning process. Water quality treatment will be provided for all flood control projects as required by the rules of the applicable Water Management District. The feasibility of retrofitting existing structural flood control devices to provide additional pollutant removal from stormwater shall be evaluated.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMPElements identified in Part III.A.4 of this permit.
5. *Municipal Waste Treatment, Storage, or Disposal Facilities Not Covered By An NPDES Stormwater Permit:* The permittees shall continue to implement a program to monitor and reduce to the Maximum Extent Practicable pollutants in stormwater discharges from facilities that handle municipal waste, including sewage sludge.
 - a. To satisfy the requirements of this section, the permittees shall continue to implement a program as identified in Part III.A.5 of this permit to reduce pollutants in the stormwater discharges from municipally-operated solid waste transfer stations, maintenance and storage yards for waste transportation fleets and equipment, and sludge application and/or disposal sites that are not covered by NPDES stormwater permits. The program shall continue procedures to evaluate, inspect, and monitor these sites.
6. *Pesticide, Herbicide, and Fertilizer Application:* The permittees shall continue to implement controls to reduce to the Maximum Extent Practicable the stormwater discharge of pollutants related to the storage and application of pesticides, herbicides, and fertilizers applied by employees or contractors to public property. The permittees shall implement programs to encourage the reduction of the discharge of pollutants related to application and distribution of pesticides, herbicides, and fertilizers.

- a. To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.6 of this permit.
7. *Illicit Discharges and Improper Disposal:* The permittees shall continue the ongoing program to detect and eliminate (or require the discharger to the MS4 to eliminate) illicit discharges and improper disposal into the MS4.
- a. *Inspection, Ordinances, and Enforcement Measures:* Non-stormwater discharges to the MS4 shall be effectively prohibited by the permittees through the use of inspections, ordinances, and enforcement. The permittees, however, may allow the following non-stormwater discharges to the MS4 where they are not identified as a source of pollutants to waters of the State:
- Water line flushing;
 - Landscape irrigation;
 - Diverted stream flows;
 - Rising ground waters;
 - Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
 - 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;
 - Individual residential car washing;
 - Flows from riparian habitats and wetlands;
 - Dechlorinated swimming pool discharges;
 - Street wash waters;
 - Discharges or flows from emergency fire fighting activities;
 - Reclaimed water line flushing authorized pursuant to a permit issued under the authority of Rule 62-610, F.A.C.; and
 - Flows from uncontaminated roof drains.
- To satisfy the requirements of this section, the permittees identified in Part III.A.7.a of the permit shall:
- (1) Continue assessment of the non-stormwater discharges listed under Part II.A.7.a (above), as well as any other non-stormwater discharges, which will be allowed to be discharged to the MS4.
 - (2) Enforce ordinances that prohibit illicit connections and illegal dumping into the MS4, as per the schedule in Part III.A.7.a of this permit.
- b. *Dry Weather Field Screening Program:* *****RESERVED*****
- c. *Investigation of Suspected Illicit Discharges and/or Improper Disposal:* The permittees shall implement a program developed to identify illicit connections to the MS4. The program shall include a description of how the permittees plan to assess illicit connections and an allocation of staff and resources. The permittees shall maintain an internal log documenting the inspections performed and enforcement actions taken.

Facility inspections may be carried out in conjunction with other municipal programs (e.g., pretreatment inspections of industrial users, health inspections, fire inspections, etc.), but must include random inspections for facilities not normally visited by the municipality. The permittees shall continue the ongoing program to implement standard procedures to be followed to investigate portions of the MS4 that, based on the results of the dry-weather field screening conducted under the first permit term as part of the application process, or other appropriate information, indicate a reasonable potential of containing illicit discharges or other sources of non-stormwater.

- (1) To satisfy the requirements of this section, the permittees identified in Part III.A.7.c of this permit shall implement standard investigative procedures to identify and terminate the source of the illicit connection or discharge in accordance with the schedule provided in Part III.A.7.c of this permit. Upon the identification of responsible parties, the standard procedures implemented shall require the immediate cessation of improper disposal practices and the elimination of the illicit connection as expeditiously as possible. Where the elimination of an illicit connection or the submittal of a permit application pursuant to Chapter 373 or 403, F.S., or rules promulgated thereunder is not possible within a specified time frame determined by the permittee, the standard procedures shall require that the responsible parties submit for approval a written compliance schedule for the removal of the discharge. The permittee shall require the operator of the illicit discharge to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
 - (2) Additionally, to satisfy the requirements of this section, FDOT shall implement the SWMP elements identified in Part III.A.7.c of this permit.
- d. *Spill Prevention and Response:* The permittees shall continue to implement procedures to prevent, contain, and respond to spills that may discharge into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.d of this permit.
- e. *Public Notification:* The permittees shall continue to implement a program to promote, publicize, and facilitate public reporting of illicit discharges.
- (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.e of this permit to facilitate public reporting of illicit discharges and improper disposal of materials into the MS4.
- f. *Oils, Toxics, and Household Hazardous Waste Control:* The permittees shall effectively prohibit the discharge or disposal of used motor vehicle fluids, household hazardous wastes, grass clippings, leaf litter, and animal wastes into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.f of this permit.
- g. *Limitation of Sanitary Sewer Seepage:* The permittees shall prevent (or require the operator of the sanitary sewer to eliminate) unpermitted discharges of dry and wet weather overflows from sanitary sewers into the MS4. Each permittee shall eliminate the infiltration of seepage from sanitary sewers into the MS4.
- (1) To satisfy the requirements of this section, the permittees shall continue to implement the SWMP elements identified in Part III.A.7.g of this permit.

8. *Industrial and High Risk Runoff:* The permittees shall continue to implement a program to identify and control pollutants in stormwater discharges to the MS4 from any municipal landfill(s); hazardous waste treatment, storage, disposal and recovery facilities; facilities that are subject to EPCRA Title III, Section 313; and any other industrial or commercial discharge that the permittees determine is contributing a substantial pollutant loading to the MS4.

To satisfy the two (2) requirements of this section, the permittees shall:

- a. *Identification of Priorities and Procedures for Inspections:* In accordance with the schedule provided in Part III.A.8.a, the permittees shall continue to identify all targeted facilities and determine priority sites. Inspection procedures and schedules for the identified facilities shall be implemented.
- b. *Monitoring for High Risk Industries:* To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.8.b of this permit.
9. *Construction Site Runoff:* The permittees shall continue to implement a program to reduce the discharge of pollutants from construction sites.
- a. *Site Planning and Non-structural & Structural Best Management Practices:* The permittees shall require the use and maintenance of appropriate structural and non-structural best management practices to reduce pollutants discharged to the MS4 during the time of construction consistent with the requirement of Rule 62-40, F.A.C.
- (1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.a of this permit.
- b. *Inspection and Enforcement:* The permittees shall develop and implement a program for inspecting construction sites and for enforcing the requirement for control measures.
- (1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.b of this permit.
- c. *Site Operator Training:* The permittees shall provide appropriate education and training measures for construction site operators, and those associated with the implementation of proper stormwater, sediment and erosion control measures at construction sites.
- (1) To satisfy the requirements of this section, the permittees shall implement the SWMP elements identified in Part III.A.9.c of this permit.

B. Area-specific Stormwater Management Program Requirements.

RESERVED

- C. **Deadlines for Program Compliance.** Except as provided in Part III, compliance with the SWMPs shall be required upon permit issuance.
- D. **Roles and Responsibilities of Permittees.** The SWMPs, together with any interagency agreements or interagency agreements developed subsequent to the effective date of the permit, shall clearly identify the roles and responsibilities of the permittee, where applicable. Following the issuance of the permit, interagency agreements developed and implemented must be included in the ANNUAL REPORT covering the permit year in which the agreement became effective.

- E. Legal Authority.** To the extent allowed by law, each permittee shall continue to ensure legal authority to control discharges to and from those portions of the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, order or inter-jurisdictional agreements between permittees with adequate existing legal authority to accomplish Items 1 - 6 below.
1. Control the contribution of pollutants to the MS4 by stormwater discharges associated with Industrial Activity and the quality of stormwater discharged from sites of industrial activity;
 2. Prohibit illicit discharges to the MS4;
 3. Control the discharge of spills and the dumping or disposal of materials other than stormwater (e.g., industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;
 4. Control through interagency or inter-jurisdictional agreements between permittees the contribution of pollutants from one portion of the MS4 to another;
 5. Require compliance with conditions in ordinances, permits, contracts or orders; and
 6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.
- F. Stormwater Management Program Resources.** Each permittee shall provide adequate finances to implement their activities under their SWMP. Each permittee shall also have a source of funding for implementing all other requirements included within this NPDES stormwater permit.
- G. Stormwater Management Program Review and Modification.**
1. *Program Review:* Each permittee shall continue to participate in an annual review of the current SWMP in conjunction with preparation of the ANNUAL REPORT required under Part V.C of the permit.
 2. *Program Modification:* Each permittee may modify their SWMP during the life of the permit in accordance with the following procedures:
 - a. Modifications adding (but not subtracting nor replacing) components, controls, or requirements to the approved SWMPs may be made by the permittees at any time. A description of the modification shall be included within the subsequent ANNUAL REPORT.
 - b. Modifications replacing or deleting components, controls, or requirements (such as an ineffective or unfeasible BMP or maintenance schedule) with an alternate BMP or schedule may be requested by the permittees in any ANNUAL REPORT. A description of the replacement BMP or schedule shall be included in the ANNUAL REPORT along with the following information:
 - (1) An analysis of why the former BMP or schedule was ineffective or infeasible (including cost prohibitive);
 - (2) Expectations on the effectiveness of the replacement BMP or schedule; and
 - (3) An analysis of why the replacement BMP or schedule is expected to achieve the goals of the BMP that was replaced.

- c. Written approval from the Department must be received prior to implementing a modification requested pursuant to sub-paragraph b., above.
 - d. Modifications requested within the ANNUAL REPORT shall be signed in accordance with Rule 62-620.305, F.A.C., by the directly affected permittees, and shall include a certification that all affected permittees were given an opportunity to comment on proposed changes.
3. *Transfer of Ownership, Operational Authority, or Responsibility for Stormwater Management Program Implementation:* The permittees shall implement the SWMPs on all new areas added to their portion of the MS4 (or for which they become responsible for implementation of stormwater quality controls) as expeditiously as practicable. Transfer of ownership shall be in accordance with Rule 62-624.700, F.A.C.

B. Compliance with Effluent Limitations.

***** RESERVED*****

PART IV. NUMERIC EFFLUENT LIMITATIONS

***** RESERVED*****

PART V. MONITORING AND REPORTING REQUIREMENTS

A. Seasonal Loadings and Event Mean Concentrations.

1. As per Rule 62-624.500(1), F.A.C., which adopts by reference 40 CFR 122.26(d)(2)(iii)(C), the permittees shall provide estimates of the seasonal pollutant load and of the event mean concentration of a representative storm for the constituents listed in Table V.A.1 for each “major outfall” or “major watershed” within the MS4. The seasonal pollutant load and event mean concentration for each major outfall or watershed may be estimated from the representative monitoring locations, from regional or State data, or from pooling results from other nearby Florida MS4 monitoring activities, and shall take into consideration land uses and drainage areas for the outfall or watershed. The estimates of seasonal loadings and event mean concentrations shall be included in the ANNUAL REPORT for Year 3 of the permit. For the purposes of this permit, a “major watershed” is defined as 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. For the purposes of this permit, a “major outfall” is defined under rule 62-624.200(5), F.A.C.

TABLE V.A.1 — PARAMETERS	
Biochemical Oxygen Demand (BOD ₅) (mg/L)	Total Phosphorus (mg/L)
Chemical Oxygen Demand (COD) (mg/L)	Dissolved Phosphorus (mg/L)
Total Suspended Solids (TSS) (mg/L)	Total Recoverable Copper (mg/L)
Total Dissolved Solids (TDS) (mg/L)	Total Recoverable Lead (mg/L)
Total Nitrogen (as N) (mg/L)	Total Recoverable Zinc (mg/L)
Total Ammonia plus Organic N (as N) (mg/L)	Total Recoverable Cadmium (mg/L)

B. Monitoring Data Collection.

1. *Monitoring:* The monitoring program is intended to assist in determining the effectiveness of the SWMPs being implemented under this permit and shall assist in identifying and prioritizing portions of the MS4 requiring additional controls. The monitoring program is also intended to help identify local sources where urban stormwater is adversely affecting surface water resources. It is the intent of the Department to use the monitoring information collected to evaluate any trends in the reduction in pollutant loads discharged to waters of the state during the term of the permit. The pollutant loading trends will be used to evaluate the effectiveness of each permittee’s SWMP to reduce the discharge of pollutants to the Maximum Extent Practicable.
 - a. Within six months of permit issuance, the permittees shall develop a Monitoring Plan and submit it to the Department for review and approval. The Monitoring Plan will be developed in cooperation with the Department’s Bureau of Watershed Management to establish or continue a monitoring program compatible with the Bureau’s rotating basin or watershed approach to monitoring. The Department will review the Monitoring Plan within 60 days of its receipt and will either approve the plan or notify the permittees of deficiencies that must be corrected. The permittees shall make corrections and re-submit the Monitoring Plan within 60 days of the Department’s notification of deficiencies. The approved monitoring program shall be effective for the five-year term of this permit.
 - b. Details of the monitoring program agreed upon during the first year of this permit shall be submitted to the Department in the subsequent ANNUAL REPORT.

- c. The previously approved monitoring program shall continue to be implemented by the permittees upon issuance of this permit, and shall continue until a new program is established under paragraph a. of this sub-section.
 - 2. *Monitoring Data:* For Part V.B.1, records shall be maintained of all analytical results.
 - 3. *Sample Analysis:* All samples collected for Part V.B.1 shall be analyzed in accordance with the methods specified at 40 CFR Part 136 as incorporated by reference by Rule 62-620.100(3)(j), F.A.C., and the Department’s Quality Assurance requirements as detailed in Rule 62-160, F.A.C.
 - 4. *Sampling Waiver.* When a discharger is unable to collect samples required by Part V.B.1 due to adverse climatic conditions, the discharger must submit in lieu of sampling data, a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions that may prohibit the collection of samples include weather conditions that create dangerous conditions for personnel (i.e., local flooding, high winds, hurricane, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (i.e., drought, etc.).
- C. **Annual Report.** Each permittee shall prepare an ANNUAL REPORT to be submitted by no later than six months following the period covered by the report. The ANNUAL REPORT shall cover the 12 month period beginning on the date of issuance of this permit and annually thereafter. Each permittee shall submit one hard copy of the ANNUAL REPORT and is highly encouraged to make use of electronic media for submittal of duplicate copies of ANNUAL REPORT information.
- Each permittee shall sign and certify the ANNUAL REPORT in accordance with Part V.D of this permit, and shall include a statement or resolution that the permittee’s governing body or agency (or delegated representative) has reviewed or has been apprized of the content of the ANNUAL REPORT.
- The ANNUAL REPORT shall be prepared in accordance with the requirements of Rule 62-624.600, F.A.C.
- D. **Certification and Signature of Reports.** 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.
- E. **Reporting: Where and When to Submit.** Signed copies of the ANNUAL REPORT required by Part V.C. and all other reports required herein, shall be submitted to:
- Florida Department of Environmental Protection
NPDES Stormwater Section, Mail Station 2500
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
- F. **Additional Notification.** None.
- G. **Retention of Records.** The permittees shall retain the latest version of the SWMPs developed in accordance with Part II of this permit in accordance with the provisions of 62-620.350, F.A.C.

PART VI. OTHER SPECIFIC CONDITIONS

A. Reopener Clause.

1. This permit may be reopened and revised, or revoked and reissued, for good cause as defined in Rule 62-620.325(1)(b), 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 total maximum daily load (TMDL), water quality studies, the Department-approved changes in water quality standards, or other information show a need for a different limitation or monitoring requirement.;
 - 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. Include the addition of a new permittee who is the owner or operator of a portion of the MS4.

B. Duty to Reapply.

1. The permittees 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. An 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 before the expiration date.

PART VII. GENERAL CONDITIONS

- A.** 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.]*
- B.** 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.]*
- C.** As provided in Subsection 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.]*
- D.** 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.]*
- E.** This permit does not relieve the permittee(s) 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(s) to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee(s) 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(s) 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.]*
- F.** If the permittee(s) wishes to continue an activity regulated by this permit after its expiration date, the permittee(s) shall apply for and obtain a new permit. *[62-620.610(6), F.A.C.]*
- G.** This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee(s) 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.]*
- H.** The permittee(s), 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:
1. Enter upon the permittee(s)'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;
 2. Have access to and copy any records that shall be kept under the conditions of this permit;
 3. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 4. 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.]*
- I.** In accepting this permit, the permittee(s) 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.]

- J.** When requested by the Department, the permittee(s) 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(s) shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee(s) 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.]
- K.** The permittee(s), 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.]
- L.** This permit is transferable only upon Department approval in accordance with Rule 62-624.700, F.A.C. The permittee(s) 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.]
- M.** The permittee(s) shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), F.A.C.]
- N.** 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.
1. 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).
 2. If the permittee(s) 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.
 3. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
 4. Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health and Rehabilitative Services (DHRS) under Chapter 10D41, F.A.C., to perform the test. In domestic wastewater facilities, on-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified test for those parameters or under the direction of an operator certified under Chapter 61E12-41, F.A.C.
 5. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in "DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-QA-001/92). Alternatively, sample collection may be performed by an organization who has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests. [62-620.610(18), F.A.C.]
- O.** 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.]
- P.** The permittee(s) shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally with 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.

1. The following shall be included as information which must be reported within 24 hours under this condition:
 - a. Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,
 - b. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - c. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
 - d. Any unauthorized discharge to surface or ground waters.
2. 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.

PART VIII. PERMIT REVISION

A. Termination of Coverage for a Single Permittee.

Permit coverage may be 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.

B. Revision of Permit Conditions.

The permit may be revised in accordance with Rule 62-620.325, F.A.C. Modifications to the SWMPs do not require revision to the permit and can be authorized pursuant to Part II.G of this permit.

PART IX. DEFINITIONS

Where terms are used in this permit, definitions found in Rule 62-624.200 and Rule 62-620.200, F.A.C. shall apply. Other definitions used in this permit are provided below:

- A. "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 facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- B. "Discharge" for the purpose of this permit, unless indicated otherwise, refers to discharges from the municipal separate storm sewer system (MS4).
- C. "Illicit connection" means any man-made conveyance connecting a non-stormwater discharge directly to an MS4.
- D. "Storm sewer," unless otherwise indicated, refers to an MS4.
- E. "Stormwater" means stormwater runoff, surface runoff and drainage.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

 Mimi Drew
 Director
 Division of Water Resource Management

DATE: _____