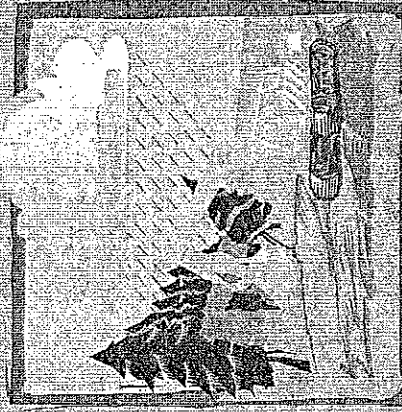


The Florida NPDES Stormwater Permitting Program for

Construction Activity



**Florida Department of Environmental Protection
NPDES Stormwater Section
2600 Blair Stone Road, MS #2500
Tallahassee, FL 32399-2400**

The methods of construction shown on this plan shall comply with the following permit:
City of Miami MS4 - FLS000002
(Municipal Separate Storm Sewer System Permit)
as required under the following program:
N.P.D.E.S.
(National Pollutant Discharge Elimination System)
www.dep.state.fl.us/water/stormwater/npdes/
Please call Public Works at
(305) 416-1200 for additional information.

*A new online system called Interactive Notice of Intent (INOI) is now available to the public. Applicants that use INOI can complete, save, edit, pay for (using a credit card) and submit NPDES Stormwater applications online. The use of INOI is encouraged but voluntary. Applicants can still submit paper notices. INOI is available at www.dep.state.fl.us/water/stormwater/npdes/

5. If you complete a paper NOI, submit it along with the application fee, as indicated below, to the NPDES Stormwater Notices Center. Authorization is usually granted 48 hours after the date the complete NOI is post-marked to the Notices Center.

The fee is required by Rule 62-4.050(4)(d), F.A.C. Make checks payable to the Florida Department of Environmental Protection.

Large Construction (disturbs 5 or more acres of land) is \$400.
Small Construction (disturbs between 1 and 5 acres) is \$250.

6. Re-apply for coverage every five years (if the construction activity extends beyond a 5-year period) or submit an NOI to terminate coverage.

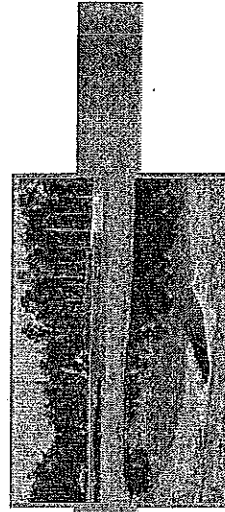
Where Can I Find More Information?

DEP's Web site provides more information on program - coverage and requirements, useful Web links, and electronic versions of the CGP, all regulations and forms cited herein, and SWPPP guidance. In addition, the NPDES Stormwater Notices Center provides hardcopies of permits and forms.

NPDES Stormwater Section
Florida Department of Environmental Protection -
2600 Blair Stone Road, MS #2500 -
Tallahassee, FL 32399-2400 -
(850) 245-7522 -
Email NPDES-stormwater@dep.state.fl.us -

INOI
www.dep.state.fl.us/water/stormwater/npdes/

NPDES Stormwater Notices Center
Florida Department of Environmental Protection -
2600 Blair Stone Road, MS #2510 -
Tallahassee, FL 32399-2400 -
(866) 346-6312 (toll free) or (850) 297-1232



What Is Florida's NPDES Stormwater Permitting Program for Construction Activity?

In October 2000, the U.S. Environmental Protection Agency (EPA) authorized the Florida Department of Environmental Protection (DEP) to implement the National Pollutant Discharge Elimination System (NPDES) stormwater permitting program in the State of Florida (with the exception of Indian Country lands). The program regulates point source discharges of stormwater runoff from certain construction sites and was developed by EPA in two phases: Phase I regulates "large" construction activity (disturbing 5 or more acres of total land area) and Phase II regulates "small" construction activity (disturbing between 1 and 5 acres of total land area).

The "operator" (i.e., the entity that owns or operates the project and has authority to ensure compliance) of regulated construction sites must obtain an NPDES stormwater permit and implement appropriate pollution prevention techniques to minimize erosion and sedimentation and properly manage stormwater. DEP adopted under Rule 62-621.300(4), F.A.C., the **Generic Permit for Stormwater Discharge from Large and Small Construction Activities (CGP)** (DEP Document 62-621.300(4) (a)) which is applicable to Phase I large construction and Phase II small construction.

It is important to note that the permit required under DEP's NPDES Stormwater permitting program is separate from the Environmental Resource Permit (ERP) required under Part IV, Chapter 373, F.S., a stormwater discharge permit required under Chapter 62-25, F.A.C., or any local government's stormwater discharge permit for construction activity.

Which Construction Activities Are Regulated Under The Program?

DEP's permitting program regulates construction activity that meets the following criteria:

- - Contributes stormwater discharges to surface waters of the State or into a municipal separate storm sewer system (MS4).
- - Disturbs one or more acres of land. Less than one acre also is included if the activity is part of a larger common plan of development or sale that will meet or exceed the one acre threshold. Disturbance includes clearing, grading and excavating.

What Does the CGP Require?

- A **CGP Notice of Intent (NOI)** (DEP Form 62-621.300(4) (b)) must be submitted to DEP

- A **Stormwater Pollution Prevention Plan (SWPPP)**, in part, the plan must include the following:

- A site evaluation of how and where pollutants may be mobilized by stormwater
- A site plan for managing stormwater runoff,
- Identification of appropriate erosion and sediment controls and stormwater best management practices (BMPs) to reduce erosion, sedimentation, and stormwater pollution,
- A maintenance and inspection schedule,
- A recordkeeping process, and
- Identification of stormwater exit areas.

- A **Notice of Termination (NOT)** (DEP Form 62-621.300(6)) must be submitted to DEP to discontinue permit coverage. An NOI may be submitted only when the site meets the eligibility requirements for termination specified in the CGP.

What Are Some Examples of BMPs?

A comprehensive SWPPP includes both structural and non-structural controls. Some commonly used controls follow:

- - **Structural Controls**
 - - **Retention Ponds.** Permanent structures designed to allow time for sediments to settle and water to infiltrate the ground.
 - - **Temporary Sediment Basins.** Structures designed to detain sediment-laden runoff from disturbed areas long enough for sediments to settle out and control the release of stormwater.
 - - **Entrance/Exit Controls.** Temporary controls, such as gravel, used to stabilize the entrances/exits to the site to reduce the amount of soils transported onto paved roads by vehicles (known as "track-out").
 - - **Silt Fencing.** A temporary erosion and sediment control used to prevent dirt from entering waterways before bare soil is stabilized with vegetation.
 - - **Berms.** A temporary erosion and sediment control that physically prevents polluted runoff from entering nearby storm drain inlets and waters.

Non-Structural Controls

- - **Stabilization.** Techniques such as sodding, seeding/mulching and stone cover, which reduce the erosion of exposed soils and steep grades.
- - **Phased Construction.** Scheduling construction to occur during the dry season or to minimize the amount of land cleared at any one time.
- - **Good Housekeeping.** Techniques such as oil and fuel containment, spill prevention and clean-up, and street sweeping of "tracked-out" soils, which help prevent the contamination of stormwater runoff.

How Do I Obtain Permit Coverage?

To obtain NPDES stormwater permit coverage, complete the following steps:

1. Obtain a copy of the CGP.
2. Carefully read the permit language.
3. Develop and implement a SWPPP.
4. Complete an NOI in its entirety online using the iNOI system * or by submitting a paper NOI.



Florida

Department of Environmental Protection

"More Protection, Less Process"

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 - » [Special Projects](#)
 - » [Springs](#)
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 - » [Underground Injection](#)
 - » [Wastewater](#)
 - » [Water Policy](#)
 - » [Watersheds](#)
 - » [Wetlands](#)
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- » [Forms & Applications](#)
 - » [Rules](#)
 - » [Permits](#)
 - » [Contacts](#)
 - » [Data](#)
 - » [Publications](#)
 - » [Public Notices](#)

Navigation

- » [Sitemap](#)



Documents are Adobe Acrobat files, which will open in a new window, unless indicated, and require the free [Reader Software](#).

Florida's NPDES Stormwater Program

Program for Construction Activity - Permit Options & Requirements for Construction

Permit Options

Operators of construction activities must obtain coverage under an NPDES stormwater permit and implement appropriate pollution prevention techniques to minimize erosion and sedimentation and properly manage stormwater. The majority of construction activities requiring an NPDES stormwater permit will likely qualify for an NPDES permit for construction. A generic permit is a general permit issued by DEP under the authority of [Section 403.0885, Florida Statutes \(F.S.\)](#), which is the provision authorizing the State to implement the NPDES program.

CGP Requirements

- » A **CGP Notice of Intent (NOI)** | [Word](#) (DEP Form 62-621.300(4)(b)) must be submitted online using [Interactive Notice of Intent \(iNOI\)](#) or by paper copy to the [NPDES Stormwater Notices Center](#) to obtain permit coverage.
- » A **stormwater pollution prevention plan (SWPPP)** must be developed and implemented to be in compliance with the permit. See the CGP, as well as SWPPP guidance provided below, for details.
- » [State of Florida Erosion and Sediment Control Designer and Reviewer Manual April 2010 \(17.9 MB\)](#)
- » [Guidance & Template for Stormwater Pollution Prevention Plans](#)
- » [EPA's Stormwater Pollution Prevention Plans for Construction Activities](#)
- » [Storm Water Management for Construction Activities: Developing Pollution Prevention Plans and Best Management Practices \(10/01/92\)](#).
- » A **Notice of Termination (NOT)** | [Word](#) (DEP Form 62-621.300(6)) must be submitted [online](#) or by paper copy to the [NPDES Stormwater Notices Center](#) to discontinue permit coverage. Permit coverage may be terminated when the eligibility requirements for termination specified in the CGP are met.

Obtaining Permit Coverage

To obtain NPDES stormwater permit coverage, a regulated construction operator must complete the following steps:

1. Obtain copies of the [CGP](#).
2. Carefully read the permit language.
3. Develop and implement a SWPPP.
4. Complete an NOI in its entirety online using [iNOI](#) or by submitting a paper NOI.
5. If you complete a paper NOI, submit it along with the **application fee**, as indicated below, to the [NPDES Stormwater Notices Center](#). Authorization is usually granted 48 hours after the date the complete NOI is post-marked to the Notices Center.

The Notices Center will send an acknowledgement letter after receipt and processing of the complete NOI and fee.

Acknowledgement letters for permits resulting from [iNOI](#) will

be issued by email.

The fee is required by Rule 62-4.050(4)(d), F.A.C.. Make checks payable to the Florida Department of Environmental Protection.

Large Construction (disturbs 5 or more acres of land) is \$400.

Small Construction (disturbs between 1 and 5 acres) is \$250.

6. Re-apply for coverage every five years (if the construction activity extends beyond a 5-year period) or submit an NOT to terminate coverage.

For more information, send us an e-mail
NPDES Stormwater Program

2600 Blair Stone Road Mail Station 2500
Tallahassee, FL, 32399
Phone (850) 245-7522

Last updated: June 09, 2010

2600 Blair Stone Road M.S. 3500 Tallahassee, Florida 32399 850-245-8336 (phone) / 850-245-8356 (fax)
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State of Florida
Department of Environmental Protection
Generic Permit
For
Stormwater Discharge from Large and Small Construction Activities

February 2009

This permit is issued under the provisions of Section 403.0885, Florida Statutes, and applicable rules of the Florida Administrative Code pursuant to the Department's federally-approved National Pollutant Discharge Elimination System (NPDES) stormwater regulatory program. Stormwater discharge associated with large construction activity, as defined at 40 CFR Part 122.26(b)(14)(x) and herein, is regulated pursuant to Section 402(p)(2) of the federal Clean Water Act (CWA). Stormwater discharge associated with small construction activity, as defined at 40 CFR 122.26(b)(15) and herein, is regulated pursuant to Section 402(p)(6) of the CWA. This permit constitutes authorization to discharge stormwater associated with large and small construction activities to surface waters of the State, including through a Municipal Separate Storm Sewer System (MS4). Until this permit is terminated, modified, or revoked, permittees that have properly obtained coverage under this permit are authorized to discharge to surface waters of the State, including through an MS4, in accordance with the terms and conditions of this permit.

Part I. General Provisions

A. Applicability and Coverage

1. Federal law prohibits the point source discharge of pollutants, including the discharge of stormwater associated with large or small construction activities pursuant to 40 CFR Part 122 and as defined in Part II of this permit, to waters of the United States without a National Pollutant Discharge Elimination System (NPDES) permit. The State of Florida has authority to administer the NPDES stormwater program pursuant to Section 403.0885, F.S. Operators that have stormwater discharge associated with large or small construction activities to surface waters of the State, including through a Municipal Separate Storm Sewer System (MS4), must obtain coverage either under a generic permit issued pursuant to Chapter 62-621, F.A.C., or an individual permit issued pursuant to Chapter 62-620, F.A.C.

2. Coverage under this generic permit is available for stormwater discharges from large and small construction activities to surface waters of the State as defined in Section 403.031, F.S., including stormwater discharges associated with construction activity to surface waters of the State through an MS4.

3. This generic permit does not constitute authorization under Part IV of Chapter 373, F.S., for the construction, alteration, operation, maintenance, abandonment, or removal of any stormwater management system, dam, impoundment, reservoir, or appurtenant work or works, including dredging or filling in, on or over wetlands and other surface waters, as determined by the methodology authorized in Subsection 373.421(1), F.S.

4. This generic permit authorizes the discharge of stormwater associated with construction activity under the State's federally-approved NPDES stormwater program only and does not supersede the requirement to obtain a stormwater discharge authorization pursuant to an environmental resource permit (ERP) under Part IV, Chapter 373, F.S.; an environmental resource permit from a Department-approved delegated local government; or any other required federal, state, or local government permit.

B. Eligibility

1. This permit authorizes the discharge of stormwater associated with large and small construction activity, as defined in Part II of this permit, occurring after the effective date of this permit.

2. This permit authorizes stormwater discharge associated with construction activity that is mixed with stormwater discharges associated with industrial activity other than construction, where:

- a. the industrial source other than construction is located on the same site as the construction activity;
- b. stormwater discharges associated with industrial activity from the areas of the site where construction activities are occurring are in compliance with the terms of this permit; and
- c. stormwater discharges associated with industrial activity from the areas of the site where industrial activity other than construction are occurring are in compliance with the terms of a different generic permit (e.g., Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity) or individual permit authorizing such discharges.

3. Limitations on Coverage. The following stormwater discharges from construction sites are not authorized by this permit:

- a. stormwater discharges that originate from the site after construction activities have been completed and the site has undergone final stabilization;

- b. discharges that are mixed with sources of non-stormwater, other than discharges identified in Part IV.A.3. of this permit;
- c. stormwater discharge associated with construction activity that is covered under an existing generic or individual permit. Such discharges may be authorized under this permit after the existing individual permit or generic permit term of coverage expires, provided the existing permit did not establish numeric limitations for such discharges; or
- d. stormwater discharge associated with construction activity that the Department has determined to be or may reasonably be expected to be causing or contributing to a violation of a surface water quality standard.

C. Obtaining Authorization

- 1. In order for stormwater discharge associated with construction activity to be authorized under this generic permit, an operator must:
 - a. Meet the eligibility requirements in Part I.B. of this permit;
 - b. Develop and implement a stormwater pollution prevention plan (SWPPP) in accordance with the requirements of Part V of this permit; and
 - c. Submit a completed Notice of Intent (NOI) in accordance with the requirements of Part III of this permit, including submittal of the appropriate processing fee as established in paragraph 62-4.050(4)(d), F.A.C.
- 2. The Department may deny coverage under this permit or require submittal of a revised NOI based on the Department's determination that the NOI is incomplete, the permit fee has not been paid, or the submittal otherwise is not in accordance with the requirements of this generic permit.

Part II. Definitions

For the purposes of this generic permit, the following definitions shall apply, unless otherwise indicated:

- 1. "Best Management Practices" or "BMPs" means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of surface waters. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.
- 2. "Construction Activity" means the act or process of developing or improving land which involves the disturbance of soils and includes clearing, grading, and excavation.
- 3. "Commencement of Construction" means the initial disturbance of soils associated with clearing, grading, or excavating activities or other construction activities.
- 4. "Department" or "DEP" means the Florida Department of Environmental Protection.
- 5. "Final Stabilization" means that all soil disturbing activities at the site have been completed, and that a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% for all unpaved areas and areas not covered by permanent structures has been established or equivalent permanent stabilization measures (e.g., geotextiles) have been employed.
- 6. "Large Construction Activity" means construction activity that results in the disturbance of five (5) or more acres of total land area. Large construction activity also includes the disturbance of less than five acres of total land area that is part of a larger common plan of development or sale that will ultimately disturb five acres or more.

7. "Municipal Separate Storm Sewer System" or "MS4" means a large, medium, or small MS4 as defined in Chapter 62-624, F.A.C.

8. "NOI" means notice of intent to be covered by this permit (see Part III of this permit).

9. "NOT" means notice of termination (see Part VIII of this permit).

10. "NPDES" means the Department's federally-approved National Pollutant Discharge Elimination System program.

11. "Operator" means the person, firm, contractor, public organization or other legal entity that owns or operates the construction activity and that has authority to control those activities at the project necessary to ensure compliance with the terms and conditions of this permit.

12. "Qualified Inspector" means a person that:

a. has successfully completed and met all requirements necessary to be fully certified through the DEP Stormwater Erosion and Sedimentation Control Inspector Training Program;

b. has successfully completed an equivalent formal training program; or

c. is qualified by other training or practical experience in the field of stormwater pollution prevention and erosion and sedimentation control.

13. "Small Construction Activity" means construction activity that results in the disturbance of equal to or greater than one (1) acre and less than five (5) acres of total land area. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre and less than five acres.

14. "Stormwater" means the flow of water which results from, and which occurs immediately following, a rainfall event.

15. "Stormwater discharge associated with construction activity" means the discharge of stormwater from large or small construction activities, including areas where soil disturbing activities, construction materials handling or storage, equipment storage or maintenance are located.

16. "Surface Waters of the State" means those surface waters that are defined in section 403.031, F.S.

17. "Water Management District" or "WMD" means the Northwest Florida Water Management District, the Suwannee River Water Management District, the St. Johns River Water Management District, the Southwest Florida Water Management District or the South Florida Water Management District.

Part III. Notice of Intent Requirements

A. Deadlines for Notification.

1. Operators seeking coverage under this generic permit to authorize stormwater discharge associated with construction activity for new large or small construction activities, for which commencement of construction begins after the effective date of this permit, shall file an NOI for coverage under this permit at least two (2) days before commencement of construction.

2. For construction activities where the operator changes, the new operator shall file an NOI for coverage under this permit at least two (2) days before assuming control of the project and the previous operator shall file an NOT to terminate permit coverage in accordance with Part VIII of this permit.

B. Contents of Notice of Intent.

1. In order to obtain coverage under this permit, the operator of the construction activity having an associated stormwater discharge shall submit a completed Notice of Intent to Use Generic Permit for Stormwater Discharge from Large and Small Construction Activities, DEP Form 62-621.300(4)(b), including the applicable permit processing fee as specified in paragraph 62-4.050(4)(d), F.A.C. By completing, signing, and submitting an NOI, the operator is certifying that they meet all eligibility requirements of this permit and are informing the Department of their intent to be covered by, and comply with, the terms and conditions of this generic permit. The Notice of Intent shall be signed in accordance with Part VII.C. of this permit by the operator.

C. Where to Submit.

1. NOIs shall be submitted either electronically or by paper copy.
 - a. The Department encourages the electronic submission of NOIs through the NPDES Stormwater Program's electronic permitting application available at <http://www.dep.state.fl.us/water/stormwater/npdes/>.
 - b. If the operator chooses to submit the NOI by paper copy, the NOI shall be submitted to the following address:

NPDES Stormwater Notices Center, MS# 2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

2. A copy of the NOI or letter from DEP confirming coverage under this generic permit shall be posted at the construction site in a prominent place for public viewing (such as alongside a building permit).

D. Additional Notification.

1. Projects that discharge stormwater associated with construction activity to a municipal separate stormwater system (MS4) shall submit a copy of the NOI to the operator of the MS4.

E. Period of Coverage.

1. Coverage under this generic permit is effective two (2) days after the date of submittal of a complete NOI to the Department.
2. Coverage under this generic permit is limited to a term not to exceed five years from the effective date of coverage.

F. Permit Coverage Renewal.

1. If the project will continue to have stormwater discharge associated with construction activity beyond the initial five year term of coverage, the operator shall submit a new NOI at least two (2) days before expiration of the current term of coverage under this permit.

Part IV. Special Conditions, Management Practices and Other Non-numeric Limitations

A. Prohibition of Non-Stormwater Discharges.

1. Except as provided in paragraphs I.B.2. and IV.A.3., all discharges covered by this permit shall be composed entirely of stormwater associated with construction activity.

2. Except as specified in IV.A.3. below, discharges of material other than stormwater associated with construction activity must be in compliance with a Department permit (other than this permit) issued for the discharge, or be exempt therefrom.

3. The following non-stormwater discharges are authorized by this permit provided the non-stormwater component of the discharge is in compliance with paragraph V.D.5.: discharges from fire fighting activities; fire hydrant flushings; waters used to spray off loose solids from vehicles (wastewaters from a more thorough cleaning, including the use of detergents or other cleaners is not authorized by this part) or control dust in accordance with Part V.D.2.c.(2); potable water sources including waterline flushings; irrigation drainage; routine external building washdown which does not use detergents; pavement washwaters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used; air conditioning condensate; springs; and foundation or footing drains where flows are not contaminated with process materials such as solvents.

4. Discharges resulting from ground water dewatering activities at construction sites are not covered by this permit. Applicants for these discharges must obtain coverage under the Department's Generic Permit for the Discharge of Produced Ground Water from any Non-contaminated Site Activity pursuant to subsection 62-621.300(2), F.A.C.

B. Releases in Excess of Reportable Quantities.

1. The discharge of hazardous substances or oil in the stormwater discharge(s) from a facility or activity shall be prevented or minimized in accordance with the applicable stormwater pollution prevention plan for the facility or activity. This permit does not relieve the operator of the reporting requirements of 40 CFR part 117 and 40 CFR part 302. Where a release containing a hazardous substance in an amount equal to or in excess of a reporting quantity established under either 40 CFR 117 or 40 CFR 302, occurs during a 24 hour period:

a. The operator is required to notify the State Warning Point (800-320-0519 or 850-413-9911) as soon as he or she has knowledge of the discharge;

b. The operator shall submit, within 14 calendar days of knowledge of the release, a written description of: the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and remedial steps to be taken, to the Florida Department of Environmental Protection, NPDES Stormwater Section, Mail Station 2500, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and

c. The stormwater pollution prevention plan required under Part V of this permit must be modified within 14 calendar days of knowledge of the release to: provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the recurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

2. This permit does not authorize the discharge of hazardous substances or oil resulting from an on-site spill.

Part V. Stormwater Pollution Prevention Plan

A. A stormwater pollution prevention plan shall be developed and implemented for each construction site covered by this permit. Stormwater pollution prevention plans shall be prepared in accordance with good engineering practices. Equivalent erosion and sediment control plans prepared as an

environmental resource permit requirement under Part IV, Chapter 373, F.S., may serve as the pollution prevention plan provided all of the elements of this section are included in such an alternative plan. The plan shall identify potential sources of pollution that may reasonably be expected to affect the quality of stormwater discharge associated with construction activity. In addition, the plan shall describe and ensure the implementation of best management practices which will be used to reduce the pollutants in stormwater discharge associated with construction activity and to assure compliance with the terms and conditions of this permit. Facilities must implement the provisions of the stormwater pollution prevention plan required under this part as a condition of this permit. Failure to develop and implement a stormwater pollution prevention plan in accordance with the requirements of this part shall be deemed a violation of this permit and the permittee shall be subject to enforcement action.

B. Deadlines for Plan Preparation and Compliance.

1. The pollution prevention plan shall:

- a. Be completed (including certification by the operator in accordance with Part VII.C.) prior to the submittal of an NOI to be covered under this permit and updated as appropriate;
- b. The plan shall provide for compliance with the terms and schedule of the plan beginning with the initiation of construction activities.

C. Keeping Plans Current.

1. The permittee shall amend the plan whenever there is a change in design, construction, operation, or maintenance, which has a significant effect on the potential for the discharge of pollutants to surface waters of the State or an MS4, including the addition of or change in location of stormwater discharge points, and which has not otherwise been addressed in the plan. The permittee also shall amend the plan if it proves to be ineffective in eliminating or significantly minimizing pollutants from sources identified under Part V.D.1. of this permit, or in otherwise achieving the general objectives of controlling pollutants in stormwater discharge associated with construction activity. In addition, the plan shall be amended to identify any new contractor and/or subcontractor that will implement a measure of the stormwater pollution prevention plan (see Part V.D.6.). Amendments to the plan shall be prepared, signed, dated and kept as attachments to the original plan.

D. Contents of Plan.

1. Site Description. Each plan shall provide a description of pollutant sources and other information as indicated:

- a. A description of the nature of the construction activity;
- b. A description of the intended sequence of major activities which disturb soils for major portions of the site (e.g., grubbing, excavation, grading);
- c. Estimates of the total area of the site and the total area of the site that is expected to be disturbed by excavation, grading, or other construction activities;
- d. Existing data describing the soil or the quality of any discharge from the site and an estimate of the size of the drainage area for each discharge point;
- e. A site map indicating drainage patterns and approximate slopes anticipated after major grading activities, areas of soil disturbance, an outline of areas which may not be disturbed, the location of major structural and nonstructural controls identified in the plan, the location of areas where stabilization practices are expected to occur, surface waters, wetlands and locations where stormwater is discharged to a surface water or MS4; and

f. The latitude and longitude of each discharge point and the name of the receiving water(s) for each discharge point.

2. Controls. Each plan shall include a description of appropriate controls, BMPs and measures that will be implemented at the construction site. The plan shall clearly describe for each major activity identified in Part V.D.1.b. appropriate control measures and the timing during the construction process that the measures will be implemented. For example, perimeter controls for one portion of the site will be installed after the clearing and grubbing necessary for installation of the measure, but before the clearing and grubbing for the remaining portions of the site. Perimeter controls shall be actively maintained until final stabilization of those portions of the site upward of the perimeter control. Temporary perimeter controls shall be removed after final stabilization. All controls shall be consistent with the performance standards for erosion and sediment control and stormwater treatment as set forth in Rule 62-40.432, F.A.C., the applicable environmental resource permitting requirements of the DEP or appropriate WMD relating to performance standards for erosion and sediment control and stormwater treatment and the guidelines contained in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual, FDOT, FDEP (2007), incorporated by reference in Rule 62-621.300(4)(a), F.A.C., and available on the Department's website at <http://www.dep.state.fl.us/water/stormwater/npdes>.

a. Erosion and Sediment Controls.

(1) Stabilization Practices. Each plan shall provide a description of interim and permanent stabilization practices, including site-specific scheduling of the implementation of the practices. Site plans should ensure that existing vegetation is preserved where attainable and that disturbed portions of the site are stabilized. Stabilization practices may include: temporary seeding, permanent seeding, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, preservation of mature vegetation and other appropriate measures. A record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the site and when stabilization measures are initiated shall be included in the plan. Stabilization measures shall be initiated as soon as practicable, but in no case more than 7 days, in portions of the site where construction activities have temporarily or permanently ceased.

(2) Structural Practices. Each plan shall include a description of structural practices to divert flows from exposed soils, store flows, retain sediment on-site or otherwise limit runoff and the discharge of pollutants from exposed areas of the site. Such practices may include silt fences, earth dikes, diversions, swales, sediment traps, check dams, subsurface drains, pipe slope drains, level spreaders, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, coagulating agents and temporary or permanent sediment basins. Structural BMPs shall be placed on upland soils unless a State of Florida wetland resource management permit or environmental resource permit issued pursuant to Chapter 373, F.S., and applicable regulations of the DEP or WMD authorize otherwise.

(3) Sediment Basins.

(a) For drainage basins with 10 or more disturbed acres at one time, a temporary (or permanent) sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent control measures, shall be provided where attainable until final stabilization of the site. The 3,600 cubic feet of storage area per acre drained does not apply to flows from offsite areas and flows from onsite areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin. For drainage basins with 10 or more disturbed acres at one time and where a temporary sediment basin providing 3,600 cubic feet of storage per acre drained, or equivalent controls is not attainable, a combination of smaller sediment basins and/or sediment traps and other BMPs should be used. At a minimum, silt fences or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area.

(b) For drainage basins of less than 10 acres, sediment basins and/or sediment traps are recommended but not required. At a minimum, silt fences or equivalent sediment controls are required for all sideslope and downslope boundaries of the construction area.

(c) Areas that will be used for permanent stormwater infiltration treatment (e.g., stormwater retention ponds) should not be used for temporary sediment basins unless appropriate measures are taken to assure removal of accumulated fine sediments, which may cause premature clogging and loss of infiltration capacity, and to avoid excessive compaction of soils by construction machinery or equipment.

b. Permanent Stormwater Management Controls.

Each plan shall include a description of stormwater management controls or BMPs (e.g., stormwater detention or retention systems, vegetated swales, velocity dissipation devices at discharge points) that will be installed during the construction process to control pollutants in stormwater discharges that will occur during construction and after construction operations have been completed. This generic permit only addresses the installation of stormwater management controls and not the ultimate operation and maintenance of such controls after the construction activities have been completed and the site has undergone final stabilization. Under this generic permit, permittees are only responsible for the installation and maintenance of stormwater management BMPs prior to final stabilization of the site, and are not responsible for maintenance after stormwater discharges associated with construction activity have been eliminated from the site. However, all stormwater management systems and BMPs shall be operated and maintained in perpetuity after final stabilization in accordance with requirements set forth in the State of Florida environmental resource permit issued under Part IV, Chapter 373, F.S.

c. Controls for Other Potential Pollutants.

(1) Waste Disposal. The plan shall assure that waste, such as discarded building materials, chemicals, litter and sanitary waste are properly controlled in accordance with all applicable state, local and federal regulations. This permit does not authorize the discharge of solid materials, including building materials, to surface waters of the State or an MS4.

(2) The plan shall assure that off-site vehicle tracking of sediments and the generation of dust is minimized.

(3) The plan shall be consistent with applicable State and local waste disposal, sanitary sewer or septic system regulations.

(4) The plan shall address the proper application rates and methods for the use of fertilizers, herbicides and pesticides at the construction site and set forth how these procedures will be implemented and enforced. Nutrients shall be applied only at rates necessary to establish and maintain vegetation.

(5) The plan shall ensure that the application, generation and migration of toxic substances are limited and that toxic materials are properly stored and disposed.

3. Maintenance. The plan shall include a description of procedures that will be followed to ensure the timely maintenance of vegetation, erosion and sediment controls, stormwater management practices and other protective measures and BMPs so they will remain in good and effective operating condition.

4. Inspections. At least once every seven calendar days and within 24 hours of the end of a storm that is 0.50 inches or greater, a qualified inspector (provided by the operator) shall inspect all points of discharge into surface waters of the State or an MS4; disturbed areas of the construction site that have not been finally stabilized; areas used for storage of materials that are exposed to precipitation; structural controls; and locations where vehicles enter or exit the site as follows:

a. Disturbed areas and areas used for storage of materials that are exposed to precipitation shall be inspected for evidence of, or the potential for, pollutants entering the stormwater system. The stormwater management system and erosion and sediment control measures identified in the plan

shall be observed to ensure that they are operating correctly. Discharge locations or points shall be inspected to ascertain whether erosion and sediment control and stormwater treatment measures are effective in preventing or minimizing the discharge of pollutants, including retaining sediment onsite pursuant to Rule 62-40.432, F.A.C. Locations where vehicles enter or exit the site shall be inspected for evidence of offsite sediment tracking.

b. Based on the results of the inspection, all maintenance operations needed to assure proper operation of all controls, BMPs, practices or measures identified in the stormwater pollution prevention plan shall be done in a timely manner, but in no case later than 7 calendar days following the inspection. If needed, pollution prevention controls, BMPs and measures identified in the plan shall be revised as appropriate, but in no case later than 7 calendar days following the inspection. Such modifications shall provide for timely implementation of any changes to the plan within 7 calendar days following the inspection.

c. A report summarizing the scope of the inspection; name(s) and qualifications of personnel making the inspection; the date(s) of the inspection; rainfall data; major observations relating to the implementation of the stormwater pollution prevention plan; and actions taken in accordance with paragraph V.D.4.b. of this permit, shall be made and retained, in accordance with Part VI of this permit, as part of the stormwater pollution prevention plan. Such reports shall identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report shall contain a certification that the facility is in compliance with the stormwater pollution prevention plan and this permit. The report shall be signed in accordance with Part VII.C. of this permit.

5. Non-Stormwater Discharges. Except for flows from fire fighting activities, sources of non-stormwater listed in Part IV.A.3. of this permit that are combined with stormwater discharges associated with construction activity must be identified in the plan. The plan shall identify and ensure the implementation of appropriate pollution prevention and treatment measures for the non-stormwater component(s) of the discharge.

6. Contractor/Subcontractor Certification.

a. The stormwater pollution prevention plan must clearly identify, for each measure identified in the plan, the contractor(s) and/or subcontractor(s) that will implement the measure. All contractors and subcontractors identified in the plan must sign a copy of the certification statement in Part V.D.6.b. of this permit. All certifications must be included in the stormwater pollution prevention plan.

b. Certification Statement for Contractors/Subcontractors. All contractors and subcontractors identified in a stormwater pollution prevention plan in accordance with Part V.D.6.a. of this permit shall sign a copy of the following certification statement before conducting any activities at the site:

"I certify under penalty of law that I understand, and shall comply with, the terms and conditions of the State of Florida Generic Permit for Stormwater Discharge from Large and Small Construction Activities and this Stormwater Pollution Prevention Plan prepared thereunder."

The certification must include the name and title of the person providing the signature in accordance with Part VII.C. of this permit; the name, address and telephone number of the contracting firm; and the date the certification is made.

Part VI. Retention of Records

A. The permittee shall retain copies of stormwater pollution prevention plans and all reports required by this permit, and records of all data used to complete the Notice of Intent to be covered by this permit, for a period of at least three years from the date that the site is finally stabilized.

B. The permittee shall retain a copy of the stormwater pollution prevention plan and all reports, records and documentation required by this permit at the construction site, or an appropriate alternative location as specified in the NOI, from the date of project initiation to the date of final stabilization.

Part VII. Standard Permit Conditions

A. Any permit noncompliance constitutes a violation of Section 403.161, F. S. and is grounds for enforcement action; for permit coverage termination, or revocation; or for denial of permit coverage renewal.

B. All of the general conditions listed in Rule 62-621.250, F.A.C., are adopted herein by reference.

C. Signatory Requirements.

1. All Notices of Intent, Notices of Termination, stormwater pollution prevention plans, reports, certifications or information either submitted to the Department or the operator of a municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed as set forth in Rule 62-620.305, F.A.C.

2. Inspection reports prepared pursuant to Part V.D.4.c. of this permit shall be signed by the qualified inspector that prepared them as well as by a responsible authority for the operator as specified in Part VII.C.1. above.

3. Any person signing documents under this permit, except contractor/subcontractor certifications under Part V.D.6., shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Part VIII. Termination of Coverage

A. Notice of Termination.

1. Where a site has been finally stabilized (see Part II for the definition of final stabilization) and all stormwater discharges authorized by this permit are eliminated, the permittee shall submit a completed Notice of Termination (DEP Form 62-621.300(6)), signed in accordance with Part VII.C. of this permit, within 14 days of final stabilization of the site to terminate coverage under this permit.

2. Elimination of stormwater discharges associated with construction activity means that all disturbed soils at the site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, or that all stormwater discharges associated with construction activity from the site that are authorized by this generic permit have otherwise been eliminated.

3. For construction activities where the operator changes, the existing operator shall file an NOT in accordance with this Part within 14 days of relinquishing control of the project to a new operator.

B. Where to Submit.

1. A permittee shall submit a Notice of Termination either electronically or by paper copy.
 - a. The Department encourages the electronic submission of NOTs through the NPDES Stormwater Program's electronic permitting application available at <http://www.dep.state.fl.us/water/stormwater/npdes/>.
 - b. If the operator chooses to submit the NOT by paper copy, the NOT shall be submitted to the following address:

NPDES Stormwater Notices Center, MS# 2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

2. Projects that discharged stormwater associated with construction activity to a municipal separate storm sewer system (MS4) shall submit a copy of the NOT to the operator of the MS4.



NOTICE OF INTENT TO USE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM LARGE AND SMALL CONSTRUCTION ACTIVITIES (RULE 62-621.300(4), F.A.C.)

This Notice of Intent (NOI) form is to be completed and submitted to the Department before use of the Generic Permit for Stormwater Discharge From Large and Small Construction Activities provided in subsection 62-621.300(4), F.A.C. The type of project or activity that qualifies for use of the generic permit, the conditions of the permit and additional requirements to request coverage are specified in the generic permit document [DEP Document 62-621.300(4)(a)]. The appropriate generic permit fee, as specified in paragraph 62-4.050(4)(d), F.A.C., shall be submitted with this NOI in order to obtain permit coverage. Permit coverage will not be granted without submittal of the appropriate generic permit fee. You should familiarize yourself with the generic permit document and the attached instructions before completing this NOI form. Please print or type information in the appropriate areas below.

I. IDENTIFICATION NUMBER: _____ Project ID: _____

II. APPLICANT INFORMATION:

A. Operator Name:		B. Operator Status:	
C. Address:			
D. City:	E. State:	F. Zip Code:	
G. Responsible Authority:			
H. Responsible Authority's Phone No.:			
I. Responsible Authority's Fax No.:			
J. Responsible Authority's E-mail Address:			

III. PROJECT/SITE LOCATION INFORMATION:

A. Project Name:			
B. Project Address/Location:			
C. City:	D. State:	E. Zip Code:	
F. County:	G. Latitude: ° ' "	Longitude: ° ' "	
H. Is the site located on Indian Country Lands? <input type="checkbox"/> Yes <input type="checkbox"/> No		I. Water Management District:	

J. Project Contact:
K. Project Contact's Phone No.:
L. Project Contact's Fax No.:
M. Project Contact's E-mail Address:

IV. PROJECT/SITE ACTIVITY INFORMATION:

A. Indicate whether the project is Large or Small Construction (check only one)		<input type="checkbox"/> Large Construction (Project will disturb five or more acres of land.)
		<input type="checkbox"/> Small Construction (Project will disturb one or more acres but less than five acres of land.)
B. Approximate total area of land disturbance from commencement through completion of construction: _____ acres		
C. SWPPP Location		<input type="checkbox"/> Address in Part II above <input type="checkbox"/> Address in Part III above <input type="checkbox"/> Other address (specify below)
D. SWPPP Address:		
E. City:		F. State: G. Zip Code:
H. Construction Period:		Start Date: Completion Date:

V. DISCHARGE INFORMATION:

A. MS4 Operator Name (if applicable):
B. Receiving Water Name:

VI. CERTIFICATION¹:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Responsible Authority Name and Official Title (Type or Print):
--

Responsible Authority Signature: _____

Date Signed: _____

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C.

INSTRUCTIONS – DEP FORM 62-621.300(4)(b)
**NOTICE OF INTENT (NOI) TO USE GENERIC PERMIT FOR STORMWATER DISCHARGE FROM LARGE
AND SMALL CONSTRUCTION ACTIVITIES**

Who Must File an NOI?:

Federal law at 40 CFR Part 122 prohibits the point source discharge of pollutants, including the discharge of stormwater associated with large construction activities as defined at 40 CFR 122.26(b)(14)(x) or small construction activities as defined at 40 CFR 122.26(b)(15), to waters of the United States without a National Pollutant Discharge Elimination System (NPDES) permit. Under the State of Florida's authority to administer the NPDES stormwater program at 403.0885, F.S., operators that have stormwater discharge associated with large or small construction activities to surface waters of the State, including through a Municipal Separate Storm Sewer System (MS4), must obtain coverage either under a generic permit issued pursuant to Chapter 62-621, F.A.C., or an individual permit issued pursuant to Chapter 62-620, F.A.C.

Where to File NOI:

The Department encourages the electronic submission of NOIs using the Department's Interactive Notice of Intent (iNOI) available at <http://www.dep.state.fl.us/water/stormwater/npdes/>. As an alternative, NOIs may be submitted by paper copy to the following address:

NPDES Stormwater Notices Center, MS #2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Permit Fee:

Permit fees for large and small construction activities to be covered under the generic permit are specified in paragraph 62-4.050(4)(d), F.A.C. The appropriate generic permit fee (either for large or small construction activities) must be submitted along with the completed NOI in order to obtain coverage under the generic permit. **Generic permit coverage will not be granted without payment of the appropriate permit fee.**

If the NOI is submitted electronically, the permit fee shall be paid on-line by credit card. If the NOI is submitted using a paper copy, the permit fee shall be paid by either check or money order made payable to: "Florida Department of Environmental Protection".

Part I – Identification Number:

Enter the project's DEP identification number (generic permit coverage number) if known. If an ID number has not yet been assigned to this project (i.e., if this is a new project), leave this item blank.

Part II – Applicant Information:

Item A.: Provide the legal name of the person, firm, contractor, public organization or other legal entity that owns or operates the construction activity described in this NOI. The operator is the legal entity that has authority to control those activities at the project necessary to ensure compliance with the terms and conditions of the generic permit.

Item B.: Enter the appropriate one letter code from the list below to indicate the legal status of the operator:

F = Federal; S = State; P = Private; M = Public (other than federal or state); O = Other

Items C. – F.: Provide the complete mailing address of the operator, including city, state and zip code.

Items G. – J.: Provide the name, telephone and fax number (including area code) and E-mail address of the person authorized to submit this NOI on behalf of the operator (e.g., Jane Smith, President of Smith Construction Company on behalf of the operator, Smith Construction Company; John Doe, Public Works Director on behalf of the operator, City of Townsville; etc.). This should be the same person as indicated in the certification in Part VI.

Part III – Project/Site Location Information:

Items A. – E.: Enter the official or legal name and complete street address, including city, state and zip code of the project. Do not provide a P.O. Box number as the street address. If it lacks a street address, describe the project site location (e.g., intersection of State Road 1 and Smith Street).

Item F.: Enter the county in which the project is located.

Item G.: Enter the latitude and longitude, in **degrees-minutes-seconds format**, of the approximate center of the project.

Item H.: Indicate whether the project is located on Indian Country Lands.

Item I.: Enter the appropriate five or six letter code from the list below to indicate the Water Management District the project is located within:

NFWFMD = Northwest Florida Water Management District
SRWMD = Suwannee River Water Management District
SFWMD = South Florida Water Management District
SWFWMD = Southwest Florida Water Management District
SJRWMD = St. John's River Water Management District

Items J. – M.: Give the name, telephone and fax number (including area code) and E-mail address of the project contact person. The project contact is the person who is thoroughly familiar with the project, the facts reported in this NOI and who can be contacted by the Department if necessary.

Part IV – Project/Site Activity Information:

Item A.: Check the appropriate box to indicate whether the project involves large construction activity or small construction activity. **Check one box only.**

“Large Construction Activity” means construction activity that results in the disturbance of five (5) or more acres of total land area. Large construction activity also includes the disturbance of less than five acres of total land area that is part of a larger common plan of development or that will ultimately disturb five acres or more.

“Small Construction Activity” means construction activity that results in the disturbance of equal to or greater than one (1) acre and less than five (5) acres of total land area. Small construction activity also includes the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale that will ultimately disturb equal to or greater than one acre and less than five acres.

Item B.: Provide the approximate total area of land disturbance, in acres, that the project will involve from commencement of construction through completion.

Items C. - G.: Indicate the location where the Stormwater Pollution Prevention Plan (SWPPP) can be viewed. Provide the address where the SWPPP can be viewed if other than as provided in Parts II or III of the NOI. **Note that to be eligible for coverage under the generic permit, the SWPPP must have been prepared prior to filing this NOI.**

Item H.: Enter the estimated construction start and completion dates in the MM/DD/YY format.

Part V – Discharge Information:

To be covered under a CGP, the facility must have the potential to discharge stormwater associated with construction activity to a MS4, a surface water body or both. NOIs submitted without discharge information cannot be processed.

Item A.: If stormwater from the project discharges to a municipal separate storm sewer system (MS4), enter the name of the operator of the MS4 (e.g., City of Tallahassee MS4, Orange County MS4, FDOT District 5 MS4, etc.). If stormwater from the project does not discharge to an MS4 but to surface waters of the State, leave this item blank or indicate “N/A” and skip to Item B. of this part. **Please note that if the project discharges stormwater to an MS4, you must provide the MS4 operator with a copy of the completed NOI.**

Item B.: If the project discharges stormwater to surface waters of the State, and not to an MS4, enter the name of the receiving water body to which the stormwater is discharged. Please provide the first named water body to which the stormwater from the project is discharged (e.g., Cypress Creek, Tampa Bay, unnamed ditch to St. Johns River, Tate's Hell Swamp, etc.).

In certain cases, stormwater from the project will discharge to both an MS4 and surface waters of the State. In this case, complete both Item A. and Item B.

Part VI – Certification:

Type or print the name and official title of the Responsible Authority signing the certification. Please note that this must be the same person indicated in Item II.G. as the Responsible Authority. Sign and date the certification.

Section 403.161, F.S., provides severe penalties for submitting false information on this application (NOI) or any reports or records required by a permit. There are both civil and criminal penalties, in addition to the revocation of permit coverage for submitting false information.

Rule 62-620.305, F.A.C., requires that the NOI and any reports required by the permit be signed as follows:

- A. For a corporation, by a responsible corporate officer as described in Rule 62-620.305, F.A.C.;
- B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- C. For a municipality, state, federal or other public facility, by a principal executive officer or elected official.



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- » [Drinking Water](#)
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- » [Grants & Loans](#)
- » [Ground Water](#)
- » [Mining & Minerals](#)
- » [Monitoring](#)
- » [Special Projects](#)
- » [Springs](#)
- » [Stormwater](#)
- » [TMDLs](#)
- » [Underground Injection](#)
- » [Wastewater](#)
- » [Water Policy](#)
- » [Watersheds](#)
- » [Wetlands](#)

Information

- » [Forms & Applications](#)
- » [Rules](#)
- » [Permits](#)
- » [Contacts](#)
- » [Data](#)
- » [Publications](#)
- » [Public Notices](#)

Navigation

- » [Sitemap](#)



Documents are Adobe Acrobat files, which will open in a new window, unless indicated, and require the free Reader Software.

Florida's NPDES Stormwater Program

Contacts

NPDES Stormwater Notices Center

Florida Department of Environmental Protection
2600 Blair Stone Road, MS #2510
Tallahassee, FL 32399-2400
Phone: (866) 336-6312 (toll-free) or (850) 297-1232

NPDES Stormwater Section

Florida Department of Environmental Protection
2600 Blair Stone Road, MS #2500
Tallahassee, FL 32399-2400
Phone: (850) 245-7522
Email: NPDES-stormwater@dep.state.fl.us

Eric Livingston - Program Administrator

Program Authority, Contract Administrator, Phase I MS4s
Eric.livingston@dep.state.fl.us
(850) 245-8430

Robin Babin - Operations & Management Consultant

Finance & Accounting Questions, Cash Receiving, Refunds, Office Support
Robin.babin@dep.state.fl.us
(850) 245-7522

Edward Smith - Environmental Consultant

Phase I & II MS4s and General MS4 Questions
Edward.c.smith@dep.state.fl.us
(850) 245-7523

Jessica Kleinfelter - Compliance & Enforcement Manager

Enforcement Authority, Consent Orders, Warning Letters, Penalties
Jessica.kleinfelter@dep.state.fl.us
(850) 245-7589

Shannan Bogdanov - Environmental Consultant

Industrial and Construction Permitting Questions, Notice of Termination and No Exposure Certification Questions, Permit Denials
Shannan.bogdanov@dep.state.fl.us
(850) 245-7520

Kristine Jones - Program Attorney

Enforcement Support, Legal Questions, Rulemaking
Kristine.p.jones@dep.state.fl.us
(850) 245-2195

Monica Parchment - Environmental Specialist II

Compliance & Enforcement Support, DMR Review/Questions
Monica.parchment@dep.state.fl.us
(850) 245-7521

Catherine Schneider - Environmental Specialist II

Compliance & Enforcement Support, DMR Review/Questions
Catherine.schneider@dep.state.fl.us
(850) 245-7519

Steven Kelly-Environmental Specialist

Compliance & Enforcement Support, Tampa

Steven.kelly@dep.state.fl.us
(813) 632-7600 x 457

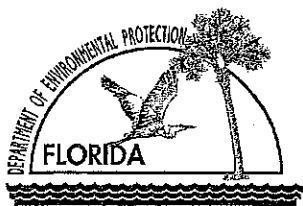
William Gordon-Environmental Specialist III
Compliance & Enforcement Support, Port St. Lucie
William.gordon@dep.state.fl.us
(772) 398-2806 x 127

For more information, send us an e-mail
NPDES Stormwater Program

2600 Blair Stone Road Mail Station 2500
Tallahassee, FL, 32399
Phone (850) 245-7522

Last updated: November 05, 2009

2600 Blair Stone Road M.S. 3500 Tallahassee, Florida 32399 850-245-8336 (phone) / 850-245-8356 (fax)
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NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER NOTICE OF TERMINATION (RULE 62-621.300(6), F.A.C.)

This form is to be completed and submitted to the Department to terminate coverage under the Generic Permit for Stormwater Discharge from Large and Small Construction Activities provided in subsection 62-621.300(4), F.A.C., the Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity provided in subsection 62-621.300(5), F.A.C. as well as the conditional exclusion for "no exposure" of industrial activities and materials to stormwater provided in paragraph 62-620.100(2)(o), F.A.C.

All information provided on this form shall be typed or printed in ink.

I. TERMINATION INFORMATION:

A. Facility ID/Project Number:	
B. Reason for Termination:	
<input type="checkbox"/>	No longer operator of the facility/project.
<input type="checkbox"/>	Final stabilization criteria is met and all stormwater discharges associated with construction activity have ceased (for construction activity only).
<input type="checkbox"/>	All stormwater discharges associated with industrial activity have ceased (for industrial activity only).
<input type="checkbox"/>	No longer meet the condition of "no exposure" (for industrial activity only).

II. OPERATOR INFORMATION:

A. Operator Name:		
B. Address:		
C. City:	D. State:	E. Zip Code:
F. Responsible Authority:		G. Responsible Authority's Phone No.:
H. Responsible Authority's E-mail Address:		I. Responsible Authority's Fax No.:

III. FACILITY/PROJECT INFORMATION:

A. Name:		
B. Address/Location:		
C. City:	D. State:	E. Zip Code:
F. County:		

IV. CERTIFICATION¹:

I certify under penalty of law that all stormwater discharges associated with industrial or construction activity from the identified facility or project that are authorized by the referenced State of Florida generic permit have been eliminated; the facility no longer meets the conditional exclusion for "no exposure" outlined in paragraph 62-620.100(2)(o), F.A.C.; or that I am no longer the operator of the facility or project. I understand that by submitting this Notice of Termination, I am no longer authorized to discharge stormwater associated with industrial or construction activity under a generic permit, and that discharging pollutants in stormwater associated with industrial or construction activity to surface waters of the State is unlawful unless authorized by a permit issued pursuant to Section 403.0885, F.S. I also understand that the submittal of this Notice of Termination does not release an operator from liability for any violations of their generic permit or conditional exclusion for "no exposure" from NPDES stormwater permitting for industrial activities.

Responsible Authority Name and Official Title (Type or Print)

Responsible Authority Signature: _____

Date Signed: _____

¹ Signatory requirements are contained in Rule 62-620.305, F.A.C.

**INSTRUCTIONS – DEP FORM 62-621.300(6)
NPDES STORMWATER NOTICE OF TERMINATION (NOT)**

Who May File an NOT:

Permittees who presently are covered under the Generic Permit for Stormwater Discharge from Large and Small Construction Activities provided in subsection 62-621.300(4), F.A.C., the Multi-Sector Generic Permit for Stormwater Discharge Associated with Industrial Activity provided in subsection 62-621.300(5), F.A.C. or the conditional exclusion for “no exposure” of industrial activities and materials to stormwater provided in paragraph 62-620.100(2)(o), F.A.C. shall submit a Notice of Termination (NOT) when their facility or project no longer has any stormwater discharges associated with industrial activity as defined in Rule 62-620.200 F.A.C.; stormwater discharge associated with construction activity as defined in DEP Document 62-621.300(4)(a); no longer meets the condition of “no exposure” defined in paragraph 62-620.100(2)(o), F.A.C.; or when they are no longer the operator of the facility or project.

For construction activities, elimination of all stormwater discharges associated with industrial activity occurs when disturbed soils at the construction site have been finally stabilized and temporary erosion and sediment control measures have been removed or will be removed at an appropriate time, and all stormwater discharges associated with construction activity from the construction site that are authorized under the generic permit have been eliminated. Final stabilization means that all soil-disturbing activities at the site have been completed and that a uniform (e.g., evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% for all unpaved areas and areas not covered by permanent structures has been established, or equivalent permanent stabilization measures (e.g., geotextiles) have been employed.

Where to File an NOT:

The Department encourages the electronic submission of NOTs through the NPDES Stormwater Program’s electronic permitting application, available at <http://www.dep.state.fl.us/water/stormwater/npdes/>. As an alternative, NOTs may be submitted by paper copy to the following address:

NPDES Stormwater Notices Center, MS #2510
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

NOT Application Fee:

There is no application fee for submitting an NOT.

Additional Notification:

If stormwater associated with industrial or construction activity discharged to a Municipal Separate Storm Sewer System (MS4), a copy of the completed NOT shall be provided to the operator of the MS4.

For construction activities, if other contractors/subcontractors are covered under the permittee’s Notice of Intent (NOI) and/or Stormwater Pollution Prevention Plan (SWPPP), a copy of the completed NOT shall be provided to each additional contractor/subcontractor known to the permittee to be covered or claiming coverage under the permittee’s NOI and/or SWPPP. Contractors/subcontractors claiming coverage under a permittee’s NOI must assure proper permit coverage for the duration of their regulated activity. Failure of the permittee to provide a copy of the NOT as provided herein shall not relieve the contractor/subcontractor relying upon the permittee’s NOI from the required permit coverage or any potential enforcement action arising from the regulated activity.

Part I – Termination Information:

Item A.: Enter the DEP Facility ID/Project Number for the facility/project.

Item B.: Indicate the reason for termination of coverage.

Part II – Operator Information:

Item A.: Provide the legal name of the entity (operator) to which coverage was granted.

Items B. – E.: Provide the complete mailing address of the operator, including city, state and zip code.

Items F. – G.: Provide the name and telephone number (including area code) of the person authorized to submit this NOT on behalf of the operator. This should be the same person as indicated in the certification in Part IV.

Items H.-I.: Provide the email address and fax number (including area code) of the person authorized to submit this NOT on behalf of the operator.

Part III – Facility/Project Information:

Items A. – E.: Enter the official or legal name and complete street address, including city, state and zip code of the facility/project site. Do not provide a P.O. Box number as the street address. If the facility/project lacks a street address, describe the location (e.g., intersection of State Road 1 and Smith Street).

Item F.: Enter the county in which the facility/project site is located.

Part IV – Certification:

Type or print the name and official title of the person signing the certification. Sign and date the certification.

Section 403.161, F.S., provides severe penalties for submitting false information on this NOT or any reports or records required by a permit. There are both civil and criminal penalties for submitting false information.

Rule 62-620.305, F.A.C., requires that the NOT be signed as follows:

- A. For a corporation, by a responsible corporate officer as described in Rule 62-620.305, F.A.C.;
- B. For a partnership or sole proprietorship, by a general partner or the proprietor, respectively; or
- C. For a municipality, state, federal or other public facility, by a principal executive officer or elected official.



City of Miami

City Hall
3500 Pan American Drive
Miami, FL 33133
www.miamigov.com

Legislation

Ordinance 13081

File Number: 09-00638

Final Action Date:

AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 22.5 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "GREEN INITIATIVES," TO CREATE ARTICLE VI ENTITLED "SOIL EROSION, WATERWAY SEDIMENTATION, AND AIRBORNE DUST GENERATION CONTROL" TO ADD SECTIONS TO PROVIDE FOR ENVIRONMENTALLY RESPONSIBLE CONSTRUCTION, SEDIMENT CONTROL AND DISCHARGE OF STORMWATER IN THE CITY OF MIAMI; IMPLEMENTING ADMINISTRATIVE FEES AND ENFORCEMENT PROCEDURES; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Miami is committed to reducing pollution from construction activities by controlling soil erosion, waterway sedimentation and airborne dust generation; and

WHEREAS, during the past eight (8) years, the City of Miami ("City") has launched a comprehensive and aggressive environmental program to clean streets, waterways, brownfields, storm drains, and to improve air and water quality; and

WHEREAS, the City Commission has adopted the recommendations of MiPlan, the City of Miami Climate Action Plan, which calls for promotion of green building programs such as the US Green Building Council Leadership in Energy and Environmental Design (LEED) rating system; and

WHEREAS, construction sites with higher standards to control soil erosion, waterway sedimentation and airborne dust have been proven to reduce the harmful side effects of construction on the environment; and

WHEREAS, poor sediment and erosion control on construction sites causes financial damage to the City in the form of higher costs for public storm sewer maintenance, increased flooding, and higher costs for maintenance dredging of City-maintained waterways; and

WHEREAS, public storm drains are the primary conduits through which sediment from construction sites travel to local water bodies; and

WHEREAS, increased sediment loads in local water bodies disrupt the ecosystem and cause local water bodies to be unsuitable for fishing and swimming because of decreased clarity of the water and the presence of other pollutants which attach themselves to sediment particles, thus reducing recreational opportunities in the City and reducing City residents' quality of life; and

WHEREAS, the City wishes to ensure that its buildings maintain high standards of control of soil erosion, waterway sedimentation and airborne dust generation to safeguard the health of residents, visitors, and employees of the City of Miami;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI:

Section 1. The recitals and findings in the Preamble to this ordinance are adopted by reference and incorporated as if fully set forth in this Section.

Section 2. Chapter 22.5, of the Code of the City of Miami, Florida, as amended, entitled "Green Initiatives," is amended in the following particulars:

"CHAPTER 22.5
GREEN INITIATIVES

* * * * *

Article VI.

SOIL EROSION, WATERWAY SEDIMENTATION, AND AIRBORNE DUST
GENERATION CONTROL

INTENT

The intent of this chapter is to locally implement Florida Statute 403.0885 and Florida Administrative Code Chapter 62-621.300, known as the "Generic Permit for Stormwater Discharge from Large and Small Construction Activities" (the Permit) by providing the City of Miami with improved water and air quality. Preventive jobsite practices can minimize environmental risks from the erosion, air pollution, and sedimentation on sites with disturbed soil.

DEFINITIONS

Applicant means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever who applies to the city for the applicable permits or approvals to undertake construction, demolition or renovation projects within the city. Best management Practices ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce to the maximum extent practicable erosion, dust generation, off-site sedimentation, and pollution of City of Miami waterways and storm drainage systems. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from material storage.

Construction means the act of creating or maintaining stockpiles of soil or other material which are erodible if exposed to water or wind and are capable of generating dust; or developing or improving public or private land which involves the removal of surface

cover or disturbance of soils and includes clearing, grading, demolition, and excavation.

Dust Control means providing temporary fencing to mitigate the effects of dust upon the surrounding community in accordance with Ordinance 12930.

Erosion means the detachment, transport, and deposition of particulate matter by the action of wind, water, and gravity.

Stormwater means the flow of water which results from, and which occurs immediately following, a rainfall event.

Stormwater Discharge Facility means a stormwater management system which discharges stormwater into surface waters of the State. Stormwater Management System means the designed features of the property which collect, convey, channel, hold, inhibit or divert the movement of stormwater.

Stormwater Pollution Prevention Plan (the "Plan") means a written plan, approved by the city submitted by the applicant which identifies a strategy to minimize stormwater runoff that will be generated. The SWPPP shall follow the guidelines of the Florida Stormwater, Erosion, and Sedimentation Control Inspector's Manual published by the Florida Department of Environmental Protection.

APPLICABILITY

This ordinance shall apply to all construction and demolition sites and activities under the authority of the City of Miami. All such sites and activities within the authority of the City of Miami shall be required to contain and control all sediment and sediment-laden water on-site.

xx.x Stormwater Pollution Prevention Plan (the "Plan")

To obtain a Permit for construction projects which will disturb over one (1) acre of soil, the applicant must develop and implement a Plan in accordance with the requirements the "Permit" or local erosion and sedimentation control standards and codes, whichever is more stringent. Construction sites with areas of disturbed soil between 0.5 acres and one (1) acre may use an alternative format, approved by the City, provided it supplies all the information required by the Permit. The Plan must be approved by the City of Miami Department of Public Works National Pollution Discharge Elimination System section prior to the commencement of construction activities.

The Plan shall describe the current and final conditions of the construction site, the nature of the work to be performed, the BMPs to be implemented to prevent stormwater pollution, control erosion and prevent off-site sedimentation, who will implement these measures, the schedule of implementation, and include a narrative section; site plan; details, specifications, and notes; and calculations. The plan must include the following:

1. Name of the person who is responsible should the site fall out of compliance

2. Narrative description of the procedures to be used to control erosion, sedimentation and air pollution
3. Site map indicating locations of disturbed soil and control methods
4. Inspection schedule for all erosion, stormwater, and sediment control measures or best management practices (BMPs): A qualified person procured by the applicant must perform erosion, sediment and stormwater pollution prevention inspections at least weekly and within 24 hours after every rain event of one half (1/2) inch or more for sites less than five (5) acres. Sites greater than five (5) acres must be inspected at least weekly and within 24 hours after every rain event of one quarter (1/4) inch or more. Maintenance must be performed within one week of the first inspection that indicates such maintenance is required.
5. Method to be instituted to ensure that all parties who engage in activities which disturb soil or have the potential to cause stormwater pollution engage in such activities in a manner that minimizes erosion, off-site sedimentation, dust migration, and stormwater pollution to the maximum extent practicable.
6. Identify how materials on the construction site which are capable of causing stormwater pollution will be handled and stored in order to prevent such pollution. Such materials include, but are not limited to: paint, concrete, aggregates, fertilizers, pesticides, and fuels.

If the approved Plan is found to be ineffective in controlling erosion, stormwater pollution, or off-site sedimentation, the site shall be deemed out of compliance with this section. The construction site operator is responsible to amend the Plan to ensure compliance. In such cases where off-site sedimentation or turbidity originates from a different site, then the property owner of that site shall be in violation of this section.

xx.x Plan Management. The approved Plan as amended and documentation of all inspections must be kept on the construction site until a final certificate of occupancy is issued. Within thirty (30) days after the completion of construction for any covered project, the applicant shall submit official documentation that the applicant has complied with the Plan requirement for the project. Commercial properties are further required to submit the Environmental Resource Permit approved by the South Florida Water Management District (SFWMD) or any successor agency for the property's stormwater management system.

The documentation for the Plan shall include the following:

1. The steps taken to remove sludge and waste;
2. Documentation of all construction site inspections and modifications to BMPs;
3. The Plan, including any amendments made during the course of construction; and
4. Any additional information that the applicant believes is relevant to determining its efforts to comply in good faith with this chapter

The documentation submitted with the Environmental Resource Permit shall contain:

1. A construction certification affidavit signed by a registered professional engineer; and
2. A maintenance schedule plan for the onsite stormwater management system. Subsequent to the issuance of the certificate of occupancy, the property owner shall be held responsible for compliance with the Environmental Resource Permit.

xx.x Failure to Submit Documentation. If the documentation is submitted after the required (30) day time period, there will be a fee of \$100. A City official shall evaluate whether the applicant has otherwise complied with the stormwater pollution prevention requirement for the project.

xx.x Administrative Fee.

As a condition precedent to the issuance of any public works, zoning, planning, building, or demolition permit for a construction project which will disturb 0.5 acres or more of soil, the applicant shall pay the City a fee of \$100. All fees and fines generated as a result of this ordinance shall be deposited into the Stormwater Utility Trust Fund and shall be used to administer this program and to further the City's efforts prevent pollution of stormwater systems.

Compliance and Enforcement

The Code Enforcement Department and Public Works Department shall evaluate compliance with this ordinance during the course of their regular inspections. Additional inspections may be conducted by other City departments as needed, to ensure compliance with this section. If the City Inspector finds that the applicant does not comply with the requirements of this ordinance, the violated portions of this ordinance shall be noted in the inspection report and a hold may be placed on future inspections or the temporary or final certificate of occupancy may be withheld, as appropriate.

The certificate of occupancy for a project subject to this section shall be withheld until the applicant both (A) submits the required documentation, including, where applicable, proof that any fine due under this subsection has been paid in full, and (B) performs any actions required by the Public Works Department, Building Department, Code Enforcement Department, the Miami-Dade County Department of Environmental Resource Management (DERM), or any other agency of competent jurisdiction in order to correct erosion, sediment control, or stormwater violations observed at the construction site.

Applicants and property owners whose sites fail to meet the stormwater pollution prevention criteria identified shall be subject to the following fines by Code Enforcement:

<p>1. <u>Failure to implement or properly maintain sufficient erosion, sediment, or airborne dust controls.</u></p>	<p><u>\$1,000 per violation per day</u></p>
<p>2. <u>Causing off-site sedimentation or turbidity to waterways, private or public property, or the storm sewer system</u></p>	<p><u>\$1,000 per violation per day</u></p>
<p>3. <u>Discharging water containing sediments or other substances to waterways, the storm sewer system, public, or private property</u></p>	<p><u>\$1,000 per violation per day</u></p>
<p>4. <u>Causing the off-site migration of airborne dust</u></p>	<p><u>\$1,000 per violation</u></p>
<p>5. <u>Failure to obtain or comply with the Environmental Resource Permit subsequent to the issuance of a certificate of occupancy which results in the discharge of sediment, turbidity or stormwater from private property to adjacent private or public property</u></p>	<p><u>\$1,000 per violation</u></p>

* * * * *

Section 3. If any section, part of section, paragraph, clause, phrase or word of this ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof. {2}

..Footnotes:

{1} Words/and or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

{2} This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.