

- Develop and implement your SWPPP.
- Complete an NOI in its entirety.
- Submit the NOI along with an **application fee of \$150** to the Notices Center. Authorization is granted 48 hours after the date the complete NOI is post-marked to DEP. However, if an ERP or a permit under Chapter 62-25, F.A.C., is not required for the project, authorization is granted 30 days after the complete NOI post-mark date (in such cases, a copy of the SWPPP must be submitted for review along with the NOI, as directed under Section I.C.2. of the CGP). The Notices Center will send an acknowledgment letter after receiving and processing your complete NOI and fee, and, in certain cases, as indicated above, after receiving and reviewing your SWPPP.
- Re-apply for coverage every five years (if construction activity exceeds five years).

#### **Please Note**

*The application fee is subject to change—always refer to the most current version of Rule 62-4.050(4)(d), F.A.C., to confirm the amount before submitting payment. Make checks payable to the Florida Department of Environmental Protection.*

#### **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) 921-9904  
NPDES-stormwater@dep.state.fl.us  
[www.dep.state.fl.us/water/stormwater/npdes/](http://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) 336-6312 (toll-free) or (850) 297-1232

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

## The Florida NPDES Stormwater Permitting Program for

# Construction Activity





## 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 and Phase II regulates "small" construction activity. DEP already has adopted the Federal Phase I regulations and currently is in the process of developing its own Phase II regulations.

The "operator" (i.e., the entity with operational control of the site specifications or day-to-day control of the site) 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 Construction Activities that Disturb Five or More Acres of Land (CGP)** (DEP Document 62-621.300(4)(a)), which is applicable only to Phase I large construction. DEP's permit coverage of Phase II small construction is scheduled to go into effect by March 10, 2003, and is anticipated to be under the CGP rather than a new permit.

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 currently regulates Phase I large 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 five or more acres of land. Less than five acres also is included if the activity is part of a larger common plan of development or sale that will meet or exceed the five-acre threshold. *Disturbance* includes clearing, grading, and excavation.

Under Phase II, small construction activity on sites that disturb an area equal to or greater than one acre and less than five acres will be regulated. Less than one acre also will be included if the activity is part of a larger common plan of development or sale that will disturb between one and five acres of land.

## 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
  - 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 NOT may be submitted only when the site meets the eligibility requirements for termination specified in the CGP.

## What Are Some Example 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 in order:

- Obtain permit coverage, as required, under the ERP, Chapter 62-25, F.A.C., or a local government's construction program.
- Obtain copies of the CGP and NOI from the DEP Web site or from the **NPDES Stormwater Notices Center**.
- Carefully read the permit language.