This permit is issued under Section 403.0885, Florida Statutes (F.S.), and implemented through applicable provisions of Chapter 62-4, Chapter 62-620, and Chapter 62-621, Florida Administrative Code (F.A.C.). Coverage under this generic permit constitutes authorization to discharge stormwater from large and small construction activities to surface waters of the state pursuant to the Department of Environmental Protection’s (Department, DEP) federally approved National Pollutant Discharge Elimination System (NPDES) stormwater program. This generic permit, herein referred to as the Construction Generic Permit (CGP), is adopted and incorporated by reference in paragraph 62-621.300(4)(a), F.A.C.

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## 1 PERMIT COVERAGE

### 1.1 ELIGIBILITY CONDITIONS

**1.1.2** A National Pollutant Discharge Elimination System (NPDES) stormwater construction generic permit (CGP) is required for construction activities that:

**a.** Will disturb one or more acres of land or disturbs less than one acre of land but is Part of a common plan of development or sale that will ultimately disturb one or more acres of land; and

**b.** Discharges stormwater to surface waters of the state or to a Municipal Separate Storm Sewer System (MS4); or

**c.** Is designated by DEP as needing permit coverage under 40 CFR § 122.26(a)(1)(v) or 40 CFR § 122.26(b)(15)(ii).

**1.1.3** For activities that meet the criteria in Part 1.1.2, you, the operator, are responsible for obtaining permit coverage.

**1.1.4** If you are a contractor or subcontractor acting under the direction of an operator that has received coverage under the CGP for your construction activities, you do not have to obtain your own coverage under this permit, but you must be named on the operator’s Stormwater Pollution Prevention Plan (SWPPP) and separately sign the SWPPP certification (see Part 6.2.9). All operators, acting independently, must obtain permit coverage.

Coverage under this permit may be suspended, revoked, or terminated in accordance with 62-620.345, F.A.C., if the Department determines that there has been a violation of any of the terms of or conditions of the permit, there has been a violation of water quality standards, or the operator has submitted false, incomplete or inaccurate information.

### 1.2 GENERAL EFFLUENT LIMITATION

In the absence of information demonstrating otherwise, DEP expects that compliance with the requirements of this permit results in stormwater discharges being controlled as necessary to meet applicable water quality standards. If at any time you become aware of, or DEP determines that, discharges are not being controlled as necessary to meet applicable water quality standards, you must take corrective action and document corrective action as required in Part 4.

DEP may require additional stormwater controls on a site-specific basis or require you to obtain coverage under an individual permit if DEP determines that your discharges are not controlled as necessary to meet applicable water quality standards.

### 1.3 AUTHORIZED DISCHARGES

**1.3.1** This permit authorizes the following types of stormwater discharges to surface waters of the state or to an MS4, provided that appropriate stormwater controls are designed, installed, and maintained:

**a.** Stormwater discharges, including stormwater runoff and surface runoff and drainage, associated with construction activity, as defined in 40 CFR § 122.26(b)(14)(x) or § 122.26(b)(15)(i);

**b.** Stormwater discharges from an on or off-site construction support activity provided that:

**i.** It is directly related to a construction site covered by this permit;

**ii.** It is not a commercial operation;

**iii.** It does not serve multiple unrelated construction sites; and

**iv.** Stormwater controls are implemented in accordance with Part 2 for discharges from the support activity areas; and

**c.** Stormwater discharges from earth-disturbing activities associated with the construction of staging areas and the construction of access roads.

**1.3.2** The following types of non-stormwater discharges are authorized provided they are identified in the SWPPP, and they do not cause or contribute to a violation of water quality standards:

**a.** Discharges from emergency firefighting activities;

**b.** Fire hydrant flushing;

**c.** Water used to wash vehicles and equipment, provided that there is no discharge of soaps, solvents, or detergents used for such purposes;

**d.** Waters used to control dust;

**e.** Potable water such as uncontaminated water line flushing;

**f.** Landscape irrigation water and drainage;

**g.** External building washdown provided soaps, solvents, and detergents are not used, and external surfaces do not contain hazardous substances;

**h.** Pavement wash waters, provided soaps, solvents, and detergents are not used, and they do not contain toxic or hazardous materials from leaks or spills;

**i.** Uncontaminatedair conditioning or compressor condensate;

**j.** Uncontaminated ground water or spring water;

**k.** Foundation or footing drains where flows are not contaminated with process material such as solvents or contaminated ground water;

**l.** Uncontaminated dewatering water discharged in accordance with Parts 1.3.3 and 2.4; and

**m.** Discharges of stormwater covered under another NPDES permit, or discharges listed above commingled with a discharge authorized by a different NPDES permit.

**1.3.3** **Discharges from Dewatering.** The operator may obtain authorization to discharge uncontaminated ground water resulting from construction-related dewatering operations under this permit. To obtain this authorization, you must:

**a.** Ensure the project site is either:

**i.** not identified as a contaminated site and there is no identified contaminated site within 500 feet, or

**ii.** identified as a contaminated site and you have obtained documentation that confirms the contamination has been remediated or that any pollutants of concern are not present in groundwater in concentrations equal to or greater than the surface water criteria in Rule 62-302.530, F.A.C.; documentation that the project site is uncontaminated must be kept on site with the SWPPP.

**b.** Complete Part VI of the Notice of Intent (NOI); and

**c.** Identify in the SWPPP (see Part 6) and implement appropriate dewatering Best Management Practices (BMPs) to ensure that discharges from dewatering operations do not cause or contribute to violations of water quality standards (see Part 2.4).

This permit only authorizes the discharge of uncontaminated groundwater; if a discharge from dewatering operations causes or contributes to a water quality violation, the operator shall submit an NOT and apply for CGP coverage without dewatering. A site that does not meet the conditions in Part 1.3.3 may qualify for coverage under Generic Permit for Discharge of Ground Water from Dewatering Operations (subsection 62-621.300(2), F.A.C.), or under an individual wastewater permit on the appropriate form listed in Rule 62-620.910, F.A.C.

### 1.4 PROHIBITED DISCHARGES.

**1.4.1** Non-stormwater discharges not listed in Part 1.3.2 are prohibited, this includes:

**a.** Wastewater from concrete washout;

**b.** Wastewater from washout or cleanout of stucco, paint, form release oils, curing compounds, and similar materials;

**c.** Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;

**d.** Soaps, detergents, solvents, or other cleaners;

**e.** Hazardous or toxic substances, or oil resulting from a spill or other release;

**f.** Solid materials, including building materials, debris, and trash; and

**g.** Any other non-stormwater discharge not authorized in Part 1.3.

**1.4.2** You are prohibited from hosing down or sweeping soil or sediment accumulated on impervious surfaces into constructed or natural site drainage features, storm drain inlets, receiving waters or MS4s.

### 1.5 LIMITATIONS OF COVERAGE

This permit does not provide coverage for discharges that:

**1.5.1** Cause or contribute to a violation of surface water quality standards, or discharges that DEP determines to be or may reasonably be expected to, cause or contribute to a violation of surface water quality standards;

**1.5.2** Are mixed with non-stormwater, except as otherwise provided in Part 1.3.2;

**1.5.3** Originate from the site after construction activities have been completed and the site has undergone final stabilization;

**1.5.4** Are associated with construction activities that are covered under an existing generic or individual permit. Such discharges may be authorized under this permit after the existing generic permit or individual permit coverage is terminated, provided the existing permit did not establish numeric limitations for such discharges.

### 1.6 ADMINISTRATIVE PROCESS FOR OBTAINING COVERAGE

All operators associated with a construction site that meets the eligibility conditions in Part 1.1 shall either obtain coverage under this CGP or under an individual permit.

You must develop and be ready to implement a SWPPP prior to submitting your NOI (see Part 6).

**1.6.1 Submitting the Notice of Intent (NOI).** Operators who are seeking coverage under this permit must submit to the Department a complete and accurate “Notice of Intent for NPDES Construction Generic Permit, DEP Form 62-621.300(4)(b),” (NOI) and associated fee as listed in 62-4.050(4)(d)(1), F.A.C.

In accordance with paragraph 62-620.100(3)bb., F.A.C., you must submit your NOI and payment electronically through the DEP electronic submission portal.

**1.6.2** **Signatory requirements.** In accordance with Rule 62-620.305, F.A.C., the responsible authority must sign the NOI.

**1.6.3 Deadlines for Submitting the NOI.** For a new project, you must submit a complete NOI and permit fee at least 14 calendar days before the commencement of construction activities. An NOI is considered complete upon submittal of any requested additional information, submittal of the required permit fee, and correction of any errors or omissions.

To renew coverage for a project continuing beyond the five-year term of existing CGP coverage, you must submit the complete NOI and permit fee at least 14 calendar days before your current permit expires.

For a project where the operator changes, the new operator must submit a complete NOI and permit fee at least 14 calendar days before assuming control of the project.

When the NOI is complete, the Department will send you an acknowledgment letter that will identify the term of permit coverage. You will also receive a copy of the NOI and a copy of the CGP.

If your project discharges stormwater to an MS4, you must send a copy of the NOI an acknowledgement letter to the MS4 operator within 7 calendar days of receipt*.*

**1.6.4 Updating site information.** If you need to correct or update any operator or project information after submitting the NOI, you may do so using the DEP electronic submission portal.

In accordance with subsection 62-4.050(s), F.A.C., and as noted in the table below, a processing fee may apply for updates/corrections to the NOI.

Until notified by DEP, you may continue to operate based on the information provided in your original NOI, but you must wait until the review period has ended before you may commence or continue activities on any portion of your site that would be affected by any modifications.

**1.6.5 Term of Permit Coverage.** The term of your permit coverage begins the day after the Department sends an Acknowledgement of coverage. Once covered under this permit, your coverage will be valid until the date that (a) **y**ou terminate permit coverage (Part 7), (b) you renew existing permit coverage or receive coverage under a different NPDES permit, (c)DEP terminatescoverage, or, (d) the permit expires.

**1.6.6 Waivers from electronic submission.** Waivers may be granted based on either (1) your operational headquarters is located in a geographic area that is identified as under-served for broadband internet access in the most recent report from the Federal Communications Commission, or, (2) you have limitations regarding available computer access/computer capability.

If DEP grants approval, you must complete a paper copy that can be downloaded at: https://floridadep.gov/water/stormwater/content/npdes-stormwater-permits-and-forms and submit a paper copy, along with your permit fee, Florida Department of Environmental Protection, PO Box 3070, Tallahassee, FL 32315.

**1.6.7** **Individual Permits.** If necessary, coverage under an individual permit may be obtained by contacting the appropriate DEP district permitting office.

**1.6.8 Coverage under this permit is not transferrable to new operators or new sites.** If there is a change of operators, the current operator must submit an NOT in accordance with Part 7 and the new operator must submit an NOI in accordance with Part 1. New sites must receive coverage in accordance with Part 1.6.

### 1.7 PUBLIC NOTICE OF PERMIT COVERAGE.

You must post a notice of your permit coverage at a safe, publicly accessible location in close proximity to the construction site. The notice must be located so it is visible from the publicly accessible road that is nearest to the active part of the construction site, and include, at a minimum:

**a.** A copy of the NOI and a copy of the acknowledgment letter;

**b.** The following statement: “If you observe erosion, polluted runoff, or stormwater pollution from this construction site, contact the appropriate Florida Department of Environmental Protection District Office at https://floridadep.gov/districts.”

## 2 STORMWATER CONTROL REQUIREMENTS

### 2.1 GENERAL REQUIREMENTS FOR DESIGN, INSTALLATION, AND MAINTENANCE OF STORMWATER CONTROLS

You must design, install, and maintain appropriate stormwater controls to minimize the discharge of pollutants in stormwater from construction activities.

**2.1.2** Design and install all stormwater controls in accordance with applicable requirements and consistent with the guidelines contained in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual, FDOT and DEP (2013 or current) **(**<http://www.flrules.org/Gateway/reference.asp?No=Ref-04227>).

**2.1.3** Install perimeter and downgradient stormwater controls to prevent offsite impacts. Perimeter controls must be installed before commencement of construction activities and prior to earth-disturbing activities in each phase of construction.

**2.1.4** Ensure all stormwater controls are maintained and remain in effective operating condition and are protected from activities that would reduce their effectiveness. Adhere to applicable manufacturer’s maintenance recommendations.

**2.1.5** Identify contingencies in the SWPPP to implement in order to secure and/or reinforce BMPs and minimize impacts from stormwater discharges during major storm and flooding events such as tropical depressions, tropical storms, hurricanes, storm surge, and extreme rainfall.

### 2.2 EROSION AND SEDIMENT CONTROL REQUIREMENTS

Implement erosion and sediment controls in accordance with the following requirements to minimize the discharge of pollutants in stormwater from construction activities.

In selecting erosion and sedimentation controls, you must consider factors such as the amount, frequency, intensity, and duration of precipitation, characteristics of resulting stormwater, topography, and site soil characteristics, including the range of soil particle sizes expected to be present.

**2.2.1** Install controls along any perimeters of the site that are downslope from any exposed soil or other disturbed areas.

**a.** Perimeter controls must be installed upgradient of natural buffers designated under Part 2.2.1a.;

**b.** After installation of perimeter controls, remove sediment before it has accumulated to one-half of the above-ground height to maintain effective operating condition.

**2.2.2** Designate and maintain existing vegetated areas to serve as natural buffers between construction activity and receiving waterbodies (including wetlands). If any portion of the site’s earth disturbing activities are located within 50 feet of a waterbody, and those portions discharge stormwater to that waterbody, you must comply with one of the following for those portions of the site:

**a.** Designate and maintain a 50-foot undisturbed natural vegetated buffer down gradient of perimeter controls, that consists of uniform, perennial vegetation *(*i.e.*, evenly distributed, without large bare areas)* and 70 percent or more vegetative cover; or

**b.** If a 50-foot natural vegetated buffer is not designated, supplement the perimeter control with additional perimeter controls; or

**c.** Implement controls to capture or divert stormwater flows from those portions of the site.

**2.2.3** Direct stormwater to vegetated areas and maximize stormwater infiltration and filtering to reduce pollutant discharges, unless infeasible.

**2.2.4** Minimize off-site sediment track-out.

**a.** Restrict vehicle use to properly designated exit points;

**b.** Implement and maintain tracking prevention controls, as necessary, to ensure sediment removal occurs prior to vehicle exit; and

**c.** Use appropriate stabilization techniques at all exit points to paved roads;

**2.2.5 Minimize the amount of soil exposed during the construction activity.**

**2.2.6 Manage stockpiles or land clearing debris piles composed, in whole or in part, of sediment and/or soil:**

**a.** Locate piles outside of natural vegetated buffers and away from constructed or natural site drainage features, storm drain inlets, and areas where stormwater flow is concentrated;

**b.** Install a sediment barrier along all downgradient perimeters of stockpiled soil or land clearing debris piles;

**c.** For piles that will be unused for 7 or more days, provide cover or appropriate temporary stabilization.

**2.2.7 Minimize dust with the appropriate application of water or use of other appropriate BMPs.**

**2.2.8 Minimize the disturbance of steep slopes**.

**2.2.9** **Preserve and reapply native topsoil, where feasible.**

**2.2.10 Minimize soil compaction.** Restrict vehicle/equipment use in areas of your site where final stabilization will occur or where infiltration practices will be installed.

**2.2.11** **Protect storm drain inlets.**

**a.** Install and maintain inlet protection measures designed to remove sediment from stormwater discharges prior to entry into any stormwater conveyance that carries stormwater from your site to receiving waters, provided you have authority to access the storm drain inlet and install the control. Inlet protection measures are not required for storm drain inlets that are conveyed to an onsite sediment basin, sediment trap, or similar control; and

**b.** Clean or replace inlet protection measures as sediment accumulates and/or performance is compromised; inlet protection measures may be removed in the event of flood conditions or to prevent erosion.

**2.2.12** **Control stormwater volume and velocity within the site to minimize on-site soil erosion and offsite sedimentation, and to minimize the discharge of pollutants.**

**2.2.13 Control stormwater discharge rates at the points of discharge to minimize erosion at outfalls and to minimize downstream channel erosion, streambank erosion, and scouring.**

**2.2.14** For sites with 10 or more acres disturbed at one time (whether contiguous or throughout the project site), the following conditions shall be met until final stabilization of the disturbed area is achieved:

**a.** Design and install a sediment basin to provide storage for 3,600 cubic feet per acre drained; this does not apply to flows from off-site areas and flows from on-site areas that are either undisturbed or have undergone final stabilization where such flows are diverted around both the disturbed area and the sediment basin.

**b.** Situate the basin outside of any receiving water and any designated natural buffers;

**c.** Where a temporary sediment basin that provides the required storage is not attainable, a combination of smaller sediment basins, sediment traps, or other BMPs must be used to provide equivalent storage.

**d.** Areas that will be used for permanent stormwater infiltration treatment (e.g., stormwater retention basins) should not be used for temporary sediment basins unless appropriate measures are taken to remove accumulated fine sediments, avoid excessive compaction of soils by construction machinery or equipment, and ensure that the design infiltration capacity is met at final stabilization.

**2.2.15** **If authorized to use treatment chemicals** (e.g., *polymers, flocculants, coagulants*):

**a.** Implement practices consistent with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual, FDOT and DEP (2013) (<http://www.flrules.org/Gateway/reference.asp?No=Ref-04227>).

**b.** Comply with applicable state and local requirements regarding the use of treatment chemicals.

**2.2.16 Stabilize exposed portions of the site.** Implement and maintain vegetative or non-vegetative stabilization measures that minimize erosion from any areas of exposed soil on the site.

You must initiate permanent or temporary stabilization measures within 7 calendar days after construction activities have ceased for any portion of the site.

### 2.3 POLLUTION PREVENTION REQUIREMENTS

You must install and maintain pollution prevention control BMPs in accordance with the following requirements to minimize the discharge of pollutants in stormwater and to prevent the discharge of pollutants from spills or leaked materials from construction activities.

**2.3.1 Establish a spill prevention and response plan to safely eliminate and clean up any spilled or leaked chemicals, including fuels and oils.**

**a.** Comply with applicable federal and state requirements regarding the storage of chemicals;

**b.** Clean up spills immediately using dry clean-up methods where possible; dispose of used materials according to state/local regulations;

**c.** Ensure adequate supplies are available at all times to handle spills, leaks, and disposal of used liquids;

**d.** Use drip pans and absorbents where appropriate.

**2.3.2 Emergency Spill/ Hazardous Release Notification Requirements**.

Pursuant to 403.077, F.S., an owner or operator of the installation at which the reportable pollution release occurred must provide to the Department information reported to the SWO within 24 hours of the owner’s or operator’s discovery of such reportable pollution release. This shall be provided using the Public Notice of Pollution website at <https://floridadep.gov/pollutionnotice>.

Notify the State Watch Office (SWO) (800-320-0519 or 850-815-4001) as soon as you have knowledge of the discharge.

**2.3.3** Implement BMPs to minimize the discharge of pollutants fromequipment and vehicle rinsing and washing.

**2.3.4 Storage, handling, and disposal of building products, materials, chemicals, and wastes.**

**a.** Provide either cover (e.g., plastic sheeting, temporary roofs, covered containers) or a similarly effective means to minimize the exposure of the following products to precipitation and stormwater runoff (minimization of exposure to stormwater is not required where the material or product poses little risk of stormwater contamination):

**i.** paints, concrete, and stucco;

**ii.** soaps, detergents, or solvents;

**iii.** diesel fuel, oil, hydraulic fluids, other petroleum products;

**iv.** pesticides, herbicides, and fertilizers;

**v.** building materials, building products.

**b.** Follow all federal, state, and local requirements regarding storage of petroleum products.

**c.** Follow all federal, state, and local requirements regarding disposal of construction, domestic, solid, hazardous or toxic waste.

**d.** Provide and maintain waste containersof sufficient size and number to contain wastes generated onsite; position waste containers near active construction.

**e.** Position portable toilets so they are secure and will not be tipped or knocked over, and are located away from receiving waters, storm drain inlets and constructed or natural site drainage features.

**2.3.5 Washing applicators and containers used for stucco, paint, concrete, form release oils, curing compounds, or other materials:**

**a.** Direct wash water to a leak-proof container, lined pit, or similarly effective control;

**b.** Do not allow liquid wastes to be disposed of through infiltration or otherwise disposed of on the ground;

**c.** To the extent feasible,locate any washout or cleanout activities away from receiving waters, constructed or natural site drainage features, and storm drain inlets.

**d.** Position washout areas near active construction.

**e.** Designate and label areas to be used for these activities and conduct such activities only in these areas.

**f.** Comply with applicable federal, state, or local requirements for disposal of wash water wastes.

### 2.4 DEWATERING REQUIREMENTS

If conducting dewatering operations, you must implement and maintain BMPs to minimize or eliminate pollutant discharges to receiving waters or an MS4 as a result of dewatering operations.

**2.4.1** Implement appropriate BMPs that are consistent with the State of Florida Erosion and Sediment Control Designer and Reviewer Manual, FDOT and DEP (2013);

**2.4.2** Route dewatering water through a sediment control (e.g. vegetated swale, sediment trap, filter bag) designed to prevent discharges with visual turbidity;

**2.4.3** To prevent dewatering-related erosion and related sediment discharges:

**a.** Use stable, erosion-resistant surfaces (e.g., well-vegetated grassy areas, clean filter stone, geotextile underlayment) to discharge from dewatering controls;

**b.** Do not place dewatering controls, such as pumped water filter bags, on steep slopes.

**c.** To the extent feasible, discharge dewatering water onto vegetated upland areas of the site where the water can infiltrate or into the permitted stormwater system serving the project site.

**2.4.4** Properly dispose of backwash water or return to the beginning of the treatment process.

**2.4.5** Inspectdewatering discharges at least once per day while discharging.

**a.** During each dewatering inspection, you must at a minimum, inspect for a sediment plume, suspended solids, unusual color, presence of odor, decreased clarity, presence of foam, a visible sheen on the water surface or visible oily deposits in receiving waters or MS4; initiate corrective action, as required.

**b**. Record/log the following at the time of inspection:

**i**. The inspection date;

**ii.** Names and titles of personnel making the inspection;

**iii.** A summary of inspection findings and observations.

### 2.5 TURBIDITY BENCHMARK MONITORING

The requirements in this section apply to sites conducting dewatering operations with direct discharges to waters of the state that are designated as Outstanding Florida Waters (OFW) or verified by DEP as impaired for sediment or a sediment-related parameter.

Waters verified by DEP as impaired for sediment, or a sediment-related parameter, can be found a [placeholder] OFWs are identified in subsection 62-302.700(9), F.A.C.

* + 1. **Turbidity monitoring requirements**

**a. Sampling location.** You must sample at all points where dewatering water is discharged. Samples must be taken at the discharge point to receiving waters after the dewatering water has been routed through any sediment controls and/or treatment devices. Background samples must be taken upstream from the discharge point, or in an area absent of the dewatering discharge.

**b. Sampling frequency.** You must collect at least one turbidity sample from your dewatering discharge and one sample upstream of the discharge point each day a discharge occurs.

**c. Monitoring week.** For the purpose of calculating averages, the monitoring week starts with Monday and ends on Sunday. Once a new monitoring week starts, you will need to calculate a new average for that week of monitoring results. A weekly average may consist of one or more monitoring results.

**d. Test methods.** Samples must be measured using a turbidity meter that reports results in nephelometric turbidity units (NTUs). You must conduct a calibration verification, in accordance with the manufacturer’s instructions, prior to each day’s use.

**2.5.2** **Turbidity benchmark.** The benchmark threshold for turbidity for this permit is:

**a.** 0 NTUs above the monitoring week average background conditions for waters designated as OFWs; or

**b.** 29 NTUs above the monitoring week average background conditions for waters, other than OFWs, verified as impaired by DEP for sediment or a sediment-related parameter.

**2.5.3 Comparison of turbidity samples to benchmark.** Compare the weekly average of your turbidity monitoring results to the applicable benchmark.

**a.** If you collect and analyze more than one sample on any given day, you must include the results of additional samples in the calculation of your weekly average.

**b.** If you are conducting turbidity monitoring for more than one dewatering discharge point, you must calculate a weekly average turbidity value for each discharge point and compare each to the turbidity benchmark.

**2.5.4** **Recordkeeping.** You must maintain records of individual sampling dates and results, the weekly average benchmark and turbidity results, and calibration verification. You must retain all monitoring information for a period of at least three years from the permit expiration date or from the date your authorization is terminated, whichever comes first.

## 3 SITE INSPECTIONS

### 3.1 RESPONSIBILITIES

You are responsible for ensuring that any person conducting inspections pursuant to this part is a qualified inspector. The person(s) inspecting your site may be a person on your staff or a third party you hire to conduct such inspections.

### 3.2 INSPECTION FREQUENCIES

**3.2.1** Your site must be inspected within seven calendar days of the last inspection, or within 24 hours of the end of a storm event that is 0.50 inches or greater, whichever comes first (this includes weekends, but does not include federal and state holidays). The first inspection must occur within seven calendar days of commencement of construction activities.

**3.2.2** To determine whether a storm event requires an inspection under Part 3.2.1,you must either keep a properly maintained rain gauge on your site. For any 24-hour period during which there is 0.50 inches or more of rainfall, you must conduct an inspection, and record the total rainfall measured for that day.

### 3.3 REDUCTIONS IN INSPECTION FREQUENCIES

**3.3.1** For areas where you have achieved final stabilization, you may suspend inspections.

**3.3.2** For areas where you have achieved temporary stabilization, you may reduce the frequency of inspections to once per month, provided:

**a.** The temporary stabilization measures are successful at stabilizing the site for the duration of your suspended construction activities; and

**b.** You have updated the SWPPP to include:

**i.** The status and type of stabilization implemented,

**ii.** The date the activities were suspended, and

**iii.** The anticipated date activities will resume.

If construction activity resumes in this portion of the site at a later date, the inspection frequency immediately returns to the inspection frequency in Part 3.2.1. You are at all times responsible for ensuring that your temporary stabilization methods are in effective operating condition and in compliance with permit requirements.

### 3.4 INSPECTION REQUIREMENTS

Your qualified inspector must inspect all stormwater, erosion, sedimentation, and pollution prevention controls used at the site to comply with this permit.

**3.4.1** The following areas of your site must be inspected, as applicable (you are not required to inspect areas that, at the time of the inspection, are considered unsafe to your inspection personnel):

**a.** All areas that have been cleared, graded, or excavated and have not completed stabilization consistent with Part 2.2.16;

**b.** Material, waste, borrow, and equipment storage and maintenance areas;

**c.** All areas where stormwater typically flows within the site, including constructed or natural site drainage features designed to divert, convey, and/or treat stormwater;

**d.** All areas where construction dewatering is taking place, including controls to treat the dewatering discharge and any channelized flow of water to and from those controls;

**e.** Inspect all points of discharge from the site to ensure stormwater discharges are not resulting in offsite sedimentation or causing or contributing to violations of water quality standards;

**f.** All locations where stabilization measures have been implemented;

**g.** All locations where vehicles enter or exit the site for evidence of offsite sediment tracking.

**3.4.2** During each site inspection, you must at a minimum:

**a.** Inspect all erosion, sedimentation, and pollution prevention controls to ensure that they are installed, maintained, and operating correctly and effectively;

**b**. Check for indicators of spill, leaks, or other accumulations of pollutants on the site, or the presence of conditions that could lead to their occurrence;

**c.** Check for signs of visible erosion and sedimentationthat have occurred and are attributable to discharges from your site at point(s) of discharge and, if applicable, on the banks of any receiving waters or MS4 flowing within or immediately adjacent to the site;

**d.** Check for signs of sediment deposition and other pollutants that are visible from your site and attributable to your discharge, including within receiving waters and stormwater collection systems;

**e.** Identify any incidents of noncompliance observed; and

**f.** If a discharge is occurring during your inspection, observe and document the visual quality of the discharge. Document the characteristics of the stormwater discharge including color, odor, any floating, settled, or suspended solids, and any foam, oil sheen, and other indicators of stormwater pollutants.

**3.4.3** Based on the results of your inspection:

**a.** Identify any locations where new or modified controls are necessary to meet permit requirements;

**b.** Complete any necessary maintenance repairs, replacements, and corrective action; and

**c.** Modify your SWPPP and site map to reflect any changes to your controls.

### 3.5 INSPECTION FORMS AND RECORDKEEPING

**3.5.1** You must complete an inspection report within 24 hours of completing each inspection. Each report must include the following:

**a.** Permit number;

**b.** Date(s) of the inspection;

**c.** Name(s) and title of qualified personnel conducting the inspection;

**d.** A summary of inspection findings demonstrating compliance with the requirements in Part 3.4, including observations that initiate corrective action;

**e.** If triggered by rainfall, include the rain gauge readings; and

**f.** If you determined that it is unsafe to inspect a portion of your site, describe the circumstances and locations to which this condition applies.

**3.5.2** Each inspection report must be signed by the qualified inspector that prepared the report.

**3.5.3** You must keep a copy of all inspection reports at the site or an easily accessible location so they can be made available at the time of an inspection or upon request by DEP or EPA.

**3.5.4** Keep all of these records for three years from the date that the site has reached final stabilization and the Notice of Termination (NOT) is submitted.

## 4 CORRECTIVE ACTION

### 4.1 CONDITIONS TRIGGERING CORRECTIVE ACTION

You must take corrective action to address any of the following conditions identified at your site:

**4.1.1** A stormwater control requires maintenance, repair, or replacement in order to remain in compliance with permit requirements; or

**4.1.2** A stormwater control necessary to comply with the requirements of this permit was never installed, or was installed incorrectly; or

**4.1.3** Your discharges are not meeting applicable water quality standards; or

**4.1.4** A prohibited discharge has occurred; or

**4.1.5** During discharge from site dewatering activities:

**a.** The weekly average of your turbidity monitoring results exceeds the benchmark threshold (see Part 2.5); or

**b.** You observe or you are informed of the presence of:

**i.** a sediment plume, suspended solids,

**ii.** unusual color, presence of odor, decreased clarity, or presence of foam; and/or

**iii.** a visible sheen on the water surface or visible oily deposits on the bottom or shoreline of the receiving water or MS4.

### 4.2 DEADLINES FOR CORRECTIVE ACTION

**4.2.1** If responding to any of the conditions in Part 4.1.3, 4.1.4, or 4.1.5.b, you must:

**a**. Immediately take all reasonable steps to address the condition, which includes cleaning up any prohibited off-site discharges, cleaning up any on- or off-site spills, and shutting off dewatering discharges, as applicable; and

**b.** Completecorrective action to prevent a reoccurrence of the condition by the close of the next business day.

**c.** Complete remedial action as required by federal, state or local authorities. Additional permits may be required.

**4.2.2** Any corrective action needed to address condition 4.1.1, 4.1.2, and 4.1.5.a must be done in a timely manner, but no later than 7 calendar days following the identification of the issue.

**4.2.3** Remove off-site accumulation of sediment due to vehicle track-out by the end of the same business day that it was identified.

**4.3 CORRECTIVE ACTION REQUIRED BY DEP OR EPA**

You must comply with any corrective actions required by EPA or DEP as a result of permit violations found during an inspection.

### 4.4 CORRECTIVE ACTION RECORDKEEPING

**4.4.1** Within 24 hours of identifying a condition requiring corrective action, you must document the specific condition and the date and time it was identified; you must document completion of corrective action within 24 hours of completing the corrective action.

**4.4.2** Each record of corrective action must be signed by a responsible authority or a duly authorized representative.

**4.4.3** You must keep copies of all corrective action records at the site or an easily accessible location, so that it can be made available during an inspection or upon request by EPA or DEP.

**4.4.4** Keep all of these records for three years from the date that the site has reached final stabilization and the Notice of Termination (NOT) is submitted.

**4.4.5** Any corrective action that results in changes to any permit-required controls or site conditions must be reflected in the SWPPP within seven calendar days of completing the corrective action.

## 5 STORMWATER TEAM AND TRAINING REQUIREMENTS

### 5.1 STORMWATER TEAM

Each operator must assemble a stormwater team that will be responsible for carrying out activities necessary to comply with this permit. The stormwater team must be identified in the SWPPP and consists of personnel who are responsible for:

**a.** the design, installation, maintenance, and/or repair of stormwater erosion, sedimentation and pollution prevention controls;

**b.** conducting inspections;

**c.** ensuring corrective actions are completed.

### 5.2 GENERAL TRAINING REQUIREMENTS

Prior to the commencement of construction activities, you must ensure that all members of the stormwater team understand the requirements of this permit and their specific responsibilities to those requirements.

### 5.3 QUALIFIED INSPECTORS

To be considered a qualified person for conducting inspections under this permit, you must, at a minimum, either:

**a.** Have completed and passed the Florida Stormwater Erosion and Sedimentation Control Inspector Training course; or

**b.** Hold a current construction inspection certificate, certification, or license from a program that, at a minimum, covers the following:

**i.** Principles and practices of erosion and sediment control and pollution prevention practices at construction sites;

**ii.** Proper installation and maintenance of erosion and sediment controls and implementation of pollution prevention practices used at construction sites; and

**iii.** Inspection procedures, including the proper completion of required reports and documentation, consistent with the requirements of Part 3.

## 6 STORMWATER POLLUTION PREVENTION PLAN (SWPPP)

### 6.1 GENERAL REQUIREMENTS

You must complete the SWPPP prior to submitting the NOI. You must implement the SWPPP upon commencement.

The SWPPP shall document how you will implement the permit requirements.

The SWPPP must be kept up-to-date throughout the period of permit coverage in accordance with Part 6.3; updates to the SWPPP must be signed and dated by the responsible authority or a duly authorized representative; superseded sections/portions of the SWPPP must be kept as attachments to the original plan.

You must keep a copy of your SWPPP on-site, or at an easily accessible location so that it is available at the time of an inspection by federal, state, or local authorities.

### 6.2 SWPPP CONTENT

**6.2.1 Identification of Operator and Contractors/ Subcontractors.** List the operator(s) and all contractors or subcontractors who will be conducting construction activities at the site and identify the areas of the site in which they have control. Listed contractors and subcontractors must sign the certification in accordance with Part 6.2.9.

**6.2.2 Identification of the Stormwater Team.** List by name or position the members of the stormwater team (see Part 5.1); include their individual responsibilities in implementing the SWPPP.

Include documentation or verification (e.g. certificate number) that inspectors are qualified inspectors (see Part 5.3).

* + 1. **Description of the Site and Construction Activities**

**a.** Describe the nature of the construction activities. Include a description of off-site construction support activity, if applicable.

**b.** Estimate the total area of the site to the nearest quarter acre;

**c.** Describe the quality of any existing discharge from the site, including slope and soil type and the range of soil particle size expected to be present on the site.

**d.** List and describe all pollutant-generating activities on the site;

**e.** Describe the intended sequence and timetable for the following:

**i.** Commencement of construction activities, including land clearing, grubbing, grading, cut and fill, excavating, demolition activities, dewatering operations, final grading, and creation of soil and vegetation stockpiles;

**ii.** The dates when major grading activity occurs, when construction activity temporarily or permanently ceases on portions of the site, and when stabilization measures are initiated.

**iii.** Temporary or permanent cessation of construction activities in each portion of the site; and

**iv.** Final or temporary stabilization of exposed soil for each portion of the site; and

**f.** Identify all authorized non-stormwater discharges (see Part 1.3.2) that may occur.

* + 1. **Description of Stormwater Controls.**

**a.** You must include a description of the specific controls to be implemented to meet erosion and sediment control requirements, pollution prevention requirements, and dewatering requirements (if applicable), and the projected timeline for installation and/or implementation (see Part 2.).

**i. Treatment chemicals** (see Part 2.2.15), if authorized to use cationic treatment chemicals, a listing of all treatment chemicals to be used at the site, the controls and implementation procedures designed to ensure that discharges will meet water quality standards, information from any applicable Safety Data Sheet, and copies of applicable manufacturer’s specifications regarding the use of your specific treatment chemicals and/or chemical treatment systems.

**b.** You must also include any of the following additional information as applicable:

**i. Stormwater management** **systems** (e.g., stormwater detention or retention systems) that will be installed to control pollutants in stormwater discharges during construction and after construction activities have been concluded;

**ii. Spill prevention and response procedures**. You must include the following:

(a) Procedures for stopping, containing, and cleaning up spills, leaks, and other releases; and

(b) Procedures for notification of appropriate personnel, emergency response and regulatory agencies where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity (see Part 2.3.2). Contact information must be in locations that are readily accessible and available to all employees.

**iii. Waste management procedures**. Describe the procedures for handling, storing, and disposing of wastes generated at your site consistent with applicable federal, state, and local requirements, including clearing and demolition debris, sediment removed from the site, construction and domestic waste, hazardous or toxic waste, and sanitary waste.

**6.2.5 Procedures for Inspections and Maintenance.** Include a description of:

**a.** The inspection schedule for temporarily stabilized areas, temporary cessation of construction, etc.

**b.** The location of the rain gauge for rainfall data;

**c.** Routine maintenance activities and schedules that will be followed to keep BMPs in effective operating condition;

**d.** Inspection checklists or other forms that will be used; and

**e.** References to any manufacturer specifications and/or erosion and sediment control manuals.

**6.2.6 Discharges from Dewatering.** If conducting dewatering, include documentation that the project site is uncontaminated.

**6.2.7 Description of Turbidity Benchmark Monitoring from Dewatering Discharges (if applicable).** Describe the procedures you will follow to collect samples, including who (name(s) or position(s)) will conduct sampling, where sampling will occur, and document monitoring results and weekly averages. Include the specific type of turbidity meter you will use for monitoring, as well as a reference to any manuals or manufacturer instructions.

**6.2.8 Site Map.** Include a legible site map, or series of maps, showing the following features of the site:

**a.** Boundaries of the property.

**b.** Locations where construction activities will occur, including:

**i.** Earth-disturbing activities and demolition will occur; note any phasing;

**ii.** Approximate slopes before and after major grading activities; note steep slopes.

**iii.** Where sediment, soil, or other construction materials will be stockpiled;

**iv.** Any water crossings;

**v.** Designated points where vehicles will exit onto paved roads;

**vi.** Where structures and other impervious surfaces are planned for construction.

**c.** Location of receiving surface waters and MS4s.

**d.** Drainage patterns before and after major grading activities.

**e.** Discharge point locations.

**f.** Locations where turbidity benchmark monitoring will occur, if applicable to your site.

**g.** Location of potential pollutant-generating activities and storage areas listed in Part 6.2.3d;

**h.** Designated areas where non-pollutant-generating construction wastes will be stored; and

**i.** Locations of stormwater controls (including natural buffer areas), areas which will not be disturbed, and areas where stabilization practices are expected to occur.

**6.2.9 SWPPP Certification.** All contractors and subcontractors identified in the SWPPP must sign a copy of the following certification statement before conducting any construction activities at the site. The certifications must have the name and title of the person signing the certification, the signature date, and the name, address, and telephone number of the contracting firm. All signed certifications must be included in the SWPPP.

*“I certify under penalty of law that I understand, and shall comply with, the terms and conditions of the NPDES Construction Generic Permit.”*

**6.2.10 Post-Authorization Additions to the SWPPP.** Once you are authorized for coverage under this permit, you must include the following documents as part of your SWPPP:

**a.** A copy of your NOI submitted to DEP along with any correspondence exchanged between you and DEP related to coverage under this permit;

**b.** A copy of the acknowledgment letter granting coverage;

**c.** A copy of this permit (an electronic copy is acceptable);

**d**. A copy of any memo or letter used to establish a duly authorized representative in accordance with Rule 62-620.305, F.A.C.;

In accordance with Rule 62-620.350, F.A.C., keep the SWPPP and all associated records for three years from the date that the record was prepared.

### 6.3 UPDATES TO THE SWPPP

**6.3.1** Whenever any of the following events occur, you have seven calendar days to update your SWPPP, including the site map(s):

**a.** There is a change in design, construction, operation, or maintenance that has a significant effect on the discharge from your project;

**b.** There is a new discharge point or outfall or a change in the location of a discharge point or outfall;

**c.** An inspection reveals that BMPs are not in effective operating condition;

**d.** There is a contractor, or subcontractor implementing any portion of the SWPPP. If a new operator is taking over a portion of the project site (see Part 1.6.3), you must update your SWPPP to note the area that is no longer covered by your CGP and inform the new operator in writing that you are no longer covering construction activities in that area. This documentation must be kept as part of your SWPPP;

**e.** A release containing a hazardous substance in an amount equal to or greater than a reportable quantity occurs during a 24-hour period. (see Part 2.3.2). The SWPPP must be modified within seven calendar days of knowledge of a release to (a) provide a description of the release, (b) the circumstances leading to the release, and (c) the date of the release. The SWPPP must be reviewed to identify revised or additional measures to prevent the recurrence of, and response to, such releases.

**6.3.2** You must maintain records showing the dates of all SWPPP updates. The records must include a brief summary of all changes.

**6.3.3** Upon determining that an update to your SWPPP is required, if there are multiple operators covered under this permit, you must immediately notify any operators who may be impacted by the change to the SWPPP.

## 7 TERMINATING PERMIT COVERAGE

To terminate permit coverage, you must submit to DEP a complete and accurate Notice of Termination (NOT), which certifies that you have met the conditions for terminating.

Until you terminate coverage under this permit and termination is effective, you must comply with all conditions of the permit.

### 7.1 CONDITIONS FOR TERMINATING CGP COVERAGE

You may only terminate CGP coverage if you have met either of the following conditions:

**7.1.1** You have completed all construction activities covered by this permit, all construction activity discharges authorized by this permit have ceased, and you have met all of the following conditions:

**a.** For any areas that (1) were disturbed during construction, (2) are not covered by permanent structures, and (3) over which you had control during the construction activities, you have met the requirements for final stabilization.

**b.** You have removed or properly disposed of all construction materials, waste and waste handling devices, and have removed all equipment and vehicles that were used during construction, unless intended for long-term use following termination of permit coverage;

**c.** You have removed all stormwater controls that were installed and maintained during construction, except those that are intended for long-term use following termination of permit coverage; and

**d.** All conditions for termination in this section are documented in a final inspection.

**7.1.2** You no longer operate the construction activity. You need to end the current permit coverage by submitting a Notice of Termination (NOT) within 14 calendar days of relinquishing control of the project to a new owner/operator. The new owner/operator will need to develop a SWPPP and submit an NOI and processing fee. It is the responsibility of the new owner/operator to obtain coverage 14 days before construction activities begin.

**7.1.3** Coverage under an alternative NPDES permit has been obtained**.**

**7.1.4** If at any time after you suspend construction activities, you determine that the site will not resume activities during the term of your permit coverage, you must achieve final stabilization and file a Notice of Termination. Until the permit has been terminated, all terms of this permit apply to the permitted operator.

**7.2 ADMINISTRATIVE PROCESS FOR TERMINATING COVERAGE**

**7.2.1 Submitting the Notice of Termination (NOT).** Submit the form electronically through the DEP electronic submission portal.

**7.2.2 DEADLINE FOR SUBMITTING THE NOT.** You must submit a completed Notice of Termination (NOT) within 14 calendar days after meeting any one of the conditions in Part 7.1.

**7.2.3** The responsible authority or a duly authorized representative of the operator must sign the NOT.

**7.2.4 EFFECTIVE DATE OF TERMINATION OF COVERAGE**

The Department will send you an acknowledgment letter by email. If your project discharged stormwater to a permitted MS4, you must send a copy of the NOT or the acknowledgement letter within seven calendar days of receipt to the operator of the MS4.

## **8. GENERAL CONDITIONS.**

All general conditions in Rule 62-621.250, F.A.C., are adopted herein by reference. General conditions in subsections 62-620.610(1)-(5), (7), (9)-(10), (13)-(15), (17)-(18), and (20)-(23), F.A.C., are adopted herein by reference.

## 9. DEFINITIONS

**“Backwash water”**Water used in the cleaning/flushing of various media filters used during dewatering activities.

**“Best Management Practices” or “BMPs”**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. BMPs also include sediment and erosion controls, stabilization measures, and pollution prevention controls as described in the State of Florida Erosion and Sediment Control Designer and Reviewer Manual, FDOT and DEP (2013) <http://www.flrules.org/Gateway/reference.asp?No=Ref-04227>.

**“Commencement of Construction Activities”**Means the initial disturbance of soil associated with clearing, grading, or excavating activities or other construction activities.

**“Common Plan of Development or Sale”**A single plan of development or sale for a site where one or more separate and distinct construction activities are occurring on one or more schedules by one or more contractors. This may include:

* Phased projects and projects with multiple lots, even if the separate phases or lots will be constructed under separate contract or by separate owners (e.g., a development where lots are sold to separate builders).
* A development plan that may be phased over multiple years, but is still under a consistent plan for long-term development.
* Projects in a contiguous area that may be unrelated but still under the same contract, such as construction of a building extension and a new parking lot at the same facility.
* Linear projects such as roads, pipelines, or utilities.

**“Construction Activities”**The act or process of developing or improving land through earth-disturbing activities that could lead to the generation of pollutants, including clearing, grading, excavation, demolition and renovation activity.

**“Construction Site” or “Site”**The land or water area where construction activities will occur and where stormwater controls will be installed and maintained. The construction site includes construction support activities, which may be located at a different part of the property from where the primary construction activity will take place, or on a different piece of property altogether.

**“Construction Support Activity”**A construction-related activity that specifically supports the construction activity and involves earth disturbance or pollutant-generating activities of its own, and can include activities associated with concrete or asphalt batch plants, equipment staging yards, materials storage/stockpiling areas, excavated material disposal areas, and borrow areas.

**“Contaminated Site”**Any site that contains or did contain pollutants of concern in the groundwater that exceed the surface water criteria in 62-302.530, F.A.C.

**“Department” or “DEP”**The Florida Department of Environmental Protection.

**“Dewatering”**For the purposes of this permit means temporarily lowering the ground water level, whether confined or unconfined, by mechanical pumping to allow for construction and excavation activities at the construction site covered by this generic permit.

**“Dewatering Water”**As used in this permit, water discharged from dewatering operations.

**“Discharge Point”**For the purposes of this permit, the location where collected and/or concentrated stormwater flows are discharged from the construction site.

**“Domestic Waste”**For the purposes of this permit, typical household trash, garbage or rubbish items generated by construction activities.

**“Duly Authorized Representative”**A person who has been designated by the responsible authority to sign documents relating to this permit on the responsible authority’s behalf. A responsible authority may authorize a duly authorized representative by submitting electronically through the DEP electronic submission portal an authorization that names either an individual or a position having overall responsibility for the operation of the project, such as the project engineer, project superintendent, a position of equivalent responsibility, or an individual or position having overall responsibility for implementing the CGP at the site.

In accordance with Rule 62-620.305, F.A.C., a responsible authority may authorize a duly authorized representative by submitting a written authorization to the Department that specifies either an individual or a position having overall responsibility for the operation of the construction activity.

**“Earth-Disturbing Activity”**Actions taken to alter the existing vegetation and/or underlying soil of a site, such as clearing, grading, site preparation (e.g., excavating, grubbing, cutting, and filling), soil compaction, and movement and stockpiling of top soils.

**“Effective Operating Condition”**For the purposes of this permit, a stormwater control is kept in effective operating condition if it has been implemented and maintained in such a manner that it is working as designed to minimize pollutant discharges.

**“Final Stabilization”**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.

**“Groundwater”**Means water beneath the surface of the ground within a zone of saturation, whether or not flowing through known and definite channels.

**“Hazardous Substances” or “Hazardous or Toxic Waste”**For the purposes of this permit, any liquid, solid, or contained gas that contain properties that are dangerous or potentially harmful to human health or the environment. See also 40 CFR §261.2.

**“Impervious Surface”**For the purpose of this permit, any land surface with a low or no capacity for soil infiltration including, but not limited to, pavement, sidewalks, parking areas and driveways, packed gravel or soil, or rooftops.

**“Infeasible”**For the purpose of this permit, infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices.

**“Large Construction Activity”**Construction activity that results in the disturbance of five 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 cumulatively disturb five acres or more.

**“Minimize”**To reduce and/or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

**“Municipal Separate Storm Sewer System” or “MS4”**An MS4 as defined in Chapter 62-624.200, F.A.C. (for more information) <http://www.dep.state.fl.us/legal/Rules/shared/62-624.pdf>

**“National Pollutant Discharge Elimination System” (NPDES)**The Department’s federally-approved National Pollutant Discharge Elimination System program authorized by Section 403.0885, F.S.

**“Natural Buffer”**For the purposes of this permit, an area of undisturbed natural cover surrounding waters of the state within which construction activities are restricted. Natural cover includes the vegetation, exposed rock, or barren ground that exists prior to commencement of construction activities.

**“Non-Stormwater Discharges”**Discharges that do not originate from storm events. They can include, but are not limited to, discharges of process water, air conditioner condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout water, paint wash water, irrigation water, or pipe testing water.

**“Notice of Intent” or “NOI”**The form required for authorization of coverage under the Construction General Permit.

**“Notice of Termination” or “NOT”**The form required for terminating coverage under the Construction General Permit.

**“NPDES Notice Center” or “Notice Center”**The entity to which you submit your NOI, NOT, or other information related to the process of obtaining, implementing, or terminating coverage under the NPDES Program.

**“Operator”**The business, firm, contractor, public organization, person or other legal entity that owns or operates the construction activity and that has authority to exercise operational control over construction plans, specifications, and activities to ensure compliance with the terms and conditions of this permit.

**“Outfall”**For the purposes of this permit, see Discharge Point.

**“Point(s) of Discharge”**See “Discharge Point.”

**“Point Source”**Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff.

**“Pollutant”**Defined at 40 CFR §122.2. A partial listing from this definition includes: dredged spoil, solid waste, sewage, garbage, sewage sludge, chemical wastes, biological materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial or municipal waste.

**“Pollution Prevention Controls”**Stormwater controls designed to reduce or eliminate the addition of pollutants to construction site discharges through analysis of pollutant sources, implementation of proper handling/disposal practices, employee education, and other actions.

**“Polymers”**For the purposes of this permit, coagulants and flocculants used to control erosion on soil or to enhance the sediment removal capabilities of sediment traps or basins. Common construction site polymers include polyacrylamide (PAM), chitosan, alum, polyaluminum chloride, and gypsum.

**“Prohibited Discharges”**Discharges that are not allowed under this permit.

**“Qualified Inspector”**A person that:

1. Has successfully completed the DEP Stormwater, Erosion, and Sedimentation Control Inspector Training Program and received a certificate of completion.

2. Has successfully completed an equivalent formal training program;

**“Receiving Water”**A “Water of the United States” as defined in 40 CFR §122.2 into which the regulated stormwater discharges.

**“Responsible Authority”**For the purposes of this permit means:

1. A responsible corporate officer as described in subparagraph 62-620.305(1)(a)1., F.A.C.; or

2. A general partner or sole proprietor, as identified in subparagraph 62-620.305(1)(b), F.A.C.; or

3. A principal executive officer or elected official of a public agency, as described in subparagraph 62-620.305(1)(c), F.A.C.

**“Sediment-Related parameter”**For the purposes of this permit, means a pollutant parameter that is closely related to sediment such as turbidity, total suspended solids (TSS), total suspended sediment, transparency, sedimentation, and siltation.

**“Small Construction Activity”**Construction activity resulting in the disturbance of equal to or greater than one acre and less than five 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 cumulatively disturb equal to or greater than one acre and less than five acres.

**“Spill”**For the purpose of this permit, the release of a hazardous or toxic substance from its container or containment.

**“Stabilization”**The use of vegetative and/or non-vegetative cover BMPs to prevent erosion and sediment loss in areas exposed through the construction process.

**“Storm Event”**A rainfall event that results in a measurable amount of rain. A storm event is defined to be a separate event when there is at least four hours of no rain between periods of rainfall.

**“Stormwater”**The flow of water which results from, and which occurs immediately following, a rainfall event.

**“Stormwater Control”**Refers to any best management practice or other method used to prevent or reduce the discharge of pollutants to waters of the state.

**“Stormwater discharge associated with construction activity”**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.

**“Stormwater Team”**The group of individuals responsible for oversight of the development and modifications of the SWPPP, and oversight of compliance with the permit requirements. The individuals on the “Stormwater Team” must be identified in the SWPPP.

**“Subcontractor”**For the purposes of this permit, an individual or company that takes a portion of a contract from the general contractor or from another subcontractor.

**“Surface waters of the state”**Those surface waters, including wetlands that are described in section 403.031, F.S.

**“SWPPP” (Stormwater Pollution Prevention Plan)**A site-specific, written document that, among other things: (1) identifies potential sources of stormwater pollution at the construction site; (2) describes stormwater control measures to reduce or eliminate pollutants in stormwater discharges from the construction site; and (3) identifies procedures the operator will implement to comply with the terms and conditions of this general permit.

**“Temporary Stabilization”**A condition where exposed soils or disturbed areas are provided a temporary vegetative and/or non-vegetative protective cover to prevent erosion and sediment loss. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either final stabilization can be achieved or until further construction activities take place to re-disturb this area.

**“Toxic Waste”** – see “Hazardous Substances.”

**“Treatment Chemicals”**Polymers, flocculants, or other chemicals used to reduce turbidity in stormwater.

**“Turbidity”**A condition of water quality characterized by the presence of suspended solids and/or organic material.

**“Uncontaminated Discharge”**A discharge that does not cause or contribute to an exceedance of applicable water quality standards.

**“Visual Turbidity”**For the purposes of this permit, visual turbidity is present when there is a sediment plume in the discharge or the discharge appears cloudy, opaque, or has a visible contrast that can be visually identified by an observer.

**“Water Quality Standards”**Means standards composed of designated present and future most beneficial uses (classification of waters), the numerical and narrative criteria, including Site Specific Alternative Criteria, applied to the specific water uses or classification, the Florida anti-degradation policy, and the moderating provisions, such a variances, mixing zone rule provisions, or exemptions.

**“Waters of the state” – see “Surface waters of the state”**

**“Wetland”**Those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. On-site evaluations are typically required to confirm the presence and boundaries of wetlands.

**10. Acronyms**

**BMP -** Best Management Practice

**CFR** - Code of Federal Regulations

**CGP –** Construction Generic Permit

**CWA** – Clean Water Act

**DEP –** Florida Department of Environmental Protection

**EPA** – United States Environmental Protection Agency

**F.A.C. –** Florida Administrative Code

**F.S. –** Florida Statutes

**MS4 –** Municipal separate storm sewer system

**NOI –** Notice of Intent

**NOT –** Notice of Termination

**NPDES –** National Pollutant Discharge Elimination System

**NTU** – Nephelometric turbidity units

**OFW –** Outstanding Florida Water

**SWPPP –** Stormwater Pollution Prevention Plan