

ERP Advisory Group Meeting Statewide Stormwater Rule Changes

Post-Permitting Updates



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Updates to Post-Permitting Requirements

- As-built/record drawings required
- Re-certification Inspection Reports required
- Inspection Interval Changes
- FDEP Certified Inspector Clarification
 - Recertifications of Grandfathered permits and previous SWERP permits

As-Built / Record Drawings Required

- Refer to Subsection 12.2(b)(2), AHVI & General Condition No. 1(f)(2)

(b) For projects other than those specified in sections 12.1.1 and 12.2(a), above — The permittee shall submit Form 62-330.310(1) “As-Built Certification and Request for Conversion to Operation Phase,” in accordance with subparagraph 62-330.350(1)(f)2., F.A.C., to notify the Agency that the project, or independent portion of the project, is completed (other than long-term monitoring and any mitigation that will require additional time after construction or alteration to achieve the success criteria specified in the permit) and ready for inspection by the Agency.

1. Projects not requiring certification by a registered professional shall be certified by the permittee or their authorized agent. Projects designed by a registered professional shall be certified by a registered professional, unless exempted by law.

2. The permittee shall submit as-built drawings with Form 62-330.310(1). The person completing Form 62-330.310(1) shall inform the Agency if there are substantial deviations from the plans approved as part of the permit.

The plans must be clearly labeled as “as-built” or “record” drawings and shall consist of the permitted drawings that clearly highlight (such as through “red lines” or “clouds”) any substantial deviations made during construction. The permittee shall be responsible for correcting the deviations [as verified by a new certification using Form 62-330.310(1)]. Non-substantial deviations do not require a permit modification. Substantial deviations shall be processed as a minor or major modification as described in section 6.2 of this handbook and under Rule 62-330.315, F.A.C. Such modification must be issued by the Agency prior to the Agency approving the request to convert the permit from the construction to the operation and maintenance phase.

f. Within 30 days after completing construction of the entire project, or any independent portion of the project, the permittee shall provide the following to the Agency, as applicable:

1. For an individual, private single-family residential dwelling unit, duplex, triplex, or quadruplex - “Construction Completion and Inspection Certification for Activities Associated with a Private Single-Family Dwelling Unit” [Form 62-330.310(3)]; or
2. For all other activities - **As-Built drawings** with “As-Built Certification and Request for Conversion to Operation Phase” [Form 62-330.310(1)].
3. If available, an Agency website that fulfills this certification requirement may be used in lieu of the form.

Re-Certification Inspections Required

- Refer to Subsection 12.6(b)(1), AHVI
- Operation and Maintenance Inspection Certification Form
- Stormwater Facility Inspection Checklist

OPERATION AND MAINTENANCE INSPECTION CERTIFICATION

Instructions: Submit this form to the Agency within 30 days of completion of the inspection, or after any failure of a stormwater management system or deviation from the permit. This form will be used to document inspections required under Section 12.5 of Applicant's Handbook Volume I.

Permit No.: _____ Application No.: _____ Date Issued: _____

Identification or Name of Stormwater Management System: _____

Phase of Stormwater Management System (if applicable): _____

Inspection Date: _____

Included Documentation: (check all that are attached)

- ☐ Form 62-330.311(3) "Inspection Checklist" (Required for permitted inspection frequency)
- ☐ Updated O&M cost estimate
- ☐ Updated O&M Plan
- ☐ Monitoring Reports

Inspection results: (check all that apply)

- ☐ The undersigned hereby certifies that the works or activities are functioning in substantial conformance with the permit. This certification is based upon on-site observation of the system conducted by me or my designee under my direct supervision and my review of as-built plans.
- ☐ The following maintenance was conducted since the last inspection (attach additional pages if needed):

- ☐ The undersigned hereby certifies that I or my designee under my direct supervision has inspected this surface water management system and the system does not appear to be functioning in substantial conformance with the permit. I am aware that maintenance or alteration is required to bring the system into substantial compliance with the terms and conditions of the permit. As appropriate, I have informed the owner of the following:
 - a) The system does not appear to be functioning properly;
 - b) That maintenance or repair is required to bring the system into compliance; and
 - c) If maintenance or repair measures are not adequate to bring the system into compliance, the system may have to be replaced or an alternative design constructed subsequent to approval by the agency below.

The following components of the system do not appear to be functioning properly (attach additional pages if needed):

Any components of the constructed system that are not in substantial conformance with the permitted system shall require a written request to modify the permit in accordance with the provisions of Rule 62-330.315, F.A.C. If such modification request is not approved by the agency below, the components of the system that are not in conformance with the permit are subject to enforcement action under Sections 373.119, 373.129, 373.136, and 373.430, F.S.

Recertification Inspection Frequency

Table 12-1: Inspection Frequencies for common BMPs

TYPE OF SYSTEM	INSPECTION FREQUENCY
Dry Retention basins	Once every 3 years
Exfiltration trenches	Once every 2 Years
Underground retention	Once every Year
Sand or Media Filters	Once every Year
Underdrain System	Once every 2 Years
Underground vault/chambers	Once every Year
Pump Systems	Twice every Year
Swales (treatment)	Once every 3 years
Wet Detention systems	Once every 3 years
Wet Detention systems with littoral zones	Once every 2 years
Vegetated Natural Buffers	Once every 5 years
Manufactured Devices	As manufacturer recommends in specifications, minimum once every year
Dam Systems	Once every Year
All other	Once every Year

FDEP Certified Stormwater Inspector - Clarification

- Refer to Subsection 12.5(c) of Applicant's Handbook Vol. 1
- Certified Stormwater Inspectors are only qualified to inspect and recertify projects approved under SWERP II Rules
 - Permits issued on or after June 28, 2024, and have new recertification requirements

Questions